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OF 180553Z MARCH 03

INFO PRIORITY

ASEAN POSTS, CABINET OFFICE, EU POSTS

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INFO PRIORITY PJHQUK, SECRETARY OF STATE, SECURITY COUNCIL POSTS

INFO PRIORITY TOKYO, UKMILREP CENTCOM, WELLINGTON,

SUBJECT: IRAQ - AUSTRALIA COMMITS

SUMMARY

1. Australian Government commits troops. Labor disagree with decision, but will support troops. Iraqi diplomats expelled.

DETAIL

2. President Bush telephoned Prime Minister Howard shortly after 0600 local time on 18 March (before the former made his national televised address in the US), to make the formal request for Australia to participate in any military intervention in Iraq, should Saddam Hussein not respond to the ultimatum subsequently delivered. Howard immediately called a further meeting of full Cabinet, at the end of which he announced in a live national television broadcast, that a decision had been taken to commit Australian troops to any US-led coalition to disarm Iraq. He said that "the government strongly believed the decision taken was right, it was legal, it was directed towards the protection of the Australian national interest", and he asked the Australian people to support it.

3. Howard said that the Iraq issue was one of morality and not just legality. However, he agreed to table immediately in Parliament the text of the legal advice that had been provided to the Australian Government from DFAT and the Attorney-General's Department. He said it was consistent with the advice given to the British Government by Lord Goldsmith (FCO telnos 116 and 117 to Washington), that we fed in to his office this morning and which he also later tabled.

4. Predictably, all of the other Australian political parties have condemned the Government's decision to commit the Australian Defence Force (ADF) to any action in Iraq. Labor Leader Crean said that involvement would spawn terrorism and greatly increase the

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risk of terrorist attacks on Australian soil. The leaders of the Democrats and Green Parties called it a sad day for the nation.

5. Parliament cancelled all normal business on 18/19 March to accommodate a further debate on Iraq that is now underway. In opening the debate, Howard reiterated many of the points made in his 13 March speech (Canberra telno 32). He said that he had very much wanted UN weapons inspectors to succeed, but in the face of Iraqi non-compliance and duplicity, they had an impossible task. Howard totally rejected the argument put forward by France that disarmament could be achieved by giving the inspectors more time. Continued Iraqi obfuscation clearly indicated that they had no intention of disarming peacefully.

6. In response Crean said that it was a black day for Australia. He supported the disarming of Iraq, but disagreed with the means. "Diplomacy had been ditched" and the decision to commit Australian troops had been taken as a result of Howard's "capitulation and subservience to the US". Under the Coalition Government, Australia had no independent foreign policy. Crean said that Australia should never support military action outside of the auspices of the UN. He did not take a position on the legal advice given to the government, and was more concerned that the decision taken by Cabinet was wrong. Howard had committed Australia "needlessly and recklessly to war", but had failed to demonstrate that Iraq posed a direct and immediate threat to Australia.

7. Following the Cabinet decision, Foreign Minister Downer announced that all Iraqi diplomats (five plus dependants) based in Australia had been asked to leave the country. Article 9 of the Vienna Convention required that they be given "a reasonable period" to depart, which expires on 23 March. Downer emphasised that the closure of the Iraqi Embassy did not constitute a break in diplomatic relations with the State of Iraq. Following hostilities, and the appointment of a new government in Iraq, Australia should be able to allow the quick resumption of diplomatic representation.

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