

RESERVED
DECLASSIFIED

From Sir Jeremy Greenstock GCMG

25 February 2003

Sir David Manning KCMG
Foreign Policy Adviser to the Prime Minister
and Head of the Defence and Overseas Secretariat
10 Downing Street
London
SW1A 2AA

Dear David

John Holmes suggested (his letter of 24 February to you) that we should keep in mind the possibility of putting a draft resolution to the vote knowing that it would not receive nine votes. I agree that we have to be ready to look at all the options in due course. But as things look at present, I am not sure that we have much to gain from such a move.

In the circumstances which John outlines, our draft would not be adopted and would have no legal effect (the absence of a veto would not, in strict law, matter). I find it hard to see how we could draw much legal comfort from such an outcome; but an authoritative determination would be a matter for the Law Officers. (Kosovo was different: in that case a Russian draft condemning the NATO action as illegal was heavily defeated, leaving open the claim that the action was lawful after all (or at least was so regarded by a majority of the Council).)

Furthermore, in the current climate of the debate on Iraq (within the Council and elsewhere), the political mandate to be drawn from a draft which failed to achieve nine positive votes seems to me likely to be (at best) weak. The positive votes would be written off as due to US bullying or UK/Spanish/Bulgarian/Other spinelessness. The stark reality would remain that the US and the UK had tried and failed to persuade the Council to endorse the use of force against Iraq. And the French (and the Russians and the Chinese) would no doubt be sitting comfortably among the abstainers: their vetoes would not be needed.

RESERVED
DECLASSIFIED

RESTRICTED
DECLASSIFIED

My feeling therefore is that our interests would be better served by not putting a draft to the vote unless we were sure that it had enough votes to be adopted. I understand the Americans share this view. It is certainly the calculation which most sponsors of draft resolutions (on whatever subject) have made in the past. But we should revisit this issue later - a lot still has to be played out in the Council.

Yours ever

Jeremy

Jeremy Greenstock

cc: Peter Ricketts CMG, DG - Political, FCO
Edward Chaplin, DG - Middle East/North Africa, FCO
Matthew Rycroft, 10 Downing Street
Sir John Holmes KCMG, PARIS
Sir Christopher Meyer KCMG, WASHINGTON
Sir Paul Lever KCMG, BERLIN

RESTRICTED
DECLASSIFIED