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CABINET

CONCLUSIONS of a Meeting of the Cabinet
held at 10 Downing Street on

MONDAY 17 MARCH 2003
at 4.00 pm

P R E S E N T

The Rt Hon Tony Blair MP
Prime Minister

The Rt Hon John Prescott MP
Deputy Prime Minister and First Secretary of State

The Rt Hon Gordon Brown MP
Chancellor of the Exchequer

The Rt Hon The Lord Irvine of Lairg
Lord Chancellor

The Rt Hon Jack Straw MP
Secretary of State for Foreign and
Commonwealth Affairs

The Rt Hon David Blunkett MP
Secretary of State for the Home
Department

The Rt Hon Margaret Beckett MP
Secretary of State for the Environment,
Food and Rural Affairs

The Rt Hon Clare Short MP
Secretary of State for International
Development

The Rt Hon Alistair Darling MP
Secretary of State for Transport

The Rt Hon Alan Milburn MP
Secretary of State for Health

The Rt Hon Dr John Reid MP
Minister without Portfolio and Party Chair

The Rt Hon Paul Murphy MP
Secretary of State for Northern Ireland

The Rt Hon Geoff Hoon MP
Secretary of State for Defence

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The Rt Hon Andrew Smith MP
Secretary of State for Work and Pensions

The Rt Hon Helen Liddell MP
Secretary of State for Scotland

The Rt Hon The Lord Williams of Mostyn QC
Leader of the House of Lords

The Rt Hon Patricia Hewitt MP
Secretary of State for Trade and Industry

The Rt Hon Tessa Jowell MP
Secretary of State for Culture, Media and Sport

The Rt Hon Hilary Armstrong MP
Chief Whip

The Rt Hon Charles Clarke MP
Secretary of State for Education and Skills

The Rt Hon Paul Boateng MP
Chief Secretary to the Treasury

The Rt Hon Peter Hain MP
Secretary of State for Wales

ALSO PRESENT

The Rt Hon Nick Brown MP
Minister for Work

The Rt Hon The Lord Grocott
Captain of the Gentlemen-at-Arms

The Rt Hon The Lord Goldsmith QC
Attorney General

SECRETARIAT

Sir Andrew Turnbull
Sir David Manning
Mr P Britton
Mr D Bowen
Mr R Fellgett
Mr M Roberts

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FOREIGN AFFAIRS

Iraq

Previous Reference
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1. THE PRIME MINISTER said that he had called this special Cabinet meeting because the Government had reached an impasse at the United Nations. We had tried our utmost: we had tabled a draft Security Council resolution, amended it, and then been prepared to apply tests against which Iraq's co-operation with the United Nations inspectors could be judged. Although we had been gathering increasing support from members of the Security Council, the French statement last week that they would veto a resolution in all circumstances had made it impossible to achieve a new Security Council resolution. The French, with the Russians in support, were not prepared to accept that if President Saddam Hussein of Iraq did not comply with United Nations obligations, military action should follow. As a result, we were now in the situation we had striven to avoid. There would be no second resolution and military action was likely to be necessary in order to enforce compliance by Saddam Hussein with Iraq's obligations.

Continuing, THE PRIME MINISTER said that the United States of America had now undertaken to publish the "roadmap" for the Middle East Peace Process, once the new Palestinian Prime Minister's appointment had been confirmed. This was an important step forward which would open the way to a full and final settlement within three years. The United States had also confirmed that they would seek a United Nations mandate for the post-conflict reconstruction of Iraq. Oil revenues would be administered under United Nations authority. A lot of work was needed to repair the strains which had arisen internationally over the past weeks. He regretted that the international community had sent mixed messages to Saddam Hussein, whose regime could have been disarmed peacefully if confronted by international solidarity. The blockage we had encountered in the United Nations impeded any progress. He paid tribute to the work of the Foreign and Commonwealth Secretary and his team.

THE FOREIGN AND COMMONWEALTH SECRETARY said that the Prime Minister had persuaded President Bush of the United States to go down the United Nations route in order to achieve the maximum authority for the disarmament of Iraq, but the diplomatic process in the United Nations was now at an end. Progress had been made towards forging a consensus before the French and Russians had indicated their intention to veto any Security Council resolution proposed which indicated that military action would follow Saddam Hussein's failure to comply. His assessment was that President Chirac of France had decided to open up a strategic divide between France and the United

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Kingdom; the row in Brussels in late 2002 had been manufactured. Effectively, one member of the Security Council had torpedoed the whole process. The Russians had sided with the French, but the Chinese had kept their distance in order to preserve relations with us. The one chance now remaining to Saddam Hussein was to seek exile. If that course failed, the Government would seek the support of the House of Commons for military action against Iraq. There would be a substantive motion in a debate now scheduled for Tuesday.

THE ATTORNEY GENERAL said that he had answered a Parliamentary Question in the House of Lords this day on the authority for the use of force against Iraq. The Foreign and Commonwealth Secretary had also sent a document to the Foreign Affairs Committee on the legal basis. Authority existed from the combined effect of United Nations Security Council Resolutions 678, 687 and 1441, all of which were adopted under Chapter VII of the United Nations Charter. The latter allowed the use of force for the express purpose of restoring international peace and security. Security Council Resolution 1441 determined that Iraq had been and remained in material breach of Security Council Resolution 687 and gave Iraq a final opportunity to comply with its disarmament obligations, warning of serious consequences if it did not do so. It was plain that Iraq had failed so to comply and therefore continued to be in material breach. The authority to use force under Security Council Resolution 678 was revived as a result. He recalled that Security Council Resolution 1441 did not contain a requirement for a further Security Council resolution to authorise the use of force.

In discussion, the following points were made:

- a. the French attitude had undermined the mechanism of the United Nations to enforce the will of the international community;
- b. a different Middle East was in prospect, not just with the removal of a tyrant but also as a result of the new initiative on the Middle East Peace Process;
- c. after the strenuous efforts to find a diplomatic solution, it was essential for the Government's supporters to unify around the leadership which had enhanced its credibility by the integrity and consistency of its position on Iraq;

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- d. the Government's supporters needed a comprehensive statement to explain the position: a second Security Council resolution, which would really have been the 18th in respect of Iraq, had been politically desirable but not legally essential;
- e. it was important to focus on Saddam Hussein's failure to comply, and to avoid the impression that the failure to gain a further Security Council resolution was the issue;
- f. within the United Kingdom we had to respect the views of all our citizens and maintain our dialogue with the Muslim community, while setting out clearly the case for military action in the current circumstances;
- g. progress on the Middle East Peace Process must be made, despite attempts by Prime Minister Sharon of Israel to disparage the "roadmap";
- h. if we failed to disarm Iraq we risked sending a message of encouragement to dictators and countries illegally holding weapons of mass destruction: despite abhorrence of war, there was also abhorrence of tyranny and weapons of mass destruction;
- i. the conduct of the coalition in military action would be important in showing that we wished to protect civilians, seek the surrender of Iraqi conscripts, and protect religious and cultural sites;
- j. notwithstanding the difficulty in gaining the country's support for this action, the Government would eventually be judged on the state of public services and the economy;
- k. the Government's commitment to the United Nations was in terms both of making its writ run and of encouraging all its members to work within that framework;
- l. this stalemate in the United Nations should prompt a new look at the international security architecture whose modernisation needed to be addressed;

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- m. a United Nations mandate for the reconstruction of Iraq was necessary for legal reasons since occupation forces were restricted in what they could do beyond humanitarian relief;
- n. the real test of the Government's credibility on this issue would be the extent to which the Middle East Peace Process was driven forward and the manner in which the Iraqi people were cared for after conflict;
- o. the Government was motivated by a world view which promoted justice, good governance and pluralism and this set it apart from other governments of the industrialised world.

THE DEPUTY PRIME MINISTER said that the Prime Minister had played a major role in upholding the credibility of the United Nations. French intransigence had thwarted success in taking the United Nations process to its logical conclusion. Nevertheless, the use of force against Iraq was authorised by existing Security Council resolutions.

Summing up, THE PRIME MINISTER said that the diplomatic process was now at an end. Saddam Hussein would be given an ultimatum to leave Iraq; and the House of Commons would be asked to endorse the use of military action against Iraq to enforce compliance, if necessary.

The Cabinet -

Took note.

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