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10 February 2003



Foreign &
Commonwealth
Office

London SW1A 2AJ

Dear David,

Iraq: Second Resolution

paing

We have been giving thought to options for a second resolution on Iraq, and on timing and tactics.

Prospects

The prospects for a second resolution are difficult. We will need 9 positive votes and no vetoes. At present, only US, UK, Bulgaria and Spain could be counted on. Russia may be moving in our direction. The Chinese position is less clear, but seems also to be moving away from a veto. The French and the Germans remain strongly opposed. So does Syria. Mexico remains highly sceptical. Chile and Pakistan are moving in our direction. The African members, Guinea, Cameroon and Angola may come round to supporting a second resolution but need working on.

... I enclose a matrix summarising the positions of UNSC members, with proposals for further lobbying including calls by the Prime Minister and the Foreign Secretary. It also includes lobbying other sympathetic governments to apply pressure too, including the Japanese who have significant aid programmes in all three African countries and have indicated a willingness to help. But, without more dramatic evidence of Iraqi non-compliance, most members of the UNSC will remain non-committal. Inevitably, the US will have to make much of the running in shifting them.

Texts

We have been further refining textual options for a second resolution. Sir Jeremy Greenstock will have an initial discussion with Negroponte later today.

In our view, it will be impossible to obtain support for a second resolution explicitly authorising the use of "all necessary means". We have, therefore, focussed on implicit formulae. The Attorney General has advised that the key element of any resolution would be a sufficient link back resolution 1441, to establish that the Council has concluded that Iraq has failed to take its "final opportunity".

... I enclose three options which, we believe, meet our legal requirements.

It is possible to imagine more explicit options, particularly those which include an explicit finding that Iraq is in "material breach". This would not be strictly necessary from a legal point of view. But, as a matter of tactics, we will need to

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consider with the Americans whether we should start with the more ambitious text and fall back to a more implicit formula.

An Ultimatum?

The enclosed options also include a possible ultimatum couched in general terms. An ultimatum contains the risk of opening up a debate about whether the Council needs to make a further determination that Iraq has failed to comply with the ultimatum. We have sought to avoid this by suggesting a formula which would, in effect, authorise action against Iraq unless the Council took the decision that Iraq had decided to come in to compliance.

Tactics and timing

Our aim would be to agree a text and tactics with the US in New York in the course of next week. We would not propose to float our ideas with other Council members until after Blix's 14 February report. In the (highly unlikely) event that Saddam did a volte face and began to co-operate actively, this would alter the whole context of a second resolution. In the (perhaps more likely) event that Iraq began making gestures clearly designed to split the Council and buy time, rather than to move to 100% co-operation, there would be difficult tactical judgements. There could be a case for bringing forward launch of a resolution, to get in before a Blix/el Baradei report which could be seized on as a pre-text for considerable further delay, without taking us closer to the objective of Iraqi disarmament. But doing so could risk appearing to pre-empt Blix and harden opinion against a resolution. Decisions on this could only be taken at the time.

We should, in any event, be prepared to face counter-texts as soon as we float a resolution. These could include strengthening UNMOVIC and inspections, or an ultimatum (if our own text did not).

We are also preparing position papers on "the day after" and the possibility of a further UNSCR(s) to cover this. The "day after" issues have often been raised with the Foreign Secretary by his Security Council counterparts.

I am copying this letter to Peter Watkins (MOD), Lord Goldsmith, Sir Jeremy Greenstock (UKMIS New York) and Sir Christopher Meyer (Washington).

Kara Owen

(Kara Owen)
Private Secretary

Sir David Manning KCMG
10 Downing Street

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Possible second resolution (Option 1)

The Security Council,

PP1: Recalling all its previous relevant resolutions, in particular its resolutions 661 (1990) of August 1990, 686 (1991) of 2 March 1991, 678 (1990) of 29 November 1990, 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, [707(1991) of 15 August 1991, 715(1991) of 11 October 1991,] 986 (1995) of 14 April, 1995, 1284 (1999) of 17 December 1999 and 1441 of 8 November 2002, and all relevant statements of its President;

PP2: Recalling that its resolution 1441(2002), acknowledged that Iraq has been and remains in material breach of its obligations, but afforded Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions;

OPs 1 and 2 of 1441

PP3: Recalling that in its resolution 1441(2002) the Council decided that false statements or omissions in the declaration submitted by Iraq pursuant to that resolution and failure by Iraq at any time to comply with, and co-operate fully in the implementation of, that resolution, would constitute a further material breach;

OP 4 of 1441

PP4: Noting, in that context, that in its resolution 1441(2002), the Council recalled that it has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations;

OP13 of 1441

PP5: Deeply concerned that in their reports of 27 January and 14 February 2003, the Executive Chairman of UNOMVIC and Director-General of IAEA made clear that Iraq has not co-operated fully with inspections nor addressed deficiencies in the declaration submitted by it pursuant to resolution 1441;

PP5: Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq, Kuwait, and the neighbouring states;

PP15 of 1441

PP5: Mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security;

PP6: Recognising the threat Iraq's non-compliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security;

Same language as PP3 of 1441

PP7: Determined to secure full compliance with its decisions and to restore international peace and security in the area;

PP8: Acting under Chapter VII of the Charter of the United Nations;

OP1: Concludes that Iraq has failed to take the final opportunity afforded to it in Resolution 1441(2002) by submitting a declaration pursuant to that resolution containing [false statements and] omissions and by failing to comply with, and co-operate fully in the implementation of, that Resolution;

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OP2: Decides to remain seized of the matter.

From SCR 1205

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Possible second resolution (Option 2)

[OP1: Concludes that the declaration submitted by Iraq pursuant to resolution 1441(2002) contained [false statements and] omissions and that Iraq has failed to comply with, and co-operate fully in the implementation of, that Resolution;]

OP2: Decides that unless, based on reports from the Executive Chairman of UNMOVIC and Director-General of IAEA, the Council concludes before 5 March 2003 that the government of Iraq has taken an unconditional and irreversible decision [at the highest levels] to come into compliance with its obligations under Resolution 1441(2002) and previous relevant resolutions, the final opportunity granted to Iraq in resolution 1441(2002) will expire on 5 March 2003;

*Possible ultimatum –
Council has to take
conscious decision that
Iraq has decided to come
into compliance*

OP3: Decides to remain seized of the matter.

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Possible second resolution (Option 3)

OP1: Concludes that Iraq has [,by submitting a declaration pursuant to Resolution 1441(2002) containing [false statements and] omissions and by failing to comply with, and co-operate fully in the implementation of, that Resolution,] failed to take the final opportunity afforded to it in Resolution 1441(2002);

OP2: Decides that unless, based on reports from the Executive Chairman of UNMOVIC and Director-General of IAEA, the Council concludes before 5 March 2003 that the government of Iraq has taken an unconditional and irreversible decision [at the highest levels] to come into compliance with its obligations under Resolution 1441(2002) and previous relevant resolutions, Iraq will face the serious consequences it has been repeatedly warned of, including in paragraph 13 of resolution 1441 (2002);

OP3: Decides to remain seized of the matter.

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STRATEGY FOR LOBBYING THE UN SECURITY COUNCIL TO ADOPT A SECOND RESOLUTION AUTHORISING
MILITARY ACTION

| Country | Position now | Prime Minister call? | Foreign Secretary call? | Action for other ministers/officials | Third Party Action |
|----------|---|---|--|--|---|
| Angola | Opposing now but could be looking to move to abstain/yes | As text is tabled | 1. When UK/US close to tabling a text. 2. Again before the vote. | Embassy to intensify dialogue on Iraq issues, addressing issues raised by Miranda on 5 Feb. Mr O'Brien to brief Angolan PR during 17 Feb New York visit. | Portuguese could be influential. Peter Ricketts to call Lisbon. |
| Bulgaria | Yes. Solid intervention on 5 Feb. | Not needed | Important we keep Bulgarians on side. A call to Passy before we circulate text should do so. | Bob Ainsworth, Home Office Minister, visits on 21 Feb on JHA issues, and might thank Bulgaria for their supportive stance. Could find other opportunities to reward Bulgaria (eg supporting participation in Geneva meeting of Friends of Georgia). | The US are aware of the need to keep Bulgaria on side. |
| Cameroon | Opposing now but no friend of Iraq. May be looking to move to | To be considered once text is tabled. PM has never called Biya before; Biya alone will take the decision. | 1. When UK/US close to tabling a text. 2. Again before the vote. | Senior FCO official to visit to ensure arguments made in NY are hitting home in Yaounde? | France and Germany are main trade and aid partners. But Japan has a large programme and has offered to help. US should also take a lead here. |

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| | abstain/yes | | | | Commonwealth: |
| Chile | Moving towards support ¹ As long as inspections are getting no where | Yes – returning Lagos' failed call. Build on Group of Progressive Leaders. Bush and Aznar will be in the lead. Coordinate with Aznar. | 1. Week beginning 10/2 to welcome helpful contribution to 5 Feb meeting. 3. When UK/US close to tabling a text. 2. Again before the vote | Embassy to intensify dialogue. Mr O'Brien to call on their PR in New York on 17/02/03? | US already engaged. Peter Ricketts to tee up Spanish to get Aznar involved; co-ordinate with La Moncloa. |
| China | Likely to abstain, but watching relationship with US. | Yes - to avoid the Chinese | Before text is tabled. | Embassy to intensify dialogue. Senior official (Ehrman?) to visit to discuss second resolution. | US heavy lifting required. |
| France | Indications of abstain but could move to yes if strong evidence and company dwindles. Paris advise | Ongoing PM/Chirac contacts. | Ongoing Secretary of State/Villepin contacts | Mr Hoon to talk to French Defence Minister (terrorism and rogue states etc). Also Boyce/Bentegat [Blunkett/Sarkozy channel?] | Encourage Blix to make more effort with the French. Encourage the Saudis and the Egyptians to tell the French that they now see no alternative to military pressure. |

¹ On 5 February Alvear said that partial compliance was a violation in defiance of the international community, and supported high pressure on Iraq, and said that if there was no radical change in Iraq's attitude the Council must use every means available to ensure compliance.

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| | Chirac veto not ruled out | | | | |
| Germany | No/Abstain | Worth continued engagement, stressing to Germany that they ultimately risk isolation in Europe. A shift from no to abstain would significantly shift the UNSC's centre of gravity. | Same messages for Fischer. | Regular official contacts. Manning/Carnero call after Germans/Spanish Summit. Adam Ingram meeting German Deputy Defence Minister at Munich on 8/9 Feb. | No 10 could get the "Great 8", plus others (eg Netherlands) to put the squeeze on Germany to move closer to rest of EU. German/Spanish summit on 11-12 February a key opportunity. Prompt La Moncloa. |
| Guinea | Probably abstain – worth attention | No. | Call Fall before tabling a resolution. | We do not have a full Embassy in Conakry. Mr O'Brien to call on their PR in New York on 17/02/03? | Japan, with a large aid programme, has offered to lobby. They and US probably have more influence. |
| Mexico | Focussing on French proposal for strengthening inspections. Probably abstain, but influential to the rest of the UNSC. | We should not leave Mexico for the US to sort out alone. PM could debrief Fox now on Camp David and Le Touquet, with possibility of further calls as required. | Soon – to set out problems with French proposal | Embassy to intensity contacts. | US and Spain. have more influence. Ricketts/Gil Catalina call. |
| Pakistan | Abstaining, but seems to | Yes – before text tabled. | 1. When UK/US close to tabling a text. | HC call on Aziz (Secretary of National Security Council & | China and US the main influences. US probably |

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| | be looking to shift to a yes vote. | | 2. Again before the vote | key Musharraf adviser). Clare Short will see Musharraf on 18 February. Sir Charles Guthrie, former CGS, could provide military briefing and positive encouragement. | in pole position. Japan has offered to help: prompt Tokyo. |
| Russia | Abstain: US relations and credibility of UNSC more important than Moscow/ Baghdad | Yes – before text is tabled. | Putin is the key, but important for Foreign Secretary to keep up the dialogue with Ivanov. Before text is tabled and on text during negotiation. Ivanov in UK 3-4 March. | Sustained Embassy lobbying. Continue contacts between Edward Chaplin and Saltanov (Dep Foreign Min). Possible Ricketts/Manning visit pre-resolution. (perhaps with US). Manning/Prikhodko calls to supplement PM/Putin. | US efforts will be crucial: we should suggest lines to Rice. Berlusconi to speak to Putin. Palacio to speak to Ivanov (who has strong Spanish connections). |
| Spain | Yes | Regular contact. | Continued regular contact with Palacio on Chile and Mexico. | Peter Ricketts/Gil Catalina strategy call Dr MacShane has dinner with Europe-Minister on 10/02/03. | N/A |
| Syria | No/Abstain | A call to Bashar | Continue contacts with | Continue regular contacts at | Spain has reasonably good |

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| | | might turn a negative vote into an abstention and helpfully shift the Council's centre of gravity. Likely to have more impact in the endgame. | Shara', especially in lead up to vote. His advice to Bashar likely to be highly influential. | post and in New York. | contacts. Ricketts/Gil Catalina handling call. |
| USA | Yes ✓ | | | Rice/Manning, Hoon/Rumsfeld, mil/mil, Embassy Channels and various official-level contacts make for an open dialogue on strategy and day after issues. | Important to keep others, especially Spain, appraised of our thinking. |
| Totals: | 4 yes votes, 9 could be persuaded to vote yes, 2 might be persuaded to abstain. France/Chirac heavily dependent on strength of evidence. | | | | |

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