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To:
From: Amanda Tanfield
Subject: FW: LEAD: OO NYMIS/FCOLN 318: IRAQ: 27 FEBRUARY
CONSULTATIONS AND MISSILES
Sent: 28 February 2003 11:24:39 GMT

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-----Original Message-----

From: MENAD
Sent: 28 February 2003 04:33
To: MENAD - All Staff
Subject: FW: LEAD: OO NYMIS/FCOLN 318: IRAQ: 27 FEBRUARY CONSULTATIONS AND MISSILES

From: Swift Incoming Telegrams (Machine 1)
Sent: Friday, February 28, 2003 4:32:30 AM
To: MENAD
Subject: LEAD: OO NYMIS/FCOLN 318: IRAQ: 27 FEBRUARY CONSULTATIONS AND
MISSILES

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PART ONE OF TWO

SUBJECT: IRAQ: 27 FEBRUARY CONSULTATIONS AND MISSILES

SUMMARY

1. The Council holds a fuller discussion of the UK/US/Spanish draft resolution. Positions remain generally unchanged (with perhaps some nuancing by Cameroon and Mexico), but the co-sponsors produce a more effective line of argument than the opposition. I seek to discount in advance any "movement" on Al-Samoud II missiles (as well as on documents and interviews). Disagreement at the end of the meeting on bringing forward the work programme and key remaining disarmament task under 1284. This needs to be handled carefully so we do not appear unreasonable.

2. Following the meeting, details emerge of an Iraqi letter to

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Blix confirming agreement "in principle" to the destruction of Al-Samoud II missiles and asking for an UNMOVIC delegation urgently to discuss the technicalities. UNMOVIC says discussions are taking place in Baghdad to clarify the acceptance.

DETAIL

2. The Council met in informal consultations on 27 February for a full discussion, on instructions, of the UK/US/Spanish proposal on Iraq.

3. Negroponte (USUN) said he hoped for a decision on the resolution in the not too distant future. It asked only whether Iraq had complied with its final opportunity. Iraq had produced a declaration with false statements and omissions while all would agree its co-operation had been far from complete. The US had long standing concerns about benchmarks. The Council should judge the facts on the basis of what had happened over the last 108 days. The question was whether the Council could confront the reality of the last three months. He was concerned at the message that would be sent to Iraq if the Council were not able to pass this straightforward justified resolution.

4. Wehbe (Syria) said 1441 was still fresh in our minds and we had not even addressed 1284. Iraq was positively co-operating. At the same time sanctions were killing millions while Israel was immune from WMD rules and received billions in aid. The co-sponsors should withdraw the resolution.

5. Lavrov (Russia) said that we should carry forward the implementation of 1441 and 1284 until the inspectors encountered impediments and obstacles. Iraq was not blocking the work of inspectors and was more and more actively co-operating on substance. This was the result of a unified Security Council, continuing pressure, and the strong inspection mandate which could, if necessary, be made more effective. To close this issue we needed facts - the "clusters" document of outstanding tasks should be distributed so we could continue our discussion on the basis of them.

6. Zinser (Mexico) said press reports that Mexico had changed its stance were untrue. They still wanted: disarmament; a peaceful solution; inspections as a central element; and multilateral consideration of this issue. He asked whether the UK/US/Spanish draft authorised force; who would carry out such action; and what would happen to inspections. He asked the sponsors of the memorandum whether they had discussed the strengthening of inspections with UNMOVIC/IAEA; what they would do if Iraq did not co-operate; and whether it was possible to present their proposal as an ultimatum/deadline (comment: it is unusual for Zinser to ask questions of the opposition). Valdes (Chile) said that this debate was about world peace and would be followed by millions. If divisions continued, people would see the Council as manipulated and a "house of votes". He urged the P5 to find a solution. He did not reject the use of force but it must only be once all peaceful means had been exhausted. He wanted the continuation of inspections for some time before a definitive report. He recognised they could not go on indefinitely.

7. Arias (Spain) said the draft resolution was one more step in

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imposing serious diplomatic pressure. Saddam only co-operated under pressure, and the more time we gave him the less pressure he would face. He could not imagine any better news for Iraq than that we would extend inspections as in the memorandum - casting aside 1441 and the unified message it had sent. Benchmarks did not produce disarmament without co-operation. If we accepted the memorandum the Council would be discredited and Saddam free to proliferate. If we really thought Saddam was co-operating we would not be having so many discussions about this issue in the Council - we would have moved on to other business.

8. Tafrov (Bulgaria) said we needed to increase the pressure. Disarmament was only possible with Iraqi co-operation. The credibility of the Council was at stake. Traore (Guinea) said his government was still reflecting. Iraqi co-operation was necessary for inspections to succeed and for a peaceful outcome. We should continue to work for a unified approach. Belinga-Eboutou (Cameroon), slightly tougher than on previous occasions, said that Iraq had only partially co-operated. This was the problem. To get co-operation we needed to turn up the pressure. Inspections could not continue endlessly - it would soon be 12 years since 687. His proposal that Annan should travel to Baghdad remained on the table. Perhaps the resolution could say Iraq had not "yet" taken the final opportunity? Gasper-Martins (Angola) said we should strive for a peaceful solution. We had not yet exhausted all options and there had been positive movement. The two proposals on the table were not mutually exclusive - the P5 should reach agreement.

9. Akram (Pakistan) said he had been reassured that the sponsors said the resolution would not automatically lead to the use of force. How long was the window of opportunity for a peaceful solution? He was not convinced that the strengthening of inspections alone would reassure everyone. He would ask Blix and El-Baradei what steps would demonstrate Iraq was offering immediate, full, and unconditional co-operation. Pakistan would come back to how its concerns about any action - well being of the Iraqi people; territorial integrity; etc - would be dealt with.

10. Intentionally speaking late, to react to others, I said that there was a reason we were not getting the Iraqi co-operation we had asked for. That was because the "zero" Iraq had declared was a lie. Iraq was trickling out concessions to divide the Council, buy time, and avert military action while continuing concealment. It was very probable that Iraq would decide to destroy the Al-Samoud missiles. In addition they might also start trickling out what they claimed to be newly discovered documents and announce "private" interviews which would in reality still be monitored and taped with the interviewee aware of this. I recognised we were saying things that could not be confirmed by the inspectors. But we had invested in facilities not available to other member states or the inspectors because our national interest was at stake and the UN being defied. We were providing detailed intelligence to the inspectors. I acknowledged that it was our word against Saddam's - but Council members had to choose whom they believed. I then went through the points provided by the Assessments Staff: Iraq's capacity to produce chemical and biological weapons; its delivery mechanisms; the efforts the regime had taken to conceal WMD in the run-up to and during inspections; the fact the regime had considered whether to declare

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some weapons but concluded it was too risky; the fact that inspectors were monitored and that there were plans to obstruct them if they got too close; and the intimidation to prevent private interviews which Iraq saw as the weak link that could expose their WMD. The litany was listened to by a hushed Council.

11. I said that Blix had said even the previous day that he did not think there was evidence of a fundamental decision to disarm, but there was evidence of increased activity. Even that day UNMOVIC had been tagging proscribed equipment that had been repaired by the Iraqis. We would need to keep our eye on the big picture. Inspections would only be successful with full Iraqi co-operation. Lavrov had in 1999 said that it was a fact of life that without co-operation you could not impose anything on Iraq. The French/German/Russian proposal wrongly claimed inspections were not being hindered; wrongly suggested it was for the Council to intensify its efforts; wrongly suggested we could provide credible comprehensive benchmarks in the absence of co-operation and a full declaration; wrongly suggested strengthened inspections without co-operation would be anything but a route for delay; and wrongly suggested it would increase pressure with what amounted to an open-ended timetable. This did not add up to a solution delivering disarmament, but at best temporary containment while Iraq continued to exploit major holes in sanctions to develop WMD.

12. I went through the legal arguments using the lines agreed with London. The new draft, if adopted, would confirm the authorisation of the use of force inherent in 678, 687, and 1441. The resolution would increase the pressure on Iraq through a clear unified decision of the Council. This did not necessarily mean that its adoption would in practice lead to immediate use of force. There was still a chance that at the last minute Iraq would take radical action to disarm. The UK hoped that would be the result. This was the only remaining route to secure disarmament and a peaceful outcome.

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To: Budaxtels - POL (CONF); Budaxtels - MOD (CONF)
From: BUDAPEST - Telegrams
Subject: TEL: NYMIS; IRAQ: 27 FEBRUARY CONSULTATIONS AND
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Sent: 28 February 2003 09:42:06 GMT

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PART TWO OF TWO

SUBJECT: IRAQ: 27 FEBRUARY CONSULTATIONS AND MISSILES

13. I recognised that 1441 set an awkwardly high standard. But we had adopted it and at no point had inspectors reported the immediate, active and unconditional co-operation demanded. I accepted delay was more comfortable and that there were downsides to the action we proposed. But colleagues should read OPs 8-10 of 687 (April 1991) and then tell me that we were rushing. If we were going to be united on anything it should be the truth - that Iraq continued to cheat the UN.

14. La Sabliere (France) was limp in response. He said my statement showed that the resolution was not about increased pressure but about force. Would the Council be strengthened by supporting a war against which so many objected? He went through the France/German/Russian proposal in standard terms highlighting that the process could not be indefinite and that the report to assess disarmament "could be" after 120 days. There was no reason to resort to force in the current circumstances nor to discuss a resolution to legitimise it. Blix's trips to Baghdad and the Council's meetings had all helped deliver results. The destruction of missiles would show that inspections were working. If the "bottle" of disarmament was going from 10 percent to 30 percent to 90 percent full then that was good.

15. Wang (China) said that the road of peaceful inspections had not run its course. UNMOVIC had not even submitted a programme of work. Of course Iraq's co-operation was not satisfactory. But effective inspections were one kind of pressure and he supported the ideas to strengthen them, including bringing forward the key remaining tasks.

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16. Pleuger (Germany, President), speaking in his national capacity, said that the resolution was about war. If it were only about threatening Saddam it was unnecessary as that threat was in 1441. 1441 was also about a "process" of inspections. He did not understand the 12 year argument when UNSCOM had destroyed more weapons than the Gulf War. There was serious doubts about the credibility of force with many prominent US figures and labour MPs opposed. The Council could not unify on any basis, and it was likely to be seen as irrelevant if it was manipulated into voting for force. Our goal was peaceful disarmament - if we went to war we would have failed. The answers were all in the memorandum - check points and aerial surveillance would increase the pressure and if we found a lorry carrying WMD that would increase the pressure on Iraq to co-operate further still. He had never said inspections should go on forever or that they wanted more time.

17. Then came the second wave of interventions. Lavrov said it was unfair for me to say the Council should decide whether it trusted the UK or Saddam. The only concrete point I had raised was on the military hospital where Blix had said there was not a serious demonstration. Russia, France, Germany (with some more biased chairing) and China then all ganged up to press for the Council to ask Blix to release the "clusters" document and (perhaps orally) highlight the key remaining disarmament tasks when he gave his (probably 7 March) report to the Council. Negroponte and I opposed. I did so delicately as it was clear that a fair number of the E10 saw this as a question of their being denied access to all pertinent information. I said we were all keen to hear the quarterly report and anything else Blix chose to raise or present. But the proposal that the Council should itself request early release of the remaining tasks was politically driven by those who wanted to promote the memorandum. I would need to seek instructions. Pleuger concluded that we would take the issue up again, probably on 4 March.

18. There were developments on missiles after the meeting. At EU HOMS, Arias (Spain) and I repeated that we thought Iraq would destroy them. But Duclos (France) and Pleuger (Germany) both thought destruction would not begin. Pleuger said Blix believed that the Iraqis interpreted their obligations as extending only to a declaration of intent by 1 March. Later in the day, we received a copy of a letter from Al-Saadi to Blix (by fax to Dowse, Pattison, Tanfield) indeed confirming "acceptance in principle" to the request, whining about how unfair and politically motivated it is, and suggesting the urgent dispatch of a technical team to establish a framework, timetable, and other criteria required for implementation. UNMOVIC issued a statement to the press (by fax to the same recipients) saying that it was in touch with Iraq, through its office in Baghdad and through Perricos, to clarify this acceptance and start destruction measures.

19. Maquieira (Chilean DPR) approached Harrison later in the day to suggest bilateral discussion of how the gap within the Council could be bridged (he may well intend to follow up the Chilean proposal reported in Santiago telno 31).

COMMENT

20. I believe the co-sponsors produced a more effective line of argument

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But I doubt whether the exchange will have changed any voting intentions, because hard logical argument is unlikely to be the criteria. Our objective, at the very least to avoid reports back to middle ground capitals that we are unable to construct a decent case about Iraqi offences, was probably achieved.

21. The fuss about Blix and the key remaining tasks will, I am afraid, rumble into next week. It needs to be quite carefully handled, to avoid the appearance of unreasonableness.

22. The next issue will be the destruction (or otherwise) of the missiles. I have tried to discount it in advance with the Council. We will have to see if the Iraqi acceptance "in principle" turns into concrete destruction before 1 March. If it does not (unlikely, in my view), it will be a bonus.

Desk Officer for Iraq:
Firecrest

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