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Foreign &
Commonwealth
Office

London SW1A 2AH

6 March 2002

Dear Matthew,

Iraq: Cabinet Discussion

... I understand that Iraq is likely to be discussed at Cabinet tomorrow. At the Foreign Secretary's request, I enclose a copy of a briefing paper on Iraq issued to the PLP yesterday, which Ministers might find useful background.

I am copying this letter to the Private Secretaries to members of the Cabinet and Andrew Allberry (Cabinet Office).

Yours age,
Mark

(Mark Sedwill)
Private Secretary

Matthew Rycroft Esq
10 Downing Street

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Iraq briefing

for the Parliamentary Labour Party

Tuesday 5 March 2002

*For further information, contact Michael Williams, Foreign and Commonwealth Office Special Adviser
on or Labour Party International Policy Officer on*

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1. Key points

- The Iraqi regime is a demonstrable threat to the stability of the region as a result of its continued development of weapons of mass destruction. It also has an appalling human rights record with the widespread use of torture and mass execution of political detainees.
- Nine UN Security Council resolutions on Iraq have been passed since 1990 to constrain Saddam's ability to threaten his neighbours and develop weapons of mass destruction. Iraq fully complies with none of them.
- The UK fully supports all UNSC resolution against Iraq, and is playing a leading role in establishing a new sanctions regime which targets military-related goods to Iraq while allowing greater access to food and humanitarian supplies.
- The UK continues to work with the other members of the UN Security Council in demanding the re-establishment of a UN inspection team in Iraq.
- The onus is on Saddam. If Iraq poses no threat then why does he continue to refuse access to UN inspectors?

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2. Saddam's Weapons

Saddam Hussein's use of chemical weapons against Iraq's people and neighbours makes him unique among modern dictators; they were used against Iran in the 1981/88 war and against Iraqi Kurds at Halabja in 1988.

Saddam remains determined to retain and rebuild his Weapons of Mass Destruction (WMD) and threaten the region: Iraq has admitted hiding chemical, biological weapons and missile parts in the desert and in railway tunnels.

We believe Iraq is still hiding WMD in a range of locations; UN weapons inspectors have been unable to account for:

- 4,000 tonnes of so-called precursor chemicals used in the production of chemical weapons;
- 610 tonnes of precursor chemicals used in the production of VX;
- some 31,000 chemical weapons munitions.

We fear Iraq is taking advantage of the absence of UN weapons inspectors to rebuild its WMD.

If Iraq's weapons programmes remain unchecked, Iraq could redevelop offensive chemical and biological capabilities within a very short period of time and develop a crude nuclear device in about five years. Without the controls they would have developed a nuclear weapon by now. The effects of biological and chemical weapons are horrendous: less than a teaspoon of anthrax can kill over a million people.

The international community cannot afford to ignore Iraq's WMD. UN weapons inspectors (led by Dr Hans Blix, Executive Chairman of the UN Monitoring, Verification and Inspection Commission (UNMOVIC), the successor to UNSCOM) must be allowed into Iraq.

3. UN Controls on Iraq

UN controls on Iraq remain in place because of Saddam Hussein's determination to retain and rebuild his WMD programme and threaten the region.

The controls have contained the regime's military ambitions and threat to its neighbours.

It is not credible to blame the UN for the suffering of the Iraqi people. Since 1996 UN controls have been increasingly targeted on military items and items of potential use in Iraqi weapons programmes. It is a myth that the UN prevents the delivery of food and medicines.

The export of over 16,000 goods to Iraq – including food, medicines, agricultural, educational and water and sanitation goods and oil spare parts – simply requires the UN to be notified. To date more than US\$7bn of contracts have been processed in this way.

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The Iraqi people continue to suffer because:

Iraq is not ordering sufficient quantities of these goods. As a result, around \$3.5 billion remain unspent in UN oil for food accounts. Iraq consistently fails to process around \$1 billion of contracts already approved by the Sanctions Committee for delivery to Iraq. Iraq is also exporting food and medicine to other countries.

Since the Oil for Food programme began in December 1996 (and up to the end of August 2001) around \$30 billion of contracts have been approved. But the Iraqi government continues to divert funds away from its people's welfare needs for grandiose projects celebrating Saddam Hussein's tyrannical rule.

4. UN Security Council Resolutions 1284 and 1382

For several years the UK has led the way in the UN Security Council in seeking to establish a new platform for the UN's relationship with Iraq which maximises the pain inflicted on Saddam Hussein's regime and minimises that imposed on the Iraqi people. Resolution 1284 adopted on December 17 1999 makes it clear that Iraq must give up its aspirations to possess weapons of mass destruction and created a new UN disarmament body, UNMOVIC. For the first time SCR 1284 establishes a clear route to the lifting of UN controls. It offered the prospect of the suspension of UN controls, if Iraq co-operates with UN arms control monitors. Iraq, however, has consistently refused entry for the UNMOVIC monitors.

On 29 November 2001 the UN Security Council unanimously adopted SCR 1382. This was a further step forward showing that the international community is united in how best to control the export of military-related items to Iraq while minimising restrictions on civilian goods.

Resolution 1382 takes forward the effort to focus controls on military items. It establishes a targeted Goods Review List, under which Iraq will be free to meet all of its civilian needs. This will leave the Iraqi regime with no further excuses for the suffering of the Iraqi people, while making more effective the existing controls on items of concern. This will mean no sanctions on ordinary imports, only controls on military and WMD-related goods. The Goods Review List is not a denial list. But for items on the list the UN wishes to consider the full circumstances of the export of those goods (e.g. who will be using the goods, where and for what) before making a decision about their export to Iraq. The UK led the way in securing these new arrangements, which take effect from the next "oil for food" phase beginning on 30 May 2002, subject to any refinements.

5. UK aid to Iraq

The UK has donated approximately £100 million since 1991, both bilaterally and via the EU.

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The current programme is worth around £5.5 million a year and focuses on de-mining, funding for vulnerable groups and infrastructure rehabilitation projects for hospitals and water and sanitation facilities.

Earlier this year the EU agreed a 13 million euro humanitarian aid package for vulnerable populations in central and southern Iraq. EU-funded projects will provide clean drinking water and health facilities, with a special emphasis on institutions for the disabled, orphans and homeless children.

6. No-Fly Zones

UK and US forces patrol the northern and southern No Fly Zones which were established in 1991 and 1992 in response to Iraqi repression of the civilian population in those areas.

Since December 1998 Iraq has tried on numerous occasions to shoot down UK and US aircraft carrying out these patrols. There have been over 2,000 direct threats against our aircrew, including missile attacks and anti-aircraft fire. Our aircraft are authorised to respond in self-defence: they would not need to do so if Iraq stopped attacking them.

7. Human rights

Iraq's human rights record has long been notorious as one of the worst in the world. It brutally suppresses all forms of political opposition and denies any rights for its minorities. Current abuses include summary executions, mass deportations and systematic torture. Although the United Nations (UN) Security Council and the UN Commission on Human Rights have consistently condemned the repression of the civilian population, Iraq continues to flout UN Resolutions and to ignore its international human rights commitments.

'...the situation of human rights in Iraq is worsening and the repression of civil and political rights continues unabated ...the prevailing regime of systematic human rights violations is contrary to Iraq's many international obligations and ...remains a threat to peace and security in the region.'

Interim Report by Max van der Stoep, United Nations (UN) Special Rapporteur on Iraq 1991-November 1999, to the 54th Session of the UN General Assembly (UNGA), 14 October 1999.

'Gross human rights violations are taking place systematically in Iraq... While the Iraqi Government has used every opportunity to publicise the suffering of the population under the sanctions regime ... it has exercised a complete news blackout on the atrocities that its security forces have been committing against suspected opponents.' - Amnesty International report, 24 November 1999.

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UN involvement on human rights

UN rapporteurs on human rights, as well as NGOs such as Amnesty International, Medecins sans Frontieres, are systematically denied entry to Iraq.

The UN Commission for Human Rights has repeatedly adopted Resolutions condemning human rights violations by the Government of Iraq and calling on it to abide by its human rights obligations under international law and to co-operate with UN human rights mechanisms. But the regime continues to contravene the UN's Security Council Resolution (SCR) 688 of 5 April 1991, which requires that Iraq should:

- ensure that human and political rights of all Iraqi citizens are respected;
 - immediately end repression of its civilian population, especially in the Kurdish populated areas; and
 - allow immediate access by international humanitarian organisations to all those in need of assistance, and make available all necessary facilities for this assistance.
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- The most recent of these UNCHR resolutions was adopted on 18 April 2001. It strongly condemned human rights abuses in Iraq, and called on the Government of Iraq to bring them to an end and to cooperate with the UN by inviting the Special Rapporteur to visit the country.

8. Oil for Food

The Oil for Food programme is a vast humanitarian programme. As at 31 October 2001 the UN Secretariat had received \$35.6 billion worth of Oil for Food applications. Almost 20,000 contracts had been approved at a value of \$29 billion, while the percentage of contracts on hold continues to fall. In his latest report on the programme, the UN Secretary General comments that the Oil for Food Programme 'continues to make a considerable difference in the daily lives of the average Iraqi citizen'.

Under the programme, established by Security Council resolution 986 (1995), Iraq is permitted to sell unlimited quantities of oil, with the revenues deposited in the United Nations Iraq Account (commonly known as the 'Escrow Account'). Iraq is permitted to use 72% of these funds to purchase civilian goods, with 25% going to the Compensation Fund and 3% towards UN administration costs. Iraq can import almost anything other than military equipment (which can include items related to the production of Weapons of Mass Destruction (WMD)) under this programme. 'Oil for Food' is therefore something of a misnomer. 'Oil for Goods' would be a better description.

Fast-track procedures

Security Council resolution 1284 (1999), a UK initiative, established lists of goods that are now fast-tracked to Iraq without requiring Sanctions Committee approval. These lists were expanded by resolutions 1302 (2000) and 1330 (2000) so that a diverse range of goods (over 16,000 separate items) now reach Iraq under

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accelerated procedures. To date, almost \$8 billion worth of foodstuffs, pharmaceutical goods, medical, agricultural, educational, water, sanitation, electricity, housing supplies and oil spare parts have been expedited in this way. These lists remain under review.

The UK has approved over 98% of all Oil for Food contracts received by the UN (18,438 contracts worth US\$ 26.2 billion) since the programme began in 1996. As at 19 November 2001 the UK was holding 178 contracts valued at US\$ 440.3 million. We keep our policy under constant review to ensure that holds placed by the UK do not delay the delivery of harmless goods to Iraq.

9. The following table summarises the requirements Iraq has to meet under various UN Security Council Resolutions, and the regime's record of compliance

| REQUIREMENT | IS IRAQ COMPLYING? |
|---|-----------------------------------|
| UNSCR 661, 6 AUGUST 1990 | |
| - Iraq must comply with SCR 660 (leave Kuwait) | 37-Nation Coalition expelled Iraq |
| - Trade embargo on Iraq, except food and medicine | No |
| UNSCR 686, 2 MARCH 1991 | |
| - Iraq must return all stolen Kuwaiti property | No |
| UNSCR 969, 3 APRIL 1991 | |
| - Iraq must respect the border with Kuwait agreed in 1963 | Yes |
| - Iraq must accept destruction, removal or rendering harmless of its WMD | No |
| - Iraq must declare the elements of its WMD programmes | No |
| - Iraq must co-operate with UNMOVIC and IAEA inspections | No |
| - Iraq must accept all responsibility for direct damage due to its invasion of Kuwait | No |
| - Iraq must co-operate in accounting for missing Kuwaitis and others missing since the Iraqi invasion of Kuwait | No |
| - Iraq must not commit or support international terrorism | No |
| UNSCR 688, 5 APRIL 1991 | |
| - Iraq must end repression of its civilian population | No |
| - Iraq must allow access to international humanitarian organisations | No |
| - Iraq must co-operate with UN Secretary General on needs of Iraqi civilians | Yes+ |
| UNSCR 707, 15 AUGUST 1991 | |

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- Iraq must complete full, final and complete disclosure of its WMD programmes No
 - Iraq must give UNMOVIC and IAEA unconditional and unrestricted access No
 - Iraq must cease any concealment or movement of its WMD No
 - Iraq must fully respond to questions or requests from IAEA/UNMOVIC No
 - Iraq must allow UNMOVIC/IAEA flights without interference No
 - Iraq must halt all nuclear activities other than legitimate use of its isotopes Unknown
 - Iraq must provide IAEA/UNMOVIC with any necessary logistical support No
- UNSCR 715, 11 OCTOBER 1991**
- Iraq must co-operate with UNMOVIC/IAEA monitoring No
 - Iraq must enact penal laws to secure enforcement against WMD in Iraq No
- UNSCR 949, 15 OCTOBER 1994**
- Iraq must not use force to threaten its neighbours or UN operations No
 - Iraq must not enhance its military capability in southern Iraq No
- UNSCR 1051, 17 DECEMBER 1999**
- Iraq must report to IAEA/UNMOVIC shipment of dual-use WMD items No
- UNSCR 1284, 17 DECEMBER 1999**
- Iraq must co-operate with UNMOVIC No
 - Iraq must co-operate with the Tripartite Commission No
 - Iraq must co-operate with the 'Oil for Food' programme No

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10. Questions and Answers

Q.1 Are you preparing for military action against Iraq?

A. We cannot ignore the threat Iraq poses to the international community through its massive programme of development of weapons of mass destruction. We are doing everything possible to re-establish under UN auspices an inspection programme within Iraq. Experience has shown, however, that no options can be ruled out with Saddam's tyrannical regime. The US has indicated that it will consult its allies and proceed with "patience and prudence" (Colin Powell's words).

Q.2 Why are you intimating that military action is a possibility now?

Military action has always been the option of last resort following the failure of diplomatic and political efforts. But military action is not ruled out. We took action in 1998. Our aircraft in northern and southern Iraq regularly take action in self-defence. If Iraq threatened Kuwait or rebuilt its WMD, this would probably lead to military action. Weapons inspectors have not been in Iraq for some time now: this increases our concern about Iraq's weapons.

Q. 3 Does Britain support Iraqi regime change?

A. We believe Iraq would be a better place without Saddam Hussein. Within Iraq, political opposition is ruthlessly eliminated. We give moral [though not financial] support to the Iraqi opposition.

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