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IRAQI NON-COMPLIANCE WITH UNSCR 1441:

NOTE OF TELEPHONE CONVERSATION WITH KARA OWEN (FOREIGN SECRETARY'S PRIVATE OFFICE, Tel:) - 14 MARCH 2003

I telephoned Kara Owen to register the following points on behalf of the Attorney General: -

1. Demonstration of breaches of UNSCR 1441 are critical to our legal case. Therefore, we must be scrupulously careful to ensure that the best examples of non-compliance are referred to.
2. It would be distinctly unhelpful to our legal case if the examples of non-compliance relied on were weak or inadequate; and it would be difficult - indeed it would be too late - to seek to add further (better) examples "after the event".
3. Therefore, the FCO needed to check this very carefully and subject the document to the tightest scrutiny.
4. There should also be a caveat included in the document, acknowledging that the examples of non-compliance referred to in the document were not exhaustive but illustrative.
5. I said that the Attorney General would be grateful for a sight of the submission to the Foreign Secretary (which should reflect the above points).
6. Kara Owen thanked me for this. She said that there had been a change of plan as regards publication of the Iraqi Non-Compliance document. The Prime Minister would now be enclosing this in a letter he would be sending out to Ministerial colleagues on Monday, 17 March (after Cabinet). The Prime Minister's letter would also contain a "one-page" summary of the legal position. This was news to me. I subsequently spoke to Matthew Rycroft (No. 10). He confirmed that it would be helpful if we would draft such a document.

DB

David Brummell
LSLO
14 March 2003

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