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From: David Manning
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cc: Joanthan Powell
Stephen Wall
Alastair Campbell
Sally Morgan
Anna Wechsberg
Matthew Rycroft

IRAQ

I visited Washington on 9 December for talks with Condi Rice. This note summarizes the discussion that "C" and I had with Condi and George Tenet about Iraq.

Condi had clearly been provoked by Saddam's challenge that it was up to us to prove he had WMD rather than up to him to prove he did not. She was confident that the Declaration would be a sham. The Administration would in due course declare it deficient and say that Saddam was in material breach. But she again accepted that this would not amount to a casus belli.

Condi made no effort to hide the fact that the Administration would now be looking to build the case for early military action against Saddam (probably mid/late February as we suspected). She denied that military planning was dictating the timetable. The need to resolve the crisis quickly was dictated by political factors. Internally, she claimed the President was being "griddled". Externally, the international community in general, and the Arabs in particular, would soon lose their nerve if they began to doubt our determination to impose disarmament on Saddam if he did not disarm himself. And if we let the inspection process run, and Blix found nothing as was only too likely, the Russians, French and others would deride US and UK claims about Iraq's WMD programmes, leaving us exposed and Saddam strengthened.

I said you had been clear throughout that Saddam had to disarm or be disarmed. Inspections were not a game of hide and seek: Saddam was obliged to co-operate. If he didn't, he would be in breach and military action would follow. Nonetheless, the President had been strikingly successful in rallying the international community behind UNSCR 1441. We should handle the post-

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Declaration phase in a way calculated to maintain coalition support and try to secure a second Resolution. I thought this was possible. Condi agreed, conceding that we probably could get a second Resolution even if there would be some abstentions.

But Condi's impatience for action was much more obvious than her commitment to sustain international backing. She wanted to know what I thought would constitute material breach, and how we could catch Saddam out if he did not trap himself through his own mistakes. I said that some cases would be straightforward, eg the discovery of VX, anthrax, or a nuclear programme. Imprisonment or murder of the UNMOVIC inspectors would fall into the same category. In circumstances like these, there would not be much argument in the Security Council. But it would be much more difficult if we were dogged by a series of low level and less clear-cut acts of obstruction, eg delayed access to sites or "loss" of documents. We would then be in a grey area where it would be much harder to persuade the international community to act.

I said I understood the political pressures that Condi had outlined. But we needed a convincing case based on evidence. Public defiance by Saddam was not the same as proving non-compliance. We should work hard over the next couple of months to build our case and secure a second Resolution. There were three strands:

- the Declaration: we should analyse it closely. If Saddam failed to address the discrepancies identified by UNSCOM's last report (Feb 1999), we would immediately have a powerful argument that the Declaration was false and incomplete. Condi agreed. She said Blix must use the Declaration to mount targeted inspections, demand documents, and insist on removing key personnel from Iraq for interview;
- the smoking gun: it was unlikely, but not impossible, that we would acquire intelligence that caught Saddam red-handed. If so, we must use it to maximum effect. Condi agreed that this would be ideal, but thought the chances very slim;
- Pattern of deceit: we must build up a comprehensive picture of Saddam's obstruction and deception. This would consist of the steady accumulation of examples that might be small in themselves but would be telling when taken together.

Condi agreed that we should pursue these different strands. She would like to go to the Security Council around the end of January or early February to make the case that Saddam was not co-operating and that the time had come for military action. But before that she agreed that you and Bush should meet to review the evidence and the options.

It became clear in the discussion that part of Condi's impatience and unease is prompted by renewed doubts that Blix will do a serious job. She was as irritated as I have known her over Blix's reluctance to interview key Iraqis outside the country. She argued repeatedly that Blix must be ready to present a list of names to Saddam and insist that all those on it should present themselves at a stated time and place and be ready to fly to Cyprus for questioning. A "subpoena" of this kind would leave them no option but to appear and Saddam no option but to instruct them to do so. She was impervious to arguments that those named might refuse to turn up in fear of their lives or those of their families. If Blix would not use the powers given to him by 1441 to enforce the interview regime, then Blix would have to go.

Separately (over dinner), I raised the question of British energy companies. I said that I hoped they would be treated fairly and not overlooked if Saddam left the scene and new oil and gas concessions were being allocated in Iraq. Condi took the point. She commented that it would be particularly unjust if those energy companies who had observed the sanctions regime since the Gulf War were not among the beneficiaries in a post-Saddam Iraq. She knew UK companies belonged in this category.

Conclusion

Condi's mood has hardened substantially since the NATO Prague Summit in favour of early military action. (This may be fuelled by a President who is increasingly uncomfortable with pressure inside the Republican Party, and riled by Saddam's taunts). She does not expect the inspection process to produce conclusive (perhaps not even convincing) evidence. This is prompting her insistence that we must make clear that the burden of proof is on Saddam, not us; and her barely contained irritation with Blix's cautious reluctance over interviews. From this evidence I think there is a real risk that the Administration will overdo the pressure on Blix: they might force him into resignation with damaging repercussions for the UN process and international solidarity.

The mood of the Administration could shift again. But on present form they look intent on military action in February/March. We need to ensure that they use the next two to three months to build the strongest possible case that Saddam is in material breach; and then secure the widest possible international coalition of support for action expressed through a second Security Council Resolution. We are in for a tough few weeks. Your influence with Bush will be critical.

I think we should now do the following:

- co-ordinate UK/US reactions to the Declaration. We should ask pointed questions which expose its shortcomings (particularly if the unfinished UNSCOM business is unaddressed), putting the onus on Saddam to explain and justify;
- impress again on Blix the need for a robust and energetic inspection regime, including a programme of interviews. At the same time, we need to discourage the Administration from mounting such pressure on Blix that he denounces them and/or resigns;
- make maximum efforts to find a smoking gun. I think the ideal would be a top level defector, if we could find one, willing to testify publicly about Saddam's WMD programme. C and George Tenet are on the case;
- build up the dossier on Saddam's pattern of deception and obstruction, eg pieces of intelligence showing that he is moving equipment around, has destroyed documentation, etc;
- consider an early, steadying phone call from you to Bush; and pencil in a January meeting between you.


DAVID MANNING