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To:  
From: Amanda Tanfield  
Subject: FW: LEAD: OO NYMIS/FCOLN 388: IRAQ: 7 MARCH 2003:  
INFORMAL CONSULTATIONS  
Sent: 10 March 2003 08:39:05 GMT

Please register on 13/1

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

From: MENAD  
Sent: 08 March 2003 10:30  
To: MENAD - All Staff  
Subject: FW: LEAD: OO NYMIS/FCOLN 388: IRAQ: 7 MARCH 2003: INFORMAL CONSULTATIONS

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From: Swift Incoming Telegrams (Machine 1)  
Sent: Saturday, March 08, 2003 10:29:30 AM  
To: MENAD  
Subject: LEAD: OO NYMIS/FCOLN 388: IRAQ: 7 MARCH 2003: INFORMAL  
CONSULTATIONS

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PART ONE OF TWO PARTS

SUBJECT: IRAQ: 7 MARCH 2003: INFORMAL CONSULTATIONS

#### SUMMARY

1. No dramatic changes of position. Cunningham and I focus on the Clusters document. Pleuger thinks our new draft is worse than the last one. More seriously, a weak, unhelpful Blix. The US tell colleagues to be ready to vote after 11 March. Consultations resume 2100Z on 10 March.

#### DETAIL

2. The Ministerial open meeting in the Security Council of 7 March, was followed by a long session of informal consultations,

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which ranged over the issues raised in the open meeting; put some questions to Blix and El Baradei; and elicited initial comments on the new UK/US/Spanish draft resolution (my telno 378).

#### Follow-up to the Open Meeting

3. Discussion centred on questions from Aguilar Zinser (Mexico): what did the Security Council have to do to avoid the use of military force? What did Saddam Hussein have to do? How long did the Council have to address these issues?

4. I agreed that the Council now had to get to the core issue before it and make best use of the limited time left. It could not, in the light of existing resolutions on Iraq, set itself the aim of "avoiding war". Security Council resolutions on Iraq had always left the use of force open as an option. The real question was how the Council could ensure full implementation of the relevant resolutions (ie complete disarmament of Iraq) without resort to force. Zinser had asked what the Council should do. It should unite in exerting the heaviest pressure on Iraq so that Saddam Hussein embarked on the road to peace before the road to war was authorised. Indefinite delay was an abdication of the Council's responsibilities. Time would be needed to reach "full and verified disarmament"; but the alternative was not an open-ended invitation to conduct investigations. Zinser had also asked what Saddam Hussein had to do. Saddam had to speak and act to convince the co-sponsors and the Council that he and his regime had indeed changed their attitude, and taken a strategic decision to disarm voluntarily. The co-sponsors were ready to accept that decision and act on it, if they were convinced that Saddam was genuine.

5. I accepted that there was no real evidence of non-compliance on the nuclear weapons file; the real issues were the UNMOVIC dossiers. And the key question there was whether Iraq had WMD. The UK were sure they did. But the WMD could not be located because Iraq had hidden them, and they would not be found without unconditional and immediate Iraqi co-operation. Although there was a difference of opinion in the Council over whether WMD did exist, the UK and the US had invested time and money in finding out the truth. So we knew that WMD were being moved every 12 hours; that mobile biological weapons facilities existed; and that documents and materials were being moved around. The Council had not made the best use of its time since adoption of 1441. In an understandable wish to avoid war, colleagues had perhaps not really believed the UK/US warnings; but we had taken a decision to put our need for long term security over our wish to avoid war.

6. I then addressed some questions to Blix and El Baradei. How could they be sure that interviewees were not being bugged or threatened? What real chance was there of UNMOVIC resolving the mobile biological facilities issues without Iraqi co-operation? Was there any evidence of Iraqi procurement and sites associated with this programme? In the light of recent inspections by UNMOVIC, what was its assessment of Iraq's declaration in relation to UAVs. Did it have any evidence of their capabilities?

7. Arias (Spain) said there were clearly different perceptions of what UNMOVIC and the IAEA had been able to achieve. The evidence from Iraq between 1998 and 2002 was meagre, but it showed a clear

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failure to comply with resolution 1441 (2002). He rubbished comments from La Sabliere that there was no evidence of WMD: that view was not credible. France had also said that Iraq had "largely disarmed": but what did that mean? Were we really being asked to believe that Saddam Hussein had complied fully with resolution 1441 in the last 4 months?

8. Cunningham (USUN) said France and Germany were struggling to make the proposals in their memorandum for improved inspections fit with the recent UNMOVIC cluster document. But their memorandum was premised on Iraqi co-operation; and it was hard, reading the UNMOVIC cluster document, to conclude that verifiable disarmament could happen in the near future or was ever feasible. Iraq was behaving now as it had always done. Aldouri had told the Ministerial meeting earlier in the day that Iraq had destroyed everything in 1991. This simply did not fit the facts. Colleagues should read the section of the Clusters document on Anthrax. No-one knew what the true position was, but UNMOVIC had concluded that Iraq could still produce Anthrax. Iraq had unmanned aerial vehicles (UAVs) programme, which the US knew about; the Cluster document contradicted Iraq's explanation of the purpose of the spray tanks it had attached to its UAVs. UNMOVIC's comment that "there was a general question about Iraq's intention to use UAVs as CBW delivery systems" was an understatement. And page 14 of the Clusters document referred to a drone with a wingspan of 7.45 metres. Had UNMOVIC investigated this?

9. In the light of all this, Cunningham continued, the Council had a choice. If it spent the next 10 days dreaming about benchmarks it would miss its final opportunity to secure a peaceful outcome. War should if at all possible be avoided; but that was a matter for Baghdad. The Council could assist by bringing maximum pressure to bear. But from 20 January until today, Baghdad had felt under no pressure.

10. Gatilov (Russia) said that it was clear what the Council had to do to avoid war: it should continue the inspections. UNMOVIC and IAEA should produce a list of key remaining disarmament tasks and set about addressing them. The UK asserted that Iraq had WMD. But Russia had repeatedly asked for the information on which this assertion was based and not received it. He asked Blix and El Baradei to comment on whether any of the intelligence they had received had actually helped them find anything in Iraq. Zhang (China) also said that inspections should continue: they were working and producing results. The latest UK/US/Spanish Security Council Resolution would strangle the 1441 system in its infancy.

11. Pleuger (Germany) said it made no sense to break off the process of inspections at the present time. It had taken two and a half years to train UNMOVIC; they could hardly be withdrawn after two months, especially when the inspection process was delivering results. And results were the key: it did not matter what Saddam Hussein's motivation was, provided there was disarmament. The Council also had to reach some agreed standard for judging whether Iraq was complying. The UK seemed to want a declaration from Saddam Hussein. But how could the UK and other Council members believe someone who was - apparently - a compulsive liar: the UK itself had dismissed Iraq legislation as meaningless. The only way forward was to create objective criteria: UNMOVIC and the IAEA should produce such criteria in

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their key remaining disarmament tasks. La Sabliere (France) was troubled that the Council's timetable was being fixed by the US's military agenda, and by having to discuss the choice between war and peace when inspections still offered a real chance of peaceful disarmament.

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To:  
From: Amanda Tanfield  
Subject: FW: LEAD: OO NYMIS/FCOLN 388: IRAQ INFORMAL  
CONSULTATIONS: PART TWO  
Sent: 10 March 2003 08:48:09 GMT

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

From: MENAD  
Sent: 08 March 2003 09:00  
To: MENAD - All Staff  
Subject: FW: LEAD: OO NYMIS/FCOLN 388: IRAQ INFORMAL CONSULTATIONS: PART TWO

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From: Swift Incoming Telegrams (Machine 1)  
Sent: Saturday, March 08, 2003 8:59:50 AM  
To: MENAD  
Subject: LEAD: OO NYMIS/FCOLN 388: IRAQ INFORMAL CONSULTATIONS: PART TWO  
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SUBJECT: IRAQ INFORMAL CONSULTATIONS: PART TWO

12. Belinga Eboutou (Cameroon) said that the threat of force from a united Council had been a key element in the progress made so far but military forces could not be left in place indefinitely. There had to be some deadline for the inspection process, but 17 March might be too soon. Guinea spoke to the same general effect. Tafrov (Bulgaria) lamented the divisions that had weakened the Security Council's ability to pressurise Iraq, repeated that Bulgaria was ready to support the original UK/US/Spanish draft, and said it was studying the latest proposal positively. Mekdad (Syria) said there had to be a peaceful resolution of the issue: UNMOVIC and the IAEA should produce a specific work programme.

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The Council would not be justified in resorting to force.

13. Valdez (Chile) agreed that the Council should work for consensus. The inspection process must be allowed to mature, and Iraq must comply immediately with the demands on it. He was puzzled by some of what he had heard. The UK Foreign Minister had said that Iraq had to make a strategic decision to commit to the inspection process - to "speak and act in a way that convinces the Security Council". But how could the Council believe Saddam Hussein if, as many said, he was someone who could not be trusted. The options were Saddam's miraculous conversion, or his abdication: both highly unlikely. The real question, surely, was whether the threat posed by Iraq was such that there had to be an end now to inspections. If so, the Council should authorise the use of force. But if there was still ongoing serious co-operation, this should not be interrupted. Otherwise, the two elements which had brought progress on this issue - diplomatic and military pressure - would both fall away. The choices before the Council were invidious.

14. Negroponte (USUN) reminded colleagues that resolution 1441 had already found Iraq to be in material breach: Iraq was now on its last chance. And 1441 was much tougher and more urgent than 1284. Valdez had asked how the Council could reach a judgement, but experience under 1441 showed clearly how Iraq intended to behave. It had been required after one week to accept the terms of 1441; it had been grudging and high-handed in its response. The declaration required of Iraq after thirty days under 1441 was completely inadequate. The fact was that all the old patterns of Iraqi behaviour and variation were simply repeating themselves. The recent example of Saddam Hussein's letter of decree was just another instance: Iraqi co-operation over the years was "grudging at best".

15. In response to Valdez, I said Saddam Hussein had to begin to make serious calculations as to what was in his and his country's interest. If he publicly admitted that he had lied about Iraq's WMD over the years, that would go a long way towards convincing us that he had had a real change of heart. If he came forward with the truth; that would be respected. If he lied, he would be dealt with.

Questions to Blix and El Baradei

16. La Sabliere welcomed the publication of the recent UNMOVIC clusters document, which gave the Council an objective basis to assess the state of Iraq's disarmament. Only a few questions were left to be addressed: Iraq was "largely disarmed" (an assertion which drew scorn from Arias). The challenge before the Council and the Inspectors was therefore not insuperable. So the Inspectors should, as soon as possible, set deadlines for a conclusive evaluation for Iraq's response to 1441. They should list the priority issues to be addressed and the key remaining disarmament tasks and say roughly how long it would take to deal with these. Pleuger spoke in support, as did Gatilov and Mekdad.

17. In response to these questions, and other comments made in discussion, Blix said that UNMOVIC worked under two resolutions (1284 and 1441). 1284 asked them to set out a work programme and to identify key remaining disarmament tasks. UNMOVIC had



calculated that these would have to be submitted to the Security Council for approval by 27 March by the latest. They did not yet know which of the many issues in the clusters document were the key remaining tasks: they aimed to submit a list to the Council in the week beginning 19 March.

18. Blix accepted that UNMOVIC did not know precisely what was left. But some disarmament had been undertaken: the Security Council had asked UNMOVIC to "complete" the "remaining" disarmament tasks. He agreed that 1441 imposed a greater sense of urgency on the inspection and disarmament process, but he did not think the Council's Resolutions necessarily led to the conclusion that UNMOVIC's activities should cease as soon as next week. The resolutions did not require "immediate disarmament" but "immediate co-operation"; disarmament would take time.

19. As to whether Iraq was co-operating whole heartedly or not, Blix accepted that the co-operation sometimes seemed grudging. But there was some co-operation; only if UNMOVIC found that Iraq was concealing things could one say that there was a real lack of co-operation. As regards the Al Samoud Missiles and the UAVs, Blix's impression was that Iraq was trying to push to the boundaries of what was permissible under the resolutions. Arguably, the Al Samoud Missile was on the edge, and Iraq had "trespassed over the border". Similarly for UAVs: the resolutions did not prohibit Iraq from having these - again they were on the border of what was allowed. UNMOVIC was still investigating. UNMOVIC had explained to Iraq what was needed with regard to mobile BW facilities, and Iraq seemed to be trying to find ways of assisting UNMOVIC. UNMOVIC accepted that walls might contain eavesdropping devices, but even taking witnesses to Cyprus might not necessarily guarantee truthful evidence.

20. Blix said UNMOVIC could be expected to deal with the key remaining disarmament tasks in a matter of months, if Iraq co-operated. At the moment, the Iraqis were "frantic" but "selective" in their co-operation. All this activity would be useless unless it reached good results. The timetable proposed in the latest UK/US/Spanish draft resolution could not conceivably allow completion of the key remaining disarmament tasks. Blix agreed that one would easily recognise "strategic decision" by Iraq to co-operate; a decree that Saddam Hussein and Iraq accepted the need to disarm might do. Aldouri had said that such a decree was made in 1991. Since that time, a lot had been destroyed, but not much discovered. Various intelligence agencies were sure Iraq had retained "a jumpstart" capacity, but UNMOVIC had seen no hard evidence. (And, Blix added, not all of the evidence they had been given was convincing, and some of it was not even trustworthy. The forged contract for the input of uranium, for example, was "a bit disturbing").

21. El Baradei (IAEA) said that the IAEA had nearly reached a satisfactory outcome in its work: 2 to 3 months more would lead to a conclusion. The key question for the Council was the test that had to be applied to Iraq. To vigorous nodding from Pleuger, El Baradei said that it had to be an objective results oriented test (implicitly, based on the key remaining disarmament tasks).

The New UK/US/Spanish Draft Resolution

22. I talked through the draft resolution in UKMis telno 378: OP1 recalled that the governing "standard" was 1441; OP2 made clear that the answer to the crisis lay in the hands of Iraq; and OP3 set out what in practice the Council needed: solid evidence of a change of heart in Baghdad proved by real action.

23. Apart from the general point that inspections were working and a second resolution was not necessary (made by La Sabliere, Pleuger, Gatilov and Mekdad), initial reactions to the latest UK/US/Spanish draft focussed on the short time offered to Iraq to comply and on the ultimatum. Pleuger said the ultimatum was far too short, and an ultimatum was in any case in principle unacceptable. So too was the fact that, once the resolution was adopted, any member of the Council had a veto on a resolution to prevent the use of force (because draft OP3 says that Iraq's final opportunity will expire unless the Council decides otherwise). This draft was even less acceptable to Germany than the first one. La Sabliere spoke in support: the new UK/US/Spanish proposal was extremely vague; and it was unacceptable that, once the resolution was adopted, any member of the P5 could block an attempt by the Council to prevent the use of force. This prompted a vigorous response from Arias. He too was in principle uncomfortable with the outdated concept of the veto. But the position of the French delegation was hard to fathom. How was it that the operation of the veto power in the context of OP3 of the UK/US/Spanish draft was shoddy, imperialistic, and unacceptable, whereas the veto threatened that morning in the Council by the French Foreign Minister in the Security Council was glorious, high-minded and principled. It was all very puzzling, said Arias (to general mirth).

24. Zinser (Mexico) tried to pin us down on exactly when the resolution would be put to the vote. His capital would need until at least 12 March. Negroponte said that the text would not be put to a vote on 10 March, but delegations should be ready to take action "anytime after Tuesday" (11 March). He would make a statement on 10 March.

25. The Presidency concluded that the Council would return to this issue, in informal consultations, on the afternoon of 10 March.

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