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Legal Adviser

Iraq

The Foreign Secretary would be grateful for an urgent note about the practical consequences of the UK's acting without international legal authority in using force against Iraq, eg:

- could HMG or individual Service personnel be vulnerable in the UK or other courts to charges relating to unlawful use of force and would the issue of the legality of our actions therefore be determined in our domestic courts?
- Could the ICJ have any role, and does the fact that the UK accepts (generally) the ICJ's compulsory jurisdiction have any relevance?

Simon McDonald

15 October 2002

(Simon McDonald)

cc: PS
 PS/Mr O'Brien
 PS/PUS
 Peter Ricketts
 Edward Chaplin
 Heads: MED
 UND
 Press Office
 Sp.Ads

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A87