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**IRAQ: NOTE OF TELEPHONE CONVERSATION BETWEEN THE
ATTORNEY GENERAL AND JONATHAN POWELL -
MONDAY, 11th NOVEMBER 2002**

1. The Attorney General telephoned Jonathan Powell and relayed his congratulations to No. 10 on having secured such a tough resolution. Jonathan Powell (JP) for his part commended the Foreign Secretary for the particular efforts he had put into this. It was agreed that this was a very satisfactory outcome.
2. The Attorney mentioned the possibility of Iraq finding itself in breach of Resolution 1441 at some future stage but with no second Security Council Resolution. This was a matter to which the Attorney had said he would give further consideration, following the meeting with the Prime Minister last month. The Attorney mentioned the "Chinese whispers" that had come to his attention in this regard, which suggested that he took an optimistic view of the legal position that would obtain if such a situation arose (ie. to the effect that in such a situation there would be a sound legal basis for the use of force against Iraq), whereas the true position was that he was not at all optimistic about this. The Attorney suggested that, against this background, it was desirable for him to provide advice on this issue now.
3. JP noted this but was at pains to assure the Attorney that No. 10 were under no illusion as to the Attorney's views on the point referred to in paragraph 2 above. However, JP thought that, as it was most unlikely that Iraq would not in the first instance accept Resolution 1441, this was an issue for consideration in the longer term, in the event that at some stage in the future we are faced with a breach by Iraq of Resolution 1441 and the matter is referred to the Security Council at that time. JP proposed a meeting some time before Christmas to discuss this further.
4. The Attorney noted this and said that in the meantime he would obtain from the FCO copies of the statements made by the various members of the Security Council when the Resolution 1441 was adopted and would consider this material.

DB

David Brummell
LSLO
11 November 2002

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