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MINISTRY OF DEFENCE

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From the Policy Director

D/Policy Dir/6/10 (221/02)

10 May 2002

Dear Mr Ricketts,

Thank you for your note setting out the desired "end state" for Iraq which reflects the Foreign Secretary's view. We discussed the text at the recent cross-Whitehall group and agreed with the broad thrust, although there was some debate on the language relating to WMD. We should obviously all prefer an outcome that left Iraq with no WMD but there is an argument that a follow-on regime with which we were relatively happy might nevertheless only be acceptable internally if it retained some WMD as long as its neighbours continued to do the same. Against this background, we wondered whether it might be better to end with: "abiding by its international obligations on WMD".

Our discussion of the text did raise the question of the status of the end state. Is it to represent policy in private or in public?

You rightly raise the issue of legal justification. Although in Afghanistan "regime change" was a happy by-product of action taken in self-defence, we noted the Foreign Secretary's caution about applying the term to Iraq (in contrast to our US allies). I presume that while regime change may not be an objective in its own right, we are all still working to the line in the Prime Minister's Crawford speech that it might become justified and necessary. Consistent with that we see it as a likely - though not certain - way point in a campaign to secure the strategic objective. Following the meeting we have proposed to the Defence Secretary we take forward

Peter Ricketts
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rapidly two distinct pieces of work, one on military *contingency planning* (which we can do in-house and which will look at generic UK contributions to overall capabilities) and the other on *coalition options* which will need to factor in legal considerations. [Rather than submitting our Ministers' conclusions to the Attorney General for his approval, we should prefer the usual approach of his putting advice to colleagues as part of a collective decision.] (Incidentally, we see a wider range of potential legal base than listed in your letter, including the humanitarian necessity base for previous and current operations in Iraq and a request for help from a threatened country.)

I am copying this letter to recipients of yours.

Yours sincerely,

PP

SIMON WEBB

(text agreed by the Policy Director

and signed in his absence)