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OF 242355Z OCTOBER 90

INFO IMMEDIATE UKMIS NEW YORK, CABINET OFFICER

M. Jila

CJP
from JSW
25/10

FCO PERSONAL FOR PRIVATE SECRETARY, PS/PUS AND SIR PERCY CRADOCK,
CABINET OFFICE

NEW YORK PERSONAL FOR AMBASSADOR

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THE GULF: AUTHORITY FOR THE MILITARY OPTION

1. I HAD AN OPPORTUNITY TO SPEAK TO KIMMITT ALONE ON 24 OCTOBER ABOUT THE OPTIONS FOR FUTURE ACTIVITY IN THE UN, AND THE POSSIBILITY OF A FURTHER APPROACH TO AUTHORISE MILITARY ACTION.
2. KIMMITT REPEATED THAT THE US ADMINISTRATION CONSIDERED THAT ARTICLE 51 GAVE SUFFICIENT AUTHORITY. IN ADDITION THEY DID NOT UNDERESTIMATE THE DIFFICULTIES OF GETTING A SATISFACTORY RESOLUTION THROUGH. THERE WAS, HOWEVER, ONE IMPORTANT INTERNAL POLITICAL CONSIDERATION, OF WHICH WE SHOULD BE AWARE. IT WOULD BE MUCH EASIER TO OBTAIN CONGRESSIONAL ACQUIESCENCE OVER MILITARY ACTION (POSSIBLY THROUGH A FORMAL VOTE) IF CONGRESS COULD BE ASKED TO ACT IN SUPPORT OF AUTHORITY GIVEN BY THE INTERNATIONAL COMMUNITY THROUGH THE UNITED NATIONS, RATHER THAN RISK A DIFFICULT DISCUSSION ON WHERE AUTHORITY FOR COMMITTING US FORCES TO ACTION LAY UNDER THE WAR POWERS ACT. BAKER HAD ALREADY HAD A DIFFICULT TIME WITH CONGRESS ON THIS ISSUE.
3. KIMMITT ADDED THAT IN VIEW OF THE RUN OF NOT VERY HELPFUL SECURITY COUNCIL PRESIDENTS FOLLOWING THE UNITED STATES IN NOVEMBER, AND WITH INDIA, ZIMBABWE AND AUSTRIA COMING ON THE COUNCIL IN THE NEW YEAR, SOME THOUGHT WAS NOW BEING GIVEN TO OBTAINING ADDITIONAL AUTHORITY FOR MILITARY ACTION, DURING THE US PRESIDENCY. THE ADDED ADVANTAGE OF THIS WAS THAT OPERATIONAL SECURITY WOULD BE PRESERVED. TO ACT AT THE LAST MINUTE COULD GIVE THE GAME AWAY TO SADDAM HUSSEIN THAT AN ATTACK WAS IMMINENT.
4. I SHOULD BE GRATEFUL IF KIMMITT'S CONFIDENCE COULD BE RESPECTED AND IF THIS COULD BE TREATED AS FOR BACKGROUND INFORMATION ONLY UNTIL US REPRESENTATIVES RAISE THIS WITH US IN A MORE DEFINITE WAY.

ACLAND

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