

46A(a-e)
Prime Minister

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PRIME MINISTERI agree
with all the

conclusions

of the reasoning

War Aims

At OD(G) this morning you asked whether the war aims we have passed to the Americans were worded so as to cover the objective of ensuring not only the recovery of Kuwait but also its future security (by ensuring that Iraq is not left in a position to try again). CDS expressed concern about the implications of including this as a purely military objective.

2. Our aims as stated do not specifically include this point. Our military objectives are (a) unconditional Iraqi withdrawal from Kuwait; (b) the rescue of hostages; and (c) the destruction of Iraq's nuclear, chemical and biological capability and her long-range missile capability. We do not go on to stipulate the destruction of Iraq's military machine; we hope that this may be achieved as a byproduct of successful prosecution of the stated aims. Equally, we do not say we seek the overthrow of Saddam Hussein; but we hope that this too will be a happy consequence. On land operations, we say that these should be limited to liberation of Kuwait and rescue of hostages and that there is no intention to occupy any part of Iraq.

3. CDS is content that the aims we have put to the Americans are a good basis for discussion with them and for establishing their own thinking. He is, however, concerned that, if we include the destruction of the Iraqi military machine as obligatory rather than an extra, this could require further forces and delay and a new concept of operations, involving additional air attacks and, conceivably, substantial land operations deep inside Iraq.

There is also the question whether we would have the legal cover to pursue operations of this kind.

4. Given the time constraints, we do not want to hold up American agreement of our war aims until we have settled this issue; but before we get down to any more detailed discussion with them, we need to have cleared our own minds.

Legal Aspects

5. The problem will be affected by the precise legal cover we get from ^{the} our Security Council. If we act under Article 51 and invoke self-defence, we have to use force proportionate to the attainment of our objective, ie the recovery of Kuwait. It may be argued that this would exclude wider attacks on targets inside Iraq. I disagree. Since the whole power of the Iraqi state is used to hold down Kuwait, we would be entitled to destroy that power as a means of recovery of Kuwait. In addition, there would be the need to prevent or respond to Iraqi counter-attacks.

6. If we go for a further resolution on the use of force as the Americans want, our military powers would be defined by the terms of the resolution. But in practice we would insist that it gave us at least as much scope as Article 51. During the battle for Kuwait, therefore, there would be nothing to choose as regards legal cover between action under Article 51 and action under a further Security Council resolution.

7. Where a difference could emerge would be after the Kuwait battle had stopped. If Saddam had accepted defeat and withdrawn it would be harder to justify continued attacks on Iraq under Article 51, even though he might retain a good part of his military machine intact. True, we could argue, as you did this morning, that recovery of Kuwait should be widely defined so as to extend to ensuring

its future security. But we must recognise that this would be likely to prove a controversial argument. If, however, we were acting under a suitably worded Security Council resolution, eg one authorising measures to restore international peace and security, we would have better legal cover for continuing attacks on Iraqi mainland targets after the surrender of Kuwait.

8. I see this, therefore, as an argument in favour of a further resolution on the use of force (always provided, and it is a very large proviso, we can get the right resolution). But in practice the legalities may matter less than the politico/military circumstances at the time. We must assume that after the recovery of Kuwait international pressures to bring the fighting to an end would become intense. Whatever our precise legal position, we might find it hard to continue bombing or, *a fortiori*, to carry out land operations deep inside Iraq, except for the rescue of our hostages. In practice, we might well find we would have to rest content with having inflicted heavy damage on Iraqi NBC facilities and many of their military installations. But total destruction from the air, even of the NBC facilities, might prove beyond the Allies.

Military Aspects

9. The military arguments support this. Our forces and plans are, or soon will be, adequate for the attainment of the three stated military objectives. To go for the fourth (destruction of the Iraqi military machine) could require vastly increased forces and probably plans for land operations deep inside Iraq, perhaps as far as Baghdad and perhaps involving occupation of part of the country. We ourselves could not, of course, do that, and I am fairly sure that the Americans would not contemplate it. It would go far beyond our present stated aims. The best we can do is, by heavily reinforcing the initial air attacks, give

ourselves the best chance of attaining a good part of the fourth objective before the fighting is brought to an end.

Long-term Security Arrangements

10. If we cannot be sure of fully attaining the fourth objective by military means, we shall have to fall back on suitable post-war security arrangements. These may include the continuing presence in Kuwait of an Arab force, supported by suitable Western guarantees. We could not contemplate the retention of militarily adequate Western forces in Saudi Arabia/Kuwait on a long-term basis. The full dismantling of Iraq's weapons of mass destruction and payment of compensation would probably require a long-term sanctions régime. You have already seen outline FCO papers on this subject. They bring out the manifold difficulties; nevertheless something of this kind is likely to be an essential feature of the end-game.

Conclusions

11. The above suggests:

- a. that we include among our strategic objectives the destruction of the Iraqi military machine;
- b. that to achieve this we seek the widest possible powers under any further resolution on the use of force;
- c. we ensure that as much as possible in the way of destruction is achieved by the initial air attacks;
- d. we recognise that we should not seek to involve ourselves in land operations deep inside Iraq, except possibly to rescue hostages;

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e. that full attainment of this objective would probably have to be left to non-military means, ie long-term security arrangements.

We should be guided by the above in discussion with the Americans.

12. CDS agrees with the above.



PERCY CRADOCK

15 November 1990