

49(a-b) ~~copy~~

See JIC
Foster Kuwait
jobs of legitimisation and
502 + legitimisation
not



Prime Minister

This agrees agreed
your view that we
can legitimately make
destruction of the Iraqi
war-machine a military

PRIME MINISTER

At the meeting of OD(G) on 15 November there was discussion of the United Kingdom's strategic objectives, and in particular of the question whether they should include destruction of Iraq's military capability to attack Kuwait again. At the end of the meeting, you asked me to submit advice to you.

Objective
within
the
terms
of Article
51
CDD
16/11

If we are operating in the Gulf under the cover of a Security Council Resolution authorising the use of force, our military objectives will be governed by the terms of that Resolution. In case, however, we find ourselves operating under Article 51 of the UN Charter we must recall what we are authorised to do under international law.

As I have advised before, our military response in the collective defence of Kuwait under Article 51 must be necessary in order to repel the invasion and proportionate to that aim. The drawing up of those of our military objectives which are to be secured by force must keep within these international law criteria. Short of a military appreciation which shows that the whole might of the Iraqi military effort is directed or threatened to be directed towards maintaining the subjugation and occupation of Kuwait, we could not be entitled to have as a military objective the destruction of the whole of the Iraqi war machine. To term it a "strategic" objective, if we are to attempt to fulfil it by military effort, will not avoid the problem.

Sub Secretary
has said
he will
leave Kuwait

We are of course perfectly entitled to acknowledge that it would be highly satisfactory if at the end of the conflict Iraq were to be left with no means of re-invading Kuwait. We shall of course be comforted if whatever we are entitled to do



under international law results in that effect. But it should not appear as more than a desirable consequence of our legitimate military objectives. If after Iraq's expulsion the appreciation reveals an imminent continuing threat, our military objectives should be drawn up in the light of that threat and by reference to the same criteria of international law.

I am copying this minute to the Secretary of State for Foreign and Commonwealth Affairs, the Secretary of State for Defence, the Chief of Defence Staff and the Chairman of the Joint Intelligence Committee.

A. M.

16 November 1990