



071-828 1884

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The Rt. Hon. William Waldegrave MP,
Minister of State for Foreign &
Commonwealth Affairs,
Downing Street,
London,
SW1.

hnd.
D
16 August 1990

Dear William, will request will be required

We spoke on the telephone this morning about the telegram which was sent yesterday to UKMIS, New York (Tel No. 441). The telegram referred to our legal justification for naval interception, and contained the sentence:

"We have known all along that our legal justification is sketchy in the absence of a Security Council Resolution authorising enforcement action of that kind."

I was glad to learn from you that you had already taken steps to secure the withdrawal of that passage.

I have advised my colleagues that the United Kingdom is entitled to take measures including the use of force to secure the enforcement of a trade embargo, in response to a request from the legitimate government of Kuwait issued in reliance upon the inherent right of individual and collective self-defence. I have never expressed the view that our legal justification is sketchy. It is not.

I know you share my view that, in these circumstances, special care must be taken not to disseminate even in draft communications anything that conveys any lack of confidence in the legality of the steps we are taking in defence of Kuwait under Article 51 of the UN Charter.



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I am copying this letter to the Prime Minister, Douglas Hurd, Cecil Parkinson, John Wakeham, Tom King and to Sir Robin Butler.

Yours ever,

Liddy
