

**CHAIRMAN'S NOTES**

**For the meeting of the Foreign Affairs Committee on  
Tuesday 15th July 2003  
2.30pm Private  
3.00pm Public  
in Room 15**

Apologies:

1. The Decision to go to War in Iraq

To consider the Secretary of State's letter on uranium from Africa.

Sir John is very exercised about this. He takes the view that it should not have been released to the press by the FCO before it had been seen by Members.

The facts are these: FCO asked at about 4 o'clock whether, if such a letter were sent, you would be prepared to allow them to release it to the press. You discussed it with me, and asked me to try to contact Sir John. Despite the Clerks' best efforts to contact him, Sir John was not available (a fact he accepts). You decided to go ahead and allow the FCO to release the letter. Relevant considerations were:

- The Committee had reported. The letter was not "evidence" for use in a forthcoming Report.
- It was a free-standing letter to you, not in response to a specific request of the Committee, and not in response to the Committee's Report.
- The matter was urgent and of great and legitimate public interest. The FCO would, doubtless, have released it anyway in some other form if not permitted to do so in the form of a letter to the Chairman of the Committee.

The letter was received by fax at about 5.45 on Friday evening, when Members and staff had left. It was put on the board first thing on Monday morning.

FAC/1/0044

At 3 o'clock, oral evidence will be heard from Dr David Kelly, Ministry of Defence. Dr Kelly has decided to appear alone.

Geoff Hoon agreed to Dr Kelly's appearance on the understanding that:

- he will appear for about 45 minutes (the same amount of time he will have spent with the ISC)
- he will be asked only questions arising from Andrew Gilligan's evidence.

You agreed to these conditions. If Members object that they were not consulted or if they refuse to be bound, you can point out that the only real alternative was for Hoon to refuse to allow Kelly to appear.

The brief of suggested questions follows a logical order and there is something to be said for sticking to that order (especially with only about 45 minutes to cover the ground).

After all this, the Committee will need to decide how to proceed. It may conclude that Andrew Gilligan has committed a contempt by refusing to answer the question about when he met his source. If it does, it should decide whether to summon him—possibly in private—and ask him the question in formal session. Or it could make a Special Report to the House.

If the Committee makes a Special Report, the Report will only be granted precedence as a privilege matter if the Speaker so decides. Otherwise, it lies upon the Table, dependent on the Government or Opposition to grant it time. There is probably little chance of that happening this week.

The Committee might wish to reflect that, if the Committee has not offered Gilligan a chance to answer the question in person, and in private, but instead moves straight to making a Special Report, the Speaker may feel obliged to conclude that it has not exhausted all the avenues open to it.

## 2. Foreign Policy Aspects of the War against Terrorism

To consider formally the Chairman's draft Report.

Apart from yours, all the amendments are in the name of Sir John

FAC/1/0045

Stanley.

The questions for formal consideration are set out in CAPITALS:

### **Initial question**

THE QUESTION IS, THAT THE DRAFT REPORT BE READ A SECOND TIME, PARAGRAPH BY PARAGRAPH.

[The list of conclusions and recommendations will be printed at the front of the Report, in the usual way.]

The paragraphs are then gone through in order.

### **Amendments**

If a Member wishes to move an Amendment and it looks like a consensus might be reached, it might be sensible to begin by inviting him to speak to it informally. If a vote is inevitable, you might as well go straight into it and put the Question.

The formal Question is:

THE QUESTION IS, THAT THE AMENDMENT BE MADE.

The Amendment can be agreed to or negatived without a division. If one is necessary, the Clerk will call the name of each Member, in alphabetical order. The Chairman only votes if the numbers are equal at the end of the vote. The result of any vote is recorded in the Minutes of Proceedings published with the Report.

*When consideration of all amendments to a paragraph is completed:*

THE QUESTION IS, THAT PARAGRAPH [X] [AS AMENDED (if it has been)] BE AGREED TO.

When several paragraphs have no amendments to them, with the Committee's agreement, the question can be put on them together.

THE QUESTION IS, THAT PARAGRAPHS [X] TO [X] BE AGREED TO.

*When all the paragraphs have been considered:*

THE QUESTION IS, THAT THE REPORT BE THE TENTH REPORT OF THE COMMITTEE TO THE HOUSE.

THE QUESTION IS, THAT I DO MAKE THE REPORT TO THE

FAC/1/0046

HOUSE,

### **Evidence**

The list of memoranda will be on the Table. To allow them to be published with the Report, the following Question should be put:

THE QUESTION IS, THAT SEVERAL PAPERS BE APPENDED TO THE MINUTES OF EVIDENCE.

### **Publication**

The printers have something of a flood of select committee reports this week, and the earliest day for publication will be Thursday 24th. Sir John wants a press conference. Will anyone be here?

Are advance (embargoed) copies required?

*If advance copies are required, the following Question must be put:*

THE QUESTION IS, THAT THE PROVISIONS OF STANDING ORDER NO.134 (Select Committees (reports)) BE APPLIED TO THE REPORT.

### 3. Gibraltar

To consider formally the Chairman's draft Report.

All the amendments are in the name of Sir John Stanley.

The questions for formal consideration are set out in CAPITALS:

### **Initial question**

THE QUESTION IS, THAT THE DRAFT REPORT BE READ A SECOND TIME, PARAGRAPH BY PARAGRAPH.

[The list of conclusions and recommendations will be printed at the front of the Report, in the usual way.]

The paragraphs are then gone through in order.

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## **Amendments**

If a Member wishes to move an Amendment and it looks like a consensus might be reached, it might be sensible to begin by inviting him to speak to it informally. If a vote is inevitable, you might as well go straight into it and put the Question.

The formal Question is:

THE QUESTION IS, THAT THE AMENDMENT BE MADE.

The Amendment can be agreed to or negatived without a division. If one is necessary, the Clerk will call the name of each Member, in alphabetical order. The Chairman only votes if the numbers are equal at the end of the vote. The result of any vote is recorded in the Minutes of Proceedings published with the Report.

*When consideration of all amendments to a paragraph is completed:*

THE QUESTION IS, THAT PARAGRAPH [X] [AS AMENDED (if it has been)] BE AGREED TO.

When several paragraphs have no amendments to them, with the Committee's agreement, the question can be put on them together.

THE QUESTION IS, THAT PARAGRAPHS [X] TO [X] BE AGREED TO.

*When all the paragraphs have been considered:*

THE QUESTION IS, THAT THE REPORT BE THE ELEVENTH REPORT OF THE COMMITTEE TO THE HOUSE.

THE QUESTION IS, THAT I DO MAKE THE REPORT TO THE HOUSE.

## **Evidence**

The list of memoranda will be on the Table. To allow them to be published with the Report, the following Question should be put:

THE QUESTION IS, THAT SEVERAL PAPERS BE REPORTED TO THE HOUSE.

## **Publication**

As for the other Report, the earliest day for publication will be Thursday

FAC/1/0048

24th. Again, Sir John wants a press conference. Does anyone else?

Are advance (embargoed) copies required?

*If advance copies are required, the following Question must be put:*

THE QUESTION IS, THAT THE PROVISIONS OF STANDING ORDER NO.134 (Select Committees (reports)) BE APPLIED TO THE REPORT.

#### 4. Inquiry into South Africa

To consider terms of reference for the inquiry into South Africa.

Draft terms of reference are before the Committee.

There is much to be said for keeping the title on the front cover short, with the terms of reference fleshing it out. The "Turkey" inquiry is a good example. In this case, the title "South Africa" should be fine, with the terms of reference giving witnesses and other a good steer as to the Committee's principal interests.

#### 5. Committee travel

To consider any further developments relating to the Committee's proposed visits to the Middle East (in September) and Iran (in October).

FCO advice will be available at the meeting. Decisions need to be taken today, especially in relation to the September visit.

#### 6. The Inter-Governmental Conference

To consider the Committee's response to the letter of the Foreign Secretary to the Chairman of the European Scrutiny Committee.

The letter was circulated on Thursday. The ESC wishes to see the Standing Committee on the Convention become the Standing Committee on the IGC, to provide a forum for debating relevant issues over the months ahead. What do FAC Members think?

FAC/1/0049

7. Speaker Abbot Award

To consider the letter to the Chairman from the Parliamentary Press Gallery.

The letter was circulated on Thursday. Does any Member wish to act as a judge for this award, or to propose a recipient?

8. Any other business

FAC/1/0050