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**RETURNED TO ORIGINATING AGENCY DOD**

OSD 5 U.S.C. § 552(b)(2)

Bremer, Paul

From: Charles Allen [REDACTED]  
Sent: Saturday, May 17, 2003 11:15 AM  
To: [REDACTED]  
Cc: Charles Allen  
Subject: FW: 11:20 Draft [UNCLASSIFIED, Record]

Office of the Secretary of Defense S.U.S.C. § 552  
Chief, RDD, ESD, WHS  
Date: 13 JAN 2016 Authority: EO 13526  
Declassify: \_\_\_\_\_ Deny in Full: \_\_\_\_\_  
Declassify in Part: \_\_\_\_\_  
Reason: S.U.S.C. § 552(b)(2)(G)  
MDR: 11-M-2191



Iraq -- Sanctions  
Lift (Final ...

~~CONFIDENTIAL WITH ATTACHMENT~~

----- Forwarded by Charles Allen/LEGAL/OSD/OUSDP on 05/17/03 02:12 PM -----

This Message: ~~CONFIDENTIAL WITH ATTACHMENT~~

Charles Allen

To: Mark Esper/NP/ISP/OUSDP@OUSDP,

Sally Horn/NPP/NP/ISP/OUSDP@OUSDP, [REDACTED]

[REDACTED]/PAG/PS/OUSDP@OUSDP, Joseph

05/17/03 01:30

Collins/SO/SOLIC/OUSDP@OUSDP, David  
PM

Tarantino/SO/SOLIC/OUSDP

cc: Patrick

McCarthy/LEGAL/OSD/OUSDP@OUSDP, [REDACTED]

/LEGAL/OSD/OUSDP@OUSDP, [REDACTED] Ryan

Henry/PDUSDP/USDP/OUSDP@OUSDP, Charles

Allen/LEGAL/OSD/OUSDP@OUSDP,

[REDACTED]/USDP/OUSDP@OUSDP,

Subject:

FW: 11:20 Draft [UNCLASSIFIED, Record]

OSD 5 U.S.C. § 552(b)(2)(G)

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There's a SVTC on this at 2:30. Chuck

----- Forwarded by Charles Allen/LEGAL/OSD/OUSDP on 05/17/03 01:26 PM -----

This Message:

"Bellinger John  
B."

To: [REDACTED]  
cc: [REDACTED]

Subject:

FW: 11:20 Draft [UNCLASSIFIED, Record]

05/17/03 12:17  
PM

OSD 5 U.S.C. § 552(b)(2)

Page determined to be Unclassified  
Reviewed Chief, RDD, WHS  
IAW EO 13526, Section 3.5  
Date: JAN 13 2016

Jane: Here is the proposed final version.

Chuck: This is slightly revised from the version I sent you at 11:00.

Jane/Chuck: I would also suggest changing the PP on the non-occupying powers to read

11M-2191

"Noting that other countries, who are not occupying powers, are now or may in the future work with and under the Authority;"

-----Original Message-----

From: Rostow, Nicholas [REDACTED]  
Sent: Saturday, May 17, 2003 11:16 AM  
To: Swigert, James W; Cunningham, James B USUN; Bellinger John B.  
Cc: Negroponte, John  
Subject: 11:20 Draft  
Importance: High

OSD 5 U.S.C. § 552(b)(2)

Attached is a revised "final" draft. It incorporates changes in pp 13 and ops 9, 10bis, and 19. Note that, as discussed with John B., I have replaced "Authority" in the reporting role in 10bis with the UK and US.

When I figure out how I can use different colors for changes in different drafts I'll do it.

<<Iraq -- Sanctions Lift (Final Draft).doc>>  
(See attached file: Iraq -- Sanctions Lift (Final Draft).doc)

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IAW EO 13526, Section 3.5  
Date: JAN 13 2016

5/17/03 11:20

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**DRAFT (FINAL) RESOLUTION**

*The Security Council,*

*Recalling* all previous relevant resolutions of the Council,

*Reaffirming* the sovereignty and territorial integrity of Iraq,

*Reaffirming* the importance of the disarmament of Iraqi weapons of mass destruction and of eventual confirmation of the disarmament of Iraq in this regard.

*Stressing* the right of the Iraqi people freely to determine their own political future and control their own natural resources, *welcoming* the commitment of concerned parties to support the creation of an environment in which they may do so as soon as possible, and *expressing* resolve that the day when Iraqis govern themselves must come quickly,

*Encouraging* efforts by the people of Iraq to form a representative government based on the rule of law that affords equal rights and justice to all Iraqi citizens without regard to ethnicity, religion, or gender, and in this connection, stresses the importance of giving special attention to the situation of women and girls, consistent with resolution 1325 (2000) of 31 October 2000.

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*Welcoming* the first steps of the Iraqi people in this regard, and noting in this connection the 15 April 2003 Nasiriyah statement and the 28 April 2003 Baghdad statement,

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engaged in humanitarian assistance and reconstruction activities in Iraq, coordinating with the Authority, and assisting the people of Iraq through:

(a) coordinating humanitarian and reconstruction assistance by UN agencies and between UN agencies and non-governmental organizations;

(b) promoting the safe, orderly, and voluntary return of refugees and displaced persons;

(c) working intensively with the Authority, the people of Iraq, and others concerned to advance efforts to restore and establish national and local institutions for representative governance, including by jointly facilitating a process leading to an internationally recognized representative government of Iraq;

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(d) facilitating the reconstruction of key infrastructure, in cooperation with other international organizations;

(e) promoting economic reconstruction and the conditions for sustainable development, including through coordination with national and regional organizations, as appropriate, civil society, donors and the international financial institutions;

(f) encouraging international efforts to contribute to basic civilian administration functions;

(g) promoting the protection of human rights;

(h) encouraging international efforts to rebuild the capacity of the Iraqi civilian police force; and

(i) encouraging international efforts to promote legal and judicial reform.

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(j) participating in the international advisory board noted in paragraphs 11 and 17 below;

5/17/03 11:20

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**DRAFT (FINAL) RESOLUTION**

*The Security Council,*

*Recalling* all previous relevant resolutions of the Council,

*Reaffirming* the sovereignty and territorial integrity of Iraq,

*Reaffirming* the importance of the disarmament of Iraqi weapons of mass destruction and of eventual confirmation of the disarmament of Iraq in this regard,

*Stressing* the right of the Iraqi people freely to determine their own political future and control their own natural resources, *welcoming* the commitment of concerned parties to support the creation of an environment in which they may do so as soon as possible, and *expressing* resolve that the day when Iraqis govern themselves must come quickly,

*Encouraging* efforts by the people of Iraq to form a representative government based on the rule of law that affords equal rights and justice to all Iraqi citizens without regard to ethnicity, religion, or gender, and, in this connection, stresses the importance of giving special attention to the situation of women and girls, consistent with resolution 1325 (2000) of 31 October 2000,

*Welcoming* the first steps of the Iraqi people in this regard, and noting in this connection, the 15 April 2003 Nasiriyah statement and the 28 April 2003 Baghdad statement,

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*Resolved* that the United Nations should play a vital role in humanitarian relief, the reconstruction of Iraq, and the restoration and establishment of national and local institutions for representative governance,

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*Noting* the statement by the Group of Seven Industrialized Nations in which the members recognized the need for a multilateral effort to help rebuild and develop Iraq and for the need for assistance from the International Monetary Fund and the World Bank in these efforts,

*Welcoming* the resumption of humanitarian assistance and the continuing efforts of the Secretary-General and the specialized agencies to provide food and medicine to the people of Iraq,

*Welcoming* the appointment by the Secretary-General of his Special Advisor on Iraq,

*Affirming* the need for accountability for crimes and atrocities committed by the previous Iraqi regime,

*Stressing* the need for respect for the archaeological, historical, cultural, and religious heritage of Iraq, and for the continued protection of archaeological, historical, cultural, and religious sites, museums, libraries, and monuments,

*Noting* the letter of 8 May 2003 from the Permanent Representatives of the United States of America and the United Kingdom to the President of the Security Council (S/2003/538) and recognizing the specific authorities, responsibilities, and obligations under applicable international law of these states as occupying powers under unified command (the "Authority"),

*Noting further* the responsibilities of others, which are not occupying powers, working now or in the future with and under the Authority,

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*Welcoming* the willingness of Member States to contribute to stability and security in Iraq by contributing personnel, equipment, and other resources under the Authority,

*Concerned* that many Kuwaitis and Third-State Nationals still are not accounted for since 2 August 1990,

*Determining* that the situation in Iraq, although improved, continues to constitute a threat to international peace and security,

*Acting* under Chapter VII of the Charter of the United Nations,

1. *Appeals* to Member States and concerned organizations to assist the people of Iraq in their efforts to reform their institutions and rebuild their country, and to contribute to conditions of stability and security in Iraq;

2. *Calls upon* all Member States in a position to do so to respond immediately to the humanitarian appeals of the United Nations and other international organizations for Iraq and to help meet the humanitarian and other needs of the Iraqi people by providing food, medical supplies, and resources necessary for reconstruction and rehabilitation of Iraq's economic infrastructure;

3. *Appeals* to Member States to deny safe haven to those members of the previous Iraqi regime who are alleged to be responsible for crimes and atrocities and to support actions to bring them to justice;

4. [old para. 6] Calls upon the Authority, consistent with the Charter of the United Nations and other international law, to promote the welfare of the Iraqi people through the effective administration of the territory, including in particular working towards the restoration of conditions of security and stability and the creation of conditions in which the Iraqi people may freely determine their own political future;

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5. [old para. 7] *Calls upon* all concerned to comply fully with their obligations under international law including in particular the Geneva Conventions of 1949 and the Hague Regulations of 1907;

6. [old para 4] *Calls upon* the Authority and relevant organizations and individuals to continue efforts to locate, identify, and repatriate all Kuwaiti and Third Country Nationals or the remains of those present in Iraq on or after 2 August 1990, as well as the Kuwaiti archives, that the previous Iraqi regime failed to undertake; and in this regard, *directs* the High Level Coordinator, in consultation with the International Committee of the Red Cross and the Tripartite Commission and with the appropriate support of the people of Iraq and in coordination with the Authority, to take steps to fulfill his mandate with respect to the fate of Kuwaiti and Third-Country national missing persons and property;

7. [old para. 5] *Decides* that all Member States shall take appropriate steps to facilitate the safe return to Iraqi institutions of Iraqi cultural property and other items of archeological, historical, cultural, rare scientific, and religious importance illegally removed from the Iraq National Museum, the National Library, and other locations in Iraq since the adoption of resolution 661 (1990) of 2 August 1990, including by establishing a prohibition on trade in or transfer of such items and items with respect to which reasonable suspicion exists that they have been illegally removed, and *calls upon* the United Nations Educational, Scientific, and Cultural Organization, INTERPOL, and other international organizations, as appropriate, to assist in the implementation of this paragraph;

8. *Requests* the Secretary-General to appoint a Special Representative for Iraq whose independent responsibilities shall involve reporting regularly to the Council on his activities under this resolution, coordinating activities of the United Nations in post-conflict processes in Iraq, coordinating among UN and international agencies

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engaged in humanitarian assistance and reconstruction activities in Iraq, coordinating with the Authority, and assisting the people of Iraq through:

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(d) facilitating the reconstruction of key infrastructure, in cooperation with other international organizations;

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(f) encouraging international efforts to contribute to basic civilian administration functions;

(g) promoting the protection of human rights;

(h) encouraging international efforts to rebuild the capacity of the Iraqi civilian police force; and

(i) encouraging international efforts to promote legal and judicial reform.

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(j) participating in the international advisory board noted in paragraphs 11 and 17 below;

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9. *Supports* the formation, by the people of Iraq with the help of the Authority and working with the Special Representative, of an Iraqi interim administration as a transitional administration run by Iraqis, until an internationally recognized representative government is established by the people of Iraq at which time the Authority will be deemed to have discharged its responsibilities under this resolution;

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10. *Decides* that, with the exception of prohibitions related to the sale or supply to Iraq of arms and related materiel other than those arms and related materiel required by the Authority to serve the purposes of this and other related resolutions, all prohibitions related to trade with Iraq and the provision of financial or economic resources to Iraq established by resolution 661 (1990) and subsequent relevant resolutions, including resolution 778 (1992) of 2 October 1992, shall no longer apply;

10bis. *Reaffirms* that Iraq must meet its disarmament obligations, invites the United Kingdom of Great Britain and Northern Ireland and the United States of America to keep the Council informed of their activities in this regard, and underlines the intention of the Council to review the mandates of the UN Monitoring and Verification Commission and the International Atomic Energy Agency as set forth in resolutions 687 (1991) of 3 April 1991, 1284 (1999) of 17 December 1999, and 1441 (2002) of 8 November 2002 on receipt of a final report to the Council by the United Kingdom of Great Britain and Northern Ireland and the United States of America on disarmament of Iraq; [UK argues we need to go further and mention UNMOVIC and the IAEA in this context in order to win over enough UNSC Members];

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11. *Notes* the establishment of a Development Fund for Iraq to be held by the Central Bank of Iraq and to be audited by independent public accountants approved by the international advisory and monitoring board of the Development Fund for Iraq and looks forward to the early meeting of that international advisory and monitoring board, whose

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