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6.6.04 2230 Reflects changes agreed to 6.6.04 interagency and new proposals from consultations this evening / Chile-Spain-Brazil conversation The Security Council,

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Welcoming the beginning of a new phase in Iraq's transition to a democratically elected government, and looking forward to the end of the occupation and the assumption of full responsibility and authority by a fully sovereign and independent Interim Government of Iraq by 30 June 2004, [Chinese, UN made strong push for this.]

Recalling all of its previous relevant resolutions on Iraq,

Reaffirming the independence, sovereignty, unity, and territorial integrity of Iraq,

Reaffirming the right of the Iraqi people freely to determine their own political future and control their own natural resources,

Recognizing the importance of international support, particularly that of countries in the region, Iraq's neighbors, and regional organizations, for the people of Iraq in their efforts to achieve security and prosperity, and noting that the successful implementation of this resolution will contribute to regional stability, [Arab Group, Pakistanis have pushed for]

Welcoming the efforts of the Special Advisor to the Secretary-General to assist the people of Iraq in achieving the formation of a sovereign Interim Government of Iraq, as set out in the letter of the Secretary-General of 8 June 2004, [This language is to respond to Russian preoccupation with a formal report from the SYG on Brahimi's efforts. Brahimi will speak on the record in the Council Monday afternoon and then the SYG will provide the transcript of his oral report on Tuesday. Word "ongoing" does not seem to apply in that the IIG has now been formed.]

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Taking note of the dissolution of the Governing Council of Iraq, and welcoming the progress made in implementing the arrangements for Iraq's political transition referred to in resolution 1511 (2003) of 16 October 2003,

Welcoming the commitment of the Interim Government of Iraq to work towards a federal, democratic, pluralist and unified Iraq, in which there is full respect for political and human rights, [1. Iraqis (Zebari) want to delete "republican" because they argue that the language in Article II of the TAL reflects the current state, but does not determine future status. Some in Iraq might want a constitutional

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monarchy, they argue. Need guidance from Baghdad / Washington on this point.
2. Separately, LPB has indicated via email that there is some need for language to
address Kurdish concerns, but it's not clear to us in New York what that language
should be or whether it is still needed.]

Stressing the need for all parties to respect and protect Iraq's archeological,
historical, cultural and religious heritage,

Affirming the importance of the rule of law, respect for human rights including the
rights of women, fundamental freedoms, and democracy including free and fair
elections,

Recalling the establishment of the United Nations Assistance Mission for Iraq
(UNAMI) on 14 August 2003, and affirming that the United Nations should play a
leading role in assisting the Iraqi people and government in the formation of
institutions for representative government,

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Recognizing that international support for restoration of stability and security is
essential to the well-being of the people of Iraq as well as to the ability of all
concerned to carry out their work on behalf of the people of Iraq, and welcoming
Member State contributions in this regard under resolution 1483 (2003) of 22 May
2003 and resolution 1511 (2003),

Recalling the report provided by the United States to the Security Council on 16
April 2004, on the efforts and progress made by the multinational force, (Iraqi
request: Optics.)

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resolution

Recognizing the request of the incoming Interim Government of Iraq as conveyed
in the letter of 5 June 2004 from the Prime Minister of the Interim Government of
Iraq to the President of the Council, which is annexed to this resolution, to retain
the presence of the multinational force, [Technical]

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Recognizing also the importance of the consent of the sovereign government of
Iraq for the presence of the multinational force and of close coordination between
the multinational force and that government,

Welcoming the willingness of the multinational force to continue efforts to
contribute to the maintenance of security and stability in Iraq in support of the
political transition, especially for upcoming elections, and to provide security for
the UN presence in Iraq, as further described in the letter of 5 June 2004 from the
United States Secretary of State to the President of the Council, which is annexed
to this resolution. [Technical]

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Security Council on XX XX 2004,

Noting the commitment of all forces promoting the maintenance of security and stability in Iraq to act in accordance with international law, including obligations under international humanitarian law, and cooperate with relevant international organizations, (Note: Spanish and others AGAIN returned to the point about putting this language in the operative with “welcomes”. JDN told me to make a note of the proposal.)

Affirming the importance of international assistance in reconstruction and development of the Iraqi economy,

Recognizing the benefits to Iraq of the immunities and privileges enjoyed by Iraqi oil revenues and by the Development Fund for Iraq, and noting the importance of providing for continued disbursements of this fund by the Interim Government of Iraq and its successors upon dissolution of the Coalition Provisional Authority,

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

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

1. *Endorses* the formation of a sovereign Interim Government of Iraq, as presented on 1 June 2004, which will assume full responsibility and authority by 30 June 2004 for governing Iraq while refraining from taking any actions affecting Iraq's destiny beyond the limited interim period, until an elected Transitional Government of Iraq assumes office as envisaged in paragraph three below; [Technical]

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2. *Welcomes* that, also by 30 June 2004, the occupation will end and the Coalition Provisional Authority will cease to exist, and that Iraq will reassert its full sovereignty; [Technical]

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2bis. Reaffirms the right of the Iraqi people freely to determine their own political future and to exercise full authority and control over their financial and natural resources;

3. *Endorses* the proposed timetable for Iraq's political transition to democratic government including:

(a) formation of a sovereign Interim Government of Iraq that will assume governing responsibility and authority by 30 June 2004;

(b) convening of a national conference reflecting the diversity of Iraqi society; and

(c) holding of direct democratic elections by 31 December 2004 if possible, and in no case later than 31 January 2005, to a Transitional National Assembly which will, inter alia, have responsibility for forming a Transitional Government of Iraq and drafting a permanent constitution for Iraq leading to a constitutionally-elected government by 31 December 2005;

3bis. Invites the Government of Iraq to consider how the convening of an international meeting could support the above process, and notes that it would welcome such a meeting to support the Iraqi political transition and Iraqi recovery, to the benefit of the Iraqi people; [Russians have long wanted reference to an international conference in the resolution – they repeated this again on 6 June. Understand we have a green light on the earlier language we put back. Another iteration of it after consulting UK.]

4. *Calls on* all Iraqis to implement these arrangements peaceably and in full, and on all States and relevant organizations to support such implementation;

5. *Decides* that in implementing, as circumstances permit, their mandate to assist the Iraqi people and government, the Special Representative of the Secretary General and the United Nations Assistance Mission for Iraq (UNAMI), as requested by the Interim Government of Iraq and its successors, shall:

(a) play a leading role to:

(i) assist in the convening, during the month of July 2004, of a national conference to select a Consultative Council;

(ii) advise and support the Interim Government of Iraq, the Independent Electoral Commission of Iraq, and the Transitional National Assembly on the process for holding elections; [UN wants to only refer to the IEC, which we find too narrow.]

(iii) promote national dialogue and consensus-building on the drafting of a national constitution by the people of Iraq; and

(b) and also:

(i) advise the Interim Government of Iraq in the development of effective civil and social services;

(ii) contribute to the coordination and delivery of reconstruction, development, and humanitarian assistance;

(iii) promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq; and

(iv) advise and assist the Interim Government of Iraq on initial planning for the eventual conduct of a comprehensive census;

6. *Welcomes* ongoing efforts by the incoming Interim Government of Iraq to develop Iraqi security forces, including the Iraqi armed forces, operating under the authority of the Interim Government of Iraq and its successors, and which will progressively play a greater role and ultimately assume full responsibility for the maintenance of security and stability in Iraq;

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7. *Notes* that the presence of the multinational force in Iraq is at the request of the incoming Interim Government of Iraq and therefore *reaffirms* the authorization for the multinational force under unified command established under resolution 1511 (2003) having regard to the letters annexed to this resolution; [UK has come back to us needing this language to stay in.]

8. *Decides* that the multinational force shall have the authority to take all necessary measures to contribute to the maintenance of security and stability in Iraq in accordance with the letters annexed to this resolution expressing, inter alia, the Iraqi request for the continued presence of the multinational force and setting out its tasks, including by preventing and deterring terrorism, so that inter alia the United Nations can fulfill its role in assisting the Iraqi people as outlined in paragraph five above and the Iraqi people can implement freely and without intimidation the timetable and program for the political process and benefit from reconstruction and rehabilitation activities [UK wants the previous language back in];

9. *Welcomes* in this regard the arrangements that are being put in place to establish a security partnership between the multinational force and the sovereign Government of Iraq and to ensure coordination between the two;

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9bis. *Welcomes* also in this regard the letters annexed to this resolution stating, inter alia, that Iraqi security forces are responsible to the appropriate Iraqi ministers, and therefore that Iraqi armed forces may, with the agreement of the Government of Iraq, be engaged in military operations with the multinational force, and that there will be a structure for the Government of Iraq and the multinational force to reach agreement on the full range of fundamental security and policy issues, including policy on sensitive offensive operations, as well as to ensure full partnership between Iraqi forces and the multinational force;

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{USUN/UKUN proposal tracks language in letters. Effort to respond to push yesterday by French, supported by 7 other dels, to seek amendment stating Iraqis can veto MNF operations. USUN rejected that proposal and is looking for Washington guidance on this alternative.}

10. *Decides further* that the mandate for the multinational force shall be reviewed at the request of the sovereign Government of Iraq or twelve months from the date of this resolution, and that this mandate shall expire upon the completion of the political process set out in paragraph three above and *declares* that it will terminate this mandate earlier if requested by the sovereign Government of Iraq; [Technical]

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11. *Notes the intention, set out in the annexed letter from the United States Secretary of State, to create a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the UN presence in Iraq, recognizes that the implementation of measures to provide security for staff members of the United Nations system working in Iraq would require significant resources, and calls upon its Member States and relevant organizations to provide such resources, including contributions to that entity; [Powell's letter states this intention, and the old language noted the creation – assuming it has not been created yet, we need to conform the two. Second clause is UN language SYG has requested to help them with the budgetary process.]*

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12. *Recognizes* that the multinational force will also assist in building the capability of the Iraqi security forces and institutions, through a program of recruitment, training, equipping, mentoring and monitoring;

13. *Requests* Member States and international and regional organizations to contribute assistance to the multinational force, including military forces, ~~at the request of the sovereign Government of Iraq,~~ to help meet the needs of the Iraqi people for security and stability, humanitarian and reconstruction assistance, and to support the efforts of UNAMI; [French proposal]

14. *Emphasizes* the importance of developing effective Iraqi police, border enforcement, and Facilities Protection Service, under the control of the Interior Ministry of Iraq and, in the case of the Facilities Protection Service, other Iraqi ministries, for the maintenance of law, order, and security, including combating terrorism, and *requests* Member States and international organizations to assist the Interim Government of Iraq in building the capability of these Iraqi institutions;

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15. *Condemns* all acts of terrorism in Iraq, *reaffirms* the obligations of Member States under resolutions 1373 (2001) of 28 September 2001, 1267 (1999) 15

October 1999, 1333 (2000) of 19 December 2000, 1390 (2002) of 16 January 2002, 1455 (2003) of 17 January 2003, and 1526 (2004) of 30 January 2004, and other relevant international obligations with respect, inter alia, to terrorist activities in and from Iraq or against its citizens, and specifically *reiterates* its call upon Member States to prevent the transit of terrorists to and from Iraq, arms for terrorists, and financing that would support terrorists, and *reemphasizes* the importance of strengthening the cooperation of the countries of the region, particularly neighbors of Iraq, in this regard; [Technical]

16. *Welcomes* efforts by Member States and international organizations to respond in support of requests by the Interim Government of Iraq to provide technical and expert assistance, while Iraq is rebuilding administrative capacity;

17. *Recognizes* that the Interim Government of Iraq will assume the primary role in coordinating international assistance to Iraq;

18. *Decides* that the prohibitions related to the sale or supply to Iraq of arms and related materiel under previous resolutions shall not apply to arms or related materiel required by the sovereign government of Iraq or the multinational force to serve the purposes of this resolution, *stresses* the importance for all States to abide strictly by them, and *notes* the significance of Iraq's neighbors in this regard, and *calls upon* the sovereign government of Iraq and the multinational force each to ensure that appropriate implementation procedures are in place;

19. *Notes* that nothing in the preceding paragraph affects the prohibitions on or obligations of States related to items specified in paragraphs 8 and 12 of resolution 687 (1991) of 3 April 1991 or activities described in paragraph 3(f) of resolution 707 (1991) of 15 August 1991, and *reaffirms* its intention to revisit the mandates of the United Nations Monitoring, Verification, and Inspection Commission and the International Atomic Energy Agency;

20. *Reiterates* its request that Member States, international financial institutions and other organizations strengthen their efforts to assist the people of Iraq in the reconstruction and development of the Iraqi economy, including by providing international experts and necessary resources through a coordinated program of donor assistance;

21. *Calls on* Member States and international organizations to respond to Iraqi requests to assist Iraqi efforts to integrate Iraqi veterans and former militia members into Iraqi society;

22. *Notes* that upon dissolution of the Coalition Provisional Authority the funds in the Development Fund for Iraq shall be disbursed solely at the direction of the Interim Government of Iraq and its successors, and *decides* that the Development Fund for Iraq shall be utilized in a transparent and equitable manner and through the Iraqi budget including to satisfy outstanding obligations against the Development Fund for Iraq, that the arrangements for the depositing of proceeds from export sales of petroleum, petroleum products, and natural gas established in paragraph 20 of resolution 1483 (2003) shall continue to apply, that the International Advisory and Monitoring Board shall continue its activities in monitoring the Development Fund for Iraq and shall include as an additional full voting member a duly qualified representative of the sovereign government of Iraq and that appropriate arrangements shall be made for the continuation of deposits of the proceeds referred to in paragraph 21 of resolution 1483 (2003); [Russians wanted non-discriminatory, Iraqis did not like and proposed equitable. Deletion of 1483 ref is optics / Iraqi request.]

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23. *Decides further* that the provisions in the above paragraph for the deposit of proceeds into the DFI and for the role of the IAMB shall be reviewed at the request of the Transitional Government of Iraq or twelve months from the date of this resolution, and shall expire upon the completion of the political process set out in paragraph three above;

24. *Decides* that, in connection with the dissolution of the Coalition Provisional Authority, the Interim Government of Iraq and its successors shall assume the rights, responsibilities and obligations relating to the Oil for Food Programme that were transferred to the Authority, including all operational responsibility for the Programme and any obligations undertaken by the Authority in connection with such responsibility, and responsibility for ensuring independently authenticated confirmation that goods have been delivered, and *further decides* that, following a 120 day transition period from the date of adoption of this resolution, the Interim Government of Iraq and its successors shall assume responsibility for certifying delivery of goods under contracts prioritized in accordance with that resolution, and that such certification shall be deemed to constitute the independent authentication required for the release of funds associated with such contracts, consulting as appropriate to ensure the smooth implementation of these arrangements; [Optics]

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25. *Further decides* that the provisions of paragraph 22 of resolution 1483 (2003) shall continue to apply, except that the privileges and immunities provided in that paragraph shall not apply with respect to any final judgment arising out of a contractual obligation entered into by Iraq after 30 June 2004;

26. *Welcomes* the commitments of many creditors, including those of the Paris Club, to identify ways to reduce substantially Iraq's sovereign debt, *calls on* Member States, as well as international and regional organizations, to support the Iraq reconstruction effort, *urges* the international financial institutions and bilateral donors to take the immediate steps necessary to provide their full range of loans and other financial assistance and arrangements to Iraq, *recognizes* that the Interim Government of Iraq will have the authority to conclude and implement such agreements and other arrangements as may be necessary in this regard, and *requests* creditors, institutions and donors to work as a priority on these matters with the Interim Government of Iraq and its successors;

27. *Recalls* the continuing obligations of Member States to freeze and transfer certain funds, assets, and economic resources to the Development Fund for Iraq in accordance with paragraphs 19 and 23 of resolution 1483 (2003) and with resolution 1518 (2003) of 24 November 2003;

28. *Requests* the Secretary-General to report to the Security Council within three months from the date of this resolution on UNAMI operations in Iraq, and on a quarterly basis thereafter on the progress made towards national elections and fulfillment of all UNAMI's responsibilities;

29. *Requests* that the United States, on behalf of the multinational force, report to the Security Council within three months from the date of this resolution on the efforts and progress of this force, and on a quarterly basis thereafter;

30. *Decides* to remain actively seized of the matter.