

Amendments to the US draft

(France and Germany)

These franco-german proposals have been drafted in the spirit of constructive cooperation with the sponsor of the working draft. It is aimed at achieving our common objective of lasting stability and the political and economical reconstruction of Iraq. In order to reach this goal in our view we have to take a comprehensive new approach that focuses on Iraqi ownership and a leading role for the UN and its SG in the political process.

Preambular paragraphs

- **new PP5bis** : "*Stressing* that the safety and security of humanitarian personnel and United Nations and its personnel must be ensured in full respect with the applicable rules and principles of international law, in particular the Geneva conventions and the Hague regulation, and recalling in that regard its resolution 1502 (2003)".,

Rationale : self-explanatory. As stated very clearly by the SG, the safety of UN personnel is a prerequisite for any further UN action in Iraq. We have to lay the stress on this.

Operative paragraphs

- **OP3** : to be deleted after : "should play a vital role in Iraq" .,

Rationale : in our view, the role of the UN should go beyond the one set out in the existing resolutions. The same rationale applies to our proposal concerning OP9 (see below).

- **OP4, 6, 7** : to be deleted and replaced by the following paragraphs :

« *Decides* to immediately initiate under the auspices of the UN a new process leading expeditiously to the full restoration of Iraqi sovereignty, and to that effect :

- (a) - *Affirms* that the administration of Iraq shall be exerted by the Iraqi interim administration in all civilian areas, including control over its natural resources and use of international assistance, and to that end calls upon the authority to continue and accelerate the transfer to it of effective and substantial authorities.,

Rationale : this paragraph establishes an objective (the Iraqis must govern themselves), as well as the logical consequence of it (the continued transfer of responsibilities to them, which we know cannot be achieved overnight « continue and accelerate », but the process must be accelerated.

- (b) - *Requests* the Secretary General, in coordination with the Governing Council, to report to the Security Council within (...) days of the adoption of this resolution on the steps needed to expeditiously and orderly implement and complete the above

mentioned transfer of the civilian administration of Iraq from the Authority to the Iraqi interim administration.

Rationale : the SG should help define the best way to quickly and orderly implement this transfer, together with the Iraqis (the Governing council).

(c) - *Requests* also the Secretary General to assist the Governing Council in the development of a timetable for the establishment of a fully representative Iraqi government, including the drafting of a constitution and the holding of democratic elections, to report on it to the Council within () days of the adoption of this resolution and to provide, in coordination with the Authority, all appropriate assistance in the implementation of that timetable.,

Rationale : we fully agree with the SG's proposal of a timetable. In our views, if we want the process to be welcomed and supported by the Iraqis and the countries of the region, the UN (through the SG) should play the key-role (not the Authority) in assisting the Governing Council to develop the timetable.

(d) - *Requests* the Secretary General to initiate under his auspices a regional dialogue between the Iraqi interim administration, the neighboring states, the Arab League and the organization of the Islamic conference.

Rationale : reinforce the « inclusiveness » and the acceptability of the process, by consulting and coordinating with the countries of the region. Only if this SC resolution and the ensuing political process is accepted in the region, it can be implemented and lead to our overall goal of stability in Iraq. The same rationale applies to our proposal for a new OP5 (see below).

(e) - *Endorses* in the meantime the Governing Council and the cabinet of ministers as the trustee of Iraqi sovereignty until the processes leading to an elected and fully representative government are completed.,

Rationale : this would be a strong symbolic and political signal adressed to the Iraqi people, so as to enhance their ownership of the whole process. Of course, this provision makes sense only if the Governing council is in parallel being transfered substantial and concrete authorities. This should not prejudge nor preempt the final outcome, but be understood as a provisional measure pending the establishment of an elected, fully representative and internationally recognized Iraqi government.

- **new OP5** : "*Invites* countries in the region, particularly neighbors of Iraq to facilitate the reconstruction and stabilization of Iraq as well as its reintegration into the international community, including by preventing the transit of terrorists to Iraq, arms for terrorists and financing that would support terrorists.,"
- **OP9** : replace "to continue its effort to have the United Nations contribute to the improvement of the situation in Iraq in accordance with resolution 1483" by "to report quarterly to the Security Council on the implementation of this resolution".

- **OP 10** : delete the reference to resolution 1483 ., replace "to contribute to the maintenance of security and stability in Iraq" by "to create the security and stability conditions with the view to the timely implementation of the political timetable referred to in paragraph 6 of this resolution".,

Rationale : even if the link between the MNF and the political process is already in the paragraph, we believe we should stress this very important element.

- **OP 11** : to be deleted

Rationale : this paragraph paves the way –or at least opens the possibility- for two separate forces, the first one composed of the existing Coalition troops, and the second one composed only of troops from new contributing countries (and assigned with specific tasks). For efficiency reasons, and because the situation on the ground requires responsibility for security be clarified and not blurred, we strongly favor a single force under unified command.

- **OP13, 14 et 15** : subject to a new OP 12bis that would read as follows :

"Underlines that full transparency and effective international participation and oversight over all funds established for the purpose of the economic reconstruction of Iraq, in particular the Development Fund for Iraq (DFI) are prerequisites for substantial contributions by member states, and in this context *emphasizes* that the International Advisory and Monitoring Board (IAMB) referred to in paragraph 12 of resolution 1483 (2003) shall be established as a priority, and that the IAMB shall monitor the use of the DFI in accordance with paragraph 14 of resolution 1483 (2003), advise the Iraqi interim administration on the use of international assistance and report to the Council at regular intervals.

Rationale : we believe that full transparency is a condition for additional and substantial international financial assistance. Without it, it is very unlikely that potential donors will be ready to significantly contribute to the reconstruction of Iraq.

- **OP 16** : to be deleted and replaces by : "*Reminds* all member states of their obligations under paragraphs 19 and 23 of resolution 1483 (2003)".

Rationale : As you will remember, some delegations, including ours, had very serious difficulties with the initial wording of 1483 on this matter. Therefore on this point, we have to stick the the language of res. 1483.