

## Σχέδιο Απόφασης ΗΠΑ, Η.Β. και Ισπανίας για το Ιράκ

Κατατέθηκε στις 24 Φεβρουαρίου 2003 στο Συμβούλιο Ασφαλείας, από κοινού από τις ΗΠΑ, το Η.Β. και την Ισπανία, σχέδιο Απόφασης για το Ιράκ. Το προοίμιο του σχεδίου αυτού αναφέρεται στις προηγούμενες Αποφάσεις του Συμβουλίου Ασφαλείας σχετικά με τον αφοπλισμό του Ιράκ και υπογραμμίζει τη μη συμμόρφωση της Ιρακινής κυβέρνησης με τις απορρέουσες από τις Αποφάσεις αυτές υποχρεώσεις της. Το πολύ σύντομο διατακτικό του σχεδίου συνοψίζεται στην διαπίστωση ότι το Ιράκ απέτυχε να εκμεταλλευθεί την τελευταία ευκαιρία που του προσέφερε η Απόφαση 1441 για να αφοπλισθεί ειρηνικά. Μολονότι η διατύπωση αυτή δεν περιέχει ρητή μνεία στη χρήση βίας, ανοίγει τον δρόμο για την εκδήλωση των «σοβαρών συνεπειών» που προβλέπει η 1441 για την περίπτωση που το Ιράκ δεν συμμορφώνεται. Επομένως το σχέδιο αυτό φαίνεται να παραπέμπει στην 1441, η οποία όμως από ορισμένα μέλη του Συμβουλίου Ασφαλείας αμφισβητείται ως νομιμοποιητική βάση χρήσης στρατιωτικής βίας.

Πρέπει ωστόσο να σημειωθεί ότι ο Βρετανός εκπρόσωπος, κατά την παρουσίαση του σχεδίου στο Συμβούλιο Ασφαλείας, είπε, μεταξύ άλλων, πως υπάρχει ακόμη χρόνος για το Ιράκ, προκειμένου να ακολουθήσει την ορθή επιλογή (“There is time still, under pressure from the Council, for Iraq to make the right choice”).

Το σχέδιο της Απόφασης είναι συμβατό με τα προσφάτως υιοθετηθέντα Συμπεράσματα του Ευρωπαϊκού Συμβουλίου (17.2), κυρίως λόγω της ευέλικτης διατύπωσης των τελευταίων. Ειδικότερα:

1. Η κατάθεση του σχεδίου στο Συμβούλιο Ασφαλείας επιβεβαιώνει την αναγνώριση του κεντρικού ρόλου των Η.Ε. στην αντιμετώπιση της Ιρακινής κρίσης.
2. Τόσο τα Συμπεράσματα του Ευρωπαϊκού Συμβουλίου όσο και το σχέδιο Απόφασης διαπιστώνουν ότι το Ιράκ δεν έχει, μέχρι στιγμής, συμμορφωθεί πλήρως με τις περί αφοπλισμού υποχρεώσεις του και χαρακτηρίζουν την Απόφαση 1441 ως «τελευταία ευκαιρία» για την ειρηνική διευθέτηση της κρίσης.
3. Σύμφωνα με τα Συμπεράσματα του Ευρωπαϊκού Συμβουλίου, η χρήση βίας για τον αφοπλισμό του Ιράκ δεν αποκλείεται ως μέσο, απλώς αποτελεί την τελευταία επιλογή. Τα Συμπεράσματα δεν διευκρινίζουν

πότε ή με ποια κριτήρια θα θεωρηθεί ότι εξαντλήθηκαν όλα τα διπλωματικά μέσα και επομένως δεν έρχονται σε αντίθεση με το περιεχόμενο του σχεδίου Απόφασης, που βασίζεται στην εκτίμηση ότι τα χρονικά περιθώρια για ειρηνική διευθέτηση έχουν εξαντληθεί.

**IRAQ: US/UK/SPAIN DRAFT RESOLUTION: 24 FEBRUARY 2003**

The Security Council.

**PP1:** Recalling all its previous relevant resolutions, in particular its resolutions 661 (1990) of August 1990, 678 (1990) of 29 November 1990, 686 (1991) of 2 March 1991, 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 986 (1995) of 14 April 1995, 1284 (1999) of 17 December 1999 and 1441 (2002) of 8 November 2002, and all the relevant statements of its President,

**PP2:** Recalling that in its resolution 687 (1991) the Council declared that a ceasefire would be based on acceptance by Iraq of the provisions of that resolution, including the obligations on Iraq contained therein,

**PP3:** Recalling that its resolution 1441 (2002), while deciding that Iraq has been and remains in material breach of its obligations, afforded Iraq a final opportunity to comply with its disarmament obligations under relevant resolutions,

**PP4:** Recalling that in its resolution 1441 (2002) the Council decided that false statements or omissions in the declaration submitted by Iraq pursuant to that resolution and failure by Iraq at any time to comply with, and co-operate fully in the implementation of, that resolution, would constitute a further material breach,

**PP5:** Noting, in that context, that in its resolution 1441 (2002), the Council recalled that it has repeatedly warned Iraq that it will face serious consequences as a result of its continued violations of its obligations,

**PP6:** Noting that Iraq has submitted a declaration pursuant to its resolution 1441 (2002) containing false statements and omissions and has failed to comply with, and co-operate fully in the implementation of, that resolution,

**PP7:** Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq, Kuwait, and the neighbouring States,

**PP8:** Mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

**PP9:** Recognising the threat Iraq's non-compliance with Council resolutions and proliferation of weapons of mass destruction and long-range missiles poses to international peace and security,

**PP10:** Determined to secure full compliance with its decisions and to restore international peace and security in the area,

**PP11:** Acting under Chapter VII of the Charter of the United Nations,

**OP1:** Decides that Iraq has failed to take the final opportunity afforded to it by resolution 1441 (2002);

**OP2:** Decides to remain seized of the matter.

Iraq: Presentation of UK/US/Spanish  
Draft Security Council Resolution  
By Sir Jeremy Greenstock, UK Permanent Representative,  
Council Consultations, 24 February 2003.

- I should like to explain carefully to Council colleagues why this text is being tabled at this time and in this form, and what action we are then proposing.

- The Co-Sponsors are convinced that Iraq is not achieving, nor intending to achieve, the objective of SCR 1441. 1441 set out that objective in strict and compelling terms: (OP2) "bringing to full and verified completion the disarmament process established by SCR 687". 1441 attracted world attention not just because of its subject matter and the process which led to its adoption, but because its unanimous message represented a powerful signal that the UN was in control. The Security Council was challenged by the US President to raise its game on its most difficult agenda item, and, by adopting 1441, it did so. The Resolution set out the most stringent terms ever decided upon by the United Nations for the process of disarmament. But there was also an olive branch in 1441: Iraq was given every incentive to repair its documented non-compliance.

- Today, 15 weeks on from 1441, we are no further advanced towards that objective of complete disarmament. Indeed, nor is Iraq taking adequate steps to correct its wider breaches of 687, including its continued support for terrorism. The terms of Resolution 1441 are not being respected, and in parts of the current debate not even being remembered.

- 1441 deplored Iraq's past behaviour. What we all asked of Iraq was, first, a marked change from its denial and deception of 1991 to 2002, which had already placed it in material breach of relevant resolutions; and second, full compliance with and cooperation with the implementation of 1441. In other words, a decision by Iraq, visibly and unmistakably, to divest itself of Weapons of Mass Destruction immediately, unconditionally and actively. That means bringing proscribed materials or programmes to the notice of inspectors and providing a full and credible account of Iraq's WMD activity backed up by documentary evidence and testimony from personnel.

- What 1441 was not was the establishment of a detective or a containment exercise. Again, the objective was to bring disarmament to "completion". UN Inspectors in the field of WMD are instruments for the effective delivery and verification of that complete disarmament. This has been the case since 1991. SCR 687 gave Iraq 15 days to declare the location, amounts and types of proscribed items. Iraq was asked to yield possession of them to UN inspectors for destruction, removal or rendering harmless. This time, 12 years on, there can be no retreat into procrastination or partial results. The final opportunity afforded in SCR 1441 was not for the Council to slide back into process, but for Iraq to recognise a new determination in the Security Council to complete the business in a way which represented a complete change of attitude in Baghdad.

- That has not happened. Let me say why we are convinced that Iraq has decided to remain in defiance of the UN:
- First, look at the immediate run-up to the return of inspectors. In 2002, Iraq began seriously to discuss the issue of inspections only when it realised that we, as the international community, would not give up on complete disarmament. For months, Iraq sought to haggle with the Council, to set preconditions (the "19 questions"), and to negotiate away its non-compliance of the past. Iraq only agreed to inspections four days after President Bush's speech of 12 September in a cynical attempt to scupper any new resolution strengthening them.
- Second, we hoped – certainly the United Kingdom hoped – that the adoption of 1441 would see a change of heart by the Iraqi regime. Iraq's 13 November letter following the adoption of 1441, full of tirades and complaints, and grudgingly accepting that it would "deal with" the resolution, was way short of the wholehearted commitment to voluntary disarmament we had hoped for. Their 23 November letter on how 1441 "contradicts" international law underlined this.  
... ..
- Then came the responses to the detailed requirements of 1441:
- Iraq has produced a 12,000 page declaration that is indisputably inadequate. Dr Blix called it "rich in volume but poor in new information ... and practically devoid of new evidence";
- Iraq has done everything possible to prevent unrestricted interviews, without Iraqi minders, eavesdropping, or intimidation of potential interviewees. UNMOVIC has so far been able to conduct only three private interviews – all of which took place with people volunteered by the Iraqis and all of which took place in the immediate run-up to Dr Blix's last visit to Baghdad. Since then nothing;
- Iraq has dragged its feet on as many other elements of procedural co-operation as possible. Instead of serious collaboration with the inspectors, Iraq has tried to make the process into a tightly monitored media circus, with demonstrators ready to harass inspectors if they come too close to hidden material. As Dr Blix told the Council on 27 January, "Demonstrations and outbursts... are unlikely to occur without initiative or encouragement from the authorities. We must ask ourselves what the motives may be for these events";
- Iraq's co-operation on substance has been non-existent. Since inspections resumed UNMOVIC have not been able to close a single outstanding issue. We still do not know what happened to 8,500 litres of anthrax, 2,160 kilograms of bacterial growth media, 360 tonnes of bulk chemical warfare agent, 3,000 tonnes of precursor chemicals, 1.5 tonnes of VX nerve agent, and 6,500 chemical bombs. We have never had satisfactory answers about the entire scope of Iraq's BW programme. And there are now even more unresolved questions: for example, why has Iraq developed a prohibited missile programme and why has it refurbished equipment – rocket casting chambers and chemical processors – destroyed by UNSCOM? Does this show anything other than

clear intent to restart prohibited programmes? Instead of providing full documentation, including administrative documents relating to personnel and funding, Iraq has provided no substantive new evidence. It has scattered its documents into private houses and vehicles to hide the scope of its programmes and to provide a basis for extending them when the pressure is off. And it has in public pretended that there are no outstanding issues, even though many of these have been well known for years.

- This continues the 12-year pattern of Iraq seeking to deceive the Council: an all too familiar pattern of Iraq trying to get us to focus on small concessions of process, rather than on the big picture. The cardinal point is that there is no semblance of whole-hearted co-operation; nothing like voluntary and active disarmament; nothing like a regime with nothing to hide; nothing like the South Africa model referred to by Dr Blix.
- The United Kingdom, through tabling this draft in this form, seeks to keep the Council in control of the process and to build renewed Council consensus, as on 8 November, that Iraq has made the wrong choice: the choice not to take, at last, the final opportunity voluntarily to disarm in accordance with UN resolutions. We shall, in detailed discussion, set out further the argument that this choice has been made, that the choice is a defiance of 1441 and that the available remedies are fast disappearing.
- But we are not asking for any instant judgements. This is a serious subject, and the stakes are significant. There is time still, under pressure from the Council, for Iraq to make the right choice. We shall not call for a vote on this text until a proper debate has been held, and we are ready for the propositions in the text to be fully examined. It is not our intention that the text should change in any great degree; and that is why we are asking for it to be put into blue now. But we do want further time for full discussion.
- There is still an opportunity to avert conflict. But the Council's judgement that Iraq has made the wrong choice should be clear and consensual. The last chance for peace is that the Council should say this together and formally, confront Baghdad with the stark implications, and trust that, in these final weeks, the response will be the complete disarmament which we demanded - 14 resolutions ago - in SCR 687, on 8 April 1991.

## Memorandum Γαλλίας, Γερμανίας και Ρωσίας

Την ημέρα κατάθεσης του σχεδίου Απόφασης για το Ιράκ στο Συμβούλιο Ασφαλείας από τις ΗΠΑ, Μ. Βρετανία και Ισπανία, δηλαδή στις 24 Φεβρουαρίου η Γαλλία, Γερμανία και Ρωσία κατέθεσαν, από κοινού, Memorandum σχετικά με τον περαιτέρω χειρισμό του Ιρακινού. Το Memorandum αυτό προβλέπει συγκεκριμένα μέτρα ενίσχυσης των επιθεωρήσεων και υιοθέτηση χρονοδιαγραμμάτων, τα οποία σε συνάρτηση με τον καθορισμό προτεραιοτήτων στο έργο των επιθεωρητών, θα διευκολύνουν την αποτίμηση της προόδου των επιθεωρήσεων.

Στο memorandum τονίζεται ότι δεν έχουν πληρωθεί οι όροι για προσφυγή στην βία καθώς: α) δεν έχουν ακόμη προσκομισθεί αποδείξεις ότι το Ιράκ εξακολουθεί να κατέχει Όπλα Μάζικης Καταστροφής β) οι επιθεωρήσεις προχωρούν χωρίς εμπόδια και γ) οι ιρακινές αρχές συνεργάζονται ικανοποιητικότερα. Ωστόσο στο επιχείρημα αυτό μπορεί να αντιταχθεί ότι η 1441 δεν ζητεί «περισσότερη συνεργασία» από το Ιράκ, αλλά «πλήρη συνεργασία» με την αποστολή των Επιθεωρητών. Επιπλέον, σύμφωνα με επανειλημμένες δηλώσεις των Blix και Baradei, οι επιθεωρήσεις δεν εξελίσσονται απρόσκοπτα, απλώς καλλίτερα απ' ό,τι στο παρελθόν.

Στο βαθμό που τα Συμπεράσματα του Ευρωπαϊκού Συμβουλίου της 17ης Φεβρουαρίου δεν προσδιορίζουν πότε ή με ποιά κριτήρια θα θεωρηθεί ότι εξαντλήθηκαν τα διπλωματικά μέσα για τον αφοπλισμό του Ιράκ, το memorandum είναι συμβατό με αυτά. Επιπλέον το memorandum τονίζει, όπως και τα Συμπεράσματα, ότι οι επιθεωρήσεις δεν θα πρέπει να συνεχισθούν για απεριόριστο χρόνο και κάνει μνεία της χρήσης βίας ως τελευταίας επιλογής. Η διάσταση απόψεων μεταξύ των τριών χωρών που υπέβαλαν το memorandum αφενός, και των συγκηδεμόνων του σχεδίου Απόφασης αφετέρου (δηλαδή ΗΠΑ, Η.Β. και Ισπανίας), εντοπίζεται στην διαφορά εκτίμησης γύρω από τον χρόνο, που θα πρέπει να δοθεί στο Ιράκ για να αφοπλισθεί ειρηνικά.

## Memorandum

1. Full and effective disarmament in accordance with the relevant UNSC resolutions remains the imperative objective of the international community. Our priority should be to achieve this peacefully through the inspection regime. The military option should only be a last resort. So far, the conditions for using force against Iraq are not fulfilled:

- While suspicions remain, no evidence has been given that Iraq still possesses weapons of mass destruction or capabilities in this field;
- Inspections have just reached their full pace; they are functioning without hindrance; they have already produced results;
- While not yet fully satisfactory, Iraqi co-operation is improving, as mentioned by the chief inspectors in their last report.

2. The Security Council must step up its efforts to give a real chance to the peaceful settlement of the crisis. In this context, the following conditions are of paramount importance:

- the unity of the Security Council must be preserved;
- the pressure that is put on Iraq must be increased.

3. These conditions can be met, and our common objective - the verifiable disarmament of Iraq - can be reached through the implementation of the following proposals:

A) Clear program of action for the inspections:

According to resolution 1284, UNMOVIC and IAEA have to submit their program of work for approval of the Council. The presentation of this program of work should be speeded up, in particular the key remaining disarmament tasks to be completed by Iraq pursuant to its obligations to comply with the disarmament requirements of resolution 687 (1991) and other related resolutions.

The key remaining tasks shall be defined according to their degree of priority. What is required of Iraq for implementation of each task shall be clearly defined and precise.

Such a clear identification of tasks to be completed will oblige Iraq to cooperate more actively. It will also provide a clear means for the Council to assess the co-operation of Iraq.

*French/Russia/Germany*



## B) Reinforced inspections:

Resolution 1441 established an intrusive and reinforced system of inspections. In this regard, all possibilities have not yet been explored. Further measures to strengthen inspections could include, as exemplified in the French non paper previously communicated to the chief inspectors, the following: increase and diversification of staff an expertise; establishment of mobile units designed in particular to check on trucks; completion of the new system of aerial surveillance; systematic processing of data provided by the newly established system of aerial surveillance.

## C) Timelines for inspections and assessment:

Within the framework of resolution 1284 and 1441, the implementation of the program of work shall be sequenced according to a realistic and rigorous timeline:

- the inspectors should be asked to submit the program of work outlining the key substantive tasks for Iraq to accomplish, including missiles / delivery systems, chemical weapons / precursors, biological weapons / material and nuclear weapons in the context of the report due March 1st;

- the chief inspectors shall report to the Council on implementation of the program of work on a regular basis (every 3 weeks);

- a report of UNMOVIC and IAEA assessing the progress made in completing the tasks shall be submitted by the inspectors 120 days after the adoption of the program of work according to resolution 1284;

- at any time, according to paragraph 11 of resolution 1441, the executive Chairman of UNMOVIC and the Director General of the IAEA shall report immediately to the Council any interference by Iraq with inspections activities as well as failure by Iraq to comply with its disarmament obligations;

- at any time, additional meetings of the Security Council could be decided, including at high level.

To render possible a peaceful solution inspections should be given the necessary time and resources. However, they can not continue indefinitely. Iraq must disarm. Its full and active co-operation is necessary. This must include the provision of all the additional and specific information on issues raised by the inspectors as well as compliance with their requests, as expressed in particular in Mr. Blix' letter of February 21<sup>st</sup> 2003. The combination of a clear program of action, reinforced inspections, a clear timeline and the military build-up provide a realistic means to reunite the Security Council and to exert maximum pressure on Iraq.