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PREMESSA

La recente guerra condotta dagli Stati Uniti e dai loro alleati in Iraq, e la perdurante occupazione militare del territorio iracheno, hanno sollevato e continuano a sollevare numerosi problemi dal punto di vista giuridico relativi non soltanto alla vigenza e all'interpretazione di alcune fondamentali norme internazionali (a partire da quella sul divieto dell'uso della forza armata) ma anche al ruolo effettivo svolto dalle Nazioni Unite nel sistema inter-statale attuale. Molto spesso il confronto, sia nella prassi delle Nazioni Unite che in dottrina, è avvenuto sul piano dell'esistenza o meno di un'autorizzazione del Consiglio di sicurezza ad intervenire militarmente. Di fatto, sia quando si è ammesso (da parte dei sostenitori della guerra) che un'autorizzazione vi fosse stata, sia quando si è concluso in senso opposto, il tentativo sembra essere stato quello di affermare in ogni caso il ruolo centrale e decisivo che il Consiglio di sicurezza, e le Nazioni Unite in generale, avrebbero svolto nella crisi irachena.

Se si esaminano i dibattiti che si sono tenuti al Consiglio di sicurezza prima, durante e dopo la guerra in Iraq è difficile peraltro negare che la gran parte degli Stati chiamati ad esprimersi, membri o non del Consiglio, si sia nettamente schierata contro la liceità dell'intervento militare, quali che ne fossero i motivi e a prescindere dall'esigenza di salvaguardare la sicurezza nazionale degli Stati che alla guerra sono ricorsi. Nel complesso, leggendo i dibattiti, è difficile sottrarsi all'impressione che il Consiglio, e le Nazioni Unite, siano stati di fatto « scavalcati » dagli Stati Uniti e dai loro alleati. A prescindere dalla questione se si tratti di una strategia necessaria per la sicurezza nazionale e globale, come alcuni analisti politici sostengono, resta il fatto che il « diritto » delle Nazioni Unite ne sia uscito piuttosto scosso, al punto da chiedersi ancora se le organizzazioni internazionali, e le Nazioni Unite in particolare, riescano davvero ad impedire di essere usate come strumenti degli interessi nazionali degli Stati più forti.

A tale analisi è dedicata questa raccolta sia dei dibattiti svoltisi al Consiglio di sicurezza sia delle risoluzioni adottate da tale organo sulla questione irachena, a partire dall'8 novembre 2002, allorché il Consiglio adottò l'assai discussa risoluzione n. 1441 (2002) che istituiva un sistema internazionale di ispezioni sulle armi di distruzione di massa irachene, fino al 19 gennaio 2004. Tutti i documenti sono riprodotti in lingua inglese e nella versione grafica originale delle Nazioni Unite in modo da poter introdurre gli studenti anche agli aspetti più pratici dell'attività delle Nazioni Unite.

Perugia, febbraio 2004

C.F.



Security Council

Fifty-seventh year

4644th meeting

Friday, 8 November 2002, 10 a.m.

New York

Provisional

<i>President:</i>	Mr. Wang Yingfan	(China)
<i>Members:</i>	Bulgaria	Mr. Tafrov
	Cameroon	Mr. Belinga-Eboutou
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Guinea	Mr. Traoré
	Ireland	Mr. Ryan
	Mauritius	Mr. Gokool
	Mexico	Mr. Aguilar Zinser
	Norway	Mr. Kolby
	Russian Federation	Mr. Lavrov
	Singapore	Ms. Lee
	Syrian Arab Republic	Mr. Mekdad
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Negroponte

Agenda

The situation between Iraq and Kuwait.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

The President (*spoke in Chinese*): The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2002/1198, which contains the text of a draft resolution submitted by the United Kingdom of Great Britain and Northern Ireland and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Bulgaria, Cameroon, China, Colombia, France, Guinea, Ireland, Mauritius, Mexico, Norway, Russian Federation, Singapore, Syrian Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in Chinese*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1441 (2002).

I should now like to give the floor to the Secretary-General, Mr. Kofi Annan.

The Secretary-General: The Security Council resolution adopted today has strengthened the cause of peace and given renewed impetus to the search for security in an increasingly dangerous world. The resolution sets out in clear terms Iraq's obligation to cooperate with the United Nations in ensuring the full and final disarmament of its weapons of mass destruction. It leaves no doubt as to what these obligations are or as to how they must be fulfilled. Iraq now has a new opportunity to comply with all the relevant resolutions of the Security Council.

I urge the Iraqi leadership, for the sake of its own people and for the sake of world security and world order, to seize this opportunity and thereby begin to end the isolation and suffering of the Iraqi people. If Iraq's defiance continues, however, the Security Council must face its responsibilities.

This resolution is based on law, collective effort and the unique legitimacy of the United Nations. It represents an example of multilateral diplomacy serving the cause of peace and security. It reflects a renewed commitment to preventing the development and spread of weapons of mass destruction and the universal wish to see this goal obtained by peaceful means.

I commend the leaders and the Council members, who have worked so hard to negotiate this resolution. I know that it has not been easy to reach agreement. It has required both patience and persistence. But the effort has been well worthwhile. Whenever the Council is united, it sends a very powerful signal. And I hope that Iraq will heed that signal.

I also wish to recognize those countries, especially members of the League of Arab States, who persuaded Iraq to change its previous position. It is important that Governments with influence on Iraq remain engaged in the efforts to obtain Iraq's compliance with its international obligations.

The road ahead will be difficult and dangerous. But empowered by this resolution, the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency stand equipped to carry out their vital task. To succeed, they will require full and unconditional cooperation on the part of Iraq and the continued determination of the international community to pursue its common aim in a united and effective manner.

This is a time of trial — for Iraq, for the United Nations and for the world. The goal is to ensure the peaceful disarmament of Iraq in compliance with Security Council resolutions and a better, more secure future for its people. How this crisis is resolved will affect greatly the course of peace and security in the coming years, in the region and in the world.

I commend the Council for acting today with purpose and resolve.

The President (*spoke in Chinese*): I thank the Secretary-General for his statement.

Mr. Negroponte (United States of America): This resolution constitutes the world community's demand that Iraq disclose and destroy its weapons of mass destruction. On 12 September, President Bush came to the General Assembly seeking to build an international consensus to counter Iraq's persistent defiance of the United Nations. Over a decade ago, after evicting Iraq from Kuwait, the Security Council determined that peace and security in the Persian Gulf region required that Iraq, verifiably, give up its weapons of mass destruction. The Council reached that decision because of Iraq's record of aggression against its neighbours and its use of chemical and biological weapons. For 11 years, without success, we have tried a variety of ways, including diplomacy, inspections and economic sanctions, to obtain Iraqi compliance. By this resolution, we are now united in trying a different course. That course is to send a clear message to Iraq insisting on its disarmament in the area of weapons of mass destruction and delivery systems, or face the consequences.

The resolution we have just adopted puts the conflict between Iraq and the United Nations in context and recalls the obligations on Iraq and the authorities of Member States to enforce them. It begins by reference to Iraq's invasion of Kuwait in August 1990 and the international community's response. It recalls that the ceasefire ending the 1991 Gulf war was conditioned on Iraq's disarmament with respect to nuclear, chemical and biological weapons, together with their support infrastructures; ending its involvement in, and support for, terrorism; and its accounting for, and restoration of, foreign nationals and foreign property wrongfully seized. In addition, the Council demanded that the Iraqi Government stop oppressing the Iraqi people. Iraq has ignored those obligations essential to peace and security.

The resolution confirms what has been clear for years: that Iraq has been and remains in violation of disarmament obligations — “material breach” in lawyers' language. The Council then decides to afford Iraq a final opportunity to comply. As a means to that end, the resolution then establishes an enhanced, strengthened inspection regime. The resolution gives the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) a new, powerful mandate. Its core is immediate and unimpeded access to every site, including presidential

and other sensitive sites, structure or vehicle they choose to inspect and equally immediate and unimpeded access to people they wish to interview. In other words, anyone, anywhere, any time. And the resolution gives UNMOVIC and the IAEA the power to do their work properly and to ensure the verifiable destruction of Iraq's weapons of mass destruction and associated infrastructure and support programmes.

Let us be clear: the inspections will not work unless the Iraqi regime cooperates fully with UNMOVIC and the IAEA. We hope all Member States now will press Iraq to undertake that cooperation. This resolution is designed to test Iraq's intentions: will it abandon its weapons of mass destruction and its illicit missile programmes or continue its delays and defiance of the entire world? Every act of Iraqi non-compliance will be a serious matter, because it would tell us that Iraq has no intention of disarming.

As we have said on numerous occasions to Council members, this resolution contains no “hidden triggers” and no “automaticity” with respect to the use of force. If there is a further Iraqi breach, reported to the Council by UNMOVIC, the IAEA or a Member State, the matter will return to the Council for discussions as required in paragraph 12. The resolution makes clear that any Iraqi failure to comply is unacceptable and that Iraq must be disarmed. And, one way or another, Iraq will be disarmed. If the Security Council fails to act decisively in the event of further Iraqi violations, this resolution does not constrain any Member State from acting to defend itself against the threat posed by Iraq or to enforce relevant United Nations resolutions and protect world peace and security.

To the Government of Iraq, our message is simple: non-compliance no longer is an option.

To our colleagues on the Security Council, our message is one of partnership: over seven weeks, we have built international consensus on how to proceed towards Iraq, and we have come together, recognizing that our collective security is at stake and that we must meet this challenge, as proposed by President Bush on 12 September.

To the Secretary-General, Mr. Blix, and Mr. El-Baradei: We urge you to make full use of the tools given to you in this resolution, and we pledge our full support. And we urge every Member of the United Nations to offer you all assistance possible.

To the Governments and peoples of the Arab world, including the people of Iraq: the purpose of this resolution is to open the way to a peaceful solution of this issue. That is the intention and wish of my Government. When the Baghdad regime claims that the United States is seeking to wage war on the Arab world, nothing could be farther from the truth. What we seek, and what the Council seeks by this resolution, is the disarmament of Iraq's weapons of mass destruction. We urge you to join us in our common effort to secure that goal and assure peace and security in the region.

President Bush asked the Security Council to take on the challenge posed by Iraq. He asked that it find Iraq in material breach of its ongoing obligations, that it establish an enhanced inspection regime as a means for obtaining the disarmament of Iraq in the area of weapons of mass destruction, and that it make clear that the most serious consequences for Iraq would follow continued defiance. This resolution accomplishes each of these purposes. Moreover, it does so as a result of intense and open discussions with our Security Council partners. In this process, different views about the shape and language of a resolution were fused into the common approach we and our British partners wanted to create.

This resolution affords Iraq a final opportunity. The Secretary-General said on 12 September — and he repeated it again today — that “If Iraq's defiance continues, the Security Council must face its responsibilities” (*A/57/PV.2, p.3*). We concur with the wisdom of his remarks. Members can rely on the United States to live up to its responsibilities if the Iraq regime persists with its refusal to disarm.

Sir Jeremy Greenstock (United Kingdom): I start by thanking the Secretary-General for his presence, for his powerful statement and for his wisdom in advising the Council over these past weeks.

I said at the Council's open debate on Iraq, on 17 October, that no shadow of a doubt remained that Iraq has defied the United Nations — not any particular Member State: the United Nations — over the last 11 years. I itemized on that occasion the ways in which Iraq has sought to frustrate and hinder inspections since 1991.

With the adoption of this resolution, the Security Council has clearly stated that the United Nations will no longer tolerate this defiance. As paragraph 2 makes

crystal clear, Iraq is being given a final opportunity to comply with its disarmament obligations; a final opportunity to remedy its material breach of resolution 687 (1991) set out in paragraph 1. The regime in Baghdad now faces an unequivocal choice: between complete disarmament and the serious consequences indicated in paragraph 13.

The fact that this resolution has the unanimous support of Council members sends, as the Secretary-General has just said, the most powerful signal to Iraq that this is the only choice, that it can no longer evade its obligations under United Nations resolutions. Because of the strength of this signal, there is at last a chance that Iraq will finally comply with its obligations and that military action can be averted.

A key part of the resolution we have adopted today is the provisions giving inspectors the penetrating strength needed to ensure the successful disarmament of Iraq. I am glad that the Council has recognized that we could not afford a return to the ambiguous modalities and memorandums of understanding of the past; that we could not afford exceptions to unconditional, unrestricted and immediate access; that we could not afford to have inspectors again standing by helplessly while crucial documents are burned or while convoys leave from the back doors as inspectors arrive in the front; and that we could not afford interviews compromised by intimidating minders.

The provisions we have agreed, including making legally binding the practical arrangements set out by the inspectors themselves, will significantly strengthen the hand of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA). This will reinforce international confidence in the inspectors. It will also, I hope, lead Iraq away from a fatal decision to conceal weapons of mass destruction. If Iraq is genuinely committed to full weapons of mass destruction disarmament, it can ensure that inspections get off to a flying start by providing the complete and accurate declaration required under paragraph 3. The United Kingdom has full confidence in Mr. Blix and Mr. ElBaradei and their teams, and full respect for their integrity and independence, as they embark on a crucial and difficult task.

We heard loud and clear during the negotiations the concerns about “automaticity” and “hidden

triggers” — the concern that on a decision so crucial we should not rush into military action; that on a decision so crucial any Iraqi violations should be discussed by the Council. Let me be equally clear in response, as a co-sponsor with the United States of the text we have just adopted. There is no “automaticity” in this resolution. If there is a further Iraqi breach of its disarmament obligations, the matter will return to the Council for discussion as required in paragraph 12. We would expect the Security Council then to meet its responsibilities.

Ultimately, the choice lies with Iraq as to whether to take the peaceful route to disarmament. The United Kingdom hopes that Iraq will fully cooperate with the United Nations, meet its obligations and take the path back to the lifting of sanctions laid out in resolutions 1284 (1999) and 687 (1991). The disarmament of Iraq in the area of weapons of mass destruction by peaceful means remains the United Kingdom’s firm preference. But if Iraq chooses defiance and concealment, rejecting the final opportunity it has been given by the Council in paragraph 2, the United Kingdom — together, we trust, with other Members of the Security Council — will ensure that the task of disarmament required by the resolutions is completed.

Mr. Levitte (France) (*spoke in French*): France considers that the resolution that has just been adopted unanimously is a good resolution for the following reasons. The resolution strengthens the role and authority of the Security Council. That was the main and constant objective of France throughout the negotiations which have just concluded. That objective was reflected in our request that a two-stage approach be established and complied with, ensuring that the Security Council would maintain control of the process at each stage.

That objective has been attained: in the event that the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) or the Director General of the International Atomic Energy Agency (IAEA) reports to the Security Council that Iraq has not complied with its obligations, the Council would meet immediately to evaluate the seriousness of the violations and draw the appropriate conclusions. France welcomes the fact that all ambiguity on this point and all elements of automaticity have disappeared from the resolution.

As we wished, the resolution we have just adopted also gives the Executive Chairman of UNMOVIC and the Director General of IAEA a clear mandate and stronger authority to carry out their mission. Their teams will be able to have immediate and unrestricted access to all sites they wish to inspect. They will be able to hear, at their convenience, all Iraqi leaders involved in activities covered by the resolution. Multinational composition will guarantee impartiality. They will have all the technical and logistical arrangements necessary to carry out their tasks.

Naturally, the inspectors will have to count on the complete cooperation of the Iraqi authorities to verify that Iraq does not have weapons of mass destruction and to ensure its disarmament. To begin with, Iraq within seven days must unambiguously state its decision to apply in full this resolution and to cooperate actively with the inspectors. It must within 30 days provide a declaration which will facilitate their work.

France is fully confident that Mr. Blix and Mr. ElBaradei will make full use of the new powers they have been given and that they will rigorously and professionally discharge the essential responsibilities entrusted to them by the Security Council. With their mandate and greater authority, their teams must now proceed immediately to Iraq to resume inspections.

In the course of the day, France, Russia and China will make public a joint statement stressing the scope of the text of the resolution just adopted.

This resolution represents a success for the Security Council and the United Nations. That success must now become a success for peace. As President Jacques Chirac of France said yesterday, all of France’s diplomatic efforts in recent weeks were directed towards giving peace a chance. In other words, those efforts sought to achieve the peaceful disarmament of Iraq. France’s goal is to work tirelessly to ensure stability in the region.

It is against that backdrop, and through collective responsibility, that the efforts of the international community to disarm Iraq should be carried out. War can only be the last recourse. The rules of the game spelled out by the Security Council are clear and demanding and require the unfailing cooperation of Iraqi leaders. If Iraq wants to avoid confrontation it must understand that this is its last opportunity.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): My delegation welcomes and appreciates the presence of the Secretary-General at this important meeting of the Security Council.

Mexico appreciates the efforts made by the members of the Security Council to reach the agreement reflected in the revised draft resolution just adopted, which was sponsored by the United States and the United Kingdom and which was the result of several weeks of intense negotiations in New York and in capitals around the world. It is now resolution 1441 (2002).

The pace of those negotiations enabled the Council to draft a text that adequately reflects the concerns of its member States about the need for Iraq to comply with its disarmament obligations and to renounce weapons of mass destruction. Should Iraq fail to comply, the Council's response will be defined on the basis of its own determination as to the existence of a threat to international peace and security.

The Council's unity in this morning's vote on the resolution sends a clear and unambiguous message to the international community, in response to the Secretary-General's repeated calls. Mexico believes that the Council's decision serves to preserve the legitimacy, effectiveness and relevance of this body in the fulfilment of its mandate to maintain international peace and security. It also strengthens the Council, the United Nations, multilateralism and the building of an international system of norms and principles. All of these elements will continue to guide Mexico's action in the Security Council.

The resolution just adopted is the result of negotiations in which those who called for automatic recourse to the use of force agreed to give Iraq one last chance to voluntarily, immediately and unconditionally comply with Security Council resolutions. Iraq now has an obligation to the Council and to the international community to comply fully with its international obligations. Similarly, this resolution also constitutes progress, as it eliminates the concept of automaticity in the use of force in response to a serious violation without the explicit agreement of the Council.

We welcome the fact that the two-stage approach has been accepted. That approach has had the explicit and specific support of Mexico since Minister Jorge Castañeda spoke in the General Assembly on 13 September. Under that approach, any decision in

response to possible material breach by Iraq with regard to the relevant resolutions will have to be taken on the basis of two prerequisites.

In effect, my country proposed that the Security Council's response should be based on two clearly differentiated stages. The first stage would entail a credible process to evaluate Iraq's true military capability and its intention to use its weapons or the ability of terrorist groups to have access to them. The second stage would entail the agreement of the Security Council and other States involved on the measures to be adopted if the evaluation process detects a threat to international peace and security.

However, another virtue of the resolution we have just adopted is the fact that the changes made in the revised inspection regime give inspectors a renewed mandate for the timely and effective discharge of their tasks. The fact that the Council must at all times preserve its authority to determine the composition of the inspection teams and their rules of operations, while avoiding the imposition of armed inspections or having inspectors accompanied by representatives of permanent members, was duly taken into account. The resolution also guarantees the neutrality and impartiality of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and strengthens the principle that inspectors must report to the Council as a whole, and not to individual countries.

Mexico would like to reiterate its full agreement with the inspection arrangements established by UNMOVIC and the International Atomic Energy Agency (IAEA). We also trust in the integrity, professionalism and independence of Mr. Hans Blix and Mr. Mohamed ElBaradei.

We also welcome the possibilities provided by the success in these negotiations to assure Iraq's full compliance with Security Council resolutions. We emphasize the importance that Security Council decisions taken in this connection must continue to comply with the principles of the Charter and international law on the basis of objectively verifiable facts.

We reiterate the belief reflected in the agreed text that the possibility of the use of force is valid only as a last resort, with prior explicit authorization required from the Security Council.

To sum up, the resolution stipulates that should Iraq fail to comply, it will be the inspectors who will report to the Council. This multilateral body will then determine the nature of that failure to comply, judge whether international peace and security have been imperiled, and then decide what is appropriate under the United Nations Charter.

For all of the aforementioned reasons, Mexico has voted in favour of this resolution in the conviction that it is an important step towards the peaceful solution of a crisis that can imperil international peace and security.

Mexico is gratified that all the members of the Security Council have fully shouldered their responsibilities, as incumbent upon them under the United Nations Charter. They have preserved the unity and authority of the Council and strengthened the highest interests of the maintenance of international peace and security.

Mr. Ryan (Ireland): Ireland warmly welcomes the unity that the Council has shown in the adoption of this resolution. This is a strong message from the Security Council acting in accord. We concur fully with the Secretary-General's eloquent and telling statement this morning to all of us — the Council and all the Member States of the United Nations, including Iraq.

We have noted carefully and we welcome the assurances given by the sponsors that their purpose in presenting this resolution was to achieve disarmament through inspections, and not to establish a basis for the use of military force. The use of force is, and must remain, a matter of last resort. This is, therefore, a resolution about disarmament, not war. It is about removing all threat of war.

Iraq has been offered a rigorous and fair way forward towards meeting its disarmament obligations, while avoiding the use of force. However, the resolution can leave Iraq in no doubt that it must now cooperate fully with arms inspectors and reassure the world finally that it has divested itself of weapons of mass destruction and the means of delivering them, or face serious consequences.

Ireland supports the resolution, because it offers the most likely means of securing Iraq's voluntary compliance with its disarmament obligations, avoiding a military conflict and preserving the primary

responsibility of the Security Council for the maintenance of international peace and security. The resolution represents the outcome of nearly two months of painstaking negotiations in the Council. It has been a remarkable demonstration of the Council's ability to achieve compromise in order to meet its responsibilities to the wider membership of the United Nations. Ireland believes that the integrity of the United Nations Charter and the prerogatives of the Security Council are fully preserved in the terms of this resolution. For Ireland, this is an issue of the most fundamental importance.

The resolution provides for a clear, sequential process, whereby the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) or the International Atomic Energy Agency (IAEA) will give the Council its assessment of any material breach or alleged material breach of Iraq's obligations under Security Council resolutions. The matter will then be fully examined by the Security Council itself.

As far as Ireland is concerned, it is for the Council to decide on any ensuing action. Our debate on 17 and 18 October made it clear that this is the broadly held view within the United Nations. However, we are confident that, should it be necessary, the Council will, in the words of the Secretary-General, face its responsibilities.

The resolution strengthens the hand of the inspectors in valuable ways, and Ireland is fully confident that they will approach their task and apply their mandate with the necessary firmness and wisdom. We know that they are fully conscious of the fact that they act on behalf of the entire international community. The United Nations character of UNMOVIC, established in resolution 1284 (1999) and the multilateral character of the IAEA are a guarantee that the inspections will be carried out with the necessary objectivity and will be strictly limited to the purpose of their mandate, which is the disarmament of Iraq in respect of weapons of mass destruction. Nothing should prejudice the perception that the inspections will be conducted in an independent and impartial manner.

As the concept of material breach is a key element of this resolution, let me make it clear that Ireland's understanding of this concept is in accordance with the definition contained in the 1969 Vienna Convention on the Law of Treaties: "the violation of a

provision essential to the accomplishment of the object or purpose of the treaty” (*Article 60, para. 3 (b)*). There is no doubt, on the basis of this definition, that Iraq has been in material breach of its obligations. We fully expect this same definition to be applied in determining whether any further material breach has occurred, should it become necessary to do so.

The Iraqi people have waited far too long for their chance to recover from a decade of war, followed by a decade of sanctions. The time has now come for Iraq to resume the path of peaceful economic and social development, which is so strongly desired and deserved by the Iraqi people.

The Security Council, representing the international community, has today assumed its responsibilities in order to avert a perilous crisis. The Council has given Iraq a final opportunity to comply with its disarmament obligations. The Iraqi authorities must now respond by assuming their own responsibilities under the Charter.

Ireland calls on the Iraqi Government to choose the path of peace, to cooperate fully with the inspectors and to comply with all its other obligations under Security Council resolutions. It must do so for the sake of its own people, that of its neighbours and in the interests of international peace and security.

Mr. Lavrov (Russian Federation)(*spoke in Russian*): At the very beginning of our work in the Council on this matter, we started with the need to ensure that international inspectors be sent to Iraq as soon as possible, responding to the clearly stated consent by Baghdad to the inspection and monitoring activities of UNMOVIC and the International Atomic Energy Agency (IAEA) in Iraq, without preconditions.

Sharing the concern of all members of the Security Council and the heads of UNMOVIC and IAEA to ensure the most effective inspection activity possible, our delegation participated constructively in work on additional procedures for inspections that would ensure there would be no resumption of Iraqi programmes for weapons of mass destruction and at the same time would create the conditions for a comprehensive settlement of the situation around Iraq, including the lifting of sanctions.

At all stages of this work, we were guided by the need to direct the process of a settlement onto a diplomatic and political path and not to allow a

military scenario. As a result of intensive negotiations, the resolution just adopted contains no provisions for the automatic use of force. It is important that the resolution’s sponsors today officially confirmed in the Security Council that that is their understanding and that they provided an assurance that the resolution’s objective is the implementation of existing Security Council decisions concerning Iraq through inspections by the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and by the International Atomic Energy Agency (IAEA). That is an objective shared by all members of the Council.

In that connection, it is of fundamental importance that the resolution clearly confirms that all Members of the United Nations respect the sovereignty and territorial integrity of Iraq and of all other States in the region. It also confirms the need for full implementation of resolution 1382 (2001), whereby members of the Security Council undertook to seek a comprehensive settlement of the Iraq problem, which assumes the lifting of sanctions.

In addition, we note that the new resolution contains strengthened inspection procedures, which are necessary only to hasten attainment of the goal of non-resumption of Iraqi programmes relating to weapons of mass destruction. Those procedures will be implemented by the heads of UNMOVIC and of the IAEA, fully mindful of their responsibility, which requires professionalism, objectivity and impartiality.

The resolution’s wording is not ideal — a fact that the sponsors themselves acknowledge — but that reflects the very complicated nature of the compromise that was reached. The Russian Federation made a choice based on principle to support the resolution, guided by its special responsibility, as a permanent member of the Security Council, for the maintenance of international peace and security. What is most important is that the resolution deflects the direct threat of war and that it opens the road towards further work in the interests of a political diplomatic settlement.

It is particularly important that — as many of my colleagues have said today — in the event of any kind of disagreement over disarmament matters, it is the heads of UNMOVIC and of the IAEA who will report that to the Security Council, and that it is the Council that will consider the situation that has developed. That is the sequence set forth clearly in paragraphs 4, 11 and 12 of the resolution.

We also note the following clarifying points, presented by the sponsors when they introduced the resolution and confirmed by the heads of UNMOVIC and of the IAEA.

First of all, with regard to paragraph 3, more than 30 days will probably be needed for Iraq to submit information on non-military programmes in the chemical and biological areas. However, any delay there will not constitute a violation.

Concerning paragraph 7, nothing in the resolution affects the status of UNMOVIC, of the IAEA or of members of their staff, as independent international personnel. The cooperation of Member States with UNMOVIC and with the IAEA will be carried out fully in accordance with the status and mandates of those organizations.

Paragraph 8 refers to personnel of the United Nations, to those of the IAEA and to any other personnel whom Members of the United Nations may provide to UNMOVIC or to the IAEA on the request of those organizations.

Like all other members of the Security Council, we join in the appeal made today by the Secretary-General on the need for Iraq to comply with all of its disarmament commitments and to cooperate fully with the inspectors of UNMOVIC and of the IAEA, on the basis of the resolution adopted today and Baghdad's declared willingness to cooperate. We note the important role that has been played and continues to be played by the Secretary-General of the United Nations, by the Secretary-General of the League of Arab States and by members of the League in ensuring a comprehensive political settlement of the situation concerning Iraq.

Implementation of the resolution will require goodwill on the part of all those involved in the process of seeking a settlement of the Iraq question. They must have the willingness to concentrate on moving forward towards the declared common goals, not yielding to the temptation of unilateral interpretation of the resolution's provisions and preserving the consensus and unity of all members of the Security Council.

Mr. Tafrov (Bulgaria) (*spoke in French*): Bulgaria has voted in favour of resolution 1441 (2002), convinced that it offers a genuine chance to achieve peace. My country was among the first members of the

Security Council that declared themselves in favour of a resolution that would give Iraq one final chance to convince the international community that it possesses no weapons of mass destruction and that it is prepared to destroy, under the supervision of the inspectors of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and of the International Atomic Energy Agency (IAEA), any such weapons that it might possess.

Now, the resolution is a fact. It has been approved unanimously. We welcome that. We have worked tirelessly to reach such unanimity. We are very gratified that all of our proposals to improve the text have been taken into account. We thank the sponsors of the resolution, the United States of America and the United Kingdom, as well as all other members of the Security Council — particularly the French delegation — that contributed to reaching this consensus.

This resolution is not a pretext for automatic recourse to the use of force. Rather, it attests to the international community's determination to work tirelessly for Iraq's disarmament through peaceful means. We welcome the fact that it contains a strengthened and clarified mandate for UNMOVIC and IAEA inspectors. I take this opportunity to thank the Secretary-General, Mr. Kofi Annan, for his extremely useful efforts to resolve the issue of Iraq's disarmament. As stated a short while ago, his wisdom and far-sightedness have always been present and will be useful to us in the coming months.

I should also like to reaffirm Bulgaria's full support for Mr. Hans Blix, for Mr. Mohamed El Baradei and for their teams. We have full confidence in their professionalism, impartiality and independence. We appeal to the Security Council and to all Members of the United Nations to continue to offer them their unswerving support now that they have been given one of the most difficult and highly responsible missions ever assigned in the history of the United Nations. Bulgaria solemnly urges Iraq to cooperate fully with the inspectors.

My country welcomes the fact that the resolution categorically reaffirms the centrality of the Security Council in our decision-making process. Resolution 1441 (2002) is in perfect harmony with my country's dedication to multilateralism as a governing principle of international relations. My country believes that the

resolution sends a strong message to the Baghdad authorities concerning the consequences of any Iraqi failure to comply with Security Council resolutions. The Iraqi authorities hold the fate of their country in their own hands. If they comply with the resolution, the lifting of sanctions would be at hand.

Mr. Mekdad (Syrian Arab Republic) (*spoke in Arabic*): Syria voted in favour of the resolution based on its concern to achieve international unanimity in commitment to the principles of the United Nations Charter and the resolutions of international legitimacy, be they with respect to Iraq, the Palestinian cause or the Arab-Israeli conflict.

Syria voted in favour of the resolution, having received reassurances from its sponsors, the United States of America and the United Kingdom, and from France and Russia through high-level contacts, that it would not be used as a pretext for striking against Iraq and does not constitute a basis for any automatic strikes against Iraq. The resolution should not be interpreted, through certain paragraphs, as authorizing any State to use force. It reaffirms the central role of the Security Council in addressing all phases of the Iraqi issue.

Syria has also received reassurances from the permanent members of the Security Council that the resolution strengthens the mandate of the international inspectors; that it serves the objective of preserving Iraq's sovereignty, territorial integrity and inviolability; and that it will lead to a comprehensive solution of the Iraqi issue.

Mr. Kolby (Norway): Norway voted in favour of the resolution on Iraq.

This resolution is the result of a long and intense period of negotiations and deliberations. Great efforts have been made to make sure that it takes into due account all concerns of the international community in stating very clearly and precisely what is required of Iraq.

Bearing in mind our overall objective of disarming Iraq of weapons of mass destruction, we afford Iraq a final opportunity to comply with its disarmament obligations; we enhance the system of inspections in such a way as to make it more credible and effective; and finally, we commit ourselves to using the Security Council to resolve a serious crisis and thus signal our determination to uphold the

authority of the Organization and respect for international law.

Norway wants the conflict with Iraq to be resolved peacefully. This resolution sets out very clearly that the Iraqi authorities have a choice. In case of Iraqi non-compliance, the resolution sets out a procedure whereby the Security Council will convene immediately in order to secure international peace and security. We hope Iraq will choose to fully cooperate with the United Nations.

Ms. Lee (Singapore): On 17 October, in the Security Council's open debate on the situation between Iraq and Kuwait, Singapore spelled out comprehensively its position on this issue. We voted in favour of resolution 1441 (2002), as it is consistent with the positions that we have espoused in the Security Council.

In April 1991, the Council adopted resolution 687 (1991), which provided a comprehensive framework to secure peace and maintain the security of the region. One critical element was the requirement that Iraq fully disarm itself of its weapons of mass destruction. It is clear that Iraq has not complied with resolution 687 (1991) and subsequent resolutions. There is a clear international consensus that Iraq must comply with this Council's resolutions, which it has hitherto defied. As the Secretary-General told the General Assembly on 12 September and reiterated in his compelling statement today,

"If Iraq's defiance continues... the Security Council must face its responsibilities".

The unanimous adoption of resolution 1441 (2002) today is a clear message to Iraq from the Council. The key objective of this resolution is to set up an enhanced inspection regime to bring to full and verified completion the disarmament process begun by resolution 687 (1991). It makes clear that Iraq will be given a full and final opportunity to comply with its disarmament obligations under the relevant resolutions of the Security Council.

The difference between successful and unsuccessful inspections may be the difference between peace and war. We hope that Iraq will make its decision carefully.

Mr. Valdívieso (Colombia) (*spoke in Spanish*): I wish briefly to note some of the reasons for which Colombia voted in favour of the resolution.

From the outset of the negotiations, Colombia stressed the legal and political need for a resolution acknowledging the new facts and circumstances surrounding the item on Iraq since 12 September. Such a resolution would reinforce the mandate of the United Nations Monitoring, Verification and Inspection Commission and International Atomic Energy Agency inspectors so as to ensure that the inspections are credible and to dispel doubts about possible prohibited weapons programmes. We also said that we must send a clear message to Iraq that the international community does not intend to wait any longer for compliance with the demands made by the Security Council on its behalf.

We also noted that the resolution should be sufficiently forceful and effective to obtain the disarmament of Iraq once and for all and to close the chapter that was opened more than a decade ago with Iraq's aggression against Kuwait. We insisted on preserving the central role of the Security Council, as clearly stipulated in paragraphs 4, 11 and 12. This resolution is not, nor could it be at this time, a resolution to authorize the use of force. It provides a one-time opportunity. Now it is up to Iraq to demonstrate its will to cooperate and its desire to fully reincorporate itself into the community of nations. The cooperation of its Government is indispensable, and in that regard, the declaration requested of it — to be provided during the next 30 days, starting as of today — is essential.

The Council's cohesion, evident in today's unanimous vote, has the advantage of transcending this episode, as it signals the Council's capacity to respond to new and more severe challenges with which the new millennium has begun.

Mr. Belinga-Eboutou (Cameroon) (*spoke in French*): At the outset, Cameroon wishes to welcome the Secretary-General's presence among us today. We also wish to thank him for his contribution and personal involvement in seeking the peaceful disarmament of Iraq. His message, made last month at the open meeting of the Council devoted to Iraq, was particularly enlightening and meaningful in that regard. Cameroon, which during its presidency of the Council had to deal with the item of Iraq, was grateful to the Secretary-General for his approach to the problem and his involvement and invaluable advice.

We have just adopted unanimously a resolution on the peaceful disarmament of Iraq, so that it will be disarmed of its weapons of mass destruction. It is a text of positive and constructive compromise because it is balanced. It does not acknowledge victory for any particular side. International peace and security are the only victors.

Now the ball is in Iraq's court. Like preceding speakers, Cameroon would like to make a solemn appeal to the Iraqi authorities to cooperate fully with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA), which will soon be deployed in the field. By doing that, the Iraqi authorities will enable Iraq to be true to itself — a land of water, and therefore of life.

My country welcomes the clear statements just made by the sponsors, spelling out the fact that the resolution just adopted, on their initiative, does not contain traps or automaticity. Along with us, they confirm today, in the spirit of the statement of 12 September by made by President Bush to the General Assembly, that they are working, and will always work, for the centrality of the Security Council in the maintenance of international peace and security. Cameroon has always maintained and supported that. Let us trust in the Charter and abide by it.

In conclusion, I would like to wish good luck and the best to the UNMOVIC and the IAEA inspection teams. They have an enormous responsibility. They have a very valuable work tool in their hands: the strong, firm, unanimous and unequivocal support of the Security Council. We know that they are real professionals, who are extremely experienced. We have confidence in them, and wish them the best.

Mr. Traoré (Guinea) (*spoke in French*): I had not intended to speak because I did not have any particular explanation to give of my country's vote, which I consider to be legitimate. Our concerns, voiced during the past six weeks of intense Council negotiations, were indeed taken into account in this resolution. But, at this point, I think it would be a good idea to simply point out that my country welcomes the adoption of resolution 1441 (2002), particularly the fact that it was adopted by consensus, which is a clear message to Iraq. My country considers that that important phase opens the way for the peaceful resolution of the Iraqi crisis and reaffirms the unity and the role of the Security

Council as the guarantor of international peace and security.

My country reaffirms its support for the inspectors and hopes that they will benefit from the Iraqi authorities' full cooperation, in accordance with the mandate entrusted to them by the new resolution.

Finally, I call on the Iraqi authorities to respect their commitments and to comply with their international obligations and those that are in the interest of the Iraqi people.

Mr. Gokool (Mauritius): Mauritius has voted in favour of this resolution, as it is the fruit of intense and constructive negotiations, which took on board all concerns raised by members of the Security Council. We are pleased to see the clear and unambiguous role of the Security Council in the maintenance and promotion of international peace and security through peaceful means.

Mauritius considers that a unanimous vote in favour of this resolution strengthens further unity of the Council, which is the prerequisite for the effective implementation of this resolution, as well as all other Council resolutions. In that regard, we hope that Iraq will comply with the collective wish of the international community. We call on all Council and non-Council members to help in the implementation of this resolution. At the same time, we reaffirm our full trust in Mr. Blix and Mr. ElBaradei and the staff of the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency, and are confident that they will carry out their mandate in the most professional manner. Lastly, we once again salute the special efforts of our Secretary-General in that regard.

The President (*spoke in Chinese*): I shall now make a statement in my capacity as the representative of China.

First, I wish to thank the Secretary-General for attending today's meeting and for his important and wise statement.

The Chinese delegation voted in favour of the resolution that has just been adopted. Our decision was based on the Chinese Government's consistent and clear-cut position on the question of Iraq. China stands firmly for a peaceful solution to the question of Iraq, through political and diplomatic means and within the framework of the United Nations. China has always

urged Iraq to fully and strictly implement relevant Security Council resolutions and to cooperate fully with the United Nations with a view to thoroughly accounting for and destroying its weapons of mass destruction.

China has consistently held that, in seeking a comprehensive settlement of the question of Iraq, the sovereignty and territorial integrity, as well as the legitimate concerns, of Iraq should be respected and that the Security Council should, depending on Iraq's implementation of relevant resolutions, consider suspending and eventually lifting the sanctions against Iraq, which have been in force for 12 years.

We support dialogue between the Secretary-General and the Iraqi side in order to break the stalemate and welcome efforts by the Arab League and other organizations aimed at a peaceful resolution of the question of Iraq. We also welcome the announcement by Iraq in September that it would unconditionally accept a return of United Nations inspectors, and its subsequent talks with the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) on practical arrangements concerning inspections.

We are in favour of strengthening the effectiveness of inspections. At the same time, we believe that relevant provisions relating to the inspections should be practical and feasible. We appreciate the work done by UNMOVIC and the IAEA with regard to the inspections, and hope that they will be able to return to Iraq at an early date to conduct independent, fair, professional and effective inspections, reporting to the Security Council the result of their inspections in a truthful and timely manner. That would enable the Council to draw objective, fair and realistic conclusions and decide on the next steps in the light of the situation and the views of the various parties concerned.

China supports the two-stage approach. The Chinese delegation actively participated at all stages of the consultations on the draft resolution, and put forward its views and suggestions in a constructive manner. We are pleased to note that, after many rounds of consultations, the sponsors of the draft resolution accommodated our concerns, and the Council members have finally reached consensus.

As the sponsors pointed out in their statements earlier, the purpose of the resolution is to achieve the disarmament of Iraq through effective inspections. The text no longer includes automaticity for authorizing the use of force. According to the resolution that has just been adopted, only upon receipt of a report by UNMOVIC and the IAEA on Iraq's non-compliance and failure to cooperate fully in the implementation of the resolution, will the Security Council consider the situation and take a position.

We are also pleased to note that, at the request of many members, including China, the resolution now includes other important elements, for example, reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq, Kuwait and other neighbouring States, commending the Secretary-General and members of the League of Arab States and its Secretary-General for their efforts and recalling its resolution 1382 (2001) and its intention to implement it fully.

The Security Council bears the primary responsibility for the maintenance of international peace and security — a responsibility that is entrusted to it by the Charter. Now that the Security Council has adopted this important resolution at this crucial moment, we hope that it will contribute to preserving the authority of the Council, facilitate a political settlement of the question of Iraq and enable an early return of United Nations inspectors to Iraq.

It is our hope that Iraq will implement the resolution in good faith, fully cooperate with United

Nations weapons inspectors and fully comply with its disarmament obligations, so as to create conditions for an early and comprehensive resolution of the question of Iraq.

We would also like to point out that the United Nations inspectors should draw lessons from the United Nations Special Commission. We trust that UNMOVIC and the IAEA will strictly abide by the mandate provided by the Security Council in its resolutions and faithfully fulfil its duties.

Finally, we once again strongly appeal to all parties to continue to strive for a political solution to the Iraqi issue. That is the common aspiration of the entire international community, particularly the Gulf States and the Arab States. We sincerely hope that the adoption and smooth implementation of the resolution will be conducive to the effective carrying out of weapons inspections in Iraq and facilitate a final and comprehensive resolution of the Iraqi issue within the framework of the United Nations.

I now resume my functions as President of the Council.

There are no further speakers inscribed on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.40 a.m.