



Security Council

Sixty-third year

*Provisional***6059**th meeting

Monday, 22 December 2008, 3 p.m.

New York

<i>President:</i>	Mr. Jurica	(Croatia)
<i>Members:</i>	Belgium	Mr. Lammens
	Burkina Faso	Mr. Koudougou
	China	Mr. Du Xiacong
	Costa Rica	Mr. Urbina
	France	Mr. Renié
	Indonesia	Mr. Natalegawa
	Italy	Mr. Mantovani
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Panama	Mr. Suescum
	Russian Federation	Mr. Shcherbak
	South Africa	Mr. Laher
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Mr. Khalilzad
	Viet Nam	Mr. Bui The Giang

Agenda

The situation concerning Iraq

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The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Iraq

The President: I should like to inform the Council that I have received a letter from the representative of Iraq, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

On behalf of the Council, I extend a warm welcome to His Excellency Mr. Hoshyar Zebari, Minister for Foreign Affairs of Iraq, and invite him to take a seat at the Council table.

At the invitation of the President, Mr. Zebari (Iraq) took a seat at the Council table.

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

Members of the Council have before them document S/2008/805, which contains the text of a draft resolution submitted by United Kingdom of Great Britain and Northern Ireland and United States of America.

I wish to draw attention to document S/2008/783, which contains a letter dated 12 December 2008 from the Secretary-General, addressed to the President of the Security Council.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. 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:

Belgium, Burkina Faso, China, Costa Rica, Croatia, France, Indonesia, Italy, Libyan Arab Jamahiriya, Panama, Russian Federation, South Africa, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1859 (2008).

I now give the floor to His Excellency Mr. Hoshyar Zebari, the Minister for Foreign Affairs of Iraq.

Mr. Zebari (Iraq): Since the liberation of the Iraqi people in 2003, Iraq has charted a path towards stability and democracy with the support of the international community under Security Council resolutions 1483 (2003), 1511 (2003), 1546 (2004), 1637 (2005), 1723 (2006) and 1790 (2007). My Government thanks the member States of the Security Council for their continued support and welcomes the opportunity to provide an update on the current situation in Iraq and the way forward.

The timing is particularly significant as resolution 1790 (2007), due to expire on 31 December 2008, marks the termination of the mandate of the Multinational Force in Iraq, and prompts a review of the arrangements to manage Iraq's financial resources in accordance with our international obligations. Furthermore, as we further emerge as a peaceful and responsible democracy, my Government believes Iraq's status in the international community is due for review.

I am pleased to report that this year we have achieved remarkable progress and turned a vital corner towards the stabilization and recovery of my country. The constitutionally elected national unity Government has pushed ahead with its program of national reconciliation, and the Council of Representatives has successfully passed key laws on justice and accountability, provincial elections, amnesty and the national budget through a process of compromise and political accommodation. We are currently preparing to hold open and fair provincial and national elections this coming year, marking a major step toward political stabilization and the completion of one full constitutional, democratic electoral cycle.

However, we still face many challenges, including undertaking constitutional review; finding sustainable solutions to power and resource sharing, including adopting hydrocarbons legislation; achieving the resolution of disputed territories; building government capacity on service provision and facilitating the safe, dignified and sustainable return of over two million refugees and internally displaced persons.

Our political and democratic progress is, to some extent, a product of, and a contributing factor towards, trends in improving security that have emerged over the previous 12 months. It is the responsibility and priority of the Iraqi Government to guarantee security and stability for all Iraqis. We are at present effectively maintaining the steadiest levels of stability in four years. Attacks and civilian and military deaths have all decreased by over 80 per cent since last year.

This has been achieved by the undoubted success of the surge strategy, bolstered by the commendable performance of Iraqi security forces and backed up with economic and political measures at local and provincial governance levels. Contributing factors also include the Awakening movement, as former insurgents turn against terrorist elements, and widespread public support for the Government's demobilization of unlawful militias and for our imposition of the rule of law on those who challenge the sole legitimate authority of the State. Iraq has stepped back from the brink of civil war. Terrorists and outlaw groups have no place to hide in Iraq. Iraqi civilians have embraced initiatives to protect their communities and livelihoods; they have fundamentally disrupted the networks of Al-Qaida and forcefully rejected extremist attempts to incite sectarian conflict, lawlessness and hatred.

The central strategy of my Government and the coalition has been to bolster the capacity of Iraqi security forces with a view to transferring full responsibility for Iraq's security and defence to Iraqi security forces. Today, the increased training, capabilities, size and confidence of Iraqi security forces has led to a dramatic improvement in the security situation. 13 out of 18 provinces are now under Iraqi Government control, including areas of former insurgent and terrorist strongholds. Iraqi forces are increasingly planning, implementing and leading security and peacekeeping operations independently of the Multinational Force in Iraq. The professionalism of our national army and police has also won them the

trust of the Iraqi population, which has helped lead to the arrests of key operatives in terror and militia networks and significant confiscation of weapons caches.

However, much work still needs to be done, first and foremost in air force and navy training and border control to extend Iraqi authority over its borders, waterways and airspace, in addition to ongoing strengthening of democratic institutions, including commitment to human rights, the supremacy of the rule of law and the total rejection of sectarianism.

In pursuit of Iraq's strategic vision for the secure and stable future of our country, and reflecting security conditions on the ground, Iraq and the United States have negotiated a new security arrangement to direct the future bilateral partnership between our two equal and sovereign nations, which share common goals and objectives: to protect and promote the interests of our two nations and to reinforce Iraqi sovereignty and independence.

There are two key aspects to this important bilateral security agreement. The first is agreement on the withdrawal of United States forces from Iraq and the organization of their activities during their temporary presence in Iraq, detailing the procedures and legal protections that govern the presence of United States troops in Iraq. The second is the higher-level strategic framework agreement for a relationship of friendship and cooperation between the Republic of Iraq and the United States of America, which covers the long-term principles guiding our overall political, economic and security relationship. It further normalizes the relationship between Iraq and the United States with strong economic, diplomatic and cultural ties. The agreements were approved by the Iraqi Cabinet and the Council of Representatives on 27 November and endorsed by the Presidency Council on 4 December. We are already negotiating further agreements with other international coalition partners.

Security Council resolution 1546 (2004) and subsequent annual resolutions extending the multinational force mandate, in addition to the Iraqi Government's request to retain the multinational force presence, have been based on the premise that any continued multinational force presence would remain until Iraq can assume full responsibility and be self-sufficient in maintaining security for the country and the people of Iraq. At present, according to the

agreements with the United States, 2011 would be a realistic date for the withdrawal of all United States forces from our country. Noting the significant progress achieved and the conclusion of the security accord with the United States, Prime Minister Nuri al-Maliki's letter dated 7 December 2007 was therefore the final request to extend the multinational force mandate, which will thus expire at the end of this year.

The termination marks a turning point for Iraq and the end of an important era for the United Nations and all those countries that have contributed to the multinational force. The multinational force in Iraq has contributed vital support to the process of building security and stability in Iraq and to our transition towards a sovereign, federal and united democracy. Iraq wishes to extend its deepest thanks and appreciation to all those countries which contributed to the coalition and which have had the vision, the resolve and the brave leadership to stand alongside the Iraqi people in our fight for our shared values of democracy and freedom.

On behalf of the Government and people of Iraq, I wish to convey a very important message of thanks to the men and women of the multinational forces who have fought courageously with us on the front line. Iraq owes them a debt of gratitude, and we share our condolences with them for the sacrifices that this historic struggle has required. Our joint losses have not been in vain, nor will they ever be forgotten. Their countries may be justifiably proud of their accomplishments.

It is with cautious confidence that we enter into a new phase of security arrangements beyond United Nations-mandated support. And the Government of Iraq reminds the international community that the struggle for peace is still far from over. We recognize that a significant level of security and military support continues to be necessary and that it will take time for our security forces to reach full capacity. Recently, we have succeeded in making gains in security, even as coalition troops have withdrawn to pre-surge levels and continue to depart the theatre as security conditions on the ground permit.

But our hard-won achievements need to be pressed on and made durable. The threats to our fledgling democracy persist. Although appalling terror attacks fail to ignite the same spirals of sectarian conflict we experienced in recent years, any premature

military withdrawals would leave behind a vacuum of vulnerability that would be exploited to destabilize Iraq and threaten the entire region. Iraq urges gradual, measured and responsible security transitions.

As we move forward, Iraq continues to need the active support and consistent commitment of the international community, the United Nations and the States and organizations involved in key forums, including the International Compact with Iraq and neighbouring countries' mechanisms. Iraq's relations with its neighbours have improved, and there are a number of bilateral agreements to further improve relations with all neighbouring countries. Last year also witnessed the opening of a number of Arab diplomatic missions in Baghdad, including that of Kuwait, as a further sign of Iraq's integration into its regional environment.

On behalf of my Government, I would like to extend our appreciation to the Special Representative of the Secretary-General, Mr. Staffan de Mistura, and to his colleagues at the United Nations Assistance Mission for Iraq (UNAMI) for the crucial work they are undertaking to support my Government and the people of Iraq. I would like to highlight and commend UNAMI for several things: its role in assisting in election preparations and contributing to the successful adoption of the elections law, its invaluable work on the reintegration of Iraqi refugees and the internally displaced and its engagement in seeking resolution on Iraq's disputed internal boundaries. My Government has pledged \$25 million towards planning for the proposed United Nations facility in Baghdad and an equal contribution upon commencement of the work. We remain actively committed to assisting the United Nations in any way necessary for it to continue and expand its mission in Iraq in accordance with Security Council resolutions 1770 (2007) and 1830 (2008).

As the Iraqi Government pushes forward with extensive national reconstruction and economic development, we need assurances that Iraq's resources and financial assets are available for the country's recovery programmes. Without such assurances, the functioning of the Iraqi Government and the current stability could be seriously endangered. Iraq therefore requests the extension until next year of the arrangements established in paragraph 20 of resolution 1483 (2003) for depositing the proceeds from export sales of petroleum, petroleum products and natural gas into the Development Fund for Iraq and of the

arrangements of paragraph 12 of resolution 1483 (2003) and resolution 1546 (2004) for the monitoring of the Fund by the International Advisory and Monitoring Board. Iraq supports the open and transparent process of review of these arrangements.

Iraq has inherited immense debt and international legal claims from the wars and aggressions of the Saddam Hussein regime. Since 2003 we have managed our resources responsibly, as acknowledged by the international community and its international financial institutions. Indeed, Iraq has been awarded the last reduction of its Paris Club debt, amounting to 20 per cent of its debt, after successfully completing its programme with the International Monetary Fund.

My Government is fully committed to the resolution of all legitimate claims and to complying with its obligation under international law. We have worked diligently to fulfil our commitments with regard to settling this debt to countries and to paying compensation. In particular, Iraq is fully committed to implementing all binding resolutions concerning Kuwait with respect to the border, sovereignty and settlements for the aggression of the former regime.

In further commitment to our international obligation, the Iraqi cabinet has waived 100 per cent of the debt owed by more than 12 developing countries in Africa and Asia.

There has been a marked improvement in the situation in Iraq. We are at a crucial transitional stage of stabilization, and our ongoing and steady progress must not be undermined. The process of qualifying and settling legitimate claims will take time. Therefore, to continue this critical progress, Iraq needs protection for its assets. We request the support of the international community through the continuation of current protection and arrangements for Iraq's resources and the proceeds therefrom until the situation in Iraq normalizes and the Government is able to implement the necessary measures it is committed to taking to settle outstanding debts and claims.

The situation in Iraq today is fundamentally different from the situation prevailing at the time of the adoption of resolution 661 (1990). Iraq is no longer a rogue State flouting international law and posing a threat to international peace and regional security. Nor is it an instrument of oppression against its own people. Now we have our own democratic institutions, a constitutional Government accountable to and a

parliament representative of the Iraqi people. Iraq seeks peaceful coexistence with its neighbours, stands as a steadfast partner in the fight against global terrorism, continues to pursue full reintegration into regional and global economies and seeks reinstatement as an equal, peaceful and responsible member of the international community that upholds and respects the universal principles of human rights and the rule of law.

Finally, my Government requests a review of all Security Council resolutions pertaining to Iraq to be undertaken jointly by the Secretary-General and Iraq and reported to the Security Council as the final arbiter to take stock of our remaining obligations and to assess the relevance and the validity of all such resolutions to Iraq's current situation. We are fully committed to abiding by our obligations under Security Council resolutions and look forward to recognition by the United Nations of the positive development in our country so that Iraq can resume its legal and international status that prevailed before the adoption of resolution 661 (1990) and the burdens of Chapter VII of the Charter of the United Nations.

As stability improves, Iraq is embracing a new phase of economic development and cooperation and revitalized reconstruction and energy sector development and is improving the livelihoods and prosperity of the Iraqi people. It has taken time and sacrifices, but we are stepping forward, with a real hope for the future, towards a peaceful, democratic, united and flourishing Iraq that plays a pivotal and positive role in regional stability. The support of the international community for our success is vital. In turn, our success will prove critical to promoting peace and stability in the region and the world.

The President: I shall now give the floor to those members of the Council who wish to make a statement.

Mr. Mantovani (Italy): At the outset, I wish to welcome here with us today the Minister for Foreign Affairs of Iraq, His Excellency Mr. Hoshyar Zebari.

Italy voted in favour of the resolution to extend the mandates of the Development Fund for Iraq and the International Advisory and Monitoring Board for a period of 12 months. From the start, Italy has been at the side of the Iraqi people and institutions in their brave efforts to build a democratic State that is at peace with itself and with its neighbours. Allow me to strongly reaffirm this commitment.

Let me also take this opportunity to point out that the review process for the various Security Council resolutions on Iraq is to be carried out with the greatest possible care, in the light of the layering of the texts and the complexity of the resulting legal situation, so that the country might regain the high international standing it enjoyed in 1990. It is a question, in fact, of guaranteeing the certainty of law, avoiding any impact on the situations that came to be following the adoption of resolution 687 (1991) and its follow-up and safeguarding enterprises that signed contracts with Iraq prior to the establishment of the sanctions regime and that have not been able to fulfil their contractual obligations in compliance with the measures established by the Security Council.

Mr. Renié (France) (*spoke in French*): First of all, I would like to welcome the presence at this meeting of the Security Council of the Iraqi Minister for Foreign Affairs, Mr. Hoshiyar Zebari.

France is gratified by the adoption of the resolution that we have just adopted, which marks a new stage in the return to full sovereignty for Iraq and which, in particular, marks here the end of the mandate of the multinational force in Iraq. France, which is devoted to the unity, sovereignty and integrity of a democratic Iraq, will continue to support the efforts of the Iraqi Government, together with all of the actors involved, to take all necessary measures to demonstrate that Iraq has become a State like any other. We shall spare no efforts to assist Iraqis in building their joint future and in promoting national reconciliation so that they might restore the peace and security to which they have a right within the framework of a united State, rich in its diversity.

Mr. Natalegawa (Indonesia): My delegation is pleased to acknowledge the participation at this meeting of His Excellency Mr. Hoshiyar Zebari, Minister for Foreign Affairs of Iraq.

Indonesia voted in favour of resolution 1859 (2008), adopted earlier, which extends, inter alia, the arrangements regarding the Development Fund for Iraq (DFI) and the monitoring of the DFI by the International Advisory and Monitoring Board (IAMB). As underlined in the 7 December 2008 letter of Prime Minister Nuri al-Maliki to the President of the Security Council, the DFI and the IAMB have played an important role in assisting Iraq to ensure the use of the

proceeds from Iraq's natural resources for the benefit of the Iraqi people.

We welcome notable developments in various sectors, including improvements in security across Iraq in the past few months.

Despite those developments, we recognize that Iraq continues to face multifaceted challenges. We therefore believe that the continued support of the international community will remain pertinent to the ongoing efforts by the Government and the people of Iraq in overcoming those challenges.

Of prime importance to achieving peace, stability and sustainable socio-economic progress in Iraq is inclusive political dialogue and reconciliation. Meaningful and inclusive political dialogue and reconciliation across political, ethnic and sectarian lines, as well as significant support from all segments of the Iraqi population, are critical to the achievement of long-term stability in the country.

We commend the United Nations Assistance Mission in Iraq for its support and assistance to the Government of Iraq in achieving progress in various sectors, including the promotion of dialogue and reconciliation. My delegation also wishes to reaffirm once again our support for the independence, sovereignty, unity and territorial integrity of Iraq and the principle of non-interference in the internal affairs of the country.

Before I conclude — and with your kind permission, Sir, as this may be the last occasion for my delegation to participate in a meeting of the Security Council before terminating its current membership — I would like to share a few thoughts.

Foremost among those is our profound appreciation to the Member States of the Organization for entrusting Indonesia with the responsibilities that come with membership in the Council. We have been humbled by their trust and have worked diligently at all times, imbued with the awareness of the weight of that trust. In particular, my delegation has consistently worked hard to ensure that the concerns of the wider membership are properly channelled in the Council's deliberations.

My delegation also deeply appreciates the cooperation and collegiality that mark the working environment within the Council. Above all, Indonesia has consistently believed that an effective Council is a

united Council, one that is able to speak with one voice and act as one. Building bridges has been our perennial concern and will continue to guide our efforts beyond the Council.

Not least, we owe a deep debt of gratitude to the Secretariat for their professionalism and dedication. I cannot find appropriate words to express our thanks for the support rendered. With those words, I wish the Council members all the best in their future endeavours.

Sir John Sawers (United Kingdom): I join others in welcoming Foreign Minister Zebari and his team here today for the adoption of this important resolution. I would just like to highlight three points in that respect.

First, I would like to welcome the fact that a Chapter VII United Nations mandate is no longer needed for international forces in Iraq. As my Prime Minister announced last week, subject to the completion of procedures in the Iraqi Parliament, the United Kingdom forces will complete their tasks in the first five months of 2009 and will proceed thereafter to withdraw. This ability of my Government to complete its tasks in Iraq is an important sign of the progress that has been made in Iraq over the past five years.

Secondly, we welcome the continuation of the arrangements for the Development Fund for Iraq as the vehicle for allocating Iraq's oil revenues and the extension of the special arrangements for that Fund, given the need for particular protections, as set out by Mr. Zebari.

Thirdly, an important decision in the resolution is the one to review the Saddam-era resolutions pertaining to Iraq. This will be the priority for the Council in 2009. These resolutions were introduced in entirely different circumstances, as a consequence of Saddam Hussein's actions and the need to protect Iraq's neighbours. It is right that we now overhaul their provisions with a view to their termination as soon as is feasible.

Lastly, as this is the last scheduled meeting of the Council in 2008, it is not only Iraq's liberation that we are marking today. I would like take the opportunity to thank our colleagues from Belgium, Indonesia, Italy, Panama and South Africa for their outstanding contributions to the Security Council's work. I hope that they enjoy their liberation from the responsibility

of Security Council membership and find a useful new life in the other agencies of the United Nations. We look forward to their continued participation in our deliberations as non-members.

Mr. Khalilzad (United States of America): First of all, I would like to welcome my friend, Foreign Minister Hoshyar Zebari, to the Council and thank him for his statement.

The United States welcomes the adoption of this resolution. We think it is a vital resolution, and we welcome it for a number of reasons.

First, we welcome it because the resolution recognizes the progress that Iraq has made. Progress has been achieved across the board in Iraq. As the Foreign Minister mentioned, on the security front the number of attacks is down and Iraqi capabilities are up. In ten days, the mandate of the multinational force in Iraq will expire. A bilateral security agreement will regulate the presence of United States forces in Iraq and a broader strategic framework agreement will guide overall relations on economic, security and other fronts between our countries. We welcome this positive change. Also, 13 of the 18 provinces will be under Iraqi security control. In fact, they already are, and progress will be made on the remaining ones in the coming weeks. Parliament has passed many laws. On the economic front, inflation is down, economic growth is up. Again, as the Foreign Minister mentioned, regional relations have improved considerably during the past 12 months.

A second reason why we welcome the adoption of this resolution is that it helps facilitate more progress in Iraq by allowing immunities for Iraqi funds so that these funds are available for the Iraqi Government to implement its economic development plans and its plans for additional sectors in Iraq.

The third reason is the commitment — which the representative of the United Kingdom and others have mentioned — by the Security Council to review resolutions that pertain to Iraq. Circumstances in Iraq are fundamentally different since many of these resolutions were imposed. Iraq is a significantly different place than it was when resolution 661 (1990) was adopted. It is totally reasonable for this review to take place, and we look forward to the report of the Secretary-General in the near future.

As many have stated, Iraq has made a great deal of progress. I want to congratulate the Iraqi Government, the Foreign Minister and the Iraqi people for the progress they have achieved. They deserve our support for the continued progress that is needed in Iraq. This resolution provides that support, and therefore we are very pleased to join the consensus with regard to it.

Like my colleague from the United Kingdom, I also want to take advantage of this opportunity to thank the representatives of Indonesia, Panama, Italy,

South Africa and Belgium for their friendship and for the role they have played in this Council during the period that I have been here, and I wish them all very well. I wish for a successful new year for them and for their countries.

The President: There are no more speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting was adjourned at 3.50 p.m.