Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1351 (2003)[1]

The role of the United Nations in Iraq

Parliamentary Assembly

1. The Parliamentary Assembly is deeply concerned about the lack of progress in the discussions on the role of the United Nations in the post-war future of Iraq. It fears that a proliferation of unilateral actions will lead to a further deepening of existing divisions. It considers unilateral action a fundamental challenge to the principles of collective security and the United Nations Charter.

2. The situation in Iraq is becoming increasingly explosive. There are daily casualties and attacks on international staff, including United Nations personnel, and aid workers are multiplying. The Assembly expresses its deepest sympathy to the United Nations staff as well as to the families of the victims who died in the terrorist attack of 19 August 2003, some of whom the Assembly has had the privilege to co-operate with on various issues. It is equally saddened to learn about the death of Ms Aqila al-Hashimi, a member of the Iraqi Governing Council, after her convoy was attacked.

3. The Assembly regrets the loss of life in the recent conflict in Iraq.

4. The Assembly has closely followed the situation in Iraq since it last debated the issue in April 2003. It reiterates its Resolution 1326 (2003) on Europe and the war in Iraq and recalls that, already at that time, it had underlined the need for Europe to act resolutely to restore the unity of the international community on the basis of mutual respect and international law, thereby allowing the United Nations to fulfil its mandate as a prime source of legitimacy.

5. It welcomes the European Parliament's recommendation to the European Council on the situation in Iraq, adopted on 24 September 2003, and supports its call for a leading and vital role for the United Nations in Iraq.

6. The existing divergence within the Security Council over the post-war management of Iraq is worrying, not only because it has direct implications for the future of Iraq, but also because it will determine the role the United Nations will play in future crises.

7. The situation in Iraq is one of the worst crises the United Nations has known in its existence. The Assembly congratulates the Secretary General of the United Nations, Mr Kofi Annan, for his tireless calls for a multilateral approach, as well as for his proposals for radical changes within the United Nations, in particular in the Security Council, in order to cope with similar future situations by improving not only its efficacy but also by making it more representative and thus increasing its legitimacy. It gives its full support to his further efforts in this direction and reiterates its calls for the reform of the United Nations, contained in Recommendations 1367 (1998) and 1476 (2000).

8. It is in the interest of the international community that Iraq should achieve political stability and the fulfilment of sovereignty, while maintaining territorial integrity through a democratic process as soon as possible. The Assembly is convinced that the post-war management must be carried out under the leadership of the United Nations and welcomes the signs of change in the attitude of the Bush administration towards a more multilateral approach in this respect.

---

1. Assembly debate on 2 October 2003 (32nd Sitting) (seeDoc. 9943, report of the Political Affairs Committee, rapporteur: Ms de Zulueta). Text adopted by the Assembly on 2 October 2003 (32nd Sitting).

9. The Assembly urges the members of the Security Council to overcome their differences and to find common ground in advance of the International Conference of Donors, which is scheduled for 23 and 24 October 2003 in Madrid. Without a consensus the necessary resources for the reconstruction of Iraq will be impossible to obtain.

10. The Assembly welcomes the initiative of the Secretary General of the Council of Europe to have invited the Deputy Secretary General of the United Nations, Mrs Louise Frechette, to the informal ministerial session in Strasbourg and notes with satisfaction the contacts he has made with the Secretary General of the United Nations drawing his attention to the expertise of the Council of Europe in constitutional and legislative issues and in the building of democratic institutions. The Assembly encourages the Secretary General of the Council of Europe to continue his efforts with the United Nations to ensure that the Council of Europe's expertise in these areas be used.

11. The Assembly calls on the governments of the member states to give their support:

11.1. to efforts towards a multilateral solution for the post-war future of Iraq with the leading role to be taken by the United Nations;

11.2. to a rapid transfer of sovereignty to the Iraqi people according to a clear timetable following a specific sequence of events including the adoption of a new constitution acceptable to the different communities in Iraq;

11.3. to elections of a constituent assembly to be held within a reasonable timeframe;

11.4. to a multinational force, under a United Nations' mandate, which would guarantee security in Iraq;

11.5. to the principle that the ownership of Iraqi natural resources lies with the Iraqi people and to the progressive transfer, under a United Nations' mandate, of the control of Iraqi natural resources and public services to the Iraqi people and their representatives;

11.6. to any proposals of the Secretary General of the Council of Europe to use the Council's assets, such as the European Commission for Democracy through Law (Venice Commission), and expertise in the introduction of democracy, human rights and the rule of law in Iraq, and on the reconstruction of its civil society and restoration of its cultural heritage.