

joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S. J. RES. 34

Whereas there has been a strong consensus among the senior United States military commanders that a broad-based political settlement involving the three main Iraqi groups is essential for defeating the insurgency;

Whereas the two parts of that political settlement are (1) agreement on a national unity government that serves the interests of all Iraqis, and (2) compromises to amend the Iraq Constitution to make it an inclusive document;

Whereas such a two-part political settlement is also essential to prevent all-out civil war and is a critical element of our exit strategy for United States military forces in Iraq;

Whereas the Iraqi Council of Representatives' approval on April 22, 2006, of the Presidency Council consisting of Jalal Talabani as President and two Vice Presidents, and the election of a Speaker and two Deputy Speakers is a significant step, as is the decision by the Iraqi political leadership to select Jawad al-Maliki as the Prime Minister designate;

Whereas the Council of Representatives still needs to consider the nomination of Jawad al-Maliki and his still-to-be-chosen Cabinet, including an Interior Minister and a Defense Minister, and still needs to form a committee to recommend changes to the Iraq Constitution;

Whereas under the Iraq Constitution, Prime Minister designate Jawad al-Maliki has 30 days from April 22, 2006, to choose and present a Cabinet to the Council of Representatives for its approval;

Whereas under the Iraq Constitution, the Council of Representatives, at the start of its functioning, is required to appoint a committee from its members which will have four months to present recommendations to the Council for necessary amendments to the Iraq Constitution;

Whereas while the three main Iraqi groups have differing views about the duration of the presence in Iraq of the United States-led Coalition forces, none of them favor the immediate withdrawal of United States military forces from Iraq;

Whereas section 1227 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109—163; 119 Stat. 3465; 50 U.S.C. 1541 note) provides in part that “[t]he Administration should tell the leaders of all groups and political parties in Iraq that they need to make the compromises necessary to achieve the broad-based and sustainable political settlement that is essential for defeating the insurgency in Iraq, within the timetable they set for themselves”;

Whereas the United States Ambassador to Iraq, Zalmay Khalilzad, has done an exceptional job in working with Iraqi political, religious, and tribal leaders in an effort to achieve consensus on the prompt formation of a national unity government; and

Whereas the American public has become increasingly and understandably impatient with the failure of the Iraqis to form a national unity government: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That it is the sense of Congress that the Iraqi political, religious, and tribal leaders should be told by the Administration that—

(1) the continued presence of United States military forces in Iraq is not unconditional;

(2) whether the Iraqis avoid all-out civil war and have a future as a nation is in their hands;

(3) the Iraqis need to seize that opportunity and only they can be responsible for their own future; and

(4) completing the formation of a government of national unity and subsequent agreement to modifications to the Iraq Constitution to make it more inclusive, within the deadlines the Iraqis have set for themselves in the Iraq Constitution, is—

(A) essential to defeating the insurgency and avoiding all-out civil war; and

(B) a condition of the continued presence of United States military forces in Iraq.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 441—EX-PRESSING THE SUPPORT OF THE SENATE FOR THE RECONVENING OF THE PARLIAMENT OF NEPAL AND FOR AN IMMEDIATE PEACEFUL TRANSITION TO DEMOCRACY

Mr. LUGAR (for himself, Mr. BIDEN, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 441

Whereas, in 1990, Nepal adopted a constitution that enshrined multi-party democracy under a constitutional monarchy, ending 3 decades of absolute monarchical rule;

Whereas, since 1996, Maoist insurgents have waged a violent campaign to replace the constitutional monarchy with a communist republic, which has resulted in widespread human rights violations by both sides and the loss of an estimated 12,000 lives;

Whereas the Maoist insurgency grew out of the radicalization and fragmentation of left wing parties following Nepal's transition to democracy in 1990;

Whereas, on June 1, 2001, King Birendra, Queen Aishwarya and other members of the Royal family were murdered, leaving the throne to the slain King's brother, the current King Gyanendra;

Whereas, in May 2002, in the face of increasing Maoist violence, Prime Minister Sher Bahadur Deuba dissolved the Parliament of Nepal;

Whereas, in October 2002, King Gyanendra dismissed Prime Minister Deuba;

Whereas, in June 2004, after the unsuccessful tenures of 2 additional palace-appointed prime ministers, King Gyanendra reappointed Prime Minister Deuba and mandated that he hold general elections by April 2005;

Whereas, on February 1, 2005, King Gyanendra accused Nepali political leaders of failing to solve the Maoist problem, seized absolute control of Nepal by dismissing and detaining Prime Minister Deuba and declaring a state of emergency, temporarily shut down Nepal's communications, detained hundreds of politicians and political workers, and limited press and other constitutional freedoms;

Whereas, in November 2005, the mainstream political parties formed a seven-party alliance with the Maoists and agreed to a 12 point agenda that called for a restructuring of the government of Nepal to include an end to absolute monarchical rule and the formation of an interim all-party government with a view to holding elections for a constituent assembly to rewrite the Constitution of Nepal;

Whereas, since February 2005, King Gyanendra has promulgated dozens of ordinances without parliamentary process that violate basic freedoms of expression and association, including the Election Code of Conduct that seeks to limit media freedom in covering elections and the Code of Conduct for Social Organizations that bars staff of nongovernmental organizations from having political affiliations;

Whereas King Gyanendra ordered the arrest of hundreds of political workers in January 2006 before holding municipal elections on February 8, 2006, which the Department of State characterized as “a hollow attempt by the King to legitimize his power”;

Whereas the people of Nepal have been peacefully protesting since April 6, 2006, in an attempt to restore the democratic political process;

Whereas on April 10, 2006, the Department of State declared that King Gyanendra's February 2005 decision “to impose direct palace rule in Nepal has failed in every regard” and called on the King to restore democracy immediately and to begin a dialogue with Nepal's political parties;

Whereas King Gyanendra ordered a crackdown on the protests, which has left at least 14 Nepali citizens dead and hundreds injured by the security forces of Nepal;

Whereas the people of Nepal are suffering hardship due to food shortages and lack of sufficient medical care because of the prevailing political crisis;

Whereas King Gyanendra announced on April 21, 2006, that the executive power of Nepal shall be returned to the people and called on the seven-party alliance to name a new prime minister to govern the country in accordance with the 1990 Constitution of Nepal;

Whereas the seven-party alliance subsequently rejected King Gyanendra's April 21, 2006 statement and called on him to reinstate parliament and allow for the establishment of a constituent assembly to draw up a new constitution;

Whereas on April 24, 2006, King Gyanendra announced that he would reinstate the Parliament of Nepal on April 28, 2006, and apologized for the deaths and injuries that occurred during the recent demonstrations, but did not address the issue of constitutional revision;

Whereas political party leaders have welcomed King Gyanendra's April 24th announcement and stated that the first action of the reconvened parliament will be the scheduling of elections for a constituent assembly to redraft the Constitution of Nepal.

Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses its support for the reconvening of the Parliament of Nepal and for an immediate, peaceful transition to democracy;

(2) commends the desire of the people of Nepal for a democratic system of government and expresses its support for their right to protest peacefully in pursuit of this goal;

(3) acknowledges the April 24, 2006 statement by King Gyanendra regarding his intent to reinstate the Parliament of Nepal;

(4) urges the Palace, the political parties, and the Maoists to immediately support a process that returns the country to multi-party democracy and creates the conditions for peace and stability in Nepal;

(5) declares that the transition to democracy in Nepal must be peaceful and that violence conducted by any party is unacceptable and risks sending Nepal into a state of anarchy;

(6) calls on security forces of Nepal to exercise maximum restraint and to uphold the highest standards of conduct in their response to the protests;

(7) urges the immediate release of all political detainees and the restoration of full civil and political rights, including freedom of association, expression, and assembly;

(8) urges the Maoists to lay down their arms and to pursue their goals through participation in a peaceful political process; and

(9) calls on the Government of the United States to work closely with other governments, including the governments of India, China, the United Kingdom, and the European Union, and with the United Nations to ensure a common and coherent international approach that helps to bring about an immediate peaceful transition to democracy and to end the violent insurgency in Nepal.

Mr. LUGAR. Mr. President, as Members are aware, Nepal has been gripped by demonstrations in support of democracy for the past 20 days. At least 14 Nepali citizens have been killed in these protests and hundreds more injured. The demonstrations follow 14 months of direct rule by King Gyanendra and February 8, 2006, municipal elections that the State Department characterized as a “hollow attempt by the King to legitimize his power.”

I am submitting today a resolution expressing the Senate’s support for the reconvening of the Nepali parliament and for an immediate, peaceful transition to a democratic political process in the country. This resolution urges the King, political parties, and Maoists to support a process that returns the country to multi-party democracy and creates the conditions for peace and stability in the country.

SENATE RESOLUTION 442—EXPRESSING THE DEEP DISAPPOINTMENT OF THE SENATE WITH RESPECT TO THE ELECTION OF IRAN TO A LEADERSHIP POSITION IN THE UNITED NATIONS DISARMAMENT COMMISSION AND REQUESTING THE PRESIDENT TO WITHHOLD FUNDING TO THE UNITED NATIONS UNLESS CREDIBLE REFORMS ARE MADE

Mr. COLEMAN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 442

Whereas the United Nations has continuously failed to meet minimal reform expectations, including those outlined in the September Summit Outcome Document;

Whereas the United Nations has allowed member states acting in defiance of their obligations to the United Nations to enjoy full participatory rights and leadership positions in all bodies of the United Nations;

Whereas the mandate of the charter of the United Nations that protects international peace and security is significantly hindered by the placement of pariah states in leadership positions within various commissions;

Whereas the credibility of the United Nations has been further crippled by the fact that Iran was elected to serve as the vice chair of the Asia regional group of the United Nations Disarmament Commission;

Whereas Iran has committed many acts of malfeasance with respect to its nuclear program that makes it an unacceptable candidate for the United Nations Disarmament Commission, including—

- (1) developing a clandestine nuclear program for 18 years prior to 2003;
- (2) repeatedly deceiving the International Atomic Energy Agency about a variety of nuclear-related activities;
- (3) failing to provide inspectors from the International Atomic Energy Agency with access to various nuclear sites;
- (4) refusing to answer questions related to its nuclear program;
- (5) reneging on its commitments under the Paris Accords of November 2004, which included the suspension of uranium enrichment activities; and
- (6) announcing its success in achieving uranium enrichment capabilities, which represented a brazen affront to the international community;

Whereas other actions and rhetoric by Iran have perpetuated its record of terror and tyranny, and warranted its isolation from the international community at the United Nations, including—

- (1) continuing its calls for the annihilation of Israel, which is a member state of the United Nations;
- (2) actively sponsoring terrorism through groups including Hezbollah, Hamas, and Islamic Jihad, which prompted the Department of State to classify Iran as the “most active state sponsor of terrorism in 2004”; and
- (3) continuing its efforts to destabilize neighboring countries by meddling in the affairs of those countries, including Iraq, Israel, and Lebanon; and

Whereas, while Iran continues to enjoy full participatory rights and privileges as a member state of the United Nations, the overall conduct of Iran is a direct threat to world security and violates numerous fundamental principles on which the United Nations is based: Now, therefore, be it

*Resolved*, That the Senate—

- (1) expresses its deep disappointment with respect to the failure of the Asia group members of the United Nations Disarmament Commission to stop the election of Iran as the vice chair of that body;
- (2) asserts that the United Nations Disarmament Commission has no credibility on disarmament issues due to the participation of Iran, particularly in light of the defiance of Iran in disregarding resolutions passed by the International Atomic Energy Agency and the Security Council Presidential Statement relating to its nuclear program;
- (3) calls on the United States to reject all resolutions passed by the discredited United Nations Disarmament Commission;
- (4) condemns the continued intransigence of Iran with respect to its—
  - (A) nuclear program;
  - (B) treatment of Israel; and
  - (C) sponsorship of terror;
- (5) shall work to ensure that funding from the United States is withheld from—
  - (A) the regular budget of the United Nations in the amount that is directed towards the activities of the United Nations Disarmament Commission; and
  - (B) any commission of the United Nations in which the worst violators of the principles it claims to promote are included in its membership, including the new Human Rights Council;
- (6) calls on the United Nations to deny Iran from participating in any commission of the United Nations until it—
  - (A) complies with its obligations under the Non-Proliferation Treaty and International Atomic Energy Agency resolutions;
  - (B) halts—
    - (i) all uranium enrichment activities; and
    - (ii) all calls for the destruction of Israel; and
  - (C) withdraws support from terrorist groups; and
- (7) calls on the President to—

- (A) closely monitor the progress of the United Nations on reform; and
- (B) exercise the option of the President to withhold funding unless credible reforms are made prior to discussions on the biannual budget.

Mr. COLEMAN. Mr. President, I rise to submit a sense-of-the Senate resolution expressing the deepest disappointment of the Senate with respect to the election of Iran to a leadership position on the United Nations Disarmament Commission and request the President to withhold funding to the United Nations unless credible reforms are made.

A couple of observations, Mr. President. In light of the Oil-For-Food scandal, it was my great hope that we would see a movement toward reform in the United Nations. The Secretary General had put forth some proposed reforms. There was some discussion about whether the U.N. Commission on Human Rights was going to be reformed. Unfortunately, the energy was there, the hope was there, and we seemed to be moving in the wrong direction.

On May 9, for the new Human Rights Council, elections will be held. It appears that Cuba may be appointed to the new Human Rights Council.

The recommendations from the Secretary General for minimum reform are now coming under attack by something called the G-77, the underlying nations, which may dismantle those. A little tremor occurred just about a week ago, and to some people it may be a little thing, but it is not. It is symbolic of some of the things we face with the United Nations.

Just recently, Iran was elected to the U.N. Disarmament Commission. Some may say that this is a very minor commission; it is an inactive forum; it only meets 3 weeks a year, the U.N. Commission on Disarmament. We have Iran out there thumbing its nose at the international community hell-bent on getting a nuclear weapon. And by the way, they said what they are going to do with it. They said they want to destroy Israel. That is what they said they are going to do. Hitler told us what he wanted to do and the world didn't listen. God forbid there is an explosion of an atomic weapon in Tel Aviv or Haifa. They have already said where it is going to come from, this is what we are going to do.

So Iran gets elected to the U.N. Commission on Disarmament. In some ways it doesn't make sense. In some ways it is absurd, but it does require comment. It does require a response. It does require folks to say: I don't care whether it meets 3 weeks a year or 1 week a year or 50 weeks a year. This is something that highlights the absurdity of what is happening today in this international body.

It is interesting that, as expected, Iran is already making efforts to convert the Disarmament Commission into yet another forum for anti-semitism. Last week, at a working group meeting, Iran's representative to