

Briefing to the Security Council by Martin Kobler, Special Representative of the Secretary-General (10 April 2012)

Thank you, Madam President.

It is a great pleasure to introduce the second report of the Secretary-General pursuant to paragraph 6 of resolution 2001 (2011) on the activities of the United Nations Assistance Mission for Iraq (UNAMI), as well as the situation in the country.

Since my last briefing to the Council, there have been many important developments in Iraq. The United States completed the withdrawal of its armed forces from Iraq on 31 December 2011. The withdrawal has provided the democratically-elected Government of Iraq with the opportunity to turn a new page in its history and assert its country's full sovereignty. On 29 March 2012, Iraq hosted the League of Arab States Summit. This historic event marked Iraq's re-emergence as a major actor in the region.

It is true that domestic political issues and the potential fallout from regional crises, such as the ongoing in Syria, continue to pose obstacles for Iraq as it marches on the road to full recovery.

The continued delays in convening the national conference underscores the urgent need for Iraqi leaders to summon the requisite political will and courage to work together to solve the country's problems through an inclusive dialogue. In this regard, UNAMI will continue to remain steadfast in its commitment in assisting the Government and people of Iraq to address the major challenges facing their nation.

In many ways, holding the 23rd League of Arab States Summit in Baghdad on 29 March is a measure of how far Iraq has come after decades of war, dictatorship and economic hardship. The historic presence of the Emir of Kuwait, His Highness Sheikh Sabah al-Ahmed al-Sabah, at the Summit also highlights the significant improvement in relations between Iraq and Kuwait.

Iraq now stands to play a positive role in the region as it assumes the chairmanship of the Arab League as a fully independent and sovereign state. This is an important opportunity to exercise a leading role in addressing some of the pressing issues of concern to Arab states and to improving cooperation amongst them.

Madam President,

The recent steps by Iraq and Kuwait to normalise their relations and to resolve all remaining issues is encouraging. I am hopeful that this willingness to work together, and the practical steps already taken by the Government of Iraq to fulfil its

outstanding obligations under Chapter VII of the Charter will help bring to closure this long-standing issue.

On 14 March, Iraqi Prime Minister Al-Maliki undertook an important two days visit to Kuwait. As a result, Iraq agreed to proceed with the pending Iraq-Kuwait Boundary Maintenance Project, pursuant to Security Council Resolution 833, and the transfer its share of funds allocated for the completion of this project to the UN immediately after Prime Minister Maliki's visit.

Most significantly, the two governments agreed during the visit, to resume the high-level bilateral talks and hold the Second Iraq-Kuwait High-Level Cooperation Committee meeting still this month. This meeting should provide the two sides with the invaluable opportunity to review all pending bilateral issues between the two countries, as well as Iraq's outstanding obligations under Chapter VII.

I commend the Kuwaiti and the Iraqi governments for their efforts to improve their bilateral relations. Officials in both countries have relayed these positions to the UN Secretary-General during his visit to Kuwait and Iraq end of March. In their meetings with the Secretary-General, officials in both countries welcomed Mr. Maliki's visit to Kuwait as a historic and important step toward normalizing relations between the two countries. During his visit to both countries, the Secretary-General urged the Iraqi government to continue to work toward fulfilling all its

obligations pursuant to all relevant outstanding UN resolutions under Chapter VII. I will continue to assist in expediting the process of normalising relations between the two countries, including by further visits to Kuwait.

Madam President,

Continued violence in Syria is fraught with risks that could have dangerous spill over effects on Iraq. It could affect the fragile balance of power and increase communal tensions in Iraq. In addition, the violence in Syria has already started to affect the Iraqi refugees in Syria. The UN Country Team has therefore undertaken extensive contingency planning to mitigate possible occurrences.

I took up my functions as Special Representative of the Secretary-General for Iraq some six months ago. Since then, I have expanded my consultations with political leaders of all Iraqi components and representatives of the political parties, including several visits to the Kurdistan Region and to other governorates. Such political facilitation and outreach has become all the more important in the light of the tensions that have arisen between the main parliamentary blocs in Iraq, which have developed into a political impasse. I have, therefore, encouraged Iraqi political parties and leaders to work together in the spirit of partnership towards finding the common ground that will resolve their differences. In this regard, Iraqiya's decision to end its boycott of

the Council of Ministers and Council of Representatives was the right step.

President Talabani suggested holding a national conference as a way forward to bring about an end to the stalemate. Unfortunately, until today there was no agreement on the agenda. An inclusive forum however, is needed as a first step to end the political impasse. I call upon all Iraqi leaders to sit together to address all their differences in a meaningful way. UNAMI stands ready to continue supporting these efforts.

Arab-Kurdish relations in general and issues pertaining to the disputed internal boundaries in particular remain at the core of UNAMI's mandate. In that regard, Madam President, the Standing Consultative Mechanism launched by UNAMI was an important forum to address the issue of the disputed internal boundaries. Regrettably, the series of political crises has made it difficult for the standing consultative mechanism to convene. In redoubling my efforts to facilitate progress on the issue of Kirkuk, my Deputy and myself have made it a priority to pay regular visits to the area to promote political dialogue between the parties. During my last visit to Kirkuk, all interlocutors, including the Governor, the Deputy Governor and the Provincial Council Chairman, emphasized the importance of conducting the provincial elections in Kirkuk as soon as possible and the need for

the UN to play a facilitation role on these and other outstanding issues.

Madam President,

It goes without saying that there can be no true democracy without free, fair and competitive elections. This makes UNAMI's work to provide electoral support all the more important for consolidating democracy in Iraq. At the request of the Council of Representatives, UNAMI has been serving as adviser and observer in the selection process of the Board of Commissioners of the Independent High Electoral Commission before the expiration of the current Board's term this month. The participation of UNAMI and the NGOs in the selection process is a clear sign to ensure the transparency of the process. The final vote and selection of the nine new commissioners, which was expected by the end of this month, is now unlikely to take place. However, in order to avoid delays in the upcoming elections in the Kurdistan Region in September and the provincial elections in early 2013, the Council of Representatives is encouraged to extend the mandate of the current Board of Commissioners to enable it initiate preparations for the conduct of those polls.

Madam President,

I would like to highlight specific concerns I have about the human rights situation in Iraq, particularly in terms of: (i) civilian

causalities; (ii) gender-based violence and women; (iii) the situation of minorities and (iv) the IDPs.

(1) I am concerned that Iraq's political situation is heightening communal tensions in the country and leading to an increase in the numbers of attacks on civilians. Since my last briefing to the Council, terrorist attacks have continued to target pilgrims and resulted in the killing and wounding of scores of defenceless people practising their religion. Other attacks across the country have indiscriminately targeted civilians, resulting in large numbers of deaths and injuries, including children. In the first three months of 2012, a total of 613 civilians were killed and 1,800 were injured. This is slightly less than civilians casualties last year, however every man, woman and child dying in terrorist attacks in the streets, markets or mosques of Iraq is one casualty too many. Such horrendous crimes against the Iraqi people need to stop and violence must end if Iraq is to achieve the prosperous and secure future its people deserve.

(2) Statistics indicate that Iraqi women (and we just had the month of women in March) continue to face widespread instances of gender-based violence, including domestic violence and so called honour killings. Many of the issues related to the violence of the rights of women and girls arise from entrenched cultural traditions and social practices. It is the duty of Iraqi leaders to act

responsibly and in unity to end the ongoing violence against women and girls.

(3) Minorities: In recent months, I have expanded my regular consultations with representatives of all minority communities around the country, including Christians, Shabaks, Sabeen Mandaean and Yazidis. I would like to emphasize that violence against minorities is unacceptable and should have no place in Iraq as it moves forward on the path of consolidating democratic governance. UNAMI is able to provide support to the Iraqi authorities in protecting Iraq's ethnic and religious communities, and promoting their rights in accordance with the constitution, including fair representation in the political system in Iraq.

Madam President,

(4) Despite the return of some one million internally displaced Iraqis since 2003, large numbers of individuals continue to be unable or unwilling to return to their places of origin. According to Government figures, there are still more than 1.3 million "post-2006" displaced persons, representing more than 220,000 families. Baghdad hosts the largest number, with over 300,000 persons in almost 60,000 families. We can best help restore the rights of those who fled violence in recent years by ensuring their safe return to their homes. All Iraqis, including those displaced, are entitled to live in dignity. The UN is working

to ensure that the displaced are adequately cared for as long as they are displaced, followed by their voluntary return, resettlement and local integration.

On the positive side, I am pleased to report that on 9 April the Council of Representatives voted to endorse the Commissioners to serve on Iraq's first independent High Commission for Human Rights. The importance of this institution cannot be underestimated as it will serve as the first Iraqi owned and led human rights institution which will form the cornerstone for promoting and protecting human rights in Iraq. The government has taken up steps to address human rights challenges by appointing a committee to oversee implementation of the National Action Plan on Human Rights which was adopted by the government in December 2011. The government must build on these positive steps to do all that it can to ensure that its human rights obligations are met

Madam President,

As I mentioned to the Council during my previous briefing, in moving forward with our integrated approach, the United Nations Country Team will focus on three priority issues during the coming year. These are youth, water resource management and the environment. Making progress on these issues has the potential to improve the political, security and governance situations. We have embarked on efforts aimed at sensitizing the

government and people of Iraq to the role of youth in the socio-economic recovery of Iraq. Water and environment remain critical issues for the development in Iraq. I call on Iraq and its neighbouring countries to work together on finding a durable solution to managing their shared water resources.

Madam President,

A year ago on 8 April, 2011, the tragic incidents in Camp New Iraq (formerly known as Camp Ashraf) led to the death of dozens of residents and hundreds injured. In an effort to reach a peaceful and durable solution UNAMI and the Government of Iraq signed a Memorandum of Understanding (MoU) on 25 December 2011, the Government of Iraq agreed to extend the deadline for the closure of the Camp.

From mid-February until now, almost 1,200 residents of Camp New Iraq were safely relocated to the temporary transit location in Camp Hurriya near Baghdad. UN monitors are deployed to monitor both the relocation and the situation in Camp Hurriya around the clock. The UNHCR has a team at Camp Hurriya to carry out the verification and the adjudication of claims for refugee status.

Madam President,

I wish to make it clear that this Memorandum of Understanding concerns voluntary relocation and its implementation is based firmly on all sides acting peacefully and in good faith. It should be noted that on 8 April, an incident took place at Camp New Iraq during the preparation for the fourth transfer of residents. A confrontation developed, UN monitors now report that the situation has returned to calm. Both sides have now resumed cooperation in preparation for the next transfer. I would loved to have reported that another group of 400 residents had moved to Camp Hurriya. This incident however momentarily disrupted the relocation. But as we speak UN monitors are at Camp New Iraq and I am pleased to report that the next 400 residents will move immediately once the loading of personal belongings is completed. This is a sign of good will of the residents and I will continue to be actively engaged that an understanding is reached on the remaining issues. With this move half of the residents of Camp New Iraq will have been relocated to Camp Hurriya.

I would like to take this opportunity to make the following four remarks:

First, I would like to commend the Iraqi authorities, in particular Prime Minister Maliki and his advisors as well as the commanding General and the many Iraqi policemen and Iraqi

Army, for their patience and cooperation in ensuring the safe and secure relocation of the first three groups of residents. I encourage them to pursue the relocation of the remaining residents in a manner that guarantees the residents human rights, safety and security and avoid everything which can be seen as provocative. We will do everything possible to assist the Government of Iraq to relocate the remaining residents. There are, however, still major obstacles ahead which might require flexibility on the deadline.

Second, I would like also to highlight that the Camp residents despite initial difficulties have shown good will and cooperation recently in the relocation process. The residents have, indeed, come a long way. It is difficult to abandon a place where one has lived for more than two decades. I do encourage the residents to continue to show goodwill and continue to work in a cooperative spirit.

Third and most importantly: I reiterate my call to Member States to accept the residents of the Camp in their countries. Now that UNHCR has begun its work, it is high time for the international community to accept eligible candidates and fund the relocation process. The support of the international community is urgently needed. I welcomed the joint UNHCR-UNAMI resettlement conference which took place in Geneva on 23 March. More than 30 Member States participated. However,

no country, has committed to accept residents. A donor's appeal meeting also took place the same day seeking to raise 39 million USD fund for the Ashraf project. Only one Member State made a concrete pledge and this falls far behind what we had hoped. Without international support, the process cannot succeed.

Last but not least, I would like to thank my colleagues in UNAMI, UNHCR and the office of the High Commissioner for Human Rights for their hard work and support. The Ashraf file placed a heavy burden on the mission. I could count on the support of most of my colleagues. My admiration goes to the monitoring staff in Camp Hurriya and the UNHCR staff, in particular those who accompanied the convoys under truly dangerous conditions. As stated by the Secretary-General in his report, the process is still fragile and instances of violence cannot therefore be excluded. We must therefore remain vigilant.

Conclusion:

Madam President,

Coming to the end, I should like to highlight here that following the withdrawal of US troops, there is now greater expectations for UNAMI to assist the Government and people of Iraq to address the major challenges facing their nation.

Unfortunately, this comes at a time when resources made available to UNAMI have been shrinking.

I wish to take this opportunity to stress my personal commitment, and that of my team in Baghdad, that we will continue to do our utmost to implement our comprehensive mandate from the Security Council in the areas of political facilitation, electoral support, human rights and reconstruction and development. I firmly believe that UN assistance at this critical juncture in Iraq's history remains essential.

I should like to conclude by thanking the members of the Council for their continued support, as well as the Government of Iraq and the wider membership of the United Nations. I should also like to express my gratitude and appreciation to my colleagues in UNAMI and the UN family for their efforts, dedication and perseverance under very difficult working conditions in Iraq. Thank you.