

**Briefing of SRSG for Iraq Nickolay Mladenov to the
UN Security Council
New York, 27 March 2014**

Mrs. President.

I am honoured to present to the Council today two reports of the Secretary-General. The first one is pursuant to paragraph 6 of resolution 2110 of 2013 (S/2014/190) on the activities of the United Nations Assistance Mission for Iraq (UNAMI) and the most recent developments in Iraq, and the second one is pursuant to paragraph 4 of resolution 2107 of 2013 (S/2014/191).

Mrs. President,

During my last briefing I stressed that Iraq's future cannot be considered in isolation from the broader challenges that the region is facing. As divisions continue to plague Iraqi politics, the ongoing conflict in Syria has added a regional dimension to sectarian tensions and is affording terrorist networks the occasion to forge links across the border and expand their support base. The situation is further compounded by unresolved constitutional issues that constantly bring to the fore the existing tensions between Iraq's communities. All this makes for a fragile and explosive combination.

Today, more than ever, Iraq's political, civic and religious leaders have the responsibility and the duty to promote national unity so as to engage all Iraqis as stakeholders in the construction of a democratic future for their country. Participants in this endeavor will not only have to brave the threats of rising violence from terrorist activities, they will also have to acknowledge the need for compromises on pressing matters related to the national budget and revenue sharing.

The need for unity is currently most visible in Anbar governorate, from where the most serious threat to the security of the country stems and is beginning to affect other parts of Iraq. The country's security is strained by well-armed and well-trained terrorist groups with access to substantial financial resources. Their goal is clear - establish a permanent foothold beyond the control of the authorities and consolidate a base for the expansion of their operations. They exploit divisions and weaknesses in Iraqi society and want to ultimately make the country ungovernable.

Mrs. President,

Over the past few weeks the capital of Anbar governorate, the city of Ramadi has returned to government control. Although isolated pockets of fighting remain, the local authorities and the security forces face a difficult task of clearing out buildings and securing roads that have been booby-trapped with sophisticated explosives by the terrorists. These traps have considerably slowed down the progress of return for those families who want to go back to their properties.

The situation in the city of Fallujah, which remains under the control of Islamic State of Iraq and the Levant (ISIL) and other armed groups, remains a source of concern. The city is surrounded by the Iraqi Security Forces. Sporadic shelling of neighbourhoods and civilian casualties have been reported. Indeed, on at least one occasion, shelling hit the General Hospital. Many people have fled, however large numbers of residents remain trapped inside the city with nowhere to go and limited—if any, access to food and basic services.

Since the beginning of the crisis, I have called on the Government of Iraq to exercise restraint in taking military or paramilitary action and to take all necessary measures to ensure the protection of civilian life and properties. I

welcome the assurances provided by the Prime Minister of Iraq that the security forces will not enter the city and that the Government is seeking a political solution which would allow the legitimate authorities to return to Fallujah. The UN is also closely following all attempts to broker a peaceful solution.

Since the beginning of the crisis, I have also engaged in intensive meetings with leaders from across the spectrum of Iraqi politics. In all meetings I have stressed that while the United Nations will support Iraq's fight against terrorism, the challenges facing the people of Iraq cannot be resolved without dialogue, and concessions.

While a security response is necessary to tackle the threat of armed groups and terrorists, a range of strategies are needed to successfully address the conditions that enable terrorist activity. The protection and advancement of human rights, equality before the law and the inclusion of those who feel marginalised will become central in any political resolution in the future. These messages were boosted by the timely visit of the Secretary-General in January during which he stressed the need for unity and a holistic approach to the problem of violence in Iraq.

The Government of Iraq has attempted to resolve the crisis on the basis of a 14-point plan to restore stability and security in Anbar. The plan has placed in motion, a process that aims to build confidence amongst federal, provincial, and local actors and establish strategic cooperation on the ground. It offered a time-bound cessation of hostilities as well as an amnesty period for insurgents who are not affiliated with the terrorist groups. Another key feature is the boosting of the provincial police resources by recruiting approximately 10,000 local tribal members. The Government has also decided to allocate new funding in order to compensate families and

communities who have been most affected by the fighting, and to support development projects in Anbar.

Within less than a month of the plan's adoption, 5,000 tribal members from Anbar and an additional 7,000 local Anbar residents have already been recruited, while 1,940 displaced families have received funding. However, the cessation of hostilities was short-lived, underscoring the nature of the threat facing Iraq and its neighbours.

The signs are not promising for an early resolution of the crisis. The UN continues to closely follow all attempts to find a peaceful solution. All our interlocutors in Baghdad and Erbil expressed their support for the UN as an impartial and trusted partner.

Mrs. President,

Amidst such a volatile situation, the UN's primary concern has been to provide lifesaving assistance to those displaced by the fighting. Three months of fighting has led to the displacement of over 66,000 families, this is 400,000 people. Many remain trapped in areas of active conflict. The intensity and nature of the fighting is significantly constraining regular access by the UN and other humanitarian actors to those affected.

Despite these difficult circumstances, the UN is delivering assistance where it can and has recently accessed areas that were previously unreachable. I would like to acknowledge the efforts of Government of Iraq, the provincial authorities, the Iraqi Security Forces and our local partners and national staff who have made this possible.

Unfortunately, with many stocks drawn from strategic reserves, our own and our partners' resources are diminishing rapidly.

Mrs. President, let me be absolutely clear— without securing additional funding the UN will very soon be unable to continue its humanitarian assistance to those fleeing the fighting in Anbar.

I am aware that a number of Governments have indicated their willingness to consider co-funding on the basis that the Government of Iraq contributes to the USD 103.7 million Strategic Response Plan which we have put forward and launched earlier this month. Given the compelling humanitarian needs, the capacity of the UN and its partners, and the impartiality of the assistance provided through the UN, I call on the Government of Iraq and the international community to urgently support the Strategic Response Plan.

Mrs. President,

The Anbar crisis poses the most serious challenge to the Government of Iraq's efforts to maintain the very stability and security needed for building a democratic state. Since its onset in late December, the Council of Representatives, for example, has witnessed boycotts by three of its largest blocs. This has resulted in the Council's inability to secure a quorum for the majority of its sessions. It has also brought the entire legislative process to a halt during this critical time.

The approval of the federal budget law has emerged as a significant challenge. It has been affected by unresolved negotiations between the Federal Government and the Kurdistan Regional Government (KRG) on oil

export rights and sharing revenues derived from oil products. The situation escalated when in February the budget transfer to the KRG was halted.

To resolve the budget dispute, both the Federal and Regional Governments engaged with each other through the exchange of official and technical visits as further delay over the budget law could very soon place serious constraints on the Federal Government's spending, including in areas of delivering services. I have extended my good offices to facilitate the dialogue between the authorities in Baghdad and Erbil in order to reach a robust and transparent agreement on the equitable distribution of budget allocations derived, in part, from oil and gas exports.

I would like to welcome the vital and constructive engagement by the United States in facilitating an interim arrangement that would now allow for the negotiations to continue with the goal of adopting the 2014 budget with the agreement of all components of Iraqi society.

Under this interim arrangement, I further welcome the decision of the Kurdistan Regional Government to begin exporting 100,000 barrels per day of oil through Iraq's existing pipeline network to Turkey without precondition. To build on this first step, experts from the Government of Iraq and the KRG should meet soon to assess future month-to-month export targets based on technical capacities and in a manner consistent with the Iraqi Constitution.

Both the Government of Iraq and the KRG have taken steps that should allow for progress to be made on all outstanding issues related to the management of the hydrocarbon sector and revenue sharing, as required by the Iraqi Constitution. I take this opportunity, once again, to urge all parties to work in a spirit of compromise with the goal of quickly resolving all issues related to the approval of the 2014 Federal Budget Law.

Mrs. President,

In just over a month, on April 30th, Iraqis are scheduled to head to the polls to choose their national representatives. This will be Iraq's third national election under the 2005 Constitution, and it is likely to be its most contested race to date. On the same day, voters in the Kurdistan Region will also choose their governorate council representatives.

I am pleased to report that technical preparations are on track, including the distribution of about 75% of the new electronic voter registration cards to-date. In addition, security arrangements are also being put in place. These preparations cover areas of Anbar governorate that are accessible to Independent High Electoral Commission (IHEC) officials.

UNAMI continues to provide technical advice to IHEC. In addition, we have embedded a staff member within the High Electoral Security Committee to ensure that voters reach voting centres as safely as possible. UNAMI is also working with IHEC to ensure that displaced residents of Anbar can also take part in the elections

There are concerning reports, however, of the security situation in some parts of Diyala and Baghdad governorates, where - according to some sources - armed groups or militias may have targeted and intimidated the local population. I call upon the Government of Iraq to ensure that security returns to these provinces and these allegations are investigated. All communities should be able to freely participate in the forthcoming elections; indeed they should be encouraged to do so.

As such, we are confident that from a technical perspective the elections can take place on time.

IHEC is also conducting a large scale Out-of-Country Voting Operation, which will include 19 countries and will allow Iraqis living abroad to register and vote in the general elections.

Over the last few days some controversy has emerged over decisions by the Electoral Judicial Panel to disqualify certain candidates from participating in the election.

Most recently the IHEC Commissioners have submitted their resignation allegedly over political pressure being exerted on their work. I reiterate my full support for the independence and the integrity of IHEC. The Commission's independence is guaranteed by the Constitution and I call on all political entities to protect its integrity.

The Commission has demonstrated a high level of professionalism. It has the technical capacity to organise the forthcoming elections and there is no reason to delay them. I would like to commend the efforts of the Board of Commissioners to establish the necessary procedures to ensure the effective participation and representation of women in the electoral process and urge them to continue their work. All concerns should be handled within the Constitution and the legal process. The people of Iraq must not be prevented from voting and choosing their representatives on April 30th. Any delay for political or for other reasons will set a dangerous precedent for the country.

A transparent and credible election is one of the pillars of democracy. I want to seize this opportunity to encourage the people of Iraq to vote and to make an informed choice on the basis of strong political platforms that promote a harmonious and cohesive society which respects all religious and ethnic affiliations. I appeal to the political parties to focus in their platforms on the

future, not on the past. The people of Iraq deserve an opportunity to make a free choice for the future they aspire to.

On this occasion, I would like to also call on the Kurdistan Region's political leaders to work together and finalise the formation of the Regional Government after the successful elections in September 2013.

Mrs. President,

Iraq continues to implement the death penalty. In 2013, 177 Iraqis and another 50 this year have been executed. I wish to reiterate the Secretary-General's call for Iraq to consider a moratorium on all executions in accordance with relevant General Assembly resolutions and international conventions. These international instruments have defined standards governing the use and the implementation of the death penalty.

These standards also require that no person should be executed who at the time the crime was committed were under the age of 18. Iraq has currently two men on death row who were under 18 when the crimes for which they have been convicted were perpetrated.

Mrs. President,

I would like to now address the issue of the residents of the Camp Hurriya Temporary Transit Location. To date 356 residents have been relocated outside Iraq, with the largest number being accepted in Albania and Germany.

I welcome the appointment of the Special Adviser to the Secretary-General on the relocation of the residents, Ms Jane Holl-Lute, as a positive step for engagement with the international community on finding relocation countries.

I commend the recent steps taken by the United States, including a recent decision to resettle a number of these residents in the United States as well as to provide USD 1 million in seed funding to the UN Multi-Donor Funded Project (Trust Fund as it is known) to support their resettlement and integration to third countries.

I also call upon the Government of Iraq to ensure that all security and humanitarian arrangements are provided for the Camp Hurriya residents in accordance with the signed Memorandum of Understanding.

Mrs. President,

On a separate note, I would like to mention that the Mission continues to face some operational challenges due to the absence of a status-of-mission agreement, ten years after its establishment. I want to reiterate the call on the Government of Iraq's support in swiftly ensuring the finalisation, signing and entry into force of the status-of-mission agreement without further delay.

Mrs. President,

In Iraq, the United Nations is playing an important role in promoting political dialogue and human rights as well as engaging in the developmental agenda.

I would like to thank the UN Country Team and our partners in the Iraqi Government for finalizing the UN Development Assistance Framework for

2015-2019. While it will continue to provide the basis for development assistance, it should also support efforts to enhance social cohesion.

The people of Iraq are tired of war and confrontation; they want to reconstruct their country and use their wealth to the benefit of all; they need to build thousands of schools to prepare their children for the future; they need to invest in a modern health-care system; they need an independent judiciary and a modern public administration; they need a vibrant civil society and a dynamic private sector; they aspire to uproot corruption and sectarianism. No one in Iraq would disagree that these are the long-term challenges that everyone in the country is facing in its social, political and economic development. Everyone welcomes the role of the United Nations in supporting Iraq's critical transition.

The people of Iraq look to UNAMI to be an impartial partner and they expect the UN Country Team to bring forward international expertise and experience to assist their difficult transition to democracy. They also look to the Security Council to continue to guide us in a united manner.

Mrs. President,

I now wish to present the second report of the Secretary-General on the issues of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including its national archives, pursuant to Security Council resolution 2107 of 2013.

I visited Kuwait for the first time in my capacity as the Special Representative of the Secretary-General on March 17th and 18th. I had the honour to meet with His Highness the Emir, the Prime Minister, the Deputy Prime Minister and Foreign Minister, the Emir's Advisor as well as the National Committee

on the Missing Persons and the Prisoners of War. I was very gratified to see the Kuwaiti leadership's strong wish for stability in Iraq. His Highness the Emir and others made it clear that they desired nothing less for Iraq than peace, stability and prosperity.

It is therefore comforting that my political deputy, Ambassador Gyorgy Busztin, carries out his duties as the overseer of this mandate against this very conducive backdrop of strong Iraq-Kuwait ties. During the reporting period, UNAMI has served as an observer to Iraq's two inter-ministerial bodies on the missing Kuwaiti nationals and property. We have noted the sincerity and the resolve of the Iraqis.

However, it is with much regret that despite the sincerity, time and efforts which Iraq continues to invest in this humanitarian endeavour, that I can report no new results with regard to the issue of the missing.

Kuwait's National Committee on the Missing Persons and Prisoners of War is seriously concerned that with each passing day, the search for those missing becomes harder. Those in possession of information may become more removed and inaccessible. Despite the lack of progress during the past decade the Committee members demonstrate an admirable sense of purpose and resolve. I have the highest respect for the Committee and the families of the missing. The Committee joins UNAMI in approaching this issue, including the missing Iraqis on its soil, as a humanitarian task.

Loss and pain clearly transcends nationalities. Any family with a missing member, be they Iraqi or Kuwaiti, would relate to the grief and pain of the other. As I wonder about what has sustained those families who have no knowledge or information of their loved ones, I realise that it is their

unyielding hope that keeps them going—even though no remains have been found since 2004.

I believe that there are a number of ways in which UNAMI can assist in this issue, including through adopting a new local approach to search for information; maintaining the spotlight on this very important and sensitive humanitarian issue; and assessing how it could best assist in the search for useful information from a wider circle of potential sources.

Needless to say, I am pleased that a hundred thousand books, academic theses and other objects belonging to Kuwait have been found and collected in recent months. UNAMI has suggested for the two property committees to convene in the near future, and for Iraq to use the occasion to return the Kuwaiti belongings. I believe these meetings between the two property committees should happen on a more regular basis not only to build understanding and empathy between the two sides but also to devise practical means of achieving a breakthrough on the national archives.

On the question of national archives indeed, I would like to express my disappointment that not a single lead has emerged so far. UNAMI is working very closely with the Government of Iraq to assess existing archival arrangements.

Mrs. President,

As Iraq completes paying compensation to Kuwait in 2015, I would very much welcome the opportunity to also announce progress on the dossier of the missing Kuwaiti nationals and property. I am convinced this is the wish of both Iraq and Kuwait.

On behalf of UNAMI, I would like to assure the Council that we will do all that is within our ability to make this happen. I am convinced more than ever that the outstanding humanitarian issue of the missing Kuwaiti nationals as well as the issue of missing property, including the archives, must be brought to closure without further delay so that the two countries can turn the page – definitively.

Mrs. President,

With the support of Member States, UNAMI will continue to assist the people and Government of Iraq.

I thank the Government and people of Iraq for their cooperation.

I wish to particularly thank our staff, both national and international, as well as the Secretariat for their dedication without which our mission would be impossible.

I also wish to place on record my deep thanks to the Security Council for its continued support.