



Public Information Office

SRSB Martin Kobler's statement to the Security Council

New York, 6 December 2011, 10 am

Mr. President, Members of the Security Council, Ambassador al-Bayati
[Permanent Representative of Iraq],

1. It is a great pleasure and an honor to be here today. I would like to thank you for inviting me to introduce the report of the Secretary-General (S/2011/736) on the activities of the United Nations Assistance Mission for Iraq, and to brief you on the latest developments in the country. I am also grateful for the Secretary-General's decision, with your support, to entrust me with the responsibility of leading the activities of the United Nations in Iraq at a particularly historic moment. Like my predecessors, I look forward to fulfilling the mandate this Council has entrusted to UNAMI in close cooperation with the Iraqi authorities. In this regard, I would like to express my deep and sincere appreciation to Iraqi leaders for their warm and cordial welcome and our interaction so far.

Introduction

2. Let me start by condemning in the strongest possible terms yesterday's terrorist attack on Ahsura pilgrims, which killed dozens and injured many more. Mr. Ambassador: my condolences go to the families of the victims. The Iraqi religious and ethnic diversity is the ultimate strength of the country. This diversity is at the heart of the country's efforts to establish a peaceful, prosperous and all inclusive society. It has been almost 2 months since I took up my assignment in Iraq, a country I left four years ago, in a different capacity and under very different circumstances. Since my arrival, I have met many Arab and Kurdish political and religious leaders, including in Najaf, to get a pulse of the country. I visited all UNAMI hubs in Erbil, Kirkuk and Basra to better familiarize myself with the activities of the Mission and of the United Nations Country Team. Finally, from 23 to 24 November I travelled to Kuwait to discuss the outstanding issues and points of common interest between Iraq and Kuwait.

3. During this initial period, I must say that I witnessed a great number of changes and improvements in Iraq, and despite many obstacles ahead, there is significant degree of good will and determination to achieve further progress. Yet, I also came to realize that some of the pressing challenges of yesterday remain the same of today. They are covered in greater detail in the report of the Secretary-General, and include wealth distribution and power-sharing, delivery and access to basic services, strained relations between communities that have lived together in Iraq for centuries, as well as unresolved issues between Iraq and Kuwait.

4. Today, I would like to focus on the following five areas: first the significance of the withdrawal of US Forces in Iraq for the Iraqi people

and for the United Nations; second the current political situation; third UN activities on the ground; fourth the possible impact in Iraq of unfolding events in the region and the state of affairs between Iraq and Kuwait; and last but not least, the issue of Camp Ashraf which has monopolized much of UNAMI and UNHCR's attention and efforts over the past number of months.

USF-I withdrawal

5. The withdrawal of the United States Forces in Iraq (USF-I) by the end of the year will lead to a remarkable change for the Government and the people of Iraq. It is also an important milestone in its history, as the country rebuilds and strengthens its relations with regional and international partners. Yes, there will be challenges ahead and many seem concerned by what the future may entail. However, it is above all an opportunity:

- an opportunity for all Iraqis to prove to themselves and to the world that they can build a peaceful and better future for their children;
- an opportunity for all political leaders and elected official to respond to the legitimate aspirations of their constituencies to bring democracy, political stability and economic prosperity ahead.

6. UNAMI and the UN Country Team stand ready to work with the Government and redouble its efforts to consolidate the country's democratic gains and economic recovery. The UN has a proven track record in assisting to build up strong institutions and mechanisms for

good governance, including in the fight against corruption. I am pleased that Prime Minister Maliki himself has made this topic as one of his Government's priorities. I look forward to build upon the work that has already been done, especially with regard to Human Rights, electoral and legislative support, all of which could contribute to fostering political stability in the years to come.

7. The task ahead, should not be underestimated and will require further progress on the security front. For several months, the Iraqi Security Forces have assumed the full control of the security of the country. However, they continue to face armed opposition and terrorist groups carrying out complex mass casualty attacks which affect the lives of hundreds of citizen across the country. As noted in the report of the Secretary-General, they also pose significant challenges to the delivery of UN assistance on the ground.

Political update

8. Let me now turn to the latest political developments. As Iraq makes further progress in regaining its rightful place in the community of nations, it is even more crucial that its leaders from all sides work collectively to overcome their differences and promote confidence and tolerance.

9. In my consultations, in particular with Kurdish interlocutors, I sensed a growing discontent at delays in fully implementing the Kurdish-Arab agenda. As called for by the Secretary-General in his report, Iraqi leaders should take the necessary steps to overcome the current stand still in the appointment of security ministers and resolve

other pending issues agreed during the Government formation process.

10. Arab-Kurd relations and issues pertaining to the Disputed Internal Boundaries (DIBs) have always been at the core of UNAMI's mandate. They represent a major element in the country's stability and remain one of UNAMI's top priorities. I am pleased that Prime Minister Maliki, asked me for UNAMI's continued involvement and assistance on this matter. To this end, we are currently exploring ways to reinvigorate the Standing Consultation Mechanism as a forum for addressing the issues of the disputed internal boundaries through dialogue.

11. I have already initiated discussions with all concerned on the issue of Kirkuk, including holding elections and improving security, and a possible "Third Party" role of UNAMI in the Combined Security Mechanism. The recent deployment of the Iraqi Army around the Kirkuk airport was viewed with concern by KRG leaders and further underlined the need to ensure that the necessary mechanisms are in place for settling disputes. In this regard, I call upon all parties involved to use existing mechanisms to avoid confrontation and to provide the necessary place to UNAMI to assist.

UN activities

12. After the withdrawal of US Forces from Iraq, it is of particular importance that democratic standards, including respect for rule of law, in relation to electoral processes and human rights are safeguarded and further advanced. There must be no roll back.

Electoral Assistance

13. Transparency and professionalism of future electoral processes are essential to ensure acceptance of results by the Iraqi citizens. Iraq has a busy electoral calendar ahead for which a professional and independent Electoral Commission is essential. The appointment of the new Board of Commissioners of the Independent High Electoral Commission (IHEC) to be completed by April 2012 is the foundation for any upcoming credible elections to be held. I am pleased to report that the Council of Representatives has formally requested UNAMI to perform an advisory role in the selection process of the next Board of Commissioners.

Human Rights

14. Turning to the situation of Human Rights, much has still to be done to address the difficulties faced by all Iraqis in their daily lives. Every month, an average of 600-800 incidents resulting in at least 10 civilians casualties per day, and injuries to many more continue to be reported. I would like to take this opportunity to pay tribute to the victims of these atrocious acts and I call on the Government of Iraq to do everything in its power to protect the victims of violence and to ensure those who perpetrate such acts are held accountable according to law.

15. More specifically, the confirmed recent killing of a human rights activist by an improvised explosive device (IED) attached to his car in Kirkuk on 20 November brings the number of reported violent incidents against human rights defenders to 11 since the beginning of October. Of equal concern are attempts against freedom of expression, a fundamental right in all democracies. During the reporting period, journalists continued to be the target of attacks. UNAMI's Office of Human Rights continues together with the Government of Iraq to follow up each and every individual case. They will be included in the Mission's upcoming regular report on the situation of Human Rights.

Development

16. On the development side, the UN Country Team's partnership with the Government continues in the implementation of the United Nations Development Assistance Framework (UNDAF). The Government's efforts to allocate a specific line of funding within its investment budget for 2012 for development projects demonstrate its commitment to supporting the key development priorities in the country. The UN stands ready to provide the Government with support in implementing those priorities.

17. With respect to integrated development priorities, UNAMI will, in the coming months, focus on three issues with political, security and governance implications: youth, water resource management and environment. I strongly believe that they provide opportunities for a cross-cutting impact across Iraq's critical development challenges. They are at the core of Iraq's potential to realize sustainable development and achieve the Millennium Development Goals.

18. I would also like to focus on question of improving the situation of women. Specifically, I will focus my efforts on three priority activities: 1) promoting participation of women and their role in building Iraq's sustainable and peaceful future; 2) combating all forms of violence against women and girls; and, 3) promoting education for women and girls, including vocational training.

Regional Context

Mr. President,

19. Democratic and economic development can only prosper in a stable regional environment and Iraq's stability depends on good relations with its neighbors. Those relations, however, could be significantly affected by various unfolding events in the region.

20. As mentioned in the report of the Secretary-General, tensions escalated in northern Iraq following PKK terrorist attacks on 19 October, against Turkish forces in the South Eastern province of Hakkari which resulted in the deplorable loss of 24 lives and subsequent air and ground offensives by Turkish forces against PKK terrorists into Iraqi Kurdistan. Despite this difficult situation, the Governments of Turkey and Iraq, together with the KRG authorities, proactively engaged in a constructive crisis management. To date, these mitigating efforts have proven successful and I would like to thank all concerned for these efforts.

21. As one can easily imagine, unfolding events in Syria are of concern of many of my interlocutors who fear their possible

repercussion in Iraq. A contingency plan has been prepared by UNHCR in order to address any movement of population into Iraq and is being regularly updated to take into consideration the fluid situation in Syria.

22. Of particular importance are the relations between Iraq and Kuwait. Both countries share a difficult past. The Secretary-General's report of 2009 (S/2009/385), pursuant to SCR 1859 (2008), envisaged a roadmap for the normalization of Iraq's international status. There has been, however, little progress. In my recent discussions with the Iraqi Government, I have encouraged them to quickly implement Iraq's outstanding Chapter VII obligations as outlined in the roadmap. This in turn would open the door for the early normalization of Iraq's status in the international community by the Security Council which is now long overdue.

23. Further efforts are therefore needed to promote confidence between the two countries and facilitate solutions to address outstanding bilateral issues. I am encouraged by the resolve that both Iraq and Kuwait have demonstrated to improving bilateral relations - particularly through reciprocal high-level visits earlier this year - and the establishment of a Joint Ministerial Working Committee. I hope that following the forthcoming visit of Prime Minister Maliki to Kuwait, the two sides will be able to resume the work of the Joint Ministerial Committee in the near future.

24. During my recent meetings with Iraqi leaders, I was encouraged by the goodwill they have expressed towards improving relations with Kuwait. Similarly, during my recent visit to Kuwait, I was encouraged

by the goodwill towards Iraq shown by my Kuwaiti interlocutors. While reiterating the importance they attached to a letter from Prime Minister Maliki reaffirming Iraq's land and maritime borders, in accordance with SCR 833 (1993), they responded positively to my suggestion that the focus for the time being should be on the implementation of Iraq's Chapter VII obligations on a priority basis e.g. border management projects, maintenance, and compensation and relocation of farmers.

25. I believe that UNAMI is well placed to help normalize Iraq's relations with Kuwait in the framework of concerted UN engagement and with the support of the Security Council. UNAMI and myself, personally, stand ready to assist, including by exploring new avenues to address the stand still between the two countries and facilitate progress towards Iraq's full compliance with, and eventual exit from, Chapter VII while providing Kuwait with the necessary safeguards and assurances they are looking for.

Ashraf

Mr. President, members of the Council,

26. I would like to draw your attention to the situation of Camp Ashraf, which remains a matter of great concern.

27. The Government of Iraq has asked the United Nations to help facilitate a peaceful and durable solution to this matter and we are making an exhaustive effort to do so. We believe that such a solution is possible. However, the positions of the Government of Iraq and of

the Camp Ashraf residents and their leadership still remain far apart. The Government of Iraq repeatedly emphasized its intention to close down the camp by December 31st and to transfer its residents to another location until countries are found outside Iraq where they can resettle. This deadline is fast approaching.

28. The position of Camp Ashraf residents is to remain in the Camp until countries are found to receive them. They still do not agree to be transferred to a new location outside the Camp without “the protection of blue helmets”.

29. I am pleased by the progress made so far and by the Government of Iraq’s agreement to give UNHCR the role it has under its mandate. The Government of Iraq is also committed to the principle of non-refoulement and gave assurances to the Secretary-General of its commitment to find a peaceful solution. There is however real danger of confrontation and even violence unless a mutually acceptable solution is found. We are calling on all concerned, therefore, to act with restraint and flexibility to ensure that such a peaceful solution can be found.

30. The UN’s efforts are being led on the ground by UNAMI and UNHCR. These have intensified in recent weeks in the context of a working group on Camp Ashraf meeting frequently with the Government of Iraq. UNAMI also continues its regular visits to Camp Ashraf, the most recent of which took place this past weekend. These visits provide the opportunity to listen to the concerns of residents and to brief them on their proposals under consideration.

31. The Secretary-General has spoken personally to Prime Minister Maliki to appeal for flexibility and full support for the UN's efforts to facilitate this peaceful solution the Government has assured that it seeks. He has asked me to attach the highest priority to this issue.

32. In trying to facilitate a solution we are emphasizing a number of important points.

33. First, that lives are at stake and must be protected. The Government has a responsibility to ensure the safety, security and welfare of the residents. Any forced action that results in bloodshed or loss of lives would be both ill-advised and unacceptable.

34. Second, we believe that any workable solution must be acceptable to both the Government of Iraq and to the residents of Camp Ashraf. A solution must respect Iraqi sovereignty on the one hand and applicable international humanitarian, human rights and refugee law on the other hand.

35. Third, a solution must also respect the principle of non-refoulement. No resident of Camp Ashraf should be returned to his or her home country without their consent.

Mr. President,

36. While some progress has been made in our latest discussions in Baghdad, major obstacles remain to arriving at a plan that would meet the concerns and requirements of all concerned. Subject to all conditions being met, UNHCR is ready to begin the verification and

interviews for the purposes of refugee status determination. However, the process will take time to complete and clearly, the situation cannot be fully resolved before the 31 December.

37. I therefore appeal to the Government of Iraq to extend this deadline in order to permit adequate time and space for a solution to be found.

38. I also appeal to the leadership and residents of Camp Ashraf to engage constructively and with an open mind to this process. They should give serious consideration to the proposals under discussion. There should be no provocation or violence from their side nor a challenge to Iraqi sovereignty.

39. Finally, I appeal to the international community to do more to help. A lasting solution cannot be found unless governments step forward and offer to accept Camp Ashraf residents to resettle in their countries. I will be traveling to Brussels today and will emphasize particularly this point. In this context, I also welcome the readiness to the Islamic Republic of Iran to receive those residents of Camp Ashraf who express a desire to voluntarily return to their home country with the assurance that their welfare, security, and safety will be respected.

Mr. President,

40. Let me say that the situation of Camp Ashraf is a complex one but the problems are not insurmountable. A process is underway, and if all concerned act responsibly at this time it is possible to arrive at a peaceful, durable solution that respects both the safety and welfare of

camp residents and Iraq's understandable desire to assert its sovereignty.

Conclusion

41. In conclusion, I would like to thank the members of the Security Council for their continued support. I would also like to express my deepest appreciation for the security support provided to the UN by the Government of Iraq and member states contributing troops and police to UNAMI.

42. Finally, I would also like to pay tribute to UN national and international staffs who work in Iraq under the most challenging circumstances. I am confident that with their determination and your support, we can achieve more in Iraq, in line with our mandate. I appreciate in this context the openness of all my interlocutors and their stated expectation to see the UN engaging with the people and Government of Iraq to consolidate the significant gains made so far.

Thank you.

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