



SECURITY COUNCIL REPORT UPDATE REPORT



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IRAQ: MNF-I RENEWAL

Expected Council Action

At time of writing the Security Council is discussing a letter from Iraq seeking renewal of the mandate of the Multinational Force in Iraq (MNF-I), but only for one year.

The Council is expected to adopt the resolution in the coming days and also to approve extension of the International Advisory and Monitoring Board (IAMB) and the Development Fund for Iraq (DFI) mandates which also expire on 31 December.

Key Recent Developments

On 26 November, the US and Iraq issued a declaration of principles for a long-term relationship of cooperation and friendship. This declaration provides a framework for bilateral negotiations between the two countries with the aim to achieve, before 31 July 2008, bilateral agreements in the fields of politics, culture, economy and security. According to these principles, it seems that the US would provide bilateral assistance for the training, equipping and arming of Iraqi security forces, as well as assistance for Iraq's efforts to combat terrorist groups. In keeping with the bilateral approach, Iraq would seek only a one-year renewal of the MNF-I mandate under Chapter VII of the UN Charter, after which the designation of the situation in Iraq as a threat to international peace and security would end. For Iraq this would see a full resumption of full sovereignty over its territories, forces and administration. Also it seems that under this approach all UN constraints as imposed in resolution 661 of 1990 after the Iraqi invasion of Kuwait (such as restrictions on military purchases and dual use items that can be used for manufacturing weapons) would also cease. Under this non-binding agreement, any future presence of US forces in Iraq would be decided on a strictly bilateral basis—without any Council involvement.

It seems that other MNF-I coalition partners will not participate in the US/Iraq negotiations but it may be that, at their request, they will be associated with the status of forces agreement.

The approach contained in this declaration of principles—mainly emphasising that Iraq will be treated as an independent and fully sovereign state—was also reflected in a letter that the Iraqi government sent to the Council on 7 December, circulated to all Council members on 10 December. In it, the Iraqi government insisted that the process of building constitutional and legal institutions was complete. It emphasised that the MNF-I, in coordination with Iraq's national forces, had positively contributed to establishing security and the rule of law and that, therefore, its mandate under Chapter VII of the UN Charter should be renewed for one year with a review process in June 2008. However, it also insisted that the role of the MNF-I be reconsidered:

- The Iraqi authorities will be responsible for arming and training security forces and will have command and control over them, while the MNF-I will coordinate in providing support.
- The Government of Iraq will undertake apprehension, detention and imprisonment tasks and the MNF-I will closely cooperate with the Iraqi authorities when the MNF-I is performing these tasks (it seems that,

initially, the Iraqi government had expressed willingness to take over all apprehension and detention responsibilities).

- This will be the final request from the Iraqi government for a UN mandate renewal of the MNF-I, expecting no further Council action under Chapter VII when dealing with Iraq in one year.

The Iraqi government also referred to the existence of the Declaration of Principles with the US. Finally, it requested an update of the list of individuals and entities subject to sanctions adopted in resolution 661 of 1990, and requested the Council to reduce the percentage of Iraq's oil revenues to be deposited in the Compensation Fund (as per resolution 687 of 1991).

Key Issues

An issue may be whether the draft resolution mentions the Iraqi request that this should be the last MNF-I mandate renewal. Some Council members may see this as overriding the Council's right to decide whether and when to adopt a resolution under Chapter VII. Other members may see an issue in agreeing so far in advance to the Council losing oversight of the MNF-I situation in Iraq. It seems that the US may not be seeking inclusion of those elements in the draft. Therefore, this issue may not arise. Another issue likely to arise is the future status of the DFI and IAMB if their mandate is not further renewed (either under this resolution or next year).

An underlying issue remains the relationship between the Iraqi government and the parliament. Despite a higher degree of consultation than the previous year, it seems that some demands emanating from the parliament have still not been included in the government's letter—especially requests for benchmarks for MNF-I withdrawals.

Council Dynamics

If the draft resolution simply aims at renewing the MNF-I mandate for one year then potentially controversial aspects may be avoided. However, elements of the Iraqi letter, especially regarding the renewal for one year only and the apparent desire to progressively dissociate the Council from the presence of foreign forces in Iraq may lead to some discussion.

It seems that the draft resolution is a result of compromise between the US and the UK on the one side and the Iraqi government on the other. It seems unlikely that major changes will be proposed by other Council members. See our *November Forecast* for more details.

The position of many countries within the Council is to respect the Iraqi concerns which underlie this development. Indonesia, for instance, critical in the past of the US presence in Iraq, seems to accept that Iraq has the right to pursue bilateral alliances with other countries and therefore any initiative fully recognising Iraq's sovereignty and putting an end to the current international status of Iraq is welcome.

A question remains for some Council members whether the Iraqi letter reflects the will of the population. South Africa, for instance, has been concerned with cases in which the Council has dealt with a country's institution which is not fully representative of the population.

UN Documents

Selected Security Council Resolutions

- S/RES/1723 (28 November 2006) extended the mandates of the MNF, the DFI and the IAMB until 31 December 2007.
- S/RES/1546 (8 June 2004) endorsed the formation of the interim government and the holding of elections by January 2005, welcomed the end of the occupation by 30 June 2004, endorsed the proposed timetable for the political transition, requested quarterly reports, detailed the mandate of the Special Representative of the Secretary-General, UN Assistance Mission for Iraq (UNAMI) and the MNF.
- S/RES/1483 (22 May 2003) recognised the occupying powers, requested the Secretary-General to appoint a Special Representative for Iraq, established sanctions against the previous Iraqi government, created the DFI and immunities to expire on 31 December 2007.

- S/RES/687 (3 April 1991) decided to create a fund to pay compensation for claims resulting from loss or damage or injury to foreign governments, nationals and corporations during the Iraqi invasion and occupation of Kuwait, to which Iraq would contribute a percentage of the value of its exports of petroleum.
- S/RES/661 (6 August 1990) imposed economic sanctions on Iraq after it invaded Kuwait, providing for a full trade embargo, excluding medical supplies, food and other items of humanitarian necessity, to be determined by a sanctions committee.

Other

- S/PV.5763 (19 October 2007) was the latest US briefing on the activities of the MNF-I.

Other Relevant Facts

MNF Senior Leaders

- General David H. Petraeus, Commanding General (US)
- Lieutenant General William Rollo, Deputy Commanding General (UK)

MNF Coalition Partners Participating in Ground Operations as of October 2007 (ranging from more than 5,000 to 100 or fewer soldiers)

US (around 168,000 troops), UK, Georgia, Australia, South Korea, Poland, Romania, El Salvador, Azerbaijan, Bulgaria, Mongolia, Czech Republic, Denmark, Albania, Armenia, Macedonia, Bosnia and Herzegovina, Estonia, Kazakhstan, Moldova

Useful Additional Sources

Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship between the Republic of Iraq and the US: <http://www.whitehouse.gov/news/releases/2007/11/20071126-11.html>

Fact Sheet on the Declaration of Principles, The White House: <http://www.state.gov/p/nea/rls/95640.htm>

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