Identical letters dated 16 March 2020 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing to you once again to inform you of a flagrant violation of the sovereignty of Iraq. In the dawn hours of Friday, 13 March 2020, American aircraft bombarded military sites that house Iraqi army units (19th Commando Division), the 3rd Babil Emergency Police Battalion in Babil Governorate, the position of the 46th Brigade of the Popular Mobilization Forces and the Karabala civil airport, which is a private-sector project that is under construction. Those acts of aggression resulted in the following casualties: three fighters were killed, four members of the Iraqi army were wounded, two members of the Babil Emergency Police Battalion were killed and another five were wounded, a civil servant was killed at Karbala civil airport and fighters of the Popular Mobilization Forces were wounded. Those attacks constitute an act of aggression against the State, Government and people of Iraq, a flagrant violation of the conditions under which American forces are present in Iraq and an alarming escalation that is aimed at making Iraq an arena for regional conflicts and agendas. The Government of Iraq condemns, in the strongest possible terms, those rash attacks and acts of aggression by the United States that violate the sovereignty of Iraq and the provisions of international law. The Government of Iraq wishes to make clear that any attacks or military actions that take place in Iraqi territory without its approval or without prior coordination are considered to be provocative and hostile actions and conduct that violate the Charter of the United Nations, the relevant provisions of international law and the conditions set out in the letter dated 25 June 2014 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General (S/2014/440) and the letter dated 20 September 2014 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/2014/691). In those letters, Iraq reaffirmed that assistance in the areas of military training and the use of advanced technology and weapons necessary to combat the terrorist entity Islamic State in Iraq and the Levant must be provided in accordance with the relevant bilateral and multilateral agreements, in full respect for the national sovereignty and Constitution of Iraq, and in coordination with the Iraqi armed forces.

In that same vein, bombarding Iraqi military bases, including Camp Taji, is an act of aggression, and action will be taken to arrest the perpetrators and hold them accountable. Undermining the security of Iraq in this manner is unacceptable. Any actor that attempts to displace the State, its institutions and its authority and seeks to impose its will is doomed to failure and will end up behind bars by the might of the laws and judiciary of Iraq.
Finally, we call upon the Security Council to condemn the bombardment of Iraqi army positions and civilian installations, to assume its responsibility to prevent the United States from committing such acts, which are illegal under international law, and to hold American forces fully responsible for the loss of life and infrastructure caused by the aforementioned bombings. There is no basis in international law for using self-defence as a justification in the present case. That argument cannot be used to evade international responsibility because the conditions for self-defence, the most important of which are an actual armed military attack against the United States, proportionality and necessity, were not met. The attack was directed against Iraqi military positions and bases hosting foreign forces. The competent Iraqi authorities, in cooperation with coalition forces, have initiated investigations into the bombardment of Iraqi military positions, with a view to bringing those responsible to justice.

(Signed) Mohammed Hussein Bahr Aluloom
Permanent Representative