



# Security Council

Sixty-eighth year

**7068**<sup>th</sup> meeting

Monday, 25 November 2013, 10.40 a.m.

New York

*Provisional*

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*President:* Mr. Liu Jieyi . . . . . (China)

*Members:*

Argentina . . . . .	Mr. Oyarzábal
Australia . . . . .	Mr. Bliss
Azerbaijan . . . . .	Mr. Mehdiyev
France . . . . .	Mr. Lamek
Guatemala . . . . .	Mr. Rosenthal
Luxembourg . . . . .	Mr. Maes
Morocco . . . . .	Mr. Loulichki
Pakistan . . . . .	Mr. Sahebzada Ahmed Khan
Republic of Korea . . . . .	Mr. Sul Kyung-hoon
Russian Federation. . . . .	Mr. Iliichev
Rwanda . . . . .	Mr. Nduhungirehe
Togo. . . . .	Mr. M'Beou
United Kingdom of Great Britain and Northern Ireland . . . .	Mr. Wilson
United States of America. . . . .	Ms. Power

## Agenda

### The situation concerning Iraq

First report of the Secretary General pursuant to paragraph 4 of Security Council resolution 2107 (2013) (S/2013/654)

First report of the Secretary General pursuant to paragraph 6 of resolution 2110 (2013) (S/2013/661)

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*The meeting was called to order at 10.40 a.m.*

### **Adoption of the agenda**

*The agenda was adopted.*

### **The situation concerning Iraq**

#### **First report of the Secretary-General pursuant to paragraph 4 of Security Council resolution 2107 (2013) (S/2013/654)**

#### **First report of the Secretary-General pursuant to paragraph 6 of Security Council resolution 2110 (2013) (S/2013/661)**

**The President** (*spoke in Chinese*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Iraq to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Nickolay Mladenov, Special Representative of the Secretary-General and Head of the United Nations Assistance Mission for Iraq, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2013/661, which contains the first report of the Secretary-General pursuant to paragraph 6 of resolution 2110 (2013), and to document S/2013/654, which contains the first report of the Secretary-General pursuant to paragraph 4 of resolution 2107 (2013).

I now give the floor to Mr. Mladenov.

**Mr. Mladenov:** I have the honour to present to the Council today two reports of the Secretary-General, the first pursuant to paragraph 6 of resolution 2110 (2013) (S/2013/661), on the activities of the United Nations Assistance Mission for Iraq (UNAMI) and the most recent developments in Iraq, and the second pursuant to paragraph 4 of resolution 2107 (2013) (S/2013/654).

As they strive to build a democratic State, founded on the rule of law and the protection of human rights, the people of Iraq continue to face serious challenges. The most pressing of these challenges is the security environment, which is currently deteriorating. It is compounded by political deadlock. It is readily exploited by terrorist and armed groups that target civilians with the intention of inciting sectarian hatred

and undermining the Government and the country's elected authorities. The ongoing conflict in Syria has added a regional dimension to sectarian tensions and is enabling groups such as Al-Qaida to forge links with similar factions across the border.

Today more than ever, Iraq's challenges cannot be considered in isolation from the broader risks that face the region. Resolving the Syrian crisis through an inclusive national project and adopting a regional strategy against all forms of religious or sectarian extremism is vital to bringing stability to Iraq. This would create an enabling environment in which the country's ethnic and religious communities can find a balance without undue outside influence. In addressing the regional challenges the United Nations and, indeed, the Security Council have a responsibility and an important role to play.

I believe that the latest developments announced over the past couple of days regarding the holding of the "Geneva II" meeting and the interim agreement with Iran are positive first steps that will have a positive impact on the region as a whole.

Despite the violence, Iraqis remain hopeful for a peaceful, inclusive and democratic State. The people of Iraq have shown unparalleled resilience and a strong commitment to building a common future together. The United Nations has a crucial role to play in supporting their aspirations.

Since my arrival, I have held discussions with political and civic leaders in Baghdad, Najaf, Erbil, Anbar and Kirkuk. All my interlocutors expressed their support for the United Nations as an impartial and trusted partner that can reach out to all parties. All expressed deep concerns over the escalation of violence. All spoke of the need to ensure that no component of Iraqi society feels marginalized. And finally, all shared a growing anxiety that outside influences, including the situation in Syria and the regional tensions as a whole, are fuelling the terrorist threat to Iraq. These were the messages that Iraqi political, civic and religious leaders asked me to deliver to the Security Council.

Terrorism remains a significant threat to Iraq. Armed groups seek to foment a vicious cycle of violence reminiscent of the dark days of 2006 to 2008. Against the wishes of ordinary Iraqis, these groups are attempting to impose their will in parts of the country. They seek to create a political vacuum by assassinating political leaders in governorates such as Ninewa, Anbar

and Salah al-Din. They target Shiite pilgrims and Sunni mosques in order to incite communal conflict. The terrorists want to make parts of Iraq ungovernable.

I wish to use this opportunity to call on the Security Council to condemn in the strongest terms the recent spate of terrorist attacks. The Council's message will be seen as support for the people of Iraq in their just struggle against terrorism. As the international community stands up to crimes against humanity, so we must take a stand against all forms of widespread and deliberate targeting of civilians.

Experience has shown that successfully countering terrorism requires a range of political and development interventions that advance social cohesion, democratic accountability and the rule of law. Most important, however, it requires leaders to work together to reduce political tensions. Achieving inclusion requires the complete implementation of the Constitution, including its articles on the separation of powers, federalism and decentralization.

Recently, elements of such a multifaceted approach were utilized to successfully address two key political priorities. First, and critically, a new general election law was enacted on 4 November. With UNAMI's support, a spirit of compromise prevailed and consensus was reached. I call on all Iraq's political leaders to build on this momentum and move forward to enact the Federation Council and political parties' laws. The United Nations stands ready to offer technical advice in this process.

I strongly welcomed both the adoption of the new election law as well as the setting of 30 April 2014 as the date of the next general election. In a separate development, the Kurdistan regional authorities announced that the recently postponed provincial election in Iraqi Kurdistan should be held on the same day as the national vote.

Secondly, in September, many of Iraq's political, religious, tribal and civil leaders took part in the Conference for Social Peace where they signed a National Code of Honour and committed to upholding the unity of Iraq and its people. They pledged to reduce tensions and avoid issuing potentially divisive public statements. They also committed to a comprehensive dialogue and reform process, known as the Social Peace Initiative. This process has been supported by UNAMI and warmly welcomed by the international community.

Both the national elections law and the Social Peace Initiative remain in a nascent and fragile state. They are at risk of being subverted by new tensions, which are expected to rise as election campaigns get under way. I therefore call on all political, religious and civic leaders to maintain their commitment to holding parliamentary elections on 30 April 2014 and to refrain from any actions that may unduly delay or undermine the process. I further call on them to ensure that a favourable environment is in place to facilitate the preparations and conduct of elections in a transparent, peaceful and secure manner.

I also appeal to all political and civic leaders to engage in a genuine effort to promote national cohesion by adhering to the principles of the Code of Honour and to engage constructively in the Social Peace Initiative.

I would like to briefly note that a number of issues remain outstanding between Iraq's central Government and the Kurdistan Regional Government, including revenue-sharing and budget allocations. There is an urgent need to make progress on the security arrangements in the disputed areas. This includes identifying more effective coordination mechanisms, the absence of which has major consequences on security in the disputed areas, where many of Iraq's minorities reside. The Turkoman community continues to suffer terrorist attacks, as do the Shabak, the Yezidis, the Christians and other minorities in their respective areas.

The unresolved issues around the disputed areas, including article 140 of the Constitution, also need to be addressed with a sense of urgency. The status of Kirkuk is at the forefront of these issues, as is the need for an equitable power-sharing arrangement endorsed by all its constituents. I call upon all leaders to ensure that the Governorate Council elections in Kirkuk take place as soon as possible.

The United Nations estimates that a total of just under 9,000 civilians and members of the Iraqi security forces were killed, with thousands more injured, between July and October. I have joined the Secretary-General and others in publicly condemning this spiral of senseless violence. I would like to once again pay tribute to the men and women who have lost their lives in the service of their nation and to the countless innocent lives that have fallen victim to violence.

While a military response is necessary, as I earlier noted, a range of strategies is needed to successfully

implement policies that inhibit terrorist activity. These include rectifying violations of human rights by ensuring justice and appropriate compensation for the victims or their families, no matter when or by whom those violations were committed. It is essential that, as the Iraqi Constitution provides, there be equal access to justice. In order to ensure that due process, fair trial standards and the presumption of innocence are respected, some legislative changes may be needed.

The Government must ensure that law enforcement agencies have sufficient capacity and resources to prevent acts of terrorism and that they can properly investigate such crimes in a manner that respects democratic principles, including the rule of law and human rights. UNAMI is working with the Ministry of Justice on improving prison conditions and on criminal justice reform. I am pleased to report to the Council that the Government has now agreed in principle to permit UNAMI to conduct visits of detention centres under the authority of the Ministry of Interior. We look forward to defining more clearly the parameters of such cooperation.

The Government has also implemented some positive measures to address gaps in the justice system, including the establishment of an interministerial committee, which UNAMI has recently been invited to attend. According to this Committee, which is chaired by Deputy Prime Minister Hussein al-Shahristani, the Government remains committed to releasing those improperly detained, restoring seized assets, and compensating families of the victims of terrorism.

I am pleased to report that on 14 November, UNAMI was invited to observe the Committee's facilitated release of 54 prisoners, including two women. UNAMI commends this initiative and is eager to move forward with the Government on these matters. Against this encouraging backdrop, I regret noting that on 17 November, Iraq executed 12 persons convicted under the Anti-Terrorism Law and the Penal Code, bringing the total number of executed this year to 159. Once again, I appeal to the Government to declare a formal moratorium on the implementation of the death penalty.

The central and provincial authorities in Iraq must complement each other in addressing the fundamental socioeconomic and development priorities. The Government took an important first step by issuing its new national development plan in September. It focuses on a number of key developmental challenges,

namely, Iraq's reliance on hydrocarbon resources, the lack of a strategic role for the private sector and the banking system, the imbalance of public spending in favour of operational spending, the high unemployment rates, corruption and the reach of essential services to the most vulnerable and impoverished. In the light of the development plan, the United Nations in Iraq is preparing a new development assistance framework to align United Nations programming more closely with those priorities.

Let me now turn briefly to Iraq's regional relations. I strongly believe that Iraq can and is poised to take up a prominent regional role. To that end, normalizing its relations with all neighbours is key. The process can be built on successfully on the basis of its experience with Kuwait.

I am pleased to report that, in recognition of the extent of their mutual interests, both Iraq and Turkey have recently taken important steps to improve their bilateral relationship. Furthermore, Iraq can take advantage of the region's ongoing transition to pursue closer ties in a range of areas. Chief among those areas of cooperation must be containing the threat posed by terrorist groups. I would also like to note Prime Minister Nuri al-Maliki's bid to host an international conference in order to unify efforts to combat terrorism and ward off radicalism.

The Syria conflict continues to put pressure on the humanitarian response capacity of all actors. The total number of registered Syrian refugees in Iraq now exceeds 200,000 persons. I would like to thank the Government and the people of Iraq for extending their hand towards those Syrians fleeing violence in their own country.

The impact of the crisis is especially visible in the Kurdistan region of Iraq, which to date has accommodated more than 98 per cent of the refugees. The Office of the United Nations High Commissioner for Refugees estimates that, while some 40 per cent of the refugees are hosted in camps, over 60 per cent reside in local communities in the governorates of Erbil, Dohuk, Suleymaniyah and Anbar. Currently, there are 80,000 Syrian refugees settled in 14 transit areas and permanent camps in Iraq, the largest being Domiz, which hosts some 45,000 refugees.

I would also like to commend the Kurdistan Regional Government for its hospitality, generosity and excellent work in setting up camps that address the

needs of the refugees, as well as for their willingness to allow refugees to access educational services and to receive treatment in the camp medical facilities.

The humanitarian crisis has major security and political implications that need to be addressed in coordination with the authorities. I would therefore like to call upon all authorities and actors to preserve the humanitarian space and to reopen the borders for those seeking refuge from the armed conflict and indiscriminate violence.

Let me now address the issue of the former residents of Camp Ashraf, which was officially closed on 11 September after the last 42 residents had been safely transferred to the temporary transit location in Camp Hurriya. UNAMI remains particularly concerned about the security of the residents after unidentified gunmen attacked the camp on 1 September. The attack left 52 people dead, while seven are still reported missing.

UNAMI has condemned that barbaric act in the strongest terms, and we have repeatedly called on the authorities to investigate the incident.

I call upon the Government of Iraq to ensure the provision of all security and humanitarian arrangements for the remaining Camp Hurriya residents in accordance with the memorandum of understanding. Nearly 300 residents have been resettled outside Iraq, with the largest number accepted by Albania and Germany.

Resettlement to third countries remains the only avenue to guarantee the safety and security of the residents. To that effect, the United Nations has established a trust fund aimed at facilitating humanitarian relocation efforts. I would like to appeal to all Member States to provide relocation opportunities to the remaining residents and to contribute to the fund.

I now wish to present the first 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 resolution 2107 (2013). In accordance with the resolution, based on an agreement between Iraq and Kuwait, the Council decided to hand over, under Chapter VI of the Charter of the United Nations, the responsibility to UNAMI, in particular to my political deputy, Gyorgy Busztin, to oversee the file.

I would like to add that the transition to act under Chapter VI is clearly a testimony to the trust and mutual respect between the two neighbours. UNAMI's task is

made easier by the deepening and expanding nature of the Iraq-Kuwait relationship. For the first time since 1990, in February, the Iraqi and Kuwaiti airlines resumed flights between Baghdad and Kuwait.

Subsequent to those developments, the two countries are exploring cooperation in the areas of culture, youth, trade, transport and commerce, as well as other fields of common interest. The cementing of ties bodes well for furthering progress on issues that are 22 years old and need to be brought to a close. The victims who have lost their loved ones deserve nothing less.

National archives are seminal to a country's history. Kuwait rightly considers the original national archives as part of its identity, treasure and history. Iraq's efforts to remedy the loss of property and items belonging to Kuwait have yielded results over the years. However, it is disappointing to note that few clues have emerged to date that would give stakeholders the hope of identifying the whereabouts of those national archives.

Iraq itself is not a stranger to the grief of missing persons. Many families have lost loved ones. Iraq's Ministry of Human Rights and the relevant bodies have shown commitment in that humanitarian search. It is regrettable that such painstaking efforts have failed to produce tangible results to date. I wish to assure the families of the missing Kuwaiti nationals that UNAMI will play its mandated role with that in mind.

I am also delighted that my political deputy received support for UNAMI's role from all the relevant stakeholders during his visit to Kuwait in October. It is my hope that that momentum will translate into UNAMI becoming an observer in the tripartite mechanism.

As for the Government of Iraq, it is clear that it sees us as a constructive partner in its desire to fulfil its responsibility. It has subsequently invited us to be part of its interministerial committees on missing persons and property in an observer capacity. On 13 November, my deputy attended the first interministerial meeting on missing persons at Iraq's Ministry of Human Rights. I welcome the Government of Kuwait's intention to appoint an official dedicated to the file, to be based in Baghdad, and with whom UNAMI looks forward to working closely.

I wish to reiterate that, for UNAMI, the issue of missing persons remains an important priority. We therefore urge the parties to avail themselves of UNAMI's engagement with both the Government and



a wide range of political actors in Iraq, which may potentially assist us in carrying out that very important humanitarian task alongside the commendable efforts of the International Committee of the Red Cross.

In conclusion, I would like to express my gratitude for the trust that has been placed in me by the Secretary-General and the Council to lead the United Nations Assistance Mission for Iraq. I look forward to fulfilling the mandate entrusted to UNAMI by the Council and I express my deep and sincere appreciation to the Government and people of Iraq for their warm and cordial welcome.

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

**The President:** I thank Mr. Mladenov for his briefing.

I now give the floor to the representative of Iraq.

**Mr. Alhakim (Iraq) (*spoke in Arabic*):** At the outset, allow me to congratulate the People's Republic of China on its assumption of the presidency of the Security Council for this month. I also wish to commend you, Mr. President, for your wise leadership. It also gives me pleasure to welcome Mr. Nikolay Mladenov, Special Representative of the Secretary-General and Head of the United Nations Assistance Mission for Iraq (UNAMI). We thank him for presenting his first briefing to the Security Council. I would also like to commend him for the good start and his work and diligence in networking with all sectors of society and their representatives in order to fulfil the Mission's mandate. At the same time, we would like to affirm Iraq's support for Mr. Mladenov and the efforts of his team in Baghdad and New York in order to ensure the successful implementation of the Mission's mandate and objectives in assisting Iraq.

I also take this opportunity to congratulate, on behalf of the Government of Iraq, the Government of the Islamic Republic of Iran, the five permanent members of the Security Council, Germany and the European Union on reaching an agreement towards resolving the Iranian nuclear issue. That will inevitably relieve tensions in the region, while providing a greater opportunity for stability. We hope that the agreement and the positive atmosphere generated by it will benefit the efforts undertaken to resolve the Syrian conflict and maximize the chances of success of the "Geneva II" conference.

As the International Day of Solidarity with the Palestinian People falls this week, I congratulate the Palestinian people on the first anniversary of the recognition by the United Nations of the State of Palestine as an observer State.

Iraq is sparing no effort to involve all segments of Iraqi society in the political process, and continues to resolve all remaining and outstanding problems in the framework of the national reconciliation process. At the same time, Iraq is striving to build a strong economy on the basis of the significant Iraqi human resources while taking advantage of its natural resources.

In spite of the security challenges, Iraq is pursuing the path of democracy and building its institutions. On 4 November, the Iraqi Parliament enacted the current election law, and 30 April 2014 has been set as the date to hold national elections. This will be the fourth time that the people of Iraq will have selected their representatives in the past 10 years. The Independent High Electoral Commission is currently developing the necessary plans and coordinating efforts, including by updating voter registries, to hold the elections on time. In this regard, we express our gratitude to UNAMI and its team for their support in the electoral process, and we look forward to the Mission's ongoing support and advice to ensure the success of the upcoming parliamentary elections.

On 27 June, the Security Council unanimously adopted resolution 2107 (2013) on the situation between Iraq and Kuwait. Iraq welcomed the resolution and the efforts of Council members in drafting it. In that regard, we confirm the continuing commitment of the Government of Iraq to fulfilling the provisions of that resolution, in particular the paragraphs relevant to the search for the remains of missing Kuwaitis and the return of Kuwaiti property. We would also highlight the excellent and developing relations between the Republic of Iraq and the State of Kuwait and their existing cooperation in that area. The work of the interministerial committee is well on its way, and its meetings are scheduled to be held next month in the brotherly State of Kuwait.

Today, Iraq is pursuing a policy of openness and seeking to develop friendly relations with the international community on the basis of mutual interests and benefits and non-interference in the internal affairs of States. On that basis, Iraq today enjoys good relations with its neighbours, including Jordan, Kuwait and Iran.

We would also underscore the most recent development in bilateral relations with neighbouring Turkey, in which Iraq's Minister for Foreign Affairs recently explored with his Turkish counterpart, in Baghdad, the means to enhance our political and economic cooperation. Furthermore, the most recent visit of the Iraqi Prime Minister to Washington, D. C., was part of a series of mutual bilateral visits between the United States and Iraq to continue talks on activating the strategic agreement signed between the two countries. That visit led to the strengthening of bilateral cooperation in combatting terrorism and improving Iraq's military and defence capabilities.

The ongoing conflict in Syria and the presence of nearly 35,000 foreign fighters on Syrian territory from dozens of countries, who are battling alongside the parties to the conflict and transforming it into a sectarian conflict, are causing the conflict to spread to the larger region. That has had a significant impact on the frequency of terrorist attacks in Iraq, since one of the main sources of terrorism in my country is the activity of jihadi and extremist Takfiri armed groups linked to Al-Qaida that infiltrate the country from its long border with Syria. Those armed groups obtain weapons and financial aid from individuals, organizations and countries that are thereby violating their obligations under international law and the relevant Security Council resolutions.

We therefore call on the Security Council to shoulder its responsibilities and to take appropriate action. We call on the Council to consider those terrorist acts — which target the lives of Iraqi civilians, including children, women and men in schools, houses of worship and public places — as crimes against humanity and to bring the perpetrators and those who support them to justice without impunity, as these attacks have led to the deaths of thousands of innocent Iraqi citizens.

Over the past two years, we have repeatedly emphasized the gravity of the continuing Syrian conflict and its severe consequences for peace and security in the region and the world. We have stressed the importance of finding a peaceful Syrian solution to the conflict. Unfortunately, the international community arrived at this conviction only after two years of conflict, the deaths of more than 100,000 Syrians and the displacement of millions from their homes. The humanitarian situation in Syria and the Syrian refugee camps in neighbouring countries has created a dire need for urgent and pragmatic international and United

Nations assistance. Iraq supports the presidential statement issued by the Security Council in that regard (S/PRST/2013/15).

The Government of Iraq has hosted and provided humanitarian aid to more than a quarter of a million Syrian refugees in different parts of the country. Furthermore, Iraq supports international efforts to facilitate, expand and accelerate the process of providing humanitarian relief to Syrian civilians at home and abroad, and with medicine and all the humanitarian aid that they so desperately need.

On the political front, Iraq was a proactive participant in the work of the first Geneva conference and supports the efforts of Mr. Lakhdar Brahimi, Joint Special Representative of the United Nations and the League of Arab States for Syria, in his role to bring the parties together at the negotiating table at the Geneva II conference, which is expected to take place after all parties agree to it.

We must find a comprehensive political solution to the continuing conflict that is acceptable to all parties. On that basis, Iraq supports the holding of the Geneva II conference, where support must be provided to all benevolent efforts to that end, including those of neighbouring countries, the United States and Russia. Moreover, the political solution must be accompanied by a momentum for humanitarian relief that is fully pledged by the international community in order to provide immediate humanitarian aid to all segments of Syrian society.

In conclusion, we appreciate the efforts of the Security Council in the fight against terrorism and remind Member States that terrorism

“can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States, and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat” (*resolution 1989 (2011), seventh preambular paragraph*).

Therefore, we request that appropriate measures be taken to support Iraq in its fight against that international scourge and in fulfilment of the terms of the United Nations Global Counter-Terrorism Strategy, adopted in 2006, and to address the conditions conducive to the spread of terrorism in Iraq and the entire region. We would also mention the need to urge all States to

cooperate actively with Iraq to bring to justice the perpetrators, organizers, financiers and sponsors of reprehensible acts of terrorism, which rise to the level of crimes against humanity.

Finally, I reiterate our appreciation and thanks to Mr. Mladenov and his team for their outstanding work,

and we wish them success in the fulfilment of UNAMI's mandate and tasks in Iraq.

**The President** (*spoke in Chinese*): There are no more names inscribed on the list of speakers. I now invite Council members to informal consultations to continue our discussion on the subject.

*The meeting rose at 11.15 a.m.*