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25. The situation concerning Iraq

Overview

From 2012 to 2013, in connection with the situation concerning Iraq, the Security Council held eight meetings and adopted two resolutions. Over the course of those meetings, the Council heard the briefings by the Special Representative of the Secretary-General for Iraq and Head of the United Nations Assistance Mission in Iraq (UNAMI) on the situation on the ground, activities of UNAMI, as well as steps taken by Iraq and Kuwait to normalize their relations and resolve the issue of missing Kuwaiti and third country nationals and missing Kuwaiti property, including its national archives. The Council also renewed the mandate of UNAMI twice for the periods of twelve months.¹

The table at the end of the section lists the meetings at which this item was considered, and gives information on, inter alia, invitees, speakers and decisions adopted.

April and July 2012: Briefings on the situation in Iraq and activities of UNAMI

On 10 April 2012, the Special Representative of the Secretary-General for Iraq, in his briefing, held that the historic hosting of the League of Arab States summit in Baghdad on 29 March by Iraq had marked the country's re-emergence as a major actor in the region and commended the recent steps taken by the Governments of Iraq and Kuwait to improve bilateral relations. At the same time, he expressed concerns over the political impasse due to tensions between the main parliamentary blocs, Arab-Kurdish relations and issues pertaining

¹ Resolutions [2061 \(2012\)](#) and [2110 \(2013\)](#). For more information, see part X, sect. II, with regard to the mandate of UNAMI.

to the disputed internal boundaries, the human rights situation and the spill-over effects of the continuing violence in Syria. He also updated on the issue of Camp Ashraf, reporting that almost 1,200 residents had been relocated to Camp Hurriya. The Special Representative further stated that following the withdrawal of United States troops, there were greater expectations for UNAMI to assist the Government and people of Iraq, which came at a time when resources made available to UNAMI had been shrinking, but underscored the commitment of UNAMI to implement its comprehensive mandate in the areas of political facilitation, electoral support, human rights, reconstruction and development. He expressed his firm belief that United Nations assistance at that critical juncture of the history of Iraq remained essential.²

The representative of Iraq provided his own assessment of the situation in the country. He also urged the Council to help relocate 1,200 members of the People's Mujahedin Organization of the Islamic Republic of Iran from Camp Ashraf to other countries as they were not allowed to stay in Iraq in accordance with its Constitution. Finally, he reported on the progress in the bilateral relations with Kuwait, including the payment to the United Nations of expenses of the border pillar maintenance project.³

On 19 July 2012, the Special Representative said that Iraq was in the midst of a seven-month-long stalemate between political blocs, hampering progress in areas essential to its development, including a sustainable solution to the disputed internal boundaries, the unfinished constitutional agenda, the adoption of essential outstanding legislation and the preparation of the provincial Council elections due in March 2013. He called for a swift selection of Commissioners for the Independent High Electoral Commission. Turning to the Iraq-Kuwait bilateral relations, he reported on the progress in the border maintenance project. The United Nations was preparing for the start of the maintenance work by 31 October. He also welcomed the ratification by the Council of Representatives of the Additional Protocol to the Comprehensive Safeguards Agreement of the International Atomic Energy Agency. With regard to the issue of Camp Ashraf where approximately 1,200 residents remained, he underscored that the commitment of UNAMI was strictly humanitarian, in order to facilitate a voluntary, temporary relocation of residents to Camp Hurriya as a first step of resettlement to

² [S/PV. 6747](#), pp. 2-5.

³ *Ibid.*, pp. 6-9.

countries outside Iraq and therefore urged the residents to cooperate with Iraqi authorities, and third countries to step forward to offer resettlement to eligible former Ashraf residents as soon as possible.⁴

The representative of Iraq, inter alia, expressed hope that the achievements of the meeting of the Joint Iraqi-Kuwaiti Ministerial Committee in Baghdad convened on 29 April would pave the way for exit by Iraq from the provisions of Chapter VII. He reaffirmed his country's desire for the mandate of UNAMI to be extended for additional 12 months,⁵ arguing that UNAMI was needed more than ever in Iraq.⁶

25 July 2012: Extension of the mandate of UNAMI

By resolution [2061 \(2012\)](#) of 25 July 2012, underscoring the need for all communities in Iraq to participate in the political process and an inclusive political dialogue, and to ensure stability and develop a just and fair solution for the nation's disputed internal boundaries and work towards national unity, the Council extended the mandate of UNAMI for a period of twelve months and decided that the Special Representative of the Secretary-General for Iraq and UNAMI should continue to pursue their mandate as stipulated in resolution [2001 \(2011\)](#).

November 2012 and July 2013: Briefings on the situation in Iraq and activities of UNAMI

On 29 November 2012, the Special Representative reported that despite the progress that Iraq had made in 2012, two issues were of particular concern: first, strained relations between Iraq's political leaders, resulting in military and political standoff with extremists using the political differences of the leaders to ignite either sectarian or ethnic violence and tensions in Iraq; and second, developments in the region, particularly spill-over from Syria, including humanitarian impacts on Iraq. The Special Representative further reported on the activities of UNAMI, including facilitation of political dialogue and assistance to the

⁴ [S/PV. 6811](#), pp. 2-5.

⁵ [S/2012/520](#), annex.

⁶ [S/PV. 6811](#), pp. 10.

nationwide governorate council and legislative elections scheduled on 20 April 2013 and in 2014, respectively.⁷

The representative of Iraq updated the Council on the political, security, social, economic and energy situations as well as relations of his country with Kuwait and Saudi Arabia. As to developments related to the residents of Camp New Iraq, formerly known as Camp Ashraf, he reported that approximately 200 residents remained there, after more than 3,000 residents had been transferred peacefully to Camp Hurriya.⁸

On 21 March 2013, the Special Representative expressed concern over a spillover of violence from Syria which would fuel the existing political and security challenges facing Iraq. Demonstrators in western provinces had voiced their grievances surrounding the issue of human rights and access to basic services, which the Government of Iraq had taken some initiatives to address. UNAMI had offered its good offices, as impartial actor, while speaking up against the use of sectarian language. He further reported on the continuing strained relations between the central Government and the Kurdistan Regional Government and the preparations for provincial council elections scheduled in April. He pressed the authorities to finalize the removal of obstacles along the border by 31 March to complete the boundary maintenance work and to accept the funds set aside with the United Nations for the compensation of Iraqi farmers pursuant to resolution [899 \(1994\)](#). Condemning the 9 February attack on Camp Hurriya, the Special Representative welcomed the decision by the Government of Albania to accept 210 residents and informed the Council that 100 residents remained at Camp Ashraf refusing to transfer to Camp Hurriya until the completion of property negotiations.⁹

The representative of Iraq maintained that Iraq was witnessing a political stalemate while protests were continuing in a number of cities, making legitimate and illegitimate demands. Efforts had been made to respond to their legitimate demands, while demonstrators had been infiltrated by terrorist and extremist groups aiming to stir sectarian tensions and civil war. He also elaborated on his Government's efforts in various areas, particularly in developing its relations with Kuwait and announced that a joint technical team working on

⁷ [S/PV. 6875](#), pp. 2-6.

⁸ *Ibid.*, pp. 6-10.

⁹ [S/PV. 6937](#), pp. 2-4.

the border maintenance project would finish its work by the end of March, which would pave the way for Iraq's exit from its Chapter VII status. He emphasized that Iraq was different from Iraq before 2003 and must regain the status it had enjoyed before 1990.¹⁰

On 16 July 2013, the Special Representative was deeply concerned by the recent events in Iraq, stating that the last four months had been among the bloodiest of the last five years with nearly 3,000 people killed and over 7,000 injured, and marked by increased activities of a number of armed groups, including those affiliated with Al-Qaida. As positive developments, he stated that the provincial council elections held on 20 April in 12 provinces as well as on 20 June in Anbar and Ninewa provinces had been the first elections that Iraqis had managed completely by themselves and that Arab-Kurdish relations were on the path towards improvement. He also welcomed the decision to hold the parliamentary and provincial elections in the Kurdistan region on 21 September. He further commended the Governments of Iraq and Kuwait on their determination to complete the steps necessary for bringing closure to resolutions [833 \(1993\)](#) and [899 \(1994\)](#) and stated that UNAMI was looking forward to implementing resolution [2107 \(2013\)](#) which had transferred the obligations on missing Kuwaitis, third-country nationals and Kuwaiti property, including national archives, to the Mission.¹¹ In addition, he held that the battlefields in Iraq and Syria were merging, with Iraqi armed group having an increasingly active presence in Syria. On the issue of Camp Ashraf, while almost all residents of Camp Ashraf had been transferred to Camp Hurriya, still 90 per cent of the residents of the latter were to be relocated to third countries.¹²

The representative of Iraq supported the extension of the mandate of UNAMI for another year on the basis of relevant resolutions. He further stated that the efforts of the Governments of Iraq and Kuwait had been successful in resolving outstanding issues, resulting in the adoption of resolution [2107 \(2013\)](#). He considered that the successful provincial council elections in 14 provinces were paving the way for the success of the

¹⁰ Ibid., pp. 6-10.

¹¹ For more information, see in the present part, sect. 24, with regard to the situation between Iraq and Kuwait.

¹² [S/PV. 7002](#), pp. 2-7.

parliamentary elections to be held in the first half of 2014, which would be a further step in the democratic process.¹³

24 July 2013: Extension of the mandate of UNAMI

By resolution [2110 \(2013\)](#) of 24 July 2013, recognizing that the situation that currently existed in Iraq was significantly different from that which had existed at the time of the adoption of resolution [661 \(1990\)](#) of 6 August 1990, and further recognizing the importance of Iraq achieving international standing equal to that which it had held prior to the adoption of resolution 661 (1990), the Council decided to extend the mandate of UNAMI until 31 July 2014 and also decided that the Special Representative of the Secretary-General for Iraq and UNAMI should continue to pursue their mandate as stipulated in resolution [2061 \(2012\)](#), and recalled the provisions of resolution [2107 \(2013\)](#).¹⁴

November 2013: Briefing on the situation in Iraq and the issue of missing Kuwaiti and third country nationals and missing Kuwaiti property, including its national archives

On 25 November 2013, the Special Representative reported on the deteriorating security situation in Iraq, compounded by political deadlock and characterized by the acts of violence perpetrated by terrorist groups that had targeted civilians with the intention of inciting sectarian hatred. He also noted the outstanding issues between the central Government and the Kurdistan Regional Government, including revenue-sharing and budget allocation as well as the security arrangements in the disputed areas. As positive developments in the political front, he reported on the adoption of the new electoral law, the setting of 30 April 2014 as the date for national parliamentary elections, the convening of the Conference for Social Peace and the signing of the National Code of Honour committing to uphold the unity of Iraq and its people. He also touched upon rule of law and human rights, socio-economic and developmental challenges, humanitarian impacts of the Syrian conflict and the issue of the former residents of Camp Ashraf which had been officially closed on 11 September. With regard to the issue of missing Kuwaiti and third country nationals and

¹³ Ibid., p. 7.

¹⁴ For more information on resolution [2107 \(2013\)](#), see in the present part, sect. 24, with regard to the situation between Iraq and Kuwait.

missing Kuwaiti property including its national archives, he reported that for the first time since 1990, in February, the Iraqi and Kuwaiti airlines had resumed flights between the two countries and regretted that few clues concerning the whereabouts of Kuwaiti national archives had emerged but reaffirmed that the issue of missing persons remained an important priority.¹⁵

The representative of Iraq, reaffirming his country's commitment to continue to resolve all remaining issues in the framework of the national reconciliation process, pointed to the ongoing preparation by the Independent High Electoral Commission for the 20 April 2014 national parliamentary elections and expressed gratitude to UNAMI for its support and advice in the electoral process. Referring to the impact of the Syrian conflict on the frequency of terrorist attacks in Iraq, he called on the Council to consider those terrorist acts as crimes against humanity and to bring the perpetrators and their supporters to justice.¹⁶

¹⁵ [S/PV. 7068](#), pp. 2-6.

¹⁶ *Ibid.*, pp. 6-8.

Meeting: The situation concerning Iraq

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV. 6747 10 April 2012	Second report of the Secretary-General pursuant to resolution 2001 (2011) (S/2012/185)		Iraq	Special Representative of the Secretary-General for Iraq and Head of UNAMI	All invitees	
S/PV. 6811 19 July 2012	Third report of the Secretary-General pursuant to resolution 2001 (2011) (S/2012/535)		Iraq	Special Representative of the Secretary-General for Iraq	All invitees	
S/PV. 6815 25 July 2012	Third report of the Secretary-General pursuant to resolution 2001 (2011) (S/2012/535)	Draft resolution submitted by the United States (S/2012/570) Note verbal from the Permanent Mission of Iraq to the United Nations concerning the mandate extension of UNAMI (S/2012/520)	Iraq			Resolution 2061 (2012) 15-0-0
S/PV. 6875 29 November 2012	First report of the Secretary-General pursuant to resolution 2061 (2012) (S/2012/848)		Iraq	Special Representative of the Secretary-General for Iraq	All invitees	
S/PV. 6937 21 March 2013	Second report of the Secretary-General pursuant to paragraph 6 of resolution 2061 (2012) (S/2013/154)		Iraq	Special Representative of the Secretary-General for Iraq	All invitees	
S/PV. 7002 16 July 2013	Third report of the Secretary-General pursuant to paragraph 6 of resolution 2061 (2012) (S/2013/408)		Iraq	Special Representative of the Secretary-General for Iraq	All invitees	
S/PV. 7008 24 July 2013	Third report of the Secretary-General pursuant to paragraph 6 of resolution 2061 (2012) (S/2013/408)	Draft resolution submitted by the United States (S/2013/434)	Iraq			Resolution 2110 (2013) 15-0-0

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Rule 37 invitations</i>	<i>Rule 39 and other invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
S/PV. 7068 25 November 2013	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)		Iraq	Special Representative of the Secretary-General for Iraq	All invitees	