

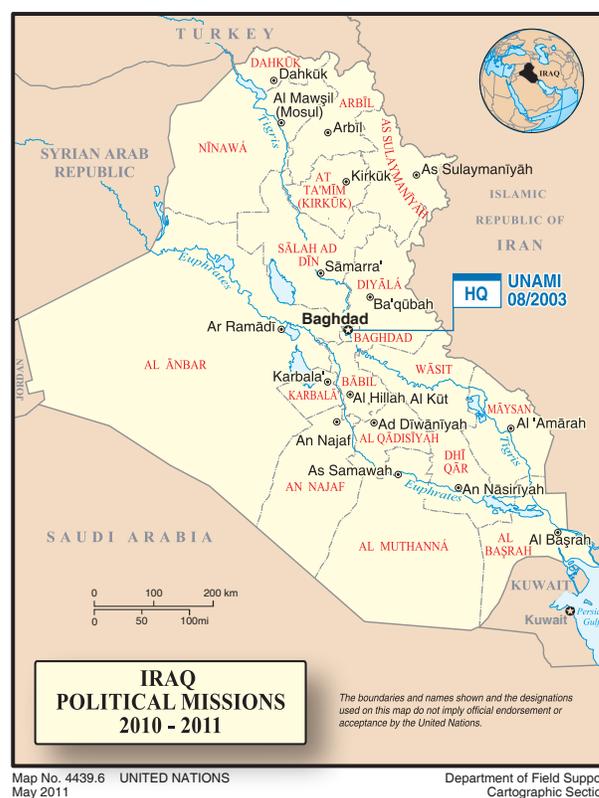
3.6 Mission Reviews

Iraq

The UN Assistance Mission for Iraq (UNAMI) continued to work in a challenging and uncertain political and security environment during the past year. The long-awaited government formation in December 2010 that saw Nouri al-Maliki re-elected as prime minister ended a nine-month political stalemate and brought together the country's main political blocs under a "national partnership government." However, the protracted government formation process is not yet completed – as of July 2011, three key ministerial positions, namely defense, national security, and interior, remain unfilled. Progress, particularly in addressing the country's underlying socioeconomic issues, also remains slow.

The security situation in Iraq has deteriorated over the past year, with targeted, high profile attacks on the rise, including one on the convoy of UNAMI's Special Representative of the Secretary-General (SRSG) Ad Melkert in October 2010. The Iraqi government, meanwhile, is divided over the offer by the US to extend its military presence in the country beyond the 31 December 2011 deadline for withdrawal. For UNAMI, the imminent withdrawal of US troops means that it has to build up its own security and logistical capacity, a move that could make it a more visible – and vulnerable – actor on the ground.

The evolving political process and security handover will have a decisive impact on Iraq's transition. While the space for political engagement by



UNAMI has expanded since the December 2010 government formation, the opening is likely to diminish as the government increasingly asserts its authority. With factional disputes also on the rise, the mission will have to maneuver carefully among the parties. This complex dynamic is further compounded by prevailing insecurity.

UN Assistance Mission for Iraq (UNAMI)

Authorization and Start Date	14 August 2003 (UNSC Res. 1500)
SRSG	Martin Kobler (Germany)
Deputy SRSGs	Political, Electoral and Constitutional Support: Jerzy Skuratowicz (Poland) Humanitarian, Reconstruction and Development Affairs: Christine McNab (Sweden)
First SRSG	Sergio Vieira de Mello (Brazil)
Budget	\$207.7 million (1 January 2011-31 December 2011)
Strength as of 30 April 2011	International Civilian: 377 National Civilian: 488 Military Experts on Mission: 13 Contingent Troops: 221

For detailed mission information see p. 198

BACKGROUND

Established by UN Security Council Resolutions 1500 (2003) and 1546 (2004) to facilitate dialogue and consensus-building among Iraqis in various sectors of activity, UNAMI's political mandate was expanded in 2007, with Resolution 1770, which placed an increased emphasis on the mission's provision of technical assistance to the government of Iraq and the Independent High Electoral Commission, as well as a greater coordination function for international humanitarian aid. UNAMI's current mandate also includes promoting national dialogue between Iraq's ethnic groups and the peaceful resolution of disputed internal boundaries, as well as fostering regional cooperation between Iraq and its neighbors. On 28 July 2011, the Security Council unanimously adopted Resolution 2001, extending the mission for a period of 12 months until 31 July 2012, but leaving the mission's mandate unaltered.

UNAMI is headquartered in Baghdad but maintains a presence in Amman, Jordan to which it temporarily located after the devastating bomb attack on its headquarters in 2003, which killed Special Representative Sergio Vieira de Mello and 21 UN staff members and injured over 100 others. In addition to its office in Jordan, the mission maintains an administrative support office in Kuwait and a liaison office in Iran.

As an integrated mission, UNAMI has two

main substantive pillars: one handling political and electoral affairs as well as human rights, and another dealing with development and humanitarian issues, including coordination of sixteen funds and agencies comprising the UN Country Team (UNCT), under the overall leadership of the SRSG. In August 2011 Martin Kobler replaced Ad Melkert as the head of UNAMI. The mission also operates in Erbil, Basra and Kirkuk.

KEY DEVELOPMENTS

UNAMI played a strong supporting role in the lead up to the December 2010 government formation, with SRSG Melkert engaging with the various factions throughout the process and advising on the establishment of a "leaders roundtable" that helped to move negotiations forward. Notwithstanding the significant achievement of the establishment of the national partnership government, key aspects of the power-sharing agreement have yet to be implemented. In addition to the appointment of several ministers, the formation of the proposed National Council for Strategic Policies – meant to serve as a counterweight to the power of the prime minister – remains unresolved.

The SRSG continues to engage with the various parties in an effort to facilitate negotiations on outstanding government formation aspects. However, increasing political tensions within the government coalition has impeded progress in decision-making over these and other vital governance issues. In particular, al-Maliki and his political rival Ayad Allawi – leader of the Al-Iraqiya bloc, which won the majority of votes in the 2010 election but was unable to muster a governing coalition – are at odds over the exact powers and responsibilities of the National Council for Strategic Policies.

Prime Minister al-Maliki also struggles with his other coalition partner, Shia cleric Moqtada al-Sadr, of the powerful Sadrist movement and kingmaker in last year's government formation. One source of discontent is the issue of extending the stay of US troops beyond the December 2011 deadline, a notion that al-Maliki, along with Kurdish politicians, generally supports, but which is vehemently opposed by al-Sadr. In April 2011, tens of thousands of Sadr's supporters took to the streets demanding an end to the US military presence, while Sadr

threatened to revive his Shi'ite Mehdi Army militia if US troops would not leave by the set deadline, raising fears of renewed sectarian violence.

The growing government paralysis comes at a time of immense pressure on the country's leadership, from both the precarious security situation and the growing demands from its people. While overall the security situation has improved since its peak in 2007, the past 12 months have witnessed a rise in attacks against security forces and government institutions that have also killed scores of civilians. At the time of writing, targeted attacks continued, particular in the politically unstable governorates of Ninewa and Kirkuk. For US forces, June 2011 has been the deadliest month in three years.¹

Since February 2011, in offshoot demonstrations of the popular "Arab Spring" uprisings, in a string of rallies across the country Iraqi protestors have demanded better employment opportunities and improved basic services and called for an end to corruption. In response to several incidents in which government forces reportedly met protestors with excessive force that resulted in deaths and injuries, SRSO Melkert expressed concern over the disproportionate use of force by Iraqi security forces and called on the authorities to recognize the importance of the participation of all Iraqis in building a democratic state. Secretary-General Ban Ki-moon also called on the government to conduct an independent investigation into the deaths.

On 27 February Prime Minister al-Maliki reiterated the calls for an investigation into the violence and gave his ministers 100 days, until June, to improve living conditions and access to essential services. As the deadline passed without sufficient progress, al-Maliki extended the cut-off date for another 100 days and announced plans to eliminate some ministries to boost government efficiency. UNAMI, meanwhile, in cooperation with the UNCT, continues to assist the government in addressing the underlying socioeconomic issues by proposing projects to foster youth employment, improve health services and increase distribution of food rations and access to water.

BOUNDARY ISSUES

Government tensions have also affected progress in resolving disputed internal boundaries and

the status of Kirkuk province, key issues that must be resolved for the long-term stability of Iraq. Since mid-2008 when UNAMI published proposals for confidence-building measures for the disputed border areas, the mission has been intimately involved in finding a solution for the territories. The mission is also engaged in facilitating dialogue to end the boycott of the Ninewa Provincial Council by the "Ninewa Fraternal List," a Kurdish party, over the January 2009 provincial election results. However, disagreements over power sharing and security arrangements continue to hinder progress.

Following the December 2010 government formation, UNAMI reiterated its efforts to establish a successor arrangement to the High-Level Task Force (HLTF) it set up in 2009 to work toward a solution on the disputed territories and the status of Kirkuk. The HLTF focused particularly on functional issues like property rights, but was not active during the nine-month government formation process. By the end of March, government officials and representatives of the main political parties agreed to work with UNAMI on key issues through a Standing Consultative Mechanism (SCM). The SCM has met three times, the last time in June, to discuss among other issues the status of Kirkuk and Ninewa provinces. However, thus far the SCM was unable to advance negotiations on the agenda.

The political and security situation in the disputed territories, meanwhile, remains volatile. In Kurdistan's second largest city of Sulemaniyah, protestors started taking to the streets in February and March to demand an end to government corruption, improved employment opportunities, and access to basic services. Here, too, security forces responded with excessive force, resulting in protestors' deaths and injuries. Despite attempts by the Kurdish Regional Government (KRG) to prevent further demonstrations, protests continued until the government and opposition came together in mid-June for talks to address the demands.

In late February, in what some observers described as an attempt to divert attention from the protests in Sulemaniyah and to rally the Kurdish population around the issue of Kirkuk's status,² the KRG sent 5,000 *Peshmerga* troops – the Kurdish regional guard – into Kirkuk. In doing so, the KRG breached the terms of the Combined Security Mechanism (CSM), a framework agreement set up in 2009 between the Iraqi Army, *Peshmerga* forces,

and the US forces in Iraq, intended to prevent tensions along Arab-Kurdish lines in the governorates of Diyala, Ninewa, and Kirkuk. The main features of the CSM are joint patrols and checkpoints by the Iraqi Army and Peshmerga troops along with US forces as well as coordination centers to improve communication and trust between the two sides. In addition, the KRG and the government of Iraq agreed on a set of rules managing the deployment of their respective troops in the governorates.

While the CSM has been successful in reducing tensions in the past, the recent developments in the area and the imminent withdrawal of the US troops highlight the need to review the arrangement that was initially put in place as a temporary solution to provide space for negotiations. While there has not been a formal request by the parties for UN involvement, UNAMI – with its good relationships with both Baghdad and the Kurdish authorities in Erbil and its close engagement with efforts to resolve the boundary issues – would be well placed to take on a facilitator role. Such a function could be further augmented through the deployment of military advisors. However, it remains to be seen how the immediate military responsibilities handled by the US, which constitute functions that UNAMI cannot take on, will be addressed.

REGIONAL ISSUES

UNAMI's assistance to the government of Iraq on regional issues relates particularly to the country's relations with Kuwait. In this context, the mission works closely with the Secretary-General's High-Level Coordinator for Iraq/Kuwait Missing Persons and Property, Gennady Tarasov. In December 2010, the Security Council lifted several Chapter VII mandates on Iraq, only leaving in place mainly its obligations to Kuwait, such as on files of missing persons, compensation payments, as well as property and boundary issues. Progress on these issues is seen as key to normalizing Iraq's international standing.

In January and February 2011, the leaders of the two countries visited each other for the first time since Iraq's 1990 invasion of Kuwait, illustrating a much improved relationship. The two sides agreed to establish a joint bilateral committee to review all outstanding issues and to address issues of mutual concern. However, while the countries'



UNAMI SRSO Ad Melkert meets Falah Mustafa, Head of Foreign Relations, Kurdistan Regional Government in Iraq, 2010.

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diplomatic relations may have improved, progress on Iraq's outstanding obligations on Kuwait is slow. In a June 2011 report to the Security Council, the Secretary-General welcomed the steps taken in the search of missing Kuwaitis and third country nationals but called on the government of Iraq to step up its efforts relating to the return of Kuwaiti property – especially in the search for the Kuwaiti national archives – an area where no progress has been made. Both the High-Level Coordinator and the SRSO continue their efforts in supporting the Iraqi government to set up an effective mechanism to advance progress on these issues.

In April the UN Compensation Commission (UNCC), a body set up in 1991 to process claims and pay compensation for losses stemming from Iraq's invasion of Kuwait and that draws its funding from export sales of Iraqi oil, transferred \$880 million to the Kuwaiti government for distribution to nine successful claimants, bringing the total amount of compensations paid to date to \$32.2 billion, with an outstanding balance of approximately \$20 billion.³

DEVELOPMENT, HUMANITARIAN AFFAIRS AND HUMAN RIGHTS

The recent protests on socioeconomic grievances across the country underline the importance of UNAMI's engagement in a range of development and humanitarian activities. In doing so, the mission and the UNCT have increased their cooperation

and integration of activities that are aligned under the five working groups of the UN Development Assistance Framework (UNDAF), which has been prepared in consultation with the government. The five working groups encompass governance and human rights; inclusive economic growth; environmental management; quality essential services; and investing in human capital and empowerment of women, youth and children. UNAMI and the UNCT also held joint discussions with the government on how the UNDAF process could best help alleviate the factors that sparked the unrests.

UNAMI also continues its efforts in the protection of civilians, and is working jointly with the UNCT's protection working group, led by UNHCR on a "protection of civilians strategy" to inform advocacy with Iraqi partners. The humanitarian response is further supported by an emergency fund, which facilitates the transition from early recovery to development and also covers gaps in essential services for vulnerable communities. However, funding for development and humanitarian activities remains tight. As of January 2011, the Iraq UNDAF for the 2011-2014 period was only 27.26 per cent funded, while in mid-February, the Iraq humanitarian action plan 2010 was funded only up to 31.8 per cent.⁴

In highlighting human rights issues across the country through its Office of Human Rights that also publishes regular bi-annual reports, UNAMI plays an important monitoring role. In addition to underscoring the effects of the security situation on the civilian population and stressing the plight of internally displaced persons, which helps to sustain attention on Iraq, UNAMI specifically underlines the need to promote and protect the rights of women and children. The mission is also working with the government on establishing an independent High Commission for Human Rights and has recently been asked to participate in the selection process of human rights commissioners.

Another important function of UNAMI is its monitoring role in Camp Ashraf, in the north of Iraq that is also the base of the People's Mujahideen Organization of Iran (an anti-Tehran militia). After incidents in December 2010 and January 2011 significantly increased tensions between Iraqi security forces and camp residents, the two sides clashed in April 2011, resulting in the deaths of 34 residents.⁵

Following the incident, the UN called for an independent investigation into the deaths, and urged the authorities to exercise maximum restraint in line with humanitarian principles. As the government, clearly stated its intention to dismantle the camp by the end of 2011, UNAMI and international partners continue to explore, with the government, ways to reach a long lasting solution consistent with Iraq's sovereignty and international law and that protects the camp's residents from forcible deportation.

CONCLUSION

Although incomplete, the formation of the December 2010 coalition government was a significant achievement by Iraq's disparate political blocs; one that signaled commitment to settle disputes through political processes rather than by violence. There are significant political problems remaining, however, that exacerbate the country's instability, aggravate underlying socioeconomic problems, and in turn, fuel the Iraqi population's discontent and protests. UNAMI along with the UNCT is well placed to support the government in these areas. However, the mission's future engagement faces several challenges.

The political space that opened up in December 2010 seems to be rapidly closing, with political disagreement and power struggles increasingly impeding progress. Yet, UNAMI has only a marginal ability to influence the process, as it operates solely at the request of the government. In line with Iraq's aspirations to fully regain its international standing, the government may seek more "normalized" relations with the UN, reducing UNAMI's political role while strengthening its engagement in social and economic policy areas in the near future.

The other challenges relate to the imminent withdrawal of US troops, which have been providing crucial logistical and security support to UNAMI. The mission has received an increased budget to expand its security capacity, and has brought two helicopters into operation and procured three armored buses to enable independent transportation of its staff between the international zone and Baghdad International Airport. While these are necessary precautions, they also significantly

increase UNAMI's profile and exposure and are likely to make it an easier target for attacks. For most of its security needs UNAMI will rely on Iraqi security forces. Many observers that saw the protests in the earlier part of the year as a test of the government and security forces' ability to protect law and order question the authorities' capacity to do so. The performance of the security forces is further affected

by the continued attacks on their own ranks.

Thus, while the level of political engagement for UNAMI depends on the government's willingness to provide space for such a role, the mission's ability to carry out its mandated tasks is likely compounded by the precarious and unpredictable security situation.

NOTES

- 1 Reuters, "June deadliest month for U.S. in Iraq since '08," 30 June 2011, available at <http://www.reuters.com/article/2011/06/30/us-iraq-violence-usa-idUSTRE75T3EZ20110630>.
- 2 International Crisis Group, "Iraq and the Kurds: Confronting Withdrawal Fears," Middle East Report Nr. 103, 28 March 2011.
- 3 United Nations Compensation Commission, "United Nations Compensation Commission pays out \$880 million," *PR/2011/4*, 28 April 2011, available at <http://www.uncc.ch/pressrel/Press%20release%20-%20Payment%20of%2028%20April%202011.pdf>.
- 4 United Nations, *Second report of the Secretary-General pursuant to paragraph 6 of resolution 1936 (2010)*, S/2011/213 (31 March 2011), para. 33, 39.
- 5 United Nations, "UNAMI Expresses Concern Over Events at Camp Ashraf," *UNAMI Press Release*, 16 April 2011, available at <http://www.uniraq.org/newsroom/getarticle.asp?ArticleID=1502>.