Briefing to the Security Council by SRSG for Iraq Ján Kubiš

New York, 22 November 2017

Mr. President,

Distinguished members of the Security Council,

I have the honour to introduce the first report of the Secretary-General pursuant to resolution 2367 (2017) on developments in Iraq, as well as the sixteenth report of the Secretary-General pursuant to paragraph 4 of resolution 2017 (2013) on the issue of missing Kuwaiti and third-country nationals and property.

Mr. President,

Allow me first of all to express my condolences to all those affected by the devastating 7.3 magnitude earthquake that struck the border areas between the Kurdistan Region of Iraq and the Islamic Republic of Iran on 12 November, leaving over 400 people dead and 2,600 injured, the majority in Iran. In Iraq, the earthquake caused eight fatalities, more than 500 injured and hundreds of families displaced. The United Nations’ response in assisting victims of this tragedy in heavily damaged areas in the Kurdistan Region of Iraq was immediate. And on 20 November another 5.1 magnitude earthquake hit both countries.
Mr. President

I would like to congratulate the Iraqi government and people on their truly historic victory against the terrorist Da’esh and its so-called Caliphate, a victory on behalf of the world community. On 4 November, Prime Minister Abadi raised the Iraqi flag at the Husaybah border crossing with Syria, days after Iraqi forces retook the crossing and the nearby town of Qa’im from Da’esh. On 17 November, the Iraqi Security Forces (ISF) fully recaptured the adjacent Rawa district, the last remaining densely settled area under Da’esh control in Iraq. Since summer 2014, Da’esh has lost 95% of the territory it once controlled in Iraq and Syria and more than 7.5 million people have been liberated from its grasp. Iraqis took back their country through the heroism and sacrifices of the ISF, including the Popular Mobilization Forces (PMF) who stepped forward in 2014 to defend Iraq against the onslaught of Da’esh terrorists, guided by the patriotic fatwa of His Eminence the Grand Ayatollah al Sistani, working alongside the Peshmerga and tribal forces, supported by regional neighbour states and the Global Coalition against Da’esh.

This victory has come at a very high cost. Many thousands of fighters and civilians were killed or wounded, leaving behind thousands of widows and orphans, hundreds of thousands of brainwashed children deprived of proper education; entire cities are in ruins; and some six million people have been displaced from their homes in several waves. Many thousands of both Muslims and minority communities were inhumanly exterminated or enslaved by Da’esh, particularly women and girls, in acts of war crimes and crimes against humanity, perhaps even genocide. I must also underline the heroism and sacrifices of those
who have been selflessly sheltering millions of IDPs, including in Kurdistan; of often female-headed households who have been taking care of the families of fighters; of the most vulnerable – children and the elderly - amidst the situation of war and terror, displacement, insufficient resources and almost non-existent economic opportunities. Our condolences and thoughts go today to all the victims of this war against Da’esh – civilians and members of the security forces - and their families.

Mr. President,

On 7 November, Prime Minister Abadi warned that despite the victory over Da’esh, terrorism remains a threat to Iraq, the region, Europe and beyond. Da’esh remains able and determined to continue devastating random attacks against the Iraqi civilian population, against civilians globally. The PM has also instructed the Iraqi forces to remain vigilant against potential incursions into Iraq from Syria, where the battle against international terrorism still rages on. I join these calls for vigilance. Da’esh is down but not, yet, out, even in Iraq. The military victory is only one component of a complex battle. Only by defeating its loathsome “takfiri” ideology, choking off its external support, and addressing the causes that prompted so many Iraqis to join or tolerate Da’esh can this terrorist organisation finally be eliminated.

I encourage the Global Coalition against Da’esh, including regional countries and the wider international community, vigorously to continue both military, and increasingly non-military, efforts aimed at helping Iraq to ensure the lasting, sustainable defeat of Da’esh and
the restoration of stability throughout Iraq and the region. In Iraq, priority must be given to facilitating the expeditious voluntary return of IDPs under conditions of safety and security; to de-mining, to stabilization, reconstruction and rehabilitation that will also take care of the minorities, and will create the conditions for their safe and sustainable future in post-Da’esh Iraq while continuing with humanitarian assistance. These efforts should complement domestic and international support to security sector reform aimed at increasing the country’s ability fully to enforce law and order against the multitude of armed groups which persist outside of state control, including criminal gangs, militias and tribal elements.

Mr. President,

Just as the country is beginning to breathe a sigh of relief at the defeat of the Da’esh terrorists, many long-standing unresolved issues - overshadowed by the urgency of fighting Da’esh - are coming once again to the fore, adding tensions to the increasingly complicated pre-election atmosphere. Among them are issues of a political, economic and social nature, such as the urgent need for fundamental reforms to the post-2003 political system, permeated by patronage and sectarian quotas, lack of equality and justice for all based on citizenship. There is a lack of protection for minorities, of measures against the growing deprivation of women. Of economic and social reform that should radically limit corruption and bring good governance, efficiency and guarantees to private investors as a prerequisite for a prosperous future - and jobs for the increasingly youthful population of Iraq who for months protested
for better governance, services and reforms in 2016 and are expected to do again now, after the defeat of Da’esh, urged on by the prominent leader and cleric Mukhtada al Sadr.

Prominent among current concerns are the tensions between the central government and the Kurdistan Regional Government (KRG) prompted by complaints of both sides about deficiencies in implementing of the Constitution. The response of the KR-I authorities was to hold a unilaterally-declared independence referendum on 25 September in the Kurdistan region and the disputed territories under its control since 2014, against the will of Baghdad and against the advice of regional countries and the international community, including the UN. The ensuing confrontation between Baghdad and Erbil has added another layer of insecurity and fragmentation, in the KR-I and Iraq more widely.

The central authorities have categorically rejected the referendum as unconstitutional and repeatedly called for its annulment. Challenged by the referendum, the Government of Iraq took determined steps to re-assert the constitutional order and re-establish federal authority over Iraq’s external border crossings, including the international airports in the KR-I, over the disputed territories and in the export of oil. On 16 October, federal security forces launched operations in Kirkuk, proceeded rapidly through other disputed territories, and reached almost to the so-called Green Line of 2003. Although in most cases the withdrawal of Peshmerga forces from these areas took place in coordination with the ISF, significant clashes did occur between the Peshmerga and the ISF in Kirkuk, Tuz Khurmatu and Altun Kubri. This has triggered a new wave of displacements, this time mostly of Kurds.
On 24 October, the KRG offered an immediate ceasefire, the start of open dialogue between Baghdad and Erbil on the basis of the Constitution, and the freezing of the results of the referendum. This was rejected by the federal government as insufficient. At the end of October, a high-level intergovernmental mechanism, comprising senior federal forces and Peshmerga military commanders, started negotiations on the reestablishment of federal forces in the disputed territories and external border crossings. Even now, however, control of some disputed areas and border crossings, including Faish Khabour, remains unresolved.

On 21 November the Provincial council of Kirkuk convened its first session there since the events of 16 October, rejected the call in favour of its dissolution and decided to consider proposals as regards its current chairmanship and appointment of an interim chairmanship.

On 6 November the Federal Supreme Court (FSC) released an opinion regarding interpretation of Article 1 of the Iraqi Constitution which states: “The Republic of Iraq is a federal, independent and fully sovereign state in which the system of government is parliamentary and democratic republic, and this Constitution is a guarantor of the unity of Iraq.” The Court concluded that it did not find in the Constitution any provision authorising the secession of any component of the federal system of the Republic of Iraq. On 20 November the FSC took another decision, this time directly concerning the referendum. In that decision the FSC i.a. confirmed that the referendum of 25 September 2017 and its stated purpose, which is the independence of the KR-I and other areas outside of it, has no constitutional reference and violates its provisions. The FSC therefore decided that the
referendum was unconstitutional and all of its results and effects shall be cancelled. The Government of Iraq welcomed both decisions of the FSC, called on everyone to respect the Constitution and reaffirmed its commitment to preserving the unity of Iraq.

On 14 November, the Kurdistan Region Government confirmed its respect for the Federal Supreme Court’s interpretation of Article 1 of the Iraqi Constitution as per its decision of 6 November 2017, and thus for the unity of Iraq. Its statement emphasized the Kurdistan’s Region commitment to finding solutions to disputes between the two sides through constitutional and legal means and in a way that guarantees all rights. As regards the second decision of the FSC, on 20 November PM N.Barzani again confirmed respect for the Constitution stating that the implementation of the Constitution will solve all the issues, and noting that it is not possible to challenge the FSC ruling even if it was issued unilaterally and that the FSC rulings are final. The Federal Supreme Court has thus played a welcome pivotal role in creating conditions for a constitutional and peaceful way forward to resolve the Baghdad-Erbil crisis.

UNAMI has engaged extensively with the main stakeholders in Baghdad, Erbil, Sulaymaniyah and Kirkuk, and has called repeatedly on all sides to refrain from threat or use of force, from inflammatory statements and confrontational steps. Our message has been clear: all outstanding issues between the federal Government and the KRG need to be resolved through their constructive partnership dialogue, leading to sustainable solutions on
the basis of the Constitution that will also guarantee the full constitutional rights of the KR-I and its people. Now that the issue of the referendum has found its Constitutional resolution, UNAMI urges the continuation of the high-level intergovernmental dialogue on military and security issues, to avoid confrontation during the deployment of federal forces in the disputed areas and enable the establishment of federal authority over the external border crossings of Iraq, including the international airports in the KR-I with the aim to find arrangements that will enable their reopening for international flights as soon as possible. UNAMI also calls for an immediate start to negotiations with government representatives on other key matters such as the budget, salaries and oil exports. UNAMI has offered its support to such negotiations, should it be requested by both sides, while reaffirming the UN commitment to a united, federal and democratic Iraq.

Only through such negotiations between the federal and KR governments can both sides find a solution for enduring points of contention such as the allocation of a fair share of the proposed 2018 federal State Budget for the Kurdistan Region of Iraq, where the federal government currently proposes a share of 12.6 percent, compared with the 17 percent share earmarked for KR-I in previous budgets.

I hope that a solution can also be found for the return of the Kurdish Members of Parliament to the Council of Representatives, including those Kurdish deputies who took part in the referendum. Addressing the country’s immediate needs, including passing many important pending laws, such as legislation for the forthcoming elections and the Federal
Budget Law, requires the active participation of all members of the Parliament. This is especially important as, according to the Secretary of the Kurdistan Regional Parliament, all Kurdish political parties are now planning to participate in the national elections.

On 28 October, KR-I President Masoud Barzani addressed a letter to the Regional Kurdish Parliament in which he indicated that he refused to continue in his position and did not encourage an extension to his current presidential term. Accordingly, on 29 October the Kurdistan Regional Parliament passed a law temporarily redistributing his presidential powers among the executive, the legislative and the judiciary, pending the forthcoming Kurdish elections. It has laid a heavy responsibility on the shoulders of PM N. Barzani and his deputy Q. Talabani to find the way out of the political, economic and social crises and needs of the region, to steer the course of Baghdad-Erbil relations out of confrontation. For that they will need support from all segments of Kurdistani society and political forces as the KRG will work on solutions for the Baghdad-Erbil confrontation on behalf of the whole KR-I – an indispensable but complicated task, as the region prepares itself for the May 2018 elections.

Mr. President

UNAMI continues to document the heinous crimes perpetrated by Da’esh. In November, the Mission, jointly with the Office of the UN High Commissioner for Human Rights (OHCHR), published a report documenting evidence of the mass atrocities committed
by Da’esh against civilians and the city of Mosul itself. Their reign of terror has spared no one, inflicting untold suffering on unarmed residents whose only fault was that they lived in the areas under Daesh’s control. Their evil acts did not stop at killing and terrorising residents. They deliberately destroyed cultural and religious monuments, in total disregard for history and Islam, the religion that this terrorist organisation falsely claims to represent.

In this regard, I would like to reiterate my calls on the Government of Iraq, the KRG and the international community to create conditions and ensure that those responsible for international crimes such as crimes against humanity, war crimes and potential genocide are held accountable. Iraqi and Kurdish authorities should investigate all alleged violations and human rights abuses committed during the military liberation operations. I am glad to confirm that a clear intention to do so, through due process and in a transparent way, was last week confirmed to me by PM Abadi when meeting Ms. Callamard, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.

Mr. President,

Unfortunately, journalists and their profession did not escape the tensions and violence buffeting the country. A local cameraman working for a Kurdish TV station was stabbed to death by unknown assailants at his house in Kirkuk Governorate on 30 October, and two journalists were assaulted in Erbil while carrying out their work on 29 October. Offices of a TV network were looted and vandalized in Erbil and Dohuk. A Belgian
journalist was wounded in crossfire south of Erbil on 20 October. At the same time, some media outlets in Kurdistan Region were banned by a decision of the Iraqi federal authorities for failing to obtain the necessary licences. Journalists are brave professionals and should be allowed to carry out their work without hindrance or intimidation. It is the responsibility of the authorities to ensure that all citizens, including journalists performing their duties, are protected. At times of crisis, a free and impartial media becomes ever more essential to safeguard the public interest and protect democracy, to ensure the necessary degree of transparency and accountability. At the same time, hate speech and incitement to violence based on religion, race or political affiliation, have no place in a democracy. I call on the authorities to investigate the stabbing which resulted in the death of the Kurdish cameraman and bring the perpetrators to justice. I also call on the Iraqi federal authorities to ensure that the work of journalists is facilitated.

Mr. President,

UNAMI continues to engage with Iraqi political parties to advance national reconciliation and settlement, working together with the Government of Iraq to identify key priorities and deliverables over the forthcoming months in the run-up to next May’s national and provincial elections. Social reconciliation centred around the return of IDPs has now become a critical priority.
To support national reconciliation, UNAMI continues to engage in local-level activities. In September, the mission launched another series of roundtable discussions across the country, to develop a better understanding of grassroots perspectives for national reconciliation. Five roundtables were held from September to November, covering a number of different governorates. Participants were political, religious and tribal leaders as well as representatives of civil society. Those who attended adopted a set of recommendations to advance the national settlement process and achieve national reconciliation. Further roundtables are scheduled in Ninewa, Erbil, Kirkuk and Najaf around the end of the year. On 23 September, UNAMI in collaboration with the Implementation and Follow-up Committee for National Reconciliation, which works under the Office of the Prime Minister, organised a conference under the title “Media promotes coexistence and reconciliation.” The conference brought together more than 60 media executives, including 11 women, from across the country. They expressed views on - and concerns about - the role of media discourse and policies in promoting coexistence. They adopted a national media charter for peaceful coexistence to promote the values of tolerance and acceptance of the other. This was the final event of UNAMI’s initiative to incorporate senior media professionals into national reconciliation efforts. The mission had previously organised four workshops targeting journalists in provincial capitals to enhance their awareness of national reconciliation.

At the request of the General Secretary of the Cabinet, UNDP is supporting preparations for a conference, to be held in the Christian town of Bartela in mid-December, that will bring together minority and religious leaders to discuss the return of displaced
families in the Nineveh Plains. In preparation for the conference, UNDP has supported six round tables with each of the ethno-religious groups in the Plains including Christians, Yezidi, Shabak, Ka'Kai, Turkmen and Arabs.

I urge all political, religious and civil society leaders to engage constructively to discuss the way forward for the country in order to achieve a stable coexistence for all Iraqis.

Mr. President,

On 23 October, after months of postponement, a new Board of Commissioners for the Independent High Electoral Commission (IHEC) was approved by the Council of Representatives as a result of a difficult and protracted process of strenuous political negotiations based again on a quota approach. Many of the new Board members have been drawn from the ranks of current and former experienced staff of the institution itself. A major disappointment for Iraqi civil society and UNAMI has been that, for the first time, no women were appointed to the Board - a steady regress in women’s representation and participation in top positions in state and political institutions. I reiterate UNAMI’s calls to ensure proportionate female representation and meaningful participation, including in national reconciliation. On 9 October, the Parliamentary Legal Committee introduced the draft IHEC Law, adding two additional positions on its Board, one for a Christian and one for a Turkmen representative. I encourage the appointment of at least one woman to these posts.
The new Board has a Herculean task ahead. On 15 May 2018, both the Governorate Councils and the Council of Representatives elections are scheduled to take place in accordance with the Constitution – and the Constitution ought to be fully respected here. They will face a number of challenges, including the first time use of new voting technology, the holding of two simultaneous elections, a tight timeline, pending Provincial Council and Parliamentary elections laws, and security concerns, notably in the areas of returns of IDPs. I urge that these challenges are resolutely addressed in the months to come. Otherwise, holding elections when parts of Iraq remain insecure and large numbers of people, particularly from the Sunni communities, continue to be displaced could cast doubts over the inclusiveness and credibility of the elections and thus the acceptability of its results – both internally and abroad. I also renew my call for the Council of Representatives urgently to pass relevant legislation to guide the conduct of these elections so that, despite the challenges, the elections are held on time on 15 May 2018. While I expect that international observation of the electoral process will be limited, I encourage domestic observer groups to prepare to fulfil their role by closely following, observing and reporting on the elections. The international community is ready to assist them in these efforts.

Based on the formal requests for election technical support from the Independent High Electoral Commission and from the Council of Representatives, a UN electoral needs assessment mission has been deployed to assist in identifying priority areas for support and to calibrate ongoing UNAMI electoral assistance efforts. UNAMI is committed to continue
providing support and assistance to the IHEC, the expert committees in the Council of Representatives, other Iraqi institutions and civil society involved in the elections.

Mr. President,

Liberation of Iraqi territory from Da’esh has exposed the horrors inflicted on civilians by the terrorist group. On 26 September, 21 decomposed bodies with gunshots were found in Ibn Sina hospital in western Mosul. The victims were reportedly civilians and were allegedly shot dead by Da’esh while receiving treatment at the hospital. Prior to that, on 24 September, Da’esh reportedly killed three civilians accused of cooperating with Iraqi forces in al-Qaim, Anbar Governorate. While suffering significant losses on the battlefield, Da’esh continued to target civilians and on 11 October, a suicide attack in Heet City centre, Anbar Governorate, killed at least 12 civilians and wounded 15 others. Explosives reportedly planted by Da’esh caused further civilian casualties in Anbar and Ninewa Governorates. For example, on 3 October, the detonation of an IED killed three civilians in a house in southern Fallujah City. On 30 October, the detonation of an explosive remnant of war killed six members of one family in western Mosul City.

Allegations against members of Iraqi forces allegedly involved in criminal acts have also been reported. On 29 October, members of the Rapid Response Forces (RRF) of the Iraqi Army allegedly robbed civilian houses in a village. On the same day, Popular Mobilisation Forces members reportedly robbed a shop in a village. On 30 October, local
police arrested three RRF personnel in connection to this incident and presented them before court.

Mr. President,

UNAMI also received reports of civilian casualties, primarily from the Kurdish community, that occurred during armed clashes between federal forces and Peshmerga in Kirkuk and other disputed areas including Tuz Khurmatu and Salah al-Din on 15, 16, and 17 October. Most of the casualties were caused by shelling.

In Kirkuk, between 26 October and 3 November, 12 bodies with gunshot wounds were found in different parts of the Governorate. No information was available on the identities of the perpetrators and the reasons behind these incidents. Kurdish-owned property was reportedly targeted in attacks using explosives in Daquq district of Kirkuk Governorate. In the ethnically and religiously mixed area of Tuz Khurmatu in Salah al-Din Governorate, on 16 and 17 October, at least 150 houses belonging to Turkman and Kurds were set ablaze; one PUK office and one Shi’a Turkoman Husseiniya were damaged in violent clashes between armed groups.

In Diyala, UNAMI received reports at the end of October of destruction of a large number of houses in several villages of Jalawla sub-district. UNAMI has also received reports alleging that Peshmerga may have destroyed property, notably in disputed territories in Ninewa, Zumar district. All these reports are being investigated, in cooperation with the
respective federal and Kurdistani authorities. I welcome the measures taken by Prime Minister Abadi to enforce law and order by federal forces in areas that have witnessed an increase in violence as a prerequisite for the return of mostly Kurdish IDPs back home. I urge the competent authorities to carry out prompt and impartial investigations of these incidents and to bring those responsible to justice.

Mr. President,

Of particular concern is the rising popular sentiment in favour of collective punishment of families perceived to be associated with Da’esh. Iraqis perceived to have links with Da’esh are increasingly subjected to revenge measures. It was reported to UNAMI that on 22 September, Tribal Mobilisation Unit members burnt around 20 houses in a village in eastern Shirqat, Salah al-Din Governorate. These acts were allegedly committed for past Da’esh abuses. On 27 September, Tribal Mobilisation Unit members allegedly burned and demolished at least 20 houses belonging to families allegedly Da’esh-affiliated in al-Zab sub-district, Kirkuk Governorate. In Heet City, Anbar Governorate, Iraqi security together with local actors notified families with members allegedly affiliated to Da’esh to leave the city, marking their houses with the words “you should leave within 72 hours”.

Hundreds of houses have so far been marked; dozens of families reportedly left to unknown destinations after the marking of the houses; and seven houses were seriously damaged. Unlawful acts like forced evictions, without evidence that the individuals subjected
to eviction orders committed any crime or wrongdoing, are in clear contravention of the
Constitution of Iraq and Iraq’s obligations under international law. I urge the Iraqi authorities
to maintain the rule of law, to halt evictions and vindictive acts, and to bring to justice those
responsible for them.

UNAMI continues to prioritize the provision of justice to individuals affected by
human rights violations and abuses committed in the ongoing armed conflict, in particular
serious crimes that may amount to war crimes, crimes against humanity and possibly
genocide. UNAMI has completed a draft law on the Establishing of a National Specialized
Court on Most Serious Crimes to be discussed with relevant authorities and criminal law
experts. This endeavour would allow domestic courts to have jurisdiction over international
crimes. Separately, the discovery of at least 80 mass graves in Iraq since June 2014
underscores the need to increase the capacity of the Federal Government and the Government
of the Kurdistan Region to protect and systematically investigate crime sites. Systematic
preservation and excavation of these sites remains critical, given that they may contain
evidence of the perpetrators of these crimes and help identify victims.

Mr. President,

Advancing the Women, Peace and Security agenda remains one of our main
priorities. The Mission, together with UN Women, held consultative meetings with senior
leaders from political parties, women’s leaders and civil society groups throughout Iraq to
identify solutions on removing barriers which are impeding women’s participation in political and national reconciliation processes. Consultative meetings were held in Karbala, Baghdad, Erbil and Basra between 9 October and 1 November in the context of the Global Open Day and marking the 17th Anniversary of the UN Council Resolution 1325. During the events, I emphasized that equality, empowerment and meaningful participation of women must be central to all peace, justice, reconciliation and reform efforts in the post-Da’esh period and urged the Iraqi political leadership to ensure that women are able to play a critical role in shaping the future of Iraq. Iraqi society, supported by the international community, has also reacted with anxiety to the announced intentions to alter the personal status law that might negatively affect the current legal status and rights of women.

Mr. President,

The UN continues to engage with the relevant Iraqi authorities on the establishment of an Inter-Ministerial Committee on Grave Child Right Violations. The Committee aims to provide a forum for dialogue, to promote preventative action and to provide response to issues related to children and armed conflict. This includes actions to be taken against the recruitment and use of children by government and pro-government forces. Furthermore, there continues to be a need to address the recruitment and use of children in armed units and their release and rehabilitation. I encourage the Government of Iraq to work with the UN to ensure that children arrested by security forces, including those arrested for terrorism-related charges, are treated in accordance with relevant national laws. I also urge prioritisation of the
establishment of an Inter-Ministerial Committee on Grave Child Rights Violations, which will contribute to reinforcing the national protection mechanisms in place. In parallel, the UN is now also focusing its attention on addressing sexual violations and abductions, whilst continuing to provide services and support to children who have been affected by the conflict.

Mr. President,

The UN continues working with the Federal Government to develop an Action Plan on the implementation of the Joint Communiqué on Prevention and Response to Conflict-Related Sexual Violence. The Action Plan aims to support the Government and civil society in addressing conflict-related sexual violence and respond to the needs of survivors. Civil society organizations made recommendations on the Terms of Reference of the special investigative team, which should be established following the adoption of the UN Security Council resolution 2379 on accountability for Da’esh crimes that have been shared with the UN headquarters. These recommendations include provision of protection to victims and witness as well as appointment of female investigators and judges, which would encourage victims of such violence to come forward.

UNFPA continues to support provision of life-saving services for survivors of gender-based violence (GBV), including conflict-related sexual violence (CRSV), through its 132 women community centres across Iraq. Awareness-raising and advocacy activities were conducted in both camp and out-of-camp locations, with special focus on Ninewa Governorate, to address sexual harassment, often perpetrated by armed actors. UNFPA, in
close collaboration with the Federal Government, has succeeded in identification of premises for the establishment of the first Government-run shelter for survivors of GBV, including CRSV, in Baghdad.

Mr. President,

The humanitarian crisis in Iraq remains one of the largest and most volatile in the world. Since the rise of ISIL, 5.8 million civilians have been forced from their homes; 3.2 million are still displaced. Although combat operations are concluding, displacement continues. During the transfer of security authority in disputed areas in October, nearly 190,000 civilians fled their homes. Most of those displaced are from Tuz district in Salah Al-Din governorate and from Kirkuk and Daquq districts in Kirkuk governorate. The majority are staying with friends and family in Sulaymaniyah, Garmiyan and Erbil Governorates. The situation is extremely fluid, with many people leaving their homes for a few days and then returning when the situation has stabilised. The majority of people who have returned have gone back to Kirkuk. Very few, perhaps only about 2 percent, have gone back to Tuz. A further 15,000 people have been displaced during the military operation in western Anbar province. The overwhelming bulk of assistance continues to be provided by the Government of Iraq and Kurdistan Regional Government. The UN and humanitarian partners are there to help, continuing to provide life-saving assistance including shelter, water, health care, food and household kits.
Mr. President,

Under the leadership of Humanitarian Coordinator Lise Grande, humanitarian partners have reached more than six million Iraqis during this year including two million impacted by military operations in Mosul. Nearly five million civilians who even a year ago we could not reach, have received assistance. Each month, we are reaching at least one million civilians with the assistance they need to survive. The Iraq Humanitarian Response Plan has received 71 percent of the USD 985 required for 2017. We are grateful for this support, and ask partners to continue their generous contributions to ensure that the people who have suffered the most receive the assistance they need, and are entitled to under international humanitarian law.

Mr. President,

Impressive and increasing amount of work is being done to stabilise newly liberated areas through UNDP’s Funding Facility for Stabilization. More than 1,460 projects have either been completed, are under development or are being implemented in 23 liberated cities and districts in Anbar, Salah al Din, Diyala and Nineveh Governorates. The impact of this work is significant; 2.6 million Iraqis have returned to their homes and a further 1.7 million are expected to return in the months ahead. The Facility is a key instrument helping to jump-start local markets, repair public infrastructure and re-establish basic services. More than 95 percent of all stabilization projects implemented under the Funding Facility are done by the
local private sector. Tens of thousands of Iraqis, many of them young men, are employed on stabilization initiatives.

The Funding Facility is focusing intensively on a number of key areas including areas in the Nineveh Plains where persecuted minorities, including Christians and Yezidi, have been forced to flee.

Mr. President,

The main impediments to persecuted families returning to many parts of the Nineveh Plains are insecurity and the political status of the disputed areas. Until these issues are resolved, families who have suffered, will be reluctant to return to their homes, fearful of what may happen to them if they do. As authorities work through these issues, the Funding Facility can help to improve conditions in these areas and we are committed to ensuring that the more than 200 projects underway in priority Christian and Yezidi towns are implemented as quickly as possible.

In the year ahead, the Funding Facility will be helping to ensure that the military gains made against Daesh are not undermined in newly liberated areas, particularly in areas where extremism may re-emerge. These include Baiji, Baaj, Tel Afar, Hawija, Shirgat and western Anbar. UNDP estimates that USD 289 million is needed to stabilize these hotspots.
and we are appealing to donor countries to step forward to provide these urgently needed resources. De-mining is a critical priority and UNMAS needs continuous support as well.

Mr. President,

ISIL has produced, on an industrial scale, victim-initiated improvised explosive devices that are powerful enough to destroy a vehicle. Whereas an anti-personnel mine contains usually less than 250 grams of explosive content, these victim-initiated IEDs can have 20 kilograms of explosives or more, a tangible example of the type of evidence that the recently established Investigative Team under S/RES 2379 will examine in collaboration with the Government of Iraq.

UNMAS is working closely with the Government of Iraq and the international community to increase the number of mine action operators. I call upon Iraqi authorities to accelerate the registration and accreditation process for these operators so that urgently needed efforts to survey and clear newly liberated areas can move forward much more quickly than is currently the case.

Mr. President,

Allow me to turn now to the sixteenth report of the Secretary-General on the issue of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the National Archives.
In a region fraught with instability, Iraq and Kuwait serve as a model of good neighbourly relations: two countries forging close ties to overcome historic conflict, tragedy and human catastrophe. Their collaboration on this file is an impressive example of their expanding bilateral co-operation.

The Government of Iraq is fully cognisant of its international and humanitarian obligations relating to the file on missing Kuwaiti nationals. Since assuming a proactive role last year, the Iraqi Ministry of Defence has made impressive efforts, including through exploration and excavation, to identify further grave sites. Information recently obtained on a new potential site demonstrates the value of continuing collective efforts to identify new witnesses and technical data. The inclusion of a member from the Kurdistan Regional Government within the Iraqi delegation to the Tripartite Commission sub-committee meeting held in August marked a positive step in strengthening the reach of activities. The fact that, unfortunately, there have been no successful recent discoveries of burial sites should not discourage future efforts. I hope that central and regional governments in Iraq will continue to co-operate on this humanitarian objective.

The long-awaited ICRC Review Report was submitted to last week’s 45th Tripartite Committee meeting in Cyprus. It offers an exhaustive historical overview and technical assessment of all aspects of previous search efforts for burial sites, and makes concrete
recommendations on prioritisation and further exploration of specific locations. I commend the International Committee of the Red Cross for undertaking a project of such magnitude, involving compilation of extensive data by researching some 6,500 documents and multiple field assessments. Members of the Tripartite Commission will comment on the draft report and work together in coming months to translate the recommendations into a plan of action.

The meeting also provided an opportunity for members of the Tripartite mechanism to re-assess ongoing activities, such as proactively searching for witnesses; re-examining documents and archives; approaching security and military personnel who served in locations of interest; approaching tribal heads and religious leaders to encourage people to come forward with information; surveying sites by conducting door-to-door interviews; using contemporaneous satellite images of suspected burial grounds; using image analysis to direct field missions towards promising sites; using advanced models of ground-penetrating radar and metal detectors; re-analysing old testimonies; and exchanging best practice with countries/organisations undertaking similar projects. Committee members underlined the need for innovative field equipment and forensic, DNA and anthropological training and capacity-building to the Iraqi technical teams. UNAMI will consider carefully how best we might contribute to this project from our existing resources and expertise.
Mr President

We must continue building upon what has been achieved so far. The families of those missing have been waiting more than twenty-five years to discover the fate of their loved ones. I urge the Government of Iraq to continue exercising commitment and effort in order successfully to locate the remains of the missing persons. I call upon the international community to support the requests of the Government of Iraq for financial, equipment or capacity building support in their endeavours.

Results in identifying missing Kuwaiti property have met with limited success. Although there has unfortunately been no advance in locating the important Kuwaiti National Archives, the Government of Iraq has identified over 6,000 Kuwaiti books. I encourage the governments of Kuwait and Iraq to co-ordinate arrangements on their repatriation - under UN auspices, if this were judged helpful. I further urge the Government of Iraq to redouble its efforts to locate missing Kuwaiti property, in particular, the National Archives.

There is an Arabic expression لا يضيع حق وراءه مطالب (La yadi’a haq wara’ahu moothaleb): “A right is never lost, as long as it is pursued.” Kuwait has the right to know what happened to its citizens and national possessions. The families of the missing have the right to know what happened to their loved ones. And as long as there is no answer, they will continue to seek the truth. The United Nations and the international community, too, will keep pursuing this matter; we will continue supporting Iraq in this quest until we are able to close this chapter.
Alice Walpole, my newly appointed Deputy Special Representative for Political Affairs, has taken on this file in accordance with Resolution 2107. I would like to thank former Deputy Special Representative György Busztin for his excellent work, efforts and commitment to this file since the adoption of the resolution in 2013.