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United Nations Assistance Mission for Iraq (UNAMI)

بعثة الأمم المتحدة لمساعدة العراق (يونامي)
زێردەهێ نهتهوه بهگرتوووهكان بۆ هاریکاری کردنی عێراق (یونامی)

PRESS RELEASE

UNAMI Acknowledges Kurdistan Region's Government Statement Announcing Respect for the Federal Court Ruling on unity of Iraq

Baghdad, 15 November 2017 - On Wednesday 15 November, 2017 in Erbil SRSG Ján Kubiš delivered a letter of the Secretary-General A. Guterres dated 10 November 2017 to H.E Prime Minister N. Barzani who was accompanied by H.E Deputy Prime Minister Q. Talabani. The same day he delivered a copy of this letter to H.E Prime Minister H. Abadi, for information. In the letter that the Secretary-General sent in response to a communication from Prime Minister Barzani of 7 November 2017, the Secretary-General among others stated:

“I fully share your view that the outstanding issues between Baghdad and Erbil should be resolved by peaceful means through political negotiations based on the Constitution of the Republic of Iraq. I am encouraged by the fact that the Government of Iraq and the Kurdistan Regional Government have publicly expressed openness to such negotiations on several occasions. A further destabilization of the current situation must be prevented, in the interests of promoting national reconciliation, fostering greater stability in a volatile region and confronting the threat that the Islamic State of Iraq and the Levant continues to pose.

I encourage both sides to take the necessary steps to create a conducive environment in which genuine negotiations can take place.

The United Nations stands ready to assist in this effort as the request of the parties concerned and based on the United Nations mandate for Iraq, notably through my Special Representative for Iraq, Mr. Ján Kubiš.”

SRSG Kubiš also reiterated the position expressed on 26 October 2017 in comments to the media by the then French Presidency of the UN Security Council that among others stated:

“Council members called on all sides to refrain from the threat and use of force and to engage in constructive dialogue, facilitated by the United Nations upon request, as a path way to de-escalation and a means to preserve Iraqi unity.

Council members recalled the needs for the rights and aspirations of all Iraqi citizens to be met through full implementation of the Iraqi constitution.

Council members noted that the Federal and Regional Governments have both expressed willingness to engage in dialogue. We encourage them to expeditiously set a time table to hold these discussions.

Council members reaffirm their respect of the sovereignty, territorial integrity and unity of Iraq. They also reaffirm the importance of remaining focused on efforts to defeat the Islamic State in Iraq and the Levant (ISIL/Daesh).”

SRSB Kubiš also acknowledged a reaction of the Kurdistan Regional Government (KRG) to the Decision No.: 122 of the Federal Supreme Court of 6 November 2017 that, established that the Federal Supreme Court did not find in the Constitution any provision authorizing the secession of any component of the federal system of the Republic of Iraq, thus underlining the unity of Iraq.

In its statement of 14 November 2017 the KRG i.a. reiterated:

“As we, in the Kurdistan Region, have always emphasized on finding solutions to disputes between the federal Authorities and the Kurdistan Region through constitutional and legal means, and based on our known position which welcomes all relevant initiatives, especially the initiatives by the Grand Ayatollah Ali Al- Sistani, Iraqi dignitaries and friendly countries to the Iraqi people regarding addressing disputes on the basis of the Constitution, we respect the interpretation of the Federal Supreme Court of the First Article of the Iraqi Constitution.

We believe that this Decision must become a basis for starting an inclusive national dialogue between Erbil and Baghdad to resolve all disputes through implementation of all constitutional articles and in a way that guarantees all rights, authorities and status mentioned in the Constitution, since this is the only way to secure the unity of Iraq, as Article 1 stated.”

In line with the letter of the UN Secretary-General and of the said position expressed by the then Presidency of the UN Security Council SRSB Kubiš reiterates a compelling need to address and resolve all the outstanding issues between the two governments through dialogue based on and in full accordance with the Constitution that will also guarantee the full constitutional rights of the KR-I and its people, without threat or use of force, as a constitutional way towards stability, integrity and prosperity, towards further strengthening of unity, sovereignty, territorial integrity of united, federal and democratic Iraq. He urges the continuation of high-level dialogue between the federal and Kurdish Regional Governments on military and security issues to avoid confrontation during the deployment of federal forces in the disputed areas and the establishment of the federal authority over the external border crossings of Iraq including the international airports in the Kurdistan Region of Iraq. He also welcomes the intent expressed by Prime Minister Abadi on 14 November 2017 to open a dialogue of government representatives and experts regarding i.a. the budget and oil export. Such lines of dialogue are essential to both maintaining calm and avoiding escalation in the process of establishing the federal authority over the disputed territories and external border crossing and to finding urgently solutions on pressing

issues of the budget, salaries or oil exports. Such dialogue also opens a way towards constructive political negotiations in the spirit of partnership on broader set of critical issues and arrangements concerning the future Baghdad – Erbil relations in united Iraq.

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