25. The situation concerning Iraq

In 2019, the Council held four meetings and adopted one resolution in connection with the situation concerning Iraq. On 21 May 2019, the Council extended the mandate of the United Nations Assistance Mission in Iraq (UNAMI) until 31 May 2020, through the unanimous adoption of resolution 2470 (2019). All meetings under the item during the period under review took the form of briefings. For more information on the meetings, including participants, speakers and outcomes, please see the table below. In addition, the Council conducted a mission to Iraq and Kuwait from 27 to 30 June 2019.

During the period under review, the Council heard regular briefings by the Special Representative of the Secretary-General for Iraq and Head of UNAMI on the situation concerning Iraq. In her four briefings, she reported on the progress made towards the formation of a Government and on senior appointments to the federal Cabinet and parliamentary committees. She also reported on the progress made regarding the issue of missing Kuwaiti and third-country nationals and missing Kuwaiti property, including the national archives.

In a briefing given to the Council at the beginning of 2019, the Special Representative of the Secretary-General reported on the Turkish military actions in Iraq.

506 For more information on the format of meetings, see part II, sect. 1.
507 For more information on the Council’s mission to Iraq and Kuwait, see part I, sect. 33.
509 See S/PV.8462.
The Special Representative also reported to the Independent High Electoral Commission and on the amendments passed in July 2019 to the electoral law on governorate councils. In regard to the latter, she stressed that certain provisions were of great concern, as they could potentially disenfranchise many otherwise eligible voters. She cautioned that the transparency and accountability of electoral institutions and processes were not sufficiently guaranteed for the elections expected to be held in April 2020.\(^{511}\)

In her briefing to the Council on 3 December,\(^ {512}\) against the backdrop of protests and civil unrest in early October 2019 and the subsequent resignation of the Prime Minister in early December, the Special Representative of the Secretary-General noted that, from the beginning of the demonstrations, authorities had resorted to excessive use of force and that, although the Government had announced various reform packages addressing such issues as housing, unemployment, financial support and education, those packages were often perceived as unrealistic. She also mentioned that, although the Government’s investigation into the violence of early October was a positive step, it was seen as incomplete. She emphasized the collective responsibility of the political class as a whole to advance real solutions.

In another briefing, the Special Representative of the Secretary-General commended the Iraqi security forces for their bravery in continuing to hunt down the remaining fighters of Islamic State in Iraq and the Levant (ISIL, also known as Da'esh) in the aftermath of its territorial defeat. She also expressed concerns regarding returning fighters and refugees from the Syrian Arab Republic, from a security and capacity perspective, as well as from the perspective of human rights and humanitarian protection. Reporting on humanitarian efforts, she expressed concerns regarding the continued underfunding of both the Funding Facility for Stabilization of the United Nations Development Programme and the 2019 humanitarian response plan. She added that, although houses, roads, bridges and power lines had been rebuilt, and 4.3 million people had returned home thanks to many donor contributions, about 1.6 million internally displaced persons were still desperately waiting to return to their homes in safety and dignity.\(^ {513}\)

Regarding accountability for human rights violations, the Special Representative stressed that promoting more consistent adherence to international standards of due process and fair trial was of the greatest importance, as an impartial and transparent process of judicial accountability for the gross violations of human rights committed by ISIL (Da'esh) would prove crucial in rebuilding peaceful coexistence and social cohesion.\(^ {514}\)

On 3 December 2019,\(^ {515}\) the Council heard a briefing by the Permanent Observer and Head of the Delegation of the International Committee of the Red Cross (ICRC) to the United Nations on the work of the Tripartite Commission, chaired by ICRC, and on the progress made in repatriating missing persons from the 1991 Gulf War, including the recovery of Kuwaiti remains for the first time in 14 years. At the same meeting, the Archbishop of Erbil gave a briefing on the protests held since October 2019, stating that they demonstrated the rejection of the post-2003 structure and Government of the country by the majority of the Iraqi people.

At meetings on the item in 2019, Council members welcomed the progress made on Government formation and overall reconstruction efforts.\(^ {516}\) Members also commended the central Government and the Kurdistan Regional Government for their cooperation and dialogue\(^ {517}\) and the appointment of senior positions in the federal Cabinet and

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511 See S/PV.8462 and S/PV.8606.
512 See S/PV.8676.
513 See S/PV.8606.
514 See S/PV.8462.
515 See S/PV.8676.
516 See S/PV.8462 (Indonesia, China and South Africa); S/PV.8531 (Peru); and S/PV.8606 (United States, Germany, Belgium, Peru, Russian Federation and Poland).
517 See S/PV.8531 (South Africa and China).
parliamentary committees, although several expressed concern over the absence of women in those positions. Numerous Council members expressed support for UNAMI and the Government of Iraq in having addressed, among other issues, the continued threat posed by ISIL (Da’esh) and the humanitarian issues pertaining to internally displaced persons. In addition, several members reiterated their support for the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da’esh/Islamic State in Iraq and the Levant (UNITAD), as it continued to carry out its vital work to ensure justice for survivors in accordance with the country’s international human rights obligations. Council members also expressed support for the Iraqi people’s legitimate right to peaceful protest, while some condemned the acts of violence against demonstrators and called on all actors to exercise maximum restraint.

On 21 May 2019, the Council extended the mandate of UNAMI until 31 May 2020, through the unanimous adoption of resolution 2470 (2019). In the resolution, the Council welcomed the efforts by the Government of Iraq to address corruption and strengthen viable and responsive State institutions through its national government programme for 2018–2020. The Council decided that the Special Representative of the Secretary-General for Iraq and UNAMI, taking into account the request from the Government of Iraq, should prioritize the provision of advice, support and assistance to the Government and people of Iraq on advancing inclusive, political dialogue and national and community-level reconciliation. The Council also decided that the Special Representative and UNAMI should further advise, support and assist the Government of Iraq with regard to, inter alia, election processes, constitutional reviews, security sector reform, regional dialogue and cooperation, humanitarian assistance, reconstruction efforts, the protection of human rights and judicial and legal reform, while approaching gender mainstreaming as a crosscutting issue throughout its mandate and assisting in ensuring the participation, involvement and representation of women at all levels, as well as in strengthening child protection.

In connection with Iraq, developments in 2019 relating to the question of missing Kuwaiti and third-country nationals were considered under the item entitled “The situation between Iraq and Kuwait”, and those relating to UNITAD were considered under the agenda item entitled “Threats to international peace and security”.

Meetings: the situation concerning Iraq

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518 Ibid., (Indonesia); and S/PV.8606 (United States and Poland).
519 See S/PV.8606 (United States, Germany, Dominican Republic, Belgium and United Kingdom).
520 Ibid., (United States, Germany, Kuwait, Côte d’Ivoire, Belgium, France, China, United Kingdom, Indonesia, South Africa and Russian Federation).
521 See S/PV.8531 (Germany, Côte d’Ivoire, South Africa, United Kingdom and China); and S/PV.8606 (Germany, Côte d’Ivoire, Peru, France and Indonesia).
522 See S/PV.8676 (United States, United Kingdom, Peru, Dominican Republic, Indonesia, France, Belgium, Poland and Germany).
523 Resolution 2470 (2019), para. 1. For more information on the mandate of UNAMI, see part X, sect. II.
524 For more information, see part I, sects. 24 and 37.
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fn China, Côte d’Ivoire, Equatorial Guinea, Indonesia, Kuwait and South Africa.
fn The Special Representative participated in the meeting by videoconference from The Hague.
fn The Special Representative participated in the meeting by videoconference from Baghdad.