



## Security Council

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### Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008)

#### I. Introduction

1. In paragraph 6 of its resolution 1830 (2008), adopted on 7 August 2008, the Security Council requested the Secretary-General to report to the Council on a quarterly basis on the fulfilment of the responsibilities of the United Nations Assistance Mission for Iraq (UNAMI). The present report is the first submitted pursuant to that resolution.

2. The report provides an update on United Nations activities in Iraq since the previous one (S/2008/495), dated 28 July 2008, with a focus on initial steps taken to implement resolution 1830 (2008). It presents a summary of key political developments during the period under review, as well as regional and international events concerning Iraq. The report provides an update on the activities of my Special Representative for Iraq and on operational and security matters.

#### II. Summary of key political and security developments in Iraq

3. The decrease in security incidents and relative stability continued during the reporting period. United States troops deployed for the military surge have been withdrawn without serious impact on the security environment. The Iraqi security forces appear to be strengthening their capability, the Government of Iraq recently took control of the Sons of Iraq forces, and Moqtada al-Sadr's ceasefire instruction to the Jaysh al-Mahdi militia remains in force. Moreover, the multinational force in Iraq formally transferred security responsibilities to the Iraqi army in Al-Anbar Governorate in September, Babil Governorate on 23 October and Wassit Governorate on 27 October, bringing the number of provinces under Iraqi security control to 13.

4. However, armed opposition groups still have the capacity to launch attacks and, in particular, continue to target the Iraqi security forces and prominent individuals. The security environment remains particularly challenging in Mosul (Ninawa) and Khanaqin (Diyala). The frequency of attacks in Mosul continued to mount in recent weeks and the Prime Minister sent further reinforcements to Mosul. On 29 July, the Government of Iraq launched "Operation Heralds of Prosperity" against insurgent elements in Diyala Governorate. The operation turned into a stand-off between Iraqi security forces and Kurdish forces in the north-eastern district of



Khanaqin. On 20 August, Prime Minister Nuri Kamel al-Maliki formed a committee led by the Minister of the Interior, Jawad al-Bolani, to investigate events in Diyala. A new agreement on a separation of forces in and around Khanaqin town was subsequently achieved on 5 September and the situation remains tense but stable.

5. Following intense negotiations, the Council of Representatives adopted the provincial election law on 24 September and the Presidency Council ratified the measure on 7 October. The law was amended on 3 November to include provisions for minority representation in Baghdad, Basra and Ninawa. Provincial council elections are now scheduled to take place in early 2009 in 14 of the 18 governorates in Iraq.

6. Starting in August, attempts at intimidation against Christians in Mosul were reported with a dramatic increase in violence in the first two weeks of October. Over 2,200 families, more than 10,000 individuals, have reportedly fled their homes and most have sought temporary shelter in the Ninawa plains, leading my Special Representative to publicly express concern and strongly condemn the killing of civilians on 12 October. The development comes at a very sensitive time, and against a backdrop of heightened political tensions regarding the unresolved issues of minority representation in the provincial elections and disputed internal boundaries.

7. The process of integrating the approximately 100,000 members of the Sons of Iraq into government structures commenced on 1 October when 54,000 fighters in the Baghdad area came under Iraqi supervision. The Government assumed responsibility for the salaries of group members on 1 November. Over time, the Government plans to find jobs for members in the army, police or elsewhere in the public sector. Their satisfactory incorporation into government organs and civilian life will be a key determinant in consolidating security and stability gains in Iraq as State security forces take on increasing responsibility and improve their capacities across the country.

#### **Regional developments pertaining to Iraq**

8. Diplomatic engagement between Iraq and countries of the region increased significantly during the reporting period. Several Arab ambassadors arrived in Baghdad to resume the functioning of their Governments' embassies, including representatives of Jordan, Bahrain, Kuwait, the Syrian Arab Republic and the United Arab Emirates. Egypt has indicated that it will reopen its embassy in the near future. The Arab League appointed a new representative in Baghdad, Egyptian diplomat Hani Khallaf, who took up his post on 6 October. The Organization of the Islamic Conference has also reopened its offices in Iraq. On 11 August, King Abdullah of Jordan became the first Arab Head of State to travel to Baghdad since 2003. The Prime Minister of Lebanon, Fouad Siniora, visited shortly thereafter on 20 August. Sheikh Mohammed Bin Zayed Al Nahayan, the Crown Prince of Abu Dhabi, visited Baghdad on 7 October following a visit by Prime Minister Al-Maliki to the United Arab Emirates in July. The Prime Minister of Turkey, Recep Tayyip Erdoğan, also visited Baghdad on 8 July to promote cooperation between Iraq and Turkey and create a higher strategic cooperation council between the two countries.

9. On 26 October, United States forces from Iraq launched an attack on a house in the village of Sukkariyah in the Syrian Arab Republic. I expressed my deep regret over the loss of civilian lives and I called for regional cooperation to solve issues of

common concern, including border security. The situation in the region is fragile and we therefore must stay focused on initial positive steps towards regional dialogue.

### **III. Activities of the United Nations Assistance Mission for Iraq**

#### **A. Political activities**

10. During the reporting period my Special Representative and his political and electoral teams facilitated the negotiations on the provincial election law between the major political party blocs, the Presidency Council, members of the Council of Representatives and the President of the Kurdistan Regional Government. Following the passage of the election law, engagement with the parties continued with a view to their reconsidering the issue of minority representation in the provincial councils. An amendment addressing this issue was passed on 3 November. My Special Representative met with key leaders from the Christian, Yezidi, Shebek and Sabeen Mandaean communities to reassure them of the continued engagement of the United Nations on the issue of minority representation.

11. The provincial election law stipulates special arrangements for Kirkuk Governorate, whereby a committee comprised of seven representatives (two Members of Parliament each from Kirkuk's Arab, Turkmen and Kurdish components and one Christian representative) is to submit a consensus report to the Council of Representatives by 31 March 2009 on (a) mechanisms for sharing administrative and security powers and civil service positions in Kirkuk; (b) a review of violations against public and private property within the Governorate of Kirkuk before and after 9 April 2003, with the Government of Iraq guaranteeing the correction of those violations in accordance with the laws applied in Iraq; and (c) an examination of all data and records related to the demographic situation including the voter registry. The committee's findings will be binding recommendations for implementation by the Independent High Electoral Commission. The committee's mandate concerns the issues that lie at the epicentre of what have so far been irreconcilable Kurdish, Arab, Turkmen and Christian claims on the future administrative status of Kirkuk. UNAMI is ready, should it be invited, to provide advice and assistance to the committee.

12. As part of its ongoing work on disputed internal boundaries, UNAMI conducted multiple field visits to the Diyala, Kirkuk, Salahaddin and Ninawa governorates, as well as to Erbil and Suleimaniya in the Kurdistan region, to meet with provincial, district and subdistrict officials, political party representatives, religious leaders, tribal elders, minority groups and members of civil society. UNAMI has established a presence in Kirkuk to further research the conditions in the Governorate. The Mission's research activities continue to be based on the contemporary administrative history, socio-economic conditions, government service delivery, security conditions and demographic data in a total of 15 districts in the northern areas of Iraq. Research to date reveals a pattern of marginalization and underdevelopment in the communities in question, owing largely to the lack of administrative clarity prevalent in the disputed areas. UNAMI is developing proposals that would assist the Government of Iraq and the Kurdistan Regional

Government in addressing the development needs of all the disputed areas, after a political agreement on their final status is reached.

13. My Special Representative continued his outreach across the governorates and supported the increased development of programmes by United Nations agencies, funds and programmes. During the reporting period he visited Najaf, where he met with several political and religious leaders, including Grand Ayatollah Ali al-Sistani and Grand Ayatollah Fayyad. Grand Ayatollah Ali al-Sistani expressed his appreciation for the work of the United Nations in Iraq and, in particular, the Organization's efforts in facilitating the negotiations on the provincial election law. My Special Representative also made a visit to Ramadi, highlighting the commitment of the United Nations to the expansion of its presence in Al-Anbar Governorate and the delivery of programmes on the ground throughout Iraq. He also went to Erbil, engaging in a high-level dialogue with authorities of the Kurdistan Regional Government and visiting the United Nations office to further promote the expansion of the Organization's engagement and activities in the region.

14. My Special Representative continued his meetings with ambassadors and envoys from neighbouring and regional countries to discuss issues impacting their bilateral relations with Iraq and support for Iraq's further stabilization and development. His meetings included the Ambassador of the Islamic Republic of Iran to Iraq, as well as the special envoy of Turkey for Iraq. He also held meetings with the Foreign Minister of Jordan, who expressed support for the work of the United Nations in Iraq. My Special Representative also made his first official visit to the Islamic Republic of Iran and stressed the importance of regional dialogue and the need to respect the sovereignty of Iraq. He discussed the recent gains and developments in Iraq, including the role and mandate of the United Nations in promoting national reconciliation, regional dialogue and reconstruction and development. During these meetings, the Iranian officials stressed the importance of preserving the security, stability, independence and national unity of Iraq and emphasized their appreciation for the role the United Nations is playing in Iraq. As part of ongoing regional consultations, my Special Representative intends to visit other neighbouring countries in the coming months.

## **B. Regional dialogue**

15. UNAMI continued to provide support to the Ministry of Foreign Affairs and facilitate regional dialogue through the ad hoc support mechanism unit. Planning is under way for the ministerial conference expected to be held late in 2008. UNAMI also provided advice and support to the working groups on border security, refugees and energy. The meeting of the working group on energy was held in Istanbul, on 11 October while the meeting of the working group on border security is scheduled for 22 and 23 November in Damascus. UNAMI remains engaged in developing an analytical package to assist in addressing issues related to the control and security of Iraq's borders and the promotion of cooperation among State organs. The meeting of the working group on refugees is to take place in Jordan on 15 November. UNAMI also participated as an observer in a regional meeting of ministers of the interior on 23 October in Amman.

16. UNAMI officials provided support to the Government of Iraq on a range of bilateral issues. They assisted the United Nations team working on the Iraq-Kuwait

boundary maintenance project and attended a meeting of technical teams from Iraq and Kuwait from 21 to 23 October in Kuwait. UNAMI supported Gennady P. Tarasov, High-level Coordinator for the return of Kuwaiti prisoners of war and property, during his visit to Baghdad from 12 to 15 October to meet with high-level Iraqi interlocutors to address these issues. UNAMI is formulating a technical assistance and capacity-building project for the Ministry of Human Rights of Iraq in order to facilitate and expedite the work of technical teams exhuming graves of missing Kuwaiti prisoners of war.

### **C. Constitutional support activities**

17. In mid-July, the Constitutional Review Committee of the Iraqi Parliament submitted its second report to the Presidency of Iraq. The report outlined a number of key issues within the constitutional review process on which the Committee has, thus far, been unable to reach a political consensus. These include the powers of the President of the Republic, the Prime Minister and the ministers; provisions relating to oil and gas regulation; the respective powers of regions and governorates; the powers of the Federation Council; and articles 140 and 41 (civil status). UNAMI has since been advised by the Chair of the Committee that his office will conduct follow-up discussions in the coming months with the senior political advisers to the Presidency and the Prime Minister, with a view to identifying next steps on the disputed constitutional issues.

18. As these issues form the very core of the design of the Iraqi State, the importance of the constitutional review and the role of UNAMI in facilitating a political consensus remain undiminished. The UNAMI Office of Constitutional Support will continue to provide technical and legal advice to the Iraqi Parliament and its committees as they seek to identify a path that leads to agreement among Iraqi leaders on sustainable solutions.

### **D. Electoral assistance activities**

19. UNAMI continues to work with the Independent High Electoral Commission and with Iraq's political leaders to prepare for elections that are seen as credible. UNAMI provided substantial support for two watershed events that occurred during the reporting period, the voter registration update and passage of the election law.

20. The Mission's efforts to build consensus within the Council of Representatives on the election law led to the law being passed unanimously on 24 September. The UNAMI team was instrumental in breaking the deadlock over the law, in particular the contentious article dealing with Kirkuk. The key issue of minority representation was subsequently addressed in the form of an amendment to the law. Iraq's new election law changes the election system and provides for an open list, which will give Iraqis greater choice in determining the individual candidates who will represent them. The law further mandates that at least 25 per cent of elected representatives shall be women.

21. From 15 July to 28 August, Iraq's election commission, supported by UNAMI, successfully conducted its nationwide voter registration update in all of the governorates. The update gave eligible Iraqis an opportunity to verify the accuracy of their details in the voter list and request changes if necessary. Eligible displaced

persons had the option of registering to vote in their place of origin by absentee ballot. Approximately 2.9 million Iraqis turned out for the voter registration update, which represents over 17 per cent of Iraq's 17.2 million voters, a figure which compares favourably with voter registration updates conducted in other countries. Complaints were few, turnout was strong, the security situation was calm and the electoral roll was improved substantially. The result is a voter registry that is estimated to have an accuracy rate of greater than 95 per cent. During this period 502 political entities registered with the election commission to contest future governorate council elections. Of those, 80 per cent were entities formed since 2005, demonstrating a keen interest in the political process and a new desire to participate.

22. In support of the electoral process, the UNAMI public information and electoral assistance offices launched a nationwide "Election Coverage Network" project, aiming to provide Iraqi citizens with balanced and reliable information on provincial elections. The six-month project includes the production and dissemination throughout the country of voter education radio programmes, including in-depth analysis of campaign issues; comprehensive information on the voting process, political parties and their positions, the political role and authority of governors and provincial councils and their relation to the central Government; and election results as well as the results of election monitoring. The journalists trained by the project will produce radio interviews, reports and analysis that will be made available for dissemination by a network of FM radio stations throughout the country. The project aims to increase transparency and inclusiveness in the electoral process and to encourage informed debates among citizens in the run-up to and aftermath of the election.

## **E. Humanitarian assistance, reconstruction and development**

23. The United Nations Assistance Strategy for Iraq 2008-2010 was signed on 13 August by the Government of Iraq and the United Nations. Iraq had not endorsed a comprehensive cooperation framework with the United Nations on development and humanitarian issues since the mid-1990s. The Assistance Strategy, which focuses on mobilizing Iraq's own resources and building its capacity for good governance, provides a strong platform for aid harmonization, development sustainability and effectiveness. It is closely aligned with the Government's National Development Strategy and the International Compact with Iraq, and supports adherence to the Paris Declaration on Aid Effectiveness, to which Iraq is now a signatory. Rather than focus on individual projects, the Assistance Strategy provides a comprehensive programme to support the Government's institutional development more effectively and enable improved budget execution and transparency, civil service reform, job creation within the private sector and improved social service delivery at the local level.

24. To realize the goals of the United Nations Assistance Strategy, the United Nations country team has accelerated the development of programmes utilizing the remaining funds of the United Nations Development Group Iraq Trust Fund, which is one of the two funds of the International Reconstruction Fund Facility for Iraq. Central to the United Nations engagement are three important large-scale cross-sectoral initiatives budgeted at \$30 million apiece, for private sector development, public sector reform and decentralization of essential services. These programmes

are expected to deliver legislative, executive and field-level changes to Iraqi systems. The private sector development programme will reform Iraq's investment sector laws (banking and insurance), and when linked with small business development initiatives will spur job creation and local commerce. The public sector reform programme will strengthen anti-corruption and transparency initiatives for budget execution and lead to civil service reform. This in turn is closely linked to the decentralization programme, which will train and equip local governments to plan, fund and manage the delivery of social services to communities.

25. The Development Group Iraq Trust Fund continued to be the primary means of financing United Nations assistance to Iraq. As of 30 September 2008, the total commitments to the Trust Fund equalled \$1.36 billion and total deposits equalled \$1.32 billion. Some 141 projects and joint programmes valued at \$1.11 billion were approved for funding, as of 30 September 2008. In addition, to ensure transparency, monthly financial updates are made available on the website of the Reconstruction Fund Facility. During the reporting period, the Donor Committee of the Reconstruction Fund Facility agreed to allocate up to \$20 million from the Trust Fund for humanitarian assistance and to support internally displaced persons. The Trust Fund Steering Committee will approve the use of the funds through the Expanded Emergency Response Fund to ensure that timely humanitarian assistance can reach vulnerable populations and promote an improved alignment in the relationship between humanitarian and development assistance. In October, the United Nations launched a donor coordination mechanism that it will co-chair with the World Bank to improve information-sharing on the totality of Iraq's international assistance, including bilateral aid. I would like to thank donor Governments for contributions made in the third quarter to the Trust Fund: \$8.8 million from Turkey and \$3.2 million from the European Commission. I am particularly grateful to the European Commission for becoming the single largest donor to the Trust Fund, providing support across a number of critical sectors. The final report of the Reconstruction Fund Facility's multi-donor stocking review will be presented at the next Donor Committee meeting, to be chaired by the Government of Italy. The Government of Denmark has confirmed its candidacy to chair the Donor Committee in 2009.

26. Following the successful conclusion of the first annual review conference of the International Compact with Iraq, held in Stockholm, Deputy Prime Minister Barham Saleh and my Special Representative co-chaired a meeting of the Executive Committee of the Compact on 21 August. Diplomatic missions and donors were invited to participate in the meeting, which reviewed the progress being made in the implementation of the Compact. In this context, the Government of Iraq has taken steps to enhance policy- and decision-making for the implementation of the Compact. A management review that addresses structural and institutional reforms of implementation process has been completed and recommendations to further streamline the administration of the Compact are under review.

27. During the reporting period, my Special Adviser on the International Compact, Ibrahim Gambari, continued his consultations with Iraqi leaders, as well as representatives of major donors and Iraq creditors to encourage deeper engagement and strengthen support for the Compact. He undertook these efforts with a view to advancing the Compact to a new level, to be sustained by a strong partnership based on technical assistance, trade, economic exchange and investment. UNAMI continues to interact with the Government of Iraq, recognizing the national

ownership of the process, and to promote coordination among donors and the World Bank. I wish to commend the efforts of Deputy Prime Minister Barham Saleh and Mr. Gambari to promote the Compact, which is considered the most important framework for Iraq's engagement with the international community. I would also like to thank the Government of Sweden for seconding a senior staff member to UNAMI to provide substantive policy guidance and support on the Compact.

28. An expanded international presence in Iraq is critical to sustain and accelerate these initiatives, both in Baghdad and at the governorate level. The World Food Programme (WFP) has joined the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP) and the World Health Organization (WHO) in establishing a permanent international presence in Baghdad, while other agencies are present on a rotating basis. Field coordination has also been enhanced by international staff of UNAMI and the Office for the Coordination of Humanitarian Affairs in Basra and Erbil. As part of the United Nations plan to increase its support throughout Iraq, missions of the United Nations country team led by the Deputy Special Representative of the Secretary-General visited Najaf in August and the Kurdistan Regional Government on 12 October to present the United Nations Assistance Strategy and establish the basis for an enhanced presence in these locations.

29. These developments are also underpinned by stronger evidence and information analysis to align the relationship between developmental and humanitarian priorities. To guide programme strategies, the Office for the Coordination of Humanitarian Affairs and UNAMI have provided the core staffing of an information analysis unit, an inter-agency coordination mechanism. The unit is tasked to compile and analyse sectoral development and humanitarian data as well as mapping United Nations and other projects and spending in Iraq against identified areas of need. The unit can potentially inform political initiatives within UNAMI by adding a more substantive socio-economic analysis than has been available to date.

30. During August, a number of cholera cases were reported and the disease remains endemic in Iraq, with outbreaks common in the summer months. Although the caseload in 2008 was below the annual average, 27 districts in 10 governorates were affected and seven people died. Three of the deaths were reported in Babil, the most affected governorate with 222 confirmed cases. WHO and UNICEF, working with non-governmental partners, assisting the Government at the central and local levels in containing the outbreak through surveillance, technical assistance for cholera testing, water tankering, provision of household water purification kits, public information drives and medical supplies. The 950 surveillance sites countrywide, put in place by the Government with WHO support following the 2007 outbreak, have proven instrumental in case detection and response. A cholera preparedness plan that was revised and adopted by the Ministry of Health has been activated. The United Nations water and sanitation sector outcome team has increased its support to Iraqi efforts to rehabilitate water and sewerage infrastructure, which lie at the heart of the issue in central and southern Iraq (Basra, Kerbala and Muthana and Suleimaniya).

31. A five-year anti-corruption assistance programme was launched by UNDP and the United Nations Office on Drugs and Crime on 29 September in Vienna, in the framework of the United Nations Convention against Corruption, which the

Government ratified in April 2008. With an initial grant from the Government of the United States, activities in 2008-2009 will focus on developing Iraq's legal framework to address corruption in compliance with its commitments under the Convention, as well as support to governorate councils to tackle corruption at the governorate level. Iraq joined a global working group that monitors compliance with the Convention and sent a delegation to participate in the annual monitoring meeting held in Vienna from 24 to 26 September.

32. With fewer children attending school and dropout rates rising, the United Nations education sector outcome team has developed a \$13 million programme to develop the capacity of the Iraqi education sector. The six-agency initiative is the first in the sector with such a large scope and is expected to begin in November. UNICEF, in collaboration with the Ministry of Education, the United Nations Educational, Scientific and Cultural Organization and the United Nations Population Fund (UNFPA), has finalized a strategy on non-formal education in Iraq, which addresses the need for alternative education opportunities for out-of-school children. UNICEF has also successfully completed the training of 664 teachers, head teachers and supervisors in child-centred and active learning methods, 18,000 teachers in psycho-social support and 210 teachers in northern Iraq addressing the needs of children with disabilities.

33. A United Nations task force is helping the Government of Iraq to determine a strategic direction for the reform of the public distribution system. The system is Iraq's largest public programme, reaching every Iraqi and consuming \$5.8 billion of the 2008 national budget. Iraq's electoral roll is also tied to the system's distribution list. Removing the system, however, has the potential to undermine Iraq's poorest families and cause major social and economic problems if not carefully managed. The reform programme now in development aims at ensuring a monetized, targeted and more efficient safety net for vulnerable Iraqis.

34. Iraq is experiencing one of the most serious droughts in 10 years. Low rainfall in the winter 2007/08 has caused severe water shortages across northern Iraq, with no available alternatives. UNICEF, the Food and Agriculture Organization of the United Nations and other partners are working with the authorities in the affected governorates of Diyala, Mosul, Dohuk and Erbil to assess and limit the impact of the drought. The 2008/09 wheat and barley production is expected to decline by as much as 51 per cent compared to the previous year. The deterioration of irrigation infrastructure is limiting alternative responses to the drought's impact on agricultural production. The high-level committee on drought of the Kurdistan Regional Government is leading the response through a drought emergency plan and has allocated 5 billion dinars for water tankering, drilling wells, improving irrigation infrastructure and the provision of seeds.

35. The improving security situation and a lack of access to basic services and assistance in areas of displacement have prompted increasing numbers of internally displaced persons to return in June (12,000), July (18,000) and August (36,000). Refugee returns are believed to be much lower at around 1,000 to 2,000 per month. Some 50 per cent of the returnee totals represent families returning to Baghdad. Housing in many cases has been problematic, as many of the returnees' houses have been occupied by others or damaged. To encourage the return of displaced people, on 2 August the Government issued a directive to evict illegal occupants from private homes and government buildings across the country. Eviction started in

Baghdad on 2 September following a one-month notice period and is applicable countrywide. The Government has established a reconciliation council to arbitrate property disputes and is offering a one-off payment of 1 million dinars (around \$830) to each returning family. In addition, the Government is committed to paying 1.8 million dinars (equivalent to six months' rent) to displaced persons evicted from houses in Baghdad and unable to return to their original homes. Unfortunately, the Government continues to face challenges in the actual implementation of the assistance programme. The United Nations and its partners continue to advocate with Iraqi authorities on the protection of the internally displaced and those facing secondary displacement from the implementation of eviction orders, as well as the simplification of registration and compensation procedures.

36. Humanitarian assistance for Iraqis in general increased during the third quarter of 2008 with the pledging of new funds in response to the 2008 consolidated appeal. Of the \$267 million appeal, 55 per cent is now funded. I would like to thank the Governments of the Netherlands, the United States, Ireland, Germany, Sweden, Iraq and Australia for their contributions over this period. The planning for the 2009 appeal is well advanced; its strategy will be to capitalize on increased access to address urgent and long-standing humanitarian needs. It will also, for the first time, streamline Iraq's internal and refugee-linked humanitarian needs into a single appeal to provide a coherent overview of the humanitarian priorities, and create a stronger subregional platform to assist affected Governments. The appeal will be based on two complementary pillars: the first, addressing the needs of vulnerable populations inside Iraq, is led by the Humanitarian Coordinator with the support of the Office for the Coordination of Humanitarian Affairs; the second, concerning protection and assistance for Iraqi refugees, is led by UNHCR with the support of the Office for the Coordination of Humanitarian Affairs.

37. Iraq's public census bill was approved by Parliament in September. Iraq will commit \$120 million for the census. UNFPA, within the governance sector outcome team, is implementing a support programme for the census process in partnership with the Ministry of Planning and Development Cooperation. UNFPA and the United Nations Statistics Division have also initiated development of an international oversight body of global technical experts to provide quality control for the census process at the macro level. The body is expected to meet for the first time in December 2008.

38. The Government of Iraq and the United Nations in partnership with the European Commission launched a project on 13 September entitled "Support to the rule of law and justice in Iraq" with the High Judicial Council of Iraq, the Ministries of Justice, Human Rights and Labour and Social Welfare and the Iraqi Bar Association. The project builds on existing work by UNDP, the Human Rights Office of UNAMI and the United Nations Office for Project Services (UNOPS) to promote the rule of law, human rights and judicial reform in Iraq. The project will run from 2008 to 2010 and has two subprojects: support to judicial and non-judicial institutions, led by UNDP; and support to the national human rights protection system: programme for the protection of detainees and torture victims, led by UNOPS in collaboration with the Human Rights Office of UNAMI. The project provides comprehensive support for the improvement of judicial processes and administration, continuing education of lawyers and legal services for low-income citizens through the Iraqi Bar Association, the protection of the human rights of detainees and assistance to victims of torture.

39. New national survey data now being finalized by WFP suggest that access to social services in Iraq, including electricity supply, has improved from its lowest levels in 2005 and 2006. Initial analysis suggests that food insecurity has also fallen to a quarter of 2005 levels. However, UNICEF humanitarian assessments in August and September confirmed that State services are still struggling in the most vulnerable parts of Iraq. Access to safe drinking water has fallen to as low as 31 per cent in the poorest subdistricts, and access to sanitation services to 35 per cent. In poor subdistricts of Baghdad, as few as 18 per cent of children aged 1 to 5 years were found to be immunized against measles. Across parts of Al-Anbar, Babil and Basra, fewer than 60 per cent of children aged 6 to 11 had regularly attended school in the past two school months. In many of these governorates, over 30 per cent of primary schools operate two or more shifts per day.

## **F. Human rights activities**

40. Overall, the improvements in the security environment in recent months have proved positive with respect to human rights in Iraq, but continued violations pose serious concerns for Iraqi civilians and remain a priority of the United Nations. A significant decrease in violent, high-visibility, high-casualty attacks by militias or criminal gangs was witnessed during the current reporting period. Nonetheless, grave and systematic human rights violations remain constant, but are less visible and less widely reported. They require political will, resources and long-term commitment to eliminate. The broader situation regarding women's rights and conditions has also shown no significant overall improvement and alleged suicides and suspected "honour crimes" continue to be reported with alarming regularity.

41. As elections and decisions on disputed territories draw closer, various groups are manoeuvring to influence and manipulate the population composition in their respective areas of interest. There is increasing concern regarding alleged attempts to exert undue influence on the demographics in Diyala, Tamim and Ninawa governorates in particular. The Human Rights Office has received numerous reports of families being forced to sell their property at low prices, and of the confiscation of their agricultural land and economic assets. Moreover an increasing number of threats against their leaders have been registered, prompting further concern regarding the rights and security of minority groups in the country. Approximately 2,200 Christian families left Mosul after the killing of at least a dozen Christians between 7 and 10 October. The killings were followed by threatening messages disseminated in Christian neighbourhoods by loudspeakers mounted on cars, and the bombing of Christian dwellings in Mosul. Since a prominent Shabak leader, Mullah Abbas Khadhim, was assassinated in Basikha (Ninawa) in July, no suspect has been brought to justice, raising concerns about the level of impunity for those responsible for such crimes. Reports have also been received of minority groups being forced to identify themselves as either Arabs or Kurds and prohibited from using their own languages, which is contrary to the Iraqi Constitution, which protects minority rights.

42. Targeted assassinations of journalists, political activists, public officials and pilgrims remain a deeply worrying feature of the security picture. The situation with regard to journalists and its implications for media independence and freedom was highlighted when a list of journalists who have been threatened because of their critical views of Kurdistan Regional Government policy was recently publicized. On

21 July, journalist Hana Soran was assassinated allegedly as a result of his reports linking the local police to organized crime in Kirkuk. On 13 September, three journalists and one media worker were abducted and murdered in Mosul by insurgents.

43. United States forces continue to release detainees in an effort to reduce the number of people held in their detention facilities. UNAMI welcomes these releases, but reiterates that international human rights law applies to the remaining detainees, the vast majority of whom have not been charged and afforded due process. As of 3 October, the number of detainees in United States facilities in Iraq was down to 17,965 (from 24,514 at the end of 2007). The number in Iraqi detention facilities is reported to be 27,366. Persons held in Iraqi custody include a steady flow of individuals who are released by United States forces only to be rearrested by Iraqi authorities, in some cases without sufficient evidence.

44. The condition of detainees across the country, including in the region of Kurdistan, remains of concern. The Human Rights Office has continued to visit detention facilities and prisons to monitor the situation of detainees held by the Ministries of the Interior, Justice, Defence and Labour and Social Affairs. Many have been deprived of their liberty for months or even years, often under precarious physical conditions, without access to defence counsel or being formally charged with a crime, or being brought before a judge. Allegations of torture and ill-treatment of inmates by Iraqi law enforcement authorities are of particular concern. Pretrial detainees in particular are subject to violence during the investigation phase. Overall, slow bureaucratic procedures, insufficient resources and the absence of effective accountability measures delay the processing of detainee cases and result in a lack of due process. In September, as part the expansion of its outreach, the Human Rights Office made the first United Nations visit to the central prison of Fallujah was conducted, and findings indicated that over 400 inmates were being incarcerated in pretrial detention in poor conditions, many for more than one year.

45. UNAMI continued to monitor closely the situation of the People's Mujahedin of Iran members who are living in the Ashraf camp in Diyala Governorate. They are still under the protection of the United States army following an agreement signed in 2004, but the Government of Iraq has expressed its intention to take full control of the camp in the near future. In a letter dated 15 October 2008 to the Minister for Foreign Affairs of Iraq, the United Nations High Commissioner for Human Rights urged the Government of Iraq to protect Ashraf residents from forcible deportation, expulsion or repatriation in violation of the non-refoulement principle, and to refrain from any action that would endanger their life or security. It is also important that the humanitarian needs of the camp's residents, including access to food and medical care, be met by those protecting the camp.

## **G. Operational, logistic and security issues**

46. During the reporting period, UNAMI has continued to look to expanding its presence in Iraq, both in established locations such as Baghdad, Basra and Erbil and in new locations including Kirkuk, Najaf, Ramadi and Mosul. In Baghdad, it is imperative to proceed with the construction of a new integrated compound as soon as possible. On 3 November the Council of Ministers of Iraq decided to contribute \$25 million for the project in 2009. The project is now being considered by the

legislative bodies of the General Assembly. The construction programme in Erbil is well advanced, and UNAMI has deployed a dedicated aircraft to facilitate the movement of staff between United Nations offices.

47. During the Eid al Fitr period (28 September-3 October) in Baghdad, five significant vehicle and suicide vest bombings against Shia mosques and marketplaces took place. Suicide attacks continued in Mosul and Tal Afar and a pattern of the use of female suicide bombers has been noted in Diyala Governorate. The above trends underscore the continuing capability of armed opposition groups to inflict serious harm and damage in Iraq. In addition, there were four indirect fire attacks on the International Zone during the reporting period, each of low volume with no significant casualties.

48. Security responsibility in Al-Anbar Governorate was transferred to independent Iraqi control on 1 September. Despite being delayed twice earlier in the year, the transfer proceeded smoothly, without a significant rise in hostilities. The Iraqi Security Forces are being challenged, particularly in Fallujah and Karmah. The security situation remains tenuous in parts of Ninawa Governorate, including the city of Mosul, as well as in parts of Diyala.

49. On 23 October, the multinational force relinquished control of Babil Governorate to the Government, and on 29 October, it handed over control of Wasit to the Iraqi authorities. Babil and Wasit are the twelfth and thirteenth Iraqi provinces (out of a total of 18) to be handed over. The Government of Iraq is now in charge of security throughout the country's mostly Shiite south. Conditions in other parts of the south are largely unchanged. Indirect fire attacks against Basra air station have diminished in frequency and volume. Joint military operations in Maysan Governorate have netted large quantities of smuggled weapons and munitions that were probably destined for use in Baghdad or Basra. Eid al Fitr celebrations in Karbala and Najaf passed without any major hostile incidents. The governorate elections will be ardently contested and the potential for significant violence remains.

50. The United Nations continues to face multiple collateral and direct threats which, in combination, translate into high security risks for United Nations personnel, assets and operations. However, with support from the multinational force, the Government of Iraq and the Kurdistan Regional Government, and the developing and expanding capacity of the UNAMI Safety and Security Unit, it has been possible to mitigate many security risks to a medium level. To support the continued expansion of mission activities, UNAMI is expanding and realigning its resources to support the deployment of United Nations staff across Iraq. The constantly evolving security situation provides a dynamic and challenging environment in which the risks of engagement need to be carefully balanced and UNAMI resources allocated accordingly. To this end the Mission continues to expand its capacity through the addition of qualified protection officers and technical assets to ensure a robust, credible and flexible security posture.

51. The presence of the multinational force in Iraq is currently authorized by the Security Council at the request of the Government of Iraq. As stated in resolutions 1546 (2004), 1637 (2005) and 1723 (2006), the Council shall review the mandate at the request of the Government. The Governments of Iraq and of the United States are currently holding bilateral discussions with regard to the conclusion of a status-of-forces agreement. It should be recalled that, in accordance with resolutions 1546

(2004), 1637 (2005), 1723 (2006), 1770 (2007) and 1830 (2008), security is essential in order for the United Nations to be able to carry out its work in Iraq. It is therefore vital that any new arrangements beyond 31 December 2008 ensure that necessary provision is made for the security of the United Nations presence in Iraq.

#### **IV. Observations**

52. The important improvements in the security situation are fragile. As I have said in my previous reports, national reconciliation remains the main priority in Iraq and for ongoing United Nations efforts in the country. In particular, the holding of inclusive provincial and national elections, the resolution of the internal boundaries issue, and the adoption of constitutional and legislative measures in the political, economic and social fields present important opportunities for all communities of Iraq to reach out to one another and achieve lasting national reconciliation. The mobilization of Iraq's abundant economic and human resources can provide a further impetus to the national reconciliation effort. I therefore appeal to Iraq's diverse communities and their political leaders to continue to work with one another in a spirit of dialogue and grand compromise in a manner that reinforces the overall national interest. In accordance with its mandate, the United Nations remains committed to supporting and facilitating the ongoing Iraqi efforts to this end.

53. The passage of the provincial election law on 24 September was itself a milestone in the national reconciliation process. Not only does the law significantly change the electoral system to that of an open list but it also ensures female representation on the governorate councils. The contentious issue of Kirkuk was brought into the law during the initial vote in July, resulting in a veto of the law, months of intensive negotiations and finally a UNAMI-supported political agreement. The subsequent decision of the Council of Representatives to include provisions for minority representation in the provincial councils in Baghdad, Basra and Ninawa should be noted, although the final quotas were below the level recommended by the United Nations.

54. Iraq has demonstrated its commitment and intention to hold provincial council elections, the first since 2005, and significant progress has been made towards that end. The Independent High Electoral Commission demonstrated the ability to mobilize a nationwide voter registration update during a six-week period without serious security or logistical problems. The Commission should be commended for successfully conducting the update.

55. The provincial elections in early 2009 represent the most significant political event in the coming months in Iraq as they can advance political dialogue, establish representative provincial councils and empower community leaders to meet the needs of local citizens in cooperation with the Government of Iraq. At the same time, there is potential for election-related violence and instability, as witnessed recently in Mosul. It is therefore essential that the elections be organized in a secure environment and a transparent manner. The United Nations continues to provide assistance to the Independent High Electoral Commission and other Iraqi institutions for this purpose.

56. UNAMI has continued to devote attention to the issue of disputed internal boundaries as an important nexus of a broader set of issues relating to elections, the Constitution, human rights, reconstruction and development. To support political

dialogue on the issue among all parties, UNAMI has conducted research centred on developing a multifaceted picture of the socio-economic, political and security environments to serve as a factual basis for future decisions. These issues will continue to figure prominently in the coming weeks and months as Iraq moves towards the provincial elections in early 2009. Tensions in Mosul and Khanaqin highlight the contentiousness of these issues while also displaying the importance of dialogue as a means for preventing escalation. I welcome the steps taken by all sides to resolve the situation peacefully.

57. Government of Iraq security operations have helped to strengthen the authority of the State. I strongly encourage Iraqi authorities to match these gains with correspondingly strong steps to bolster the human rights protection system to guarantee the rights of Iraqi citizens. To this end I welcome the ratification by Iraq on 17 August of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the passage of a more permissive media law by the Kurdistan National Assembly on 22 September. In contrast, the draft law establishing an independent human rights commission has still not been adopted by the Council of Representatives and I encourage the Government of Iraq to continue its efforts on this matter.

58. Following the annual review conference of the International Compact with Iraq in Stockholm, there has been a significant re-engagement by neighbouring and regional states with the Government of Iraq. The increasing representation of Arab States and regional institutions through the restoration of their diplomatic missions in Baghdad and high-level visits is a crucial measure in fostering increased cooperation and coordination at the regional level. I welcome these developments and encourage all Member States to intensify their efforts in this regard. The Ministry of Foreign Affairs of Iraq continues to display considerable initiative and commitment in expanding its institutional capacity to support these processes, in particular the ad hoc support mechanism and the working groups on border security, refugees and energy. UNAMI will continue to support Iraq's relations with its neighbours and countries of the region to promote an agenda of mutual cooperation and support.

59. The Government of Iraq is increasingly able to fund its own reconstruction agenda thanks to greater stability and oil revenues, which have been rising through 2008. The United Nations, the international community and the Government of Iraq are also more closely aligned following Government endorsement of the new United Nations Assistance Strategy for Iraq and the reforms of the International Compact with Iraq that are now under way. These will focus United Nations assistance on legislative and structural obstacles holding back budget execution and a healthy market economy. Over the coming months, I urge the international community to coordinate closely with the United Nations on investment priorities so as to maximize the use of resources towards Iraq's self-reliance.

60. Despite a generally improving socio-economic context in Iraq, the lack of jobs and basic services remains a concern and areas of humanitarian need persist. Private sector reform is among the most critical of the new initiatives undertaken by the United Nations. Iraq's economy and private sector are fundamentally linked to its national reconciliation process. Therefore, the United Nations sector outcome teams will support job creation initiatives that are integrated into reconciliation, demobilization and reintegration strategies. The rising rate of return of internally

displaced persons reflects new faith in Iraq's stability but also requires Government action to secure returnee reintegration and property rights. The United Nations will provide targeted humanitarian assistance in these areas. Moreover, recent United Nations survey data have identified pockets of acute poverty and underdevelopment. Given these factors, Iraq may wish to allocate a proportionate increase in funds in the 2009 national budget for humanitarian relief. Even so, donor assistance, including for Iraqi refugees in the region, will still be required and I urge continued support in this regard.

61. The 19th of August marked the fifth anniversary of the brutal terrorist attack on the United Nations office in Baghdad in 2003 that cost the lives of 22 staff members and injured more than 150 people. I attended an event with surviving staff members in Geneva to mark the anniversary with representatives from across the international community. I would like to thank, in particular, Rula al-Farra, the representative of the families of victims who addressed the gathering and urged the United Nations not to abandon its work in Iraq. Instead, she urged the Organization to carry on with the work left behind by the victims and support Iraq in overcoming the daunting challenges it now faced.

62. The 19 August anniversary was also a reminder that the United Nations continues to work in a complex security environment despite recent improvements in the security situation. UNAMI continues to increase its operational capabilities in Iraq. However, given the challenging conditions on the ground, the Mission still depends on Member States for security, logistical, operational and financial support. In these circumstances, I would appeal for the legal arrangements for the security of UNAMI, and of the wider United Nations presence in Iraq, to be maintained or amended, as necessary, in the light of the outcome of the ongoing negotiations between Iraq and the United States on a status-of-forces agreement. I am grateful to those Member States that are providing security and operational support. I would also like to thank those Member States that have provided military advisers, including Australia, Denmark, Nepal, New Zealand, the United States and the United Kingdom. I am also grateful to the Government of Japan for having provided dedicated air support to UNAMI, which is expected to cease at the end of the year. Finally, I am grateful to the Government of Iraq for agreeing to contribute \$25 million for the construction of the new United Nations integrated compound in Iraq. This contribution and the eventual construction of the compound will be essential for the United Nations to maintain a presence in Iraq and expand its activities in consultation with the Government of Iraq.

63. I would like to note that under the leadership of my Special Representative, the United Nations has actively engaged in expanding its presence and activities in Kirkuk, Mosul, Najaf and Ramadi. I am pleased that UNAMI, with full support from Headquarters, continues to expand its activities in line with its mandate as outlined in Security Council resolution 1830 (2008). The Mission has displayed resourcefulness and fortitude in its efforts to support the people and Government of Iraq. I would like to take this opportunity to thank my Special Representative for Iraq, Staffan de Mistura, for his dedicated leadership and strong commitment in meeting the United Nations mandate in Iraq. I would also like to thank the UNAMI national and international staff, as well as the personnel of United Nations agencies, funds and programmes, for their tireless efforts under very challenging conditions.