

**Subcommittee on International Organizations, Human Rights and
Oversight**

**United Nations Chapter VII Mandates and the U.S.-Iraq Bilateral
Agreement**

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A few days ago during a congressional briefing, Senator Kerry called Iraq “the forgotten war”. Maybe this is becoming the case here in the U.S. But back in Iraq, people still live and feel this war everyday.

The situation in Iraq is still very fragile. While many Iraqis have been celebrating the relative calm and the improvement in security during the last couple of years, most Iraqis still believe the real reasons behind violence remain unsolved. The latest series of high-profile attacks in Iraq highlight the need for a strategic long-term solution that would insure that Iraqi reconciliation and reconstruction can take place.

Let me start with a brief reflection on the Iraq-US entanglement, which has deteriorated over the past six year into a quagmire of violence and frustration, a spider-web of problems that has generated, at least in the Iraqi popular mindset, more disappointment than expectation, more anxiety than optimism. We call it the "Iraq-US entanglement" rather than the "US entanglement in Iraq", because the situation, as we see it, is one of either mutual success and benefit or mutual failure and detriment.

The United States remains the arch initiator of events in Iraq and should, as such, take responsibility for any failure or damage inflicted on our country and population, in as much as the United States is also entitled to take credit for any achievement. But Iraq remains part of the entanglement and should, therefore, take its share of trouble-shooting which cannot be done in any effective fashion unless Iraq's democratic house of cards is injected with a new indigenous vision of nation-building and some new blood of leaders unfettered by local or external strictures or "incentives" and focused only on getting the job of government properly and professionally done.

The facts of the situation in Iraq are horrendous by any standard. Iraq tops the list of countries most corrupt in the world, and remains the most dangerous country to live in or visit. The human rights situation is disastrous. There are five million displaced Iraqi, between refugees and internally displaced. Conditions for women have also worsened. Many have been targeted for abduction, rape or killing. A survey conducted by the World Health Organization in Iraq found that 21.2 percent of women in Iraq had been subjected to one or another trauma of physical violence. Economic conditions also remain extremely poor, with unbelievable unemployment figures in an oil-rich country where most of the population suffer from lack of food, shelter, water, sanitation, education, healthcare and employment. Oxfam reports state that over 70 percent of Iraqis lack access to safe drinking water and 43 percent live on the equivalent of less than a dollar per day. Eight million Iraqis are in need of emergency assistance, with children the worst hit. Child malnutrition rates have increased from 19 percent during the period from 1991-2003, when international sanctions were imposed on the country, to 28 percent in 2008.

The United States came to Iraq in 2003 on a mission remove the former dictatorship; but the operation also overthrew the whole system of government in Iraq, and has so far failed to bring about an effective replacement. The U.S. Administration was misguided, as it turns out, by bad intelligence and phony Iraqi politicians who have been pushed aside from our political scene by overwhelming public disapproval.

As a result, the U.S. proceeded from the misconception that the victims of dictatorship in Iraq were religious sects and racial or ethnic communities, rather than the Iraqi

society as a whole, along with the very concepts of liberty and democracy. This misconception led the U.S. to adopt and promote a system of government aimed at satisfying narrow racial and sectarian ambitions, rather than at establishing a truly national and patriotic system of government catering for pan-Iraqi interests.

This has been the state of affairs in Iraq since the days of the so-called Governing Council which the then U.S. boss of the Coalition Provisional Authority (CPA), Ambassador L. Paul Bremer III, insisted to install in Iraq on grounds of ethnic and sectarian and political “allocations”, rather than on grounds of experience, qualification, competence and non-partisanship.

The opportunity, however, is yet to be lost altogether, and we must join hands not only in keeping it alive, but also, and more importantly, in bringing it to fruition. We are happy and supportive of the U.S. intention to find and implement a new direction of policy in Iraq that would end the U.S. military occupation and transform the relationship between our countries to a new one based on mutual collaboration and respect of each others’ sovereignty.

I was one of the early Iraqi voices who called for ending the US presence in Iraq. We have been always for a responsible U.S. withdrawal, for the sake of both Iraq and the U.S. My Front voted for the Security Agreement when it was presented to the Iraqi parliament for ratification later last year, not only because it insured all U.S. troops would leave Iraq, but also because it included many U.S. guarantees for a responsible withdrawal that benefits all sides.

Unfortunately, nine months into the implementation of the security agreement, the U.S. is still falling short of fulfilling its obligations. In addition to the UN Chapter VII issue, which is why we are meeting today, the U.S. has many other important obligations under the agreement. For example, in article 22 of the agreement, the U.S. should release all Iraqi prisoners under its custody in a “safe and orderly manner”. We still have around nine thousand Iraqis detained in U.S. prisons until this day. And there are some other important issues that I will not discuss due to time limits.

According to our information, there are many Iraq-related resolutions under Chapter VII of the United Nations Security Council as of last month. This might sound like a technicality to a U.S. audience, but it is viewed by Iraqis as a major issue of national sovereignty. While most of these resolutions are obsolete and can be dealt with easily, we still have a number of major obstacles. I think the most important obstacle is the compensation Iraq pays to Kuwait under the United Nations Compensation Commission.

The U.S. can play an extremely constructive role in helping Iraq and Kuwait reach to an agreement that would protect everyone’s interests and sovereignty, or explore other options for a UN role under Chapter VI of the UNSC rather than Chapter VII can be explored.

In addition to the U.S. obligations under the agreement, we would welcome an active US, UN, and international role in monitoring the upcoming Iraqi elections in January 2010.

Two days ago, VP Biden said from Baghdad that successful parliamentary election would go a long way toward resolving lingering political tensions in Iraq. We could not agree more with Mr. Biden, and we ask this body to help us find appropriate avenues to insure that US and international monitoring can take place next January in Iraq.

I will end my statement by drawing your attention to the importance of the upcoming referendum over the US-Iraqi security agreement. This referendum will be held the same day as the January elections, and it will impact the agreement in a significant way. We know that if the Iraqi public rejects the referendum it will create logistical issues for both the U.S. withdrawal and for the Iraqi process of filling the security gap, and we know that the quality of the US implementation of the agreement will effect the Iraqi public's decision.

Thank you very much for inviting me today. I hope we can build a productive bilateral relationship between our countries.