

IRAQI ELECTIONS

INTERVIEW with Staffan de Mistura

In his last unscheduled visit to Iraq last 6th of February, UN's Secretary-General Ban Ki-moon congratulated Iraqi people for the largely violence-free elections and restated the UN's commitment to the country.

The results achieved by the post-Hussein system are important, but the way to go before Iraqi can claim genuine freedom and security is still very long and impervious.

In terms of respect of the human rights, and social justice, the country is ranking low: the most recent UNANMI's report covering the period 1 January – 30 June, 2008 highlights substantial improvements in security conditions, with a marked drop in violent, high-visibility, high-casualty attacks by militias or criminal gangs, but the human rights situation in the country still remains of concern.



Freedom From Fear has interviewed Mr. Staffan de Mistura, SGSR for Iraq and Head of the UNAMI about the future of the country and the challenges facing the Iraqis.

Q: Can you provide an outline of the human rights situation in Iraq?

A: UNAMI's mandate calls for both protection and promotion through monitoring and reporting on human rights violations in the country, and to this end, the Mission issues reports that record and report violations.

The targeted killings of journalists, educators, medical doctors, judges and lawyers has continued, as did criminal abductions for ransom during the first six months of 2008. As Iraqi security institutions slowly and progressively asserted their control of more territory, politicians, security officials, policemen and members of pro-government militias frequently came under attack by armed groups.

During the reporting period, minorities continued to be the victims of some targeted violence, threats, assassination and the destruction of property and cultural sites.

The situation of detainees across the Country remains of concern, including in the Iraqi Kurdistan Region. Some detainees have been deprived of their liberty for months or even years, often under harsh physical conditions, without access to defense counsel, or without being formally charged with a crime or produced before a judge, and allegations of torture and ill-treatment of inmates are of particular concern.

The plight of women across Iraq still requires urgent measures to combat gender-based violence, including so-called honour crimes.

Human rights violations that are less visible need to be documented, reported and exposed publicly. With the support of the international community, we are confident the Government of Iraq will continue to address these violations and combat impunity.

During the reporting period Iraq has ratified the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Council of Representatives has adopted a law establishing the Independent High Commission for Human Rights, for which UNAMI has advocated for several years and which represents, if properly applied, a milestone in the protection and promotion of human rights in Iraq.

Q: What do the recent elections represent for the future of the Country?

A: These elections, that took place in 14 of Iraq's 18 provinces and with more than 14,000 candidates, were crucial in Iraq, for three reasons: first, they are the elections that took place just one month after the Iraqis have re-obtained their own sovereignty. Second, in these elections Iraqi people were for the first time able to vote on an open basis, to choose not only a party but also a candidate from that party to represent them. And Sunnis this time have voted, whereas in the past they did not vote in a large number.

Last, these elections were about real power, the people nominated are on the ground, in the various district councils, and will be deciding on electricity, water, budget, jobs.

These elections marked the first demonstration of a free people able to choose their leaders and their own future.

The peaceful provincial elections have been a remarkable occurrence in the political process in the country. The polls have come to signify both a growing political maturity and a general keenness on the part of the Iraqis to partake in a process to shape their country's future in real and tangible terms.

However, the elections were only a first step toward national reconciliation. This is a pressing need for Iraq if Iraqis are to grab the chance in 2009 to experience real advances towards national sovereignty, democratic accountability, political stability, physical security and material prosperity.

Q: Which were the activities of UNAMI staff in view of the elections?

A: We have been heavily involved, assisting the Independent Electoral Commission in all the aspects - logistic, strategic, organization, and coordination - for the preparation of this election to ensure free and fair elections. More than 60,000 electoral observers have been trained.

We contribute 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 by contributing to the dissemination of objective, impartial and balanced information throughout the country on campaign issues and political debates.

Q: What still needs to be done?

A: The first challenge are linked to the election: an increase of Iraqis' confidence in their local institutions and in accountable democracy more generally is fundamental.

The second challenge relates to the growing tensions between Arabs and Kurds. These tensions, based on historical, Baathist and more recent injustices in the swath of "disputed territories" to the south of Iraqi Kurdistan, especially the oil-rich province of Kirkuk, have infected almost every aspect of the political scene. They have impeded progress on the vital oil law, revenue-sharing and constitutional review.

Iraq's friends in the international community can encourage the national (and largely Arab) Iraqi and regional (Kurdish) leaderships to ratchet down tensions and explore new solutions for some of the most pressing issues: the oil law, Kirkuk, local security forces and the constitution. There is a growing desire among the various Kirkuki ethnic groups to reach a compromise that would be acceptable to the other communities living in Kirkuk.

When I recently visited Kirkuk, this was the message I picked up from almost everyone I met.

The third challenge is the need for a greater willingness to seek national reconciliation at all levels and among all major groups: Sunni-Shiite, Shiite-Shiite, Sunni-Sunni, Arab-Kurd and Kurd-Kurd. As the United Nations works to promote the spirit of dialogue and reconciliation here, our staff has noted that "compromise" in Iraqi Arabic is often mistakenly translated as "tanazul," which has the connotation of "giving up on your principles." Given this mind-set, it's hardly surprising that identifying outcomes acceptable to all can be difficult.

Fortunately, during the past few months, there have been several issues, including the elections law and matters in the disputed areas, where tense political standoffs were ended when an impartial outsider presented a proposal that all sides could agree on as a face-saving win. A growing Iraqi willingness to forego the perfect solution for any one party is a positive sign. We must build on this recognition that compromise is the only way to proceed in a nascent democratic system, especially one with such profound wounds.

Q: You have always worked in conflict environments and in several regions of the World. Is there a lesson learnt that you feel can be adopted?

A: Circumstances change from conflict to conflict and country to country. Every posting had its own influence and I had experienced failures and successes. What certainly did have an impact on me in was the period in Somalia during the worst time, 1991, the siege of Sarajevo, the siege of Dubrovnik, the first period in Kosovo, the airdrops of food aid in Sudan, the hunger in Ethiopia in 1984 - each of them had an impact on my professional and emotional life and at the same time it taught me how we could try to improve in order to make sure that we could get the best out of the UN wherever we were.

My first lesson learnt: we must build bridges between the different communities, create a common ground for dialogue and finding a compromise. That has not to be a zero sum game but a balance for which there is always something to gain even when you have to give something up.

Second lesson learnt: a country cannot truly attain its sovereignty or achieve lasting peace, unless it instils confidence in its own constitution, and delivers on basic needs."

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