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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Joint written statement* submitted by the International
Organization for the Elimination of All Forms of Racial
Discrimination (EAFORD), Association Ma'onah for Human
Rights and Immigration, Indian Movement "Tupaj Amaru",
International-Lawyers.Org, Union of Arab Jurists, United
Towns Agency for North-South Cooperation, non-
governmental organizations in special consultative status,
International Educational Development, Inc., World Peace
Council, non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[30 January 2020]

* Issued as received, in the language(s) of submission only.



2019-2020 Protests: The deadly price of freedom in Iraq

Introduction

Since the beginning of October 2019, Iraq has been racked by protests demanding the overhaul of the corrupt, sectarian-based political establishment that has been in place since 2003. Such protests, with hotspots in the Shia-majority areas of Baghdad and the Southern cities of Basra, Najaf, and Karabala, have been met by violence. Since the very beginning of the demonstrations, protestors have been directly targeted by the government security forces and militias, whose attacks have been both indiscriminate and intentionally fatal.¹ This is despite the fact that the peaceful nature of the demonstrations has been maintained from the start.² This has been directly noted by Jeanine Hennis-Plasschaert, Special Representative of the Secretary-General in Iraq. The press and civil activists have also been targeted by assassination and abduction attempts.

This statement will cover such tactics of violence, which have undeniably constituted a grave violation of international human rights law. Its objective is to urge the United Nations (UN) and the international community to recognize the gravity of the protestors' situation, and to encourage efforts to both prosecute perpetrators of violence and to work towards the protestors' eventual aims.

Human Rights violations during the protests

While the peaceful nature of the demonstrations has been maintained from the start, reports of violence, intimidation and killings by the security forces have become a daily occurrence. Tear gas, live rounds, rubber bullets, tear gas canisters used as projectiles, smoke grenades and deadly sniper attacks have become the daily means of protest control. The most common tactic of violence has been the direct targeting of protestors by tear gas canisters used as projectiles at either their heads or chests; gruesome fatalities have been noted from tear gas grenades piercing the protestors' skulls or lungs, with bloodied or dismembered bodies cluttering the streets. From 1st October 2019 until today, 15th of January 2020, more than 700 protestors have been killed, while more than 24,000 have been injured, according to the organizing committee of the protestors themselves.

Moreover, targeted assassinations and forced abductions, especially of civil activists and members of the press, have become widespread. A report by our partner, the Iraqi Al-Amal Association noted that, by 31 December 2019, there were '64 recorded cases of abduction and assassination against human rights defenders and civil society activists'.³ As of 11 January 2020, around a dozen activists had been shot dead, including – just to name a few - Ahmad Abdessamad, a 37-year-old correspondent for local television station Al-Dijla, and his cameraman Safaa Ghali, 26, who were killed on 10 January 2020 in the southern city of Basra.

Key issues behind the protests

Behind the protests lie a number of significant issues, built up over almost 17 years of corrupt, sectarian governmental rule. The most important is the sectarian political system itself; guaranteed access to government employment and leadership positions is still dictated by pledging allegiance to one of the country's main sects, and, moreover, this system of job

¹ J. Hennis-Plasschaert, *Briefing to the UN Security Council* (3 December 2019), "Now, Madam President, there can be no justification for the many killings and heavy injuries of peaceful protesters. Yet this is precisely what we have been documenting since the first of October

² Ibid, "To be perfectly clear: the vast majority of protestors are evidently peaceful."

³ Al Namaa Center for Human Rights & Iraqi Al-Amal Association, *Assassinations & Abductions...Incapable Government: A documentation report for assassinations and abductions cases targeted Civil activists and Human Rights Defenders in Iraq since 1st Oct-31st Dec 2019*, p. 2

allocation according to sect has permeated throughout Iraqi society. The key failure of such a system is that it fosters rampant corruption, since the country's resources are exploited for the purpose of sect domination within a particular field. State resources are thus repeatedly plundered by the ruling elites, meaning the demands and concerns of the Iraqi populace are rarely met. As such, despite being the fifth-largest oil-producing country in the world, holding nearly 9% of the known global oil supply,⁴ the country's wealth is being almost entirely siphoned off by senior ministers and their associates.

This has brought about a whole host of societal problems, from unemployment and low wages to poor public services and rebuilding initiatives. These problems represented the initial grievances of the protestors, along with state corruption. However, demands for measured change have since developed into the overthrow of the system more broadly, since the two have been realized as clearly linked. Anti-foreign interventionist sentiment has also played a role in the protests, especially against the presence and intervention of the United States of America and the Islamic Republic of Iran. This has become especially marked since tensions between the two in the region have increased: Iraqis are becoming increasingly militant against their supposed role as pawns in a proxy war in the region between these two major adversaries.

The deep-rooted nature of their demands, as well as, the purpose of their protest as a direct attack on the Iraqi political establishment, perhaps explains the extremity and violence of the security forces' response. This is especially alarming given that the perpetrators of the attacks are highly likely under the direction of the Iraqi Prime Minister, and greatly influenced by the Iranian military leadership. As such, extensive violence is being used in an attempt to protect the sectarian system from societal opposition.

Government response

At the beginning of the protests, it was announced that the government was intending to respond to some of the Iraqi peoples' demands and pressure from the UN and international community to formally investigate the indiscriminate targeting of demonstrators. Between 9 October and 27 November 2019, according to updates on the Government of Iraq's website, a number of reforms were being considered, including the possibility of electoral reform and the introduction of efforts to tackle corruption, improve job opportunities and land distribution schemes and to improve water services, among others.⁵ On 29 November 2019, the Iraqi Prime Minister, Adel Abdul-Mahdi, agreed to step down provided that a viable alternative was found, and pledged a major government shake-up. As of yet, though, no progress has been made towards fulfilling these pledges, and it is likely that they have been promised merely to placate both the protestors and the wider international community.

Regarding the issue of the use of violence against protestors, on 12 October 2019, the Prime Minister agreed to form an investigative committee to identify the perpetrators and bring them to justice – as noted in United Nations Assistance Mission for Iraq (UNAMI) second special report. On 22 October 2019, the group released their preliminary findings, which acknowledged the use of force and recommended disciplinary or judicial investigations into the killings. Since then, the issue has been tackled no further. Indeed, given the links between the government and those generally regarded as responsible for the killings, it is unlikely that any further progress will be made on the matter. Moreover, such promises have been made by the Iraqi government many times before, and, each time, very little action is taken.

⁴ S. Stebbins, *These 15 countries, as home to largest resources, control the world's oil*, USA Today, (22 May 2019), <https://eu.usatoday.com/story/money/2019/05/22/largest-oil-reserves-in-world-15-countries-that-control-the-worlds-oil/39497945/>

⁵ <https://gds.gov.iq/?s=protests&submit=Search>

UN response

The UN's response has been similarly disappointing. While the violence has been repeatedly condemned in a series of statements and reports, no concrete measures have yet been taken to offer support to the demonstrators or punish the militias and security forces.

The UN has, however, continued to offer support to the reform efforts introduced by the Iraqi government. On 18 December 2019, UNAMI released a statement which urged the political leaders to reach a consensus on the nomination of a candidate deemed appropriate to the Iraqi people. Hennis-Plasschaert has also released multiple statements, which urge for efforts to be made to stop the deliberate killings and bring the perpetrators to justice,⁶ as well as, to recognise the validity of the protesters' demands and for progress to be made towards achieving them.⁷

A press statement by the UN Security Council on 13 December 2019 also welcomed efforts to promote dialogue between the government and the people of Iraq and continued previous appeals for peace in the region. Two reports have also been published in relation to the human rights abuses committed during the demonstrations. Aside from informing the reader on the nature of the issue, the reports condemn the killings as a gross violation of international human rights standards, while failing to implement any direct response.

Conclusion

Clearly, in spite of the seriousness of the violations committed against the demonstrators in Iraq, the issue is being met by a limited international response. Not only is such a response undeniably required, but the international community should also be offering support to the demonstrators to aid in the fulfilment of their demands, especially since their grievances are both longstanding and significant. While it is important for the UN to continue working towards maintaining peace, greater efforts must be made to protect the protesters, activists and media representatives from the reckless actions of the Iran-backed militias and the security forces. Moreover, the UN should be recognizing the role of the government in inciting the deliberate killing of protesters and appreciating the seriousness of the issue at hand.

Recommendations

For the UN and international community:

- To continue their efforts to stop the grave violations by the Iraqi government forces and militias.
- To dispatch a fully independent investigation into the deliberate killing and maiming of demonstrators, shielding no-one from investigation, including members of the government and the Iranian leadership.

For the Human Rights Council:

- To discuss the situation in Iraq in its meetings and sessions.
- To appoint a Special Rapporteur for Iraq to monitor the human rights situation there.

⁶ J. Hennis-Plasschaert, *UN strongly condemns attacks by armed entities on peaceful protestors* (7 Dec. 2019) "The deliberate killing of unarmed protestors by armed elements is nothing less than an atrocity against the people of Iraq. The perpetrators must be identified and brought to justice without delay".

⁷ J. Hennis-Plasschaert, *Statement to the Presidency of the Council of Representatives and Heads of Parliamentary Blocs* (13 Nov. 2019), "over the past six weeks, hundreds of thousands of Iraqis – peaceful Iraqis – have been protesting – making genuine, legitimate, demands, loud and clear...I sincerely hope that your choices, actions and statements will allay the fears of the Iraqi people – that your choices will restore their hope in a brighter future tomorrow"

- To encourage the special mandate holders to visit Iraq and to examine the different aspects of the human rights situation in the country.

Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, Human Rights Defenders (HRD), The Brussels Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.