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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 (IAFORD), 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.

[01 February 2020]

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



The plight of Human Rights Defenders and Journalists in Iraq

Introduction

Throughout the anti-government demonstrations plaguing Iraq since the beginning of October 2019, the threats, kidnappings and assassinations of civil activists and media personnel have continued to make headlines. Indeed, tactics of protest suppression have stretched far beyond the indiscriminate targeting of demonstrators, with growing numbers of human rights defenders and journalists being killed under mysterious circumstances or forcibly disappeared, with their dismembered remains often being uncovered nearby. It is almost certain that such activities are being carried out either by the government's own security personnel or by independent militias.

This statement will consider this practice of assassination and forced abduction of activists and human rights defenders over the course of the 2019-2020 demonstrations. Its objective is to urge the United Nations (UN) and the international community to recognise that such tactics are both longstanding and prevalent in Iraq: enforced disappearances, kidnappings and assassinations have been a systematic and strategic feature of the Iraqi system for many years. More importantly, perhaps, this statement aims to highlight that such tactics have become an important and worrying feature of the demonstrations, and to demand that perpetrators are prosecuted and the illegal and criminal acts are terminated as soon as possible.

What is happening to civil rights activists, human rights defenders and journalists?

Centring on the periphery of Tahrir Square, Baghdad, but with hotspots across the country, civil activists and human rights defenders are being confronted by policies of targeted abduction, assassination and intimidation more broadly. Such occurrences have been longstanding, representing a key feature of the post-2003 political establishment in Iraq. However, these have only become more visible during the current demonstrations, perhaps since the violations are being committed in concentrated areas and have relatively high levels of exposure. Given the location of the attacks, and the number of government forces present in such areas, it is likely that the government security forces and militias are responsible. They are using these as a means of intimidation – in an attempt to force the protests to disband.

As from the 1 October and until end of January 2020, more than 750 protesters have been killed, while more than 25,000 have been injured, according to the organising committees of the protestors. Within this, more than 100 prominent human rights defenders and civil activists have been killed by governmental forces and affiliated militias. The gravity of the situation was expressed on 27 January 2020 by a large group of embassies from across Europe and North America that condemned the 'excessive and lethal' use of force by the Iraqi security forces and armed groups and encouraged the government to respond appropriately to the situation, which they say has left over 500 dead and thousands injured.

Moreover, targeted assassinations and forced abductions, especially of civil activists and members of the press, have become widespread. As noted earlier, by end of January 2020, there were more than 100 recorded cases of abduction and assassination against human rights defenders and civil activists.¹ To name a few – Mohammed Ayad, abducted on 25 January 2020 while returning home from Tahrir Square, Ahmed Ghalib Kadhum Al Zubaidi, abducted in front of his home in Baghdad on 26 January 2020, Mustafa Hassan Hadi and Mustafa Al Gazi-, killed on 26 January 2020 in Nasiriya, south of Iraq, and Professor Mohammed Hussein Alwan, assassinated outside his home in Baghdad on 28 January 2020.

¹ 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

Continuing a deep-set culture of assassinations and forced abductions in Iraq

While the high occurrence of disappearances and killings during the demonstrations may be presented as alarming, such grave human rights abuses are actually deep-rooted issues in Iraqi society. For years, our organisations have been reporting on issues such as unlawful arrests and enforced detention periods, mass executions, torture, infringements of rights and of the rule of law, and on the illegal activities of the militias, especially during periods of conflict. In this context, the targeting of human rights defenders and journalists during protests, even with tactics such as forced assassination, torture and enforced disappearance, does not appear nearly so highly unusual, but seems to follow an entrenched trajectory that has developed over almost 17 years of corrupt sectarian rule. For as long as the government of Iraq continues to claim that such crimes are committed by few independent actors acting outside of the official command structure, however – and the international community fails to afford them sufficient notice – such practices are unlikely to change.

Government response

As of yet, the targeting of civil activists, human rights defenders and journalists has only really been met by rhetorical condemnation by the Iraqi government and its associated affiliates. The authorities have vowed to bring the perpetrators to justice – an announcement noted in United Nations Assistance Mission for Iraq (UNAMI) second report, published on 11 December 2019. More specifically, on 12 October 2019, the Prime Minister agreed to form an investigative committee, or a ‘commission of inquiry’ to identify the perpetrators and bring them to justice. This inquiry supposedly comprises senior ministers, representatives of the security forces, the judiciary, the Human Rights Commission and Members of Parliament. 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.

However, despite these findings, the perpetrators have yet to be taken to justice. 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. Iraq’s interior ministry has also announced the setting up of a hotline specifically to receive complaints of threatened media professionals and journalists. Yet, this does little to assure the security of the targeted individuals – or indeed to assist those civil activists and human rights defenders targeted by the same groups.

UN response

While the UN, and especially Jeanine Hennis-Plasschaert, Special Representative of the Secretary-General for Iraq, continue to offer words of harsh condemnation of the perpetrators of such crimes and support for the efforts of the demonstrators, the question of physical intervention has still not been considered. Despite the fact that the death and injury toll continues to rise, the UN has of yet failed to carry out its obligations to protect and support the Iraqi people.

Jeanine Hennis-Plasschaert, has released numerous statements appealing for efforts to be made to stop the deliberate killings and bring the perpetrators to justice. Many of these refer specifically to the deliberate targeting of civil activists, human rights defenders and members of the media. The latest, published on 20 January 2020, maintained that the ‘violent suppression of peaceful protesters is intolerable and must be avoided at all costs’.² A previous statement published on 18 December 2019 directly considered the emerging and ongoing

² United Nations Iraq, UN Iraq Representative urges renewed push for reform, calls for demonstrations to remain peaceful (20 Jan. 2020), http://www.uniraq.org/index.php?option=com_k2&view=item&id=12276:un-iraq-representative-urges-renewed-push-for-reform-calls-for-demonstrations-to-remain-peaceful&Itemid=605&lang=en

pattern of abductions and targeted killings of human rights defenders and demonstrators. Indeed, Hennis-Plasschaert directly called on the government to act against such a pattern by claiming, 'it is the ultimate responsibility of the State to protect its people. Abductions, unlawful arrests and heinous killings have no place in a democracy. They must not become 'the new normal' in Iraq'. As such, she urged the Iraqi political establishment to respond to the demands for reform without further delay.³

Two reports have also been published by UNAMI 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. This mirrors the general approach being taken by international organisations, national institutions and the Iraqi government itself: condemning the events taking place while failing to undertake any meaningful action.

Conclusion

In conclusion, continuing a longstanding pattern of governmental and international inaction relating to the issue of enforced disappearances in Iraq, very little is being done to respond to the targeting of human rights defenders. Such a response is undeniably required. While it is important for the UN to continue working towards maintaining peace, greater efforts must be made to protect the protestors, civil rights activists and media representatives from the reckless actions of the Iran-backed militias and the security forces, as well as, to stop the endless cycle of violence and enforced disappearances against the general Iraqi population. Moreover, the UN should be recognising the role of the government in inciting the deliberate killing of protestors and appreciating the seriousness of the issue at hand.

Recommendations

For the UN and international community:

- To continue their efforts to stop the threats, kidnappings and assassinations by the Iraqi security 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 permanently monitor the human rights situation there.
- 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.

³ United Nations Iraq, Appointment of PM-designate: now is the time to act in the interest of the Iraqi people (18 Dec. 2019), http://www.uniraq.org/index.php?option=com_k2&view=item&id=12208:appointment-of-pm-designate-now-is-the-time-to-act-in-the-interest-of-the-iraqi-people&Itemid=605&lang=en