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لتقديم المساعدة للعراق

## Human Rights Report

1 January – 31 March 2007

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## **Introduction**

The Human Rights Office (HRO) of the United Nations Assistance Mission for Iraq (UNAMI) engages in the promotion and protection of human rights and the rule of law in close collaboration with Iraqi governmental and non-governmental sectors, in accordance with UN Security Council Resolution 1546 (2004), paragraph 7 (b) (iii), which mandates UNAMI “to promote the protection of human rights, national reconciliation, and judicial and legal reform in order to strengthen the rule of law in Iraq.” In order to fulfill this mandate, UNAMI HRO monitors the human rights situation in Iraq and assists, especially through capacity-building activities, in the rehabilitation and reconstruction of state and civil society institutions. It collaborates closely with national human rights activists and seeks to maintain direct contact with victims and witnesses of human rights violations.<sup>1</sup>

UNAMI HRO’s Human Rights Report, previously published on a bimonthly basis, will henceforth be issued on a quarterly basis. The report, which details serious and widespread human rights violations, is intended to assist the Government of Iraq in ensuring protection of basic human rights and respect for the rule of law. Given prevailing security conditions and the nature of the violence engulfing many parts of the country, UNAMI recognizes the enormous difficulties facing the Iraqi Government in its efforts to restore law and order. Its law enforcement personnel are under relentless attack by insurgency groups, and both Sunni and Shi’a armed groups carry out direct attacks on civilians through suicide bombings, abductions and extrajudicial executions while making no distinction between civilians and combatants. Such systematic or widespread attacks against a civilian population are tantamount to crimes against humanity and violate the laws of war, and their perpetrators are subject to prosecution.

Nonetheless, Iraq remains bound by both its international treaty obligations and its domestic legislation in taking measures to curb the violence. The International Covenant on Civil and Political Rights (ICCPR), in particular, is clear on the basic protections that must be afforded to persons and from which no derogation is permissible even in times of emergency.<sup>2</sup> UNAMI’s mandate includes assisting the Government of Iraq in fulfilling its human rights obligations, and remains willing to engage the authorities in a constructive dialogue in order to achieve these objectives. The ultimate aim – ensuring lasting stability and security – can only be realized through the protection of fundamental rights and respect for basic human dignity. UNAMI stands ready to support the Iraqi Government in that effort.

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<sup>1</sup> UNAMI HRO has a physical presence in Amman, Baghdad and Erbil, with over 30 staff members employed in total. UNAMI HRO in Basra closed when the human rights staff was withdrawn for security reasons in October 2006. Security conditions on the ground continue to severely restrict freedom of movement of UN staff in all regions except three governorates under the authority of the Kurdistan Regional Government, impairing both protection and promotion activity by UNAMI HRO.

<sup>2</sup> Iraq ratified the ICCPR in 1971, and all successive governments are bound by this treaty obligation.

## Summary

1. The Government of Iraq continued to face immense security challenges in the face of growing violence and armed opposition to its authority and the rapidly worsening humanitarian crisis. A number of large-scale insurgency attacks had devastating effects on both the civilian population and Iraqi law enforcement personnel, and continued to claim lives among Multinational Force (MNF) personnel. Civilian casualties of the daily violence between January and March remained high, concentrated in and around Baghdad. Violent deaths were also a regular feature of several other cities in the governorates of Nineveh, Salahuddin, Diyala and Babel. The implementation of the Iraqi-led Baghdad Security Plan (*Khittat Fardh al-Qanun*) on 14 February saw an increase in Iraqi and MNF troop levels and checkpoints on the streets of Baghdad, expanded curfew hours and intensified security operations and raids. The challenge facing the Government of Iraq is not limited to addressing the level of violence in the country, but the longer term maintenance of stability and security in an environment characterized by impunity and a breakdown in law and order. In this context, the intimidation of a large segment of the Iraqi population, among them professional groups and law enforcement personnel, and political interference in the affairs of the judiciary, were rife and in need of urgent attention.

2. In its previous reports on the human rights situation in Iraq, UNAMI regularly cited the Iraqi Government's official data, including the Ministry of Higher Education's statistics on killings among academics and the Ministry of Interior's statistics on killings among police officers. It is therefore a matter of regret that the Iraqi Government did not provide UNAMI access to the Ministry of Health's overall mortality figures for this reporting period. UNAMI emphasizes again the utmost need for the Iraqi Government to operate in a transparent manner, and does not accept the government's suggestion that UNAMI used the mortality figures in an inappropriate fashion.

3. Evidence which cannot be numerically substantiated in this report nonetheless show that the high level of violence continued throughout the reporting period, attributable to large-scale indiscriminate killings and targeted assassinations perpetrated by insurgency groups, militias and other armed groups. In February and March, sectarian violence claimed the lives of large numbers of civilians, including women and children, in both Shi'a and Sunni neighborhoods. One of the most devastating attacks occurred on 3 February when a truck packed with a ton of explosives detonated, killing an estimated 135 people and injuring 339 others in a busy market in the predominantly Shi'a district of al-Sadriyya of Baghdad. While government officials claimed an initial drop in the number of killings in the latter half of February following the launch of the Baghdad Security Plan, the number of reported casualties rose again in March.

4. In its previous reports, UNAMI expressed its concern that many Baghdad neighborhoods had become divided along Sunni and Shi'a lines and were increasingly controlled by armed groups purporting to act as protectors and defenders of these areas. Efforts to find a long-term and durable solution to mass displacement will necessitate a reversal of this trend,

enabling civilians to return to their homes safely and voluntarily. According to figures from the United Nations High Commissioner for Refugees (UNHCR), an estimated 736,422 persons were forced to flee their homes due to sectarian violence and military operations since the bombing of the al-Askari shrine in Samarra' on 22 February 2006. Of these, more than 200,000 were displaced since December 2006. Together with 1.2 million IDPs displaced prior to 22 February 2006, they are in need of continuous assistance, including shelter and improved access to the Public Distribution System (PDS). Additionally, Palestinian refugees residing in several neighborhoods in Baghdad continued to be victims of the deteriorating security situation. According to a Palestinian human rights organization and other Palestinian sources, 198 Palestinians were killed in targeted assassinations or attacks on their residential compounds since 4 April 2003. Many Palestinians responded to continuing threats and attacks by leaving their homes and seeking refuge in camps along the Iraq-Syria border.

5. UNAMI notes again the serious trend of growing intolerance towards minorities, whose representatives continued to lodge complaints about discrimination, intimidation and individual targeting on religious and political grounds. The 2005 Iraqi Constitution protects the "religious freedoms" of all of its citizens. Of equal concern are ongoing attempts to suppress freedom of expression through tighter control of the broadcast media and printed press. UNAMI noted several incidents of harassment, legal action and intimidation against journalists addressing issues of corruption and mismanagement of public services in the Region of Kurdistan. Across the country, attacks against journalists and media outlets continued, resulting in a high number of casualties among media workers.

6. UNAMI remained concerned at the apparent lack of judicial guarantees in the handling of suspects arrested in the context of the Baghdad Security Plan. While in his public statements Prime Minister Nouri al-Maliki pledged that the government would respect human rights and ensure due process within a reasonable time for those under arrest, there were no references to any mechanisms for monitoring the conduct of arresting and detaining officials. The new emergency procedures announced on 13 February contained no explicit measures guaranteeing minimum due process rights. Rather, they authorized arrests without warrants and the interrogation of suspects without placing a time limit on how long they could be held in pre-trial detention. The use of torture and other inhumane treatment in detention centers under the authority of the Ministry of Interior and the Ministry of Defense continues to be of utmost concern. UNAMI re-emphasizes the urgent need to establish an effective tracking mechanism to account for the location and treatment of all detainees from the point of arrest.

7. During this reporting period, UNAMI further expanded its monitoring and reporting activities in the three northern governorates under the authority of the Kurdistan Regional Government (KRG), where the security situation remained stable. Infringements to freedom of expression, including press and media freedoms, were of serious concern. Equally serious was the lack of due process with regard to detainees held by Kurdish security forces (*Asayish*), the majority on suspicion of involvement in acts of terrorism and other serious crimes. Hundreds have been held for prolonged periods without referral to an investigative judge or charges brought against them. UNAMI also noted the absence of serious measures by the KRG authorities to address the growing level of violence against women, including prompt investigations and criminal prosecution of perpetrators.

## **Protection of Human Rights**

### **Extra-judicial executions and targeted and indiscriminate killings**

8. The civilian population continued to be disproportionately affected by the growing level of violence in the country. Sectarian violence was most pronounced in areas with diverse ethnic and religious groups or where such groups were located in close proximity to each other, such as Baghdad, Diyala, Kirkuk and Mosul. In Basra and Kirkuk, competing factions often and openly clashed with each other. Relatively quieter areas of Missan, Wasit, al-Muthanna and Dhi-Qar governorates were also affected by the overall climate of instability and corruption, as well as by tensions resulting in part from the rapid influx of displaced populations.

9. The distinction between acts of violence motivated by sectarian, political or economic considerations was frequently blurred as a multitude of armed and criminal groups claimed responsibility for numerous acts of terror. The prosecutorial and investigative capacity of the Iraqi state was and is likely to remain inadequate in the face of relentless attacks by armed groups operating with impunity under the umbrella of both Sunni insurgent groups and Shi'a militia.

10. During this reporting period UNAMI made repeated efforts to obtain overall mortality figures which in the past it had received from the Ministry of Health's Operations Center and the Medico-Legal Institute in Baghdad.<sup>3</sup> However, the Iraqi Government told UNAMI that it had decided against providing the data, although no substantive explanation or justification was provided. It is noteworthy that this directive does not apparently apply to any other ministry from which UNAMI obtains official data. Following the publication of its last Human Rights Report on 16 January 2007, the Prime Minister's Office told UNAMI that the mortality figures contained in the report were exaggerated, although they were in fact official figures compiled and provided by a government ministry. UNAMI urges the Iraqi Government to make available this crucial data and would welcome an opportunity to discuss its publication through an alternative appropriate forum. On 1 March, the Ministry of Interior announced that 1,646 civilians were killed in February, the majority of them in Baghdad. It was unclear on what basis these figures were compiled.

11. UNAMI continues to monitor and record violations of human rights by all sides through individual reporting, witness statements, interviews with victims and other sources. Patterns of violence witnessed in this reporting period were largely consistent with those highlighted in previous UNAMI Human Rights Reports. Armed groups from all sides continued to target the civilian population. In doing so, these groups frequently violated the sanctity of places of religious worship, such as mosques to store weapons and ammunition, occupied civilian buildings such as schools, and disregarded the protected status of health facilities and health

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<sup>3</sup> The Operations Center gathers statistics on a weekly basis from all hospitals across Iraq except the Region of Kurdistan. The Medico-Legal Institute (MLI) in Baghdad collects and analyses data from all six medico-legal institutes across the country. Both the Operations Center and the MLI collate data on deaths resulting from unnatural causes, including ordinary criminality and killings resulting from acts of violence in the context of sectarian or other conflict.

professionals in violation of international humanitarian and human rights laws. Kidnappings and hostage-taking remained a daily occurrence in certain areas of Iraq.

12. Suicide and car bombs continued to claim a large number of civilian casualties. An increasing number of Iraqis sought various means to flee the country, seeking asylum or refugee status abroad. Large-scale attacks were perpetrated between January and March, with several incidents claiming the lives of more than 50 people each. On 16 January, in a single car bomb attack on al-Mustansiriyah University in Baghdad, some 70 people, mostly students, were reportedly killed and 140 wounded. The attack apparently came in the wake of repeated threats and calls for the suspension of classes in academic institutions by insurgent groups, most notably Ansar al-Sunna. On 22 January, two bombs exploded in the Bab al-Sharqi market in central Baghdad, killing an estimated 88 people and wounding 160 others. This predominantly Shi'a market had previously been attacked in December 2006. On 1 February two suicide bombers at a crowded market in al-Hilla reportedly killed between 45 and 70 people and injured 125 others. On 3 February, one of the largest targeting of civilians occurred in Baghdad in a busy market in the district of al-Sadriya, when a truck packed with approximately a ton of explosives detonated, killing some 135 people and injuring 339 others. On 12 February two car bombs exploded in Baghdad's Shorja market, killing an estimated 76 people and injuring over 155 others and setting numerous stalls, shops and a nearby high-rise building on fire. Four days later, on 18 February, two car bombs targeting the main shopping centre of Baghdad al-Jadida, a mainly Shi'a district in eastern Baghdad, reportedly killed 62 people and wounded 129 others. On 24 February, 56 people were reported killed in an explosion outside a mosque in al-Habbaniya, apparently timed to inflict maximum casualties as worshippers began leaving the mosque. Among the dead were five children. In some cases, entire families were reported killed. On 6 March, an estimated 120 pilgrims died in a targeted attack while en route to Karbala.

13. Sectarian violence was most pronounced in areas with diverse ethnic and religious groups such as Baghdad and in the governorates of Babil, Diyala, Salahuddin and Nineveh. On 25 March, a series of attacks and counter attacks between Sunni and Shi'a armed groups in al-Iskandariya and al-Haswa in northern Babil led to the burning of a number of mosques on both sides, and the killing of at least four people. Two other incidents took place in Tala'far towards the end of March. On 27 March, two truck bombs targeted a market in a predominately Shi'a neighborhood in the town. According to reports received, one of the truck drivers alleged he was distributing flour on behalf of a humanitarian organization before detonating the explosives and killing scores of people gathered around the vehicle. An estimated 75 people were killed and up to 185 were wounded. The following day, the director of Tala'far Hospital announced that the bodies of 60 people bearing gunshot injuries had been brought to the hospital. The killings, carried out in apparent retaliation for the earlier suicide attacks, were reportedly carried out in the Sunni neighborhood of al-Wahda in Tala'far. The victims were said to have been shot in the back of the head, while 40 others were abducted by armed militia, allegedly in collusion with local police. Reports of the arrest of 18 police officers in connection with these incidents have yet to be confirmed. In one of the more devastating attacks in Kirkuk since January, a series of explosions on 19 March targeted Tis'een Quarter, a Turkoman district. The blasts killed an estimated 20 civilians,

wounded 42 others and damaged a Sunni mosque and a husseiniyya belonging to the Turkoman Shi'a community.

14. Relatively quieter areas of Missan, Wasset, al-Muthanna and Dhi-Qar governorates were also affected by the overall climate of instability, as well as by tensions resulting in part from the rapid influx of displaced populations. Particularly prevalent were targeted assassinations, among the victims being former Ba'ath Party members, professional groups, students, members of minority groups and security officials. In the latter half of March ten people, including three women, were reportedly killed in al-'Amara. In Basra in late March, five engineers working at the Electricity Directory in the city were kidnapped, allegedly by Mahdi Army militiamen. Their fate and whereabouts remained unknown.

15. In January and up to mid-February, areas most affected by the violence in Baghdad were those where armed groups competed for territorial domination, such as al-A'dhamiya, al-Dora, al-Khadhimiya and al-Ghazaliya, as well as Sadr City. In one incident, several eyewitnesses reported to UNAMI on the killing of 24 persons in al-Fehama area, close to Haifa Street, on 6 January. The killings were said to have been carried out by an insurgent group seeking control of the Haifa Street area. The bodies of those killed, all alleged members of the Mahdi Army, were reportedly hung on lampposts and an announcement to that effect was made by the perpetrators through loudspeakers. On 12 January, three armed men reportedly fired indiscriminately in the southern part of Haifa Street wounding one person before driving away. Residents in the area also reported sniper fire from various buildings in the vicinity of Haifa Street.

16. UNAMI continued to receive reports of possible collusion between armed militia and Iraqi Special Forces in raids and security operations, as well as reports of the failure of these forces to intervene to prevent kidnapping and murder and other crimes. In one incident on 11 January, 11 employees of Ministry of Oil were abducted by an armed group en route to work from their residential compound in al-Nahrawan. Eyewitnesses stated that their vehicle passed through several police checkpoints without being stopped, checked or apparently raising suspicion. In another case on 27 January, 8 employees working for al-Qimmah Computer Company in the district of al-Karrada near the Technology University were abducted from the company's headquarters, allegedly by gunmen wearing police uniforms. On 19 February armed men, reportedly wearing Iraqi Special Forces' uniforms abducted a Palestinian man, Mahmoud Sa'id Salih, in al-Yusufiyya. His fate and whereabouts remained unknown.

17. Despite reports from Iraqis in late February that security had somewhat improved, there were a series of indiscriminate attacks targeting civilians, and the rate of kidnappings remained high. While some of those abducted were released after the payment of ransoms, many others remained missing and may have been among the unidentified victims whose bodies reached Medico-Legal institutes in various cities across the country. There were also numerous targeted attacks and assassination attempts on former Ba'ath Party members, prominent political figures, and professionals such as journalists and educators. Two senior government officials were targeted in failed assassination attempts during this reporting period. On 26 February, an explosion at the Ministry of Municipalities was timed to coincide

with a visit by Vice-President Adel Abdul-Mahdi to attend a staff award ceremony, At least 10 people were killed and 18 injured in the blast. On 23 March, Deputy Prime Minister Salam al-Zoba'i escaped an assassination attempt at his home. One of his guards was allegedly involved in the suicide attack. Nine other people were reported killed in the incident, including the deputy prime minister's brother, Abdul-Rahman al-Zoba'i, his cousin Rashid al-Zoba'i, his secretary Ahmad Hatem al-Kubaisi, and his advisor Mufid Abed Zahra.

18. At the beginning of January, up to 50 or more unidentified bodies were being found on a daily basis in Baghdad alone, with scores more in areas such as Mosul and Suwayra. Iraqi police reported finding 168 dead bodies in various parts of Iraq during the first week of January. In early February, media sources reported a surge in the incidence of killings. According to the Baghdad police, 50 mutilated bodies were found in Baghdad on 5 February, and a further 140 in several other cities in the ensuing days. By late February, government officials announced that the number of such killings had decreased, which they attributed to the success of the Baghdad Security Plan. Despite this announced decrease, the number of victims was nevertheless high, with up to 25 bodies still being found on some days during this period in Baghdad. March again witnessed a rise in the number of casualties, with reports of large number of bodies found in Baghdad, al-Ramadi, al-Hilla, Kirkuk, Mosul, Khalis, Tikrit and Himreen, On 19 March, for example, 55 bodies were reportedly found dumped on the streets of Baghdad and al-Ramadi, and 44 others in six Iraqi cities the following day.

19. During the reporting period, UNAMI continued to investigate several incidents involving the alleged killing of civilians in the context of military operations conducted by MNF forces, in some cases jointly with Iraqi armed forces or security personnel. These investigations were ongoing at this writing. In one incident in al-Ramadi on 21 February, MNF forces reportedly clashed with armed insurgents said to be sheltering in a complex of several buildings. Following clashes between the two sides which involved aerial bombardment by the MNF, medical sources at al-Ramadi Hospital reported that 26 people had been killed, among them four women and children. UNAMI was also investigating an incident in the village of al-Zarka in the governorate of Najaf on 28 January, in which over 260 people were reportedly killed. Armed clashes broke out between Iraqi security forces and followers of a Shi'a group calling itself the Soldiers of Heaven (*Jund al-Sama'*), followed by aerial bombardment by MNF forces which were called in to provide air support. Several hundred people said to be followers of the Soldiers of Heaven were also rounded up and detained. Their fate and current whereabouts remained unknown.

### **Education sector and the targeting of academic professionals**

20. Conditions in the education sector continued to deteriorate due to threats to lecturers and students, deadly attacks on educational institutions, and the individual targeting of teaching professionals. UNAMI has consistently reported on and repeatedly condemned acts of violence that caused the death and injury of hundreds of innocent civilians and tore apart the sense of community essential for maintaining stability and security. Officials of the Ministry

of Higher Education told UNAMI that 200 academics have been killed between 2003 and late March 2007, although the circumstances surrounding many of these deaths remained unclear. The Ministry also said that some 150 others were in detention at the end of March, having been arrested at various times since April 2003. UNAMI is seeking further information on their cases; some of them were believed to be held in the custody of the Iraqi authorities, and others in MNF custody. The apparently sectarian-motivated assassinations, kidnappings and threats to academics and teachers continued at an alarming level throughout the three months. UNAMI recorded at least seven assassinations of academic professionals, and a number of attacks on or in the vicinity of academic institutions, causing substantial casualties among the student population.

21. Attacks on educational institutions also led many schools and universities to periodically suspend classes for weeks at a time, replace absent lecturers with recent graduates and find alternative locations and times to enable students to attend lectures and sit for examinations in relative safety. Violence continued to severely undermine the right of Iraqi children and youths to adequate education and intellectual development.

22. In one incident on 14 November 2006, Ministry of Higher Education personnel and visitors to its Scholarship Department were targets of a mass abduction. Some 150 staff and visitors, including post-graduate students, at the Ministry's Scholarship Department in the al-Andalus district of Baghdad were seized en masse by unknown gunmen and taken to an undisclosed location. While the majority was released in the ensuing days, the fate of an estimated fifty-six Ministry of Higher Education employees, all allegedly Sunni Muslims, remained unknown. According to Ministry of Higher Education records, the fate and whereabouts of some 70 people remain unknown. No armed group is known to have claimed responsibility for these abductions to date, although some of those abducted and subsequently released alleged that the operation was carried out with the knowledge of personnel manning at least one Ministry of Interior check point.

23. Two attacks on al-Mustansiriya University in January and February further undermined the laudable efforts of the Ministry and its staff to maintain the functioning of institutions of higher education. The first attack on 16 January involved two coordinated car bombs detonated in the vicinity of the main building of the University. Over 70 people, mostly students, were reportedly killed and some 140 others wounded in the attack. The second, a large-scale suicide attack targeting the University's College of Economics and Administration on 25 February, killed 41 students. Two other educational institutions were also attacked: Maysaloon High School in the Hay al-Yarmuk district of Mosul where three mortar rounds landed on 10 January, wounding four female students as well two women and three children who resided in nearby homes; and the al-Khulud School for Girls in Baghdad's Hay al-'Adl district where mortars reportedly killed five students and wounded 21 others on 28 January.

24. In addition to direct attacks, there were also at least two indirect acts of violence in the vicinity of educational institutions in January: on 7 January, a roadside bomb detonated near the University of Technology in al-Sina'a Street in Baghdad, killing one civilian and

wounding two others; and on 27 January, a bomb planted on a bus detonated near al-Mustansiriya University, killing four civilians and wounding six others.

25. Academic professionals continued to be targeted in apparently sectarian-motivated attacks or because of their largely secular views and teachings. In the case of a Basra University professor whose name was withheld for security reasons, UNAMI was able to follow the pattern of intimidation and threats of death by the group that called itself the Doctrine Battalion (*Saraya Nusrat al-Mathhab*). After a series of credible threats, the professor went first into hiding and then left the country. On 27 January, the professor reported to UNAMI that the Doctrine Battalion sent him a letter referring to him as a “criminal atheist,” accusing him of cooperating with the occupation forces, and ordering him to leave Basra on pain of death. According to his account, an AK47 bullet was enclosed with the letter, and the front door of his apartment was marked with an “X” sign and the word “Wanted”.

26. Other academics and teachers did not escape their assassins. Kamel Abdul-Hussein, an Iraqi professor at Mosul University’s Faculty of Law, was shot dead by unknown gunmen on his way home at the al-Kafa’at quarter on 11 January by unknown gunmen. Sheikh Yunis Hamid al-Sheikh Wahib, deputy head of the Association of Salahuddin Scholars and imam of the Awlad al-Hasan mosque, was gunned down at his home in Samarra’ on 13 January. Majid Nasser Hussein, a professor at Baghdad University, was shot dead in Baghdad’s al-Amiriyya district on 17 January; and Dhiya al-Mugoter a professor at al-Mustansiriya University’s Faculty of Economy and Administration, was gunned down in the al-A’dhamiya district of Baghdad on 23 January. The Minister of Higher Education’s convoy was itself targeted by unknown gunmen in the al-Dora district of Baghdad on 24 January. The Minister, Thiab al-Ujaili, escaped unharmed but two of his bodyguards were killed in the attack. On 28 March, Sami Sitrik, acting dean of al-Nahrain University’s Law College survived an assassination attempt.

27. UNAMI received information that three professors from al-Nahrain University in Baghdad – Adnan Abed, Amer al-Qaisy and Abdul-Muttalib al-Hashimi - were abducted on the afternoon of 28 January in Aden Square in al-Kadhimiya district of the city. A law student and son of Abdul-Muttalib al-Hashimi, Ali Abdul-Muttalib, was also abducted in the same incident, which reportedly took place at an unofficial checkpoint manned by unknown gunmen. The four victims were Sunnis abducted in a predominantly Shi’a neighborhood of the city. Several hours later, their bodies were brought to the Medico-Legal Institute in Baghdad by police from al-Shu’la police station. The Ministry of Higher Education issued statements on 28 January and again on 1 February condemning the incident, urging the security forces to protect university professors. Several days later, the dean of al-Nahrain University’s Law Faculty resigned in protest at the Iraqi authorities’ failure to provide adequate protection to university professors.

## **Freedom of expression**

28. In Baghdad and elsewhere, journalists remained one of the most vulnerable professional groups, with an increasing number among them killed, abducted or otherwise threatened. Whereas some journalists were specifically targeted, others died on the job, were caught in cross-fire or fell victim to aerial bombings or other attacks. In March, Reporters Without Borders recorded 153 journalists and media workers as having been killed in Iraq since March 2003, while two remained missing. They included both Iraqi and foreign nationals. However, according to the Iraqi Society for the Defence of Journalists' Rights, 170 journalists and media workers were killed between 2003 and 15 January 2007.

29. On 30 December, Ahmed Hadi Naji disappeared on the way to the Associated Press office in Baghdad, where he worked as an occasional cameraman. His body was found on 5 January at the Medico-Legal Institute, bearing a single bullet wound to his head. Al-Da'wa reporter Karim Sabri Sharar al-Ruba'i was kidnapped from his home in Baghdad on 11 January by unknown gunmen, and by the end of March his fate and whereabouts remained unknown. On 4 February, journalist Suhad Shakir al-Kinani was killed when her car was caught in crossfire between an MNF patrol and an armed group. Al-Kinani worked for the Council of Representatives' press office in Baghdad. Hussein al-Zubaidi, a journalist with the weekly al-Ahali newspaper, was killed by gunmen in Baghdad on 19 February, while the bullet-riddled body of Abdul-Razzaq Hashim al-Khakani, a journalist with Jumhuriyat al-Iraq radio, was found at the Medico-Legal Institute on 20 February. He had been kidnapped a week earlier in the predominantly Sunni district of al-Jihad in Baghdad. Two employees of as-Safir daily newspaper in Baghdad were targeted in February. On 11 February, the newspaper's chief editor Hussein Jasim al-Jibouri was injured in an assassination attempt, and died on 16 March. The body of journalist Jamal al-Zubaidi was found on 3 March in Baghdad's al-'Amel district. He was reportedly last seen leaving his office on 23 February. A day later, Mohan Hussein al-Dhahr, editor of the daily al-Mashreq, was killed outside his home in the al-Jami'a district. His would-be abductors shot him dead as he tried to escape. He reportedly received six bullets to the head. Al-Mashreq, for which he worked for four years, is a privately-owned, widely read Baghdad newspaper whose management was said to have received numerous death threats to cease publication. Yusuf Sabri, a cameraman with the privately-owned Biladi TV, was killed on 6 March in a car bomb blast in Baghdad as he was filming Shi'a pilgrims leaving the capital for the holy city of Karbala. The body of Hamid al-Dulaimi, a producer for the TV channel al-Nahrain, was found on 19 March at the Medico-Legal Institute in Baghdad. The circumstances surrounding his death remained unclear.

30. The as-Sabah daily newspaper, run by the official Iraqi Media Network, was targeted on several occasions and a number of its staff were abducted or killed. The newspaper's accountant, 'Aqil Adnan Majid, was abducted outside the newspaper's premises in Baghdad on 9 January. A driver and another staff member were also abducted, and their bodies were found on 14 January in the al-Adhamiya district. Both men had been beheaded. On 13 January, the newspaper's correspondent in al-Anbar was killed in a roadside bomb, and on 16 January, a guard employed by the newspaper was found dead on the roof of its office building.

31. On 25 February, the office of Wasan Media in Baghdad's al-Karkh sector was raided by Ministry of Interior forces after they blocked off the street where the premises were located, arresting 11 of its employees. According to the Committee to Protect Journalists (CPJ) and International Freedom of Expression (IFEX), the police also seized the company's car, the employees' personal cars, broadcast equipment, computers, cell phones, and documents. CPJ cited Brigadier General Qassim Atta al-Musawi, spokesman for the Baghdad Security Plan, as saying that Ministry of Interior forces "received information that [the employees] work in a media company that sells films to the Al-Jazeera channel." According to information received by UNAMI, all 11 employees remained in the custody of the Ministry of Interior by the end of March. The legal basis for their arrest and continued detention were unclear.

32. While most deaths of journalists and media workers were recorded in Baghdad, journalists in other towns and cities were also affected by lack of security, sectarian violence and suppression of freedom of expression. One source told UNAMI that the situation in Ba'quba was so critical that media reporting was no longer possible unless carried out in total secrecy, and that satellite television channels broadcasting from Diyala Governorate had closed down their operations there. In Mosul, freelance journalist Khadr Younis al-'Ubaidi was shot dead on 12 January. He worked for al-Diwan, the local tribes press body. Journalist Falah Khalaf al-Diyali of al-Saha daily newspaper was shot dead by unidentified gunmen on 15 January in the city of al-Ramadi. Freelance photographer Munjid al-Tumaimi was gunned down in Najaf on 28 January, reportedly while taking pictures at al-Najaf hospital of both dead and wounded persons from an earlier raid. The unidentified perpetrators confiscated his camera and mobile phone. In Kirkuk, gunmen reportedly wearing Iraqi military uniform abducted Turkoman journalist Talal Hashim Biraqdar on 3 March. He was a reporter for the al-Diyar weekly newspaper. At the time of the writing, his fate and whereabouts remained unknown.

33. UNAMI remained concerned about infringements to freedom of expression in the Region of Kurdistan, in particular press and media freedoms. The KRG authorities continued to subject journalists to harassment, arrest and legal actions for their reporting on government corruption, poor public services or other issues of public interest. In February, the KRG Minister of Culture, Falakuddin Kaka'i, openly criticized the stifling of intellectuals and artists, but other government officials complained to UNAMI about poor reporting standards and ethics among journalists, accusing them of publishing incorrect or unverified information and sought to justify legal action against them on these grounds. In a positive development, however, UNAMI welcomed a recent review by the Kurdistan National Assembly of current legislation governing freedom of expression in the Kurdistan region and the initiation of investigations into several cases involving the suppression of media freedoms.

34. In a meeting held in Sulaimaniya on 24 February and organized by Leveen Magazine and the Iraq Civil Society Program, journalists criticized the draft Journalists Law prepared by the Kurdistan Journalists Syndicate, an association accused by some journalists as lacking independence and competence to represent journalists' interests in the Kurdistan region. Other than the Journalists' Syndicate's draft, two other drafts have been submitted separately to the Kurdistan National Assembly, one of them prepared by a group of academics at

Salahuddin University proposing, among other things, the creation of an independent media council. The Minister of Culture, Falakuddin Kaka'i, told UNAMI that he had proposed a provision in the draft law that would allow the court to impose a fine instead of imprisonment for journalists convicted of defamation. According to a parliamentary official, the proposal was likely to be adopted.

35. Most arrests of journalists recorded by UNAMI were carried out by the KRG's *Asayish* (Security) forces, which by law have jurisdiction over economic crimes, such as smuggling, and political crimes, including espionage and acts of sabotage and terrorism. On 26 January, the *Asayish* forces of the Patriotic Union of Kurdistan (PUK) arrested freelance journalist Muhammad Siyasi Ashkanayi, ostensibly for espionage on behalf of *Parastin*, the intelligence agency of the Kurdistan Democratic Party (KDP). In late February, *Asayish* officials in Sulaimaniya told UNAMI that Ashkanayi was still undergoing interrogation in their custody. He had not been charged with an offence nor referred to an investigative judge, and was still in detention at the end of March. In another case, Garmian Hamakhan, a journalist with internet portal Kurdistan Online was arrested in Sulaimaniya by Ministry of Interior police on 2 February while covering a demonstration of taxi drivers in Kalar district. Police detained him for a day and destroyed his photographs before releasing him. Twenty-five journalists from the Kalar district petitioned President Barzani and the Speaker of the Kurdistan national Assembly, demanding an investigation into the Hamakhan case. On 19 February, Munir Assad, a reporter for al-Hurra Television was detained for several hours by the KDP's *Asayish* after taking photographs of an incident in which young men from a Kurdish tribe attacked members of the minority Yezidi community in the district of Shaikhan. The Baghdad-based Iraqi Association to Defend Journalists' Rights condemned the detention of Munir Assad, called on the KRG not to arrest journalists without judicial warrant and requested the Council of Representatives in Baghdad to establish appropriate mechanisms to protect journalists from arbitrary arrest.

36. On 17 February, Reuters correspondent-photographer Shwan Salahuddin "Kurd" was filming the aftermath of bomb explosions in the Rahimawa quarter in Kirkuk when, according to information received by UNAMI, he was arrested by Kirkuk police, beaten with a pistol butt and taken to a police station. He was released several hours later. The Iraqi Association to Defend Journalists' Rights called for an investigation into the incident. On 19 February, Kirkuk police commander Major General Torhan announced that the police had made a mistake in arresting Shwan Salahuddin, apologized for the assault and instructed the police to respect the rights of journalists. In Sulaimaniya, freelance journalist Asso Jabbar published an article in the Kurdistan Daily News, condemning statements made during a seminar held in Erbil on 15 February by Saro Qadir, head of the KDP's Information Office, in which he allegedly described the Kurdish community as "dogs." The reported statements were subsequently denied by Saro Qadir. Jabbar and several other journalists, including Adnan Uthman from Hawlati newspaper, and Mam Burhan Qane' from Chawder newspaper, initiated a petition in Sulaimaniya, collecting thousands of signatures to protest Saro Qadir's statements. Saro Qadir responded by filing a claim against them with the police in Erbil, reportedly warning that the journalists would be arrested if they entered Erbil. One of the organizers of the petition, journalist Dilshad Salih, further alleged that he had received a death threat in a note warning him to abandon the campaign.

37. In the town of 'Aqra, Duhok *Asayish* forces closed down the Kurdistan Islamic Union's (KIU) radio station on 12 December 2006, apparently on the basis that it was operating without a license. The Head of the Media Information Bureau of the KIU said that according to the law on media licenses, political parties were not required to apply for licenses when establishing new media outlets. Another KIU official claimed that the closure may have been, at the same time, politically motivated. By the end of March, the KIU had applied and was granted a license, but its radio station remained closed, apparently after failing to obtain additional security clearance from the *Asayish* authorities.

38. In its November-December 2006 Human Rights Report, UNAMI reported the arrest of journalists Shaho Khalid and Dilaman Salah by the *Asayish Gishti* (General Security) and had raised this and other similar cases with KRG Minister of Region for the Interior, Karim Sinjari. UNAMI welcomed the Minister's assistance and has since learned that the *Asayish* officials who arrested and allegedly mistreated the journalists have since been disciplined and discharged from duty. On 7 February, in a speech celebrating the unification of the Ministry of Justice in Erbil and Sulaimaniya, the KRG Prime Minister Nechirvan Barzani said that a committee should be created to review issues such as journalists' rights, women's and children's rights and corruption. To UNAMI's knowledge, no such committee had been established by the end of March.

## **Minorities**

39. Attacks against religious and ethnic minorities continued unabated in most areas of Iraq, prompting sections of these communities to seek ways to leave the country. The continuing inability of the Iraqi government to restore law and order, together with the prevailing climate of impunity, has rendered religious minorities extremely vulnerable to acts of violence by armed militia.

40. Many of the reports of targeted attacks on minorities emanated from Nineveh Governorate. In the city of Mosul on 26 January, a suicide attack on the al-Rashidiya mosque frequented by Turkoman Shi'a reportedly resulted in the killing of 7 civilians and the wounding of 17 others. On 15 February, dozens of Kurds from the Mizori tribe attacked the Yezidi district of Shaikhan in Nineveh Governorate, damaging private property and Yezidi cultural buildings. The attack was allegedly an act of vengeance against two Yezidi men found in a car in the company of a married Kurdish woman. The following day, amidst the allegations made by a Yezidi representative that KDP *Asayish* forces facilitated the attack, President Barzani sent a high level delegation to meet the Emir of the Yezidi community, Tahsin Bek. According to reports received by UNAMI, tensions between the Yezidi and Kurdish communities were high and calls for revenge were made in Yezidi villages and towns, particularly in the district of Sinjar on the Syrian border. On 19 February, President Barzani appealed for calm and assured the Yezidis that those responsible would be brought to justice. In late February, the head of Duhok Provincial Council, Fadhil Omer, announced that 80 people suspected of involvement in the events in Shaikhan had been summoned for questioning by the authorities, and that 19 of them were detained pending further

investigation. Prior to the arrests, however, KRG officials informed UNAMI that the incident was triggered by a “misunderstanding”, that the KDP *Asayish* was not involved in the violence and that there were no casualties. On 25 March, UNAMI learned that dozens of Yezidis organized a demonstration in Bozan village, near Shaikhan, to protest the February violence. The demonstrators removed the Kurdistan flags from official buildings and raised Iraqi flags instead. The KDP’s Duhok *Asayish* forces responded by arresting and detaining three participants, while others reportedly fled the area to evade arrest.

41. In February, UNAMI received information regarding continuing difficulties faced by Iraq’s Baha’i community, one of the smallest of the country’s religious minorities numbering an estimated 1,000 families. Today, most are settled in Baghdad, Diyala, Erbil, Basra and Mosul, but with minimal contact with each other due to prolonged persecution and the prevailing security situation. Since the 1970s, successive Iraqi governments denied the Baha’is basic rights, including freedom of religious worship and the right to obtain official identification documents. Adherence to the Baha’i faith became a capital offence in 1979 through a decree passed by the then Revolutionary Command Council (RCC). While all RCC decrees were declared null and void by the Coalition Provisional Authority (CPA) after the fall of the Saddam Hussein government in April 2003, the Baha’i community’s legal status has not been clarified. Their personal records remain ‘frozen’ and they continue to face difficulties in registering their children in schools, in obtaining documentation for travel purposes or for the use of state services. By late March, UNAMI was seeking confirmation of reports that the Iraqi authorities were preparing to regularize the legal status of the Baha’i community.

42. In Kirkuk, socio-political rights of minorities remained under discussion. On 4 February, the High Committee for Implementing Article 140 of the Constitution issued two proposals for the KRG Prime Minister’s approval, outlining procedures for the return of the Arabs and others to their places of origin with a compensation package. The proposal received mixed reactions among the various communities. In early February, Arabs in Kirkuk staged a protest to convey their disapproval of the two proposals. They urged Prime Minister Nouri al-Maliki to reject both proposals, stating that a divided Iraq would worsen the security situation in Kirkuk. Kirkuk Provincial Council members Muhammad Khalil and Muhammad al-Obaidi of the Arab Republic Gathering List also dismissed the two proposals. However, the Committee of National Understanding and Solution, formed by the PUK to register Arab families willing to return to their places of origin, stated on 15 February that 5,400 Arab families have opted to return. According to Muhammad Khalil, Prime Minister al-Maliki was prepared to establish a committee to examine the distribution of administrative posts in Kirkuk, apparently at the request of several Arab parties and the Turkmen Front.

### **Palestinian refugees**

43. The flight of Palestinian refugees towards the Syrian border continued, increasing in particular after the arrest of 30 Palestinian men by Iraqi Special Forces on 23 January. A number of Palestinian families from the Hay al-Amin, al-Nidhal Street and al-Baladiyyat

areas fled their homes, and by late March 997 of them were seeking protection at makeshift camps close to the border with Syria or in the no-man's-land between Iraq and Syria.

44. On the evening of 22 January, persons described as militiamen reportedly drove into several of the Palestinian compounds in Baghdad and demanded that the residents sign a written undertaking not to attack Iraqi forces. In the early hours of the following day, a group of Iraqi Special Forces raided a building in al-Nidhal Street where some seventeen Palestinian families resided. According to reports received by UNAMI, the Iraqi Special Forces used violence during the raid, arresting seventeen men who they blindfolded and handcuffed. The men were taken to what they subsequently described as an abandoned Iraqi security forces building in the al-Sa'dun district of Baghdad, and released several hours later. On the same day, 13 other Palestinians from the Hay al-Amin district of Baghdad were briefly arrested. The reasons for these arrests remained unclear.

45. Another Palestinian compound in al-Baladiyyat was raided by Iraqi Special Forces on 13 and 14 March, and some 42 Palestinians reportedly detained. All but 13 of them were released on 14 March, and UNAMI interviewed two of them. According to their accounts, the raid resulted in one person being killed as he headed towards the al-Quds mosque situated in close proximity to the compound. One of the detainees stated that he was beaten while being dragged for a distance of some 400 meters to the al-Rashid police station. He showed UNAMI staff traces of injuries he had sustained, which matched photographs of the injuries he had earlier submitted and appeared consistent with the type of abuse described. He stated that in detention, there were temporary improvements in the treatment of inmates when MNF personnel or senior Iraqi officials were present. Additionally, he described general harassment and beatings by local Iraqi residents at the Palestinian residential compounds, allegedly in collusion with Iraqi forces. UNAMI remains concerned about the fate of the 13 Palestinians who remained in detention at the end of March.

46. The Palestinian community in Baghdad lodged numerous complaints with UNAMI and UNHCR regarding the systematic attacks on its compounds of al-Baladiyyat, al-Hurriyya, al-Amin and several other locations. The complaints cited systematic targeting of Palestinian refugees by armed militia, in particular the Mahdi Army. In one case, Anwar Ahmad Yousef Sha'ban and his son were abducted, tortured and then killed on 1 March. Their bodies were found the following day in the al-Dora district of Baghdad. On 11 March, Omar Hussein Sadeq was killed by unknown gunmen in al-Janabi Street in the district of al-Ghazaliyya. His brother Muhammad was also killed on 15 March in the district of al-Shu'la,

47. Since 2003, intimidation and harassment by armed militia and raids on residential areas led to frequent displacement of Palestinians between their compounds and to an increased movement towards Iraq's borders. In mid-December 2006, UNHCR reported that there were 320 Palestinians at al-Tanf camp in the no-man's-land between Syria and Iraq. In February and March, UNHCR reported significant increases in the number of Palestinians fleeing Baghdad towards the Syrian border. On 31 March, there were 341 Palestinians at al-Tanf camp and a further 656 at the al-Walid border crossing inside Iraq. UNHCR, whose mandate includes the Palestinian refugees in Iraq, has advocated for the legalization of the refugee status of all Palestinians in Iraq who fled Palestine after the creation of the state of Israel in

1948, those who left the Occupied Territories in 1967, and those who had fled during the Gulf War in 1991. UNHCR urged that they be granted all rights under international and domestic laws, including the entitlement to travel and residency documents. UNHCR has also asked the Iraqi Government and MNF to ensure the safety of Palestinian refugees and has called upon neighboring countries to open their borders to Palestinians fleeing Iraq and treat them in accordance with applicable international standards.

48. The Palestinian Human Rights Association recorded 189 Palestinians killed in Baghdad between 4 April 2003 and 19 January 2007. Since then, Palestinian sources reported that a further nine persons were killed, bringing the total number of deaths to at least 198 by 31 March 2007. The majority of the killings were reportedly carried out in drive-by shootings, killings following the abduction of the victims, or as a result of indiscriminate fire or mortar attacks on Palestinian compounds. Three of the victims were killed on 7 February in a single drive-by shooting incident in Baghdad's al-'Adl district.

## **Women**

49. In the governorates of Erbil, Duhok and Sulaimaniya, women's right to life and personal security remained of serious concern to UNAMI, given the high incidence of "honor killings" and other abuses against women. According to the newspaper portal source, Awena, injuries and deaths by immolation and suspected honor crimes were on the rise. In its 27 January issue, Awena reported on data gathered by the Duhok criminal court and the Duhok Azadi Hospital, revealing that in the governorate, there were 289 burns cases resulting in 46 deaths recorded in 2005, and 366 burns cases resulting in 66 deaths recorded in 2006. In most cases, the extent of injuries and overall circumstances appeared to exclude routine claims of accidents or suicides. According to the Emergency Management Centre in Erbil, 576 burns cases resulting in 358 deaths have been recorded in Erbil Governorate since 2003. Over half of these women had sustained between 70-100% degree burns which, according to doctors, suggested that they were self inflicted. However, the absence of thorough investigations by the authorities has meant that the available evidence remained inconclusive.

50. Between January and March, UNAMI received information on some forty cases of alleged honor crimes in the governorates of Erbil, Duhok, Sulaimaniya and Salahuddin, where young women reportedly died from "accidental burns" at their homes or were killed by family members for suspected "immoral" conduct. In one instance on 24 January, a woman who sustained 40 per cent burns to her body claimed that this was caused by a baking accident in the kitchen, while on 28 January, a 21-year-old woman from Erbil sustained 60 per cent burns from an alleged accident involving an exploding water boiler. In the same week, police found the charred remains of an unidentified woman on the outskirts of a collective town in Erbil. In Sulaimaniya, a woman and her married boyfriend were reportedly shot and killed by her brother on 2 February 2007. On 15 February, a Kurdish woman was killed by her husband for "dishonouring" her family when she was found in a car in Shaikhan district, Nineveh, in the company of two Yezidi men. In late February, a woman and her male neighbor were allegedly murdered by her family members because of a video clip, allegedly showing them discussing sexual matters, circulated on mobile phones of people in the

community. On 6 March, the Sulaimaniya Directorate of Health issued a report stating that in 2006, 88 women between the ages of 15 and 45 were the victims of shootings, 41 of whom had died. According to a source at the Emergency Management Centre in Erbil, in cases involving suspected “honor crimes”, the victim is typically shot at her home and left to die before her body is moved elsewhere. Where family members report these deaths, they commonly claim the cause of death as suicide or cite infidelity on the part of the victim as justification for the crime.

51. UNAMI continued to receive reports of domestic and communal violence that appeared to have received little regulatory attention by the KRG authorities, while the local media continued to report such incidents on a regular basis. In Kirkuk, two teenage sisters were arrested on 12 January and charged with murder for allegedly killing their grandmother whom they said had failed to intervene when the girls were sexually abused by their uncle over a period of many years. On 14 February a female lawyer, Nazanin Muhammed, was shot dead in Kirkuk by unknown gunmen. Both Kurdistan TV and Hawler Post reported that the victim’s husband may have murdered her because of a domestic dispute. According to an official at the Emergency Hospital in Erbil, the number of rape cases in Erbil Governorate has increased markedly in recent years: 596 recorded cases in 2006 as compared to 150 in 2003. In the KRG region, allegations of rape are routinely dealt with through mediation and reconciliation at the community level, and very few cases reach the courts. This includes hospital officials, who use informal conciliation channels to protect rape victims from being killed by relatives for having ‘dishonoured’ the family and to prevent retaliatory killings of alleged rapists. Article 398 of the Iraqi Penal Code also provides for the resolution of sexual offences through a marriage contract between the alleged offender and the victim.

52. The Kurdistan National Assembly was slow to address violence against women and to debate legislative reform aimed at providing improved legal protection for women. The heads of the Kurdistan National Assembly’s Legal Committee and Human Rights Committee, as well as government officials such as the KRG Minister of Human Rights and Minister of Region for the Interior, cited social attitudes requiring longer-term solutions as reasons for the slow pace of progress in this regard. In this reporting period in Erbil, the Kurdistan National Assembly’s Committee for Women’s Affairs and a number of non-governmental groups concerned with women’s rights discussed a draft law which is set to replace the Personal Status Law (No 188 of 1959) currently in force.

53. In Baghdad, according to reports received by UNAMI, a woman identifying herself as Sabreen al-Janabi was admitted to Ibn Sina Hospital in the International Zone on the night of 18 February, claiming that three Iraqi officers serving with the Seventh Brigade’s Second Regiment of the Ministry of Interior’s Public Order Forces (*Quwwat Hifth al-Nitham*) raped her while she was in their custody. According to her account, the Public Order Forces raided the Hay al-‘Amel district of Baghdad earlier that day and arrested her together with eleven men, apparently on suspicion of involvement in terrorist acts. After Sabreen al-Janabi’s husband contacted the MNF asking for their intervention, MNF forces reportedly visited the Second Regiment’s headquarters, interviewed the detainees and released nine of those held, including al-Janabi. She was said to have suffered bruises and was taken to hospital where she was medically examined following the rape allegations. The case attracted significant

media coverage and comment by Sunni and Shi'a political parties alike, overshadowing calls by the Iraqi Islamic Party and the Vice-President Tariq al-Hashimi for a prompt and thorough investigation into the case. UNAMI was not in a position to verify media reports regarding the findings of medical examinations carried out in the case. On 20 March, two days after the alleged rape, Prime Minister al-Maliki publicly rejected the allegations made by al-Janabi and instructed that the three police officers be honored. UNAMI received information that an arrest warrant was issued against al-Janabi but the legal basis for this remained unclear. UNAMI urges the Iraqi authorities to conduct a thorough and impartial investigation into the allegations and to take appropriate steps to guarantee the protection of both victims and witnesses in all such cases.

54. Other allegations of the rape of women by Iraqi military personnel emerged during this reporting period. On 21 February, for example, a 40-year-old Turkoman woman and a resident of Tala'far district accused five security personnel of raping her during a house raid four days earlier. The complainant, Majida Mohamed Amin claimed that the officer-in-charge video-taped the assault and threatened to abuse her children if she resisted. Mosul Deputy Governor Khasrow Goran ordered an investigation into the incident. Three soldiers with the Iraqi armed forces and two officers with the Tala'far police reportedly arrested and referred to the Mosul Criminal Court on rape charges.

### **Displacement of the civilian population**

55. The severe deterioration in the security situation in Iraq continued to hamper the implementation of vital humanitarian assistance projects across the country and the safe and dignified return of refugees and internally displaced persons (IDPs). According to UNHCR and International Organization for Migration (IOM) data, some 117,901 families or estimated 707,000 persons (calculated based on the assumption that an average size family has six family members) have been forced to flee their homes due to sectarian violence since the bombing of the al-Askari shrine in Samarra' on 22 February 2006. These are in addition to 1.2 million persons displaced prior to 22 February 2006.

56. Despite its extremely volatile situation, Baghdad has most of the displaced population, some 120,000 IDPs who fled their homes since 22 February 2006. Many of these were displaced from within Baghdad, moving to more ethnically homogenous and thus safer, areas, while their houses were either given to or were occupied by other displaced families. With the exception of the three governorates in the Region of Kurdistan, where there is no ongoing displacement, most other governorates produce and receive displaced persons.<sup>4</sup> According to the data gathered by IOM and UNHCR, some 87 per cent of the newly displaced seek refuge in the Center and South of the country.

57. IDPs fled primarily due to direct threats to their lives because of their sect or religion, generalized violence or forced displacement. Most IDPs were moving to seek refuge in homogeneous areas. Some IDPs have been displaced more than once. Women and children make up three quarters of the newly displaced (in some cases, men remain in the place of

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<sup>4</sup> Cluster F: Internally Displaced Persons in Iraq – Update 5 March 2007

origin while the women and children flee to other areas). Rape, threats of rape, domestic violence, disappearances and detentions after displacement remained a major concern. Many IDPs had irregular or no access to basic services, especially electricity, water, education and health, particularly in rural areas or in areas where the number of IDPs was high. Furthermore, once displaced, families often complained that schools refuse to enroll their children due to the overcrowding, or that they themselves could not afford to send their children to school, needing money for bus fees, school books and other materials. One of the emerging issues reported by non-governmental organizations was alleged use of drugs by children as well as their recruitment into the ranks of various militias and gangs.

58. In the past few months, local authorities in ten Iraqi governorates imposed restrictions on the entry of IDPs or stricter residency requirements. These measures were reportedly designed to mitigate the factors of added security risk and alleged saturation, but in some cases areas such as Kirkuk, the arrival of displaced Arabs was seen as affecting the current ethnic composition, and hence the outcome of future elections. In Najaf Governorate, the local authorities justified their decision to allow access to the cities only to those originating from Najaf itself as a measure of protection against the overcrowding of public buildings, the depletion of basic services and security concerns. IDPs in such locations are at risk of expulsion. These developments raise additional concerns in the context of on-going discussions to hold new Governorate elections. Any election will require an updated voter registration exercise with public participation. If IDPs have greater restrictions in their movement and the Public Distribution System (which would have to be used as a basis for any voter registry in 2007) continues to falter throughout the country, concern mounts that all IDPs could be disenfranchised from participating in an election.

59. The Iraqi Ministry of Displacement and Migration bears primary responsibility for the coordination of protection and assistance to IDPs. Urgent attention is required to ensure protection and assistance to IDPs in emergency situations. Most surveyed IDPs identified food, shelter and medical support as their priority needs while in displacement. Physical protection ranked high among the requested interventions. Efforts by the Iraqi authorities to contain the violence in the country and bring the security situation under control have meant lower priority being given to addressing the protection and assistance requirements of the internally displaced populations.

### **Humanitarian situation**

60. The humanitarian situation in Iraq has deteriorated since 2005 and needs immediate recognition and support. Up to 8 million people are classified as vulnerable<sup>5</sup>, and therefore in need of immediate assistance: 2 million are estimated to be refugees/asylum seekers outside Iraq; 1.9 million are estimated to be IDPs and 4 million are estimated to be acutely vulnerable due to food insecurity. Lack of protection and human rights violations, escalating violence, lack of access to basic services, rising unemployment and rampant inflation all continued to contribute to a declining standard of living, thereby increasing the number of vulnerable Iraqis, in particular among displaced, women and children. The violence has had a

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<sup>5</sup> This estimate is based on information gathered by the UN Country Team.

particular impact on women and children, as the loss of the family breadwinner generally reflected by casualty figures fail to enumerate the women and children affected. It can be estimated that for every man killed, 5 or more family members become vulnerable as a result of losing the breadwinner. Female headed households face a particular challenge as the women cannot earn income within certain cultural environments. The situation of orphaned children is also precarious; without an adult caretaker they increasingly find little support, including assistance from the extended family.

61. Obtaining verifiable and timely information on the humanitarian needs of the Iraqi people has been challenging due to the security situation. However, it is widely acknowledged that the situation is not consistent across the country: the worst affected governorates are those in the central and southern parts of Iraq. The UN Humanitarian Coordinator for Iraq is guiding the humanitarian community in the creation of a single strategic framework for humanitarian action. This overarching framework will embrace the challenges, issues and capacity to respond by different actors and stakeholders, and will serve as a guide for resource mobilization as well as coordination of planning, response, information collection and monitoring.

62. The international community provided billions of dollars for recovery and development programs for Iraq, but many of these were not implemented because of the deteriorating security situation. The following figures indicate that daily living conditions were worsening despite all the efforts made in the field of reconstruction: an estimated 54% of the Iraqi population is living on less than US\$ 1 per day, among whom 15% is living in extreme poverty (less than US\$ 0.5 per day); acute malnutrition rapidly rose from 4.4 to 9% from 2003 to 2005, as per the latest available data. Some 432,000 children were reported to be in immediate need of assistance,<sup>6</sup> while the annual inflation rate in Iraq jumped to an estimated 70% in July 2006<sup>7</sup>. The unemployment rate has risen to around 60%; only 32% of Iraqis have access to drinking water<sup>8</sup> and health facilities lack critical drugs and equipment. According to the Brookings Institution, 12,000 out of 34,000 doctors have left Iraq, 250 have been kidnapped, and 2,000 physicians have been killed since 2003.<sup>9</sup>

63. Simultaneously with the deepening of the humanitarian crisis, the violence continued to hamper the ability of the Iraqi government to provide basic services to the most needy segments of the Iraqi population, and the Public Distribution System (PDS) food ration ceased in certain areas such as al-Anbar, or was only partially functioning in areas where criminality and pilfering thrived. The gravity of the situation affecting many families may not fully emerge until humanitarian organizations and the Iraqi Government are able to systematically gather data and reach to the growing number of inaccessible areas. Staff security will continue to remain a priority for the UN and the NGO community in Iraq.

64. Threats of kidnapping, assassination, and generalized violence continued to hamper the work of both international and national humanitarian non-governmental organizations,

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<sup>6</sup> UNDP *Iraq Living Conditions Survey 2004 (volume ii)*.

<sup>7</sup> Iraq's Central Office for Statistics (COSIT) – August 2006.

<sup>8</sup> Government of Iraq/UNICEF 2007-2010 *Country Programme Action Plan*.

<sup>9</sup> Campbell, J.H., O'hanlon, M.E. (2007, February 22). *Brooking Institution Iraq Index*, 22.

making it extremely difficult for them to reach some of the most vulnerable populations. As a consequence, international organizations maintained a reduced presence on the ground, with their operational headquarters located in neighboring countries. Since 2003, at least 82 Iraqi and international aid workers have been killed, 80 kidnapped and 245 wounded<sup>10</sup>. Two incidents in January highlighted the ongoing risks faced by humanitarian workers on the ground. On 9 January, a UNICEF national staff member was killed in his car in Baghdad. The Iraqi Red Crescent Society resumed its work in Baghdad after the kidnapping of some 35 visitors and staff members on 17 December 2006, although eleven of its staff remained missing.

65. On 20 March 2007, the International Reconstruction Fund Facility for Iraq (IRFFI) held a meeting of the Core Donors to review the progress of the two trust funds managed by the United Nations and the World Bank. Presentations were made to the donors and representatives of the Government of Iraq, indicating activities, challenges and future plans. Among the results was the agreement in principle that it would be useful to determine how IRFFI can better reflect the current situation in Iraq, including to assist the Government to make use of its own resources and to ensure that funds achieve real improvement in service delivery. This echoes sentiments raised by the UN and donors in other fora, in regards to addressing the humanitarian situation with Iraqi resources and international support.

## Rule of Law

### Detentions

66. At the end of March, according to the Ministry of Human Rights, the total number of detainees, security internees and sentenced prisoners for the entire country stood at 37,641.<sup>11</sup>

Detaining Authority	January	February	March
MNF	14,534	16,931	17,898
MOJ	9,263	9,116	9,965
MOI	2,908	4,692	5,573
MOD	1,362	1,606	1,525
MOLSA	456	503	502
<b>Total excluding KRG</b>	<b>28,523</b>	<b>32,848</b>	<b>35,463</b>
<b>Total in KRG region</b>	<b>2,099</b>	<b>2,144</b>	<b>2,178</b>
<b>Total across Iraq</b>	<b>30,622</b>	<b>34,992</b>	<b>37,641</b>

<sup>10</sup> According to the NGO Coordination Committee Report (NCCI), 1 February 2007, page.4.

<sup>11</sup> At the end of December 2006, the total number of detainees held across Iraq stood at 30,842, according to Ministry of Human Rights figures. The breakdown per detaining authority was as follows: MNF (14,534); Ministry of Justice (8,500); Ministry of Interior (4,034); Ministry of Defense (1,220), Ministry of Labour and Social Affairs (456); and the Kurdistan Regional Government (2,098).

67. With the announcement by the Iraqi government of the implementation of the Baghdad Security Plan in mid-February, the overall number of detainees was expected to increase substantially. In anticipation of this surge, both the Iraqi authorities and the MNF were taking measures to expand detention facilities to make room for several thousand new inmates, particularly in and around Baghdad. These measures included the transfer of some 1,300 convicted prisoners from facilities in Baghdad to Fort Suse near Sulaimaniya in the Kurdistan region. The prison is currently under the authority of the Iraqi Ministry of Justice. Steps were also taken to renovate new sites and to convert them into facilities capable of holding detainees.

68. UNAMI remained concerned at the apparent lack of judicial guarantees in the handling of suspects arrested in the context of the Baghdad Security Plan. While in his public statements Prime Minister Nouri al-Maliki pledged that the government would respect human rights and ensure due process within a reasonable time for those under arrest, he did not spell out what mechanisms were in place to monitor the conduct of arresting and detaining officials. The absence of clear references to judicial safeguards was all the more worrying given the Iraqi government's poor record in the handling of suspects and their treatment in detention. The new emergency regulations announced on 13 February contained no explicit measures guaranteeing minimum due process rights. Rather, they authorized arrests without warrants and the interrogation of suspects without placing a time limit on how long they could be held in pre-trial detention. The emergency regulations made only a cursory reference to the observance of "human rights" by personnel of the Ministries of Interior and Defense during military operations. UNAMI has learned that government officials have given private commitments that suspects would be referred to investigative judges in accordance with Iraq's Criminal Procedure Code; that judicial orders for the release or continued detention of suspects would be respected; and that detainees would be held only in officially recognized facilities. In the past, such commitments have not been respected, and the absence of effective monitoring and accountability mechanisms governing the conduct of law enforcement personnel only serves to exacerbate the problem. Officials of the Ministries of Interior and Defense already enjoy extensive powers under the 2004 emergency law. The new emergency regulations also provide that suspects accused of offences including murder, rape, theft, abduction, the destruction of private and public property and other crimes would be punished in accordance with the 2005 anti-terror law, which provides the death penalty for all crimes listed.

69. By late February, the Iraqi government announced that hundreds of people had been arrested since the launch of the Baghdad Security Plan, and by the end of March over 3,000 were in detention. Five Ministry of Defense brigade headquarters in and around Baghdad were being used as initial holding centers prior to the transfer of the detainees to Ministry of Justice facilities. No detailed information was available at this writing regarding the extent of judicial oversight over their cases, although UNAMI has learned that teams of investigative judges visited these facilities, and that over 700 of the suspects were subsequently transferred to detention facilities in al-Rusafa under the jurisdiction of the Ministry of Justice.

70. UNAMI welcomed the resumption of joint Iraqi/MNF inspections of detention facilities under Iraqi government authority in mid-January, following an interruption of more than seven months. The inspection program was suspended shortly after a 31 May 2006 inspection of Site 4, a pre-trial facility in Baghdad, which revealed systematic and widespread torture and ill-treatment of detainees by Ministry of Interior personnel. UNAMI understands that the resumption of inspections was in large part the initiative of the Minister of Human Rights, who also announced in a press statement on 27 January her intention to form a committee to supervise detention conditions. The newly reconstituted inspection team is led by the Ministry of Human Rights, and includes representatives of the ministries of Justice, Defense and Interior, with MNF personnel providing logistical, security and specialized support. While recognizing the crucial role played by the Ministry of Human Rights and its efforts in this regard, UNAMI nevertheless remains concerned about the continuing failure of the Iraqi government as a whole to seriously address issues relating to detainee abuse and conditions of detention, including the implementation of recommendations emanating from the joint inspection program. A High Follow-Up Committee (*Lajnat al-Mutaba'a al-'Ulya*) was set up within the Prime Minister's Office in November 2006, tasked with ensuring that recommendations regarding detention conditions and abuse of inmates are acted upon. UNAMI is, however, unaware of what action has since been taken by this committee in this regard, particularly given the lack of transparency in the manner in which government officials have addressed such concerns. The authorities have yet to demonstrate the political will to hold accountable law enforcement personnel suspected of involvement in torture and ill-treatment and other abuse of authority – the revelations regarding the Ministry of Interior's al-Jadiriyya and Site 4 facilities being a case in point. In both instances, none of the alleged perpetrators of torture identified after evidence of systematic abuse of detainees emerged in November 2005 and May 2006, respectively, have been brought to justice to date. Of the 57 Ministry of Interior personnel identified in May 2006 as suspects in the detainee abuse scandal at Site 4, only one official was in custody at the end of March 2007. The continuing failure to take decisive action in this regard can only serve to encourage the climate of impunity that prevails today, undermining the government's own efforts to restore law and order and ensure respect for the rule of law.

71. The practice of indefinite internment of detainees in the custody of the MNF remains an issue of concern to UNAMI. Of the total of 16,931 persons held at the end of February, an unknown number are classified as security internees, held for prolonged periods effectively without charge or trial. According to procedures currently in force, security internees are denied access to defense counsel during first 60 days of internment. The initial review of internment decisions within 7 days for those held for more than 72 hours is conducted by US military magistrates, with neither the internee nor his defense counsel being present. MNF officials maintain that thereafter they regularly advise detainees of the opportunity to make written submissions on their cases for consideration by the Combined Review and Release Board (CRRB), and that they intended to make available to detainees legal advisers to assist them in that process. The current legal arrangements at the detention facilities do not fulfill the requirement to grant detainees due process. An important element of the right to counsel is the ability to enjoy attorney-client privilege, as is access to the evidence against a detainee that would enable his counsel to act effectively on his behalf.

## **Detentions in the Region of Kurdistan**

72. UNAMI remained concerned about the practice of administrative detention of persons held in the custody of the *Asayish* (security) forces in the Kurdistan region, the majority having been arrested on suspicion of involvement in acts of terrorism and other serious crimes. Many are said by officials to be members or supporters of proscribed Islamist groups. Hundreds of detainees have been held for prolonged periods, some for several years, without referral to an investigative judge or charges brought against them. In some cases, detainees were arrested without judicial warrant and all are routinely denied the opportunity to challenge the lawfulness of their detention.

73. UNAMI also continues to receive allegations of the torture or ill-treatment of detainees in *Asayish* detention facilities. In one heavily-publicized case, Ismail Ahmad Hassan, aged thirty-five, died while in the custody of *Asayish* officials in Sulaimaniya three days after his arrest on 22 April 2004. A Special Investigation Committee comprising three judges with wide judicial powers and headed by Judge Rizgar Amin, concluded that he had died as a result of torture. In 2004, the Committee ordered the arrest of three *Asayish* officers on manslaughter charges in connection with this case, but to UNAMI's knowledge none have been brought to justice to date.

74. On 28 January and again on 27 February, families of detainees arrested by *Asayish* forces demonstrated before the Kurdistan National Assembly in Erbil, demanding information on the whereabouts of detained relatives and the reasons for their arrest, and urging that human rights abuses and the ill-treatment of detainees in these facilities. Responding to complaint letters from detainees, the Kurdistan National Assembly's Legal and Human Rights committees announced their intention to visit all detention facilities to assess conditions of detention and to examine the cases of those whom the authorities had failed to refer to the courts.

75. UNAMI continued to urge government officials to implement the provisions of Iraq's Code of Criminal Procedure with regard to detainees held in *Asayish* custody. In this regard, UNAMI held a series of meetings in February with officials of the Ministry of Interior and the *Asayish* Directorates requesting, among other things, that such cases be reviewed as a matter of priority. UNAMI welcomed the willingness of KRG officials to give consideration to adopting measures to process these long-standing cases. Officials stated that a review of detainee cases was ongoing, and provided UNAMI with a list of names of 76 detainees held in KDP custody, and 22 others in PUK custody, who they said had been released in recent months following a review of their cases. UNAMI also discussed with officials its concerns regarding the lack of effective mechanisms to bring to justice officials accused or suspected of abusing detainees.

## **Trial procedures before the criminal courts and the death penalty**

76. According to the Higher Judicial Council, the Central Criminal Court of Iraq (CCCI) adjudicated a total of 2,620 cases in 2006. According to the same source, the CCCI passed a

total of 256 death sentences between 2004 and up to 25 February 2007, of which 85 have been carried out to date after being upheld on appeal by the Court of Cassation.<sup>12</sup> Those under sentence of death at the end of March included five women held at al-Kadhimiyya Women's Prison. Three of them, Samar Sa'ad Abdul-Majid, Wasan Taleb Muhammad and Zainab Fadhil Abbas, were convicted for aggravated murder, while a fourth, Liqa' Qumar Abed Jasem, was convicted for kidnapping. A fifth woman, Fatima Ashour, was also sentenced to death but no further information on her case was available at the time of writing. All five cases were reportedly under appeal, and UNAMI was seeking further information on procedures followed in their cases at both the pre-trial and trial stages.

77. UNAMI remains concerned about procedures followed by the CCCI and other criminal courts in Iraq, which consistently failed to meet minimum fair trial standards. Such trials are increasingly leading to the imposition of the death penalty. The CCCI, which hears cases referred both by the MNF and the Iraqi authorities, was set up by the CPA in July 2003 to hear serious criminal offences, including terrorism, abduction, money laundering, drug trafficking and acts of sabotage. It also hears cases involving suspects arrested by the Iraqi authorities under the 2004 emergency regulations and the 2005 anti-terror law. With regard to cases referred to the CCCI by the MNF, typically persons accused of attacks against coalition forces, 25 of those convicted had received death sentences by late March 2007. Of these, at least two were upheld on appeal by the Court of Cassation. To UNAMI's knowledge, none have been carried out to date.

78. Serious pre-trial irregularities, which prejudice the chances of subsequently receiving a fair hearing, include the failure to bring defendants before an investigative judge within a reasonable period of time, and failure to promptly apprise detainees of the reason for their arrest and of the details of the charges and evidence against them. At the investigative stage, there is a lack of adequate access to court-appointed counsel prior to the initial investigative hearing and subsequently. The vast majority of defendants are represented by counsel appointed by the court, whom they have never met and who have little or no knowledge of the substance of the charges or evidence against their clients. With regard to those held in MNF custody, according to current practice, suspects are denied access to legal counsel during the first 60 days of internment. The lack of continuity in legal representation available to defendants is of equal concern. In the vast majority of cases, defendants are not represented by the same counsel at the investigative or trial stage, eroding further their chances of securing an effective defense. This includes the ability of counsel to present and prepare defense witnesses, to prepare effective cross-examination of prosecution witnesses and to submit any other relevant evidence in the case. Proceedings at trial are typically brief in nature, with sessions lasting on average some fifteen to thirty minutes, during which the entire trial is concluded. Deliberations also typically do not last more than several minutes for each trial, including in complex cases involving serious felonies resulting in sentences of life imprisonment or the death penalty. Defendants are also frequently unaware of their rights under the law, including the right of appeal against their conviction and sentencing. Under Iraqi law, appeals must be lodged to the Court of Cassation within thirty days of the

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<sup>12</sup> No figures for the month of March were available at the time of writing. These figures do not include death sentences passed by the Iraqi High Tribunal in relation to the trial of former president Saddam Hussein and his co-defendants on charges of crimes against humanity.

pronouncement of the verdict. Denial of prompt and adequate access to counsel, and lack of continuity in legal representation, mean that in many cases those convicted lose the opportunity to appeal their sentences as they become aware of their rights only after the deadline for submissions has passed. Even in death penalty cases, which under Iraqi law are automatically referred to the Court of Cassation, defendants facing capital punishment lose the opportunity to submit information for consideration at the appeal stage.

### **Iraqi High Tribunal**

79. On 15 January Barzan Ibrahim al-Tikriti, Saddam Hussein's half-brother and former head of the then General Intelligence Directorate, and Awwad Hamad al-Bandar, former president of the erstwhile Revolutionary Court, were executed in Baghdad after their appeals were dismissed by the Appeals Chamber of the Iraqi High Tribunal (IHT). The IHT had earlier sentenced them to death in connection with events in the town of Dujail in 1982. With regard to the life sentence imposed on co-defendant Taha Yassin Ramadan, former vice-president of Iraq, the Appeals Chamber returned the case to the trial chamber, recommending a harsher sentence. The trial chamber sentenced Taha Yassin Ramadan to death at a session held on 12 February, and he was subsequently hanged on 20 March. At the time, all three defendants were under investigation in connection with other cases involving crimes against humanity, war crimes or genocide.

80. On 8 February, days before the reconsideration of Taha Yassin Ramadan's sentencing by the IHT's criminal chamber, the United Nations High Commissioner for Human Rights, Louise Arbour, filed an *amicus curiae* with the Iraqi High Tribunal, arguing that the imposition of the death penalty in the case of Taha Yassin Ramadan violated Iraq's obligations under the International Covenant on Civil and Political Rights (ICCPR). The ICCPR, which Iraq ratified in 1971, provides that a death sentence may only be imposed following proceedings conducted in strict adherence to due process requirements, and guarantees the right to seek a commutation or pardon. Under the given circumstances, the High Commissioner urged that the IHT refrain from imposing the death sentence.

81. Following the execution of Saddam Hussein, the Anfal trial before the IHT resumed on 7 January with the six remaining defendants, among them Ali Hassan al-Majid. During the January sessions, the court heard testimony from prosecution witnesses on the Anfal operations. The prosecution also presented documentary evidence pertaining to orders emanating from the Ba'th Party leadership on how the Anfal operations were to be implemented. In the aftermath of Saddam Hussein's execution, President Masoud Barzani released a statement on 31 December 2006 expressing hope that the execution will "open a new chapter of understanding between Iraqis and put an end to the suffering endured by innocent people." He added that the execution should not justify failure to document the Anfal crimes.

## **Promotion**

### **Human Rights Project for Iraq 2006-2007**

82. UNAMI continued working on the Human Rights Project for Iraq, aiming at supporting the development and strengthening of an Iraqi led and owned national human rights protection system. A number of activities were carried out in collaboration with the Iraqi government and non-governmental sector, as well as other UN agencies and international donors between January and March.

83. In line with its mandate to mainstream human rights into the work of UN Agencies in Iraq, UNAMI jointly with the United Nations System Staff College (UNSSC), and with the support of the United Nations Office for Project Services (UNOPS), organized a three-day training session on the Human Rights Based Approach to Programming (HRBA) in Amman from 15 to 17 January 2007. The objective of this training session was to introduce members of the UN Country Team (UNCT) to the concept of HRBA, and to provide practical tools and advice on how to support national human rights protection systems through development work. A further aim was to strengthen the UNCT's ability to incorporate the Human Rights Based Approach into programming and implementation processes, and emphasize the importance for mainstreaming human rights concerns in development activities.

84. In cooperation with UNIFEM, the Minority Rights Group International (MRG) and Iraq's Minorities Council, UNAMI continued working on its study on the situation of women within minority communities in Iraq by examining the intersection of ethnic/religious discrimination and sexual discrimination, which produce particular patterns of violations that put women of minority groups at greater risks. The study is intended to provide information on gaps in the legal and constitutional protection system and is to be conducted in light of the overall situation of women in Iraq today.

85. UNAMI has selected a team of Iraqi researchers to conduct the research inside Iraq. Two preparatory and training meetings took place in December 2006 and February 2007. The meetings brought the partner organizations and the team of researchers together to discuss the best research approach to be used in conducting the study as well as follow up steps. Training sessions on research methodologies, gender issues, minority rights concerns and human rights issues were delivered during the meetings.

### **Rule of Law Initiative**

86. The ten-month effort of the Rule of Law Sectoral Working Group (SWGROL) towards the formulation of a plan for justice sector reform culminated in the high-level Special Meeting organized by UNAMI on 13 January in Baghdad under the leadership of the Chief Justice. Approximately 90 Iraqi participants attended and reviewed the Strategic Framework on the Rule of Law and Human Rights for Iraq and outlined short-term priority needs. The Special Meeting of the SWGROL presented an opportunity to set forth the strategic directions for developing the rule of law in Iraq and to urge the international community to

support the Strategic Framework in Iraq through funding. The need for better coordination among rule of law institutions and the importance of the independence of the judiciary were reiterated. The international community indicated to UNAMI the need to link efforts within the SWGROL with those undertaken by the UNCT in the context of its Assistance Framework for Iraq 2006-2008 and the implementation of the International Compact for Iraq. UNAMI will continue the dialogue with Iraqi stakeholders and donors.

### **Non-governmental sector**

87. On 13 February, UNAMI addressed a group of Iraqi NGO representatives in Amman during a workshop organized by UNOPS for Iraqi civil society organizations working on the rights of women and children. The presentation focused on UNAMI's mandate in relation to strengthening a national system for the protection and promotion of human rights in Iraq and the work mechanisms used by the office. UNAMI provided information related to the areas of its works, mechanisms for protection and promotion and the main projects implemented in cooperation with the Iraqi government and NGOs. UNAMI explored various ideas for strengthening cooperation and coordination with Iraqi human rights NGOs. The presentation was followed by a one-hour open discussion.

88. During February and March, UNAMI met with representatives of Iraqi civil society organizations and government officials to discuss the nature and scope of its work, possible areas of collaboration, issues related to the registration of NGOs and a draft law on civil society organizations, as well as the funding of eleven Iraqi NGOs involved in human rights promotion. Several consultative meetings with NGOs which had received grants from UNAMI and UNOPS on the challenges and benefits of their proposed activity.

### **Region of Kurdistan**

89. In cooperation with the KRG Ministry of Human Rights, UNAMI organized a two-day conference in Erbil, "*Transforming Past Conflicts - Achieving Resolution for Human Rights Violations in Iraq*", on 15 and 16 January. Approximately 135 participants attended the first day of the seminar including ministers, governors, provincial council members, judges, prosecutors, academics and many members of civil society organizations and human rights activists from the governorates of Duhok, Erbil, Sulaimaniya, Mosul, Kirkuk, Salahuddin as well as Baghdad. Both UNAMI and the KRG emphasized the significance of the seminar and objectives of transitional justice in addressing past crimes and preventing future abuse. On the second day, 39 selected participants were assigned to three working groups to discuss prosecutions, truth telling initiatives and reparations and documentation as means of addressing past crimes. The groups then submitted a draft plan of next steps to achieve their transitional justice goals and recommendations for future activities. UNAMI will facilitate a further meeting in the summer of 2007 to discuss progress in implementing the draft plan.

90. UNAMI conducted a three-day mission to Sulaimaniya Governorate between 26 and 28 February to monitor key human rights issues, investigate specific violations and discuss capacity development with government officials. UNAMI met with various government

officials at the Ministry of Interior, Court of Appeals and Sulaimaniya *Asayish* Directorate, as well as civil society organizations and victims' families. UNAMI also visited Fort Suse, a detention facility under the authority of the Iraqi Ministry of Justice. Discussions were held with the prison management on the prison's facilities, conditions and legal status of prisoners, and interviews were conducted with some of the detainees.