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## Human Rights and Democracy: The 2011 Foreign & Commonwealth Office Report -Quarterly Updates: Iraq

### Quarterly Updates: Iraq

**Latest update: 30 September 2012**

The UK is deeply troubled by the recent execution of 26 people for terrorist related offences. This brings the total number of people executed in Iraq since the start of the year to 96 which is more than for the whole of 2011. The UK continues to push for Iraq to move towards a moratorium on the use of the death penalty, with a view to its abolition, as pledged in its National Human Rights Plan. Disappointingly, the number of offences which carry the death penalty has also increased, following the adoption of the Trafficking in Persons Law in May. Despite these setbacks, the Iraqiya political party recently called for a draft law to introduce a moratorium, championed by the Head of the Human Rights Committee in the Council of Representatives. The UK welcomes this positive step.

The UK is also concerned by the draft Information Crimes Law. The proposed law includes vague provisions, which provide for lengthy custodial sentences for actions deemed a threat to governmental, social, or religious interests. Human Rights Watch assess that the current draft would undermine guarantees in the Iraqi constitution of freedom of speech and assembly, and would violate the International Covenant on Civil and Political Rights (ICCPR), to which Iraq is a state party. Along with US and EU partners, the UK has called on the Council of Representatives to revise the draft to address these concerns.

It is important that Iraq makes progress on implementing the draft National Strategy for Women's Advancement, and that the process includes provision for implementation on UN Security Council Resolution 1325 on Women, Peace and Security. Iraq has sought to address concerns with the drafting process by appointing gender experts to the drafting committee but despite efforts little progress has been made. In the Kurdistan region, we welcome the introduction of the Family Violence Law, passed by the Kurdistan Regional Government in June 2011, which outlaws domestic violence, including female genital mutilation. We are, however, concerned by its slow implementation. Nevertheless, we are pleased that the Prime Minister's Special Adviser on Gender Issues has been given a mandate to work with the High Council of Women's Affairs to help implement and raise awareness of the Law.

The situation for religious and ethnic minorities in Iraq remains difficult, despite a downward trend in large-scale attacks in 2011. The UK continues to support efforts to encourage dialogue between religious communities through its funding of a “Grassroots Religious Reconciliation Initiative” building on the success of the project in 2011.

We welcome the recent transfer of former residents of Camp Ashraf to Camp Liberty, where some 3,000 residents have now relocated. The Government of Iraq continues to constructively engage with UN plans to complete the peaceful relocation of residents. In response to an appeal from the UN to accept residents of Ashraf, we have agreed to consider the readmission to the UK, on an exceptional and case by case basis, those that have had previous residence in the UK as refugees. This consideration will be subject to the UN High Commissioner for Refugees (UNHCR) first concluding an assessment of their refugee status.

#### **Latest Update: 30 June 2012**

The UK warmly welcomes the establishment of Iraq’s Independent Commission for Human Rights. This is a positive step forward for Iraq in tackling key human rights issues and we will support the Commission in implementing the 2012 Human Rights Action Plan. The Commission consists of 11 appointees from a range of social and ethno-sectarian backgrounds, including a representative of the Christian community. However the Commission membership does not meet the legal quota for women (30%), and a number of NGOs are seeking legal action against the government over this. The Commission also faces some bureaucratic obstacles following the accidental death of one of the Commissioners and a delay in electing a president. Nor does the Commission have a budget.

The UK continues to push for improvement in women’s rights in Iraq. The appointment of Frances Guy, a former British Ambassador, as head of UN Women is welcome, and should help drive forward the national strategy and support and coordinate implementation of UN Security Council Resolution 1325 on Women, Peace and Security. We welcome the drafting of an Iraqi national strategy for women’s advancement. There are, however, problems with the drafting process and NGOs have been critical of the drafting committee, which they claim consists mostly of academics. The UK continues to support the process and offer recommendations to produce a robust and credible strategy. We also note the draft law currently going through the Iraqi Parliament to establish a Ministry for Women’s Affairs, which would be a positive step.

Residents from Camp Ashraf have relocated to CampLiberty under the terms of the Memorandum of Understanding with the UN Assistance Mission for Iraq (UNAMI), although the situation remains fraught with disagreements between residents and the Iraqi Security Forces. It remains unclear when the final transfer of residents from Camp Ashraf will take place. Complaints continue to be made by Camp Liberty residents about living standards at the camp and the conduct of the Iraqi Security Forces. However, the UN have been clear that infrastructure and facilities at Camp Liberty meet international humanitarian standards and that the conduct of the Iraqi Security Forces (ISF) has been firm but professional. The Government of Iraq is pushing the UN Assistance Mission to Iraq to finish the transfer of residents out of Camp Ashraf. We continue to encourage both sides to co-operate fully with the UNHCR process to determine the status of the residents. We continue to support UN efforts to find a durable and peaceful solution to the futures of the residents of Camps Ashraf andLiberty.

#### **Quarter One Update: 31 March 2012**

The UK is gravely concerned about the recent increase in the number of executions in Iraq: reports indicate that so far in 2012, 69 executions have been carried out. This brings the total number of executions in Iraq since November 2011 to 98. This is a worrying trend, and the British Ambassador in Baghdad has raised our concerns with the Vice President of Iraq and with the Chief Justice. We are currently exploring with EU partners and the government of Iraq how we can support Iraq’s commitment to reducing the number of crimes carrying the death penalty, as set out in their National Action Plan on Human Rights. Through the EU we have called for the government of Iraq to introduce a moratorium on the use of the death penalty, with a view to its eventual abolition.

The UK is also troubled by recent media reports that Iraqi followers of the “emo” fashion culture have been attacked and murdered. Although it is extremely difficult to judge the accuracy or indeed the veracity of such reports, we do remain concerned about any incidences of harassment, intimidation or violence against people for their choice of lifestyle. The government of Iraq has reiterated its commitment to protecting the freedoms of all individuals, and along with EU partners we continue to press the Government of Iraq to honour its undertakings.

The government of Iraq has shown flexibility over its deadline for the closure of Camp Ashraf, and signed a Memorandum of Understanding with the UN Assistance Mission for Iraq (UNAMI) on 25 December to allow for the voluntary relocation of some residents of Camp Ashraf to Camp Liberty, also in Iraq. This is a welcome development, which will allow the UN High Commissioner for Refugees (UNHCR) to carry out assessments following applications made by the residents of Camp Ashraf for refugee status.

The UNHCR and the UNAMI Human Rights Office conducted a thorough assessment of the conditions at Camp Liberty before the relocation of the first residents from Ashraf to Liberty. They confirmed that the infrastructure and facilities at Camp Liberty meet international humanitarian standards. The UN reported that the transfers of 397 residents on 17 February and 395 residents on 8 March were peaceful and the UNHCR have now begun the refugee status determination process for these groups. We welcome the ongoing efforts of Special Representative to the Secretary-General Martin Kobler to broker a peaceful solution to the situation at Camp Ashraf.

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