

IRAQ

Submission to the UN Universal Periodic Review

**Seventh session of the UPR Working Group of the
Human Rights Council
February 2010**

This report is jointly prepared by the following NGOs:

- ✚ The Iraq Foundation
- ✚ Human Rights Organization / Muthana
- ✚ The Mawtinee Organization for Human Rights Education / Salah El-Din
- ✚ Iraq Institute to Support Democracy/ Karbala
- ✚ The Human Rights & Civil Society Organization/ Baghdad.
- ✚ The Yazidi fraternity & Solidarity Association/ Mosul.
- ✚ AL-Safa Organization for Development & Friendship between People/ Anbar.
- ✚ The National Iraqi Organization for Human Rights/ Missan.
- ✚ The Human Rights Organization in Kurdistan/ Dahouk.
- ✚ Women Empowerment Center / Sulaimaniya
- ✚ The Humane Organization for Human Rights/ Kut.
- ✚ Al-Fajer Organization for the Development of Civil Society/ Thi-Qar.
- ✚ The Popular Rescue Organization/ Erbil
- ✚ The Rased Center for Human Rights / Najaf
- ✚ The Omeed Organization/ Baghdad
- ✚ The Iraqi Firdaws Organization/ Basra
- ✚ Humanitarian Women's Rights Center/ Diwaniya
- ✚ The Akad Association for Humanitarian Relief/ Baghdad

In 2007, IF created a network of 14 human rights organizations aimed at advocating for human rights on a national level. Activities included capacity building workshops, report writing and the production of a monthly newsletter. In August 2008, IF expanded the network to include 20 organizations from 16 governorates to form the Human Rights Advocacy Initiative (HRAI) coalition. The goal of the coalition is to provide opportunities for Iraqi human rights leaders to share experiences, and broaden their effort by allying with stakeholders in government, the media, UNAMI, the religious communities, and educators. The HRAI coalition meets quarterly to coordinate advocacy campaigns and receive training in human rights. The coalition also prepares unified reports on the human rights situation nationwide. HRAI coalition activities are documented in a monthly newsletter produced by IF and disseminated nationwide. The HRAI coalition also organized a large-scale national conference bringing the coalition together with key members of parliament, local and national officials, influential members of the clergy and leading educators to develop shared commitments on key human rights concerns. Another conference is planned for April 2010.

Executive Summary:

The 2005 permanent Iraqi Constitution gave Iraqi citizens rights and liberties that are considered unprecedented in the history of Iraq, and the Iraqi government has taken several measures to support human rights, including issuing a law for the establishment of the High Commission for Human Rights, ratifying the international treaty on torture and other violent and inhumane acts, as well as pledging the protection of all civilians from forced abduction.

Yet the last four years have been characterized by the spread of violence by armed gangs militias, and criminals, who committed organized acts of murder and forced displacement, taking the lives of thousands of civilians and perpetrating painful violations of human right to life. Nonetheless, armed violence in all forms has subsided in the years 2008-2009. The following report, submitted as part of the UN Universal Periodic Review, discusses the prevalence of torture in Iraqi prisons and detention centers, the use of the death penalty, as well as violations against women and children, weak child protection, weak rule of law, and targeted killing and forced displacement of minority groups.

Universal Periodic Report/ relevant stakeholders/ Iraq

First: Basic Information and Framework

A. Constitutional and Legislative Framework:

- 1- The Republic of Iraq is a federal unitary, independent, and autonomous state with a parliamentary democracyⁱ. The parliament, which is elected every four years, is the legislative bodyⁱⁱ. The current parliament failed to ratify several crucial laws during its current termⁱⁱⁱ. The Prime Minister is the head of the executive branch of government, and is the commander-in-chief of the armed forces. In most cases, he has full executive power, particularly over military decisions without having to resort to the legislative body due to “Defense of National Security law” the (Emergency law) that gives him this power (this law has been recently replaced by the Counter-Terrorism Law)^{iv}.
- 2- Despite the fact that the permanent Iraqi constitution, grants Iraqis “rights and liberties”, its ratification in 2005 was met with several criticisms from political groups and other constituents of the Iraqi population. The parliamentary committee assigned to review the constitution presented a request to the parliament to modify the constitution based upon its findings, but these modifications are not ratified. Moreover, there are several pending constitutional articles which need legislation but are yet to be addressed.

B. The institutional framework and foundation of human rights

- 3- Iraq’s judiciary system requires reform, particularly when it comes to prosecution and criminal courts, beginning with the investigative court, where most cases are addressed in a manner that conflicts with international human rights standards of the protection of the accused (defendant) to the issuing of arrest warrants and their improper implementation without judicial permission, in addition to the poor standards of imprisonment and treatment of prisoners. Nine lawyers have protested that they faced limited chance to meet and communicate with the accused from whom they hold power of attorney, hindering the lawyer-accused relationship^v.
- 4- The establishment of human rights offices in several ministries, including the security ministries (the Interior and Defense ministries), can be described as a constructive, positive step. This is also true with respect to the 14 provincial offices that the Ministry for Human Rights has set up across Iraqi provinces – with the exception of the Kurdistan region – in order to support the role of state institutions in monitoring human rights conditions and to closely identify breaches; although the number of breaches is considerably larger than the ministry’s capabilities and resources to cover.
- 5- Issuing law number 53 in 2003 for the establishment of the High Commission on Human Rights is also considered a positive step towards strengthening human rights institutions. However, the implementation of this law is facing several obstacles

since parliamentarians failed to agree on the appointment of the board of commissioners, a matter which is decided based on sectarian, ethnic and political quotas.

- 6- The department of Non-Governmental Organizations belonging to the Council of Minister's General Secretariat plays an arbitrary, non-independent role in dealing with civil society organizations through complicated procedures and demands. It delays issuing and renewing operating licenses^{vi}. Such processes are worrisome to civil society organization representatives across Iraq, particularly those who are independent and not affiliated to any political party. On the other hand, organizations that have political affiliation and support conduct their operations easily and freely, without complications.
- 7- Despite the recent emergence of civil society organizations in Iraq, who perform an important and constructive role in building democratic institutions, promoting respect for human rights, creating positive changes in the human rights arena through education and direct awareness-raising, field monitoring, and documentation of violations that are then reported to governmental as well as national and international organizations; however, their work faces obstacles and difficulties.

Second: Promotion and protection of HR at the national level

I- Equality and non-discrimination

- 8- Most of the inhabitants of rural and developing areas in Iraq are illiterate and girls are the first among those denied education^{vii}. Due to cultural traditions, girls in rural areas are often denied schooling after 12-15 years and there is a preference to send boys to school rather than girls^{viii}. Meanwhile, the ministry of education remains silent and inactive regarding procedures that need to be taken in order to apply the Iraqi mandatory education law (118) of 1976.

II- Personal liberties and security

- 9- The last four years have been characterized by an increase in violence by armed gangs and militias across Iraq, in addition to forced evacuation of homes based on ethnic or religious pretexts. In light of the government's limited capacity to fulfill its obligation to protect its citizens and provide them with security and well-being, violence in many forms, both individual and collective, has taken the lives of thousands of citizens, in a terrible violation of the primary right – the right to life. Militias, armed gangs, the multinational forces, private contractors, armed groups and the Iraqi police play the largest role in violating human rights principles, particularly the rights to life and personal safety.
- 10- The explosions at the Imamayn shrine in Samarra by armed groups in February 2006 contributed to the increase in ethnic violence that has left thousands of dead civilians through the targeting of residential areas, Iraqi security checkpoints, and places of worship. In addition, scientists, government officials, media personalities, judges and lawyers of both genders have been particularly targeted, and often fall victims to abduction or forced displacement.

- 11- Despite the decline in the rate of armed violence during the years 2008-2009, there are continuing terrorist attacks that take innocent lives using car bombs, explosive devices, and explosives strapped to pavements. In addition acts of terror have taken the lives of innocent children across Iraq – such as the Tel-Afar incident in northern Iraq^{ix}, where 27 civilians, among them 12 children, were killed and 30 others wounded.
- 12- As thousands of Iraqi prisoners in the prisons of the multinational forces (MNF-I) will be transferred to the Iraqi authorities under the SOFA (Status of Forces Agreement) that came into effect on January 1st, 2009, fears are increasing that these prisoners will be subject to torture and other serious abuses, and even to execution, since there are no guarantees for their rights^x.
- 13- Since the Iraqi government reinstated the death penalty in August 2004, there is no debate about the fact that certain laws, like the law of military punishment (19/2007) and the law of internal security forces (14/2008)^{xi} have expanded the scope of this punishment^{xii}. In fact, statistics have shown that the Iraqi judiciary issued 170 death penalty judgments in 2006, of which 65 were executed; 199 in 2007, of which 33 were executed; 275 in 2008, of which 34 were executed and, until March 2009, 128 judgments had been issued^{xiii}. Frequently, the accused are judged based on confessions extracted by force, while Iraqi courts continue to issue such sentences and execute them with the approval of the executive authorities. The Iraqi government is called upon to put an end to the death penalty.
- 14- During 2006-2007, collective detentions and sporadic arrests were routinely practiced by the Iraqi armed forces as well as by MNF-I; even those presumed innocent until found guilty remained in custody for a long amount of time, in poor conditions^{xiv}.
- 15- In 2008-2009, although tens of thousands of prisoners were released under the Amnesty Law issued on February 27, 2008, which tangibly improved crowding in prisons^{xv}, there are still a considerable number of prisoners who have not been released, due to the nature of the accusations against them.
- 16- The situation in the Kurdistan region is similar to the rest of Iraq, in terms of arbitrary arrests. This matter has become very troubling; arrests are carried out by the Kurdish security forces (the Asayesh). Several cases have been documented in which civilians and journalists have been arrested^{xvi}. Prisoners suffer from not being granted legal rights, including the right to call relatives or a lawyer.
- 17- There are still hundreds of Iraqi prisoners in Saudi jails^{xvii} who suffer from numerous abuses, particularly from excessively severe sentences, as well as the death sentence; more than a thousand prisoners are held in city jails (Arar-Rafha-Hafar-al-Batin) while the Iraqi government delays raising the matter with the Saudi authorities and is unresponsive to demands by the relatives of the prisoners and human rights organizations.
- 18- Human rights and the counter-terrorism law: The implementation of the Counter-Terrorism law in Iraq is considered a clear violation of human rights law, due to extremely loose interpretation of the law (such as article 3/clause 1) whose ambiguous wording gives the authorities a wide scope of power.

III- Administration of justice and rule of law:

- 19- Some laws and instructions have facilitated impunity of officials in security agencies against allegations of human rights violations they have committed in the years 2006-2007. No civil servant in the ministries of Interior or Defense can be taken to court unless the political authority (the minister) grant clearance, which makes holding them accountable extremely difficult and further promotes impunity.
- 20- Article 136-B of the modified criminal law (23/1971) requires the approval of the concerned minister in order to bring to trial those accused of administrative or fiscal corruption. They cannot be brought to court without approval, despite the existence of evidence against them; consequently, this law provides impunity.
- 21- The influence of some political parties has led to the release of several accused employees in different state institutions across Iraq who are also affiliated to political party members; political parties also play a role in limiting the courts' authority and ability to execute sentences^{xviii}.
- 22- The court system, public prosecutors' and public inspectors' offices are fraught with slowness and weak procedures. The rules and rights of defense are often neglected and violated because of this inherent weakness of administrative and judicial investigations^{xix}. Incidents have been recorded in which police have banned defense lawyers from entering and conferring with their imprisoned accused^{xx}; and in other cases, prisoners have been banned from meeting their advocates, with prison administrators merely showing the arrest papers to defense lawyers, denying lawyers any other information. Moreover, lawyers are not allowed into the preliminary investigation by policemen or Defense ministry employees^{xxi}. Legislation that contradicts human rights values, such as the Counter-Terror Law 4 and Penal Law 11/1969(modified) continue to exist; another example is the 'honor' crime law/ article 398-384-380-41-409
- 23- Iraq's prisons and detention centers suffer from inhumane standards^{xxii}, as a result of neglect as well as the overlapping mandates of several government agencies overseeing the administration of prisons (Justice, Interior, and Defense)^{xxiii}. However, Iraq has issued the Prison Administration Law, which assigns prison administration to the Justice ministry^{xxiv}.
- 24- Most Iraqi prisons suffer from overpopulation, and the numbers of detainees exceed prison capacity^{xxv}. Inmates have to sleep on mats on the floor, food quality is extremely poor; the prisons also lack health facilities; medical care is inadequate. Visiting times are not adhered to, and there are no opportunities for getting outside exercise^{xxvi}. There is little or no separation of the convicted from the accused who are still awaiting sentencing, likewise separation is weak between minors and adults in most prisons^{xxvii}, with mistreatment of minors, weak healthcare, and weak rehabilitation services^{xxviii}. There are also few detention centers exclusive to women; no rehabilitation or social care or athletic programs, no displayed bills of prisoner's rights and duties and the rules of the prisons or a place for complaints. Iraq's prisons also suffer from a lack of personnel and there is a need to train and prepare investigative staff and prison administrators and judiciary staff in general.

IV-Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment

- 25- While Iraq ratified the Convention against Torture on 17 August 2008, the use of torture in Iraqi detention centers and prisons is widespread. Most frequently, accusations are raised against members of the Interior and Defense ministries. The Ministry for Human Rights indicated in its annual report on the state of prisons in 2007 that there have been over 78 complaints about torture and abuse in the Interior ministry's detention centers, while the total sum of complaints against torture during the Defense ministry's detention centers is 43; thus, the sum total of cases in both ministries is 121^{xxix}, although the real number is said to be higher. Media sources have reported hunger strikes in some detention centers.
- 26- Security troops routinely resort to physical and psychological torture; in women's prisons, inmates are shocked with electricity and chili pepper^{xxx} in order to extract confessions; however, these are individual cases and may not constitute systematic behavior. Several complaints have also been filed by prisoners informing of cases in which beating, tying up from limbs, electrocution, and breaking fingers have been used by officials in the information agencies and national investigative authorities. Despite these complaints, the executive and judiciary authorities and state prosecutor's office have avoided starting immediate and careful investigations into these abuses; moreover, prisoners' demands for such investigations during trial and during interrogations are frequently ignored^{xxxii}.

V- Civil and political rights & fundamental freedoms

- 27- The draft law on Non-Governmental Organizations proposed by the government and brought forward to parliament is troubling because it does not protect the freedom and independence of the work of such organizations, according to international standards. It gives the government a large margin of interference in the internal work and activities of NGOs.
- 28- Nonetheless, there are thousands of organizations at work in Iraq that undertake missions like visiting prisons and monitoring human rights abuses periodically, critiquing the government when deemed necessary without a single one being – as yet, and to the best of our knowledge – punished for stating their opinion.
- 29- Religious minorities in Iraq face various obstacles and threats in practicing their faith.
- 30- Political ownership of media, attacks on journalists, and religious pressures, often endanger the practice of freedom of the press.

VI-Economic and social rights (health, housing, education, work, social security...)

- 31- Unemployment is rising, particularly among youth^{xxxiii} due to the destruction of infrastructure, production and service industries during war; inflation has risen, exacerbated by the security situation in Iraq, with its terrorist attacks, armed groups and the government's inadequate response.
- 32- The incidence of cancer has spread particularly among children in Central and Southern Iraq^{xxxiiii}, yet the government maintains silence and inaction in providing solutions to minimize the risks of this problem and provide adequate treatment, or to train health care professionals in the treatment of such cases. The families of victims often suffer from poor socio-economic conditions, and cannot provide their children

with medication. Thus, thousands of children in southern Iraq's four provinces have cancer.

- 33- Child mortality is rising, due to the fact that most births happen at home under the supervision of unlicensed midwives outside hospital setting and without medical help, and the lack of clinics and hospitals in most rural areas. This practice leads to a greater risk of death for the woman and her child during labor; and is made worse by the social custom of early, forced marriages between relatives and a tolerance of polygamy.^{xxxiv}
- 34- The right to education: the security situation in Iraq has led to the death and exile of hundreds of university professors – 235 have been assassinated, 44 have been injured, 69 have been kidnapped and 160 have been imprisoned. Of those assassinated 57% were Baghdad university faculty, 14% Basra university faculty, 11% Mosul university faculty, 15% Anbar University faculty, and 4% Tikrit university faculty^{xxxv}. This has a direct effect on university education. Moreover, the economic situation in Iraq and the unavailability of up to date syllabi, poor scientific equipment, coupled with the government's neglect of educational infrastructure have led to the decline of educational standards and have pushed students to leave school^{xxxvi}, but currently there is no statistical evidence regarding school drop-outs due to the vast numbers of internally displaced families.
- 35- Several schools have been transformed into barracks or centers for militias and sometimes into shelters for internally displaced persons, which decreased the number of schools and affected the state of education. Elementary school buildings do not suffice for the numbers of students and classes are very often overcrowded, which adds to the poor educational environment. Certain NGOs have expressed concern at the increasing incidents of violence or corporal punishment of students by educational staff.
- 36- Iraq's ethnic and religious minorities are marginalized in the curricula; none of the required textbooks in elementary, middle, or secondary school –even college – mentions minorities, or describes their cultures and history. In Kurdistan, however, education curricula include descriptions of ethnic cultures and their characteristics^{xxxvii}.

VII- Women's rights and gender equality

- 37- Women's participation in political life of Iraq since 2003 is considered one of the successes of democracy in Iraq. Women currently make up 25% of the parliament (73 MPs)^{xxxviii}; however, they chair only 2 of 25 parliamentary committees, the Committee on Women and the Family and Childhood and the Committee on Civil Society Organizations. Women have held 5 ministerial posts out of a total of 40^{xxxix}; this is a positive indicator that the government is including women in the formulation of general policy. In Kurdistan as well, there are 29 women MPs out of a total 111, almost 25%.
- 38- Article 41 of the permanent Iraqi constitution of 2005 raises concerns for many women across Iraq, because it can potentially abolish the personal status law 188 of 1959, which accommodates and unites all Muslim sects, and has worked well for 50 years. To date, the article has not been made into law, and has not been removed or amended in the constitution, as some have demanded.

- 39- Iraqi women are victims of domestic physical and emotional violence. A study commissioned by the WHO in 2006/2007 found that 21.2% of Iraqi women have been victims of physical violence^{xi}, and that 22.7% have been exposed to at least one form of physical harm. It is worth noting that the condition is better in the Kurdistan provinces – where the number is 10.9%,
- 40- The KRG parliament issued a commendable law against polygamy.^{xli}
- 41- Several local and international civil society organizations have expressed their concern at the growing incidence of honor crimes in Iraq, including Kurdistan. However, it is difficult to get accurate information about prevalent social norms and practices, or for the husband or family to confess to this crime. Still, the UNAMI stated in its 2007 report that 255 women were killed in the first 6 months of 2006, of whom 195 had been killed by immolation or suicide without the government taking measures to study the situation and offer solutions.
- 42- In KRG, women in particular are victims of revenge killings or honor killings, and are stoned to death without these cases being made public. Furthermore, female genital mutilation is prevalent in Kurdish villages and towns^{xlii}, due to social customs and for religious reasons; most of those who subject their girls to female genital mutilation believe that Islam decrees it.^{xliii}
- 43- In some parts of Iraq, women have been victims of murder, torture, intimidation and kidnapping by armed groups and local militias. In Basra, especially, women who do not wear the veil or who wear makeup have been murdered, their bodies thrown on the side of the road or in dumpsites^{xliiv}. This has forced many women to leave the workforce, afraid of being killed or raped by armed gangs. Female university students are the most targeted by such actions; they have been banned from entering university campuses and sitting for their exams if they do not cover their heads. This intimidation is practiced on Iraqi women of all walks of life and of all ethnicities and sects indiscriminately.
- 44- Women have also been recruited in suicide missions; statistics from the Ministry for National Security^{xlv} have shown that, in 2007-2008, the number of suicide missions carried out by women reached 29, most of which happened in Diyala province (10), with Baghdad coming second at 9.
- 45- Across Iraq, domestic violence and harassment in public, and the actions of armed groups and militias, has reached such an extent that several women have been driven to suicide^{xlvi} in order to escape the cycle of violence and inhumane treatment.

VII- Children's rights

- 46- The phenomenon of child labor is one of the greatest threats to children's future. However, there is a dearth of accurate statistics and no governmental agency following up on the issue. These children, of both genders, work over 9 hours a day, 6 days a week with no legal protection. They are also abused by their employers and supervisors^{xlvii}. Yet Article 29 of the Iraqi constitution states that the government must protect childhood and warns against the economic exploitation of children and undertakes to protect them.
- 47- Local militias and armed gangs recruit children in military operations; they also them to distribute militias' propaganda flyers,^{xlviii} and use them as human shields.

The number of children imprisoned due to their involvement in armed attacks was 1017 in 2008, according to statistics by the interior ministry and the UN Assistance Mission in Iraq (UNAMI; 2008 report).

VIII- Promotion and protection of the rights of specific groups, including: migrants, disabled persons, minorities...

- 48- During the past four years, Iraq has witnessed a flood of forced displacement due to ethnic violence, and armed attacks; internally displaced families, which are estimated to number in the thousands according to statistics by the Ministry of Displaced and Migrants and the UNHCHR^{xlix}, these families often have severe health problems because of income deficiencies, weak government support and unsanitary living conditions. Thousands of children cannot complete their education, and unemployment among internally displaced men and women is soaring. Displacement camps are generally far from city centers, and thus from clinics and hospitals, so internally displaced populations lack adequate healthcare.
- 49- There are reports that foreign laborers in the Kurdistan region are being abused and sexually mistreated by employers and employment agencies^l. Employment agencies confiscate employees' passports, prohibiting them from travel or leaving work^{li}. 6 foreign domestic workers officially complained to the NGOs that they had been sexually abused by their employers. The central government and the KRG government should pass a law that regulates the presence of foreign workers according to international standards.
- 50- The inhabitants of the Ashraf refugee camp in Diyala province, which provides asylum for over 3,500 dissidents of Mujaheddin Khalq (which is an opposition group to the Iranian regime) and their families who have been there since 1986 are also in a troubling state. The Iraqi government intends to exile these individuals whom the multinational forces had declared to be protected in June 2004^{lii}, based on the 4th Geneva Convention. The controversial military campaign in July 09 by the Iraqi police has raised many questions about the Iraqi government's position towards this group and regarding its intent to drive them out of Iraq, which is a clear violation of their right as refugee seekers.
- 51- Palestinian refugees in Iraq are being attacked by armed groups^{liii}; unofficial statistics indicate that many have left Iraq because of continued attacks they were subject to and have taken refuge in refugee camps along the Iraqi-Syrian or Iraqi-Jordanian borders provided by the UNHCR^{liv}; conditions at these camps are dire, with no services and little or no water and widespread of diseases.

Minorities:

- 52- Some members of certain ethnic or religious groups suffer from limitations on their right to worship as Iraq is not member to the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, issued by the UN General Assembly on December 18, 1992.
- 53- Members of the Mandaean community face obstacles to the practice of their faith, because several of their rites need to be practiced near rivers or other water sources,

which has caused them to face several problems within Iraqi society. Additionally, they have been subjected to vast internal displacement and migration out of Iraq due to increased incidents of targeted murder, kidnapping and rape which have drastically diminished their numbers, so much so that the plight of the 4000 Mandaean remaining in Iraq is of grave concern. The Mandaean human rights group has announced that over 80% of Mandaean have left Iraq since 2003, in the following patterns: 10,000 escaped to Syria, 3,000 to Jordan and a small number to Yemen and Egypt. Currently, there are approximately 5,000 Mandaean in Kurdistan, where they have found refuge after escaping Baghdad, Basra and Baqouba^{lv}.

- 54- Christians are encountering difficulty in practicing their religion, due to armed groups and local militias, which have destroyed churches and killed members of the community, in addition to forcing them out of their homes all over Iraq, particularly in Mosul and Baghdad.
- 55- Yazidis in Iraq are also victims of killing, forced evacuation, kidnapping and blackmail; they are also not allowed to practice their rites and rituals.
- 56- The Shabak community has been victimized constantly by different armed groups; dozens of them have been killed and others forcibly exiled from the areas around Mosul.
- 57- Minorities in Iraq are discriminated against, particularly when it comes to attaining high-level positions. They cannot hold judicial authority (never assigned as judges) since they are not Muslims, and despite the enrollment of several students of minority origins in the Judiciary college, there has not been a single judge of minority origin appointed to a judicial post. However, In KRG, the Kurdish parliament has recently allowed Yazidis^{lvi} and other religious minorities to be appointed judges, given proper qualification.
- 58- The provincial council's election law of 2008 did not apportion fair representation to minorities after article 50 of the original election law was eliminated. Minorities feel cheated out of seats that had been allotted to them in prior elections^{lvii}.

ⁱ Article 1 of the 2005 permanent Iraqi Constitution

ⁱⁱ Article 56 of the 2005 permanent Iraqi Constitution

ⁱⁱⁱ Just to list an example: The oil and gas law – the political party formation law – the disputed territories law – the Kirkuk province election law – constitutional amendments, etc..

^{iv} The Defense of National Security law in 2004 was based on the laws set in the second section of the appendix on managing the interim Iraqi state and on the judgments of article 25 of the above-mentioned law.

^v A report by one of the organizations that participated in preparing this report

^{vi} *Sabah* newspaper, issue 1729, 21 July 2009,

<http://www.alsabaah.com/paper.php?source=akbar&mlf=interpage&sid=8663>

^{vii} Ministry for Human Rights report on the condition of women in 2008/ chapter 8 “The Right to Education” and reports by several organizations that participated in preparing this report

^{viii} Reports by three of the organizations that participated in preparing this report

^{ix} Page 10 of the Report by the UN Assistance Mission in Iraq (UNAMI) from July 1 – December 31, 2007.

^x Lawyer’s Union statement/jazeera.net: <http://www.aljazeera.net/NR/exeres/00FCB6C3-3797-4D56-AD78-C19E804B1C93.htm>"

^{xi} Ministry of Human Rights annual report on the state of prisons and detention centers in Iraq, 2008.

^{xii} Page 7, Ministry of Human Rights annual report on the state of prisons and detention centers in Iraq, 2008.

^{xiii} Amnesty International Report for 2007, 2008 and 2009. In addition to reports by several organizations that participated in preparing this report.

^{xiv} Ministry of Human Rights annual report on the state of prisons and detention centers in Iraq, 2008.

^{xv} Page 16, UNAMI report from 1 April – 30 June 2007

^{xvi} Page 16, UNAMI report from 1 April – 30 June 2007

^{xvii} Page 41, UNAMI report from 1 April – 30 June 2007

^{xviii} Page 28, UNAMI report from 1 April – 30 June 2007

Law no. 23 of 1969 governing criminal courts. Article 1A cancels the text of clause B of article 126 of the criminal court law(23) and replaces it with the following: B: besides offences punished under the traffic law and relevant clauses, the defendant should not be taken to court for a crime committed while he was undertaking his official duty or because of it, unless permission is granted by the Minister in question or the head of a non-governmental body, with full adherence to what other laws dictate. If the minister or department head does not authorize the process, then the Prosecutor-General or any other concerned party has the right to appeal this decision in administrative court during 30-days beginning from the day after the decision has been publicized; the court’s verdict will be subject to appeal from the Supreme Court

^{xix} Ministry of Human Rights – Report on Prisons 2007

^{xx} Report by one of the organizations participating in this report about an officer in the civil investigations unit of Balad police banning lawyers from entering on April 28, 2009

until May 5, 2009// Five organizations that participated in this report have noted torture cases at prisons in various provinces after field visits to prisons and detention centers in their areas of interests

^{xxi} Ministry of Human Rights annual report 2007; section 9

^{xxii} Reports by one of the organizations that participated in preparing this report

^{xxiii} The Ministry of Human Rights, annual report on the state of prisons, 2007

^{xxiv} Article 1 of the Prison administration law issued by order of the second provisional government dissolved in 2003

^{xxv} p. 20-22, Ministry of Human Rights annual report on the state of prisons and detention centers in Iraq, 2008.

^{xxvi} Reports by several of the organizations that participated in preparing this report

^{xxvii} Report by one of the organizations that participated in preparing this report

^{xxviii} Page 24-25, UNAMI report from 1 July – 31 December 2008

^{xxix} The Ministry of Human Rights, annual report on the state of prisons, 2007

^{xxx} Ministry of Human Rights – Report on Prisons 2007 – section 8 on punishment and discipline in prisons and detention centers

^{xxxi} Report by one of the organizations that participated in preparing this report

^{xxxii} Reports by two organizations that participated in preparing this report

^{xxxiii} Reports by two organizations that participated in preparing this report

^{xxxiv} Annual report by the Ministry of Human Rights, 2008/ UNAMI report 1 May – 30 June 2006, pages 7-8

^{xxxv} Reports from several of the organizations that have participated in preparing this report

^{xxxvi} Reports from several of the organizations that have participated in preparing this report

^{xxxvii} The order was issued by the Kurdistan National Council decision 16 on September 20, 1992 based on paragraph 1 of article 56, KNC law no 1 of 1992, in which the council decided to issue the following law on September 1, 1992: Education Ministry law 4 for 1992/Article 4: Making minority languages of instruction in the areas occupied by minorities, while making the Kurdish language mandatory.

^{xxxviii} page 31, UNAMI report 1 November – 31 December 2008

^{xxxix} Page 22-23, UNAMI report 1 January – 31 March 2007

^{xl} Ministry of Women’s Affairs, Ministry of Human Rights, Ministry of Housing, Ministry of Provincial Affairs, Environment Ministry; Page 19-21, UNAMI report, April 1—June 30,

^{xli} Kurdish National Council decree in regular session (16) held on 13 November 2008 created law no 15 for 2008/ the revision of personal status law 188 of 1959, modified in Iraqi Kurdistan

^{xlii} Page 18, UNAMI report, 1 July – 31 December 2008

^{xliii} *Ittihad* newspaper, issue 2121 15 March 2009 “Kurdistan’s Girls are the Victims of Female Genital Mutilation due to Tradition”

One of the organizations that participated in preparing this report.

^{xliv} Ministry of Human Rights report on the status of women in 2008/ Section 5

^{xlv} Page 17-18 UNAMI report, 1 July-31 December 2007

^{xlvi} Page 16-17, UNAMI report 1 July – 31 December 2008

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- ^{xlvii} Reports by two of the organizations that participated in preparing this report
- ^{xlviii} Reports by several of the organizations that participated in preparing this report
- ^{xlix} Amnesty International Reports, 2008-2009
- ^l Reports by several of the organizations that participated in preparing this report
- ^{li} Page 22, UNAMI report, 1 July – 31 December, 2008.
- ^{lii} Report by one of the organizations that participated in preparing this report
- ^{liii} Page 22-23, UNAMI report, 1 April – 30 June 2007
- ^{liv} Page 23, UNAMI report, 1 July – 31 December 2008
- ^{lv} Page 27, UNAMI report for 1 January—30 June 2008; reports by various organizations that participated in preparing this report
- ^{lvi} On order of the Iraqi Kurdistan Prime Minister’s office, number 3625; issued 16/5/1998, the first Yazidi judge in the province was appointed.
- ^{lvii} Parliamentary decision from the 9/11/2008 session to modify the electoral law for the provinces, regions and districts (36)/2008