

Peace and Freedom Organization/Baghdad

Al-Namaa Center for Human Rights – A Project of Iraqi Al-Amal Association

# WHIPS OF REPRESSION



**A Report on the Status of Human Rights and Basic Freedoms  
of the Demonstrations of the Republic of Iraq in October 2019**

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- ❖ It is compulsory to refer to Peace and Freedom organization, and Al-Namaa Center for Human Rights, when quoting or taking text out of this report.
- ❖ Cover photo: Members of the riot police and demonstration resolution department assaulting and beating an elderly demonstrator in Bab Al-Sharqi area of the Al-Tahrir square, on October 1<sup>st</sup>, 2019.

## BAGHDAD

<ul style="list-style-type: none"> <li><span style="color: red;">■</span> Palace</li> <li><span style="color: green;">■</span> Hotel</li> <li><span style="color: blue;">■</span> Government Building</li> <li><span style="color: orange;">■</span> Transportation Building</li> <li><span style="color: purple;">■</span> Hospital</li> <li><span style="color: brown;">■</span> Church</li> <li><span style="color: pink;">■</span> Mosque</li> <li><span style="color: grey;">■</span> Monument</li> <li><span style="color: yellow;">■</span> Museums</li> <li><span style="color: cyan;">■</span> Police</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: red;">—</span> Major Road</li> <li><span style="color: black;">—</span> Secondary Road</li> <li><span style="color: grey;">—</span> Local/Unpaved Road</li> <li><span style="color: black;">—</span> Railroad</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: orange;">■</span> Built-Up Area</li> <li><span style="color: yellow;">■</span> Dense</li> <li><span style="color: lightgrey;">■</span> Sparse to Moderate</li> <li><span style="color: darkgrey;">■</span> Major Buildings</li> <li><span style="color: red;">■</span> A Field</li> </ul>	<ul style="list-style-type: none"> <li><span style="color: blue;">■</span> Hydrographic Features</li> <li><span style="color: cyan;">■</span> River, Lake, Canal</li> <li><span style="color: lightblue;">■</span> Water Reservoir</li> <li><span style="color: lightgreen;">■</span> Stream/Ditch</li> <li><span style="color: green;">■</span> Orchard</li> </ul>
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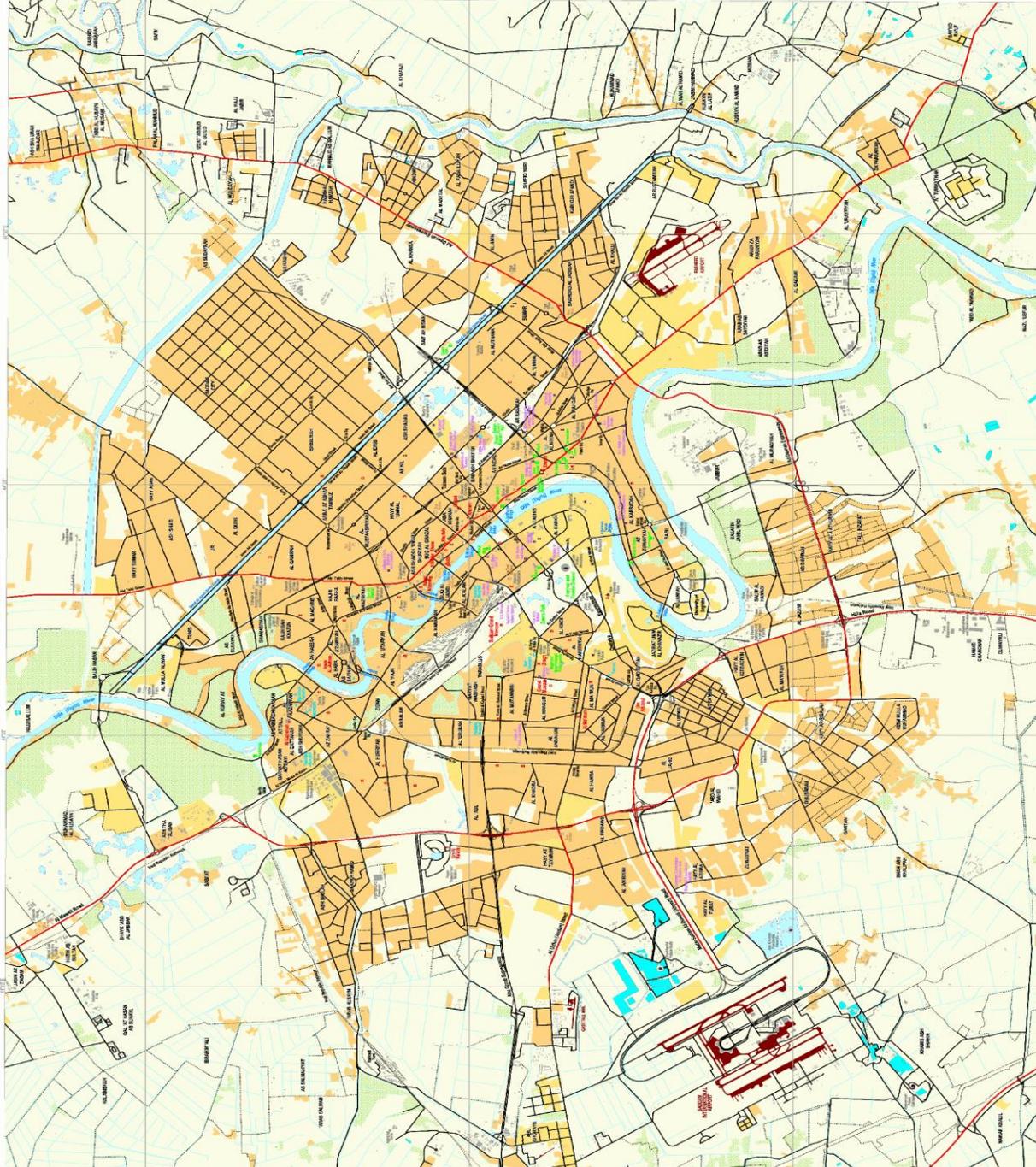
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MAP SCALE: 1:40,000



A high resolution map of Baghdad. For a more detailed view, set the zoom option to 300% - 350%

## • Background

Regardless of the transformation of the political system in the Republic of Iraq, after the year 2003, in addition to the changes occurred in the legislations and laws, the state of the basic rights and especially the right to demonstration and peaceful assembly is still messy and pitiful. The disrespect and lack in keeping promises and committing to the commitments imposed on the government of the Republic of Iraq, according to the local law, through the highest legislative authority in the country, which is the current constitution and the international law, and working in accordance with them during protests – peaceful ones in particular, represents a dangerous and steep downfall of the status of Human Rights in Iraq.

The violations conducted by law enforcement members and the infractions done by the demonstrators in all demonstrations, work equally as one of the main obstacles in the way of delivering the rights of the people in an ideal method, in accordance with the international legitimacy.

Both sides have a long-running history of violating the safety and security of the right to peaceful assembly and demonstration. Throughout history, Iraq has been an arena for a numerous demonstration, which ended tragically, in a manner that demeans and humiliates a human's dignity in the heart. The demonstrations of May 1941, which ended with severe violations of Human Rights, by the hands of demonstrators, and included a wide range assault on private and public property, which was face then by Iraqi Royal Air Force as a reaction, also the demonstrations of the Kurds in Suleimaniyah and Erbil in the sixties, eighties and nineties of the twentieth century, in which atrocious infractions and violations took place, by both sides, and escalated to become non-international, armed conflicts. In addition to that, there's the demonstrations of Southern Iraq, or what is more commonly known as the uprising of 1991, which was no different than its previous likes of unrests, and included field executions of demonstrators, or burning and razing governmental institutions. Also, the demonstrations of the Western provinces<sup>1</sup> in 2013, which were infiltrated in some gathering locations by armed groups and terrorist, to which the governmental response was the use of lethal force to any and everyone who attended, with no exception. Finally, the demonstrations in Basrah city in the middle of year 2018, was a yet another, connected circle in the chain of the previous demonstrations.

All the previous demonstrations have witnessed horrific violations and abuses to Human Rights, in which many victims fell as casualties, killed and injured, with thousands of arrestees and also missing people, from the government and the people's side, however, the majority were civilians and innocent people.

What's occurring now in the demonstrations of the 1<sup>st</sup> of October 2019 is an extension to the previous demonstrations, regardless of the demonstrators' combination, orientation and demands that differ than those of the previous demonstrations.

The tragic events resulting from the dangerous violations, which the law enforcement members committed, in Iraq against the demonstrators in Baghdad on the 1<sup>st</sup> of October 2019, led to the explosion of the situation in many locations in the Republic of Iraq, and led the demonstrations to slip towards violence.

## • Introduction

The demonstrations of October 1<sup>st</sup> of 2019 were no mere coincidence, but were preceded, days earlier, by a bundle of events which played the main and crucial role in the explosion of the local Iraqi street, leading eventually to the spontaneous demonstrations we witnessed.

The first of these events was the breaking up of the demonstrations of the demonstrators who were all holders of higher education degrees, right in front of the Iraqi Government's



Prime Minister, Adil Abdul-Mahdi's office, where force was used by the anti-riot police to break up the demonstration. Videos then emerged through social media platforms, showing, and in particular, a video that planted anger in the heart of most Iraqis, which showed demonstrators being hit with the water cannon from an anti-riot vehicle<sup>1</sup>. As a local response to this incident, Iraqis who define themselves as independent or civilian or simply just Iraqis, called on the 25<sup>th</sup> of September 2019, through social media platforms like Facebook and Twitter, for organizing demonstrations in Bab Al-Sharqi area of the Tahrir Square, in the center of Baghdad, on the 1<sup>st</sup> of October 2019, and they also specified in their online calls for demonstrations to start at 2 p.m.

The call came amidst a huge chaos in the services, a severe decline in the livelihoods, a high spike in the unemployment rate, a rapid decline of the people's lifestyle to the poverty line, especially amongst the youth and the wide spread of administrative corruption in all the government's hubs. To make matters even worse, the General Command of the Iraqi Armed Forces, through the person of the Iraqi Prime Minister, Adil Abdul-Mahdi's, decided to remove the Lieutenant General Abdul-Whahab Al-Saadi, Commander of the Iraqi Special Operations Force from his position to another position in the Command itself<sup>1</sup>. This Commander is looked upon by a vast majority of Iraqis as a Commander and a national hero who was the gave the main contribution in finishing off the so-called, terrorist organization of Islamic State of Iraq and Syria (ISIS), when the latter seized control of vast areas of the Iraqi Republic in 2014. The Iraqi citizens expressed their anger<sup>2</sup> towards the aforementioned decision, and they demanded for

the decision to be taken back, or for Al-Saadi to be given a major role in the Iraqi Armed Forces, however, the final response of the Prime Minister was to remove the Commander and put him under the Command<sup>3</sup>.

The demands rose and expanded on television stations and in particular on social media, to include calls for personal individual rights and not collective demands, and therefore, a state of distrust started to form, along with an expanding gap between the Iraqi government and the people, all in the last days of September 2019, which lead to the calls for the designated demonstrations to take place.

## ● Methodology

The Peace and Freedom organization and Al-Namaa Center for Human Rights, a project of Iraqi Al-Amal Association, associate the delay in launching this report to the public opinion, Iraqi civil society, the Independent Commission for Human Rights-Iraq, the Independent Body for Human Rights-Kurdistan Region, the Iraqi Government, the international community represented by the UN and its affiliated offices and agencies of concern, associate the delay to the internet blocking nationwide, which obstructed the work of the report writing committee in accessing legal materials and news archives, especially those of international organizations and official Iraqi institutions, in order to use them as material in the report<sup>1</sup>.

<http://www.nrttv.com/Ar/News.aspx?id=16658&MapID=2> : <sup>m</sup>ore in this link

. [Ultra Iraq](#) <sup>f</sup>or more details see this link.

Security forces prevented the opening ceremony of the statue of Saadi who is a liberator of Mosul. Security forces totally removed the statue from its place at night which angered people even more because they considered it an insult. More details here..

<https://www.aljazeera.net/news/politics/2019/9/29/%D8%BA%D8%B6%D8%A8-%D8%B9%D8%A7%D8%B1%D9%85-%D9%81%D9%8A-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82-%D8%A8%D8%B9%D8%AF-%D8%B9%D8%B2%D9%84-%D9%82%D8%A7%D8%A6%D8%AF-%D8%B9%D8%B3%D9%83%D8%B1%D9%8A-%D8%A8%D8%A7%D8%B1%D8%B2>

To see more details...

<https://www.alarabiya.net/ar/arab-and-world/iraq/2019/09/29/%D8%B1%D8%A6%D9%8A%D8%B3-%D8%AD%D9%83%D9%88%D9%85%D8%A9-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82-%D9%8A%D8%B5%D8%B9%D8%AF-%D9%84%D8%A7-%D8%B9%D9%88%D8%AF%D8%A9-%D8%B9%D9%86-%D8%A7%D9%82%D8%A7%D9%84%D8%A9-%D8%A7%D9%84%D8%B3%D8%A7%D8%B9%D8%AF%D9%8A-.html>

To see more details...

<https://www.aa.com.tr/ar/%D8%A7%D9%84%D8%AF%D9%88%D9%84-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A%D8%A9/%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D8%B9%D9%88%D8%AF%D8%A9-%D8%AE%D8%AF%D9%85%D8%A9-%D8%A7%D9%84%D8%A5%D9%86%D8%AA%D8%B1%D9%86%D8%AA-%D9%81%D9%8A-%D8%A8%D8%BA%D8%AF%D8%A7%D8%AF-%D9%88%D8%A7%D9%84%D9%85%D8%AD%D8%A7%D9%81%D8%B8%D8%A7%D8%AA-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A%D8%A9-/1601810>

In addition to that, the parties above state that this report comes as a direct result of the ever-expanding patch of violations committed against the demonstrators, of which some can be elevated to become serious violations, especially the use of non-ascending, inconsistent and

unnecessary excessive force, that which led to cases which could be determined to be deliberate killings. The people behind the launch of this report are conservative in regards to some demonstrators having burnt formal governmental institutions and assaulted private and public property, however, and any and all cases, this cannot be used as a justification for targeting demonstrators collectively, at random and with no exception, and especially when this comes to the use of fire arms and live fire.

This report presents samples to the forms of violations committed by law enforcement members, or the infractions committed by the demonstrators, of which the field observers of Human Rights and Basic Freedoms could collect, as a result of being present as neutral observers in the field, where the Peace and Freedom organization-Baghdad office and Al-Namaa Center for Human Rights, a project of Iraqi Al-Amal Association, directed their observers to not intervene under any circumstances in the content of the demonstrations, in a negative or positive way, nevertheless, all the information provided to the committee which wrote this report were subject to fact-checking and ensuring validity, through crossing the information of one team with other teams' information, and crossing it with resources inside the demonstrations circle, to ensure the highest level of credibility, neutrality and inclusion.

This report, under any case, does not refer to a precise frequency of violations and infractions, or to their number, but focuses closely on the forms and kinds of violations and infractions, and it is therefore, the information within this report cannot be referenced in terms of casualty count, as much as it can be used to form a perspective on the forms and kinds of violations committed.

Accordingly, the report writing committee will not publish in this report any numbers in regards to the victims count, although it has verified figures by both parties for the victims count in certain areas, and they will not be published due to the contradiction in numbers coming out from different sources. Also, this report will focus mainly on the violations committed in Baghdad, as it is the point of deviation of the demonstration, from its peaceful path.

The people behind the launching of this report in the Peace and Freedom organization-Baghdad office and Al-Namaa Center for Human Rights clarify that the conduct of violations and infractions of Human Rights in any demonstration is expected, therefore, the parties mentioned above conducted two focused meeting before the demonstrations, in which they agreed in the first one on the coordination and communication and partnership, in regards to observing the status of Human Rights and the Basic Freedoms in the declared demonstration, whereas the focus of the second meeting was on the mechanism of deploying field observers, and how to communicate with them.

In the light of that, the information in this report are based mainly on direct field observations, as the observers affiliated to this report have spread all over Basrah, Najaf, Muthanna, Maisan, Nasiriyah, Baghdad, Diyala, Wassit and Ad-Diwaniyah, however Baghdad has been given a higher importance, considering the number of demonstrators and their scattering across a large geographical area, and the level of violations committed, as the observers affiliated to this report have completely covered the demonstrations' locations, in Al-Tahrir Square, Al-Nidhal

street, Tayaran Square, Kailany fuel station, As-Sadoun park, Eden park, Aj-Jihad neighborhood, Al-Amil neighborhood, Az-Zaafaranyah, Al-Sadr neighborhood and more specifically Al-Falah and Al-Hamzah squares, and the publishers of this report would like to clarify that the observers have been trained<sup>1</sup>, and in accordance with each individual case.

The Human Rights status observers faced hard moments in the demonstrations, in which they were subject to great jeopardy, which directly threatened their lives, despite of their commitment to complete neutrality and compliance with the orders of law enforcement members. These observers were also subject to law enforcement's aggressive procedures, with no exception mentioned, as they experienced suffocation, difficulty in breathing, vomiting due to inhaling suffocating gases, tear gas, skin irritating gas, to shooting with live fire directly, to arrest, detention, heavy beating, and some of them were accused by the demonstrators of being affiliates of the government, who convey information to the government<sup>1</sup>, as a result of the nature of their work.

Similarly, the Peace and Freedom organization-Baghdad office and Al-Namaa Center for Human Rights ensure and show appreciation to the collaboration between them and all the other organizations, journalists, media men and women, who supported the process of observing the demonstrations and the work teams on the field.

The report has been presented to a checking and revision committee, consisting of a judge, law enforcement expert, and 3 managers of civil society organizations, and has been consulted with 6 Human Rights activists, regarding the content of the report, and all the answers they provided were positive and in favor of launching the report for the public opinion.

Regarding the role of women in contributing to this report, the number of female observers who participated directly in observing the status of Human Rights and the Basic Freedoms, was 5 females. As for collecting information directly from the observers, supervision was done through one field officer who conveys all the field information to his office, instantaneously.

All the observation teams displayed commitment to the instructions, especially those which are related to the strict implementation of the principles of Neutrality and Credibility.

- **The Status of Human Rights Across the General Context of Demonstrations' Process**

Indeed, on the 1<sup>st</sup> of October, thousands gathered in Al-Tahrir square and expressed their demands, which



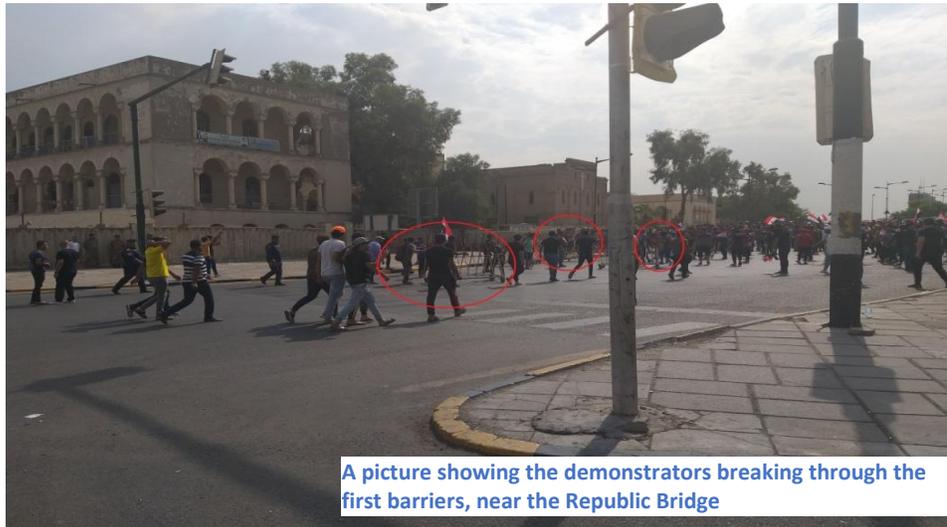
Gathering of the demonstrators underneath the Freedom monument, in Al-Tahrir Square on October 1, 2019

varied and differed, and according to the observers, the demonstration included many sects and ethnicities of the society, and represented a wide range of Iraqi constituents.

Everything went normal, until 11:25<sup>1</sup> a.m. of October 1<sup>st</sup>, there was some physical contact between the demonstrators and the anti-riot police, which were deemed acceptable, and was managed by both sides. Then at 2 in the afternoon, the demonstrators moved from under the Freedom monument and started to gather near the Republic Bridge, on the Risafah<sup>2</sup> side, and broke through the first barrier of the anti-riot police<sup>3</sup>.

In response, at 2:23 p.m., a law force that was untrained to deal with the crowds in the demonstrations<sup>1</sup>

was deployed to form a human barrier that divided the demonstrators into two halves, which they failed at, as it was impossible for a 50-persons squad to control a 5000-persons crowd, and therefore the



A picture showing the demonstrators breaking through the first barriers, near the Republic Bridge

force left the area and headed to the nearby As-Saadoun street. In sync with the withdrawal of this force, two huge waves of demonstrators arrived to the vicinity near the Republic Bridge, at 2:30, which combined with the initial crowd and formed a massive human wave near the bridge that could not be controlled or stopped by the anti-riot police.

*(Notes: the report writing committee uses the local time zone of Baghdad in this report in the 12 hour mode. Some events may vary in time in minutes due to the unstable circumstances, monitors lived. Human rights monitors believe that protestors moved close to the Jimhorya Bridge because they wished to cross to the green zone to continue their demonstrations.)*

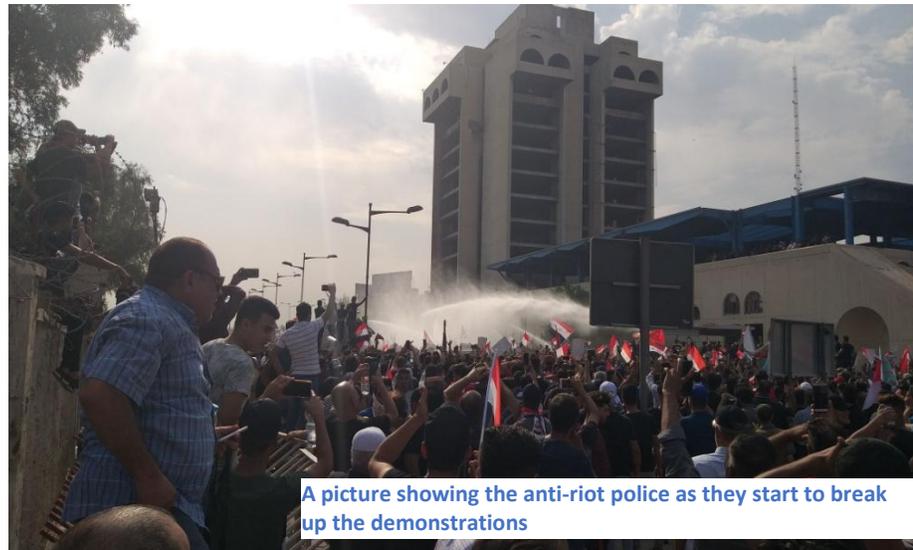
The at 2:40 in the afternoon on the same day, and after the passing of 40 minutes on the demonstration's launch hour, the demonstration started slipping from a peaceful demonstration that respects Human Rights and Basic Freedoms to a violent one, in which excessive force was practiced by law enforcement forces that was inconsistent, unnecessary and without a prior notice, to clear out the demonstrating crowds. The law enforcement agencies employed hot water cannons, tear gas, suffocation gas, and skin irritating gases, all together, from 2:40 to 3:05, after which periods of calmness followed as the demonstrators were busy evacuating the people who were injured by various types of rounds, and the ones whom were run-over by demonstrators.

At 3:10, the demonstrators started marching again near the bridge, and started throwing stones at the direction of law enforcement, and although the distance between them and the demonstrators was 300m, the law enforcement members responded with live fire at 3:33.

After less than an hour, the first demonstrator was killed with a bullet, ending the casualties of the first day at one demonstrator killed directly, another died at Sheikh Zayed Hospital, with tens of others injured. After the release of video footages of the demonstrations break up by the law enforcement on the first of October 2019, angry demonstrations swept most of the southern Iraqi cities, in addition to Diyala, and lasted till the 4<sup>th</sup> of October, in which law enforcement agents used lethal force directly, and excessive force as the main method to face demonstrators, especially in Dhi Qar, Diwaniyah and Maisan. According to the analysis conducted for the field information, it is concluded that the most violent of clashes between demonstrators and law enforcement, and the most aggressive forms of repression occurred in Dhi Qar.

- **The Legal Description and the Narration of Violations and Infractions**

The local law, and especially the Iraqi Constitution of the year 2005, Martial Law no. 19 of the year 2007, the International Law for Human Rights, the Code of Conduct for Law Enforcement Employees 1979 and the Guidelines for Using Force and Firearms 1990, commit the Republic of Iraq, based on the republic's approval and partnership in the aforementioned, to



A picture showing the anti-riot police as they start to break up the demonstrations

moral, legal and clear commitments that it will be held accountable for.

Accordingly, and based to the facts obtained from the field, the parties working on this report, from a path of complete neutrality, under the Iraqi Law, under the guidelines of the International Law and in commitment to the standards of good and active observation, could obtain as much information as possible and whenever possible, this information was then collected when available, and was checked and validated and crossed with information from other sources, and was found to be clear violations and infractions<sup>1</sup>, filtered and categorized as follows:

*(Notes: all breaches and non-commitment to laws committed by government employees will be referred to as violations. Breaches committed by civilians will be referred to as violations. This is in accordance to the booklet of the UN within the standards of legal description.)*

## **1. Freedom of Movement, Transportation and Communication Systems**

- Blocking the Republic Bridge that connects Tahrir square to Karradah Maryam area, and stopping the demonstrators from crossing from/to the two sides and demonstrating in Tahrir square on the 1<sup>st</sup> of October 2019.
- Implementing a partial curfew in the capital Baghdad for the 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> of October.
- Blocking all the roads leading to the Green Zone, in the center of Baghdad, from the 1<sup>st</sup> to the 6<sup>th</sup> of October.
- Partial daily blocking of the internet on the 1<sup>st</sup> and 2<sup>nd</sup> of October, which included social media platforms and websites, followed by a complete shutdown of the internet service, starting at 8:00 p.m. on the 2<sup>nd</sup> of October, throughout Iraq – except for Kurdistan region – and this shutdown lasted to the 8<sup>th</sup>, and the internet is still partially<sup>1</sup> blocked to the date of today, October 11<sup>th</sup>.
- Blocking the roads and implementing a full curfew that excluded the streets in the residential neighborhoods, for the 3<sup>rd</sup> and 4<sup>th</sup> of October in the capital Baghdad, which prohibited passing through the checkpoints, entering or leaving, in most of the residential neighborhoods.
- Blocking all the bridge between the two banks; Karekh and Risafah in Baghdad, in addition to cutting of the roads in Wassit governorate, and dividing the city into three segments. This procedure was adopted for the other governorates on the 3<sup>rd</sup> and 4<sup>th</sup> of October.
- Blocking all the roads leading to Tahrir square and Bab Al-Sharqi areas through Al-Tayaran square, using concrete barrier blocks, with height of no less than two meters, for the days of October 3<sup>rd</sup> – 8<sup>th</sup>.



A picture showing the blocking of the Republic Bridge on October 1st 2019

- Preventing the citizens from moving; citizens were reportedly told by the fixed and mobile checkpoints that if they leave their residential neighborhood and go to another, they will not be allowed entry. This measure was implemented on the 3<sup>rd</sup> and 4<sup>th</sup> of October.
- All the checkpoints allowed for the injured to be transported to the hospitals, without any hindrance by the law enforcement mentioned.
- All the fixed checkpoints facilitated the transportation of emergency cases, without any security checking. Human Rights observer stated that the entrance checkpoint of As-Sarrafiyah Bridge, on the Karekh bank, allowed the crossing of a numerous emergency cases without doing a security checking, and by depending only on visual checking.
- Human Rights observer stated that many checkpoints in Al-Adhamiyah, Al-Otaifiyah and Haifa Street turned a blind eye to the curfew orders and allowed for partial movement for the citizens, especially families.
- Various sizes of concrete barrier blocks were deployed in the process of cutting off some of the streets, like the ones leading to/from Mohammed Al-Qasim expressway, starting on the 3<sup>rd</sup> of October, and to the date of writing this report. (*notes: The Iraqi ministry of communication issues a statement declaring stopping internet services, and then later amended the decision and provided internet from 7 am to 4 pm while all mobile data internet was stopped while writing this report.*)
- In Basrah, the roads leading to Om Al-Broum square in the Al-Aashar area, and Al-Arousa square in Tiwess area, were blocked, in addition to the full shutdown of Al-Maaqal area in the center of Basrah, starting on the 3<sup>rd</sup> of October 2019.
- In all the demonstrations all across Iraq, the demonstrators used one specific and common behavior in general, which is blocking off streets with concrete blocks, metal obstacles and burning car tires, where observers recorded that some demonstrators closed some roads that are considered vital, important and strategic, and that is when demonstrators cut off, on the 2<sup>nd</sup> of October, the Qadisiyah International Expressway that is the airport road, and deemed it out of services through burning tires. On the 4<sup>th</sup> of October, they also cut off Mohammed Al-Qasim expressway in the same manner, starting from opposite to the Ministry of Interior, which is a one of the most important strategic roads in Iraq. Qanat Al-Jayish road, to the east of the canal, was also closed down in an organized manner, by the demonstrators near Al-Sadir neighborhood, almost daily, whereas a Human Rights observer in the southern Iraqi governorates stated that the demonstrators cut off the main roads in Najaf, Dhi Qar, Diwaniyah and Wassit.

## 2. Safety and Security of the Demonstrators

- The government and authorities did not provide any ambulances, regardless of the presence of thousands of people in the demonstrations, where it was confirmed in the

demonstrations of the 1<sup>st</sup> of October in Tahrir square that the first ambulance arriving on scene after the use of brutal force by the law enforcement was 20



Al-Sadoun street: the first moments when an ambulance arrive to the scene, where the photo shows members of a medical emergency group

minutes after, and it was recorded that it arrived at 2:56 p.m., although victims of the first wave of repressions fell at around 2:40 p.m. In addition to that, there were no medical efforts in Karradah, near Kahrumanah, Nidhal Street and the beginning of Saadoun street, as there were only civil efforts by the medical emergency team, which is a voluntary effort and cannot deal with critical cases, however, the Human Rights observers affiliated to this report recorded the presence of medical efforts between the 2<sup>nd</sup> and 5<sup>th</sup> of

October, and at the required and sufficient level, especially in the vicinity of the Tayaran sqyare, Nidhal Street, Kaylani fuel station, Neurology Hospital and all the way to Al-Nakheel mall.

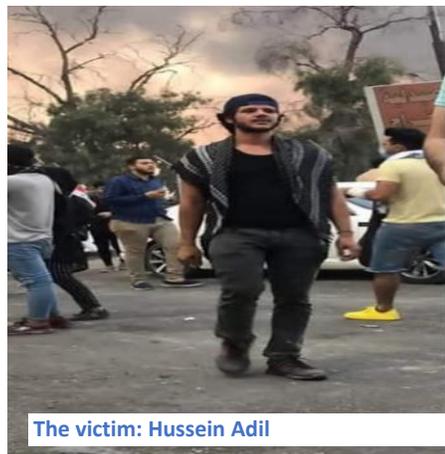


The vicinity of the Republic Bridge, a picture showing law enforcement members not wearing any identifying tags

- It was evident that law enforcement members were standing and on duty in the demonstrations, wearing obvious military uniforms with no military patches or tags on the arm, shoulder or chest, and when they were asked personally by Human Rights and Basic Freedoms observers about the party they are representing, they responded to be security forces affiliated to the Facilities Protection Force.
- The security forces or authorities didn't provide any sufficient protection for the perimeter of the demonstrations, didn't place barriers or reroute the traffic in most of the demonstration areas. A Human Rights observer in Rumaythah district/Muthanna governorate states that local police officers opened the security barrier to protect the demonstration, which led to 3 demonstrators being run over by a civil vehicle, for which they were taken to hospital.
- The government resorted to deploying untrained forces, which were unqualified to deal with the mass movements of the protests and demonstrations, thus, they could not restrain their force and firearms, and make that force consistent, like the Federal Police Regiment.
- Snipers positioned on buildings on Nadi Al-Jayish street that connects Kaylani fuel station to Tayaran square, targeted on the 4<sup>th</sup> of October 2019 at 3:35 p.m., a medical emergency team<sup>1</sup>, even though the team was wearing white medical clothes, with the international badge of paramedics and medical teams on their clothes.
- On the same location and same date as above, snipers targeted an ambulance transporting members of a medical emergency team, with an injured demonstrator, as soon as the ambulance made its way on the expressway, en route to Shaikh Zayid Hospital.
- Snipers positioned in front of Kaylani fuel station targeted two ambulances transporting people injured in the area between Mohammed Al-Qasim expressway and the Neurology hospital, on the 4<sup>th</sup> of October 2019.

### **3. Assassination of the Demonstration Activists**

- A Human Rights observer in Basrah reported that a man called Hussein Adil and his wife Sara Talib, both Human Rights activists and also active in the demonstrations



The victim: Hussein Adil



The victim: Sara Talib

in Basrah city back in the second half of 2018, were killed in their house at Jenina neighborhood, at the midnight of 1<sup>st</sup> – 2<sup>nd</sup> of October, where Adil and his wife were killed with many gunshots in different areas in the body. Other, verified information revealed that the victim Sara Talib was pregnant when she was killed.

#### **4. Arrest, Detention, Stopping and Interrogation**

- Bataween neighborhood that is adjacent to Tahrir square in the center of Baghdad, which is where the main demonstrations took place, witnessed a siege and a shutdown for its entrances by the law enforcement members, and after 10 p.m., of the 1<sup>st</sup> of October 2019, the neighborhood was searched and wide-scale arrests and detaining took place, targeting whoever was suspected to have participated in the demonstrations.
- A juvenile aged 16 stated that he was arrested from the Bataween neighborhood without any judge's warrant, and was held in Al-Saadoun police department, for taking part in the demonstrations. He added that he was beaten, humiliated and had his phone broken apart. Working at the best interest of the child, the body behind this report will keep his name confidential, except for the case of suing by the Iraqi Judiciary System.
- Hundreds of cases of random arrests and administrative detaining for the demonstrators were recorded, especially in Baghdad, Nasiriyah, Najaf and Basrah. *(Notes: The medical emergency group is a group of volunteers providing first aid in the field. They had their first intervention on the 1st of Oct. at 2:58 AM. Human rights monitors observed 2 of such teams.)*
- Law enforcement officers interrogated the injured people whom were being treated in Al-Naaman Hospital in Baghdad, whereas others were under checked also in Nasiriyah Hospital, however, this information was not verified with an official source in the hospital.
- Many injured demonstrators in the hospitals did not reveal that they were injured as a result of participating in the demonstrations, as they were afraid to be pursued and detained, especially in Al-Sadir neighborhood.
- A Human Rights Observer was informed that the number of the missing people in Al-Sadir neighborhood alone, till 6 p.m., the date of October 8<sup>th</sup> 2019, was 17 missing persons. However, the same sources further explained that these missing persons may not be missing, and that maybe these sources just didn't have information regarding their whereabouts, or the body that's holding them, and that their parents have not been informed of their sons'/daughters' fates.

## **5. Use of Force and Firearms**

- Law enforcement agencies did not use any ascending strategy for the use of force, as they:
  - (1) Did not use loudspeakers or make a show of force before starting to break up the demonstration, as observers everywhere recorded that law enforcement did not use these two mechanisms.
  - (2) Not using force gradually, as the anti-riot force started to break up the demonstrations using tanker vehicles which used hot water cannons, in sync with the use of suffocation tear gas and skin irritating gases in Tahrir square. In addition to that, all the Human Rights observers, in the areas of Neurology Hospital in Baghdad on the 3<sup>rd</sup> and 4<sup>th</sup> of October, and in Diwaniyah, Dhi Qar, Najaf and Az-Zaafarniyah, recorded that law enforcement started using tear gas in sync with firearms.
- Firing sound, suffocation and tear rounds in a horizontal manner rather than a curved manner, thus creating casualties through direct targeting of the demonstrators' bodies, of which many were recorded by the Human Rights observers, especially direct shots to the head, chest and back by the suffocation and tear gas rounds. Some of the victims immediately lost their lives.
- Not firing tear and suffocation gas rounds at empty spaces in the demonstration arenas, rather, an organized behavior of targeting crowds was observed.
- Use of excessive force, in the form of beating with sticks, with the weak categories of demonstrators, like juveniles and elderly people.
- It became clear to the team working on this report that the law enforcement members made sure to use firearms and use live bullets, even though the situation didn't call for it, it was not used as an attempt to protect others from imminent danger, it was not self-defense and was definitely not a similar response to being shot at. This was clear in all the governorates, as Human Rights observers conveyed many shocking and horrible video footages of cases in which unarmed demonstrators were being killed with cold blood in Baghdad, Diwaniyah and Dhi Qar.
- On the 4<sup>th</sup> of October 2019, firearms were used by law enforcement members, using the sniping style. Human Right observers near the Neurology Hospital recorded cases of demonstrator sniping, with single shots that settled in the heads of the victims. The fire source was near the Kaylani fuel station and the expressway near it, which is a vicinity tightly controlled by law enforcement members.
- Human Rights monitors sampled the empty bullet cases of the bullets used on the demonstrators, by the law enforcement, near Kaylani fuel station, and it showed the actual usage of fire arms with different caliber sized, including 9mm usually used with the Austrian Glock hand guns, Italian Berta guns, in addition to 5.5mm round cases, used

for light American assault rifles like the M16, also 7.62mm round cases were found, which are usually used for assault rifles like the AK47. Lastly, an empty case of a 12mm round was found, which is usually used for hunting.

- Demonstrators burn governmental institutions and political party headquarters in Maisan and Nasiriyah, and were able to break into the Diwaniyah Provincial Council building, and played around with the contents inside.
- On the 3<sup>rd</sup> of October 2019, near Tayaran square, some demonstrators burnt some military vehicles, which were abandoned by the law enforcement members after the increase in the number of demonstrators there. *(Notes: Until 6:40 AM of the 8th of Oct. Ali Haitham Shahab Al Robaii, born 2000, mother's name Salleema Jasim Ali Sudani, living in Sadir city Square 42, disappeared near Bab Sharqi area in the middle of Baghdad since 3 Oct. He is believed to be detained or killed.)*
- On the 4<sup>th</sup> of October, a group that was claimed to be demonstrators, attacked the Zaafaraniyah Police precinct and the Federal Police department, which is located near the interchange at the city's entrance, with Molotov cocktails, and it was not cleared if they had used hand grenades, as stated by an independent source, whereas a Human Rights observer stated that the attackers were tribesmen fueled with vengeance and retaliation for the death of one of their members.
- At 8:15 p.m., on the 5<sup>th</sup> of October 2019, angry demonstrators from Al-Sadir neighborhood, east of Baghdad, burnt 3 military vehicles using Molotov cocktails in Al-Fallah square, in response to the killing of a woman in the nearby Al-Hamza square.
- The Human Rights observers did not have the chance to verify directly, whether or not the law enforcement members were subjected to violence at the hands of the demonstrators, as a result for not being allowed near the locations of the law enforcement, in all the locations. However, Doctors reported that some law enforcement members and officers were brought to them, suffering of various injuries, as a direct result for the use of stones by the demonstrators.

## **6- Human rights monitors, fundamental freedoms, and journalists/media in the field.**

### **A- monitors for Human Rights and Fundamental Freedoms:**

- Monitoring for human rights violations in the demonstrations included all actions taken against demonstrators without differentiating between who was in the circle of demonstration and who was outside of it. Extreme and unnecessary force was used against any person inside, outside, or close to the demonstration area.
- Human rights monitors also were exposed to cases of extreme suffocation and irritation of the eyes, also vomiting from tear gas.
- A human right monitor survived a direct gunshot near a hospital on 04 Oct. 2019. On the same day, another monitor was shot at near Kaylani gas station but luckily survived.
- On 04 Oct. 2019, a human right monitor in Nasirya Governorate was detained and heavily beaten by armed men. He was admitted to hospital for treatment.

- On 03 Oct. 2019, another human right monitor in Basra was detained and transferred to the Operation Command HQ in Zubair area.
- On 02 Oct. 2019, another human rights monitor survived a hit-and-run vehicle attempt in Al Tayaran Square in Baghdad. Five vehicles belonging to riot control were reported attempting to overrun protestors.
- A human rights monitor was stopped and interrogated in Al Sadoon Park area by protestors who accused him of spying for the government. Then, he has to disclose his identity and the data in his possession. He was let go soon after.

#### **B-: Media and satellite TV stations:**

- Armed individuals prevented journalists working for Dijlah TV from covering the news of demonstrations. This decision was issued for all TV channels on 03 Oct. 2019.
- An employee working for Furat Satellite TV channel stated that their office was fired at with RBG7 on 04 Oct., but this information was not verified independently.
- An employee working for NRT Arabia said that their office was raided by some 'armed group' who remained unknown. The armed group started beating the staff and breaking some electronic devices, and also took some computers away and forced the channel office to close.
- There was also some unverified news that the office of Al Arabya channel was attacked by some unknown forces.

#### **7- Public life and livelihood conditions of people:**

- All governorates where demonstrations have taken place have seen a significant restriction on the practice of public and natural life, where many individuals, especially women, felt fear.
- Human rights monitors have recorded the departure of some families from their areas of residence to safer areas where their relatives live until the situation was calm.
- Many inbound and outbound flights from and to Baghdad International Airport were postponed.
- General increase in the prices of food items and vegetables as well as gas and fuel.
- Disruption of most economic activities related to currency and financial transactions because of the shutdown of Internet from 02 October until now.
- Human rights monitors in all areas of the demonstrations observed people buying and storing food and storing fuel such as kerosene, car fuel, and cooking gas.
- In general, sentinel public hospitals, municipal cleaning services and water and electricity availability were not affected as the institutions responsible continued to provide services within their previous capacity.

**\* Legal Framework According to the Local and International Laws:**

The legal basis for assessing the response of governments in the event of peaceful protests and demonstrations in any public sphere is the extent to which human rights and fundamental freedoms are respected and protected in government's response in such events.

The right to demonstrate and peaceful assembly is in the core of any system in any country that respects human rights and fundamental freedoms because in order to influence governments is done through one of two ways: either peaceful or non-peaceful. But it is pushing for a peaceful, non-violent push for change through the exercise of the right to freedom of expression. It will impose a duty to protect it well. In anyway, such demonstrations should be kept peaceful.

Production of protests does not only mean direct protection of individuals inside the demonstration circle, but it goes beyond that and is related to the right of free speech expression through the different media outlets. Protection of protests also means guaranteeing and protect in communication among protesters and their families so that human rights and freedom of speech are protected.

The International Charter has recognized its three basic rights and freedoms, which cannot be compromised and may be subject to restriction. However, this restriction must be necessary, conditional and time-bound.

From this broad framework, both domestic and international laws are initiated by framing these rights and freedoms with clear channels through its articles, whether by the Constitution and the law of the government or through the international instruments ratified and acceded to by the government.

According to the narrative description of the above violations and irregularities that occurred in the Republic of Iraq between October 1, 2019 and October 5, 2019, as a whole, they constitute clear violations of the domestic law of the Republic of Iraq and its international obligations under the relevant instruments that are in accordance to:

**1. The legal framework in accordance with Iraqi law in force for violations committed by law enforcement elements: -**

**- The amended Iraqi constitution for the year 2005**

- Article 38 of the Iraqi Constitution in force guarantees freedom of expression, peaceful demonstration and assembly, which stipulates (the government shall guarantee, without prejudice to public order and public morals ... freedom of expression by all means ..., freedom of assembly and peaceful demonstration and regulated by law).{
- Article 9A of the constitution stipulates that the Iraqi forces shall not be used to suppress the Iraqi people (as in the text) .The Iraqi armed forces and security forces shall be a component of the Iraqi people, taking into account their diversity without discrimination or exclusion. Iraqi security forces shall be used to defend the country, not suppress its people). (Notes: Iraqi Constitution on the website of the Iraqi Parliament in this link).

<http://ar.parliament.iq/%D8%A7%D9%84%D8%AF%D8%B3%D8%AA%D9%88%D8%B1-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A/>

- Article 15 of the Constitution guarantees the right to life. Since there were more than 100 people killed in the demonstrations this is considered a clear violation of the Constitution. As in the text (every individual has the right to life, safety, freedom, individuals should not be deprived from these rights or restricted unless lawfully said otherwise, and based on a formal decision from a specialist judicial authority).
- Search and cordon for demonstrators on the streets and in houses is also a clear violation of the articles of the Iraqi constitution and as in the text (houses of citizens are legally protected and should not be infiltrated or broken into until a formal memo is obtained according to the law).

### **The legal framework for violations committed by law enforcement elements in accordance with penal laws at the local level:**

- Violations committed by law enforcement personnel in accordance with the substantive jurisdiction and jurisdiction are affiliated to Military Law No. 19 of 2007. However, the legislator in Article 81 required that the Penal Code 111 of 1969 and the Anti-Terrorism Law 13 of 2005 apply to all offenses not mentioned in the Military Code. Prosecution of military personnel for all reported violations can be pursued by the Iraqi government through the General Command of the Iraqi Armed Forces through the courts of the Ministry of Justice and not just military courts. It should be noted that there is a detail requires that the convicted defendant be referred to a military court after conviction for the rule of law against him.

### **2. Violations committed by demonstrators in accordance with the Penal Code and the Anti-Terrorism Law in force:**

-Burning Government Institutions: The Iraqi lawmaker has punished the crime of arson in Article 342 of the Iraqi Penal Code No. 111 of 1969, as amended in paragraph (2) G. The penalty shall be life imprisonment or temporary imprisonment if the fire is set in one of the following places: A busy building of an official, semi-official, public, or public utility institution, the burning of government institutions is a serious offense. In the event that the arson was proved to be a terrorist motivation and within the criminal intent of the terrorist offenses, the jurisdiction shall be transferred from the aforesaid article to the Anti-Terrorism Law No. 13 of 2005.

- Cutting the vital and strategic ways taken by the demonstrators, the report writing committee reserves the right to impose sanctions on them, guided by international law, except that the Iraqi lawmaker was not clear about cutting them except by the law of freedom of assembly, which was issued by the Coalition Provisional Authority in Iraq on 10 July 2003 because it was based on The laws and customs of war as stated in its preamble.

### **International legal framework for violations committed by law enforcement elements**

"The report writing committee notes that the irregularities committed by the demonstrators cannot be adapted according to international law because there is no international legal

jurisdiction over Iraqi civilian personnel and technically the absence of an objective, spatial or international element of the irregularities committed during the demonstration period allows for intervention at the international level."

Notes:

To see the text of the Iraqi Constitution gate of the Iraqi parliament see this:

<http://arb.parliament.iq/archive/2007/05/09/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA-%D8%A7%D9%84%D8%B9%D8%B3%D9%83%D8%B1%D9%8A-%D8%B1%D9%82%D9%8519-%D9%84%D8%B3%D9%86%D8%A9-2007/>

To review the text of legislations of the Iraq republic see this link:

<http://iraqid.hjc.iq:8080/LoadArticle.aspx?SC=291120071434757>

To review the text of legislations of the Iraq republic see this link:

<http://iraqid.hjc.iq:8080/LoadLawBook.aspx?SC=210220067254094>

Iraq has ratified and acceded to many international instruments, whether a declaration, a covenant or an agreement. This accession imposes on the Iraqi government specific and clear obligations that have been interpreted either by the special committees or independent working groups on the subject, or through the offices of the United Nations or the International Committee of the Red Cross. Therefore, it imposes respect and fulfillment in terms of implementation, enforcement or enforcement, and the Iraqi government as a representative of the government of Iraq will be asked through multiple channels of UN mechanisms either morally or legally.

Part of these obligations owed by the Republic of Iraq through ratification and accession speaks of ensuring the freedom of peaceful assembly and demonstration. This freedom relates to other rights. Therefore, the international community asks about freedom and everything related directly or indirectly.

According to the violations committed during the dispersal of demonstrations and protests for the period from 1 October 2019 to 5 October 2019, the period covered by this report, international law and according to the substantive jurisdiction will be international human rights law because it came in peace, therefore the obligations that the report writing committee was able to collect are:

### **1. Universal Declaration of Human Rights of 1948:**

The Universal Declaration of Human Rights imposes moral obligations of a nature that amount to legal obligation and are violated in the articles:-

- The right to life.
- Humanitarian treatment and respect for human dignity Article 5.
- Recognition of legal personality Article 6.
- Ending arbitrary detention and restricting unlawful personal liberty Article 9.
- The necessity of freedom of movement Article 13.
- Freedom of expression Article 19.

- Freedom of assembly and peaceful demonstration Article 20.A
- Right of organisations, advocates and media staff to defend human rights and fundamental freedoms Articles 27.B and 28.

## **2. International Covenant on Civil and Political Rights, 1966:**

- Accountability and litigation procedures guaranteed Article 2, paragraph 3. A,B,C.
- Guarantee and protect the right to life Article 6, paragraph 1.
- Guarantee the right for personal security and protection from arbitrary detention. Article 5, paragraphs 1,2,3,4,5.
- Guarantee the right of free movement without restrictions. Article 12, paragraph 1 and 3.
- Guarantee trials without delay. Article 14, paragraph 3C.
- Non-interference in the inspection and investigation of homes, sanctuaries, habitats or any similar human habitation except by judicial and fundamental judicial order and protection from such interference Article 17 Paragraphs 1 and 2.
- Ensuring Freedom of Expression Article 19, 1 and 2 With regard to the restriction in the third paragraph, the Reporting Committee found that, from the information received, the imposition of the restriction was general and comprehensive, and therefore the restriction violated the right to freedom of expression related to the right to demonstrate and peaceful assembly. (Reservation and praise) on the security measure followed in the province of Muthana and in Diyala, where the law enforcement elements allowed the demonstration and dispersed peacefully because the essence of the right is the dispersal of the demonstrators in their desire without pressure. It is fatal in the other demonstrations, which makes reservation on the use of force a subject that is weighed relativity in the realization of human rights
- Ensuring freedom of assembly and related freedoms of peaceful protest Article 21 The Committee is of the view that the absolute, general and comprehensive restriction of the exercise of this right constitutes a clear violation of the essence of the right but, in a related regard, considers actions taken by law enforcement elements to restrict the right. For gatherings that have burned down government institutions and official buildings, some of which have formed a service infrastructure or that constitute private property, such as those of political parties, the report writing committee condemns in the strongest terms the excessive use of force and firearms for the purpose of death, as they see to disperse violent demonstrations in specific areas without resorting to the use of firearms and thus prevent the loss of life.

*(Notes:)*

To see the text of Universal Declaration click here: <http://hrlibrary.umn.edu/arab/b001.html>

To see the full text click here: <http://hrlibrary.umn.edu/arab/b003.html>

### **3. International Criminal Law ICC**

"The report writing committee notes that the legal adaptation under the ICC Statute, which is based on the Rome Statute of 1998, does not apply to the situation in the Republic of Iraq due to the non-ratification and accession by the Republic of Iraq to the above treaty, but has adapted the violations since the ICC has personal jurisdiction. The only international level of accountability for individuals and that the substantive competence may interfere if the elements of crimes are involved in it."

- According to the Elements of Crimes issued by the International Criminal Court in 2002 and ratified by the States Parties to the Treaty of Rome 1998 and specifically in Article VII I, paragraph A First, where the Commission's review of many video recordings confirmed that there were deliberate killings in which firearms were used and the wrongful use of weapons They were used to disperse demonstrations such as tear gas or sound bombs. However, the Commission respects the powers of the investigative authorities to decide whether to use them at the moment of the attack or whether they are from defensive positions where they have not found any information that can be separated in this regard.

### **4. Use of Force and Firearms:**

The report writing committee recognizes the legal jargon at the level of international law that legislation may entail due to the close interdependence between them in terms of the weakness of the international legislator by defining clear and specific criteria concerning specific interpretations of the absence of definitions of force or firearms and the lack of a threshold of proportionality, particularly on the issue of imminent threat. Therefore, the legal adaptation of the Committee will be in this area based on the previous adaptation of demonstrations that witnessed a similar context. The environment prevailing in the Republic of Iraq and is in terms of conditioning divided into: -

- Principle of proportionality: Principle 3 of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials:- What happened in the demonstrations of the Republic of Iraq between October 1 and October 5, 2019 was not the law enforcement elements, especially on October 4, 2019, especially in the area between the Kelani fuel station and Al Nakheel Mall passing through the Neural Hospital, where the area has seen excessive, violent and deadly use of force and firearms. In such cases, security forces must take one of two measures: either use technical means such as clothing and protective fenders, which were not really needed because of the big distance between them and the demonstrators, and the second measurement is related to alternatives, and most importantly negotiations and persuasion which were not used at all. In addition, the commission tasked with reviewing documented information and evidence found that most of the cases of the use of weapons were indiscriminate and from long distances and horizontally towards the populations of protesters, so domestic law, not just international, would presume these to be cases of premeditated murder.

- Principles of necessity include principles 9, 13, 14 and 15 of the above principles, as outlined in the principle of proportionality. What makes the use of force unnecessary is the distance between the protestors and security forces. While the procedure that followed the use was also incomplete, principles 16 and 17 were not respected and criminalized unnecessary force. If not publicly and transparently, the provision of assistance by law enforcement personnel after the use of force in accordance with Principle 18 must be present and this has not been achieved. But the direct deliberate targeting of two ambulances and an emergency medical group in the field was clear and deliberate. As for the wounded, and the use of elements such as non-trained protection force facilities to deal with the demonstrations and protests constitute a violation of the principle 21.

*(Notes) For a full review of the Code of Crimes, check out the link:*

<http://hrlibrary.umn.edu/arab/iccelelements.html>

## **RECOMMENDATIONS:** -

### **1- The Iraq Government**

- Join the 1998 Rome Convention to ensure an international impunity for those who committed grave breaches of crimes against humanity, and whose victims may be in contact with freedom of demonstration, assembly and peaceful assemblies. In addition to further strengthening the role of the Iraqi government in the field of criminal justice.
- Work to bring to justice those responsible for abuses by law enforcement officials, particularly those involved in the deliberate killing of demonstrators. Those should be put on trial in the Iraqi military court.
- Put to justice any individuals or persons who have exploited the right to demonstrations and peaceful assembly to commit criminal offenses such as the burning of official and semi-official institutions.
- The report writing committee recommends that the Iraqi government, the Ministry of Justice and the Ministry of Interior not to pursue the demonstrators who participated in cutting vital and strategic streets.
- The report writing committee recommends that the Iraqi parliament vote to repeal the 2003 Rally and Demonstration Law passed by the Coalition Provisional Authority.
- The report writing committee recommends that the Iraqi parliament should approve the law of freedom of peaceful assembly and demonstration.
- The report writing committee recommends that the Prime Minister, the Ministry of Justice and the Ministry of Interior issue a statement pledging not to prosecute peaceful demonstrators and to cancel any pledges they made about not participating in future demonstrations pursuant to the right to freedom of peaceful demonstration and assembly.
- The report writing committee recommends that the Prime Minister, the Ministry of Justice and the Ministry of the Interior should not prosecute human rights and fundamental freedoms monitors working in the field. That also includes journalists and

media personnel who have performed their moral duties and in accordance with valid local laws.

- The Committee requests the Government of Iraq to consider that the compensation it has given to the families of the martyrs is inadequate and inappropriate to recommend other mechanisms such as offering options for granting them residential plots, guaranteed scholarships or other means of reparation.
- The report writing committee is deeply concerned (with respect to the law in force) about the procedures for investigating violations committed by both sides (protestors and security forces) and requests the Iraqi Ministry of Justice to be more flexible with regard to the secrecy ceiling for the preliminary investigation procedures and to ensure that the trials are public.
- The report writing committee draws the attention of the Iraqi Ministry of Defense, the Ministry of Interior, and the security services associated with the general command of the Iraqi Armed Forces to the urgent need to initiate a broad institutional reform process focusing on training law enforcement personnel (security forces) to respect human rights and fundamental freedoms in particular, and guided by the Iraqi Constitution that are relevant to the domestic law and general international laws.

## **2- The Independent Commission for Human Rights and the Independent Commission for Human Rights in the Kurdistan Region of Iraq (UNHCR)**

- The report writing committee calls on UNHCR to issue a detailed but future report based on good and effective monitoring standards, in particular, including a final confirmation of the preparation of victims as a result of the October 1, 2019 demonstrations in Iraq.
- The report writing committee draws the attention of the Independent Commission on Human Rights to the need to adopt partnerships at the international level aimed at providing advanced capacity-building trainings of human rights and fundamental freedoms.
- The Report Writing Committee invites the Independent Commission for Human Rights in the Kurdistan Region of Iraq to provide any form of technical support to the Independent Commission, civil society organizations in Iraq and monitors of the situation of human rights and fundamental freedoms.

## **3- United Nations and the Red Cross Committee**

- The report writing committee strongly recommends that the United Nations, in particular the Office of the High Commissioner for Human Rights, provide full technical support to all Iraqi law enforcement agencies in their field of training to respect and ensure respect for human rights and fundamental freedoms in cooperation with the Government of the Republic of Iraq.
- The Report Writing Committee recommends to the Human Rights Council, which will oversee the implementation of the Universal Periodic Review of Human Rights in the Republic of Iraq, IRAQ UPR 2019, to ask the delegate of the government of Iraq about to comply with articles 19 and 21 of the International Covenant on Civil and Political Rights

1966 and the procedures followed by the Government of the Republic of Iraq with regard to Justice, accountability, reparation and institutional reform to realize and promote the right to fundamental freedoms.

- The Report Writing Committee recommends that the Office of the High Commissioner (with emphasis) needs to provide a high-level training to monitors of human rights and fundamental freedoms in the field so that they can perform their duties and responsibilities as required.
- The report writing committee suggests that the United Nations and the International Committee of the Red Cross (ICRC) include human rights monitors and observers working in the field with the right to be protected by the international emblem given the serious risks they may face in the field.

**(End of Report)**

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