

AMNESTY INTERNATIONAL

22 February 2010
AI Index: MDE 14/003/2010

Open letter to Iraq's political leaders

As Iraq prepares to hold new parliamentary elections amid continuing controversy over the eligibility of many candidates, Amnesty International is appealing to the country's political leaders to ensure that both the election campaign and the vote on 7 March are conducted peacefully and fully conform with Iraq's obligations under international human rights law.

The elections must not be used as an excuse for further violence

Political leaders must demand that their supporters uphold the law and respect the rights of others, and help prevent the election being used to deepen the sectarian violence that has wracked the country in recent years. They must do all they can to ensure the safety and security of all Iraqis, without discrimination, and uphold their rights to freedom of expression, association and political participation in selecting those who will lead the country in the future.

Amnesty International is also calling on all political parties and their candidates to commit to protecting and promoting human rights in their election manifestoes and in practice, if and when they are elected to office, in full conformity with Iraq's obligations under international human rights law.

Those responsible for suicide bombings and other attacks against civilians must immediately end such attacks, many of which appear to constitute crimes against humanity – crimes of the very gravest nature. Amnesty International condemns all attacks on civilians, utterly and unreservedly, and calls for their immediate cessation. There can be no justification whatever for such attacks.

The following human rights concerns must be addressed by all political parties, their candidates, supporters and others:

Safeguard civilians and their right to vote

The protection of civilians is paramount during elections if voters are to feel assured that they can exercise their right to vote without fear and intimidation.

Iraq's civilian population has borne the brunt of the continuing violence that has ravaged the country in recent years and the record from previous elections is grim. Dozens of civilians were killed in attacks before the last provincial elections on 31 January 2009. The last national parliamentary elections, held on 15 December 2005, saw dozens of civilians killed in attacks by Sunni armed groups and Shi'a militias in the weeks before and during polling.

Amnesty International appeals to all political party leaders and to all religious and community leaders and other persons of influence to speak out against further violence, bloodshed and human rights abuses. They must demand that all Iraqis are able to decide freely and without fear how to exercise their right to vote.

Protection of candidates and election workers

Candidates, party political activists and election workers are among those most likely to be targeted for kidnapping and killing in the run-up to the elections.

At least two candidates have already been killed. Soha 'Abdul-Jarallah, a candidate on the list of former prime minister Iyad 'Allawi, was gunned down as she left a relative's house in Mosul on 7 February 2010. Sa'ud al-'Issawi, a Sunni Arab and candidate for the Iraqi Unity Alliance (IUA), was killed with his two bodyguards at the end of December 2009 in Falluja by a magnetic bomb attached to their vehicle.

Safa 'Abd al-Amir al-Khafaji, the head teacher of a girls' school in Baghdad's al-Ghadi district was shot and seriously wounded by unidentified gunmen on 12 November 2009 soon after she announced that she would contest the elections as a candidate for the Iraqi Communist Party.

'Ali Mahmoud, a staff member of the Independent High Electoral Commission (IHEC), the body responsible for overseeing the elections, was shot dead outside his house in al-Jadiriya district in Baghdad on 17 December 2009.

Nine candidates were killed at the time of the last provincial elections and, at Mandali in Diyala governorate, two election workers were abducted and found shot dead only hours later. Several candidates were killed during the 15 December 2005 poll. For example, Mizhar al-Dulaimi, the leader of the Free Progressive Iraqi Party, was shot dead while campaigning in the centre of Ramadi on 13 December.

Amnesty International calls on the present government, the IHEC and all political party leaders to make every effort to ensure that candidates and elections workers are allowed to go about their legitimate activities freely and without fear or restraint, and are promptly provided with adequate protection whenever appropriate.

Reporting the election: safeguarding journalists

In recent years, Iraq has been one of the most dangerous countries in the world for journalists, many of whom have been targeted for abduction, assassination or other abuses. In 2008, at least 16 journalists and media workers were reported to have been killed; in 2009, at least four were killed.

During the provincial elections of 2009 journalists were subject to harassment, arrest and assault while covering the elections, including by Iraqi security forces and the US military. Some were arrested and held for hours; others were reported to have been prevented from entering polling stations – for example, in Falluja and in al-Hilla - although they had been officially accredited by the IHEC. In Mosul, Iraqi soldiers reportedly fired on journalists' vehicles.

Before and after the July 2009 elections for the Kurdistan regional parliament, several journalists were assaulted, including Nebaz Goran, editor of *Jihan*, an independent magazine, who was attacked by three unidentified men outside his office in Erbil.

Preventing journalists from reporting on elections inevitably increases the risk of election fraud and rigged voting and deprives the public of information to which they have a right to know.

Amnesty International urges all Iraqi political leaders to uphold the right to freedom of expression enshrined in Article 19 of the Universal Declaration of Human Rights: ("Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information"), and to uphold the right of all journalists legitimately to exercise their profession without hindrance and fear of harassment.

Commitment to protect and promote human rights

All political parties and their candidates must recognize that respect for human rights and international law is a fundamental obligation. They must commit to building peace, tolerance and

respect for human rights if elected, including upholding the rule of law by committing to ending arbitrary detentions, torture and other ill-treatment, unfair trials, the use of the death penalty and impunity for those responsible for human rights violations.

They must also ensure that Iraqi legislation is made fully compatible with international human rights law, including legislation relating to women's rights, and is enforced in practice in accordance with Iraq's obligations under international law.

Political parties, candidates and all others with influence, including religious and community leaders, must speak out about the need to protect and safeguard the rights of those most vulnerable. This includes women, who remain subject to legal and other discrimination and violence, and others who are subject to persecution because of their religious, ethnic or sexual identity.

In Mosul, for example, at least 14 members of the Christian minority have been killed in targeted attacks since early December 2009 as political tensions rise further ahead of the 7 March poll. A spate of recent bomb attacks by armed groups appear to have been deliberately targeted in an attempt to fuel the sectarian divide and further violence between Sunni and Shi'a Muslims.

Amnesty International urges that all Iraqis, including members of ethnic and religious minority groups, must be free to cast their votes without any pressure or intimidation.

Women play a transformative role in building and supporting a non-sectarian society. To counter threats to women in conflict-affected situations, the UN Security Council adopted Resolution 1325 urging states to ensure increased participation of women in conflict resolution and peace-building processes, as well as development and reconstruction.

Ending abuses by armed groups

Amnesty International demands that all armed groups immediately cease and desist from carrying out attacks on civilians. Many of these attacks constitute crimes against humanity, crimes of the gravest magnitude under international law. Such crimes cannot be justified under any circumstances. Those responsible must be brought to justice.

Thousands of civilians, including women, children and members of religious and ethnic minority groups, have been killed as a result of suicide and other attacks carried out by armed groups. Hundreds, possibly thousands, of civilians have also been abducted, tortured and killed by armed groups.

Many bombings and other attacks on civilians have been carried out by al-Qa'ida in Iraq and its allies among Sunni armed groups. Other attacks and abuses have been committed by armed militias, some of which are linked to Shi'a political parties represented in the current government and parliament. Amnesty International continues to call for these armed militias to be disbanded.

All attacks on civilians must cease forthwith. The Iraqi people must be allowed to live their lives in peace and security and be allowed to enjoy and exercise their human rights freely and without fear.

Amnesty International urges all political leaders and activists, and all religious, community, business and other leaders and people of influence in Iraq to speak out and commit to the achievement of this objective.

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK
www.amnesty.org