

AMNESTY INTERNATIONAL

Public Statement

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Iraq: Stoning to death of Yezidi girl - Amnesty International seeks further information from the Kurdish authorities and appeals to the Iraqi government

Amnesty International welcomes the Kurdish Regional Government's public condemnation of the recent stoning to death of Du'a Khalil Aswad, a 17-year-old Yezidi girl, and the subsequent summary killing of 23 Yezidi workers, near the northern city of Mosul, reportedly by a Sunni Muslim armed group. In the statement, issued on 1 May 2007, the Kurdish Regional Government (KRG) pointed out that the "honour killing" of Du'a Khalil Aswad took place in the area administered by the Iraqi government, not the KRG, and called for her killers to be brought to justice.

In its statement, the KRG said that there had been 40 convictions for so-called honour killings in the Kurdistan Region since the Kurdish parliament amended the law in 2002 to remove a provision in the Iraqi Penal Code allowing lenient sentences for perpetrators of "honour crimes", and that at least 24 other cases are pending.

Amnesty International has written to the KRG requesting details of these cases, including the names of all those who have been tried for alleged "honour crimes" since the law was changed, how many were convicted and the sentences imposed in each case. The organization has also written to the Iraqi government to seek information about investigations into the stoning to death of Du'a Khalil Aswad and the subsequent murder of 23 Yezidi workers, and calling for the perpetrators of these crimes to be brought to justice promptly and fairly and without recourse to the death penalty. Amnesty International is also urging the Iraqi authorities to amend the law to ensure that "honour killings" are made a serious criminal offence and to take concrete measures to protect all those at risk of becoming victims of "honour crimes".

Background

On 7 April 2007 and in the town of Bashika in northern Iraq, Du'a Khalil Aswad was publicly stoned to death by a group of men, including some of her relatives, because she had engaged in a relationship with a Sunni Muslim boy and had apparently converted to Islam. Her stoning to death was witnessed by hundreds of people some of whom recorded the incident on mobile phones. Local security forces reportedly were present but failed to intervene to prevent the stoning or arrest those responsible. Some two weeks later, on 22 April, 23 Yezidi workers were murdered by gunmen in an apparent act of retaliation.

There are frequent reports of "honour crimes" in Iraq - in particular in the Kurdistan region. The 1969 Iraqi Penal Code contains provisions that allow lenient punishment for "honour killings" on the grounds of provocation or if the accused had "honourable motives" (Article 128). For decades the Iraqi judiciary has

relied on Article 128 to allow such attempts to justify the killings as mitigating circumstances when determining sentences for the perpetrators of "honour killings".

In April 2000 the Kurdish authority controlled by the Patriotic Union of Kurdistan (PUK) issued Decree No. 59: "The killing or abuse of women with the pretext of cleansing the shame is not considered to be a mitigating excuse. The court may not apply articles 130 and 132 of the Iraqi Penal Code number 111 of the year 1969 as amended to reduce the penalty of the perpetrator". In 2002 the Kurdish authority controlled by the Kurdistan Democratic Party (KDP) issued Law No. 14: "The perpetration of a crime with respect to women under the pretext of honourable motives shall not be considered an extenuating legal excuse for the purposes of applying the rules of articles 128, 130 and 131 of the Penal Code, number 111, 1969, amended".