

PUBLIC

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UA 44/07 Incommunicado detention/ fear of torture or ill-treatment

IRAQ **Iqbal Ibtissam (f), aged in her 30s**
Amal Ibtissam (f), aged in her 30s, her sister
Amal Ibtissam's baby daughter
Scores of women and children

Sisters Iqbal and Amal Ibtissam are among scores of women and children being held incommunicado by Iraqi security forces and government militias in the city of Najaf, south of Baghdad. Amal Ibtissam, who is pregnant, is being held with her baby daughter, aged less than a year old. The detainees are at risk of torture or ill-treatment. There are grave concerns for their safety and wellbeing.

The group of women and children were detained on 29 January, when Iraqi security forces, supported by US forces and pro-government militias, launched a massive attack in al-Zarqa, a rural area near the city of Najaf. Some 300 armed men were reportedly killed in the attack. They were members of a religious group calling itself *Jund al-Sama* (Soldiers of Heaven), who were said to have been plotting to kill senior Shi'a religious clerics based in Najaf.

In the aftermath of the attack, Iraqi security forces and pro-government militias reportedly raided the houses of members of *Jund al-Sama* and arrested scores of women and children, including Iqbal and Amal Ibtissam, and Amal Ibtissam's baby daughter. It is thought that they were arrested because of their family links to members of *Jund al-Sama*. All those arrested are reportedly being detained in a makeshift detention centre, formerly a school, in an area called Hay al-Ansar in Najaf. Nothing is known about the conditions in which they are held, but the detainees have had no access to the outside world.

BACKGROUND INFORMATION

Armed men belonging to *Jund al-Sama* were said to have been planning to kill senior Shi'a religious clerics to coincide with the Shi'a festival of *Ashura*, which commemorates the death of Imam al-Hussain in the seventh century. Najaf is one of the Shi'a holiest cities, and senior Shi'a clerics, including Grand Ayatollah 'Ali al-Sistani, are based there.

Iraq is a state party to the International Covenant on Civil and Political Rights (ICCPR), Article 9 of which states that "Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law." It is also a state party to the UN Convention on the Rights of the Child (CRC), Article 37 of which states that "No child shall be deprived of his or her liberty unlawfully or arbitrarily... every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age."

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern at the arrest and continuing detention of scores of women and children, including Iqbal Ibtissam and Amal Ibtissam, and Amal Ibtissam's baby daughter, since the attack on the area of al-Zarqa, near Najaf, by Iraqi and US security forces on 29 January 2007;
- seeking clarification of the reasons for their arrest as well as details of any legal proceedings against them;
- expressing concern that they continue to be held incommunicado and are at risk of torture or ill-treatment;

- calling for the detainees to be given immediate access to all necessary medical care, and to relatives and lawyers;
- urging the authorities to release the women and children immediately if they are not to be charged with a recognizable criminal offence;
- reminding the authorities of their obligations under the terms of the ICCPR and the CRC.

APPEALS TO: In addition to sending direct appeals as directed below, please also send appeals via the Iraqi embassy or diplomatic representative in your country, asking them to forward your appeals to:

President

Jalal Talabani

Salutation: Your Excellency

Prime Minister

Nuri Kamil al-Maliki

E-mail: iraqigov@yahoo.com

Salutation: Your Excellency

Minister of Justice

Hashim al-Shibli

E-mail: minister@iraqi-justice.org
deputy@iraqi-justice.org

Salutation: Your Excellency

Minister of Foreign Affairs

Hoshyar Zebari

E-mail: press@iraqmofa.net

Salutation: Your Excellency

COPIES TO: diplomatic representatives of Iraq accredited to your country. Ask them to send copies to the Human Rights Minister, Wajdan Mikhail.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 6 April 2007.