

Now 4

UPR: Iraq
Canadian HIV/AIDS Legal Network
United Nations Human Rights Council, Geneva. 11th June 2010.

4

Presented by Rowland Jide Macaulay

Mr. President, distinguished members of the delegation,

We commend Iraq's acceptance of recommendations 73 & 74 of paragraph 81 of the Working Group report, in which Iraq commits to take measures to end extrajudicial killings of persons based on their sexual orientation.

We would ask what steps specifically the Government plans to take to fulfil these commitments and end these killings?

UNAMI reports a number of assassinations of homosexuals in Iraq, many of which are unreported by family members for fear of further abuse. Stakeholders have also documented widespread extrajudicial killings of persons on the basis of their actual or presumed sexual orientation. Many men assumed to be gay have been mutilated and their bodies dumped in the streets, while others have been forced to flee Iraq after receiving death threats.

We recommend that legislative steps be taken to protect persons from hate crimes on grounds including sexual orientation and gender identity, and that such crimes be vigorously investigated and prosecuted, with appropriate support provided to victims and their families. We further recommend that public education programs on these grounds be developed, and that sensitivity training be provided to police, judicial and other authorities to promote respect for all persons, including on the grounds of sexual orientation or gender identity.

While we welcome the government's commitment to take action on these matters, we are dismayed by the rejection of recommendations 23,24,25 & 26 in paragraph 83, which call on the government to investigate all allegations of persecution based on sexual orientation and gender identity and ensure that the authors of violence are brought to justice. As UN Secretary General Ban Ki Moon recently stated "We cannot stay quiet when people are denied fundamental rights, whatever their race or faith or age or gender or sexual orientation".

The killings will not end as long as the Government turns a blind eye to violence and persecution, and fails in its international responsibility to investigate and prosecute those responsible.