

International Jurist Organization (IJO) – UPR submission – Iraq – February – 2010

The International Jurist Organization is in special Consultative Status with the ECOSOC of the

United Nations. The IJO with membership in 35 countries world-wide has been working for human rights and respect for rule of law and implementation of internationally recognized conventions and standards.

Since occupation of Iraq in 2003, IJO has been concerned with situation of the exiled members of the PMOI/MeK, the Iranian opposition in Camp Ashraf in Iraq where they are recognized as protected persons under the Fourth Geneva Convention.

According to the well established media reports, video-footages available publicly and reports we have directly received from our counter parts in Camp Ashraf and in Iraq, Society of Jurists of Ashraf and Association of Jurists for Human rights in Iraq during unprovoked attacks by Iraqi forces against unarmed defenseless Camp Ashraf residents on 28 and 29 July 2009, at least 11 residents were killed, more than 500 wounded and 36 were kidnapped.

It is worth noting that according to reports published by residents of Ashraf on the day that the attack begun (28 July 2009), the representatives of Ashraf residents were negotiating with the Iraqi forces' commanders and Iraq's prime minister's envoys at 12 o'clock noon on how to station the police. In this two-hour negotiation, the residents of Ashraf reiterated once again that they had no problem with the police forces taking position at the Camp's entrance, and if the police needed more facilities at the camp's entrance, they would provide them and would pay all necessary expenses and provide full facilities. However, the Iraqi side turned a deaf ear to these words, having resolved to attack and massacre on behalf of the Iranian regime. In the course of negotiations, the prime minister's representative was called from Baghdad three times and was ordered finally to cut off the negotiations and launch the attack.

The severity of attack, the number of Iraqi forces, the type of forces, and their brutal behavior are indications of devastating goals of the operation and clearly show that the problem is not implementation of sovereignty, rather the issue is the destruction of Ashraf at the behest of the Iranian regime.

The unprovoked attacks by Iraqi forces against "protected persons" under the 4th Geneva Convention in camp Ashraf are in grave breach of Article 147 of the 4th Geneva Convention which constitutes crimes against humanity committed by the Iraqi forces against residents of Ashraf.

The following is a report by a resident of Ashraf:

I am Ferial Soltani one of female residents in Ashraf. I am a full time activist with PMOI since thirty years ago. I was an architect student in Iran. After incarceration of my sister and the so-called "cultural revolution" in 1980, I was sacked from university, thus I came to Iraq.

On Tuesday 28 July I was informed that the Iraqi police stormed the Northern part of Ashraf. When I got there I saw them hitting Ashraf residents with baton, axes and wooden bars. We as women made a human wall in order to prevent attacks. The Iraqi police which was supported by special forces clad in black, using Hamvees in their attacks. They run over us with Hamvies. I told a police in Arabic that their action was not compatible with any norms or any religion. He replied back that they had received an order to attack us from Maleki. I witnessed that the Badr and Quds forces looted away our belongings including our cars. It seemed to me it was quite pre organized looting. I pooled out of my car the police who tried to steel my car and instead mounted three wounded in it in order to take them to hospital. I noticed the road was

blocked by Hamvies and police. I tried to bypass them but I could not. In my effort to get through I explained to the police who was stand ing there about the condition of the wounded. Surprisingly he answered me in Persian that they would kill us all today, then he attacked me by axe. He broke the windshield of my car and all the windows. He wanted to mayhem the wounded therefore I deviated the car from the road and took other direction. I would like to let you know that I could still recognize the officer's face when I see him.

If these ferocities are allowed to be committed any where in the world, then what is the meaning of human rights? These brutal raids are incompatible with moral and humanitarian standards. The raids was committed at behest of the Iranian regime and is due to its failure in dealing with the Iranian people's uprising. Sovereignty has nothing to do with these heinous actions. Protection and security is part of the sovereignty of a nation. Therefore these brutal attacks could not defiantly be explained upon the concept of Iraq sovereignty. The Iraqi police told us they would massacre the men and take over our venues and possessions.