



# General Assembly

Distr.: General  
28 February 2012

English only

---

## Human Rights Council

Nineteenth session

Agenda item 3

**Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development**

**Joint written statement\* submitted by the International Youth and Student Movement for the United Nations, the Women's International Democratic Federation, non-governmental organizations in general consultative status, the International Organization for the Elimination of all Forms of Racial Discrimination, the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation, the International Association of Democratic Lawyers, North-South XXI, the United Towns Agency for North-South Cooperation, the Indian Movement “*Tupaj Amaru*”, the Asian Women Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International, non-governmental organizations in special consultative status, the International Educational Development, Inc., a non-governmental organization on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 February 2012]

---

\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## Enforced or involuntary disappearances in Iraq\*\*

\*\* The BRussels Tribunal, Arab Lawyers Association-UK, Geneva International Centre for Justice (GICJ), Association of Humanitarian Lawyers (AHL), The International League of Iraqi Academics (ILIA), The Iraqi Commission on Human Rights (ICHR), Women Will Association (WWA), Organization for Widows and Orphans (OWO), Ikraam Center for Human Rights, Belgian Peace Movement, Ligue camerounaise des droits de l'homme, Monitoring Net of Human Rights in Iraq (MHRI), Women Solidarity for an Independent and Unified Iraq, Geneva Global Media Centre, International Coalition against War Criminals (ICAWC), Medical Aid for the Third World, Association of Iraqi Diplomats (AID), The African Association of Human Rights (AAHR), Protection of Human Rights Defenders in the Arab World, Moroccan Association for the Right to a Fair Trial, Americans Against the War (France), General Federation of Iraqi Women (GFIW), The International Action Center (IAC), American Worker, Association of Iraqi Intellectuals and Academics, The International Network of Arab Human Rights NGOs, America In Solidarity, Federacion De Mujeres Cubanas, Association of Victims of American Occupation Prisons, International Anti-Occupation Network (IAON), International Lawyers.org, International Society of Iraqi Scientists, The Perdana Global Peace Foundation, Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty- CEOSI, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, El Taller International, World Courts of Women, Center for Development Studies- India, Wariscrime.org, Action Center for Justice, 1% A Peace Army.org, A Bigger Tent.org, Agir contre la guerre (France), American Voices Abroad (Berlin, Germany), American Voices Abroad Military Project (Europe), Anti War Fair, Arizona Christian Peacemakers, Armbands for Peace, Arms Against War, Artists Against the War, Backbone Campaign, Be the Change, Become Active, Bike for Peace (Germany), Bill of Rights Defense Committee, Bird Dogger Org., Children of Iraq Association (UK),Bloomington Peace Action Coalition (IN), Blue State News Only, Boston Mobilization, Bring Democracy Back, Bring Them Home, Butterfly Gardeners Association, Citizens for Accountability on Iraq, California for Democracy, Camp Casey Blog, Camp U.S. Strike for Peace Campaign, Campaign Against Sanctions and Military Intervention in Iran, Canada Watch, Carolina Peace Resource Center (SC), Cartoon Free America, Catalysts of Hope, Central Colorado Coalition on the Iraq War, Chester County Peace Movement (PA), Cindy Sheehan Org., Cities for Peace, Citizens for Legitimate Government, Citizens for Peace & Justice, Human Rights for all-Morocco, Christian Clergy For Impeachment.com, Clothing of the American Mind, Coalition Against Election Fraud, Coalition for Impeachment Now (COIN), Code Pink, the Iraqi Association for Human Rights (IAHR), Al-Basa'er Media Association, Consumers for Peace.org, Dhafir Trial.org, DC Anti-War Network.org, Democracy Action, Democracy for America Meetup (Birmingham, AL), The Democratic Activist, Democracy Rising.org, Democratic Underground, Human Resources (Tbilisi, Georgia), Democratic Renewal, Democrats.com, Earth Day.org, Earth Island Institute, East Cobb Democratic Alliance (Cobb County, GA), Eastern Long Island Democracy for America (NY), ECU Peace and Justice NC, Election Solar Bus, Environmentalists Against War, Envision a New America, Foundation for the Development of Fox Valley Citizens for Peace and Justice (IL), Global Exchange.org, Global Network Against Weapons & Nuclear Power in Space, Global Resistance Network, Gold Star Families for Peace, Grandmothers Against the War, Plataforma Aturem la Guerra (Stop the War Catalonia), Grandmothers for Peace, Grass Roots Impeachment, Grass Roots Impeachment Movement, Grassroots North shoreWI, Green Delaware, Hawaii CD-01 Impeachment Action Coalition, Historians Against the War, Honk to Impeach, Idriss Stelley Foundation, Impeach Bush Cheney, Independent Progressive Politics Network, Impeach Bush Coalition, Impeach Bush TV.org, Impeachbush-cheney.com, Impeach Central, Impeach for Peace - Marshall, TX, Impeachable Treason, Impeach Duh, Impeachment Sunday, Inform Progressive Virginia, International Socialist Organization, Impeach Bush Cheney Net, Iraq Veterans Against the War, Iraq Veterans Against the War - Kansas City, Justice Through Music, Lake Merritt Neighbours Organized for Peace (Oakland, CA), Latinos for America, Leader of the Free Word - a great screen saver, Liberal Democracy Alliance, Liberal Kids, LIBERTY TREE Foundation for the Democratic Revolution, Los Angeles National Impeachment Centre, Louisiana Activist Network, Marijuana Policy Project, Massachusetts Impeachment Coalition, Men's Project for Peace, Michael Moore Online.org, Michigan Peace Works,

Since the war in Iraq in 2003, tens of thousands of Iraqi people have been seeking family members who were being missing as a result to the war. The number of missing persons in Iraq ranges from 250,000 to up to one million according to different public sources.

Tens of thousands of Iraqis disappeared during the worst days of the war between 2005 and 2007. Some were seen picked up by uniformed militias and piled into lorries; others simply seemed to vanish. The fate of many missing Iraqis remains unknown. Many are languishing in one of Iraq's notoriously secretive prisons.<sup>1</sup> In September 2010, Amnesty International released a report "New Order, Same Abuses" mentioning that "several detainees have died in Iraqi custody due to torture or abuse by Iraqi interrogators and prison guards. It says that tens of thousands are being held without charges and that guards won't confirm missing

---

Military Families Against the War (UK), Military Free Zone, Stop the War Coalition (Bedford, UK), Million Musicians March, Mission Not Accomplished, Montgomery County Progressive Alliance (MD), Musicians and Fine Artists for World Peace, Muslims for Peace (Australia), National Lawyers Guild - Chicago chapter, National Lawyers Guild - Detroit & Michigan chapter, Northeast Impeachment Coalition, North Jersey Impeach Group (NJ), Northeast Georgia Peace Corner Group (Helen, GA), Northwest Ohio Peace Coalition, Northwest Progressive Institute (Pacific Northwest US), Not in Our Name.org, Not in Our Name (Aotearoa, New Zealand), Nyack Impeachment Initiative (NJ), Ohio Progressive Action Coalition, One Global Community, Olympia Citizens' Movement to Impeach Bush/Cheney (WA), One Million Reasons, Operation Cease Fire, Operation Impeachment, Orange County Grassroots (CA), Out of Iraq, Out of Iraq Bloggers Caucus, Patrick Henry Democratic Club, Patriotic Pulse, Patriots for Gore, Peace Action, Peace Action Wisconsin, Peace and Accountability, Peace Drum, Peace Majority, Peace Movement Aotearoa (New Zealand), Peace Reso.org, Peninsula Peace and Justice Center (Palo Alto, CA), People's Campaign for the Constitution, People Powered Impeachment, People's Email Network, People's Glorious Five Year Plan, Picnic to Impeach, Pixel4Peace.org, Playing in Traffic, PledgeToImpeach.org, Political Cooperative, Politics and Art, Progressive Action Alliance, Progressive Action Center, Progressive Avenues, Progressive Democrats of America, Progressive Democrats of Hawaii Project Filibuster, Project for the OLD American Century, Refusing to Kill.org, Rescue Our Democracy, Sacramento for Democracy (CA), St Pete for Peace (FL), Sampsonia Way, San Diego for Democracy, School of the Americas Watch, Sheehan for Congress, South Florida Impeachment Coalition, South Mountain Peace Action (Maplewood & South Orange, NJ), Springs Action Alliance (CO), Stop the War Coalition (UK), Students for Impeachment, Students Towards a New Direction (STAND), Summit County Progressive Democrats (OH), The Known UnKnowns, The Politically Incorrect Cabaret, The Rational Response Squad, Think Blue Dems, Time for Accountability, Toronto Coalition to Stop the War (Canada), Torture Abolition and Survivors Support Coalition International, True Blue Liberal.org, Trumansburg Impeachment (NY), Truth Empowered, Truthtelling Project, UC Nuclear, Underground Action Alliance, Unitarian Universalist Peace and Justice Group (Nantucket, MA), United Blue USA, United for Veterans (Wayne, MI), United Progressives, Upbeat Defiance, US Peace Memorial, US Tour of Duty: Iraq Veterans and Military Families Demand the Truth, Velvet Revolution, Vet Gulf March, Veteran Intelligence Professionals for Sanity, Veterans for Peace, Chapter 27, Virginia Grassroots Coalition, Voters for Peace, We the People for Peace, We the People Network, We the People Now, We The People United Bangladesh.org, Peace Surge, Peace and Justice Action League of Spokane (WA), Stop the War (UK), U.S. Peace Council, World Can't Wait.org, World Prout Assembly, Komite Internasionalista- Basque, Asociación Paz, Igualdad y Solidaridad Internacional, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, Málaga, Spain, Stop Fascism Action Network, The Asian Jurists Centre, Association of Human Rights Defenders in Iraq (AHRDI), The African Center for Human Rights (ACHR), Veterans for Peace, Your Declaration of Independence.org, Arab Lawyers Network-UK, Conservative Centre of Environmental & Reserves in Fallujah (CCERF), Willie Nelson Peace Research Institute, Studies Centre for Human Rights and Democracy, The Iraqi Centre for Human Rights, Association internationale des droits de l'homme, NGOs without consultative status, also share the views expressed in this statement.

<sup>1</sup> [http://www.atimes.com/atimes/Middle\\_East/LJ13Ak03.html](http://www.atimes.com/atimes/Middle_East/LJ13Ak03.html)

persons' whereabouts to their relatives, which, for Iraqi families who'd lost loved ones, was one of the most devastating aspects of the U.S. occupation."<sup>2</sup>

Between 2006 and June 2007, some 20,000 bodies were deposited at the Medico-Legal Institute in Baghdad, less than half of whom have been identified, the Red Cross said. Unclaimed bodies are buried in various cemeteries around the city.<sup>3</sup>

In addition, the Medico-Legal Institute (MLI) in Baghdad reported that it has been receiving an average of 800 bodies per month since 2003 and is unable to identify a significant proportion of these.<sup>4</sup> Dr. Munjid Al-Rezali is the Director General of the Medical Legal Institute, which controls the Missing Room said that the actual number of the photos on the database is confidential but that: "Those who went missing [in Baghdad] between 2005 and 2007 were about 30,000 – 40,000. The corpses of many of those have been brought to the institute here."<sup>5</sup>

The report of the Human Rights Office of UNAMI, issued on September 8th 2005, was very explicit, linking the campaign of detentions, torture and extra-judicial executions directly to the Interior Ministry and thus also to the US-led Multi-National Forces, who reorganised the Ministry of Interior and established the Special Police Commandos.<sup>6</sup> John Pace, who left Baghdad in January 2006, told The Independent on Sunday that up to three-quarters of the corpses stacked in the city's mortuary show evidence of gunshot wounds to the head or injuries caused by drill-bits or burning cigarettes. Much of the killing, he said, was carried out by Shia Muslim groups under the control of the Ministry of the Interior.<sup>7</sup>

As in other countries where US forces have engaged in what they refer to as "counter-insurgency", American military and intelligence officials recruited, trained, equipped and directed local forces which engaged in a campaign of state-sponsored terror against the overwhelming proportion of the local population who continued to reject and oppose the invasion and occupation of their country.

The degree of US initiative in the recruitment, training, equipping, deployment, command and control of the Special Police Commandos made it clear that American trainers and commanders established the parameters within which these forces operated. Many were certainly guilty of terrible crimes in the conduct of this campaign. But the prime responsibility for this policy, and for the crimes it involved, rests with the individuals in the civilian and military command structure of the US Department of Defence, the CIA and the

<sup>2</sup> <http://www.mcclatchydc.com/2010/09/14/100580/amnesty-international-slams-iraq.html>

<sup>3</sup> [http://www.redcross.int/en/mag/magazine2008\\_1/4-9.html](http://www.redcross.int/en/mag/magazine2008_1/4-9.html)

<sup>4</sup> <http://www.ic-mp.org/icmp-worldwide/middle-east/iraq/>

<sup>5</sup> <http://www.thebureauinvestigates.com/2011/07/03/the-ghosts-that-haunt-baghdad/> On April 16, 2009, al-Rezali said that only about a third had since been identified. "In 2006, there was an average of 3,000 bodies a month ... I call this a year of horror. The Baghdad morgue took in about 16,000 unidentified bodies in 2006 alone, the bulk of them victims of death squads and other sectarian violence, a source at the morgue said on 14 January 2007. "Ninety percent of the bodies received in 2006 were unidentified, compared with 50 percent in 2007 and 15 percent in 2008," These figures only relate to one city: Baghdad. No relevant data are available about enforced disappearances and missing persons in other Iraqi cities and provinces. But it can be assumed that the real number is much higher than the Iraqi government acknowledges. See, <http://www.reliefweb.int/rw/rwb.nsf/db900sid/MWAI7R74BB?OpenDocument&query=disappeared%20iraq&cc=irq> and <http://gulffnews.com/news/region/iraq/morgue-took-16-000-unidentified-bodies-in-2006-1.155117>

<sup>6</sup> <http://www.guardian.co.uk/world/2006/mar/02/iraq.jonathansteele>

<sup>7</sup> Patrick Cockburn in <http://www.independent.co.uk/news/world/middle-east/iraqs-death-squads-on-the-brink-of-civil-war-467784.html>

White House who devised, approved and implemented the “Phoenix” or “Salvador” terror policy in Iraq, and presented it to the public as “sectarian violence”.

Fact: each Iraqi unit of the National Police (Formerly the Special Police Commandos) generally had at least two U.S. officers attached to it, usually from U.S. Special Forces units.<sup>8</sup> In November 2005, the U.S. advisers attached to the Wolf Brigade were from the 160th Special Operations Aviation Regiment, known as the “Nightstalkers”.<sup>9</sup>

### **Bodies not claimed for fear of reprisals**

The bimonthly UN Human Rights Report of 16 January 2007 stated: “The situation is notably grave in Baghdad where unidentified bodies killed execution-style are found in large number daily. Victims' families are all too often reluctant to claim the bodies from the six Medico-Legal Institutes (MLIs) around the country for fear of reprisals. The deceased’s families are required to obtain permission from the police station which brought the body to the MLI, but many are too afraid and believe that police officers could be responsible for the disappearances and killings (...).”<sup>10 11 12</sup>

In a March 20, 2008 report, the Iraqi Red Crescent said it had registered about 70,000 cases of missing persons in Iraq since just after the war started.<sup>13</sup> Even the IRCS is not immune from the anarchy that plagues Iraq: on December 17, 2006, 30 of its staff were kidnapped from one of its Baghdad offices, 13 of whom are still missing.<sup>14</sup>

### **2003-2011: Are half a million Iraqis missing?**

The total internally displaced population as of November 2009 was estimated to be 2.76 million or 467,517 families.<sup>15</sup> 20% of these families reported children to be missing. A simple calculation shows that more than 93,500 children of internally displaced families are missing. Moreover, many communities reported missing family members (30% of IDPs, 30% of IDP returnees, 27% of refugee returnees) indicating that they were missing because of kidnappings, abductions and detentions and that they did not know what happened to their missing family members.<sup>16</sup> A rough estimate would therefore bring the number of missing persons among the refugee population and the internally displaced after “Shock and Awe” to 260,000, most of them enforced disappearances.<sup>17</sup>

<sup>8</sup> <http://www.defense.gov/news/newsarticle.aspx?id=18182>

<sup>9</sup> <http://www.antiwar.com/orig/porter.php?articleid=8335>

<sup>10</sup> [http://www2.ohchr.org/SPdocs/Countries/bimonthly\\_16012007.doc](http://www2.ohchr.org/SPdocs/Countries/bimonthly_16012007.doc)

<sup>11</sup> <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EVOD-76JGPZ?OpenDocument>

<sup>12</sup> <http://query.nytimes.com/gst/fullpage.html?res=9507E4DB133FF933A05754C0A9609C8B63&pagewanted=all> “Relentless Sectarian Violence in Baghdad Stalks Its Victims Even at the Morgues,” the New York Times headlined on 30 July 2006. The morgues have become a source of danger, at least for Sunni Arabs. Shiite militias have been staking out Baghdad's central morgue in particular, and the authorities have received dozens of reports of kidnappings and killings of Sunni Arabs there.”

<sup>13</sup> <http://ibnlive.in.com/news/missing-iraqis-nearly-impossible-to-trace/61622-2.html>

<sup>14</sup> [http://www.reliefweb.int/rw/lib.nsf/db900sid/AMMF-74ABRC/\\$file/fmr-idp-jun2007.pdf?OpenElement](http://www.reliefweb.int/rw/lib.nsf/db900sid/AMMF-74ABRC/$file/fmr-idp-jun2007.pdf?OpenElement)

<sup>15</sup> [http://www.internal-displacement.org/idmc/website/countries.nsf/\(httpEnvelopes\)/B6C0B024031DFA0F802570B8005A74D6?OpenDocument](http://www.internal-displacement.org/idmc/website/countries.nsf/(httpEnvelopes)/B6C0B024031DFA0F802570B8005A74D6?OpenDocument)

<sup>16</sup> <http://www.uniraq.org/documents/UNHCR%20Iraq%20Protection%20Monitoring%20%20Jan-Oct%202009.pdf>

<sup>17</sup> The UNHCR report of 2009 mentions that the majority of refugee returnees had fled due to generalized violence (51%), targeted threats or attacks (39%) or military operations (3%). <http://www.uniraq.org/documents/UNHCR%20Iraq%20Protection%20Monitoring%20%20Jan-Oct%202009.pdf>

### **Iraq's notorious secret prisons**

The policy of ambiguity followed by US occupation forces, the CIA rendition program and the secret US prisons in Iraq, which even international organizations have failed to locate, added to the large number of Iraq's secret prisons, which one member of Iraqi parliament estimated to exceed 420 secret prisons, have led to a large number of reported and unreported cases of forced disappearances, as described in the reports submitted by a number of NGOs to the office of High Commissioner of Human Rights in the course of the Universal Periodic Review of the United States, November 2010.<sup>18</sup>

### **Political pressure to lower death toll**

On August 10, 2006 Reuters mentioned that Iraq's Health, Interior and Defence ministries consistently provided lower figures than those released by the morgue.<sup>19,20</sup>

A spokesman for the Iraqi Health Ministry said that the ministry has required health officials in Baghdad not to receive any unidentified corpses and that unidentified corpses should only be received by the morgues institute.<sup>21</sup>

### **Disappearances at checkpoints**

According to Mukhaled al-A'ani, a spokesman for local Iraqi NGO Human Rights Association (HRA), on June 6, 2007 the number of people who had disappeared after being arrested at checkpoints in the capital had increased significantly since February 2007. The Iraqi Ministry of Human Rights said it has looked into many cases of Iraqis missing after being stopped at checkpoints, but said "police officers have shown sufficient proof that they have not had anything to do with their disappearances."<sup>22</sup> That contradicts many eyewitness accounts. So it is perfectly understandable that the apparent lack of justice in Baghdad has led to many of its residents distrusting authorities, whether army, police or government officials.<sup>23</sup>

### **Call for an independent international enquiry**

Iraq is a member of Convention for the Protection of All Persons from Enforced Disappearance since 23 November 2010, and was the 20th country to implement its ratification. Following Iraq's ratification of this International Convention, the treaty was finally be implemented on 23 December 2010.<sup>24</sup> The USA has not signed or ratified this

<sup>18</sup> [http://www.brusselstribunal.org/pdf/NGOs\\_FULL\\_REPORT\\_UPR.pdf](http://www.brusselstribunal.org/pdf/NGOs_FULL_REPORT_UPR.pdf)

<sup>19</sup> [http://www.nzherald.co.nz/world/news/article.cfm?c\\_id=2&objectid=10395546](http://www.nzherald.co.nz/world/news/article.cfm?c_id=2&objectid=10395546)

<sup>20</sup> The Guardian reported on March 19, 2008: "There is no shortage of estimates, but they vary enormously. The Iraqi ministry of health initially tried to keep a count based on morgue records, but then stopped releasing figures under pressure from the US-supported government in the Green Zone. The director of the Baghdad morgue, already under stress because of the mounting horror of his work, was threatened with death on the grounds that by publishing statistics he was causing embarrassment. The families of the bereaved wanted him to tell the truth, but like other professionals he came to the view that he had to flee Iraq. Dr Salih Mahdi Motlab al-Hasanawi, the health minister appointed after the ministry's ban on releasing official morgue figures, said the survey was prompted by controversy over civilian casualties." <http://www.guardian.co.uk/world/2008/mar/19/iraq>

<sup>21</sup> <http://www.nytimes.com/2006/07/05/world/middleeast/05iraq.html>

<sup>22</sup> Read <http://www.brusselstribunal.org/Newsletters/Newsletter7EN.htm>

<sup>23</sup> <http://www.reliefweb.int/rw/rwb.nsf/db900sid/EVOD-73WGAN?OpenDocument&query=disappeared%20iraq&cc=irq>

<sup>24</sup> [http://en.alkarama.org/index.php?option=com\\_content&view=article&id=637:un-iraq-ratifies-un-implements-enforced-disappearances-convention&catid=16:communiqu&Itemid=162](http://en.alkarama.org/index.php?option=com_content&view=article&id=637:un-iraq-ratifies-un-implements-enforced-disappearances-convention&catid=16:communiqu&Itemid=162)

convention.<sup>25</sup> The United States refused to sign, saying that the text "did not meet our expectations", without giving an explanation.<sup>26</sup> Once again the United States placed itself outside the provisions of International Humanitarian law.

According to the Rome Statute of the International Criminal Court, which came into force on 1 July 2002, when committed as part of a widespread or systematic attack directed at any civilian population, a "forced disappearance" qualifies as a crime against humanity, and thus is not subject to a statute of limitations.<sup>27</sup>

On 27 April 2011 the Iraqi government has set up a committee to trace thousands of Iraqis missing since the 2003 US-led invasion, said an official. The government committee includes representatives from the ministries of defence (Islamic Dawa Party), interior (Islamic Dawa Party), national security (Islamic Dawa Party), health (Al Sadr bloc), justice (Islamic Virtue Party) and human rights (Islamic Dawa Party), in addition to intelligence services and anti-terrorism forces.<sup>28</sup>

Many of those Ministries are involved or are leading the very militias that have been suspected of carrying out most of the ferocious crimes of extrajudicial assassination, inciting sectarian violence, torture and enforced disappearance, in conjunction with the occupying forces. So how can one expect this committee to investigate the very crimes that their militias are responsible for?

#### **Investigation in Jadiriya detention and torture scandal needed**

The Report of the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, 19/02/2010, mentions:

"In 2006, drawing attention to the lack of effective investigations after its discovery, UNAMI noted that: One year after the discovery of the illegal detention centre of al-Jadiriya's bunker in Baghdad, on 13 November 2005, where 168 detainees were unlawfully detained and abused, the United Nations and international NGOs ... continue to request that the Government of Iraq publish the findings of the investigation on this illegal detention (...) The failure to publish the al-Jadiriya report, as well as other investigations carried out by the Government regarding conditions of detention in the country, remains a matter of serious concern and affects Iraq's commitment to establish a new system based on the respect of human rights and the rule of law."<sup>29</sup>

Why was the nature and extent of involvement and cooperation between different individuals and groups within the US occupation structure and the Ministry of Interior never investigated? After all, American Intelligence Officers had their headquarters in the same building where torture and unlawful detentions took place. Without an independent international investigation the urgent problem of enforced disappearance in Iraq cannot be solved.

<sup>25</sup> [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-16&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-16&chapter=4&lang=en)

<sup>26</sup> <http://english.aljazeera.net/news/europe/2007/02/200852513385877874.html>

<sup>27</sup> <http://www.amazon.co.uk/Forced-Disappearance-International-Criminal-limitations/dp/6130247583>

<sup>28</sup> <http://www.unhcr.org/refworld/country,,IRIN,,IRQ,,4dbe609c1e,0.html>

<sup>29</sup> It may be recalled that a Joint-Inspection Committee was established after the discovery of the al-Jadiriya's bunker in November 2005, in order to establish the general conditions of detention. The existence of the bunker was revealed after a raid of the Ministry of Interior's bunker by MNF I/Iraqi forces. The Iraqi Government should start a judicial investigation into human rights violations in al-Jadiriya. <http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A-HRC-13-42.pdf>

### **What happened to thousands of arrested Iraqi civilians in 2011?**

In the wake of the troops withdrawal, thousands of people have been arrested in 2011 all around Iraq in an operation launched by the security forces against members of the banned Ba'ath party. The crackdown started in October 2011 when the Ministry of Higher Education went after members of Tikrit University in Salahaddin. That was quickly followed by a wave of detentions across six of Iraq's eighteen provinces. Police forces in Basra have arrested about 2312 wanted persons since the beginning of 2011 until 25 June. Most of the arrested were detained on criminal charges, as well as terrorist activities.<sup>30</sup> Hundreds more have been arrested in the following months in different Iraqi provinces. On 31 October Government security forces arrested 115 civilians during raids and searches carried out in various Iraqi Provinces including Nineveh, Diyala, Baghdad, Saladin, Anbar, Vasisit and DhiQar. They also arrested 347 civilians after similar military raids and attacks in many provinces<sup>31</sup>.

By early November 2011, the government announced that 655 former Baathists had been picked up.<sup>32</sup> While Iraqi NGOs confirmed the number at the end of January 2012 is exceeding 2000 innocent persons.

The fate of many of these arrestees remains unknown. Family members are asking about the whereabouts of their missing loved ones. Can the Iraqi government clarify what happened to these enforced disappeared persons?

### **The NGOs signatories to this statement call on the United Nations in general and the Human Rights Council in particular to:**

- Ensure that all human rights violations in Iraq during the sanction and the invasion and occupation be investigated by an international independent body.
- All measures must be taken to end the current state of impunity, both within Iraq, and with regard to the culpability and responsibilities of the occupying powers in particular.
- Appoint a UN Special Rapporteur for the Human Rights situation in Iraq.
- Request the High Commissioner to present to the Council a detailed report on the Human Rights violations in Iraq since 2003 according to UNAMI and the civil society reports.
- Request the UN Working Group on Enforced or Involuntary Disappearances to focus on the disappearances in Iraq in its future reports.

---

<sup>30</sup> [http://en.aswataliraq.info/Default1.aspx?page=article\\_page&id=143433&l=1](http://en.aswataliraq.info/Default1.aspx?page=article_page&id=143433&l=1)

<sup>31</sup> <http://heyetnet.org/eng/iraq-news/5979-mass-arrests-continue-115-arrest.html>

<sup>32</sup> <http://www.aknews.com/en/aknews/8/274009/>