

Executing political opponents & their lawyers: Imminent threat to Iraqi Defense Attorney Badee Izzat Aref

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Statement by The BRussells Tribunal Committee (7 April 2007)

URGENT ALERT:

IMMINENT THREAT TO IRAQI LAWYER
BADEE IZZAT AREF

We have received information that the liberty and life of **Badee Izzat Aref**, prominent Iraqi lawyer to Tariq Aziz and several members of the government of President Saddam Hussein, is in danger.

Aref has been under US house arrest for 17 days and the Maliki government is demanding he be handed over by US authorities to face charges of defaming the Iraqi judicial system following comments he allegedly made on the unfair trials and summary executions of President Saddam Hussein and others.

Given the Maliki government's eagerness in summarily executing its political opponents — including their lawyers — we have firm reason to believe that Aref is in immediate danger of being tortured and/or assassinated.

On 21 June 2006, lawyer Khamis Al-Obaidi, defence counsel for late President Saddam Hussein, was tortured and assassinated in Baghdad, joining lawyers Sadoun Al-Janabi, killed in October 2005, and Adel Al-Zubaidi, killed in November 2005. In all cases, witnesses alleged the Iraqi government was involved. Al-Obaidi was the ninth person connected with the trial of President Hussein to be killed.

Throughout the proceedings of the Iraqi Special Tribunal lawyers were repeated threatened. This fact alone is testament that all defendants before the Iraqi Special Tribunal faced unfair trials.

The United States is directly responsible under international law

We remind occupation authorities that Badee Izzat Aref is a protected person under international humanitarian law, which governs the US occupation, and has guaranteed rights under international human rights law.[i] International humanitarian and human rights law outlaws torture and summary execution, incommunicado detention, the ill treatment of

detainees, or denial of access to legal counsel.

Further, Aref — as a human rights defender — is additionally protected by the UN Declaration on Human Rights Defenders.[ii]

It is a grave violation of international humanitarian law to put protected persons in danger by consciously handing them over to any party that might violate their fundamental human rights. Given the appalling human rights record of the Maliki government, we believe that Aref will be subject serious violations of his human rights — including his right to life — unless there is urgent intervention on his behalf and US authorities respect their duty to protect him.

The BRussells Tribunal demands assurances of the wellbeing, liberty and security of Badee Izzat Aref. The US occupation is directly responsible for Aref's welfare and must guarantee his security.

The imminent danger faced by Badee Izzat Aref illustrates once again that the US-Maliki plan for Iraq has failed and that all they can now propose is repression and executions.

Take action now!

We call on all news agencies, human rights organisations, national and international press associations and freedom of expression advocacy groups to stand in solidarity with Badee Izzat Aref and all patriotic human rights defenders in Iraq and take immediate action to help secure his rights and all those defending the integrity of law against the ravages of the occupation.

The BRussells Tribunal Committee
<http://brusselstribunal.org/Aref.htm>

Please circulate this alert widely.

For information contact: info@brusselstribunal.org

[i] See Articles 6-7 and 14 of the [International Covenant on Civil and Political Rights](#) and Articles 113 and 116 of the [Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War](#).

[ii] See [UN Declaration on Human Rights Defenders](#), adopted by the UN General Assembly (A/RES/53/144) 8 March 1999. Article 12, subsections (2) and (3) read: "The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, as well as acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms."

UPDATE

Dear all,

Within hours of issuing our alert we heard that Iraqi lawyer Badee Izzat Aref had made it outside Iraq. At this time we believe he is safe, though his issue is unresolved with the Iraqi puppet government.

The proximity of the issuance of our alert and receiving this news illustrates the difficulty of defending human rights in Iraq: we had been forced to wait several days before issuing a public alert because of substantiated fears that public attention to Aref's case may have accelerated his execution, not prevented it.

This is the reality of Iraq under occupation, where neither the occupation nor its client Iraqi authorities respect the rule of law or public concerns.

We thank all who reacted to this alert and who continue to work for justice against barbarity and in solidarity with the sovereignty of Iraq and the Iraqi people.

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