

Human Rights in Iraq: Horrendous Wave of Executions

Daniela Dönges on the deplorable system of capital punishment in Iraq

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Daniela Dönges, senior human rights researcher at Geneva International Centre for Justice (GICJ), gave an interview with Salam Musafer from Russian Television RT. Speaking about the horrendous wave of executions in Iraq she explained that the increasingly high number after the US-invasion in 2003 is a topic of great concern to GICJ, which has warned in numerous urgent appeals, reports and statements in the Human Rights Council about the total absence of fair trial standards in Iraq and that death sentences are frequently based on confessions extracted under torture.

In view of the official justification made by the Iraqi government that all executed are terrorists Daniela Dönges warned that first-hand information obtained and documented by GICJ stood in direct opposition to such affirmations made by the Iraqi government and that only an independent and fair judiciary could decide about the innocence or guiltiness of a person. GICJ is working intensively with people on the ground, among them well-respected lawyers and experts, she said, and the Iraqi government's efforts to justify mass executions are merely attempts to cover-up its tremendous human rights violations.

Of course GICJ has heard the Iraqi delegation in the Human Rights Council defend the horrendous execution practises by the Iraqi government under the pretext of combating terrorism, Daniela Dönges said, but one simply has to take a look at practises inside detention centres in the country and consider that the issue of torture and coerced confessions has been raised by many human rights organizations. Thanks to its many contacts inside Iraq, she unwaveringly stated, GICJ knows what is happening on the ground, and there is absolutely no doubt that there are major problems in the Iraqi judicial system after 2003, especially in view of the executions.

Confronted with the fact that the Iraqi government commonly accuses NGOs such as GICJ of working on a sectarian base, Daniela Dönges dryly stated that the United Nations High Commissioner for Human Rights Navi Pillay herself as well as the United Nations Assistance Mission for Iraq UNAMI, who have frequently raised concerns about the flawed Iraqi judicial system and the executions carried under such circumstances, could certainly not be accused of working on a sectarian base and that the real sectarian approach is adopted by those who in a discriminatory manner accused its people for being terrorists without having the proof.

In a next step Daniela Dönges said that GICJ knew from its work on the ground that the

pretext of combating terrorism is frequently used as a weapon to prosecute and oppress political opponents, but the real issue at hand is that everybody in this world, regardless of a crime, has the right to a fair trial and legal assistance. No government in the world can therefore accuse anybody of terrorism without having a proof. Only a fair and independent judiciary can do so. Unfortunately since the US-invasion in 2003 the human rights situation in Iraq is constantly deteriorating, Daniela Dönges explained, adding that GICJ is relentlessly working on restoring justice and accountability for the people in Iraq and documenting human rights violations to this end.

At present the situation is getting worse day by day, Daniela Dönges said, and the Iraqi government rules with an iron fist along sectarian lines, judging people based on their political affiliation, which leads to increasing human rights violations, heavy restrictions of the freedom of speech and peaceful assembly in addition to random mass arrests campaigns such as the Thar Al Shuhada Campaign in August 2013. It is therefore overly important that human rights organisations, NGOs and the international community address these issues and put pressure on the Iraqi government in order to stop human rights violations and assure that the fundamental human rights of every Iraqi be respected, Daniela Dönges insisted.

Questioned about the issue of birth defects in Iraq Daniela Dönges then made clear that this problem is sadly downplayed by the Iraqi government, although official sources well prove the horrendous increase of cancer and malformations in certain areas following the US invasion in 2003. Unfortunately the poor medical care due to the shattered Iraqi health system which used to be one of the best in the region and the forced displacement of qualified medical staff has led to a humanitarian disaster without precedent, she then further explained, so that the issue of birth defects and malformations has become a serious humanitarian issue.

As a last point the interview addressed the question of the US- responsibility for the horrendous situation in Iraq following the invasion in 2003. The US-invasion in 2003 was a clear breach of international law and in contravention of the United Nations Charter, Daniela Dönges observed. There was no justification for such an invasion whatsoever and it is well known that the weapons of mass destruction were only a pretext to the end of a regime change. Any political intervention however is illegal under international law so that from the very outset the invasion of Iraq as well as the methods introduced under occupation are to be condemned. The sad result can be witnessed today, since a strategy, that excludes half of the population based on their political affiliations and along sectarian lines must necessarily lead to a disaster.

Finally Daniela Dönges explained that the right of truth, justice and reparations is enshrined in international law and that the Iraqi people are entitled to compensation. In a first step this means that the time for an official apology to the Iraqi people is ripe, especially as in summer 2013 the American Secretary of State John Kerry publicly declared that any military intervention would not repeat the mistakes of the Iraqi invasion, which was tantamount to an admission of guilt. In a second step compensation should comprise the reconstruction of the Iraqi infrastructure together with its health and education system, undertake an environmental clean-up, address the number of birth defects in Iraq, work on ending human rights violations and hold those perpetrators since 2003 accountable. The Iraqi people have the right to reparations and shall not be forgotten by the international community, Daniela Dönges concluded.

The interview was quoted by several other media, among them Al Sharqiya (min 5:31)

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