

Forced Disappearance is a Vindictive Practice and Collective Effort is Needed to Eradicate it

The Ceasefire Center for Civilian Rights shared a deliberate report on Jan 19, 2021, entitled “The Forever Crime: Ending enforced disappearance in Iraq”. The report objectively, to a good extent, outlines the history of forced disappearance in Iraq from 1968, the year in which the Baathist party took power, to present. There are few allegations towards KRG, however, to which clarifications are needed.

KRG Coordinator Office for International Advocacy (OCIA) shares the statement below:

As far as Iraq is concerned, the Ceasefire Center has painstakingly summarized the lexical definitions of forced disappearance, examined the domestic legal framework, highlighted the implications of international conventions, and provided conceivable solutions. Besides, the report sympathetically narrates the dreadful history the Iraqi people have witnessed in the 1970s and 1980s, particularly the Kurds, who faced extermination, expulsion from their homeland, and ‘Arabization’.

Still, there are some allegations in the report that are perhaps based on the off-beam findings of other organizations. For instance, the Ceasefire Center alleges that 350 detainees have been reported missing prior to the events of October 16, 2017. Assuredly, no one was arrested by Asaysh in Kirkuk before the above-mentioned date. There was only a temporary facility in Debes to transfer the militants and suspects of ISIL from Hawija to Erbil. The figure mentioned above comprises those who surrendered themselves and subsequently confessed that they served the terrorist organization. Most of them by now are either extradited to the Iraqi authorities, or continue serving their sentence. They enjoyed their legal rights, including access to lawyers, family visits, *habeas corpus*, and etc.

Furthermore, the organization claims that ISIL-affiliated juveniles were mistreated in the detention facilities. The situation in the detention facilities in the Kurdistan Region is monitored and enhanced by international counterparts, including the International Committee of the Red Cross (ICRC) and United Nations Assistance Mission for Iraq (UNAMI). The latter also represents the Office of the High Commissioner for Human Rights (OHCHR). The children have been treated as victims rather than criminals, and are placed in shelters where decent care is provided. The juveniles and women, who are convicted of being ISIL affiliates, are held in the Reformatory Center.

Furthermore, KRG provides lawyers for those who are financially incapable to afford one. UNICEF assigned lawyers to observe the cases of the detainees. In addition to the lawyers that are provided for the detainees by the government, the Erbil Women and Juveniles Reformatory Center has worked with the civil society on multiple occasions to provide volunteer/non-volunteer lawyers for the terrorism child detainees.

KRG denies the existence of secret prisons. There is a strong presence of international NGOs and diplomatic missions in the Kurdistan Region. Moreover, KRG finds this practice alien to the democratic values by which it governs.

KRG Coordinator Office for International Advocacy (OCIA)

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