Four years on, peaceful Iraqi protesters remain missing

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October 1, 2023 marks the four-year anniversary of the beginning of the anti-government protests, known as the “Tishreen Uprising” that erupted in multiple governorates across Iraq. Demonstrations over unemployment, corruption, and poor public services were met with excessive and unnecessary use of lethal force including live ammunition to disperse demonstrators, resulting in significant deaths and injuries, as stated in the mission report of the UN Committee on Enforced Disappearance’s (CED) visit to Iraq, presented on April 5, 2023.

Their report also referred to the abductions and arbitrary detentions of protesters, many of whom remain forcibly disappeared.

In its 2021 annual report, the CED explained that it reported on 28 requests for urgent action related to the disappearance of persons who either had participated in the October 2019 protests , or who had provided some kind of support to participants. While 12 of these urgent actions have been closed after the persons were located and released, as of 1 April 2021, the Iraqi authorities had yet to provide a reply to 13 of the remaining requests.

Even more concerning, the Iraqi authorities have yet to provide any information on the steps taken to search for the disappeared persons or to investigate their disappearance.

Among those who remain missing to date are:

Abdel-Messih Romeo Jean Sarkis, a daily worker from Baghdad, who was abducted on the night of March 1, 2020 at al-Kuhlani square.

Osama al-Tamimi, a freelance photographer, who disappeared on January 2, 2020 near al Tahrir square in Baghdad. He had documented the protests with his camera and was abducted when returning home.

Tawfiq Mohamad Hasan Atwan al-Tamimi, a journalist and editor, who disappeared on March 9, 2020 in the Ur neighbourhood of Baghdad. He had posted content on Facebook calling for the release of Mazen Latif, a publisher and writer disappeared in February 2020.

Mahmoud Ali Khaz’al Alak al-Shuwaili who disappeared on December 2, 2019 at Tahrir square in Baghdad after leaving the broadcast of a football game at the square. Mahmoud had attended most of the protests. He was seen by a former detainee inside Baghdad airport prison in August 2020.

Ali Jasib Hattab al-Heliji, a human rights lawyer, who was abducted in the Iraqi city of Amarah on

October 8, 2019.

Sajjad al-Mishrifawi (also known as Sajjad al-Iraqi), a prominent activist who disappeared on September 19, 2020, after he and his friend were attacked by several militiamen in his car in the al-Azirj area.

The Iraqi government must take urgent action to address the devastating issue of enforced disappearances in the country, as per the priority recommendations set out by the CED in its mission report, and as urged by 70+ civil society organisations earlier this year.

In particular, Iraq should incorporate the crime of enforced disappearance into its domestic law as an autonomous offence. Following its visit, the Committee found that "the legislative silence on enforced disappearance is accompanied by the absence of specific procedures for the search for disappeared persons and corresponding investigation", adding that it "fuels the confusion between the notions, thereby preventing the clear identification of the scope of the crime and responsibility of the State." The CED therefore urged the Iraqi government to "create a single legal framework to address all cases of enforced disappearance".

In addition, the Committee also requested to put an end to "practices that hinder access to justice and perpetuate enforced disappearance, including through the amendment of the legislation that conditions victims' access to their rights to the outcome of unreliable security screenings" as it constitutes "another factor of impunity".

Four years since the abduction of peaceful protesters, impunity continues to prevail, and families have yet to receive truth. Therefore, we, the undersigned organisations, urge Iraqi authorities to take the necessary steps to clarify the fate and whereabouts of the disappeared and to take all measures needed to implement the recommendations made by the UN Committee on Enforced Disappearances.

Signatories:

– Al-Haq Foundation for Human Rights

– Building Foundation for Training and Development

– CIVICUS

– Euro-Med Human Rights Monitor

– Iraqi War Crime Documentation Centre

– Human Rights Watch

– Human Rights Foundation

– HuMENA for Human Rights and Civic Engagement

– MENA Rights Group

– Sanad Albasrah Organization for Human Rights

– Tadaruk Organisation for Human Rights and Democracy

– The Tahrir Institute for Middle East Policy (TIMEP)

– Tishreen Organisation for Human Rights

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