

Preliminary Report on the Violation Against the Iraq Protest of October 2019

Introduction:

The international law of human rights and Iraqi constitution guarantee the right of free speech and peaceful gathering. On September 2019 callings started to spread by citizens through social media in a spontaneous manner that rarely occurred before to gather peacefully on October 1st, 2019 this protest took place due to constant deterioration of services and an increase in youth unemployment since 2003, in addition to government's inability to deal with inadequate standards of living such as housing, and government's insistence on removing illegally built houses and small projects from the pavements by September leaving many displaced persons without providing an alternative housing. Following that the government's neglect to the Health Minister's (Alaa' Al-Dein Al-Alwani) resignation on September 12th. In his letter content he affirmed the existence of corrupt deal in the Ministry of Health, in addition to breaking up the protest of post graduate alumni in front of Ministry of Higher Education and Scientific Research on September 25th in a provocative and humiliating way and the situation got complicated with disciplining of (Abed Al- Wahab Al-Sa'ady) on September 27th whose regarded by Iraqis as a national symbol to the victory against ISIS.

Baghdad and a number of governorates such as (Diwaniya, Maysan, Basra, Wasit, Najaf, Dhi-Qar, Muthana, Karbala, and Babil) have witnessed the emergence of large number of protests most of them are youth at dawn on October 1st. The numbers are estimated to be 4000 in Baghdad alone demanding to put an end to corruption and hold the corrupt accountable and provide jobs and basic services. Holding signs most important of them say (out for my right) carried the Iraqi flag referring to the protests' independence and peacefulness and it lasted for 7 days, during which the government responded with excessive use of violence and provocation to procrastinate the protests' demands with promises of reform that coincided with callings to delay the protests due to Ziyarat of Arbreen holiday and pending the results of government investigation as a result the protests were delayed to after the holiday. The protests broke out again on October 24th in Baghdad and the rest of the governorates upon the negative speeches and statement of government officials as well as provocation and the implied threats that were in one of the security and government official's speech and the disappointing results of the report of government investigation regarding deliberate killing of protesters and increased numbers of deaths arrests between in the regions were the protests occurred and that culminated to an increase in protests' demands to toppling the system and refusing foreign interference and an urgent political reform through an early election with international supervision and progressing the protest to strike and civil disobedience.

The report presents a summary of violation occurred to protesters and the supporters of the October 2019 protest and document the main violations until 7th NOV.

The Right to Access Information and The Right to Freedom of Expression:

Various monitoring teams who have worked on monitoring and documenting the protest and have contact with government actors directly related to security and health and judicial sectors have indicated lack of cooperation in sharing statistics and number of detainees and casualties. The Centre has documented a recording allegedly belongs to Ministry of Health operations calling all hospitals not to provide any information to any side or the managers of the hospitals will be held accountable for the revealing of the information. The Human Rights Commission has stated that it has demanded corporation from government institutions and to share information with it, Al Namaa Centre for human rights has also documented that the Ministry of health does not give constant information about numbers of casualties but they state the numbers on rare occasions.

The lack of transparency in government's handling the situation has shown the contrast between the official stated numbers and doubts of different numbers of casualties and detainees due to lack of transparency and the violation of the right of information.

The government was determined from the start of the protests on preventing and constricting media coverage and has blocked live broadcast of protest inside protest squares from all local and international media channel allowing only recordings

The violations have reached journalists and bloggers in the protests' squares for their coverage of the protests and some of them were murdered or severely wounded due to the excessive force used by the government to break up the protests and some of them were detained while others were beaten and their camera equipment were broken by security forces also a journalist working in Alamda new paper, Hussien Al Amel, was kidnapped in Al- Nasiriyah while others were forced to move and live elsewhere upon receiving direct death threats like Al-Sharqiya channel journalist in Dhi Qar governorate. The National Union of Journalists has affirmed these facts.

The silencing of free media by the Iraqi government has intensified, Al-Forat channel's office was attacked by mortars and Al-Ahawr Channel was burned and a number of TV channels who contributed in broadcasting protests' facts had their offices broken into and sabotaging and stealing their equipment such as Dijlah satellite channel, NRT channel, Al-Diyar satellite channel HQ, and closing of Alhurra and Al-Arabiya Al- Hadath and Al-Rasheed and Radie Sawa offices in Baghdad and breaking into Al-Jeel Al-Jadeed Radio station in Karbala and preventing all of them from working.

Al-Namaa Centre for Human Rights has noticed that government affiliation requires lack of broadcasting news of the protests and this deliberation was clear specially that Iraqi Media Network (national TV channel) did not show any news or events of violation against protesters.

And in a dangerous precedent, the government has fully cut off the internet in all Iraqi governorates except Kurdistan region and that was proceeded by blocking and constriction on all social media platforms and the international NetBlock organization

has estimated the loss in Iraqi economy due to internet shutdown has costed the Iraqi budget 2billion dollars

Deadly Force Against Peaceful Protesters:

Monitors of Al-Namaa Centre for Human Rights and a group of witnesses have documented that the Iraqi government has deliberately used lethal force represented in live ammunition to break up protestors and end the protest since the day it started and that resulted in the death of 271 protester 157 of them were killed in the first wave of the protests and 97 protester in the second wave of the protest and until November 4th the number of injured has almost reached 1200 many of them suffer heavy wounds and deformities. It's worth mentioning that the highest numbers of casualties were recorded in Naseriya and Baghdad governorates according to statistics from the government despite the documentation of the Centre of the protests' peacefulness in all governorates.

Including 12 were killed and 400 wounded in Basra's protest on November 7th according to witnesses in the scene and most of the wounded were injured by a new kind of plastic bullet guns to hit and severely injure as many protesters as possible at once and this kind of weapon is use hunt animals and birds and we didn't have the chance to investigate the identity of the users of this kind of weapon.

Also 5 people were killed in Baghdad on November 7th by security forces ammo in the protests in Al-Rashid street and Al- Shohda' bridge that resulted in hundreds of injuries and suffocations due to the use of a new kind of tear gas that causes temporary nerve convulsions and result in horrifying injuries according to two paramedics in the protests' square.

The Centre's monitors have expressed that the unjustifiable use of deadly force by Iraqi government forces was not preceded by instructions or callings to protesters to vacate the area or warnings before using excessive violence. Activists have share through social media videos and horrifying images that were verified of its authenticity of protesters that have been killed by direct injuries to head and neck as result of projectiles from the security forces tasked with dealing with protests (they wear black clothes and their faces are covered and have no identifying military badge), Al-Namaa Centre for Human Rights has documented that they shoot live ammunition purposefully and directly on the protesters' bodies according to witnesses and video recordings.

It was affirmed that majority of the killings were done using live ammunition directly in the chest of head and also as a result of using military grade offensive tear gas bombs to injure the head directly in addition to recording killings by suffocating in the tear gas smoke due to the high number of gas bombs in a limited area and according to witnesses some of the killing were a result of military vehicles running over the protesters.

The killing of protesters via snipers has spread panic among them and according to witnesses protesters were killed by (unknown) snipers in Baghdad and Dhi Qar in the first stage of the protests and protesters who attempted to help the wounded were killed too.

Monitors of Al-Namaa Centre for Human Rights have documented the unlawful use of deadly and lethal weapons such as BKC's and weapons carried on vehicles that was used by militant groups related to parties in Maysan and Dhi Qar and according to witnesses the workers of

ambulatory detachment were attacked in Basra on November 7th and they were beaten with sticks and the glasses of their vehicles were smashed by security forces that were tasked to break up the protests and prevented existing medical workers from transporting the wounded quickly and that resulted in more killings.

Targeting Human Rights Activists and defenders:

A number of violations were documented against workers in reinforcing and protecting human rights and basic freedoms or because of their participation in various activities inside the protests:

1 - Assassination and killing incidents

The activist (**Hussien Adil**) and his wife (**Sarah Talib**) were assassinated in Basara on October 3rd in their home in Basra by militant group upon previous threats due to their participation in the protests and their promotion of participation in the current protests. On October 25th the activist (**Haider Qubtan**) was killed in Babil suffocating in tear gas due to the excessive use of military gas designed for combat by security forces. On October 28th the activist (**Safaa Al-Sarai**) in Baghdad (Tahreer square) by smoke projectile to the head

The activist (**Majeed Shae' Al-Zubaidy**) has survived an assassination attempt with heavy injuries and was transported to the hospital, on November 6th in Maysan the activist (**Amjed Al-Dahamat**) was assassinated and the activist (**Bassam Mahdi**) was injured

2 - Arrests and Kidnappings

A wave of arrests against the protesters occurred at the same time the protests broke out during the gathering for protest or breaking up the protests. Al-Namaa Centre for Human Rights in Baghdad has documented the crowding of Al-Saa'don police station and Al-Masbah police station and the juvenile center in Al-Rasafa in Al-Alwyia with large number of protesters that exceeded the capacity of the stations during the first wave of protests who were detained at random without instructions to arrest them, Al-Namaa Centre for Human Rights has also documented in Dhi Qar and Karbala arbitrary detentions occurred in the protest areas that resulted many detainees and also breaking into houses to search them and arrest protesters.

Some protesters were released without charges but after being badly treated and signing agreements not participate in the protests in the future while the rest were referred to investigation judges and were charged with various charges including arson and sabotaging government properties or promoting riots and harming the public interest and they were put on bail later to continue their legal procedures

Al-Namaa Centre for Human Rights has also documented the recording of cases ineligible for bail and was charged according to section 4 terrorism in Karbala and Deiwanyia governorates including a 15 year old boy.

Also some cases of injured people were investigated who were afraid of going to the hospitals due to previous arrests of the wounded during the first wave of protests, and according to a testimony of a witness in Karbala most of the wounded were heading to Al-Abbas private hospital lest they get arrested by national security that was arresting the wounded when they leave Imam Hussien government hospital.

Al-Namaa Centre for Human Rights has documented kidnappings and hidings of a group of human rights activists and defenders, we were able to find and document 11 kidnapping and allegation of forced hiding we weren't able to verify and its rumored that there were other cases we weren't able to obtain information about them:

#	Name	Governorate	Date of Kidnapping	Occupation
1	Maythem Al-hlu	Baghdad	October 8 th	Doctor
2	Aqil Al-tememy	Baghdad	October 9 th	Engineer
3	Ahmed Mowfaq	Baghdad	October 12 th	Activist
4	Falah Hasan Saloom Al-Taiar	Baghdad	October 10 th	Activist
5	Safwan A'sam	Baghdad	October 1 st	Activist
6	Saif Radhi	Baghdad		Principle
7	Saba Al-Mahdawi	Baghdad	November 2 nd	Activist
8	Ali Jassib Al-Hattab	Maysan	October 8 th	Lawyer
9	Saif Radhi Al- Roubai	Baghdad	October 30 th	Activist
10	Abbas Al Fadhli	Baghdad	November 4 th	Activist

3 - Harassments and Threats

Al-Namaa Centre for Human Rights has documented the continuation of arrests against human rights defenders and bloggers and journalists participating in the protests in the protests' squares or near it and filing malicious charges against them including arson and sabotaging of government properties or promoting violence or disturbing the public order.

Many defenders were sent direct death threats, the Centre also documented incident of death threats sent via WhatsApp and Telegram or through phone calls with (unidentifiable numbers) due to their participation in the protests, in addition to spreading numerous rumors about list of the activists participating in the protests that the security forces use to issue arrest orders against them and this resulted in some them leaving the residence fearing killing or arrest of prosecution.

There is fear among the activists in (Anbar, Ninevah, Salah Al-Dein) governorates of invitation to participate in solidarity with the protests and preventing them from

protesting fearing government accountability and prosecution and indeed a campaign of arrests was monitored and documented in Anbar against some activists because of what they shared on social media of standing with the protests or to participate in it like the activist (Samir Al- Faraj) who was charged with terrorism and was arrested on October 27th and is still under arrest as of making this report also the activist (Abedullah Nadhim) who was arrested on October 28th and was badly treated during the arrest and asked that his family be moved from the area.

Recommendations:

- 1 - The immediate stop of using deadly and excessive force against protesters such as live ammunition and medium fire arms on vehicles and ceasing the wrong use of projectiles (tear gas, rubber bullets, and high impact sound bombs) and preventing the use of military grade offensive tear gas bombs that are designed for combat and is currently used by military forces (M99S) and (LVCS).
- 2 - Forming an independent international committee of United Nations to reopen the investigations in the deliberate killing of protesters.
- 3 - The immediate release of all protesters detainees and dropping all the charges against them and halting the legal procedures against those who were released by bail.
- 4 - Urgent responsiveness and interaction to protesters' demands and implementing a mechanism that insures meeting of these demands in specific timeframes.
- 5 - Revealing the fate of those who were kidnapped to forcibly hidden and holding the perpetrators accountable.
- 6 - Compensating the wounded protesters and the families of those who were killed.
- 7 - The Iraqi government is obliged to apologize to the Iraqi people for using excessive violence towards protesters to insure that it never happens again and respect the right of peaceful gathering and freedom of expression
- 8 - Holding the officials accountable for the killing commands and intimidations and kidnappings and arrests and torture against protesters and activists and bringing them justice
- 9 - Ceasing the monitoring of human rights activists' and journalists' and bloggers' work and following them.
- 10 - Insuring the right of information and direct cooperation with specialized civil society organizations through providing them with statistics and information to document the protests' violations and collect the facts.
- 11 - Restoring the internet service and lifting illegal ban on all social media
- 12 - Facilitating the legal procedures of those who were harmed by protest oppression.

1 3 - Committing the security forces tasked with protecting the protesters to regard and to professionally deal with the protesters according to law 84 of Iraq constitution and the rules of employees tasked with implementing the law certified the Public Association of United Nations in 1979 in addition to the basic general principals issued by United Nations in 1990 about using force and fire arms by employees tasked with implementing rules.