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Iraq: Security Council misses opportunity, must focus on human rights now

(New York) As the UN Security Council today adopted a resolution on Iraq with 14 votes to 0, without the participation of Syria, Amnesty International urged the UN body not to lose sight of the need for human rights and justice in that country.

As crucial evidence about many thousands of people who "disappeared" is being destroyed, amidst a fragile law and order situation, Amnesty International urged the Security Council to focus now on human rights and justice issues and to verifying the human rights and other responsibilities of the occupying powers in Iraq.

"The human rights provisions in the resolution just adopted are few and weak," Amnesty International said.

"The Security Council has just missed an important opportunity to address the appalling human rights violations suffered by numerous Iraqis in the past."

"They also passed by the opportunity to ensure that the occupying powers act within the limits of their powers under international humanitarian law and protect the human rights of Iraqi citizens, now and in the future."

"The Security Council must redress this in the coming weeks, build on the human rights language in the resolution and ensure that the UN will play an effective role to promote and help protect human rights in Iraq. This should be central to its future deliberations" Amnesty International said.

The resolution 'affirms the need for accountability for crimes and atrocities committed by the previous regime' but the Security Council has so far ignored the appeal of several non-governmental organizations to establish a UN commission of experts to consult Iraqi society, analyze past crimes and recommend the best options to address them.

The resolution asks the UN Secretary-General to appoint a Special Representative for Iraq with a broad mandate that includes 'promoting the protection of human rights, promoting the safe return of refugees, and encouraging capacity building in policing and justice areas. However, the powers of the Special Representative, which is a crucial and comprehensive component of the UN's human rights role, are only vaguely defined.

Amnesty International reiterated its recommendations that the Security Council put in place concrete measures for the protection of all human rights of all Iraqi citizens at the centre of its discussions in the coming weeks. In particular, the Council should:

- call for the creation of an effective well-funded human rights field presence in Iraq that can operate pro-actively to promote and help protect human rights and help rebuilding the justice system;
- ask the Secretary-General to establish an impartial commission of experts to examine and analyze past and recent international crimes committed in Iraq and advise on the best judicial mechanisms to address them;
- call on the USA and the UK, as occupying powers, to report promptly and regularly to the Security Council on how they observe their obligations to protect the human rights of all Iraqis and to respect their obligations and limitations on their power that apply to them as Occupying Powers under international humanitarian law; and
- take measures to ensure the effective protection by the Occupying Powers of particularly vulnerable groups including women, refugees and foreign nationals.

For more information and to see Amnesty International's letter to members of the UN Security Council, please see: <http://web.amnesty.org/pages/irq-220503-appeal>

Public Document

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