



mouvement contre le **r**acisme
et pour l'**a**mitié entre les **p**euples
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**Kurdish Centre for
Human Rights**
<https://www.kurd-chr.ch>

**Human Rights Council
Working Group on Universal Periodic Review
4th cycle - 48th session**

Iraq

Kurdish people at risk

January / February 2025

MOUVEMENT CONTRE LE RACISME ET POUR L'AMITIÉ ENTRE LES PEUPLES (MRAP)

Is a French organisation born of underground resistance to Nazism and fascism, it was officially founded in 1949 on the initiative of former members of the Resistance and deportees. MRAP is member of the French National Human Rights Institution (Commission Nationale Consultative des Droits de l'Homme - CNCDH) and it enjoys UN-ECOSOC status since 1974.

The objectives of the organisation are to combat all forms of racism, promote friendship among peoples and equal rights for all human beings.

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KURDISH CENTRE FOR HUMAN RIGHTS (Kurd-CHR)

Is a Swiss organisation created in 2000, whose main objective is to collect and analyse information about the violation of human rights of the Kurdish people in Türkiye, Syria, Irak and Iran and to inform the public, as well as the UN Human Rights mechanisms.

The organisation also develops cultural projects aiming to raise awareness of Kurdish culture and support the integration of the Kurdish population in Switzerland.

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INTRODUCTION

1. Iraq has been facing severe human rights violations due to long-standing wars, internal conflicts, terrorist attacks, and political instability.
2. Since the overthrow of Saddam Hussein's political structure in 2003, the rise of the "Islamic State of Iraq and Syria" (ISIS) and subsequent conflicts have led to significant human rights violations. Ongoing conflicts, terrorist attacks, and political strife have negatively impacted civilians' lives.
3. A federal system was established to minimize sectarian and ethnic conflict risks and to foster cohabitation aligned with Iraq's cosmopolitan structure. Power institutions were constitutionally shared among ethnicities and sects, including Kurds, Arabs, and Shiites, formalized through a public referendum.
4. Ultimately, Iraq was declared a Federal Republic, with the Kurdistan region gaining official status as an autonomous federal region within this constitutional system.
5. Despite opposition from some societal segments, the constitutional order and power-sharing system established post-Saddam was accepted with 60% approval in a 2005 referendum. Iraq's population of 43 million (including the Federal Kurdistan Region) is composed of approximately 75-80% Arabs (Sunni and Shiite), 15-20% Kurds, and 5% Turkmen (Sunni and Shiite) and Christians (Chaldeans, Nestorians, and Assyrians).
6. The natural contradictions arising from these cultural, belief, language, and sect differences, which enabled peaceful cohabitation for thousands of years, have become a source of conflict due to the manipulation by ruling powers and interest groups.
7. Along with interventions by Iran, Iraq, and Türkiye, internal and external conflicts among Sunni-Shiite, Arab-Kurd, and Turkmen-Kurd communities, as well as conflicts within these groups, have led to multiple centers of power vying for control over the country's governance and resources.
8. Constitutional processes such as forming governments, parliamentary work, and elections, which ensure the continuity of official state institutions, are persistently unstable due to internal and external interventions. Each election period triggers a series of crises that obstruct these processes, eventually necessitating external interventions for resolution.
9. Security of the Iraqi population is very much under foreign (Türkiye, Islamic Republic of Iran, United States and Israel) influence. The delicate balances, combined with internal power and sectarian/ethnic conflicts fueled by external interests in Iraq's oil resources make stability and security in Iraq nearly impossible.

IRAQI KURDISTAN - VICTIM OF FOREIGN ARMED INTERVENTIONS

10. The Iraqi Kurdistan region in particular is used by the Islamic Republic of Iran as a base for its operations against Israel. Alleging intelligence activities by the U.S. and Israel in the Kurdistan region against Iran, Iran has repeatedly bombed Erbil in recent years, causing civilian casualties.
11. Türkiye, under the pretext of security policies, with the support of the Kurdistan Democratic Party (KDP) and the Iraqi government's silence, violates human rights in Northern Iraq, bombing residential areas under the guise of combating terrorism, resulting in village evacuations.
12. Following Türkiye bombing of the Perex village on 20 July 20 2022, Iraq filed a complaint with the UN Security Council, which condemned the attack. In a special session of the Iraqi Parliament in 2022, Chief of General Staff Abdulemir Yarela stated that Türkiye had around 100 military bases, including five major ones, and approximately 4,000 soldiers in Northern Iraq.
13. Consequently, 85 villages were evacuated due to Turkish and Kurdistan Democratic Party (KDP) cooperation. Between 14 April and 14 July 2022, Türkiye conducted 2,574 attacks and 1,933 helicopter bombings in Northern Iraq. The KDP and Iraqi state collude with Türkiye, bombarding Kurdish areas under the guise of counterterrorism, forcing some villages to evacuate.

RIGHT TO LIFE, PHYSICAL INTEGRITY AND DISAPPEARANCE

14. In areas controlled by ISIS, civilians have faced serious human rights violations, including extrajudicial killings, forced disappearances, and torture. Following the ISIS occupation of Sinjar on 3 August 2014, Yazidis were displaced and subjected to mass killings.
15. Post-liberation of Sinjar, the Yazidi community established self-governance for their security against terrorist groups like ISIS. However, they continuously face bombardments from the Iraqi Army, the KDP and the Turkish Army via drones and military airstrikes.
16. On 17 August 2021, a hospital in Sinjar's Sikeniyê village was bombed thrice, killing eight civilians. Similarly, on 20 July 2022, Türkiye bombed the Perex village, killing nine civilians and injuring 33. In Kurdish areas of Iraq (such as Makhmur refugee camp, Sulaymaniyah, Duhok, and rural areas), civilian vehicles and settlements are bombed by drones, resulting in civilian casualties.
17. The Makhmur refugee camp was bombed on 5 June 2021, killing three civilians. On 29 August 2022, a drone attack on Makhmur camp killed Abdullah Abid, a father of six. The consequences of ISIS's genocide against the Yazidis in Sinjar remain unresolved, with 12 mass graves uncovered so far. Approximately 7,000 Yazidi women and children were abducted, with 4,000 rescued by military and coalition forces in Northeast Syria, while the fate of around 3,000 remains unknown.

18. Iraqi security forces and militias are also responsible for human rights violations, including arbitrary detentions, torture, and ill-treatment. Iraqi security forces do not protect citizens from external attacks, especially in Sinjar, against the Yazidis, and in Sulaymaniyah and Makhmur against refugees and Kurds from Iran and Türkiye, who face assassinations and abductions.
19. The Peshmerga use violence against peaceful demonstrations and arbitrarily detain opponents in the KDP-dominated Northern Iraq. The Kurdistan Regional Government arbitrarily detains opponents, intellectuals, journalists, writers, academics, and political parties based on fabricated charges.
20. In Iraq, courts do not really enjoy independence and make decisions based on government interests rather than on principles of a fair trial. Too often, judicial rulings are based on inadequate investigations and on confessions obtained under torture and ill-treatment.
21. Mazlum Dag and Abdurrahman Er were sentenced to death based on confessions obtained under torture during detention, with insufficient investigation. The death penalty remains in force in Iraq, creating psychological pressure on prisoners who fear its implementation at any time, which constitutes a form of psychological torture.

FREEDOM OF EXPRESSION AND PRESS FREEDOM

22. Journalists and media personnel in Iraq face threats from both the State and armed groups. They are at risk of abduction, killing, threats, and intimidation.
23. The Iraqi state and the Kurdistan Regional Government adopt a repressive approach towards autonomous and civil society organizations. They do not acknowledge the differences of the Yazidis, who were massacred by ISIS due to their religious and cultural differences. The Yazidis' demands for autonomy for self-protection are met with repression.
24. In Northern Iraq, especially in Erbil and surrounding areas under KDP control, opposition civil society organizations, parties, magazines, and media institutions face pressure.
25. On 18 September 2023, a gun attack on the Kurdistan National Congress (KNK) resulted in the death of Deniz Cevdet Bulbun, a member of the congress.
26. Previously, legally established organizations such as the Democratic Solution Party, the Brussels-based Kurdistan National Congress office, and the Dicle News Agency offices in Zakho, Erbil, and Duhok were raided multiple times, with employees detained.
27. The pressure on opposition Kurdish media is increasing. In Northern Iraq, illegal forces known as Roj Peshmerga kidnap journalists. Many journalists are detained, abducted, and remain unaccounted for over long periods.
28. On 25 September 2023, Suleyman Ahmed was detained by Peshmerga forces linked to the Kurdistan Regional Government after crossing into the Kurdistan autonomous region from Northeastern Syria and could only contact his family for two minutes after 211 days on 1st June 2024.

29. In August 2020, 80 journalists, civil activists, and teachers were arrested in the Behdinan region, with Sêrvan Serwani sentenced to four years by the Erbil court. Journalists are also occasionally killed.
30. On 11 December 2021, a civilian organization, the Sinjar People's Assembly, was bombed, killing 12-year-old Selah Xidir Naso and injuring Cira TV reporter Salih Merkes and six others.
31. On 8 July 2024 a drone attack on Cira TV and Cira FM employees injured journalists Medya Hasan, Kemal Murat, Mirza Ibrahim, and driver Xelef Xidir Osman.

SOCIAL AND ECONOMIC RIGHTS

Right to Education

32. Ongoing conflicts and instability have severely affected Iraq's education system, depriving many children and young people of their right to education. Schools have been damaged or closed due to conflicts.
33. In places like the Makhmur refugee camp in the Kurdistan autonomous region governed by the Kurdistan Democratic Party, students are deprived of their education rights due to embargoes.
34. Around 400 students in Makhmur cannot continue their university education in other cities due to the embargo, preventing Kurdish students from pursuing education in their native language.

Right to Health

35. Access to health services is a major issue, especially in conflict zones, because the health infrastructure has been severely damaged. Turkish bombings have rendered the hospital in Sinjar non-functional. Yazidis in Sinjar face difficulties accessing healthcare due to security concerns.
36. In Makhmur refugee camp, healthcare services are inadequate. The difficulties are exacerbated by economic conditions and embargoes imposed by the Kurdistan Regional Government. Makhmur camp faces significant health issues, with 1,100 chronic patients and 26 cancer patients struggling due to the inability to obtain medication.

RIGHTS OF REFUGEES AND DISPLACED PERSONS

37. Ongoing conflicts and terrorist attacks have caused millions of Iraqis to be displaced. Displaced individuals face significant challenges in accessing basic humanitarian needs, particularly in Northern Iraq's Kurdish region.
38. There are refugees who have fled oppression in Türkiye and those who have sought refuge from the war in Syria. In the 1990s, due to low-intensity warfare in Türkiye, refugees who sought asylum in Iraq's Kurdistan region were settled in Makhmur town under UNHCR supervision. They were granted refugee status by UNHCR and Iraqi authorities.

39. Since 2016, due to pressure from Türkiye, refugees in Makhmur have faced additional pressure, especially from the Kurdistan Regional Government (KRG). The relocation of the UNHCR office from the camp to Baghdad, justified by ISIS attacks, has increased these pressures.
40. Significant issues have arisen in economic, health, and education sectors. Due to the embargo imposed by the KRG under Turkish pressure, refugees in Makhmur cannot travel to cities like Erbil and Duhok for work. The inability to leave the camp has resulted in economic hardships. Following the UNHCR withdrawal, severe problems have emerged.
41. Travel rights are restricted, and recently, identity documents for refugees have not been issued. The return of the UNHCR to the Makhmur camp would resolve many issues.

ASSASSINATION ATTEMPTS ON POLITICAL REFUGEES FROM TÜRKIYE'S KURDISH REGIONS AND NORTHEASTERN SYRIA IN THE KURDISTAN REGION OF IRAQ

42. There has been an increase in assassination attempts targeting political refugees from Türkiye's Kurdish regions and Northeastern Syria who have seek refuge in Iraq's Kurdistan region. Most of the perpetrators of these attacks remain at large.
43. The Iraqi state and the Kurdistan Regional Government (KRG), led by the Kurdistan Democratic Party (KDP), have been inadequate in identifying and capturing the assailants. The silence and inaction regarding these attacks, especially considering the ease with which the perpetrators escape, suggest a tacit approach towards Kurdish opponents.

Notable assassination cases:

44. **Ferhat Bağışkondu** - On 16 September 2021, in Sulaymaniyah, Ferhat Bağışkondu, a political refugee, was shot and wounded by an assailant at his workplace. Ferhat Bağışkondu had sought asylum in the Kurdistan region of Iraq due to pressure from the Turkish state in his hometown of Siverek, where he was a member of Hadep. The assailants were captured as they could not hide due to surveillance cameras, revealing them as Turkish citizens.
45. **Yasin Bulut** - On 17 September 2021, Yasin Bulut was shot and killed in Sulaymaniyah while walking from his home to the hospital. The assailants escaped towards Erbil in a Toyota pickup truck despite the presence of security cameras and checkpoints throughout Sulaymaniyah. The police only conducted an on-site investigation but did not apprehend the killers. In response to public outrage, the YNK Anti-Terror Directorate announced on the same day that they had obtained significant information about the incidents. However, no further information has been shared to date. On the morning of 18 September Sulaymaniyah security forces announced that the attacks on 16 and 17 September were carried out by a single individual who had been arrested. The suspect's photos were released, but news sources later denied that he was the main suspect.

46. **Zeki Çelebi** - Late on 17 May 2022, in Sulaymaniyah's Bextiyari neighborhood, Zeki Çelebi, a political refugee from Türkiye's Kurdish regions and owner of Deniz Restaurant, was attacked and succumbed to his injuries the following day, at Şar Hospital. The assailant remains unknown.
47. **Ferhat Şiblî** - The Deputy Co-Chair of the Executive Council of the Autonomous Administration of North and East Syria, Ferhat Şiblî, was killed alongside three others on 17 June 2022, in Kelar when their vehicle was bombed by the Turkish forces.
48. **Suheyl Hurşid Aziz** - On 28 August 2022, Suheyl Hurşid Aziz, a member of the Tevgera Azadî Executive Board, was shot and killed in front of his home in Kifri, Germiyan.
49. **Ebûzêd Dêrhînî** - A day after the Germiyan attack, on 29 August 2022, Ebûzêd Dêrhîni was killed in a drone attack at Makhmur Refugee Camp. The father of six was killed by a drone strike outside his home.
50. **Nagihan Akarsel** - Editor of Jineoloji Magazine, member of the Jineoloji Research Center, and academician Nagihan Akarsel was shot and killed on 4 October 2022, in the Bextiyari neighborhood of Sulaymaniyah. The Sulaymaniyah security forces announced that the killer was arrested by Koye security. Nagihan Akarsel, from Konya (Türkiye), was involved with newspapers and women's magazines and worked towards establishing the Jineoloji Women's Academy in Sulaymaniyah. The perpetrator has not been apprehended.
51. **Hüseyin Türeli** - Hüseyin Türeli was killed in a terrorist attack on 17 April 2023, in Duhok. He had previously survived a similar attack.
52. **Hüseyin Arasan** - On 9 June 2023, Hüseyin Arasan, a member of the Mesopotamia Workers Association, was shot and critically injured in front of the association's building in Sulaymaniyah. Despite all efforts, he passed away on the morning of the following day. He was a political refugee from Türkiye's Kurdish regions. The assailant remains unknown.
53. **Deniz Bülbün** - On 18 September 2023, Deniz Bülbün, the Erbil Representative of the Kurdistan National Congress (KNK), was killed in an attack on the KNK office in Hewlêr. Despite the extensive surveillance in Erbil, the perpetrators have not been apprehended. He was a political refugee from Türkiye.
54. **Firyal Süleyman Xalid** - On 17 January 2024, Firyal Süleyman was killed in an assassination attack in Kirkuk. The assailant remains unknown.
55. **Dr. Sabri Toprak** - On 29 February 2024, Dr. Sabri Toprak, a political refugee from Bitlis (Türkiye) living in Sulaymaniyah, was shot and killed outside a restaurant in central Sulaymaniyah. He was the father of three children. The assailants remain at large.
56. **Ferhat Bağışkondû** - On September 16, 2021, in Sulaymaniyah, Ferhat Bağışkondû, a political refugee, was shot and wounded by an assailant at his workplace. Ferhat Bağışkondû had sought asylum in the Kurdistan region of Iraq due to pressure from the Turkish state in his hometown of Siverek, where he was a member of Hadep. The assailants were captured as they could not hide due to surveillance cameras.

57. **Nagihan Akarsel** - Nagihan Akarsel, editor of Jineoloji Magazine, member of the Jineoloji Research Center, and academician, was shot and killed on 4 October 2022, in the Bextiyari neighborhood of Sulaymaniyah. At the time, Sulaymaniyah security forces announced that Akarsel's killer was arrested by Koye security. Originally from Konya (Türkiye) Nagihan Akarsel was a journalist involved with newspapers and women's magazines. She was working on establishing the Jineoloji Women's Academy in Sulaymaniyah.

RECOMMENDATIONS

58. In the light of the facts outlined above, MRAP and Kurd-CHR recommend that the Iraqi governments:
- i. incorporates into the Iraqi legal framework the provisions of the Treaties it has adhere to and fully respects and implement them on the whole Iraqi territory, regardless of the administrative structure of the territory;
 - ii. protects refugees and displaced persons on its soil, regardless of their official status;
 - iii. takes appropriate measures to promote access to education and health care to refugees and internally displaced persons;
 - iv. allows independent investigations on alleged murders and disappearances;
 - v. takes the necessary measures to stop the use of torture in the detentions centres and ensures independent and impartial investigations of all allegations involving the torture and other ill or inhuman treatment of prisoners;
 - vi. guarantees, in law and practice, the right to a fair trial;
 - vii. prevents and eradicates discrimination in law and practice against religious and ethnic minorities;
 - viii. guarantees the rights to freedom of opinion and expression, the freedom of peaceful demonstration and association and the freedom of the press;
 - ix. ensures the protection of human rights defenders, lawyers and others exercising their rights to freedom of opinion and expression, assembly and association.
