

(Translated from Arabic)

**Permanent Mission of the Republic of Iraq to the United Nations Office
Geneva**

Ref/466/20

Date: 29 December 2020

**Reply of the Government of Iraq to the joint communiqué regarding the journalist
Sherwan Amin Nao Suleiman**

1. The full name of the individual in question is Sherwan Amin Nao Suleiman. On the basis of probatory evidence, an arrest warrant was issued against him by the investigating judge on 6 October 2020 and he was arrested on 7 October 2020 under article 1 of the Criminal Code of the Kurdistan Region – Iraq.
2. He was charged under article 1 of the Criminal Code of the Kurdistan Region (Act No. 21 of 2003), which stipulates: “Anyone who, in any manner, deliberately commits an act with the intent to prejudice the security, stability and sovereignty of the institutions of the Kurdistan Region – Iraq, and which produces the intended effect, shall be liable to imprisonment for life or for a fixed term.”
3. The accused person made his statement before the investigating judge on 8 October 2020, in the presence of a lawyer appointed by the Office of the Public Prosecution. The accused person then examined and signed the record without being subjected to any form of coercion.
4. The individual concerned was not held in solitary confinement; however he was isolated in a special unit for a brief period as a preventive measure. This is in line with a health protocol which has been followed since March 2020 and which is intended to ensure that new detainees are not carrying the novel coronavirus (2019-nCoV).
5. He was visited by the Red Cross on 22 October 2020 and has had telephone calls with his family.
6. Investigations are still ongoing at – and under the supervision of – the Court of Appeal in Erbil, and a ruling will be handed down only after all legal procedures have been completed. It should be pointed out that proceedings are taking place in full respect of legal formalities and of the international obligations of Iraq.





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Date: 29 /12/2020

The permanent Mission of the Republic of Iraq to the United Nations Office and other international Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, Special Procedures Branch, and with reference to its letter dated on 27 November 2020 concerning JOINT COMMUNICATION FROM SPECIAL PROCEDURES, has the honour to attach herewith the answer of the Iraqi government on the abovementioned letter.

The Permanent Mission of the Republic of Iraq avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights, Special Procedures Branch, the assurances of highest consideration.



Geneva

29 December 2020

Office of the United Nations High Commissioner for Human Rights
Special Procedures Branch,



جواب الحكومة العراقية حول الرسالة المشتركة بشأن الصحفي شيروان أمين نعو سليمان

1- ان الاسم الكامل للموما اليه اعلاه هو (شيروان امين نعو سليمان)، وقد صدر امر القاء قبض بحقه من قبل قاضي التحقيق بتاريخ 2020/10/6، بعد توافر الادلة الثبوتية، وتم اعتقاله في 2020/10/7، وفقاً للمادة الاولى من قانون عقوبات اقليم كردستان - العراق.

2- التهمة المسندة اليه هي وفقاً للمادة الاولى من قانون عقوبات اقليم كردستان رقم 21 لسنة 2003، والتي تنص على انه: (يعاقب بالسجن المؤبد او المؤقت من ارتكب عمداً فعل يقصد المساس بأمن واستقرار وسيادة مؤسسات اقليم كردستان - العراق بأية كيفية كانت وكان من شأنه ان يؤدي الى ذلك).

3- بتاريخ 2020/10/8 ادلى المتهم بافادته امام قاضي التحقيق وحضر الجلسة محام مكلف وممثل عن مكتب الادعاء العام، ووقع المحضر بعد الاطلاع عليه ودون اي اكرام.

4- لم يتم حجز المشار اليه في وحدة انفرادية كما ذكر، وانما جرى عزله في وحدة خاصة ولفترة قصيرة كأجراء وقائي استناداً الى البروتوكول الصحي المتبع منذ مارس 2020، للتأكد من ان المحتجزين الجدد لسيوا حاملين لفايروس كورونا المستجد (كوفيد -19).

5- تمت زيارته من قبل لجنة الصليب الاحمر في 2020/10/22، اضافة الى اجرائه مكالمات هاتفية مع عائلته.

6- لازالت التحقيقات جارية في محكمة استئناف اربيل وتحت اشرافها وسيصدر الحكم بحقه بمجرد انتهاء الاجراءات القانونية، مع التأكيد على اتخاذ الاجراءات وفقاً للشكل القانوني واحترام التزامات العراق الدولية.

