

**Mandates of the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the situation of human rights defenders and the Working Group on discrimination against women and girls**

REFERENCE:  
UA IRQ 5/2020

28 September 2020

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the situation of human rights defenders and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 44/5, 43/16 and 41/6.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **attempted killing of a woman human rights defender Ms. Lodya Remon Albarti and the killing of a woman human rights defender Ms. Riham Yaquoub, in Basra.**

Ms. **Lodya Remon Albarti** is a human rights defender living in Basra. She works with the Al-Firdaws association, an organisation founded to promote the rights of women and youth in Iraq. She also works on environmental rights issues.

Ms. **Riham Yaquoub** was a human rights defender and fitness expert living in Basra. She was a strong advocate for women's safe access to sports facilities and public spaces in the city.

Both human rights defenders were leaders of women's marches that took place in the context of the protest movement against power cuts, a lack of access to clean drinking water, unemployment and corruption that began in Basra on 8 July 2018. Since then, both women were engaged in promoting the rights of women in Iraq. Ms. Yaquoub was a strong advocate for women's participation in public life, especially through sports and exercising in public spaces, including through organizing large walking groups for women and sharing the walks on social media.

Ms. Albarti was also actively involved in the peaceful demonstrations that took place in several cities in Iraq in 2019. On 13 January 2020, a communication was sent to your Excellency's Government by several Special Procedures mandate holders concerning information received as to severe human rights violations committed in the context of the policing of these demonstrations by State security forces, as well as the targeted killing of human rights defenders and activists (case no UA IRQ 6/2019).

We appreciate the response by your Excellency's Government to this communication, which was received on 19 March 2020. In particular, we would like to underscore our appreciation for the Government's affirmation that State authorities do not target human rights defenders and activists in any way, and the confirmation

that all citizens have the right to peaceful assembly and to protest in Iraq. However, we wish to express concern at some of the information contained within the response. In particular, we are concerned by the attribution of “occasional cases of kidnapping or harassment” against human rights defenders and activists to “the settling of scores or personal feuds”, and the statement that “it is suspected that the majority of murders of activists are committed by hired killers.” We would like to recall the State of Iraq’s positive obligation under the International Convention on Civil and Political Rights (ICCPR) to protect individuals, including human rights defenders, not only against violations of the Covenant by its agents, but also against acts committed by private persons or entities, in line with the interpretation of the Human Rights Committee, in its General Comment No. 31.<sup>1</sup>

According to the information received:

*Concerning Ms. Albarti*

In 2018, Ms. Albarti was subjected to a defamation campaign, forcing her to relocate from Basra for several months due to fears for her safety.

In January 2020, the human rights defender was once again forced to relocate for several months after receiving death threats. The threats began after a picture with her and the US Consul General in Basra began to circulate online.

On 17 August 2020, as Ms. Albarti was walking from her house in Basra to a car waiting for her outside, several unknown individuals in face masks shot at her from a second car. The unidentified individuals also fired shots at two of the human rights defender’s colleagues who were in the car she was approaching. Ms. Albarti suffered a minor injury to her leg. One of her colleagues suffered an injury to their back and was hospitalised. The human rights defender informed the police of the attack and an investigation was opened. Despite this, no protection measures were ordered in favour of Ms. Albarti.

Since the attempted assassination, the human rights defender has been the target of threats and slander online and remains at high risk.

*Concerning Ms. Yaquoub*

On 19 August 2020, Ms. Yaquoub was shot and killed by two unidentified gunmen riding a motorcycle while she travelled in her car in Basra city centre. Three other persons travelling in the car at the time suffered slight injuries.

The human rights defender had been the target of abuse online since 2018 through her social media accounts. She was also named in a defamatory article along with a group of female politicians, in which false accusations were made

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<sup>1</sup> Human Rights Committee, General Comment No. 31, para 8.

against them, regarding a meeting with the American Consul. Ms. Yaquoub had received numerous threats prior to her killing, including at least one direct threat against her via text message. She reported the threats, allegedly made by armed groups or militias, to State authorities, however, no action was taken.

While we do not wish to prejudge the accuracy of the information received, we express our most serious concern at the killing of Riham Yaquoub and the assassination attempt against Lodya Remon Albarti. Further to this, we express extreme concern at the apparent trend of women human rights defenders being targeted for assassination in Basra, and the information indicating that these attacks are being preceded by defamation campaigns undermining the legitimate and peaceful work of human rights defenders, and threats against them. While acknowledging the current Government's stated commitment to accountability for human rights violations and abuses linked to demonstrations, we urge visible and concrete steps to be taken to ensure that these crimes do not rest in impunity.

The information received would appear to indicate the contravention of article 6 of the ICCPR, ratified by your Excellency's Government on 25 January 1971, protecting the right to life, as well as paragraphs 2 and 12(2) of the UN Declaration on Human Rights Defenders.

In its General Comment 6, paragraph 3, the Human Rights Committee noted that it considers article 6 (1) of the ICCPR to include that States parties should take measures to prevent and punish deprivation of life by criminal acts.

We also want to recall that the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions (Principle 4) establish the obligation of States to ensure effective protection to those who receive death threats and are in danger of extra-legal, arbitrary or summary executions. Principle 9 also establishes the duty to conduct thorough, prompt and impartial investigations of all suspected cases of extra-legal, arbitrary and summary executions.

In addition, we would also like to remind your Excellency's Government of article 7 of the Convention on the Elimination of All Forms of Discrimination against Women to which Iraq acceded on 13 August 1986, which provides that States parties will take all appropriate measures to eliminate discrimination against women in political and public life.

We would also like to draw your attention to the 2013 General Assembly resolution 68/181 on protecting women human rights defenders as well as Human Rights Council resolution 31/32, in which States expressed particular concern about systemic and structural discrimination and violence faced by women human rights defenders.

Also, as highlighted by the Working Group on discrimination against Women and Girls in its report on Women's participation in public and political life (A/HRC/23/50), stigmatization, harassment and outright attacks have been used to

silence and discredit women who are outspoken as leaders, community workers, human rights defenders and politicians. Women defenders are often the target of gender-specific violence, such as verbal abuse based on their sex; they may experience intimidation, attacks and death. Violence against women defenders is sometimes condoned or perpetrated by State actors. In 2011, recognizing the importance of eliminating violence against women in public and political life, the General Assembly, in its resolution 66/130, called for an environment of zero tolerance for violence against women elected officials and candidates for public office.

The full texts of these human rights instruments and standards are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to ensure the safety of Ms. Albarti and other human rights defenders in Basra, and more broadly in Iraq, in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for the observations of your Excellency's Government on the following matters:

1. Please provide any additional information and/or any comments(s) you may have on the above-mentioned allegations.
2. Please provide information, and where available the results, of any investigation carried out into the killing of Ms. Yaqoub. If no such investigation has been carried out, or where such an investigation has proved inconclusive, please explain why and how this is compatible with Iraq's international human rights obligations.
3. Please provide information, and where available the results, of any investigation carried out into the attempted killing of Ms. Albarti. If no such investigation has been carried out, or where such an investigation has proved inconclusive, please explain why and how this is compatible with Iraq's international human rights obligations.
4. Please provide information as to concrete steps that have been taken or may be in the process of being taken to prevent further killings, threats and harassment of human rights defenders in Iraq from occurring. Please indicate how these measures have sought to protect women human rights defenders in particular. If no such steps have been taken on either of these points, please indicate a manner in which we may be able to engage with your Government as to the development and implementation of such concrete steps.

5. Please provide information on concrete steps, policies or national strategies, which have been adopted to promote the protection of women human rights defenders in Iraq.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

Agnes Callamard  
Special Rapporteur on extrajudicial, summary or arbitrary executions

Mary Lawlor  
Special Rapporteur on the situation of human rights defenders

Elizabeth Broderick  
Chair-Rapporteur of the Working Group on discrimination against women and girls