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## Human Rights Council

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Human rights situations that require the Council's attention

**Joint written statement\* submitted by France Libertés:  
Fondation Danielle Mitterrand, the Marangopoulos  
Foundation for Human Rights, the Women's Human Rights  
International Association, the Women's International League  
for Peace and Freedom, non-governmental organizations in  
special consultative status, International Educational  
Development, Inc., Mouvement contre le racisme et pour  
l'amitié entre les peuples, non-governmental organizations on  
the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 May 2011]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Preventing a new massacre of unarmed civilians in Camp Ashraf (Iraq)**

### **Introduction**

Last April 8, some 2,500 Iraqi forces attacked the residents of Camp Ashraf (Iraq), home to 3,400 unarmed, defenceless civilians, members of the People's Mojahedin Organisation of Iran (PMOI). It left 35 residents dead and 325 injured. Several residents were crushed to death by armoured vehicles. In the attack, 178 residents were injured by direct gunfire and dozens more by shrapnel.

In the 15 April press release «Pillay condemns Iraqi operation that led to 34 deaths, calls for inquiry», the UN High Commissioner for Human Rights condemned the lethal Iraqi military operation in a camp housing an Iranian exile group that left at least 34 people dead and dozens injured. She stated: "There is no possible excuse for this number of casualties. There must be a full, independent and transparent inquiry, and any person found responsible for use of excessive force should be prosecuted."

Following the attack, the Iraqi forces prevented the wounded to be taken to the hospital. Ten died due to lack of access to medical treatment. The Iraqi authorities did not allow US forces to enter the Camp for three days to provide medical aid. They also denied the UN team access to the camp.

When the UN team went to the Camp it confirmed that at least 34 were killed. The attack on April 8 clearly constitutes a crime against humanity.

The Iraqi forces remain in Ashraf. They have built extensive military structures in Ashraf; an embankment 6,500 meters long has been built from east side to the west across the camp, with watch booths built on top of it. In recent days, high watchtowers have been installed in front of Ashraf's residential areas, giving rise to great concern. The Iraqi authorities have announced that they intend to expel all 3,400 residents by the end of the year.

From April 28th, dozens of the Iranian Ministry of Intelligence and Security (MOIS) agents have been dispatched to Ashraf. Sixty new loudspeakers have been brought to the site to intensify the scope of the psychological torture of the Ashraf residents when installed.

The Iranian regime's officials, including the foreign minister, have praised the attack and called on the Iraqi government to wipe out the camp and its residents. All indications suggest that there is a danger of "another Srebrenica".

### **Background**

Since January 2009, when the US military handed over the jurisdiction of Camp Ashraf, the Iraqi authorities have launched a series of interventions with excessive force in the Camp, killing and injuring residents, who had disarmed following the American military intervention in Iraq in 2003. The US State Department informed in December 2008 that the Iraqi authorities gave assurances "that any actions that they took at Camp Ashraf would be consistent with human treatment of the individuals there, and that they would not relocate any of the individuals there to a country where they would have a well-founded fear of persecution." The systematic intimidation of, and assault on, residents of Camp Ashraf contradict Iraq's own commitments before the international community.

The undersigned NGOs have many times expressed their concerns over the security conditions for the residents. In July 2009, despite guarantees by the United States (US) forces and the Iraqi Government, the Iraqi forces raided the Camp with a view to deport the residents to the Islamic Republic of Iran. The raid left eleven dead and around 500 injured. It is reported that the residents of Camp Ashraf have since been deprived of basic needs, such as medical care, fuel and necessary supplies for the Camp. In 2010, they were also subjected to numerous acts of harassment, among them, family members or lawyers being prevented from entering the Camp, and the use by Iraqi forces of powerful loudspeakers to harass them psychologically.

The situation is particularly critical now that the United States has closed down its Forward Operating Base at Ashraf (FOB Grizzly), leaving the facilities entirely in the hands of the Iraqi authorities. As a consequence of the American decision, the United Nations Assistance Mission for Iraq (UNAMI) was forced to leave the Camp as it relied on the protection of the FOB Grizzly to carry out their work.

Since PMOI members living in the Camp have been disarmed, they have been designated as “protected persons” under Article 27 of the Fourth Geneva Convention. Accordingly, guarantees are clearly stipulated in various protocols signed with US forces.

## **Development**

An official delegation from the European Parliament (EP), led by Mr. Struan Stevenson, President of EP Relations with Iraq, visited Iraq from April 26 to 29 and met senior Iraqi, US and UN officials. The delegation was not given authorization to visit Camp Ashraf. To the delegation’s insistence on travelling to Ashraf, the Iraqi Minister of Foreign Affairs replied that the issue was not negotiable.

The delegation emphasized that: “An international crime has been perpetrated in the form of the massacre of 35 unarmed civilians and the wounding of hundreds of others on 8 April by Iraqi military and security forces. An independent international investigation must be conducted and those who committed these crimes should be brought to justice.”

Mr. Struan Stevenson added: “However, my colleagues and I made it clear in our discussions in Iraq that we are prepared to seek a long-term and peaceful resolution based on negotiations involving all sides, accepting the position that the residents of Camp Ashraf cannot stay in Iraq on a permanent basis and may be assisted to go to the 27 EU member states, in order to avoid further bloodshed and violence. We can then begin to broker a deal with the EU, US, UNAMI, UNHCR etc., but this is totally conditional on the following demands being met, namely: The removal of Iraqi forces from the perimeter of Ashraf; an end to the siege of Ashraf; immediate access of the residents in particular those critically wounded, to medical services in public hospitals and private clinics in Iraq; and an independent inquiry about the incident of April 8, with those responsible for the killing of 35 unarmed civilians held to account.”

The forcible transfer of Camp Ashraf residents elsewhere in Iraq, as has been suggested by various sources and hinted at by the American administration, is not a realistic choice and in practice could only set the stage for another massacre. If the real intention of the Iraqi Government is to remove from Iraq the members of the PMOI, it should provide the necessary assistance and actions to implement the solution offered by the EP delegation instead of issuing deadlines that do not contribute to finding a permanent and peaceful solution. Forcible transfer of these 3’400 unarmed refugees would be illegal and in violation of international standards and provisions of International Humanitarian Law.

## **Conclusion**

The current situation in Camp Ashraf calls for an urgent and efficient application of the responsibility to protect. It provides a powerful and compelling case for the UN to take action on humanitarian grounds. A massacre has just occurred before the eyes of the international community. The world has been warned about the imminent possibility of another attack. There are ample evidence and indications that such tragedy is on the horizon. Therefore, there is strong reason for UN to step in and there is strong reason for a member state to take the initiative.

The UN can declare, at least temporarily, Camp Ashraf under its authority or expand the mandate of the UNAMI to include the protection of Camp Ashraf.

UN protection does not mean to have a major peacekeeping force in Iraq. It is widely acknowledged that the problem of protection for Camp Ashraf is primarily a political issue and not a security one. It is not like some other cases that there is armed conflict between two groups, requiring a huge presence of peacekeeping forces to keep the peace and security. What is needed is a political shield. If the UN declares itself, on humanitarian grounds, responsible for the protection of Camp Ashraf, it would provide the necessary deterrent against another attack. Therefore, Ashraf's unique circumstances make it easier for the UN to take the responsibility.

## **Recommendations**

The undersigned NGOs urge:

1. the Iraqi Government to allow the visit of Camp Ashraf by any thematic Rapporteur of the UN Human Rights Council wishing to do so;
2. the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the right to food and the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health to urgently visit Camp Ashraf;
3. the UN High Commissioner for Human Rights to establish a permanent monitoring team at Camp Ashraf;
4. the UN Secretary General to submit a report to the UN Security Council, proposing the UN to take the responsibility to protect Camp Ashraf;
5. the Security Council to reconsider, as a matter of urgency, the UNAMI's mandate in order to expand it to cover protection of Camp Ashraf.