

Iraq: Assyrian community, situation in Iraqi prisons

European Parliament resolution on Iraq: the Assyrian community; the situation in Iraqi prisons

The European Parliament,

- having regard to its resolution of 24 February 2005 on the EU's priorities and recommendations for the 61st session of the UN Commission on Human Rights in Geneva (14 March to 22 April 2005)([1](#)),
- having regard to its resolution of 28 April 2005 on the Annual Report on Human Rights in the World 2004 and the EU's policy on the matter([2](#)),
- having regard to its resolution of 6 July 2005 on the European Union and Iraq – A framework for engagement([3](#)),
- having regard to the decision of the General Affairs and External Relations Council of 21 February 2005 to launch an Integrated Rule of Law Mission for Iraq (EUJUST LEX),
- having regard to the conclusions on Iraq of the External Relations Council of 7 November 2005,
- having regard to the conclusions on Iraq of the External Relations Council of 27 February 2006,
- having regard to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
- having regard to Article 35 of the Iraqi Constitution of 2005, Article 333 of its Penal Code and Article 127 of its Code of Criminal Procedure, prohibiting all forms of torture,
- having regard to Rule 115(5) of its Rules of Procedure,

The Assyrians (Chaldeans, Syriacs and other Christian minorities)

A. whereas on 29 January 2006 four churches and the offices of the Vatican's representative in Baghdad, as well as two churches in Kirkuk, were attacked, killing three people (including a fourteen-year-old child) and injuring several others,

B. whereas the Assyrians (Chaldeans, Syriacs and other Christian minorities) have increasingly become the victims of targeted violence such as destruction of property, kidnapping, attacks on churches, harassment, extortion, and torture of persons perceived as not respecting Islam,

C. recognising that there has also been a rise in attacks on Christian students in Iraqi universities, especially in Mosul, and that Christian citizens of Mosul are being told to move out of the area,

D. noting the dire situation of Christians who have fled from Iraq and are refugees in neighbouring countries, mainly Syria and Jordan, where, according to a report by the UN Refugee Agency (UNHCR), they receive no international aid,

E. whereas the Assyrians (Chaldeans, Syriacs and other Christian minorities) constitute an ancient and indigenous people who are very vulnerable as a result of persecution and forced emigration, and whereas there is a danger of their culture becoming extinct,

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F. whereas, according to the Human Rights Office of the UN Assistance Mission for Iraq (UNAMI), the conditions and the legality of detention in Iraq remain a matter of particular concern,

G. whereas, according to the Iraqi Ministry of Human Rights, as of 28 February 2006 there were a total of 29 565 detainees: 14 229 in the custody of the Multinational Force-Iraq (MNF-I), 8 391 in the custody of the Ministry of Justice, 488 juveniles in the custody of the Ministry of Labour and Social Affairs, 5 997 held by the Ministry of the Interior and 490 by the Ministry of Defence,

H. whereas inspections are carried out by representatives of Iraqi ministries in places of detention under the control of the Ministries of Interior and Defence or run by the Special Forces throughout the country,

I. whereas EUJUST LEX is providing the necessary training for over 700 Iraqi judicial, police and prison personnel,

J. mindful that the International Covenant on Civil and Political Rights provides that no-one should be subjected to arbitrary detention and that deprivation of liberty must be based on grounds and procedures established by law, and urging all parties to apply its provisions,

The Assyrians (Chaldeans, Syriacs and other Christian minorities)

1. Strongly condemns all acts of violence against the Assyrians (Chaldeans, Syriacs and other Christian minorities) in Iraq; urges the Iraqi authorities and the MNF-I to find the perpetrators of these serious crimes and bring them to justice as soon as possible;

2. Urges the Iraqi authorities to protect the Assyrians (Chaldeans, Syriacs and other Christian minorities) from discrimination, in accordance with their international obligations;

3. Urges the Iraqi authorities to improve the security situation of the Assyrians (Chaldeans, Syriacs and other Christian minorities) and to facilitate the return and resettlement of Assyrian (Chaldean, Syriac and other Christian minority) refugees to a secure environment where their customs and way of life are respected;

4. Calls for the involvement of the Christians in Iraq in the reconstruction and administration of their land and villages in Northern Iraq and elsewhere in the region in order to preserve their cultural, religious and ethnic identity within one undivided country;

5. Strongly supports the calls by most Iraqi political and religious leaders for restraint and urges the communities in Iraq to come together in a spirit of dialogue and mutual respect; expresses its full support for the efforts of the UN in promoting intercommunal dialogue within the framework of a national dialogue; welcomes the initiative by the League of Arab States to hold a second conference on national reconciliation with the participation of all Iraqi communities;

6. Urges the Constitutional Committee of the Iraqi Council of Representatives to preserve the cultural and religious rights of all Iraqi communities in its proposals for a constitutional amendment;

7. Calls on the Commission and the Council to take all necessary measures to assist and protect the Assyrians (Chaldeans, Syriacs and other Christian minorities);

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8. Expresses its concern at the conditions of detention in prisons and other places of detention in Iraq; reaffirms its condemnation of the use of torture and other cruel, inhuman or degrading treatment of prisoners; calls on the Iraqi authorities and the MNF-I to ensure that conditions of detention conform to international standards for the treatment of prisoners;

9. Calls on the MNF-I and the Iraqi authorities to release immediately the identities of all remaining detainees and to ensure that they have access to legal counsel and prompt access to their families, and are informed of the reasons for their detention;

10. Calls on the Iraqi authorities and the MNF-I to put in place adequate safeguards to protect detainees from torture and ill-treatment by:

- a) ensuring that all allegations of such abuse are subject to prompt, thorough and independent investigation and that any military, security or other officials found to have used, ordered or authorised torture are brought to justice;
- b) ensuring that detainees are able effectively to challenge their detention before a court and are subject to due process;
- c) prosecuting all those currently held without charge for internationally recognisable criminal offences or else releasing them;

11. Welcomes the ongoing investigations carried out by the MNF-I into allegations of abuse of prisoners;
12. Welcomes the inspection of places of detention throughout the country carried out by the Iraqi authorities; welcomes the fact that more inspections are underway; also welcomes the fact that UNAMI encourages this process;
13. Calls on the MNF-I and the Iraqi authorities to grant the International Committee of the Red Cross unfettered access to all British and US detention facilities;
14. Supports the continuing efforts of the Iraqi Ministry of Human Rights to uphold high standards, including for people under detention;
15. Supports EUJUST LEX; notes that the Iraqi authorities have requested that the mission be extended beyond the end of its current mandate and the scope of the training provided expanded; urges the Commission and the Council to extend the mission beyond the end of its current mandate and to expand the scope of the training provided to include forensic policing;
16. Calls on the Iraqi Council of Representatives to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
17. Calls on the Commission, the Council and the Member States to make further contributions to the strengthening of human rights and the rule of law in Iraq;
18. Instructs its President to forward this resolution to the Council, the Commission, the Iraqi Transitional Government, the Iraqi Council of Representatives, the Government of the United States of America, the governments of the other countries that are part of the MNF-I, and the UN Secretary-General.

⁽¹⁾[OJ C 304 E](#), 1.12.2005, p. 375.

⁽²⁾[OJ C 45 E](#), 23.2.2006, p. 107.

⁽³⁾Texts Adopted , [P6_TA\(2005\)0288](#).