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BAR HUMAN RIGHTS
COMMITTEE OF
ENGLAND AND WALES

STATEMENT BY THE BAR HUMAN RIGHTS COMMITTEE OF ENGLAND AND WALES

The Bar Human Rights Committee of England and Wales express their deep concern at alleged reports of attacks by Iraqi forces on unarmed residents of Camp Ashraf on Tuesday 28 July 2009, which left several people killed and hundreds injured.

According to reports, hundreds of armed Iraqi security forces stormed the camp in Iraq's Ditala province, north of Baghdad, at around 3pm local time. Video footage released by local residents of the camp show Iraqi forces using tear gas, water canons and batons against unarmed Iranian residents who tried to stop them from entering the camp.

Camp Ashraf is home to some 3,500 people, who are members or supporters of the People's Mojahedeen Organization of Iran (PMOI), an Iranian opposition group whose members have been resident in Iraq for many years. The PMOI is considered a "terrorist" group by the US and Iran, however it was removed from a European Union terrorist list earlier this year after a legal battle on the grounds that the PMOI no longer advocates or engages in armed opposition to the government of Iran.

The camp was disarmed by US forces following the US-led invasion of Iraq in 2003. The US forces provided protection for the camp and its residents, who were designated as "protected persons" under the Fourth Geneva Convention following the 2003 invasion of Iraq, but this situation was discontinued following the Status of Forces Agreement (SOFA) between the US and Iraqi governments, although the SOFA makes no reference to Camp Ashraf or its residents. Iraqi forces took over its security from the US earlier this year.

In the last few months the Iraqi government has publicly stated that it wants to take over full control of Camp Ashraf, and have repeatedly vowed to close the camp. Residents of Camp Ashraf have reportedly stated that they are terrified of being handed over to Iranian authorities.

The Bar Human Rights Committee calls on the Iraqi government to have due regard to the Geneva Conventions, notably Article 27 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, which provides that all civilians be treated humanely. The Iraqi government should fully and impartially investigate the apparent excessive use of force by Iraqi security forces. It should also reveal the whereabouts of any people allegedly detained and ensure that they are protected from torture or other ill-treatment. The Bar Human Rights Committee also reminds the Iraqi authorities of its obligation to refrain from forcibly displacing, deporting, expelling or repatriating them in violation of the principle of non-refoulement as enshrined in the 1951 Geneva Convention relating to the Status of Refugees and the 1967 Protocol thereto.

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The Bar Human Rights Committee of England and Wales is the international human rights arm of the Bar of England and Wales. It is an independent body concerned with defending the rule of law and internationally recognised legal standards relating to human rights and the right to a fair trial.

For more information please contact BHRC in London, UK, on email: bhrc@compuserve.com