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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Joint written statement* submitted by International
Organization for the Elimination of All Forms of Racial
Discrimination, Association Ma'onah for Human Rights and
Immigration, International-Lawyers.Org, Meezaan Center
for Human Rights, non-governmental organizations in
special consultative status, International Educational
Development, Inc., World Peace Council, 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.

[25 May 2025]

* Issued as received, in the language of submission only.



Iraq's Assault on the Right to Peaceful Assembly

Introduction

Iraqi authorities still respond to peaceful assembly with unlawful force. Security forces and militias killed at least 487 demonstrators and wounded more than 7,700 during the October 2019 Tishreen protests. They fire live ammunition, shoot rubber bullets, deploy stun grenades and launch military-grade tear-gas canisters. In December 2022 in Nasiriyah, riot police opened fire on a sit-in opposing an activist's detention, killing three protesters and injuring numerous bystanders.

Authorities repeat these abuses through 2023. In September in Baghdad, forces broke a months-long sit-in by unemployed medical graduates with batons and water cannon, inflicting multiple injuries. Earlier that year in Dhi-Qar, security units detained protest coordinators after graduates rallied for jobs, quashing the movement at its outset. On 1 October 2023, state forces fired tear gas, stun grenades and rubber bullets at demonstrators in Tahrir Square, wounding dozens and signalling that commemoration of the uprising attracts repression.

Lawmakers add legal barriers. In May 2023, Parliament introduced a draft Law on Freedom of Expression and Peaceful Assembly that imposes severe penalties for vague breaches of public order and bans criticism of religious figures. In the Kurdistan Region, authorities tabled an amnesty bill that excludes journalists and political prisoners, confirming intent to detain key activists.

Legal Framework and Obligations

Iraq's Constitution guarantees citizens the right to peaceful assembly and freedom of expression. Article 38 states "the State guarantees freedom of assembly and peaceful demonstration" and prohibits any obstruction of those rights. Article 39 protects freedom of speech and expression, while Article 42 forbids arbitrary arrest or detention. By ratifying the International Covenant on Civil and Political Rights in 1971, Iraq assumed binding obligations under Articles 19, 21 and 22 to protect those freedoms.

Domestic regulations erode those guarantees. The Interior Ministry orders protest organizers to secure written approval from both the Minister of Interior and the provincial governor, then seek police permission at least 72 hours before any gathering. Baghdad authorities extended that deadline to seven days and demand prior vetting of slogans and materials. Officials may refuse permission on vague grounds such as "public morals" or "sectarian incitement" without offering any appeal mechanism. Courts punish unapproved assemblies under a Coalition-era order with up to one year's imprisonment. In May 2023, Parliament introduced a draft Law on Freedom of Expression and Peaceful Assembly that criminalizes any public remark that "violates public order" or "insults religious figures," that imposes lengthy prison terms and hefty fines. In the Kurdistan Region, security and telecommunications statutes grant authorities power to suspend protests, shut down internet access and detain journalists. These statutes further reduce civic space

Those measures contravene Iraq's constitutional and international commitments. They block peaceful dissent, empower security forces to bar assemblies and expose activists to arbitrary prosecution. Legislators must repeal or amend these provisions to align domestic law with Iraq's formal guarantees and permit citizens to exercise their rights without fear of reprisal.

Systematic Violations and Lack of Accountability

Security forces use live ammunition, rubber bullets, stun grenades and military-grade tear gas to disperse demonstrations across Iraq. They detain protest organizers, journalists and bystanders without charge under broad anti-terror and public-order provisions.

In the Kurdistan Region, authorities cut internet service and deploy security units to break up rallies over unpaid wages, while prosecutors bring espionage or defamation charges against media workers. The UN Committee on Enforced Disappearances has recorded dozens of urgent cases linked to the 2019 protests and urged the State to clarify the fate of the missing.

Judicial and legislative measures reinforce this climate of impunity. Courts apply a Coalition-era order to sentence unauthorized protesters to up to one year's imprisonment. In 2023, Parliament reintroduced a draft Law on Freedom of Expression and Peaceful Assembly that criminalizes "public morals" breaches and bans criticism of religious figures. Security commanders and militia leaders implicated in protest-related killings remain free. Credible reports confirm that of 2,700 criminal investigations into protest abuses, only 10 arrest warrants and 7 convictions issued by October 2023. Families of victim's face threats when they seek truth or file complaints. This web of repression and legal obstruction amounts to a deliberate strategy to suppress dissent and shield perpetrators.

Impact on Civil Society and Human Rights Defenders

Activists, lawyers and journalists face threats, abduction and assassination for their peaceful work. In October 2019, human rights lawyer Ali Jaseb Hattab Al Heliji disappeared after he represented detained protesters; his father survived an assassination attempt in March 2021 when he pressed for answers. Women defenders attract particular hostility. In August 2020 in Basra, gunmen attacked Lodya Remon Albarti and Riham Yaqoub for their women's and environmental rights advocacy, and Albarti endured a smear campaign before the attack. Militia units kill activists without fear of punishment. On 7 July 2020, assailants shot dead Hisham al-Hashemi, an academic and critic of armed factions, outside his home; courts later annulled the suspect's death sentence, revealing militia influence over judicial decisions.

Civil society organizations encounter systematic restrictions. Authorities monitor their operations, freeze bank accounts and threaten to deregister NGOs under vague public-order rules. Journalists who report on demonstrations suffer arbitrary arrest, espionage or defamation charges and internet shutdowns in protest zones. These measures destroy trust in institutions and reduce the capacity for public-interest reporting.

Obstacles to Public Participation

Authorities maintain a climate of fear through punitive permit rules and reprisals for non-compliance. Interior Ministry directives and provincial decrees require organizers to obtain written authorization several days in advance. They then must submit slogans and materials for vetting. Failure to comply exposes demonstrators to arrest, prosecution and prison terms of up to one year under a Coalition-era order. Consequently, many gatherings proceed without formal notice, leaving participants vulnerable to violent dispersal and legal sanction.

The prospect of arrest for mere attendance compounds deterrence. Security units detain individuals lacking the required paperwork, and courts apply broadly defined public-order offences to punish peaceful assembly after events conclude. Arrest warrants issued in December 2024 against thirty youth activists for alleged offences from 2019 illustrate a deliberate strategy to intimidate dissent across time. By criminalizing protest attendance long after events, the State sows uncertainty over civic engagement and deters future mobilization.

State Strategy and Power Dynamics

Security forces and affiliated militias operate with near-total impunity, exploiting this legal framework to fragment and neutralize protest movements. Live ammunition and military-grade tear gas feature routinely, even in predominantly peaceful sit-ins by unemployed graduates, underscoring that force, not dialogue, constitutes the State's principal response to grievances. Arrests of movement coordinators, alongside internet shutdowns and media raids, disrupt organizational capacity and isolate activists from the public sphere.

Militia actors answerable to political parties exploit the same permissive environment to target high-profile dissenters. From abductions of lawyers and academics to smear campaigns against women human rights defenders, these groups extend the State's repressive reach beyond official channels. The lack of effective civilian oversight over security institutions, coupled with punitive legislation, locks Iraq into a cycle of coercion that undermines democratic accountability and erodes citizens' trust in the rule of law.

Recommendations

Authorities have failed to address persistent violations of the right to peaceful assembly, allowing security forces and militias to act with impunity and lawmakers to erect legal barriers that criminalize dissent. Investigations stall, prosecutions remain rare and activists face arrest long after protests conclude, which perpetuates a climate of fear and deters civic participation. These conditions demand decisive measures to restore rights, secure accountability, and rebuild public trust in the rule of law.

1. Investigate all protest-related killings, injuries and enforced disappearances, and prosecute security personnel and militia members responsible for those abuses.
2. Repeal Interior Ministry rules that require prior authorization for peaceful assemblies; adopt a notification regime consistent with Article 21 of the ICCPR.
3. Withdraw the draft Law on Freedom of Expression and Peaceful Assembly introduced in May 2023; revise all legislation to align with Iraq's constitutional guarantees and binding international treaties.
4. Train all security personnel on the UN Basic Principles on the Use of Force and prohibit live ammunition against unarmed demonstrators.
5. End internet shutdowns during protests; allow unrestricted access for journalists and independent observers; release without charge any media professionals detained for their coverage.
6. Create an independent monitoring commission with a public mandate to document violations of assembly rights, publish regular findings and recommend further legal and institutional reform.

Geneva International Centre for Justice (GICJ), Arab Lawyers Association-UK, Human Rights Defenders (HRD), Brussels Tribunal, Iraqi Committee for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), Organization for Justice & Democracy in Iraq (OJDI), NGO(s) without consultative status, also share the views expressed in this statement.