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Permanent Mission
of the Federal Republic of Germany
to the Office of the United Nations and
to the other International Organizations
Geneva

**United Nations Human Rights Council
20th Session of the UPR Working Group**

Geneva, 03.11.2014

**German questions and recommendations to
Iraq**

German National Statement

Thank you, Mr. President.

Germany welcomes the delegation of Iraq to the UPR.

Germany is deeply concerned about the human rights situation in Iraq. We reiterate our strong condemnation of the outrageous human rights abuses and violations of international humanitarian law committed by ISIL and affiliated groups, which may amount to war crimes and crimes against humanity.

We support the efforts made by the Government of Iraq to unite the Iraqi people in the fight against ISIL and restore respect for human rights and the rule of law.

Germany would like to ask the Government of Iraq:

How will it assure the protection of the freedom of religion or belief of all persons and how will it address religious and sectarian tensions?

Are there plans to remove all religious personal status information from national ID cards?

Germany would like to make the following recommendations:

1. Reform the judicial system to guarantee its neutrality and independence and assure access to justice for persons belonging to minorities and vulnerable groups.
2. Announce a moratorium on the death penalty with a view to its eventual abolition. Pending this, steps should be taken to reduce its excessive application, including by amending Art. 4 of the 2005 Anti-Terrorism Law,

which provides the death penalty for a broad range of offenses lacking precise definition. Due process of law should be guaranteed.

3. Revoke its reservations concerning Art. 2 and 16 of CEDAW and ensure that all women in Iraq are protected from discrimination, including in matters of personal status and inheritance law. Iraq should refrain from sectarian-based personal status legislation.
4. Ratify the Rome Statute of the International Criminal Court.

Thank you, Mr. President.

Questions Submitted in Advance by Germany:

1 - Which measures have been taken by Iraq to fully ensure freedom of expression and opinion, including free media, and to protect journalists and media professionals from harassment, intimidation and violence?

2 – Which measures does Iraq take to protect the human rights of persons in detention, be it police custody or prisons? In particular, which safeguards are in place to allow regular access to legal counsel, and to prevent ill-treatment and torture, including sexual and gender-based violence, against detainees? Which steps have been taken to improve protection of female detainees? How does Iraq ensure that conditions for underage detainees are in line with the Convention on the Rights of the Child?

3- Since the first UPR cycle, reports on violence against women have continued. Which steps does Iraq take to protect women and girls from discrimination and all forms of violence, including domestic violence?