NGO Letter to the Security Council on Iraq

March 14, 2006


To: Security Council Permanent Representatives

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Dear Ambassador:

On the eve of the Security Council's quarterly discussion on the situation in Iraq, we are writing to express our urgent concern.

In recent weeks, several disturbing reports have been released, including the Secretary General's quarterly report (March 3, 2006), UNAMI's bi-monthly report, Amnesty International's report entitled "Beyond Abu Ghraib: Detention and Torture in Iraq" (March 2006) and Human Rights First's report on "Detainee Deaths in US Custody in Iraq and Afghanistan"(February 22, 2006).

These reports have highlighted significant violations of international human rights and humanitarian law, especially in the area of detention practices. They reveal that thousands of Iraqis, arrested without warrant and classified as "security internees," continue to be detained by the Multinational Force for
lengthy periods without charge or trial and without the right to challenge the lawfulness of their detention before a judicial body.

Claiming authority from Security Council Resolution 1546 (2004), the Multinational Force (MNF) continues to detain thousands of Iraqis, in conditions that violate provisions of international law, such as Article 3 common to the four Geneva Conventions (1949), Article 9 of the International Covenant on Civil and Political Rights (1966) and customary international human rights law.

Many other matters of grave concern arise in Iraq as well – matters which, as you are aware, are widely seen as breaches of international law. Since the Security Council has provided the mandate for the Multinational Force, the Council must assume responsibility for the MNF's actions.

In the past, the Council has chosen to conduct its review of the MNF on a pro forma basis only. We believe that the time has come for the Security Council to accept its responsibility, to thoroughly discuss these matters in light of international law, to consult with the international community, and to substantially review the mandate it has given to the MNF.

Yours sincerely,

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President
Arab Commission for Human Rights

Peter Weiss
Vice-President Center for Constitutional Rights

Lene Schumacher
Director of Programs
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