

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

AI Index: MDE 14/023/2008
28 August 2008

Iraq: No Iranians in need of protection should be sent to Iran against their will

Amnesty International has written to both the Iraqi and US governments reminding them of their obligations under international law and urging them to continue to provide protection to people affiliated to and members of the People's Mojahedeen Organization of Iran (PMOI), an Iranian opposition group based in Iraq.

In its letters, Amnesty International reminds both governments that members of the PMOI in Iraq are 'protected persons' under international humanitarian law and, therefore, should not be expelled or forcibly returned to Iran.

In its letters to Iraqi Prime Minister Nuri Kamil al-Maliki and US Secretary of State Condoleezza Rice, Amnesty International expressed concern at recent statements made by senior Iraqi officials criticising the presence of members of the PMOI (also known as Mojahedeen Khalq Organization – MKO) at Camp Ashraf in Iraq's northern governorate of Diyala. On 3 July 2008 'Abd al-'Aziz al-Hakim, head of the Islamic Supreme Council of Iraq, one of the main political parties represented in the Iraq government, reportedly said that the "MKO's presence in Iraq lacks any legal or international covers," and accused the organisation of "aiding and abetting the former regime in killing Iraqis...." He is also reported to have accused the MKO of seeking "to fuel" sectarian conflict in Iraq and adopting an "aggressive position toward the parliament and the elected national government".

Earlier, on 18 June 2008 Iraq's government spokesperson Dr. Ali al-Dabbagh said that the Iraq cabinet had "decided to emphasize the decisions made previously that consider the MKO as a terrorist organization and should leave Iraq."

Amnesty International considers that those living in Camp Ashraf would be at grave risk of torture or other serious human rights violations if they were to be returned involuntarily to Iran, whether by the Iraqi authorities or by the US-led MultiNational Force (MNF). The organization has told the Iraqi and US governments that it strongly opposes any such forcible returns, either of those at Camp Ashraf or of other Iranian nationals who currently reside in Iraq having left Iran for political reasons or to escape persecution.

Amnesty International urged both governments to provide promptly a firm assurance that they will prevent the forcible return to Iran of any Iranian refugees and asylum seekers, currently in Iraq, who would be at serious risk of torture or persecution there, respecting the principle of non-refoulement.

The organization emphasised that before any final decision to remove an individual to their country of origin, there should be an independent, individual assessment of the potential risk of serious human rights violations, including the death penalty and torture. No person should be returned, either directly or via a third country, to a situation where they would be at risk of torture or other serious human rights abuses.

Amnesty International urged the Iraqi and US authorities to work together with UNHCR, and others as appropriate, to find a satisfactory long term solution to the situation of PMOI members and supporters currently at Camp Ashraf.

Background Information

Amnesty International has been monitoring the situation of members and supporters of the PMOI in Camp Ashraf. Following the US-led military intervention in Iraq in 2003 about 3,400 members of the PMOI were disarmed by the US-led forces at Camp Ashraf. Since that time PMOI members living in the Camp, which is managed by the MNF, have been designated as “protected persons” under Article 27 of the Fourth Geneva Convention which prevents extradition or forced repatriation to Iran as long as the US-led Multinational Force (MNF) is present in Iraq.

END/