

EUJUST LEX - IRAQ

The European Union Integrated Rule of Law Mission for Iraq

*Experientia docet: Experience teaches*

Human Rights and Gender in Iraq

May / June
2013

Strengthening human rights protection in Iraq through police, judicial and penitentiary training and capacity building

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A figure in the “Red House” museum in Sulaymaniyah

“A state which... represses or persecutes sections of its people cannot... be regarded as observing the rule of law, even if the transport of the persecuted minority to the concentration camp or the compulsory exposure of female children on the mountainside is the subject of detailed laws duly enacted and scrupulously observed.” (Tom Bingham, 2011)

Respect for human rights underpins rule of law. Rule of law implies that no individual can be lawfully punished unless tried before an authorised court, and that this court and the laws it upholds apply to all citizens equally and without distinction. The success of efforts to promote the key ingredients for

rule of law, including effective policing, restorative justice and an independent judiciary, depends, in part, on the mainstreaming of the human rights based approach by all actors. Effective policing requires public confidence, which in turn requires a demonstrably fair and equitable treatment of all citi-

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Dr. Karen Murphy has a background in international human rights law and policy, and in political and humanitarian affairs. Karen has an LLM in International Human Rights and a PhD in Politics and International Affairs. Her doctoral thesis focused on the relationship between state security regimes and religious freedom, a subject she has also published a legal text on. She has previously worked with UNICEF and NGOs in Africa and the Middle East, specialising in political and civil rights in conflict/states of emergency; humanitarian policy in conflict and post-conflict settings, and protection of children in situations of conflict and post-conflict. Karen is from Cork in Ireland.

zens, irrespective of ethnicity, race, sexual orientation, gender, religious belief, age or social status. Restorative justice requires, first, that detainees and prisoners understand the crime for which they have been arraigned, detained or convicted for, and second, that they are provided with opportunity to participate in societal life in a meaningful way and in consideration of their sentence, both before and after their release from detention. Judicial independence requires the triumph of due process over abuse of power.

For this reason, the human rights based approach must be integrated into all operations aimed at strengthening rule of law and access to justice

Domestic violence is prevalent in Iraq, and although this is well known, the crime is not always widely understood. It affects families and communities in rural and urban areas, from the working classes to the professional classes. It is predominantly perpetrated by men against their wives and children, male and female. The consequence of domestic violence is not 'good behaviour'

on the part of the victim; it is subordination of the victim who is often robbed of his/her economic, social, psychological and physical capacity to participate in her community as an equal member, to the fullness of her potential. However, domestic violence does not just affect the victims, but also their children if they have any, who can suffer trauma which affects their health and well-being, including their capacity to succeed in school and social settings, and who - in the long term - are more likely to perpetrate domestic violence and other forms of violence against others, having learned this behaviour from their parents.

Combating Domestic Violence

Combating domestic violence effectively requires a societal wide effort. This includes effective investigation of suspected cases of domestic violence by the police, prosecution by the judicial bodies and consistency in judgments in prosecuted cases across Iraqi courts so that members of public gain confidence in the law enforcement agencies and legal system, and therefore will have the confidence to report these crimes. Effectively combating domestic violence also requires adequate

social protection and services, including healthcare for victims, shelter for those who cannot safely return to their homes, and economic empowerment for those who have the courage to leave an abusive domestic situation so that they can begin a new chapter of their lives in safety and security.

Combating domestic violence is not just a priority for EJI-I because it is a heinous crime that challenges human dignity, but also because its implications are felt far beyond the home. Violence breeds violence, and therefore combating domestic violence is a crucial step in the progress towards effective rule of law, peace and security.

The commitment of the Iraqi state and the Iraqi people to ensuring gender equality and empowerment of women in Iraq is evident through the drafting of a law to protect women from domestic violence and from the adoption of a national action plan to end violence against women. EJI-I works to support this national effort by providing targeted training to the Iraqi judiciary, including judges appointed to investigate and hear domestic violence cases, and to the Iraqi police, including police investigators and staff of Family Protection Units. Four such trainings have been completed since March 2013, with plans for further training to take place in Baghdad, Erbil, Duhok, and Sulaimaneya in the coming months.

Our message to the Iraqi authorities in this: Behaviour is not changed over-night, but with the right messages, delivered by the right people, change is possible.

*A Human Rights Approach to Prison Management*³

Alison Stables and Lars Widholm

EUJUST-Lex Penitentiary Experts work alongside the Iraqi Correctional Service (ICS) and the Kurdish Region Ministry of Labour and Social Affairs (MoLSA) to provide high level training to senior prison staff in the following areas: Prison Leadership, Classification of Prisoners; International Standards Audit Programme (ISAP) and Rehabilitation and Reintegration. All training is based on International Standards for Prison Management, including the Minimum Standards for the Treatment of Prisoners, and as such emphasises and incorporates human rights and gender mainstreaming throughout all taught topics. All training, through the means of lessons, examples and practical exercises, aims to reinforce good practice and assist MoLSA and ICS participants to identify Best Practices in particularly when dealing with more vulnerable groups of prisoners. The various training elements give staff grounding in principles of good practice. Topics include ethics, code of conduct, managing emergency incidents, ensuring proper separation and categorisation based on individual prisoner risk and needs, thereby ensuring the safety of the vulnerable prisoners and those with special needs. ISAP is an audit programme based on International Prison Standards. It is a tool which enables prison governors to access their facilities against 90 international standards which can assist in short, medium and long term planning to build capacity, thereby improving the general conditions for both staff and prisoners. Rehabilitation and Rehabilitation seminars aim to focus attention on assisting in improving recidivism, and ensuring that prisoners are well prepared before they are released back into the community. In addition to training, EUJUST LEX Experts work actively in prisons and through mentoring, monitoring and advising, further assist their MoLSA and ICS colleagues in achieving their developmental goals.

Strengthening human rights and due process through Judicial training. *Prof. Anton Girginov and Adam Viplak*

The Judiciary Team works on strengthening human rights and due process through all its training courses by explaining the essence of human rights in criminal, extradition and transfer of prisoners proceedings; and also by clarifying the judicial mechanisms of the protection of human rights. Particularly important are our lectures on International Judicial Cooperation in Criminal Matters, Foreigners in Iraqi Criminal Proceedings, Comparative Law on Justifications for Crimes, Protection from Unjust Deployment of Special Investigative Measures and Unjust Confiscation, and Standards of Evidence Validity. The team places great emphasis on the actual introduction of international standards and fair trial. The Team also provide written materials (Manuals, scientific articles, written legislative proposals and other papers) to the Iraqi judiciary and legislation to emphasize the importance of international conventions providing for human rights standards and also to recommend amendments to the Iraqi domestic law, such as: amendments to the Penal Code in relation with domestic violence, reduction of the scope of the death penalty in cases of international judicial cooperation; and legislative implementation of the 'right to translation' in the Iraqi criminal procedure.

The European Union and its Involvement in the Rule of Law and Human Rights in Iraq



Article by the Head of the EU
Delegation to Iraq,
Ambassador Jana Hybášková

Ambassador Jana Hybášková comes from Prague in the Czech Republic, and is a graduate of Prague University. She was brought up in Algeria and in fact has spent half of her life in the Middle East. She studied Arabic at Cairo University and at age 25, was appointed Head of the Middle East Department of the Ministry for Foreign Affairs during the period when Czechoslovakia was transforming into the Czech Republic and Slovakia. Since then she has been Czech Ambassador to Slovenia, and also to Qatar and Kuwait; in both of the latter positions (during the period 2002 to 2004) she covered Iraqi issues. From 2004 to 2009 she was a Christian Democrat Member of the European Parliament; since 2011 she has been Head of the EU Delegation to Iraq.

The key issue for the especially in the period Rights and the Rule of European Union in Iraq after the departure of the Law in Iraq is deteriorating. is to foster stability and United States.

to encourage peaceful de- In doing this, we assessed On 22 April 2013, the velopment. This is a chal- developments during the Council of Foreign Minis- lenge. My own personal first half of 2012 as being ters of the EU adopted goal is to build up a fully- very positive; but since Council Conclusions on fledged EU Delegation the spill-over of the situa- Iraq which stated: "The with its own proper tion in Syria into Iraq, EU recalls its commit- premises and a full staff. everything has been ad- ment to develop a solid, The key aim in doing this versely affected. So, in long-term and mutually is to promote a unified the light of regional de- beneficial partnership and united European Un- velopments, especially in with Iraq. This requires ion as one of the main the context of Syria, we Iraq to build a stable po- players involved in the must unfortunately con- litical, judicial and eco- establishment of stability clude that the situation nomic environment, and development in Iraq, with regards to Human which will allow it to

emerge as a secure, democratic, prosperous country along with the EUJUST course, the general level where human rights and the constitutional principles are respected and rule of law is adhered to heavily (emphasis mine).

I see the situation in the areas of Human Rights and the Rule of Law as being a central core issue in the current political

The key issue for the European Union in Iraq is to foster stability and to encourage peaceful development.

Rights. For me personally, the key question is: How and from what point

does one begin to cut the vicious circle of violence?

I am of the opinion that it is not only linked to the fact of the broken fabric of society – which went through terrible wars, total international isolation and heavy sanctions – but this is also attributed to the systemic issue of the Rule of Law. In Iraq, we have to cope with combinations of Saddam's heritage as well as the lack of a modern democratic legal and justice system built on the principles of Human Rights and the Rule of Law.

EU Activities in support of Iraq

Therefore, our activities as the EU Delegation and the EUJUST LEX mission do not cover only reporting, research and analysis; but we must



Ambassador Jana Hybášková with EUJUST LEX-Iraq Head of Mission, Br. Gen. László Huszár



Ambassador Jana Hybášková with the Iraqi Minister for Foreign Affairs, Hoshyar Zebari

also concentrate on taking for basic capacity building action. Since 2005, through EUJUST LEX, the 27 member states of the European Union have provided broad training in the areas of Judiciary, OPS, Police and Penitentiary expertise to the Iraqis. With regards to the area of Human Rights, the EU Delegation was instrumental in the adoption of a

Human Rights and the Rule of Law....a central core issue in the current political crisis in Iraq.

whole chapter on Human Rights in the Iraqi National Development Plan; the Delegation consults and supports the Annual Iraqi Government Report on the Human Rights situation; as well as being involved with complaints; how to verify the accuracy of such complaints; and to recommend subsequent action (UPR). The EU and, if necessary, Delegation provides fund-

that this Independent High Commission for Human Rights will publish an independent annual report on Human Rights in Iraq.

In 2013, we launched a competition worth €5 million to support Iraqi Civil Society Organisations (CSOs) active in the area of Human Rights. Using German experts, we provide special training fo-

cussed on Human Rights issues in the high legal Institute of the Minister for the Interior as a part of the training of high-level post-graduate police students. Together with UNDP, the EU helps to finance a project of Model Courts in the Kurdish Region in the north of Iraq.

Future activities

However, our main activities are yet to come: the area of Human Rights and the Rule of Law is one of the three pillars of development activities planned and agreed by the EU Development ministries for the period 2014 to 2017. In that period, the European Union aims to strengthen good governance in Iraq, thereby contributing to fostering democracy, se-

curity, social cohesion through consensus on the and coordination between and sustainable development, through two specific objectives, shown here with their respective activities:

Specific objective 1 is to strengthen the efficiency and credibility of the criminal justice system and enhance the Rule of Law. As a result of this, the Iraqi justice authorities should have improved capacity in policy planning and coordination, law enforcement and revision, allowing for stronger compliance with Iraq's internal and international commitments; the quality of criminal investigations should be improved and the use of confession-based convictions reduced,

criminal procedure; and the existing legal aid system should be improved, vulnerable groups should have increased access to justice through legal counsel, and prisoners should benefit from improved detention conditions.

Specific objective 2 is to improve service delivery through better planning and implementation processes at governorate level. There should be improved capacity for planning and implementation at governorate level resulting in higher budget execution and service delivery, leading towards better sector wide planning; and improved communication

As we speak, the 27 Parliaments of the European Union are engaged in ratifying Partnership Cooperation Agreements (PCAs) between the 27 member States and Iraq. One binding article means that if Iraq does not fulfil its obligations in relation to Human Rights, the PCA can be suspended by the Member States.

Political Dialogue... executions

The European Union is not only involved in taking action as outlined above, but is also engaged on a daily basis in political dialogue covering the area of Human Rights with all types of Iraqi partners: the Ministry of Justice, the Deputy (and acting) Minister of the Interior, and the Minister for Human Rights. Currently we are extremely critical of the fact that Iraq has now reached the position of third place in the world in terms of death sentences being executed.



Ambassador Jana Hybášková, Iraqi Minister for Foreign Affairs, Hoshiyar Zebari, head of the "State of Law" party Khalid al-Atya, and László Huszár

Together with the United Nations Assistance Mission in Iraq (UNAMI) we are striving to use all the tools at our disposal to have a moratorium imposed on the death penalty; up to and including a presentation of the very critical state-ments of the High Representative, Catherine Ashton.

Iraq has now reached the position of third place in the world in terms of death sentences being executed.

lence by halting the carrying out of executions. We are particularly aware of the sensitive situation with regards to Iraqi women. We support legislative activities to Domestic Violence; and The European Union supports basic rights: freedom of expression; the Commission for Media and Communication; and efforts to establish standards for freedom of the media. To date, we have succeeded politically in blocking amendments limiting freedom of expression in many Iraqi laws. We actively support the right of all Iraqi citizens to vote, have no income; and we are helping and supporting Iraqi NGOs who are trying to improve the register of such widows who have no means of support.

Iraqi Political Rights...elections



Br. Gen. László Huszár and Ambassador Jana Hybášková with UNSR for Iraq and Head of the UN Assistance Mission in Iraq (UNAMI), Martin Kobler

and to offer themselves rious breaches of Human ment.

as political candidates. I Rights, such as the sys- Besides political and myself observed the re- temic use of torture in all training activities, we try cent provincial elections kinds of prisons and de- to influence Iraqi legisla- in polling tentation fa- tion. We pointed out that

stations in Baghdad; and we brought in European Union election observers as experts, and published a rather criti-

...we in the EU Delegation are now playing a political role in effectively transmitting a clear political message to the responsible Iraqi authorities

cilities; and the way that secret in- massive formers, on the basis of abuses of the anti-terrorism law, female pris- intimidate the population oners. and increase sectarian Therefore hatred is absolutely unac- we in the ceptable on the basis of EU Delega- international human tion are rights conventions.

now play- **De-Ba'athification**

cal report on those elec- cal role in effectively proper implementation of tions, mainly suggesting transmitting a clear po- the De-Ba'athification immediate improvements litical message to the re- Law so that it is not used or a total overhaul of the sponsible Iraqi authori- as a massive instrument voters' register. ties asking for immediate against the Sunni popula-

Rule Of Law And Human Rights Breaches

As we consider the Rule cilities in order to prove awakening Iraqi sectari- of Law and Human the de- anism. We are Rights breaches to be the crease in of the opinion heart of the current new the wide- that it is not Iraqi security and politi- spread itself that is at cal crisis, which started practice of the heart of in December 2012 with torture.

the Sunni uprising in the We are aware of the fact events in Syria, we in the that cur-

...we extend our hand to all Iraqis to help them to restrict the spread of massive abuses of Human Rights.

EU Delegation were in- rent Iraqi prisons nur- we in the EU Delegation strumental in adapting ture extremism and ter- organised in recent weeks Council Conclusions of rorism; therefore, in cur- high-level representative 22nd April by 27 EU For- rent political and future meetings with the Minis- eign Ministers. The development action, we try of Interior, Ministry Council Conclusions spe- shall focus on high-level of Justice, Ministry of cifically mention the in- strategic mentoring of Foreign Affairs and key dependence of justice; se- senior corrective manage- leaders of other political

entities.

We express constantly our hopes for a stable future of Iraq; therefore we extend our hand to all Iraqis to help them to restrict the spread of massive abuses of Human Rights.

EUJUST LEX-Iraq and Transition

We in the EU Delegation find it rather unfortunate that based on a decision made back in 2011, the mandate of the EUJUST LEX-Iraq mission should end

in December 2013. This period of the next few months is exactly that period of time that we have a political basis for immediate ac-

... the next few months is exactly that period of time that we have a political basis for immediate action in the areas of Human Rights and the Rule of Law: we are losing the key political tool that we have in Iraq.

tion in the areas of Human Rights and the Rule of Law: we are losing the key political tool that we have in Iraq. Of course, we in the EU Delegation will work hard to provide the European Union with precise Lessons Learned regarding the establishment, mandate, operation and departure of EUJUST LEX-Iraq. We hope that by doing so, we can substantially contribute to the strategic process of turning the “Comprehensive Approach to Comprehensive Action” so as to improve the management and implementation part of future civilian integrated missions. We are well aware of the fact that in the light of the new political crisis in Iraq, EU Member States are trying to bring up a new Instrument for Stability (IFS) action to Iraq; we are, of course, ready to complement and to co-ordinate this new action.

Programming exercises for Develop-

ment Cooperation Instrument (DCI) will substantially contribute to a broad presence of EU experts in the area of strategic high-level police mentoring and especially I further pursuing the independence of the Iraqi justice system. We need to continue to expose this system on a daily basis to the International Community and other international contacts to ensure that the Iraqis comply with international stan-

dards and norms. We have as well to be able to provide financing for Iraqi NGOs and Civil Society Or-

ganisations (CSOs), offering help in particular for the rehabilitation of prisoners, victims of torture and female prisoners.

We shall especially concentrate on pushing for much deeper daily cooperation and coordination between the Iraqi police, investigative judges, the courts and the Correction Services. We hope to protect the unique heritage of EUJUST LEX-Iraq and their Rule of Law Committees; we hope to be able to use them as a model for establishing high-level Rule of Law Committees. Likewise, we can use the excellent work done with the Correction Services regarding International Standards Audit Programme (ISAP) and Rehabilitation and Reintegration; and the police mentoring developed through the flagship Federal Investigation Training Course (FITC) for the police.

Empowering Ethical Policing

Alain Belivier, Alain Danloy and Dr. Michael Boyle



Stefan Fredin, police expert from Sweden, lecturing on investigating the crime of Trafficking in Persons

While Human Rights are dealt with as a specific topic within the Federal Investigation Training Course, it is a key theme which appears in all units and training delivered by the police team and in their engagements with Iraqi Police and Judicial Investigator colleagues.

The Police Team not only point to legal requirements and international obligations as drivers for human rights, but also emphasise the improvements to operational efficiency that human rights compliant policing can deliver. This embeds human rights into the police mission and goals. In addition, the Team members emphasise the professional pride and personal satisfaction which accompany delivering high quality effective policing and which in turn results in increased public satisfaction and respect.

The Police Team approach the subject of Human Rights as core requirements of policing and underscore that this is not a new development or an external obligation thrust on to the police. Long before human rights became part of a wider and accepted discourse the police have been a key instrument in ensuring the exercise of freedoms and the enjoyment of human rights. In the maintenance of public order and preservation of peace; in the protection of life and property and through the prevention and detection of crime; the police have always been a cornerstone of human rights protection and delivery. As professional police officers (serving and former), the Police Team share this awareness with colleagues and promote its acceptance as a fundamental and noble part of the police mission.

Interview with Dr Mohammed Turki, legal expert at the Iraqi Ministry of Human Rights



Dr Mohammed Turki (on left) conducts a class during a EUJUST LEX-Iraq course on Trafficking in Persons

EJL-I: Good morning, Dr. Mohammed, and thank you for agreeing to meet with us. Could you please tell our readers something about the nature of your work and what are you trying to accomplish?

Dr Mohammed Turki:

Thank you very much for this opportunity. I am Mohammed Turki Al-Obaidi. I work at the Ministry of Human Rights; I am responsible for training at the National Centre for Human Rights, and a professional trainer in Human Rights. Until recently, I was Deputy Director General at the Legal Department at that Ministry. On the other hand, I work as an expert in Human Rights with the UN (Commission of Enforced Disappearance). The work that I did give me the opportunity to accomplish many things and achieve some success, so that aim towards an important goal, i.e. pro-

moting the culture Human Rights among the largest section of possible beneficiaries. I also look forward to improving the capabilities of Governmental and Judicial Apparatus' staff in the field of Human Rights.

EJL-I: Please tell us about the work that you have been doing in cooperation with EUJUST LEX-Iraq.

Dr Mohammed Turki:

EUJUST LEX-Iraq gave me an important opportunity to work with them as a trainer in developing the capabilities of Law Enforcement staff and judges. I also took part in special training programs on Human Trafficking, on training Judges and anti-Human Trafficking Commission members. In the near future, I will participate in another train-

ing programme on combating violence against women.

EJL-I: *In the work that do to progress rule of law and respect for human rights in Iraq, what are the main challenges that you face?*

Dr Mohammed Turki:

These difficulties may not be clear, because I am specialised in Law. I also work as a trainer so that has gone smoothly for me. Challenges which could be effective in decreasing the effectiveness of training are basically related to the trainers' readiness to change. People who might not have a clear understanding of Human Rights could take part in these trainings, or they might not give the training proper attention; therefore, working with them would have bigger challenges.

Maybe the security aspects as well as the difficulty to move and commute are also some of the difficulties facing our work. If we look at the challenges which could face the implementation of the training programmes themselves, we find that the most important of which could be related to the participants' capabilities and their information about Human Rights, and maybe the preconceived ideas those participants have are one of the most important obstacles and challenges hindering the success of such programmes.

EJL-I: *EJL: Regarding these challenges, in your opinion, in the area of rule of law, what is the main contri-*

bution (if any) that training courses and technical support from international organisations, like EUJUST-LEX and others, make?

Dr Mohammed Turki:

EUJUST LEX-Iraq training courses helped in developing the participants' skills, thus removing some of the obstacles and challenges. International organizations and National training centres worked on this aspect and have achieved some success.

EJL-I: *In your opinion, is respect for human rights and rule of law improving/dis-improving/or staying the same in Iraq?*

Dr Mohammed Turki:

Certainly there is an improvement in the understanding of Human Rights as legal guarantees which should be respected and spread. Therefore, we notice that there is a reformation going on, without being able to stop the continuity of violations, due to the fact that these violations are committed by individuals who entered this field of work without knowing its importance and the guarantees accompanying it; and the continuing violence throughout the country.

EJL-I: *To what extent has the police and/or judiciary contributed to this improvement?*

Dr Mohammed Turki:

Searching for developments requires going back to the past years in order to realize the extent of the development. As a person who works in this field, I would say that things are getting better. It might be slow, but the development movement is still going on. If we went back to the past, we would find that the idea of Human Rights wasn't there to begin with, but today we see that the Judiciary and Police have protecting Human Rights and the Rule of Law is one of their most important priorities. There might be violations as I said, but everybody is starting to know what those violations are and how to deal with them.

The contribution of the Judiciary and Police is clear, because they are the most important apparatuses dealing with Law Enforcement and the Rule of Law. In my opinion, this contribution may not be of similar types. The contribution of the Judiciary to build an independent and neutral judicial system is a strong contribution; whereas the role of the Police is an accumulative role which depends on practices development for many years. However, I look forward because I see

الله أكبر

that the situation on the ground needs more efforts from those two apparatuses (The Judiciary and the Police) in future.

EJL-I: *What is the biggest opportunity that the human rights committee, and indeed the whole Iraqi parliament, has to promote and protect human rights in Iraq right now?*

On the other hand, the Parliament has many authorities enabling it to improve Human Rights in Iraq, at least through legislations or through monitoring Government entities, in spite of the political circumstances hindering its work in the past months.

EJL-I: *Have you any points you would like to add?*

Dr Mohammed Turki:

I don't actually work at the Independent Human Rights Commission, but I find that it has a planned way ahead of it, thus enabling it to do its tasks in the best way and to develop its capabilities and those of its leaders. This is due to its being still under formation. Law gives it enormous tasks but also powers through which it can be better

Dr Mohammed Turki:

Thank you very much for this opportunity, and I wish EU-JUST LEX-Iraq all the best and success in its work.



***Building capacity of Police and Judiciary towards the efficient combating of human trafficking and the protection of human rights and dignity –
Margareta Krook, Human Rights & Gender Expert***

Human Trafficking”, “Trafficking in Human Beings” or “Trafficking in Persons” all mean the same thing. They all refer to what’s often called “modern-day slavery”. It is one of the worst kinds of human rights abuses that exist. Human trafficking is an international problem: a flourishing and profitable industry. The global problem of human trafficking spans slavery, servitude, sexual exploitation, forced and child labour and the organ trade, and it has become one of the most lucrative transnational crimes after the illicit trade in drugs and arms. Iraq, as well as rest of Middle East, is not spared in any way. On the contrary, Iraq is both a source and destination country of human trafficking for men, women, and children trafficked for the purposes of commercial sexual exploitation and involuntary servitude, forced labour and organ harvesting. The years of war and conflict post 2003 has paved the way for unscrupulous elements to take advantage of this lucrative business.

Human trafficking, including child pornography, are despicable crimes affecting the most vulnerable citizens. Preventing and fighting them is a top EU priority.

The EU Strategy towards the Eradication of Trafficking in Human Beings was adopted in 2012. This was an update of the 2005 EU Action Plan on best practices, standards and procedures for combating and preventing trafficking in human beings. The Strategy includes working on prevention, protecting vic-

tims, bringing perpetrators to justice and encouraging cooperation between EU member states but also with external states in this field. It was therefore important for EUJUST LEX-Iraq to build on those ambitions when it, together with the Government of Iraq, its partner, was deciding the scope and amount of assistance to the Iraqi Criminal and Justice System (ICJS) on training courses and mentoring and advising of its senior and middle management officers.

For the last one and a half years, we have been delivering awareness-raising courses on this very complex issue for senior police and judiciary practitioners.

. In our courses, which are specially designed for law enforcement and judiciary, we seek to identify the issue of human trafficking and how it pertains to Iraq; secondly, to examine Iraq's international legal obligations vis-à-vis its domestic legal framework to address human rights violations and human trafficking issues; and lastly discuss, together with participants, recommended measures

for implementable solutions that they can adapt to meet their international and national obligations. Our courses focus on victims, to ensure their rights and safety; and to identify appropriate means to crack down on traffickers and bring them to justice.



**Margareta
Krook, a lawyer
from Sweden**

The crime of human trafficking, often involving organized criminals and spanning several countries, is a violation of

corruption, violent acts and by the development of criminal groups obtaining substantial profits from this type of activity. All these aspects represent a threat to economic stability, national and regional security.

Despite the international efforts today to fight human trafficking as a social phenomenon and crime, it remains a reality; and it requires a substantial and continuous effort by both the international public bodies and by the entire society. Iraq has shown a great level of readiness to combat this phenomenon after having signed the Palermo Protocol (2009) in 2012, passing a special law on combating "trafficking in persons" and subsequently establishing a Committee headed by the Ministry for the Interior to implement the law and coordinate many ministries' and agencies' obligations and

Human trafficking, including child pornography, are despicable crimes affecting the most vulnerable citizens. Preventing and fighting them is a top EU priority.

activities to protect victims, prevent the crime, prosecute perpetrators and cooperate with regional and international interlocutors and

human rights which undermines human dignity and integrity, being a threat to individual security and to social and moral values. This type of crime directly affects the individual by the impact it has on individual rights, that is, freedom. As a result, society as a whole is adversely affected by

states. The EU and EUJUST LEX-Iraq remain committed to continue supporting Iraq on its journey to work on combating and eliminating one of the worst crimes and gross human rights abuses in history.



Paul Kirwan, Deputy Head of Mission, presents a Certificate to Ali Omar, Legal Adviser to the Iraqi Parliament Human Rights Committee, and one of the Expert Guest Speakers on EUJUST LEX-Iraq's course on "Combating Domestic Violence through the Iraqi Criminal Justice System" in Baghdad . Course director Dr. Karen Murphy looks on

EUJUST LEX-Iraq is the EU's first integrated rule of law mission. Following the fourth extension of its mandate, the Council of the EU agreed that EUJUST LEX-Iraq would be extended until 31 December 2013. Since October 2011, EUJUST LEX-Iraq's Head of Mission is Brigadier General László HUSZÁR (Hungary). He succeeded Carl Törnell (Sweden), Francisco Díaz Alcantud (Spain) and Stephen White (UK).

This Newsletter is published by ***EUJUST LEX-Iraq***

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