



THE SCOPE OF INTERNATIONAL PROTECTION FOR HUMAN RIGHTS DEFENDERS IN IRAQ

¹DR. MUHAMMAD THAMER MUKHAT ²HUDA MALIK SABIR

College of Law, University Of Thi-Qar, Iraq.

² law6phd21@utq.edu.iq

¹lawple211@utq.edu.iq

<https://utq.edu.iq/> UTlaw@utq.edu.iq

Abstract

Human rights defenders seek to implement and protect human rights at the international and local levels, and given the absence of an international agreement that defines their legal status and the absence of an internal law text regulating the legal status of human rights defenders, the correct treatment lies in organizing defenders with an international agreement that establishes a way to protect them. It obliges states to enact a law that defines their status internally and prevents the application of any other law that is not competent to them, and that Iraq grants international bodies the power to consider the individual complaint submitted by defenders, since the contact of human rights defenders with international bodies does not constitute a crime, but rather a right established for them under international instruments, and Develop a standard that would diagnose the peaceful defender who preserves public funds based on the declaration related to human rights defenders .Here we can ask about the effectiveness of the protection provided by international human rights law to human rights defenders, or whether the defenders rely on the protection of domestic law. Does the protection of international law necessitate the protection of domestic law or is it supportive of domestic law? Discussing and answering these questions will be the subject of our research.

Keywords: *defenders, human rights, individual complaint, methods of protection*

INTRODUCTION

First: introducing the topic

International law guarantees respect for human rights, and human rights defenders represent decisive parties in ensuring that everyone enjoys human rights, which requires addressing this issue for the purpose of examining the protection provided by international texts. It necessitated a statement of Iraq's position on international bodies, the reasons for its refusal to ratify its procedures and the effects of refusal And also a statement of the protection mechanisms in order to prevent the misuse of this protection, and therefore the research reviews these two points in detail, then it turns to a statement of the internal protection of human rights.

Second: the importance of the study

The issue of human rights defenders is one of the most important concerns of the international community, and this concern may be due to what the defenders suffered from violations of their rights, and the importance of the study can be determined as follows:

1. The study will focus on international issues that limit attacks against defenders.
2. In the second part of this study, we shed light on the internal protection of human rights defenders.
3. The internal affairs of the state have an impact on the type of protection enjoyed by human rights defenders.

Third: the problem of the study.

The issue of human rights defenders raises a major problem, which is who is responsible for protection ? In this way, it raised sub-problems, which are as follows:

- 1- What is the legal basis for protection - is it international or domestic law?



2- What are the alternative protection mechanisms in the event that Iraq refuses to ratify the procedures of the treaty committees? Is there a special mechanism for the protection of defenders in Iraq?

Fourth: the difficulty of studying

The difficulty of the research can be identified in one point, which is the novelty of the subject. The entire subject of human rights defenders is a contemporary subject, and the sources are scarce, or rather lack thereof, and it is one of the topics that have been killed in research. such decisions.

Fifth: study methodology

Certainly, the study will adopt the analytical approach, by examining the texts of articles in international conventions, judicial rulings, and internal laws related to human rights defenders.

Sixth: the structure of the study

The study reviews the general rules that govern the protection of human rights defenders, down to the partial rules that determine the effectiveness of this protection, and that the nature of the issue is what necessitated the implementation of this structure.

The first requirement

International protection for human rights defenders in Iraq

The term international protection means the protection bestowed by international conventions on human rights defenders through their reliance on methods of international protection for human rights defenders, and in the absence of such protection, the defenders are exposed to more possibilities of violating their rights, which we will discuss in this section. Iraq's refusal to ratify the procedures of treaty committees and alternative methods, and our aim is to find out the extent to which Iraq fulfills its obligations towards defenders.

First: Iraq's refusal to ratify the procedures of the treaty committees

Committees were established according to international conventions or protocols attached to human rights conventions. They receive complaints from defenders whose countries are party to those conventions and have declared acceptance of the competence of these committees to consider the complaint. Otherwise, the committees do not accept complaints if the state is not a party and does not grant them the competence to consider that complaint. Iraq is a party to all the conventions that established the committees, except for the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families, and it is not bound by its protocols, and therefore we will discuss the reasons and effects of abstention.

1- the reasons

Iraq is considered a member of the United Nations and is bound by its charter under Law No. 46 of 1945. We have the right to ask, about Iraq's position on the Declaration on Human Rights Defenders?

Before answering this question, it is necessary to address Iraq's position regarding treaty treaties that guarantee the filing of complaints by defenders when their rights are violated, and with regard to international agreements represented by the International Convention on the Elimination of All Forms of Racial Discrimination of 1965, the International Covenant on Civil and Political Rights 1966, the International Covenant on the Special Economic, Social and Cultural Rights 1996, Convention on the Elimination of All Forms of Discrimination against Women 1979, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984, Subcommittee Against Torture 2002, Convention on the Rights of the Child 1989, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families For the year 1990, the Convention on the Rights of Persons with Disabilities of 2006, and the International Convention for the Protection of All Persons



from Enforced Disappearance of 2006 ⁽¹⁾ - only Iraq has ratified, but it has not joined the protocols and materials that allow international bodies to consider individual complaints.

The Special Rapporteur indicates that state's failure to join the protocols and materials that allow international bodies to consider individual complaints reflects a comprehensive picture of the situation of defenders in that country and confirms the existence of gaps in the implementation of the Declaration on Defenders. She also indicates that the individual complaint procedure allows the Special Rapporteur to cooperate with Defenders and the state to thoroughly research the violations that the defenders are exposed to and to recommend in a way that ensures the state's compliance with the declaration, but what remains the most important thing is what is revealed through the complaints procedure whether it has caused an increase in violations of the rights of defenders through the information it collects from the individual complaints procedure to the attention of the United Nations and the Human Rights Council ⁽²⁾. Accordingly, Iraq's non-accession does not mean its liberation from obligations related to the rights of defenders, because the origin of these obligations is not only these conventions, but international human rights law. Therefore, we believe it is important for Iraq to join all treaty treaties and their protocols and to give jurisdiction to international bodies arising from the consideration of complaints of human rights defenders. In addition to the formation of an approved mechanism in accordance with these treaties as an important protection method for defenders. With the adoption of the Declaration by the General Assembly in accordance with its resolution 144/53 by consensus of the Member States of the United Nations, it represents a clear obligation on states, including Iraq, to promote and protect the rights and actions of human rights defenders. As for the answer to the question regarding Iraq's position on the Declaration on Human Rights Defenders, with the adoption of the Declaration by the General Assembly in accordance with its resolution 144/53 and with the approval of the Member States of the United Nations, and thus it constitutes an explicit and direct commitment on Member States, including Iraq, to promote, guarantee and protect rights as well as human rights actions Human rights defenders, and that the member states of the United Nations, by their support for the principles of human rights and the principles of defending human rights referred to in the declaration, have recognized the important role of effective international cooperation in protecting defenders as individuals or groups, as well as contributing to the elimination of violations of human rights and fundamental freedoms and recognizing the legitimacy of human rights defenders. Activities of human rights defenders.

2-CONSEQUENCES

The effects of the State's failure to join the protocols and materials that give jurisdiction to international bodies that consider individual complaints and the non-implementation of the provisions of the Declaration on Human Rights Defenders are determined by its inability to resort to these bodies or to enjoy the advantages of a complaint, because one of the most important conditions for filing a complaint is that Iraq is a party to it. Likewise, the defenders themselves are not aware of the means that can be used to enhance their protection and highlight their role, and the poor coordination between these mechanisms and the state results in difficulties represented in making the role of human rights defenders unknown and incomprehensible, not only by the bodies, but even by the media and society, and also results in disengagement. This is what prompts human rights defenders to strengthen their links with the Special Rapporteur, especially when he is present in the field to gather information on human rights defenders and conduct dialogue with the state and other stakeholders in

1-Muhammad Turki Al-Obeidi, The role of the United Nations system in protecting human rights through individual complaints systems and Iraq's position on them, Journal of the College of Law, Al-Mustansiriya University, 2009, p. 100.

1- United Nations, Official Records of the General Assembly. Sixty-first session, Document Code A/61/312/2006, p .15.



order to promote the Declaration and its implementation ⁽¹⁾. As a result, we find the alternative procedure followed by defenders in Iraq instead of sending the individual complaint to international bodies is to contact the United Nations Mission in Iraq and send the individual complaint to the Special Representative of Blackshart in Iraq, but the question is what are the steps taken by the representative of the Secretary-General or the United Nations Mission regarding complaints that you want them? ⁽²⁾ :-

1. Submitting a complaint to the official authority in the country and sending information related to the complaint to the government in order to return this information and issue a press release about the complaint, and receive and examine information on the status of defenders.

2. The Special Representative encourages and urges the government to investigate, prosecute, impose appropriate penalties, compensate victims of violations of the rights of defenders, and take the necessary measures to prevent violations against defenders.

Second: alternative methods of international protection

It is the state's responsibility to protect defenders under alternative protection mechanisms after Iraq refused to join the bodies that receive their complaints, which we address through the following divisions:

1- Universal Periodic Review

There is no doubt that the Universal Periodic Review is a new mechanism of human rights methods, through which the Council periodically reviews the implementation of each of the 192 member states of the United Nations in the implementation of its obligations and commitments in the field of human rights ⁽³⁾.

The General Assembly refers to it as important ways to monitor the situation of defenders in the countries reviewed by the Council, and thus the importance of the review is evident as a way to protect defenders in the event that the state did not join the protocols and did not grant jurisdiction to international bodies to receive complaints of defenders, according to which all states parties to the United Nations will be subject to review in accordance with Equal standards and principles include other aspects of the Declaration on Human Rights Defenders, and this mechanism is based on three reports, the first is prepared by states and the other two are prepared by the Commission, one of which is related to information about the United Nations, while the other is a summary of the contributions made by stakeholders, including defenders and non-governmental organizations (NGOs) ⁽⁴⁾

2- Field visits

The mandate of the Special Rapporteur includes carrying out official field visits to countries. The Special Rapporteur is assigned, after issuing an invitation for an official visit to some countries. Invitations may be sent permanently to the rapporteurs. In other cases, the Rapporteur may send written letters to the concerned countries to submit an invitation to visit their countries. This visit is given An opportunity to consider the situation of human rights defenders in the country and to identify the problems and difficulties they face. After each visit, the rapporteur presents a report indicating the appropriate measures and recommendations to be taken ⁽⁵⁾. The visit allows for information about defenders to be sought and received through holding meetings. With them in the event that there is

1-United Nations, Official Records of the General Assembly. Seventieth session, Document Code A/70/217/2015, p. 9.

1- Basem Ahmed Abdullah, Defenders of Freedom Series - A Guide for Human Rights Defenders, Yemeni .Observatory for Human Rights, Sana'a, 2016, p. 88

2- Dr. Muhammad Thamer, The Effectiveness of Individual Complaints Before Treaty Bodies, Lectures Delivered to PhD Students, College of Law - Dhi Qar University, 2021, p. 6.

1- United Nations, Official Records of the General Assembly. op .cit, Document Code A/70/217/2015, p.24-25.

2-United Nations High Commissioner for Human Rights, Human Rights Defenders: Protecting the Right to Defend Human Rights, Fact Sheet 29, Geneva, p. 32

cooperation by the rapporteur with the state, and states often prevent this cooperation by imposing restrictions to prevent the movement of defenders to meet the rapporteur ⁽¹⁾, and the responsibility for the actual implementation of the recommendations contained in the visit report rests with The stakeholders are mainly the state and human rights defenders, and the decision follows up on the implementation of the recommendations ⁽²⁾.

The second requirement

Internal protection for human rights defenders in Iraq

In the first topic, we talked about the international protection of human rights defenders in Iraq, and we realized that Iraq did not ratify the procedures, and it became clear to us that there are internal alternative procedures for the individual complaint, so we will deal in this topic, the legislative and executive procedures for protecting defenders in Iraq, and we focus on their evaluation.

First: Legislative and executive measures to protect defenders in Iraq

The Iraqi legislator followed the approach established in international human rights conventions in recognizing the international principles of human rights and the principles of defending human rights. The Iraqi constitution was keen to define the legal status of defenders by enacting a law that regulates their rights and defines their obligations.

1- Legislative procedures

By scrutinizing the texts of the Iraqi constitution of 2005, we find that it does not explicitly stipulate the term human rights defenders, but we can deduce it implicitly through the constitutional texts that differentiate between freedom of opinion and freedom of expression, given that freedom of opinion was mentioned by the legislator in an absolute way ⁽³⁾, as he dealt with it as one of Among the rights that defenders enjoy as human beings, it was stipulated as a general and abstract freedom when mentioning the principle of equality and the factors on which it is based specifically the non-discrimination factor referred to in Article 14 of the Iraqi Constitution of 2005, while the freedom of expression was dealt with in detail as Among the rights that human rights defenders enjoy under domestic legislation, the Iraqi legislator restricts them as it requires that expression be regulated within the limits of public order and public morals under Article 38 of the Constitution, and this is confirmed in Article 46 of the Constitution ⁽⁴⁾, and so freedom of opinion means freedom to receive As for freedom of expression, it means the right of defenders to express what is in their minds ⁽⁵⁾. It has limits other than those imposed by the law. However, this limitation does not affect the essence of freedom, and this was established under Article 46 of the Iraqi constitution of 2005. As for the position of Iraqi legal legislation related to the issue of defenders, from which we find Coalition Provisional

3-United Nations, Official Records of the General Assembly. op .cit, Document Code A/61/312/2006, p.5-16.

4-United Nations, Official Records of the General Assembly. Seventh session, Document Code p.15. ‘A/HRC/7/28/ 2008

¹- There are no specific Iraqi, Arab, or even foreign studies that show the position of the Iraqi legislator on human rights defenders, and therefore all the opinions mentioned above came from the researcher's conclusion .

2-Article (46) of the Constitution of Iraq for the year 2005 (the exercise of any of the rights and freedoms stipulated in this constitution may not be restricted or limited except by law or on the =basis of it, provided that such limitation and restriction does not affect the essence of the right or freedom). Al-Dustour was published in the Iraqi Gazette, Issue 4012 on 12/28/2005. For more information, see, for example:

-Sabah Sadiq Jaafar al-Anbari, The Constitution and the Collection of Laws of the Regions and Provinces, The Legal Library, Baghdad, without a year of publication, p. 15-

1- Dr. Muhammad Thamer, Political Human Rights, 1st Edition, The Legal Library, Baghdad, 2012, p.8.



Authority Order No. 19 of 2003 ⁽¹⁾. The second section of the order suspended Articles 220 to 223 of Penal Code No. 111 of 1969, which restrict the right of defenders as individuals to freedom of expression and peaceful assembly, and the matter that represents the law regulating the right of demonstrations to Iraq ⁽²⁾, and the draft law on freedom of expression, assembly, and peaceful demonstration, which is still in the corridors of the House of Representatives after it was put forward. It was read for the first reading in June 2014 and the second reading in 2015 ⁽³⁾, and it is awaiting a vote on it ⁽⁴⁾. The question now is, the country that has ratified the competence of international bodies to receive individual complaints from human rights defenders - does it have internal mechanisms and with the existence of these internal mechanisms has it ratified the international one?

Yes, there may be internal mechanisms for states with the existence of international ones that give defenders the right to file a complaint, and it is represented by the factual record of the behavior of human rights defenders and law enforcement officials. A prominent role in independent coverage of defenders' activities under the rule of law by conveying information that society has a right to know ⁽⁵⁾.

2- Executive procedures

The executive authority seeks to take appropriate measures to maintain public order and morals, and this is called an administrative control ⁽⁶⁾. For law enforcement officials to use force while defending human rights?

In order to answer this question, it is necessary to refer to General Comment No. 37 of the Human Rights Committee regarding peaceful assembly. We find that it permits the use of the minimum necessary force only when there is a legitimate purpose for administrative pressure and for the implementation of the law while defending human rights ⁽⁷⁾. The use of force must be commensurate with the seriousness of the act and the intended purpose of the use of force, and after the need to use force has ceased, for example the success in apprehending a defender who uses violence, law enforcement officials may not return to the use of force again⁽⁸⁾, but the question remains, who are the law enforcement officials who are responsible for arresting the defenders and their demonstrations? They are mostly trained in controlling security and they are the only ones who should be deployed, and no other parties may be used, whatever their capacity, and they must be suitably equipped with

¹- Administrative Order No. 19 of 2003 - an administrative order that represents the legal basis for regulating the defense of human rights in Iraq until now - published in Al-Waqa'i Al-Iraqiya newspaper issued in Issue 7131 on July 12, 222/2003.

³- The High Commission for Human Rights in Iraq, Report on Monitoring the Demonstrations in July 2018, Baghdad, 2018, p. 4

³ -The second reading of the draft law on freedom of expression, assembly, and peaceful demonstration, available on the website of the Iraqi Council of Representatives :- Visit date 9/10/2022.

- [https://arb.parliament.iq/archive/2017/5/10/.](https://arb.parliament.iq/archive/2017/5/10/)

⁴- Dr. Issa Bayram, Human Rights and Public Freedoms: An Approach between Text and Reality, 1st edition, Dar Al-Manhal Al-Lebanese, Beirut, 2011, p. 275.

1-United Nations, Official Records of the General Assembly. Sixty-second session, Document Code A/62/225/2007, p21 .

2-Administrative control: It is a set of measures taken by the state with the aim of establishing order in society and ensuring the safety, entity and stability of the state. For more information, see, for example

- Dr. Abdel-Wahhab Al-Barzanji, and others, Principles and Provisions of Administrative Law, Al-Sanhouri Library, Baghdad, 2015, p. 211.

³ - Dr. Muhammad Thamer, Family and Political Human Rights, 1st Edition, The Legal Library, Baghdad, 2012, p. 134

⁸ - Human Rights Committee, General Comment No. 37 on the right to peaceful assembly, Document symbol CCPR/C/GC/37, 2020.



protective equipment to prevent crimes, achieve stability and prevent disturbances that disturb public order ⁽¹⁾.

Second: Evaluation of legislative and executive procedures

The constitutional provisions that guarantee the rights of defenders, the Iraqi legislator refers its details and organization to the ordinary legislator for the purpose of respecting the rights and freedoms of defenders, and it is noted that Article 46 of the Iraqi constitution forms a weak basis for protecting defenders, as it restricts the right of human rights defenders to freedom of expression and their respect for public order and morals, This limits the executive scope of their rights and gives the executive authority the possibility of restricting ⁽²⁾, which complicates the process of democracy in Iraq. The legislator has not enacted a law defining the legal organization of human rights defenders yet, but work is proceeding according to Coalition Authority Order No. 19 of 2003.

And if we want to evaluate Order No. 19 of 2003 during the period in which it applies, it was not able to provide protection to the defenders, but rather it was possible to breach the protection granted to them under other texts, as it places restrictions on their activities, and therefore the authors of the order were not in their mind nor In their goal is to seek to protect defenders, but this matter was a natural reaction to a country where demonstration was prohibited as a result of gross violations of human rights, however, the right to defense or demonstration and peaceful assembly is considered the basis of all rights because it gives indications to the authority that a right may be violated means that The individual, when his civil rights are violated, defends them and demonstrates to demand them. Likewise, when his political, economic, social, and cultural rights are violated, he also pretends. It is a means or indication for the government or those holding power that there is a violation of rights, and it is an indicator for the inside and outside in most cases. The media will monitor such an event, i.e. demonstration, and back. To the "Draft Law on Freedom of Expression of Opinion, Assembly, and Peaceful Demonstration." The title of this legislation needs to be abbreviated., as for the first article, it included definitions, including freedom of expression, except that it is not the task of the legislator to define the terms, but rather it is the task of jurisprudence and judiciary. Legislations that protect rights and freedoms ⁽³⁾. Therefore, we recommend the Iraqi legislator to reformulate the draft articles to be in line with the Declaration on Human Rights Defenders, and to include in it an article that obliges the Minister of Interior, law enforcement officials, and security services to communicate the legitimate demands of defenders to the concerned authorities, and perhaps this contributes to studying them and finding the best solutions for them.

We conclude from the foregoing that the constitution dealt with protection of the general situation of rights and freedoms and did not deal with human rights defenders as a special and important group in Iraq, and the relevant legislation dealt with some matters related to human rights defenders, which need to be amended in accordance with the current time and the training of the enforcement agencies of these Legislation to grant the information defenders request to help them follow up on violations and provide the necessary protection, provided that this defender is practicing his peaceful activities in accordance with the law.

CONCLUSION

Through our study of the legal status of human rights defenders in Iraq, we reached a set of conclusions and recommendations, summarized as follows:

¹ - Dr.. Hebat Allah Ahmed Khamis, Towards a Global Ethical Order, 1st edition, Dar Al-Wafa for the world of printing and publishing, Alexandria, 2012, p. 129.

² - Dr. Muhammad Amin Al-Maidani, The Legal Framework for the Protection of Freedom of Opinion and Expression, Journal of Political and Security Studies, Volume Four, Number Seven, 2021, p. 133.

³ - Dr.. Hassan Thamer Taha Al-Bayati, The Legal Basis for the Right to Assembly and Peaceful Demonstration in International Law, Dijla Journal, Volume 3, Issue 1, 2020, pp. 120-122.



First: the results

- 1- The international bodies receive the complaints of defenders whose countries are parties to the conventions and ratify the protocols that grant jurisdiction to the bodies. Iraq is a party to all the agreements that established these bodies except for the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990, and it is not bound by the protocols attached thereto.
- 2- There are alternative international mechanisms represented by the universal periodic review and the official visit of the Special Rapporteur, and internal mechanisms represented by the factual record of the behavior of human rights defenders, law enforcement officials, the media and journalists.
- 3- The Iraqi constitution dealt with the protection of the general situation for the protection of rights and freedoms and did not deal with defenders in particular, and did not specify their legal status by special legislation.
- 4- The law enforcement personnel are the ones who are trained to control the security and they alone have the right to publish among the human rights defenders.

Second: Recommendations

- 1- The need for Iraq to ratify the protocols that give defenders the right to submit their complaints to international bodies when their rights are violated, in order to find out the extent to which Iraq fulfills its international obligations, especially the Declaration on Human Rights Defenders.
- 2- It is better for the state to strengthen alternative protection mechanisms by adding defenders to the universal periodic review reports and inviting the rapporteur for an official visit in order to consider the situation of defenders.
- 3- We recommend the Iraqi legislator to enact a law that defines the legal status of human rights defenders, and to reformulate the draft law on freedom of expression, assembly, and peaceful demonstration, and to include in it an article that obliges law enforcement officials in order to communicate the defenders' demands to the competent authorities.

THE REFERENCES

- [1] Dr.. Ahmed Abdel-Hamid Al-Hindi. 2016. *The right to peaceful demonstration in international law compared to domestic legal systems*. Egypt: Center for Arab Studies for Publishing and Distribution, 2016. Page 437.
- [2] Sabah Sadiq Jaafar Al-Anbari, *Al-Dustour and the set of laws of the regions and governorates, the Legal Library, Baghdad, without a year of publication*.
- [3] Dr. Essam Abdel-Wahhab Al-Barzanji, Dr. Ali Muhammad Badir and Dr. Yassin Al-Salami. 2015. *Principles and provisions of administrative law*. Baghdad: Al-Sanhouri Library, 2015.
- [4] Dr. Issa Bayram, *Human Rights and Public Freedoms: An Approach between Text and Reality, 1st Edition, Dar Al-Manhal Al-Lebanese, Beirut, 2011*.
- [5] Dr. Muhammad Thamer, *Political Human Rights, 1st Edition, The Legal Library, Baghdad, 2012*.
- [6] Dr. Muhammad Thamer, *Family and Political Human Rights, 1st Edition, The Legal Library, Baghdad, 2012*.
- [7] Dr. Hebat Allah Ahmed Khamis, *Towards a Global Ethical Order, 1st edition, Dar Al-Wafa for the world of printing and publishing, Alexandria, 2012*.

Second: Research and studies

- [1] Basem Ahmed Abdullah, *Defenders of Freedom Series - A Guide for Human Rights Defenders, Yemeni Observatory for Human Rights, Sana'a, 2016*.
- [2] Dr. Hassan Thamer Taha Al-Bayati, *The Legal Basis for the Right to Assembly and Peaceful Demonstration in International Law, Dijla Journal, Volume 3, Issue 1, 2020*.
- [3] Dr. Muhammad Amin Al-Maidani, *The Legal Framework for the Protection of Freedom of Opinion and Expression, Journal of Political and Security Studies, Volume Four, Number Seven, 2021*.
- [4] Muhammad Turki Al-Obeidi, *The role of the United Nations system in protecting human rights through individual complaints systems and Iraq's position on them, Journal of the Faculty of Law, Al-Mustansiriya University, 2009*.



- [5] *Dr. Muhammad Thamer, The Effectiveness of Individual Complaints Before Treaty Bodies, College of Law - Dhi Qar University, 2021.*
- [6] *The High Commission for Human Rights in Iraq, a report on monitoring the demonstrations in 2018, Baghdad, 2018.*
- [7] *The United Nations High Commissioner for Human Rights, Human Rights Defenders: Protecting the Right to Defend Human Rights, Fact Sheet 29, Geneva, p. 32.*

Fourth: United Nations documents

- 1- A/61/312/2006
- 2- A/62/225/2007
- 3- A/HRC/7/28/ 2008
- 4- A/70/217/2015
- 5- CCPR/C/GC/37