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No. 8266 P. 3

P12/12

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HAUT COMMISSARIAT AUX DROITS DE L'HOMME



UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS

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REFERENCE: GSO 114 (21.11)

Excellency,

11 May 2004

I have the honour to address you in my capacity as Special Rapporteur on extrajudicial, summary or arbitrary executions, pursuant to Commission on Human Rights resolution 2001/45.

In this context, I would like to refer to three communications dated 12, 20 May and 20 October 2003 (a copy of which you'll find attached) sent to the Coalition Forces as well as to the permanent Representative of the Republic of Iraq, which give an account of extrajudicial executions committed by members of the coalition forces.

While I take note of your communication dated 5 April 2004 and acknowledge your position with regard to the terms of my mandate, I would like to stress that it falls within my responsibility to communicate to governments the reports which I have received where it appears that civilians' lives have not been respected.

I believe that your Government is willing to ensure that human rights violations are not taking place during the occupation and that any abuse is duly and thoroughly investigated and its perpetrators are brought to justice. This is in this spirit that I call upon closer and better cooperation from your Government with my mandate.

I am also deeply concerned at growing indications according to which, in addition to extrajudicial killings committed by the coalition forces through disproportionate use of force, there are a number of deaths in custody which have occurred as a result of degrading and humiliating forms of torture. Various corroborating reports substantiate the allegation that such forms of ill-treatment - sometimes resulting in deaths - were carried out precisely with the objective to humiliate and degrade detainees.

H.E. Mr. Kevin B. MOLEY
Ambassador
Permanent Representative of the United States of America
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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: FRANK E SCHMELZER
DATE/CASE ID: 10 DEC 2004 200303827

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TO: EXEC

No. 8266

P. 4

P: 3/12

2

In order to submit a credible report to the Commission on Human rights, I am hereby requesting that your Government send me an exhaustive list of all cases of suspected deaths in custody and extrajudicial executions perpetrated in Iraq by members of the coalition forces along with the investigations undertaken.

Finally, I have also received reports according to which certain security personnel have been contracted from private firms to interrogate and guard prisoners. In case these allegations were to have any substance, I would appreciate a response with regard to their precise role and functions, the training they have been subjected to in particular with regard to the instructions on the use of force and their respective accountability.

Please accept, Excellency, the assurances of my highest consideration.

Asma Jahangir

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Special Rapporteur of the Commission on Human Rights on Extrajudicial, summary or arbitrary executions