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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS  
IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL  
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Note verbale dated 9 February 1984 from the Permanent Mission of  
the Republic of Iraq, addressed to the Centre for Human Rights

The Permanent Mission of the Republic of Iraq at Geneva has the honour to enclose the reply of the Iraqi Government to the so-called "Statement regarding repeated violations of international humanitarian law", distributed in document E/CN.4/1984/50 under agenda item 12. It would be appreciated if this reply could also be distributed as an official document of the Commission on Human Rights at its fortieth session.

The Permanent Mission of the Republic of Iraq takes this opportunity to convey the assurances of its highest consideration.

Document E/CN.4/1984/50, distributed by the Centre for Human Rights, contained a statement by the Iranian regime concerning so-called "repeated violations of international humanitarian law".

In replying to the distorted information contained in that statement issued by the Iranian regime for purposes of prejudiced and defamatory political propaganda against Iraq, we wish to emphasize that the Iranian regime has totally disregarded its international obligations and has not respected any international resolution or humanitarian law. It should be noted that:

1. For purposes of political propaganda against Iraq, the Iranian regime has repeatedly attempted to introduce this subject into the work of the Commission on Human Rights in spite of the fact that, under the Third and Fourth Geneva Conventions of 1949, it lies within the exclusive jurisdiction of the International Committee of the Red Cross (ICRC).

2. The ICRC and international public opinion are well aware that, since the beginning of the war forced upon it on 4 September 1980, Iraq has faithfully fulfilled all its international obligations under the above-mentioned Geneva Conventions. Throughout the period of the war, Iraq has lived up to the highest and most noble humanitarian standards and values at a time when the odious and shocking crimes committed by the forces of the Iranian regime are still fresh in the memory of the international community, as is amply illustrated in the case of the slaughter of Iraqi prisoners of war at Basra.

3. Situations of armed conflict constitute abnormal deviations from the accepted pattern of international conduct and invariably bring suffering to all the parties involved. Consequently, since the very beginning of the war, Iraq has made every effort to put an end to hostilities, as is evident from its acceptance of all offers of mediation and of recommendations and resolutions, including the four resolutions of the Security Council, which Iran, on the other hand, has totally rejected.

4. We would remind the Iranian regime of the fact that it has repeatedly refused to sign an agreement not to bomb cities and their surrounding districts, including those containing military targets. The paragraph to this effect in the latest Security Council resolution 540, although welcomed by us, was rejected by Iran. This clearly reflects Iraq's consistent policy of seeking peace and, at the same time, confirms Iran's positive determination to strike at Iraqi civilian targets as it has, in fact, been doing on a daily basis, particularly in the towns of Basra, Khanaqin, Mandali and, most recently, at Choarta in the Governorate of Sulaimaniya, on 18 January 1984, when dozens of children, women and elderly persons were killed or wounded during the bombardment of a residential area.

5. We wish to remind the representative of Iran that, while he is speaking in the name of peace and humanity, his country is throwing its children into the jaws of death and, not being content with this, has even washed its hands of those of them who have been taken prisoner and whom it refused to repatriate even after Iraq had agreed to their unconditional release. Iraq is still endeavouring on humanitarian grounds, to solve the problem of these children, in consultation with international humanitarian organizations.

6. The representative of the Iranian regime is attempting to influence international opinion through unfounded allegations. We would remind him of the facts, established by the International Committee of the Red Cross, concerning the situation of Iraqi prisoners of war in Iran and, in particular:

Iran's failure to provide any facilities for the ICRC delegation which, moreover, has itself been the victim of aggression;

The large numbers of Iraqi prisoners of war whose capture has not been acknowledged by the Iranian authorities and whom the ICRC has not been allowed to contact;

The political and ideological pressure and the mental and physical torture to which our prisoners of war are being subjected; and

The violation of the Third Geneva Convention of 1949 through the passing of sentences of death and imprisonment on Iraqi prisoners of war.

7. We wish to emphasize Iraq's respect for towns and civilian targets, which are not being bombarded directly or intentionally, since Iraq is firmly committed to observance of the provisions of the Fourth Geneva Convention of 1949, notwithstanding the Iranian regime's persistent bombardment of Iraqi towns and civilian targets.

8. In conclusion, we wish to stress that now, more than ever before, the United Nations and its various bodies should realize the extent to which international peace and security are being jeopardized by the Iranian regime through its obstinacy, its totally irresponsible attitude, its rejection of all the appeals of reason, conscience and logic, and its continuation of the reckless and futile attacks on Iraq which, although invariably doomed to failure, have taken a tremendous toll of tens of thousands of human lives among the oppressed Iranian peoples.