

## INTERNATIONAL COMMISSION ON MISSING PERSONS (ICMP)

### IRAQ PROGRAM

#### OVERVIEW

Between 250,000 and one million people have gone missing in Iraq from decades of conflict and human rights abuse. Although the country has taken positive steps to address the issue through legislation and the establishment of institutions, including creating a Law on Mass Graves and signing the *International Convention for the Protection of All Persons from Enforced Disappearances (CPPED)*, these efforts have been severely constrained by continuing and chronic instability. An inability to deal adequately with the missing persons issue can undermine attempts to address the legacy of violence and perpetuate grievances, especially when compounded by on-going human rights abuses.

#### PROGRAM

ICMP has worked with the authorities in Iraq since 2003 and has had offices in the country since 2008. ICMP contributed to the development of the Law on Protection of Mass Graves (2006), amended in 2015 to the Law on Mass Grave Affairs to include persons missing as a result of Da'esh-related atrocities. ICMP's comprehensive technical assistance program has included support for measures to implement the law with a view to ensuring full and transparent access to justice mechanisms and accountability processes. In 2014, ICMP conducted a joint review with Iraqi legal experts, of legal obstacles to the use of forensic and other non-testimony evidence in criminal procedures in Iraq.

In 2012, ICMP signed a Memorandum of Understanding with the relevant Iraqi authorities geared towards devising more effective coordination and investigation procedures. ICMP has trained more than 500 individuals in various aspects of mass graves investigations, including excavation and exhumations, mortuary management, examinations and DNA-based identifications. This has included members of the forensic team in the Ministry of Health's Medical Legal Directorate (forensic anthropologists and DNA analysts), staff at the Martyrs' Foundation and the Kurdistan Region's Ministry of Martyrs and Anfal Affairs respectively, and personnel with the Commission for Investigation and Gathering Evidence.

ICMP also provides cutting-edge technical assistance and data system technologies in locating and identifying missing persons and has assisted Iraq in making DNA-based identifications. It is also working with all relevant ministries across Iraq to implement a comprehensive data systems capability to collect, process and share missing persons data and to enhance data protection mechanisms through amendments to domestic legislation.

In 2015, ICMP held meetings in Baghdad and Erbil to determine priorities for the way forward. The roundtables, which included a broad spectrum of decision-makers from Federal Iraq and the Kurdistan Regional Government (KRG), reached agreement on a number of critical issues, including establishing a binding roadmap for a sustainable missing persons process; creating a central structure to search for all missing persons, regardless of background or circumstances of disappearance; strengthening the role of the courts; establishing a central and transparent database of missing persons; developing legislation required under the International Convention on the

CPPED; and ensuring more effective participation of civil society and families of the missing. ICMP held follow-up roundtables, workshops and working group meetings in Baghdad and Erbil in 2017 including efforts to advance implementing legislation under the CPPED.

ICMP administers small grants programs to increase the participation of families in the process of accounting for missing persons. In parallel, it continues to build missing persons data collection and processing capabilities within relevant ministries and departments, including the medico-legal departments, and by devising, along with domestic partners, mechanisms to consolidate and share data through the establishment of a centralized missing persons identification center in Baghdad.

## PROGRAM OBJECTIVES

- To assist the Iraqi authorities in developing and implementing a credible national strategy to address the issue of missing persons, including an effective response to those who are missing because of Da'esh actions.
- To develop mechanisms for coordination and cooperation between the Iraqi authorities to address the issue of missing persons effectively and efficiently.
- To strengthen Iraqi CSOs and family groups so that they participate in accounting for the missing through data collection, including the provision of genetic data, and play an active and effective role in ensuring that government authorities at all levels uphold their rights.
- To improve mutual understanding and cooperation between civil society and the authorities in addressing the issue of missing persons.
- To help the authorities implement credible and transparent processes to locate missing persons and recover human remains, and safeguard the evidence required to prosecute perpetrators.
- To provide training and advice to strengthen planning and coordination functions especially at the provincial level, and bolster technical capabilities.
- To assist Iraqi authorities in developing effective means for the scientific identification of missing persons, including centralized or inter-linked DNA testing and database functions.
- To assist in the establishment of a Central Record of Missing Persons, using ICMP's Identification Data Management System (iDMS) and Online Inquiry Center (OIC), which would allow all families of the missing to report a missing person.
- To help Iraqi institutions involved in processing personal data to implement appropriate safeguards and policies governing data protection processes, in line with international standards and obligations including those from the CPPED, which Iraq signed in 2010.

## ABOUT ICMP

ICMP is a treaty-based international organization based in The Hague, the Netherlands. Its mandate is to secure the cooperation of governments and others in locating and identifying missing persons from conflict, human rights abuses, disasters, organized crime, irregular migration and other causes and to assist them in doing so. It is the only international organization tasked exclusively to work on the issue of missing persons.

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Contact: [icmp@icmp.int](mailto:icmp@icmp.int).

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