



16 April 2015

Rt Hon John Key
Prime Minister
Parliament Buildings

Dear Prime Minister

OPEN LETTER: NEW ZEALAND DEFENCE FORCE INVOLVEMENT IN IRAQ

In light of the New Zealand Government's recent announcement that New Zealand Defence Force (**NZDF**) troops have, or very shortly will be, deployed to Iraq to train Iraqi defence forces, the Aotearoa New Zealand Human Rights Lawyers Association (**HRLA**) wishes to highlight some concerns. We urge the Government to take these matters into account going forwards.

The HRLA takes no position on the appropriateness or otherwise of an armed intervention in Iraq. Foremost, we hope that any intervention by the NZDF troops will aim to promote human rights and peace and security, both within Iraq and the broader region. Such matters are fundamental.

Research from reputable non-governmental organisations, including Amnesty International and Human Rights Watch, highlights that widespread human rights abuses have occurred, and are occurring, on all sides involved in the Iraqi conflict, both militia and governmental. Abuses such as arbitrary imprisonment and torture are grave breaches of war time convention and international law. The protection of civilians and an adherence to international law must be a priority for all, including the NZDF troops.

While the obvious purpose of the armed intervention is to defeat the Islamic State, the HRLA is very concerned that human rights abuses by the Iraqi Government and its defence forces are going unchecked. At present, there is a lack of both transparency and accountability. Given the robust nature of the allegations, we note in March this year US officials stated assistance would be withheld from certain Iraqi units accused of abuses.

As such, the HRLA asks the New Zealand Government to consider withholding NZDF troops' involvement in training the Iraqi defence forces until such time as the NZDF is able to independently verify that human rights abuses are not ongoing. New Zealand, as a leader on human rights, would be remiss if we were to inadvertently contribute to, be complicit in, or condone the violation of war time convention and international law.

Further, the HRLA urges the New Zealand Government to ensure that the NZDF's military contribution focuses on the protection and promotion of human rights. New Zealand can play a vital role in ensuring that the training it provides to the Iraqi defence forces sets them up to be well-trained and well-versed in human rights protection.

The HRLA's membership includes some of New Zealand's most eminent practitioners in human rights. If you wish to discuss any of the issues we have raised, or any other human rights related matters in relation to the NZDF deployment to Iraq, we would be willing to assist you in any way possible.

Yours faithfully,

Andrew Britton

BA, LLB(Hons), MSc(Oxon)

Co-Chair | [Human Rights Lawyers Association Aotearoa New Zealand](http://www.hrla.org.nz)