



المركز العراقي لتوثيق جرائم الحرب  
Iraqi Warcrimes Documentation Center

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**Shadow report of civil society organizations on cases of torture in Iraq**

Report submitted to: Committee against Torture: **OHCHR**

**Submitted by: The Iraqi War Crimes Documentation Centre (a non-governmental centre registered in the United Kingdom under the title Non-Profit Organizations Company Number 13344215)**

Submission date: March 2022

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### **Introduction.**

Iraq War Crimes Documentation Centre; An independent, non-governmental human rights organization, concerned with documenting violations that occur in Iraq through volunteers, activists and human rights activists, It works in accordance with the principles of human rights and international organizations without bias, prejudice, race or sect. The centre was established in 2009, officially registered in 2021 in the United Kingdom, and its main office was opened in London in April 2021. The centre's work and activities include all over Iraq.

The Centre has been working for many years to support basic rights and freedoms in Iraq, preparing various reports independently or in partnership with international and





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national organizations, and participated in the meetings of the United Nations Committee on Enforced Disappearances, the Committee against Torture, and the Criminal Justice Committee, and issued many reports that documented cases of human rights violations in Iraq.

Consequently, the Centre found the urgent need to submit its report to committees of the Human Rights Council to inform it of the latest developments in the human rights situation in Iraq, and it also urgently needed to benefit from the Committee's observations and its additions to the reality of the report.

The centre aims to provide accurate information about the reality of human rights in Iraq, and this report is part of a commitment and continuous efforts to improve the reality of rights in the country by enhancing respect for the rights of prisoners and detainees and reducing cases of torture and serious violations. All the information contained in the report has been collected and verified through field work and communication with the families of the victims in all Iraqi governorates.

The current report seeks to assess the extent of progress in Iraq's implementation of its international obligations in accordance with international human rights law for the period following Iraq's previous report for the year 2021.

### **Methodology**

This report was developed by reviewing and compiling a number of important sources, including the government report for the year 2020 submitted to the Human Rights Council for the universal periodic review, annual reports of the Human Rights Commission, and oversight reports of the Commission on Human Rights, the Ministry of Justice, and the Ministry of Interior.





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## **Infringements**

### **1- Counter-terrorism measures.**

Counter-terrorism measures were accompanied by many violations against civilians and cities; The security services and militias have arbitrarily arrested many civilians, and this arrest was accompanied by torture of detainees from the moment of arrest to trial, and these measures were also accompanied by extrajudicial killings due to systematic torture against them.

### **2- Torture and exploitation of women and girls.**

The percentage of women and girls in Iraqi prisons is about 2%, where there are more than (1,000) female detainees in prisons distributed over 13 detention centres. There is a significant decline in their rights as prisoners, and they are exposed to sexual harassment and torture, and they face various forms of exploitation.

Cases of torture and exploitation by prison administrations have been reported.

Families of female prisoners have reported to the centre many cases describing torture, sexual exploitation and other cases, in the absence of law, parties and militias dominating the prison administration, and the absence of actual legal guarantees to protect them.

Several women and their families reported that many of the women who were detained described “being beaten, slapped, suspended upside down, beaten on the feet (Falaqa), subjected to electric shocks, rape or threats of sexual assault by security forces during their interrogation.





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The administration of women's prisons is supposed to be run by a specialized female cadre trained in dealing with female prisoners, but what is happening in Iraq is that these prisons for women are run by men who are not qualified to manage the prisons, and this gives a pretext and an opportunity to harass and exploit women.

### **3- Torture and maltreatment.**

Torture in Iraqi prisons has worsened with the passage of time, and increased during the period of what was known as the "secret informant" during the governments of Nuri al-Maliki 2006-2014, and although Iraq legislated its accession law to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment No. (30) for the year 2008, However, the law was not implemented, and the perpetrators of violations against prisoners were not held accountable.

The Iraqi authorities use torture in several stages, but the most prominent of them is those related to the investigation. During the investigation, the accused are subjected to severe torture, especially those accused of terrorist acts or those suspected of joining the "ISIS" organization that calls itself the "Islamic State". In the centre, we documented more than (230) cases of torture in Iraq during the year 2021, including women and children representing most of the Iraqi governorates, including in the Kurdistan region. The Centre monitored more than 147 cases of extrajudicial killing of detainees in government prisons.

During the beginning of 2022 until the date of writing the report, the Center monitored the death of more than (18) detainees due to torture and medical negligence, which is one of the practices of torture in Iraqi prisons.





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**The methods of torture are as follows:**

Slaps, insults, humiliation, threats, electrocution, ill-treatment in terms of nutrition and medical care; beatings on the abdomen and feet, hanging from the ceiling, as well as sexual violence, especially by using electric shocks on the genitals, or inserting glass bottles or sticks inside them.

Torture also includes lack of adequate access to medical care, water and sun, as well as overcrowding and diseases that spread in prisons without treatment, including tuberculosis, scabies, and most recently the covid-19 virus.

This torture takes place in the prisons of the Ministries of Interior, Defence, Justice, Asayish, and the Intelligence and Intelligence Service.

According to information that reached the centre on February 20 from the detainees' families, the Counter-Terrorism Service stormed the Nasiriyah prison and deliberately beat the detainees without giving reasons, also, the source reported the execution of (7) detainees outside the law from the residents of Yusufiya, Al-Madain and Jurf Al-Sakhr, and the families added that tuberculosis is rampant among the detainees.

Many cases of torture inside detention centers led to the death of detainees, and then their bodies were hidden in unknown places.

**The allegations.**

The Iraqi government acknowledges committing violations in prisons, including torture against detainees, and this came in more than one statement and report by the competent authorities, and although it reduces the number of violations, the violations actually occurred against the detainees.

The government is still completely unable to put an end to prison abuses and the prohibition of torture, and claims that with time, understanding of the law, and patience,





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such illegal practices will become a page of the past. But over time, more detainees will have died due to torture.

The government and Iraqi forces are still detaining a large number of women illegally, and this method is used as a means of putting pressure on the families.

The Iraqi judiciary is not doing enough to investigate cases of torture and ill-treatment, stressing that it has not opened any investigations into complaints submitted by detainees, men and women, to international organizations, not even to the national courts, which are documented complaints with pictures.

Therefore, there are many people who have been subjected to torture who are willing to appear before the committee to reveal what is happening in terms of torture and violations inside detention centres and prisons.

The second periodic report submitted by Iraq on August 20, 2019, in paragraph 9 of the forensic medicine law, emphasizes the right to object to forensic reports, and at the same time, burials of the bodies of children, women and men took place, without disclosing forensic reports, so that those involved may object to these reports.

### **Recommendations.**

We call on the Iraqi government to:

- Adopting a national strategy to reduce torture in its prisons.
- Investigate all reports of human rights violations submitted by civil society organizations, including reports of torture and maltreatment in prisons.





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- Stop all malicious lawsuits against civilians and the necessity of having a legal note that appears during arrest, guaranteeing the rights of the detainees and protecting them from torture.

- Inviting the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to visit Iraq and learn about the reality of torture in Iraqi prisons.

- Taking the observations made by non-governmental organizations about torture in Iraq, and involving them in reviewing the conditions of detainees.

- Activate the law criminalizing torture in a realistic, realistic and professional manner, to ensure that detainees are not tortured, and to guarantee their freedom and protection in prisons, and to hold accountable and prosecute the negligent and those against whom torture crimes have been proven.

- Amending the Iraqi constitution for the year 2005, and referring to determining the legal status of the agreements that require the transcendence of international agreements over national law.

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