

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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My heart sank as my colleague told me recently about the latest torture victim from Iraq who had contacted us to share his story. I had heard the same kinds of accounts from other victims of torture in detention, including the same names of two lieutenants and a major who he said had supervised and participated in torturing him and others.

I had sent those same names to Faik Zaidan, the head of the Iraqi High Judicial Council in April 2019, after earlier victims shared them with me, asking the council to investigate their actions. In fact, at Human Rights Watch, we have [reported](#) on [torture](#) in Iraq for [decades](#), but it continues. It is clearly futile to keep calling on the Iraqi government to address the [systemic use of torture](#) and [inhuman prison conditions](#) on its own. Outside help is needed. Iraq's Parliament should ratify the Optional Protocol to the Convention Against Torture. This would allow an independent United Nations team to visit prisons in Iraq and advise and assist Iraq in strengthening protections against torture. And short of parliamentary action, the new prime minister can act to uphold the dignity of his fellow citizens and reverse the country's shameful record on torture in detention.

The young man who contacted us recently, now 22, told my colleague that as a boy of 17, he smuggled himself out of the city of Mosul in early 2015 after the Islamic State (ISIS) took control. He made his way to Iran for surgery he had needed for years. He returned to Mosul in May 2017, after Iraqi forces, with U.S. military support, retook the city.

But Iraqi soldiers arrested him in April 2018 without a warrant, he said, put guns to his head, and ordered him to confess that he had been an [ISIS member](#). When he refused, they beat him with a leather truncheon, shocked him with electricity, and hung him repeatedly from his hands bound behind his back and suspended from the ceiling on and off for five days. When he did not give in, they threatened to rape his mother and sister in front of him, he said.

On the fifth day, they brought him a piece of paper, saying he needed to sign it, while blindfolded, so they could transfer him to the hospital. I later found out they had tricked me into signing a statement that I had joined ISIS for 20 days, he said. At the hospital, the officers forced the doctor to sign a document that he had not been tortured, though he says he had visible bruising, including on his face. They took him before an investigative judge, who [ignored](#) his bruises and told him a secret informant had accused him of manning an ISIS checkpoint on a Mosul road in 2015. He showed the judge the Iranian stamp in his passport -- proof he hadn't been in Mosul at the time.

Ten weeks after his arrest, police transferred him to the Intelligence and Counter Terrorism Office and prison compound in [Faisaliya](#), in east Mosul, [infamous](#) as a torture site. He said he was held there for a year in a cell with at least 250 other men and boys. There was only one toilet, and he was only able to shower once every two months. He wasn't allowed to contact his family. During that time, they hung him from the ceiling several more times, he said.

In mid-2018, officers transferred him to a [damaged home being used as a detention center](#) in the town of Qayyarah, 60 kilometers south of Mosul, for five days, to a cell with at least 50 other men and boys. He said that every day the guards would bring the detainees rice and soup, dump both on the floor, and make them eat off the floor. Once, he said, guards took the detainees out in the rain and forced them to crawl on the ground in the mud.

In December 2018, he said, officers transferred him to [Tal Kayf prison](#), 10 kilometers north of Mosul, to a cell holding around 250 men and boys: There wasn't enough room for all of us in the cell to lie down at the same time, so we had to take turns sleeping. He said prison guards watched as two former security officers being held on criminal charges regularly beat other detainees.

In June 2019, he said, the authorities transferred the adults out of Tal Kayf prison, leaving only the detainees who, like him, were children at the time of their alleged crimes. He said this reduced the crowding but that SWAT forces -- Special Weapons and Tactics,

under the Interior Ministry's Counter-Terrorism Service -- came to his cell at least six times and beat him and his cellmates.

The Nineveh juvenile court in August 2019 convicted him and sentenced him to six years for ISIS affiliation. On Feb. 3, 2020, the federal appeals court acquitted and released him because of the evidence that he presented -- the Iranian passport stamp and medical records of his eye surgery. We reviewed the court records and spoke to a court employee who confirmed his account to us.

The Iraqi Parliament has been [unwilling](#) to pass an [anti-torture](#) bill for years, even though Iraq's constitution prohibits torture. The bill would require a judge to order a medical examination of any detainee alleging [torture](#) within 24 hours of learning of the [allegation](#), which is often not [occurring](#). But maybe the parliament is more willing to ratify the Optional Protocol to the Convention Against Torture that brings with it outside expertise and support to tackle this widespread wrong. But that should not prevent the government of Prime Minister Mustafa al-Kadhimi from taking action.

The many governments that have been supporting Iraq for years in its fight against ISIS, including the US, UK and France, should bring funding and expertise to Baghdad to engage actively in helping the government at this critical juncture to set up a national unit to prevent torture -- a key pillar of the torture treaty's optional protocol. The unit should have the authority to inspect all detention centers in Iraq, and to create an effective system to bring complaints about mistreatment in Iraqi detention. The day the government does this, I will have a wealth of information to share.

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