

# Human Rights Watch

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

**<https://www.hrw.org/news/2010/10/23/iraq-wikileaks-documents-describe-torture-detainees>**

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US Handed Over Detainees Despite Systematic Abuse by Iraqi Forces

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(New York) The Iraqi government should investigate credible reports that its forces engaged in torture and systematic abuse of detainees, Human Rights Watch said today. Hundreds of documents released on October 22, 2010, by Wikileaks reveal beatings, burnings, and lashings of detainees by their Iraqi captors. Iraq should prosecute those responsible for torture and other crimes, Human Rights Watch said.

The US government should also investigate whether its forces breached international law by transferring thousands of Iraqi detainees from US to Iraqi custody despite the clear risk of torture. Field reports and other documents released by Wikileaks reveal that US forces often failed to intervene to prevent torture and continued to transfer detainees to Iraqi custody despite the fact that they knew or should have known that torture was routine.

These new disclosures show torture at the hands of Iraqi security forces is rampant and goes completely unpunished, said Joe Stork, deputy Middle East director at Human Rights Watch. Its clear that US authorities knew of systematic abuse by Iraqi troops, but they handed thousands of detainees over anyway.

The 391,831 documents released by Wikileaks, mostly authored by low-ranking US officers in the field between 2004 and 2009, refer to the deaths of at least six detainees in Iraqi custody. The reports also reveal many previously unreported instances in which US soldiers killed civilians, including at checkpoints on Iraqs roads and during raids on peoples homes.

The documents indicate that US commanders frequently failed to follow up on credible evidence that Iraqi forces killed, tortured, and mistreated their captives. According to the documents, US authorities investigated some abuse cases, but much of the time they either ignored the abuse or asked Iraqis to investigate and closed the file. In one incident on January 2, 2007, Iraqi security forces took detainees to an abandoned house and beat them, resulting in a death. The report stated, As Coalition Forces were not involved in the alleged abuse, no further investigation is necessary.

Even when US officials reported abuse to Iraqi authorities, the Iraqis often did not act. In one report, an Iraqi police chief told US military inspectors that his officers engaged in abuse and supported it as a method of conducting investigations. Another report said that an Iraqi police chief refused to file charges as long as the abuse produced no marks.

The documents reveal extensive abuse of detainees by Iraqi security forces over the six-year period.

In a November 2005 document, US military personnel described Iraqi abuse at a Baghdad facility that held 95 blindfolded detainees in a single room: Many of them bear marks of abuse to include cigarette burns, bruising consistent with beatings and open sores... according to one of the detainees questioned on site, 12 detainees have died of disease in recent weeks.

On June 16, 2007, US soldiers reported that Iraqi forces interrogated and tortured a terrorism suspect by burning him with chemicals or acid and cutting off his fingers. According to the Wikileaks file, Victim received extensive medical care at the Mosul General Hospital resulting in amputation of his right leg below the knee[,] several toes on his left foot, as well as amputation of several fingers on both hands. Extensive scars resulted from the chemical/acid burns, which were diagnosed as 3rd degree chemical burns along with skin decay.

In a case reported on December 14, 2009, the US military received a video showing Iraqi Army officers executing a bound detainee in the northern town of Talafar: The footage shows [Iraqi] soldiers moving the detainee into the street, pushing him to the ground, punching him, and shooting him.

In at least two cases, postmortems revealed evidence of death by torture. On December 3, 2008, a sheikh who a police chief claimed had died from bad kidneys in fact was found to have evidence of some type of unknown surgical procedure on [his] abdomen. The incision was closed by 3-4 stitches. There was also evidence of bruises on the face, chest, ankle, and back of the body.

On August 27, 2009, a US medical officer found bruises and burns as well as visible injuries to the head, arm, torso, legs and neck on the body of another detainee. Police claimed the detainee had committed suicide while in custody.

The disclosures by Wikileaks come almost six months after Human Rights Watch interviewed 42 detainees who had been tortured over a period of months by security forces at a secret prison in the old Muthanna airport in West Baghdad. The facility held about 430 detainees who had no access to their families or lawyers. The prisoners said their torturers kicked, whipped, and beat them, tried to suffocate them, gave them electric shocks, burned them with cigarettes, and pulled out their fingernails and teeth. They said that interrogators sodomized some detainees with sticks and pistol barrels. Some young men said they were forced to perform oral sex on interrogators and guards and that interrogators forced detainees to molest one another. Iraqi authorities have still not prosecuted any officials responsible.

Between early 2009 and July 2010, US forces transferred thousands of Iraqi detainees to Iraqi custody. International law prohibits the transfer of detained individuals to the authorities of another state where they face a serious risk of torture and ill-treatment.

US authorities have an obligation not to transfer any of the 200 or so detainees still in their custody to Iraqi forces or to anyone else who might mistreat them, said Stork. The US should also make sure those detainees already transferred are not in a dungeon somewhere currently facing torture.

At a Pentagon news conference on November 29, 2005, Gen. Peter Pace, chair of the Joint Chiefs of Staff, responded to a question about Pentagon guidance in situations where US commanders witness abuse by Iraqi forces, saying, It is absolutely the responsibility of every US service member, if they see inhumane treatment being conducted, to intervene to stop it. Then-Secretary of Defense Donald Rumsfeld, who was also on the podium, intervened and said: But I dont think you mean they have an obligation to physically stop it; its to report it. Pace responded, If they are physically present when inhumane treatment is taking place, sir, they have an obligation to try to stop it.

A reporter then asked Rumsfeld if it was his sense that alleged Iraqi abuses were not widespread. Rumsfeld responded that he did not know.

Its obviously something that the General Casey and his troops are attentive to and have to be concerned about, [Rumsfeld told the reporter](#). It Im not going to be judging it from 4,000 miles away how many miles away?

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