

## HUMAN RIGHTS WATCH

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August 30, 2018

Mr. Haidar al-Agaili  
Prime Minister's Advisory Commission  
Baghdad, Iraq

## Re: Arrest and Intimidation of Lawyers Representing Persons Perceived to be ISIS Suspects or their Families

Dear Mr. al-Agaili,

Thank you for your and the Prime Minister's continued assistance and support to Human Rights Watch. We very much appreciate your team's willingness to maintain an open line of communication with Human Rights Watch to discuss human rights challenges in Iraq and recommendations for how to overcome them as well as your willingness to engage with the findings of our human rights investigations and to provide your input and information.

We have a new report planned for release in the next ten days on incidents of security officers threatening, and in some cases, arresting lawyers in and around Mosul seen to be providing legal assistance to Islamic State (also known as ISIS) suspects or families with perceived ISIS affiliation, denying them access to basic legal services.

In July and August, Human Rights Watch interviewed seventeen lawyers working in and around Mosul for a range of international and local organizations that provide legal services to those affected by Iraq's recent armed conflict, including a few that provide a legal defense against terrorism charges and assist families who lived under ISIS control obtain civil documentation and welfare benefit cards.

All said they had witnessed or were victim to threats and other forms of verbal harassment by National Security Service or Ministry of Interior Intelligence and Counter Terrorism officers for providing legal representation to those viewed by security forces as "ISIS" or "ISIS families." One said a Ministry of Interior's intelligence officer detained him for his legal activities for two hours, before releasing him, while another told researchers that intelligence officers detained two other legal aid workers for two months for doing their jobs, before releasing them without charge.

The lawyers all said that officers automatically viewed certain people as ISIS-affiliated based on where they are from or based on their tribe or family name, or others upon checking their names against a set of databases of those “wanted” for ISIS affiliation to check if they or their relatives are present on the lists.

The lawyers who assisted clients obtain documentation said that while they do not ask potential clients if they have wanted relatives, because of the threats they have received since these programs began, if they have any indication that a family has a relative wanted or detained for ISIS affiliation, they reject them as clients. They said that representing these families would lead to further personal threats, and that even with their legal assistance, these families would be barred from receiving any civil documentation.

In light of these allegations, we would like to ask you to provide us with detailed information on the following:

- When these acts of harassment occur, which body is best placed to address complaints from organizations and their lawyers, and what action can they expect to be taken from that body?
- What measures have the authorities taken and continue to take to end harassment of lawyers for taking on clients with perceived ISIS affiliation?
- Have authorities taken any measures to punish security officers who have harassed or detained lawyers for representing clients with perceived ISIS affiliation? If so, in how many cases and what were the punishments?
- How many lawyers are currently detained in Nineveh on terrorism charges? Can you provide us with more detail on the basis for those charges in each case?

Human Rights Watch will incorporate any response received by September 7, 2018 in our public report and will issue an update to the report if we receive a response from your office after that date. Please direct your response and any questions to my colleague Senior Iraq Researcher, Belkis Wille, via email or phone at [REDACTED]@[REDACTED].[REDACTED] or +[REDACTED]-[REDACTED]-[REDACTED].

Thank you for considering our request.

Sincerely,

[Signature]

Lama Fakhri  
Deputy Director  
Middle East and North Africa

Human Rights Watch

CC:

Mohammed Mahdi Mustafa  
Inspector General  
Ministry of Interior  
Baghdad, Iraq

Hamid al-Zerjawi  
Deputy Director  
National Security Service  
Baghdad, Iraq