

HUMAN RIGHTS WATCH

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August 12, 2018

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

Re: Request for Response on Upcoming Short Report Alleging Torture in Ministry of Interior Detention Facilities in and around Mosul

Dear Mr. Agaili,

Thank you for your and the Prime Minister's continued assistance and support to Human Rights Watch, and your willingness to meet with my colleagues earlier this summer. 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 on August 16, 2018 containing allegations of ill treatment, torture, and death in detention from two former detainees and the father of a man who died in detention in facilities run by the Ministry of Interior in Mosul and in Qayyarah.

In one case, Salam Abeed Abdullah told Human Rights Watch that Mosul police arrested his son Dawud Salam Abeed, 18, from their home on March 22, 2018. He said the police did not provide a reason for the arrest, but said they wanted to interrogate his son at the local police station in Hai Somar. Two days later when he went to Haj Somar police station, Salam said an officer called [REDACTED] told him his son had died that same morning during an interrogation from a heart attack. On April 23, police returned Dawud's body to his family saying the team had conducted an examination but would need to issue the report from Baghdad. The family has never received the report. Photos of Dawud's body that Human Rights Watch reviewed show a wound to Dawud's forehead, back of his head, bruising and burn marks to both of his legs, bruising to his shoulders, and dried blood in both ears and his nose. Salam said he lodged a complaint with the Directorate of Police Affairs in Cairo neighborhood in early May but has yet to receive a response.

In a second case, a former detainee who preferred to remain anonymous held by the Ministry of Interior's (Mol) Intelligence and Counter Terrorism Office in its prison in Faisaliya from January to May 2018 said he witnessed and experienced extreme forms of torture, and saw nine men die in custody, at least two from torture. The 35-year-old man told researchers that he turned himself in to intelligence officials in Mosul in January 2018, after his employer told him that the Mol's Intelligence and Counter Terrorism Office had issued an arrest warrant in his name. He said he turned himself in at the Mol's Intelligence and Counter Terrorism Office and prison compound in Faisaliya, east Mosul, where they held him for four months, before releasing him in late May.

During that time, he said he was held in an overcrowded cell with other detainees who were all held for ISIS affiliation. Mol officers denied him contact with his family and a lawyer, and no independent prison monitors visited the area of the prison he was held in, he said. He said while in detention he had no access to medical care and was only allowed to use the bathroom twice a day, with guards beating detainees if they took too long in the toilet.

He told Human Rights Watch that while in prison he saw two cellmates die from torture carried out by officers during interrogation sessions. He detailed a number of torture techniques interrogators also used on him, including being hung from his hands bound behind his back in a technique called the "bazoona" at least six times, and being beaten, including on the soles of his feet, a technique internationally referred to as "falaka", multiple times. He showed researchers scars on his body that were consistent with his allegations of torture, including scars on his back from a beating with a metal cable, and burn marks to his penis and testicles from officers burning him with a hot metal ruler. He said he also witnessed officers torture other inmates including by hanging them from a hook and tying a one-liter water bottle to their penis, leading to the penis's inflammation. He showed researchers the medications a doctor had prescribed to him upon his release. He was losing his nails at the time of the interview because of a lack of calcium, he said.

He said he recognized the four officers in Faisaliya who tortured him and who he saw torturing others, and provided us with their names: [REDACTED], [REDACTED], [REDACTED], and [REDACTED].

The man was subsequently released by an investigative judge at the Nineveh counterterrorism court after he found there was no evidence linking him to ISIS, in May 2018, after two court sessions. When he appeared before the judge in his first hearing, the judge did not raise questions about his treatment, despite his arms being visibly bruised, he said. He said he did not tell the judge he had been abused because he was scared of the guards' response.

In a third case, a former detainee who also preferred to remain anonymous said he was held first for 11 months at the Mol's Intelligence and Counter Terrorism prison in the town of Qayyarah and then in the Faisaliya prison.

While in the Mol Intelligence and Counter Terrorism prison in Qayyarah, he said he was held in overcrowded conditions and forbidden from speaking to other detainees. He said no one interrogated him for the 11 months that he was there but that he saw other men returning from interrogations with signs of torture on their bodies.

He said during that time he saw five men from his cell leave for interrogations and return between seven and 12 hours later crying and completely unable to move their arms or shoulders. "They could not eat or drink, we had to feed them. We even had to help them go to the bathroom," he said. He explained they said they had been held in the "bazoona" position. He said that Doctors Without Borders (Medecins Sans Frontiers, MSF) staff visited the hospital and took one detainee out of his cell because he had such visible signs of torture through beatings by metal cables.

We would like to request the government's response to the interviewees' allegations. We also urge your office and the office of the Ministry of Interior's inspector general to commit to launching a transparent investigation into allegations of ill-treatment, torture and deaths in detention at the three facilities mentioned above, and to publish the findings publicly. We request that once the investigation is completed, you also share the findings of the investigation and what sanctions are taken against any officers implicated in the abuses, including criminal charges, with us and the public more broadly. We also request that you share with us any measures the government takes to provide reparations to victims of the abuses detailed in this report.

Human Rights Watch will incorporate any response received by August 16, 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,

Lama Fakih
Deputy Director
Middle East and North Africa
Human Rights Watch

CC: Mohammed Mahdi Mustafa

*Inspector General
Ministry of Interior
Baghdad*