



Women  
Journalists  
Without  
Chains

# Whispers of Massacre:

## Iraqi Prisoners Trapped Between Death and Sectarian Executions







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## Executive Summary

Inside Iraq's prisons, a harrowing landscape of human rights violations unfolds, shrouded in secrecy and fear. Thousands of detainees endure unimaginable suffering, with reports of brutal torture, extrajudicial executions, and concerns over sectarian cleansing. The ongoing impunity for these crimes, coupled with the inadequate response from authorities, has transformed the lives of countless individuals and their families into a living nightmare.

Following the **2003** invasion of Iraq, there was hope for a new era marked by respect for human rights and a democratic system. Yet, more than two decades later, the Iraqi government and its affiliates continue to engage in widespread arbitrary detention, torture, and covert executions. The country has descended into persistent armed conflict and deep-seated political and sectarian strife, with successive administrations contributing to the suffering of tens of thousands of Iraqis. Many have languished in detention for months or years without charges, existing in conditions that facilitate and even promote torture and inhumane treatment.

The most egregious period of abuse occurred under Prime Minister Nouri al-Maliki (**2006-2014**), whose leadership exacerbated sectarian divisions and fueled violent attacks. Although subsequent governments have maintained a lower level of abuse, the fundamental issues within the prison system and the practice of secret executions remain largely unchanged.

The government has failed to address the legitimate concerns of the Sunni community, which has voiced grievances regarding political exclusion and the lack of meaningful reform in the de-Baathification process and anti-terrorism legislation. These issues have been compounded by the increasing centralization of power, police violence, mass arrests, unjust trials, and widespread torture within Iraqi prisons.<sup>1</sup>

In **2014**, the rise of the Islamic State (ISIS) further complicated the situation, as the group seized control of significant territories in Iraq. For three years, ISIS ruled these

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<sup>1</sup> Wicken, S. (2013). Iraq's Sunnis in crisis. Middle East Security Report 11. Institute for the Study of War. Retrieved from <http://www.understandingwar.org/sites/default/files/Wicken-Sunni-In-Iraq.pdf>.



areas, employing severe abuses to maintain control over the Sunni population. In an effort to maintain governance, ISIS retained many local officials in their positions. However, when Iraqi forces and Shiite militias regained these territories with support from an international coalition, they arrested numerous residents and perpetrated severe abuses.<sup>2</sup>

Sunni residents were indiscriminately detained, often based on tenuous or fabricated links to ISIS, and subjected to unfair trials. Many detainees faced torture to extract confessions later used as sole evidence in trials that violated international standards. Hundreds of prisoners were executed, and many remain on death row without due process.

This report examines the legal frameworks surrounding the right to life and physical integrity of Iraqi detainees, juxtaposing them with the realities in Iraqi prisons. It also highlights the clandestine executions at **Nasiriyah Central Prison in 2024**, serving as a stark illustration of the human rights situation in these facilities.

### Legal Framework and Conditions of Iraqi Prisons

In recent years, Iraq has experienced some developments, yet human rights violations in its prisons remain a significant concern. These violations contradict local laws, international human rights standards, and treaties ratified by Iraq. Although such abuses occur in most detention facilities across the country, determining their full extent is challenging due to a lack of transparency. Judges, lawyers, medical professionals, and detainees' families discreetly acknowledge the widespread nature of these violations, with victim accounts providing undeniable evidence of their occurrence.

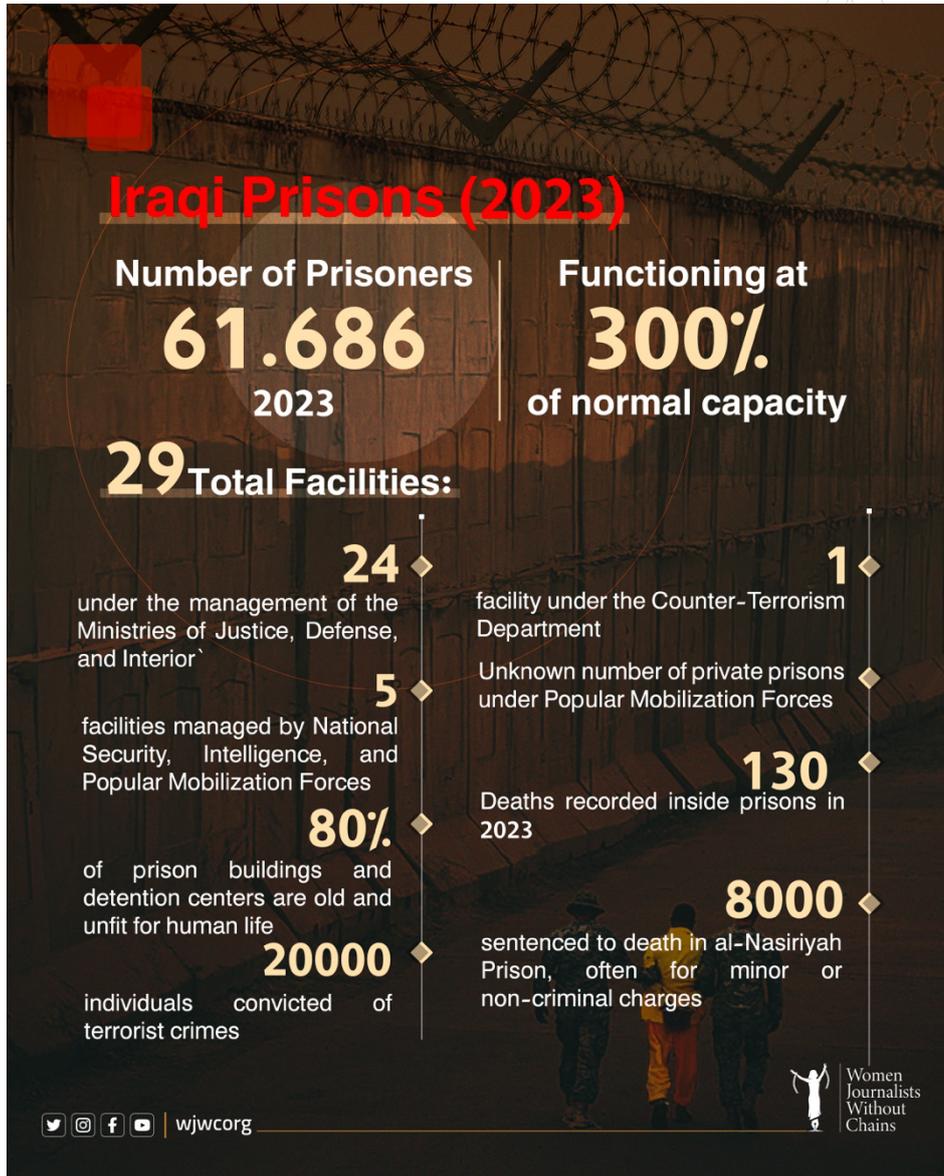
Prisons in Iraq fall under the jurisdiction of the Department of Correction, part of the Ministry of Justice. There are **29** detention facilities nationwide, with **24** overseen by the Ministries of Justice, Defense, and Interior. The Counter-Terrorism Department manages at least one facility, while others are operated by the National Security Service, Intelligence Service, and Popular Mobilization Forces (Shiite militias), nominally under government control.

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<sup>2</sup> Rights Watch. (2017). Flawed justice: Accountability for ISIS crimes in Iraq. Retrieved December 30, 2024, from [https://www.hrw.org/sites/default/files/report\\_pdf/iraq1217web.pdf](https://www.hrw.org/sites/default/files/report_pdf/iraq1217web.pdf).



According to the Ministry of Justice, these facilities operate at 300% of their intended capacity.<sup>3</sup> While the official number of detainees in 2023 is reported as 61,686,<sup>4</sup> broader estimates suggest the total exceeds 76,000.<sup>5</sup> Furthermore, thousands of civilians, many of them innocent, are believed to be held in private detention centers,<sup>6</sup> primarily in Sunni-majority areas under the control of Shiite militias. These militias are reported to employ systematic torture to extract confessions.<sup>7</sup>



<sup>3</sup> Minister of Justice. (2024, April 3). Prisons overcrowded by 300% of their capacity. Retrieved December 20, 2024, from <https://www.rudawarabia.net/arabic/middleeast/iraq/020420247>.

<sup>4</sup> Ministry of Justice. (2023, June 3). *The Ministry of Justice announces the number of those released during May 2023 after completing their sentences*. Retrieved December 21, 2024, from <https://moj.gov.iq/view.7290/>.

<sup>5</sup> Al-Taie, A. (2023, August 23). "Black holes": Disturbing testimonies about violations in Iraqi prisons (video). Retrieved December 21, 2024, from <https://arabi21.com/story/1530116>.

<sup>6</sup> Human Rights Center. (2019, January 3). Human rights center calls for UN intervention to save thousands of abducted individuals in Iraq. Retrieved January 10, 2025, from <https://is.gd/SicdiU>.

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Conditions in official prisons are deplorable. Approximately 80% of prison buildings are outdated and unsuitable for human habitation. Oversight by public prosecutors is minimal in many facilities, and inmates are not properly classified—those accused of minor offenses are often housed with individuals charged with severe crimes such as terrorism or murder.<sup>8</sup> Rather than addressing these critical issues, the government is prioritizing the construction of new prison complexes in regions like Diwaniyah, Mosul, and Basra, while neglecting to improve current facilities or address arbitrary detentions.

Prison conditions remain harsh and dangerous due to extreme overcrowding, inadequate food, routine use of torture, poor healthcare services, and heightened risks of infectious diseases. These ongoing issues highlight systemic failures in Iraq's commitment to uphold human rights and justice.



**Illustration 1: Effects of torture on the body of detainee Fawzi Abbas, who died in March 2023. Source: Iraqi media.**

### Key Human Rights Violations Faced by Detainees in Iraqi Prisons

The situation in Iraqi prisons raises significant alarms due to the increasing reports of severe human rights violations. Numerous human rights organizations highlight a troubling prevalence of torture and mistreatment, extreme overcrowding, and a

<sup>8</sup> (2024, December 29). "Unlivable": Shocking report on Iraqi prisons. Retrieved January 10, 2025, from <https://is.gd/ijpado>.



decline in essential services such as healthcare and nutrition. These factors exacerbate the suffering of detainees and jeopardize their lives. Despite Iraq's commitments to uphold international human rights standards, the absence of effective oversight and the culture of impunity allow these abuses to persist. Immediate and comprehensive action is necessary to improve prison conditions and uphold the dignity and rights of all inmates. The primary violations identified in this report include:

### 1. Torture and Ill-Treatment

Torture remains one of the gravest documented violations within Iraqi prisons, where detainees endure severe beatings, electric shocks, sleep and food deprivation, stress positions, verbal and physical abuse, and cigarette burns—all aimed at coercing confessions under duress.<sup>9</sup>

Article 37 of the Iraqi Constitution unequivocally prohibits all forms of physical and psychological torture and inhumane treatment, with any confession obtained under duress or threat deemed inadmissible. Moreover, current laws, such as Article 333 of the Penal Code and Article 3/Tenth of Law No. 14 of 2018 on Inmate and Detainee Rehabilitation, explicitly prohibit torture, cruel treatment, forced labor, and harsh conditions for detainees, categorizing such acts as aggravating offenses.

Despite Iraq's signing of the Convention against Torture, effective legal frameworks and procedural safeguards to prevent torture remain absent. Although a draft law aimed at preventing torture and inhumane treatment has been developed, aligned with the Convention's principles, it has yet to be ratified. Reports and testimonies reliably indicate widespread torture by government entities—such as the Federal Police, National Security Service, and Popular Mobilization Forces—particularly targeting Sunni Arabs both during pre-trial detention and post-conviction, resulting in fatalities.

Former detainees recount harrowing experiences, describing conditions where dignity and humanity are systematically stripped away, often leading to death. One former prisoner recounted,<sup>10</sup> "Before entering the prison, you must shed your

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<sup>9</sup> Rights Center. (2020, April 10). Security forces accused of eliminating Iraqis inside prisons... and a detainee's family: Our son died due to torture in Al-Hout Prison. Retrieved December 21, 2024, from <https://tny.im/F2wXj>.

<sup>10</sup> Iraqi Observatory for Human Rights. (2021, February). Torture in Iraqi prisons: Systematic methods used by security personnel. Retrieved from <https://iohriq.org/ar/116-.html#>.



humanity and dignity, as you will inevitably lose them under pressure. The horrific torture inflicted on prisoners has resulted in numerous deaths."

He further states that prison officials arbitrarily choose individuals daily for "nights of torture that continue until sunrise." Another ex-prisoner shares, "The guards would serve rice and soup daily, tossing it on the ground, compelling us to eat from the floor. On one occasion, they took us outside in the rain and made us crawl through the mud."<sup>11</sup>

Local NGOs report numerous deaths in pre-trial facilities and prisons due to systematic torture and appalling detention conditions.<sup>12</sup> In a notable judicial development in March 2024, an investigating officer was sentenced to six years in prison for causing a detainee's death through torture, highlighting a rare instance of accountability.<sup>13</sup> However, the severity of punishment remains incongruous with the gravity of crimes committed within prisons.

This discrepancy contrasts with the draft anti-torture law, which proposes stricter penalties, including the death penalty if torture results in death, and up to ten years' imprisonment for any act of torture. Furthermore, life imprisonment is mandated if the victim sustains permanent disability or if the crime targets women, children, or individuals with special needs.

## 2. Arbitrary Detention and Enforced Disappearance

Iraqi intelligence and security forces, including the Popular Mobilization Forces, continue to abduct citizens from checkpoints, streets, schools, and homes, particularly in the governorates of Salah al-Din, Anbar, Nineveh, and Basra. Most of the abducted individuals are Sunni Arabs. Militias, tribal factions, and other groups operate numerous "secret detention facilities," where systematic torture is reportedly practiced.<sup>14</sup> Many detainees are held without legal justification, denied fair trials, and

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<sup>11</sup> Wille, B. (2020, September 16). How to answer Iraq's failure to put a stop to torture. Just Security. Retrieved December 16, 2024, from <https://www.justsecurity.org/72447/how-to-answer-iraqs-failure-to-put-a-stop-to-torture/>.

<sup>12</sup> Iraqi Observatory for Human Rights. (n.d.). Source previously cited.

<sup>13</sup> Iraq: Six-year prison sentence for officer who tortured a prisoner to death. (2024, March 7). Retrieved December 20, 2024, from <https://tny.im/GAuHz>.

<sup>14</sup> U.S. Department of State. (2024). 2023 country reports on human rights practices: Iraq. [https://www.state.gov/wp-content/uploads/2024/03/528267\\_IRAQ-2023-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2024/03/528267_IRAQ-2023-HUMAN-RIGHTS-REPORT.pdf).



subjected to prolonged detention. Additionally, thousands have been forcibly disappeared.

Between 2017 and 2023, the Iraqi Observatory for Human Rights reported approximately 12,000 missing persons cases filed by families. The organization emphasized that the actual number of missing individuals is likely much higher.<sup>15</sup> Some of these missing persons were later discovered in government prisons,<sup>16</sup> including detainees connected to the November 2019 anti-government protests who remain unaccounted for.<sup>17</sup>

A 54-year-old woman from Mosul shared her experience,<sup>18</sup> revealing that her brother, kidnapped over a year ago, was later confirmed to be in Muthanna Airport prison in Baghdad. Relatives who were released from the facility informed her that he was being tortured by prison guards. However, when she attempted to visit him, she was denied access, and prison authorities claimed he was not there. Despite filing numerous reports with government agencies, no action was taken.

Iraqi law prohibits the arrest or detention of individuals without a judicial order, except when authorities catch someone committing a criminal offense in flagrante delicto. It also restricts detention authority to legally designated entities. Arrests must be accompanied by documentation detailing the detainee's name, detention location, reason for detention, and legal basis within 24 hours—extendable to a maximum of 72 hours in most cases. Despite these provisions, most arrests occur without warrants, and detainees often face weeks of torture in police stations or unofficial prisons without knowing their location, the charges against them, or access to legal representation.

Although Iraq joined the International Convention for the Protection of All Persons from Enforced Disappearance in 2010, successive governments have failed to criminalize enforced disappearance under domestic law.<sup>19</sup> This legislative gap has

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<sup>15</sup> Iraqi Observatory for Human Rights. (2023, August 30). Enforced disappearances in Iraq: About 12,000 reports of missing persons over 6 years. <https://iohriq.org/ar/137-.html>.

<sup>16</sup> Iraqi Observatory. (2018, November 12). Documentation of 15 cases of missing persons in government prisons in Mosul. <https://tny.im/fGTa7>.

<sup>17</sup> Al-Jibal. (2024, December 2). Among them is the governor's advisor: A court in Baghdad releases October protesters in Nasiriyah on "bail". <https://aljeebal.com/posts/2208>.

<sup>18</sup> Women Journalist Without Chains. (2024, December 10). The woman spoke during her presence at a human rights center in Baghdad to file a report.

<sup>19</sup> Universal Periodic Review: National report submitted in accordance with Human Rights Council resolutions 5/1 and 16/21.



enabled militias and security forces to continue committing crimes against humanity with impunity.

### 3. Overcrowding and Lack of Medical Care

Numerous prisons in Iraq are plagued by extreme overcrowding, resulting in poor living conditions for inmates and facilitating the transmission of diseases. There have been multiple reports of deaths linked to contaminated food.<sup>20</sup> The Ministry of Justice has consistently recognized the health risks associated with overcrowding;<sup>21</sup> however, initiatives to combat the spread of illness within these facilities have been inadequate or entirely lacking. Furthermore, official practices, such as laundering inmates' clothing without proper medical protocols, have exacerbated the situation.<sup>22</sup>



**Illustration 2: An Iraqi who died in Taji prison due to poisoned food - X Platform.**

<sup>20</sup> Aljubori, A. [@amiraljubori]. (2023, March 20). Iraqi Justice confirms the spread of diseases inside prisons due to overcrowding [Tweet]. X. <https://x.com/amiraljubori/status/1637835210266910721>.

<sup>21</sup> Al-Saa. (2023, July 13). Iraqi Justice confirms the spread of diseases inside prisons due to overcrowding. <https://alssaa.com/post/show/18984>.

<sup>22</sup> Al-Saa. (2024, July 27). "Justice" suits bring diseases in Iraq: After the investigation, the "itching" began. <https://jummar.media/5770>.



In many cases, prison authorities have reportedly denied families the opportunity to visit detainees and convicts. Families are often compelled to pay substantial bribes to secure in-person visits. Reports indicate that some guards have solicited bribes or even physically assaulted detainees who requested permission to contact their relatives or legal representatives. Access to medical care or basic necessities also frequently hinges on bribery.

A 53-year-old former inmate recounted, "Money can buy anything inside prisons, even fresh air. You can pay guards to take you outside for a few minutes or to receive a decent pillow or personal hygiene items."<sup>23</sup> He added, "I spent \$40,000 during my three years in prison. The prison administration treats us as numbers—the more money a prisoner pays, the more rights they are granted."



**Illustration3: A cell in an Iraqi prison - Iraqi Media (alrafidain.tv)**

The Ministry of Justice prohibits international human rights organizations from visiting prisons and does not disclose the conditions faced by prisoners. In contrast, the Iraqi government asserts that every detainee or inmate has the right to file a

<sup>23</sup> Arabi21. (2023, August 23). "Black holes": Alarming testimonies about violations in Iraqi prisons (Video). <https://arabi21.com/story/1530116>



lawsuit through the prison administration, the public prosecutor, their family during visits, or via human rights organizations.

Regarding healthcare, the government states that there is a health center and a medical team available 24/7, equipped with a laboratory and medications. Necessary medical examinations are performed for detainees upon their admission to detention and deportation centers, particularly for infectious diseases like hepatitis, AIDS, and tuberculosis, as well as chronic conditions such as diabetes and hypertension, with specific medical files created for each individual.<sup>24</sup> However, the majority of complaints from prisons suggest otherwise.

#### 4. Denial of Fair Public Trials

While the Iraqi constitution provides for an independent judiciary, certain legal provisions and external pressures have compromised its impartiality. Corruption and intimidation have affected judges at various levels, including the Court of Cassation. Threats and targeted killings by sectarian groups, tribal factions, violent extremists, and criminal elements have further undermined judicial independence. Judges, lawyers, and their families frequently<sup>25</sup> face death threats and attacks, creating an atmosphere of fear and coercion.

In the Kurdistan region, the Kurdistan Judicial Council operates independently from the Kurdistan Regional Government (KRG) Ministry of Justice in legal, financial, and administrative matters. However, reports indicate that senior KRG leaders exerted influence over politically sensitive cases, raising concerns about impartiality.

#### 5. Legal Protections and Shortcomings

The Criminal Procedure Code No. (23) of 1971 provides significant guarantees for the accused, including the right to legal representation. If an accused cannot afford a lawyer, the court is required to appoint one at the state's expense. The Iraqi constitution guarantees the right to remain silent, prohibits torture, and forbids coercion of confessions. Despite these safeguards, adherence to these provisions is inconsistent.

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<sup>24</sup> Iraq. (2019). Second periodic report submitted by Iraq under Article 19 of the Convention, due in 2019. Note No. 20.

<sup>25</sup> U.S. Department of State. (2024a). 2023 country reports on human rights practices: Iraq. [https://www.state.gov/wp-content/uploads/2024/03/528267\\_IRAQ-2023-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2024/03/528267_IRAQ-2023-HUMAN-RIGHTS-REPORT.pdf)



For instance, the law upholds the presumption of innocence until proven guilty, but this principle is not always observed. Judges in cases involving alleged members of the Islamic State organization (ISIS) have sometimes presumed guilt based on geographical proximity to ISIS activities, familial relationships with accused individuals, or sectarian identity.

Furthermore, detainees are entitled to be informed immediately and in detail of the charges against them and to a fair, timely, and public trial. However, officials often fail to provide timely notification of charges, and trials are frequently delayed. In some instances, defendants reportedly paid bribes to expedite their trials, which otherwise could take up to three years to begin.<sup>26</sup>

## 6. Politically Motivated Imprisonment

The government denies the existence of political prisoners, asserting that all detainees are held for violating criminal laws. In contrast, human rights organizations claim that authorities use criminal charges to suppress dissent and imprison individuals for their political activities or beliefs. Local NGOs have reported that journalists and political activists face arrest and harassment for criticizing the government, Iran, or Shiite militias.<sup>27</sup>

## 7. Systemic Challenges

The judiciary faces profound challenges in ensuring fair and impartial trials. Political interference, corruption, and threats to judicial personnel not only jeopardize the rule of law but also exacerbate public mistrust in the legal system. The ongoing use of criminal charges as a tool for political suppression underscores the need for systemic reform to uphold justice and human rights.

### Nasiriyah Prison: A Model of Violations

Nasiriyah Central Prison, located in Dhi Qar province, exemplifies violations of both local laws and international humanitarian standards. Commonly referred to by Iraqis as "the whale" for its reputation of swallowing people without release, the facility has become a symbol of systemic abuse in Iraqi prisons.

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<sup>27</sup> U.S. Department of State. (2024b). 2023 country reports on human rights practices: Iraq. [https://www.state.gov/wp-content/uploads/2024/03/528267\\_IRAQ-2023-HUMAN-RIGHTS-REPORT.pdf](https://www.state.gov/wp-content/uploads/2024/03/528267_IRAQ-2023-HUMAN-RIGHTS-REPORT.pdf)



As the largest prison in southern Iraq, official reports estimated its population at **12,000** detainees in **2023**.<sup>28</sup> Most prisoners are Sunni Iraqi males, many of whom face death sentences on terrorism-related charges.

Originally constructed in **2008** to house **1,200** inmates, the prison was expanded in **2017** with two annexes,<sup>29</sup> reportedly increasing its capacity to **2,000**. However, Iraqi authorities claim the facility can now accommodate up to **8,000** prisoners, raising concerns about overcrowding and deteriorating conditions.<sup>30</sup>



**Illustration 4: Al-Nasiriya Prison in Iraq**

<sup>28</sup> Gulf Centre for Human Rights. (2024, November 19). GCHR's 34th periodic report on human rights violations in Iraq. Retrieved December 25, 2024, from <https://www.gc4hr.org/gchrs-34th-periodic-report-on-human-rights-violations-in-iraq/>.

<sup>29</sup> Hussein Ahmed. (2023, February 13). Statement to Al-Sharqiya channel. Retrieved January 5, 2025, from <https://youtu.be/98QMjhFTLB8>.

<sup>30</sup> United Nations Special Rapporteurs. (2024, June). Report. Retrieved from <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29197>



The prisoners were accused of being affiliated with terrorist organizations, particularly ISIS, often based on tenuous connections or simply for being in areas under its control. Most arrests occurred during a U.S.-backed military campaign from 2014 to 2017. ISIS's actions posed a significant threat to Iraqi civilians and the state, as they carried out criminal activities nationwide. While the Iraqi authorities have valid grounds for prosecuting these crimes, it appears that the pursuit of ISIS and its eradication has provided a cover for committing violations against individuals based on sectarian and tribal affiliations. This situation has serious implications for the country's security and social cohesion.

Obtaining accurate figures on the number of detainees facing execution or torture inside Nasiriyah Prison is challenging due to several factors. Firstly, authorities keep much of the information about the prison confidential, making it difficult to verify the accuracy of statistics. Secondly, many inmates and their families may be hesitant to report abuses out of fear of retaliation. Additionally, the number of inmates is constantly changing due to ongoing executions and new releases. These factors collectively contribute to the difficulty in providing precise numbers.

Nasiriyah Prison in Iraq starkly exemplifies violations of the United Nations Standard Minimum Rules for the Treatment of Prisoners, known as the "Mandela Rules." Human rights reports indicate ongoing severe violations, including extreme overcrowding, inadequate healthcare, and arbitrary restrictions on basic prisoner rights, such as visitation and communication with the outside world. Additionally, there are violations related to the use of secret informants and instances of torture. These practices directly contradict international standards that require states to uphold the dignity of prisoners and protect them from cruel or inhumane treatment. The details can be outlined as follows:

### **1. Secret Informant**

In Nasiriyah Prison, most prisoners were sentenced under a vague Anti-Terrorism Law from 2005 that broadly defines terrorism without clear legal boundaries.<sup>31</sup> Many detainees were forcibly taken from their homes, neighborhoods, or security points. Suspects typically suffer prolonged torture, sometimes lasting up to a year, before

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<sup>31</sup> United Nations Office on Drugs and Crime. (2005). Anti-terrorism law No. 13 of 2005 (Iraq). [https://www.unodc.org/uploads/icsant/documents/Legislation/Iraq/Anti-Terrorism\\_Law\\_No.\\_13\\_of\\_2005\\_.pdf](https://www.unodc.org/uploads/icsant/documents/Legislation/Iraq/Anti-Terrorism_Law_No._13_of_2005_.pdf)



facing trial. Many were arrested simply because they lived in Sunni-majority regions or were members of Sunni Arab tribal groups. In certain instances, whole families were imprisoned together.<sup>32</sup>

There is no clear evidence of criminal activity committed by the detainees, with many death or life sentences based on confessions obtained through torture. A lawyer for Women Journalists Without Chains revealed that most cases rely on the testimony of a "secret informant" appointed by security authorities in each area to provide tips without any supporting evidence or verification of the claims. This system was supposed to have ended in **2021**, when the government announced a shift to field surveys to verify suspects' statuses. However, the lawyer noted that the practice of using secret informants continues, with the implementation of field surveys in **2023** being rare and limited to only a few cases.

The lawyer adds that judges often rely on confessions obtained under torture, as well as confessions from other defendants who were also subjected to torture, when issuing sentences. The United Nations has previously documented that these confessions are used as the primary basis for conviction, under the pretext that "a confession is the master of evidence." Judges have consistently dismissed claims of torture made by both lawyers and prisoners.<sup>33</sup>

## 2. Brutal Torture to Death:

Inside Nasiriyah Prison, allegations of brutal torture have surfaced, with lawyers and former detainees claiming that it is a common practice, severely violating human rights. These disturbing reports raise serious concerns about the treatment of prisoners. Between **2021** and early **2024**, at least **96** prisoner deaths were recorded, **18** of which occurred within just four weeks in **2021**. Many of these deaths happened under suspicious circumstances, with visible signs of torture on the bodies, and families were denied access to autopsy reports.<sup>34</sup> Unofficial reports suggest around **130** deaths in **2023** alone, yet the government has released no information regarding

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<sup>32</sup> U.S. Department of State. (2023). 2023 Country Reports on Human Rights Practices: Iraq. Retrieved from

<sup>33</sup> United Nations Human Rights Office of the High Commissioner. (2020). Human rights in the administration of justice in Iraq: Trials under the anti-terrorism laws and implications for justice, accountability and social cohesion in the aftermath of ISIL. <https://www.ohchr.org/en/documents/country-reports/human-rights-administration-justice-iraq-trials-under-anti-terrorism-laws>.

<sup>34</sup> Human Rights Watch. (2024, January 24). Iraq: Unlawful mass executions resume. <https://www.hrw.org/news/2024/01/24/iraq-unlawful-mass-executions-resume>.

the exact numbers, identities of the deceased, or any investigations into the circumstances of these deaths.<sup>35</sup>



**Message from Nasiriyah Prison Detainees' Families to Iraqi President, August 2024**

Forensic doctor Hamed informed WJWC<sup>36</sup> that during his work in Nasiriyah, he observed that bodies from "al-Hout Prison" exhibited signs of torture and starvation, including fractures in the limbs, rib cage, spine, neck, and lower back, as well as subcutaneous bruises likely resulting from beatings with iron rods or leather-wrapped batons to conceal the injuries. He recounted one case involving a man in his forties from Al-Hout Prison, whose torture marks were particularly horrifying. Most of his joints were shattered, and clear signs of starvation were present. It appeared that he had died days earlier, as prison officials often withheld bodies for several days before notifying forensic authorities, allowing time to manipulate the report and diminish the visibility of the torture marks.

**3. Overcrowding and Epidemics**

Eight prisoners are confined to a cramped, poorly ventilated 2x3-meter cell containing a foul-smelling toilet. Situated in a hot climate, the oppressive conditions are compounded by a lack of sunlight, with inmates allowed outside for only 15

<sup>35</sup> United Nations. (2024). Report of the UN Special Rapporteurs in June 2024. <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=29197>

<sup>36</sup> Forensic Doctor (pseudonym). (2024, December 31). [Testimony]. Emailed to a researcher at Women Journalists Without Chains



minutes every six days. Even then, direct sunlight never reaches their cells,<sup>37</sup> fostering the spread of skin infections and other diseases. The food provided is severely inadequate, consisting of meager portions and undercooked soup, which exacerbates malnutrition and contributes to widespread illnesses, including contagious diarrhea. Prisoners who voice complaints about their detention conditions are met with harsh punishments, including transfer to solitary confinement, deprivation of food and clean drinking water, and the indignity of being forced to defecate and urinate within their solitary cells.



**Illustration 5: Examples of Skin Diseases Resulting from Inhumane Prison Conditions**

#### **4. Violations of Prisoners' Families' Rights**

Families of detainees regularly report mistreatment by prison officials, including intrusive and degrading searches of women and children, despite the prison administration limiting visits to once every four months.<sup>38</sup> Both prisoners and their families are subjected to financial extortion, with demands for payment in exchange

<sup>37</sup> Families of Nasiriyah Prison Detainees. (2024). Message to the Iraqi President and Prime Minister. Women Journalists Without Chains.

<sup>38</sup> Iraqi Bar Association to Rudaw. (2024, August 27). Approximately 10 lawyers killed annually in Iraq. Retrieved January 2, 2025, from <https://www.rudawarabia.net/arabic/middleeast/iraq/270820245>.



for allowing essential items such as medication and underwear into the facility. In 2024, multiple instances of assaults on detainees' families were documented. In one particularly harrowing case, a woman in her sixties reported that prison officials burned her son's head with acid and demanded \$1,000 to cease the torture.<sup>39</sup>

The Iraqi authorities must initiate a transparent investigation into the conditions at Nasiriyah Prison, ensuring the involvement of key stakeholders and granting access to international human rights organizations to independently assess and verify the situation. Perpetrators of human rights violations within the prison must be identified and held fully accountable.

### 5. Mass Executions on Political and Sectarian Grounds

The executions in Nasiriyah Prison appear to be sanctioned by the highest levels of the Iraqi state. In April 2023, the Iraqi Minister of Justice announced that 20,000 individuals had been accused of terrorism-related crimes, with 8,000 of them sentenced to death.<sup>40</sup> By January 2024, the Iraqi President, in collaboration with the National Intelligence Council and the Ministry of Justice, endorsed plans to expedite the resolution of these cases and proceed with the executions.<sup>41</sup>

At least 8,000 individuals now await execution under Article 4 of the Anti-Terrorism Law, which imposes severe penalties, including life imprisonment and the death penalty. Many of these convictions were based on minor accusations, such as having their names appear on terrorist organization lists or being detained solely on the basis of secret informants, often without substantial legal evidence of involvement in terrorist activities.

Highlighting the arbitrary nature of these sentences, a senior counter-terrorism judge shared, "Yesterday, I had a case of a cook from ISIS, and I recommended the

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<sup>39</sup> Mustafa Kamil. (2024, October 26). Interview with Iraqi woman [Tweet]. Retrieved January 9, 2025, from <https://x.com/mustafakamil/status/1848846082232467842?s=48>.

<sup>40</sup> Minister of Justice Interview. (2023, April 7). Retrieved from [https://youtu.be/YOW1Th\\_qns4](https://youtu.be/YOW1Th_qns4) (Accessed January 6, 2025).

<sup>41</sup> Iraqi President chairs meeting with National Intelligence Council and Ministry of Justice. (2024, January 22). Retrieved from <https://presidency.iq/Details.aspx?id=11591> (Accessed January 7, 2025).



death penalty for him. How can an ISIS fighter execute someone if he hasn't been fed a good meal the night before?"<sup>42</sup>

Reports indicate that death sentences are being handed down following trials that last only one to two hours. It has been reported that judges merely ask defendants whether they are guilty or innocent, and upon an "innocent" response, the judge responds with, "You look like criminals," before immediately imposing a death sentence.<sup>43</sup>

Iraq has exempted itself from its international legal obligations, which restrict the death penalty's application to "the most serious crimes," specifically premeditated murder. United Nations rapporteurs have condemned these practices as brutal violations of human rights. Many of the offenses outlined in Articles 2 and 3 of the Anti-Terrorism Law No. 13 of 2005, under which individuals are sentenced to death, do not meet the threshold of "the most serious crimes," rendering these executions inherently arbitrary.

The Iraqi government does not release official statistics on executions and routinely denies requests for this information. Since December 2023, Iraqi authorities have intensified the secret execution of detainees at Nasiriyah Prison,<sup>44</sup> a facility infamous for its human rights abuses. The most recent publicly known mass execution occurred in November 2020, when 21 men were executed.

According to data collected by Women Journalists Without Chains, at least 145 Iraqis were executed between December 2023 and September 2024, reflecting a disturbing escalation in the use of capital punishment under opaque and unaccountable circumstances.<sup>45</sup>

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<sup>42</sup> Human Rights Watch. (2017, December 5). Iraq: Flawed Prosecution of ISIS Suspects. Retrieved from <https://www.hrw.org/news/2017/12/05/iraq-flawed-prosecution-isis-suspects> (Accessed December 30, 2024).

<sup>43</sup> United Nations Special Rapporteurs Report. (2024, June). Retrieved from <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=29197>

<sup>44</sup> Basnews. (2023, December 23). Secret executions in Nasiriyah Prison raise concerns. Retrieved December 30, 2024, from <https://www.basnews.com/en/babat/834052>.

<sup>45</sup> Amnesty International. (2024, April 25). Iraq: At least 13 people executed amid alarming lack of transparency. Retrieved December 31, 2024, from <https://www.amnesty.org/ar/latest/news/2024/04/iraq-at-least-13-people-executed-amid-alarming-lack-of-transparency/>.



Month	Number of Executions
December 2023	13 individuals
April 2024	13 men <sup>46</sup>
May 2024	8 individuals, <sup>47</sup> plus 11 more <sup>48</sup>
June 2024	40 individuals <sup>49</sup>
July 2024	10 individuals <sup>50</sup>
September 2024	50 individuals, <sup>51</sup> including 1 woman
<b>Total</b>	<b>145 individuals</b>

Executions in Iraq cannot be carried out without oversight from a team within the Ministry of Justice and approval from the country's president, Abdul Latif Rashid. Despite this, the Ministry of Justice denied reports of secret executions in July 2024, calling them "misleading news,"<sup>52</sup> and in October, the president denied any approval of mass death sentences.<sup>53</sup> Iraqi authorities have often increased executions in response to political pressures. For instance, following an ISIS attack in January 2021, the authorities prepared to carry out over 340 executions for "terrorist or criminal acts,"<sup>54</sup> which President Barham Salih approved in response to public calls

<sup>46</sup> Amnesty International. (2024, April 25). Iraq: At least 13 people executed amid alarming lack of transparency. Retrieved December 31, 2024, from <https://www.amnesty.org/ar/latest/news/2024/04/iraq-at-least-13-people-executed-amid-alarming-lack-of-transparency/>.

<sup>47</sup> AFP. (2024, May 31). Execution of 8 people convicted of "terrorism" in Iraq. Retrieved December 24, 2024, from <https://tny.im/FMw4f>.

<sup>48</sup> Non14. (2024, May 6). The execution took place at dawn: Iraq executes 11 convicted of terrorism. Retrieved December 24, 2024, from <https://non14.net/166625>.

<sup>49</sup> IFAD Observatory. (2024, June 10). Execution of 63 people during the previous weeks, number reduced based on monitoring in April and May. Retrieved from [https://x.com/Afada\\_iraq/status/1800126723595681820](https://x.com/Afada_iraq/status/1800126723595681820).

<sup>50</sup> AFP. (2024, July 22). Iraq hangs 10 men convicted of terrorism, security sources say. Retrieved December 31, 2024, from <https://tny.im/hcJ5h>.

<sup>51</sup> IFAD Observatory. (2024, October 12). Statement by the IFAD Observatory. Retrieved from [https://x.com/Afada\\_iraq/status/1845036935867158972/photo/1](https://x.com/Afada_iraq/status/1845036935867158972/photo/1).

<sup>52</sup> Iraqi Ministry of Justice. (2024, July 15). The Iraqi Ministry of Justice denies carrying out secret executions and confirms the prosecution of the website that published this misleading news. Retrieved January 1, 2025, from [https://moj.gov.iq/view.8293/](https://moj.gov.iq/view.8293/).

<sup>53</sup> Presidency of the Republic. (2024, October 17). Statement of the Presidency of the Republic. Retrieved January 1, 2025, from [https://tny.im/tjxz2](https://tny.im/tjxz2).

<sup>54</sup> Arab Weekly. (2021, February 10). Iraq executes five men convicted of terrorism. Retrieved from [https://the arabweekly.com/iraqexecutes-five-men-convicted-terrorism](https://the arabweekly.com/iraqexecutes-five-men-convicted-terrorism).



for revenge. These executions were carried out in batches in the weeks that followed.<sup>55</sup>

Regarding executions in 2024, there is evidence to suggest that the Iraqi authorities face pressure from "sectarian parties" to conduct as many executions as possible before the amendment to the General Amnesty Law (2016) is passed in the Iraqi parliament.<sup>56</sup> This amendment could result in a general amnesty and the release of thousands of innocent people, including those sentenced to death.<sup>57</sup>



### Additional Violations

In addition to the aforementioned violations, lawyers and families of detainees report that individuals sentenced to death endure various forms of psychological and physical torture before, during, and after the execution of unjust sentences.

<sup>55</sup> World Coalition Against the Death Penalty. (2022). Iraq compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment: The Death Penalty. Retrieved from [https://worldcoalition.org/wp-content/uploads/2022/04/Iraq-CAT-Death-Penalty-FINAL-1.pdf](https://worldcoalition.org/wp-content/uploads/2022/04/Iraq-CAT-Death-Penalty-FINAL-1.pdf).

<sup>56</sup> Iraqi Council of Representatives. (2024, August 4). Highlights of Session No. 5, Second Legislative Chapter, Third Legislative Year, Sunday, August 4, 2024. Retrieved January 6, 2025, from [https://tny.im/A97th](https://tny.im/A97th).

<sup>57</sup> TNY. (2024, August 8). Defining terrorist groups complicates Iraq's General Amnesty Law. Retrieved January 7, 2025, from [https://tny.im/3xLe](https://tny.im/3xLe).



## 1. Surprise Execution

Convicts are kept in deplorable prison conditions, with no knowledge of when their execution will take place. Prison officials continuously threaten them with execution and make preparations for carrying out the sentences, creating a state of constant anxiety and tension among the detainees. This psychological torment is further exacerbated by the fact that many of their fellow inmates are taken from their cells, never to return, reinforcing the sense of impending death.

A lawyer representing one of those executed in April 2024 reported that she was informed by other prisoners: "The names were called out at dawn on the day of the execution over the prison's loudspeakers." She further explained that the detainees were executed without prior notice, and neither the prisoners nor their lawyers or families were informed of the execution date. Families were instead contacted by phone and instructed to come to the forensic medicine department with a blanket to collect the body and pay the associated fees.<sup>58</sup>

In October 2024, Women Journalists Without Chains reviewed audio recordings from mothers and families of those sentenced to death.<sup>59</sup> The recordings revealed that the families had received calls from their loved ones in Nasiriyah Prison, who reported that they had been told the president had approved their executions. However, the prisoners were unaware of the exact date. The women in the recordings were heard crying bitterly, pleading for intervention to halt the sectarian executions.

## 2. Early Death Before Execution

Inmates on death row are sentenced under deplorable and inhumane conditions. UN Special Rapporteurs have reported that death row prisoners suffer from various violations, including torture, ill-treatment, and the denial of necessary medical care for serious or infectious diseases, which has resulted in numerous premature deaths in detention.<sup>60</sup> Despite claims by the Ministry of Justice's medical committees that they inspect the death row section every few months, there is no permanent medical presence in this area.

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<sup>58</sup> Lawyer. (2025, January 2). Testimony to Women Journalists Without Chains (WJWC). [Private email].

<sup>59</sup> Audio recordings. (2024). Sent to Iraqi human rights activists abroad.

<sup>60</sup> UN Human Rights Council. (2024, June). Letter from UN Special Rapporteurs. Retrieved from <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?glId=29197>.



A lawyer told Women Journalists Without Chains that the family of one executed detainee had bypassed security measures to inspect the body. They found no signs of the rope used to hang the detainee, but observed multiple bruises on his emaciated body. Families are routinely denied access to independent forensic examinations of the bodies, and they are pressured to have the body washed and buried immediately, without the opportunity for funeral rites or condolences.

The brother of two individuals sentenced to death<sup>61</sup> in Nasiriyah Prison told Women Journalists Without Chains<sup>62</sup> that one of them died as a result of torture and medical neglect. He explained, "We were not informed of his death until seven months had passed. We learned about it from another detainee, who told my other brother—who is in the same prison, though in a different cell—that his brother had died, and he then informed us."

He added, "This is not just my case; there are many similar cases, where the prison morgue is filled with the bodies of detainees who died due to torture or medical neglect, and their families were never informed." He also noted that his other brother "is still awaiting the execution of his death sentence, which was issued based on confessions extracted under brutal torture."

### 3. Sectarian Slogans Before and During Execution:

Nasiriyah Prison is predominantly staffed by individuals from the Shiite sect, while the majority of the prisoners are Sunni. As a result, the Sunni detainees face sectarian retaliation and are often denied the right to practice their religious beliefs. They are subjected to physical abuse with iron tools and verbally assaulted with degrading insults. The prison commanders and guards also deliberately mock and insult the religious beliefs of those sentenced to death, including the wives and companions of the Prophet Mohammed.<sup>63</sup>

The AFAD Observatory, an Iraqi non-profit human rights organization, reports that "the prison administration carried out executions of detainees in their pajamas, denying them the opportunity to pray, write wills, or send letters to their families. They were abruptly dragged to a special unit where the execution platforms were located.

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<sup>61</sup> Lawyer. (2025, January 2). Testimony to Women Journalists Without Chains (WJWC). [Private email].

<sup>62</sup> Brother of two detainees. (2025, January 9). Communication with Women Journalists Without Chains (WJWC) via messaging app.

<sup>63</sup> Message from the families of detainees in Nasiriyah Prison. (n.d.). Previous source.



Six detainees were hanged at a time, often while subjected to sectarian abuse and insults."<sup>64</sup>

The Iraqi authorities seem to be employing arbitrary death sentences as a political weapon, with a particular focus on targeting Sunni Arab males. Given the widespread nature of these punishments, they may be classified as a crime against humanity. Furthermore, since these sentences disproportionately impact Sunni Arabs, they can be seen as part of a broader campaign of sectarian cleansing orchestrated by the authorities and their Shiite militias. This campaign has continued even after Nouri al-Maliki's departure from power, persisting under subsequent governments, albeit at a reduced pace.

While the government of Mohammed Shaye al-Sudani has announced plans to introduce a general amnesty law, the situation remains dire. A detainee's brother remarked,<sup>65</sup> "The executions are escalating, as if the objective is to eliminate these young men without fair trials. They are being framed with terrorism charges and treated as criminals before their guilt is established."<sup>66</sup>

#### 4. Rights Violations of Families of the Executed

Families of prisoners sentenced to death live in constant fear due to the lack of information about their loved ones' death sentences and execution dates. Reports suggest that since late 2023, the morgue at Nasiriyah Prison has been overwhelmed with an increasing number of bodies, some of which have been buried in the prison's backyard. The prison administration typically informs families of the deaths two to three months after the executions, allowing them to retrieve the bodies at that point.

The authorities threaten the families of detainees against discussing executions on social media, holding funerals or memorial services, or unwrapping the shroud that covers the deceased. One relative of an executed detainee<sup>67</sup> reported that security

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<sup>64</sup> Ifad Observatory. (2024, October 18). With unfair trials... a campaign of executions in Iraq before the vote on the general amnesty. Retrieved January 5, 2025, from [https://tny.im/cjmNP](https://tny.im/cjmNP)(https://tny.

<sup>65</sup>65 Brother of two detainees. (2025, January 9). Communication with Women Journalists Without Chains (WJWC) via messaging app.

<sup>66</sup> United Nations Special Rapporteurs2. (2024, June). [Message]. Retrieved from https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29197 (Accessed January 7, 2025).

<sup>67</sup> Human Rights Watch. (2024, November 19). Iraq: Surging Unlawful Executions. Retrieved from https://www.hrw.org/news/2024/11/19/iraq-surging-unlawful-executions(Accessed January 7, 2025).



forces blocked the family from holding a funeral and stationed guards at the grave. She stated, "During my last visit to him [in prison], I noticed that his nails were missing, his teeth had fallen out, and there were marks on his feet and around his neck." In some instances, families have also been barred from returning to the burial site for visits, which are vital for honoring religious practices and rituals.

### Findings and Recommendations

Women Journalists Without Chains (WJWC) raises the alarm over the grim reality of arbitrary mass executions in Iraqi prisons, a practice that has become a glaring violation of human rights. These executions are carried out without prior notice to families or legal representatives, stripping the condemned of their fundamental right to seek clemency or commutation.

The trials that precede these sentences fall drastically short of international standards of fairness. Arrests, detentions, and trials are marred by procedural violations and a disturbing lack of transparency. Convictions hinge on unverified informant reports and confessions coerced under torture, with little to no corroborative evidence. Alarming, the expansive definition of terrorism now encompasses non-lethal crimes, further eroding the integrity of the judicial process.

WJWC condemns these acts as an arbitrary deprivation of life, a breach of Article 6 of the International Covenant on Civil and Political Rights. Such actions not only violate international law but also constitute crimes against humanity, demanding accountability for those responsible.

The exclusive reliance on anti-terrorism laws to convict individuals fails to deliver justice to victims or to document the heinous crimes of terrorist organizations in a credible manner. The authorities' dependence on informants and tortured confessions reveals a troubling disregard for due process and justice. Furthermore, the failure to confront victims with perpetrators only deepens the miscarriage of justice.

Iraqi authorities remain silent about investigations into human rights abuses committed by security forces and affiliated militias during the ISIS conflict and subsequent anti-terrorism campaigns. History demonstrates that punitive measures such as arbitrary executions, coupled with torture and ill-treatment, do little to address the roots of terrorism. Instead, these violations—driven by sectarian and



racial motives—foment further division, undermining social cohesion and reconciliation efforts while stoking cycles of vengeance.

WJWC calls on the Iraqi government to undertake an immediate, independent, and transparent investigation into these reports. This inquiry must involve all relevant stakeholders, including victims of torture, and pave the way for retrials that adhere to international humanitarian standards.

Without such decisive action, the death penalty will remain a tool of oppression, flagrantly violating the right to life and Iraq's obligations under the Convention Against Torture and the International Covenant on Civil and Political Rights. The path to justice begins with accountability, fairness, and respect for human dignity. Iraq must act now to end these violations and restore faith in its justice system.

### **1. Halt Death Penalty and Amend Anti-Terrorism Law**

The Iraqi government must immediately halt all executions and ensure a retrial for all individuals currently on death row. A moratorium on the death penalty should be declared, directing the judiciary to refrain from issuing death sentences in terrorism-related cases. In the interim, the government must amend the penal code to eliminate the death penalty for crimes that do not involve premeditated murder committed by the accused.

It is essential for the Iraqi authorities to acknowledge the ongoing violations and the absence of fundamental fair trial guarantees for those accused of terrorism. Despite official claims that judicial processes uphold the rights of the accused, numerous reports, including those from the United Nations, have consistently documented violations of basic fair trial principles.

These include the right to prompt judicial oversight, access to legal counsel during interrogation, the ability to contact family members, the presumption of innocence, and protection against self-incrimination. Upholding these rights, as outlined in Article 14 of the International Covenant on Civil and Political Rights, not only ensures justice but also prevents the use of torture and other forms of inhumane treatment.

The government must also recognize that even under the challenges posed by terrorism and national emergencies, fair trial guarantees are non-negotiable and must be upheld. The practices reported in Nasiriyah Prison, including arbitrary executions and systemic violations of human rights, contravene international



humanitarian law. These include breaches of the right to life, freedom from torture, and the freedom to practice religion or belief. Urgent reforms are needed to align Iraq's judicial and penal systems with its obligations under international law.

## 2. Arrests and Enforced Disappearances

The authority to deprive individuals of their liberty must be strictly limited to legally authorized personnel, who are required to adhere fully to legal provisions at every stage of arrest and detention. All individuals deprived of their liberty, including those suspected of terrorist crimes, must be guaranteed the right to legal counsel from the moment of arrest. This includes the right to communicate freely and without obstruction with their lawyer. Additionally, detainees must be provided the opportunity to promptly contact their relatives, legal representatives, or any person of their choosing, including consular authorities for foreign nationals, without any undue delay or obstacles.

We urge the Iraqi government to honor its commitments under international humanitarian law, particularly concerning the absolute right of relatives to know the fate and whereabouts of individuals subjected to arrest or enforced disappearance. This right is inviolable and cannot be restricted under any lawful justification or exceptional circumstances. Any violation of this principle constitutes a breach of Iraq's obligations under Articles 1, 2, 12, 17, 18, and 24 of the International Convention for the Protection of All Persons from Enforced Disappearance. It also contravenes Articles 2, 9, 10, 11, 12, and 13 of the Declaration on the Protection of All Persons from Enforced Disappearance.

Moreover, we call for urgent reforms to ensure that domestic legislation explicitly prohibits the invocation of superior orders or instructions as a justification for the crime of enforced disappearance. Iraqi criminal legislation must also establish clear provisions on criminal liability for such offenses, consistent with Articles 6(1) and 6(2) of the International Convention for the Protection of All Persons from Enforced Disappearance.

## 3. Judicial Independence and Appointment Procedures

We recommend taking immediate measures to ensure the full independence, integrity, and safety of judges and prosecutors. This includes protecting them from undue political pressure, threats, violence, or corruption, and shielding the judiciary



from interference by the executive authority or sectarian militias. Such measures are essential to safeguarding impartiality in the judicial process and maintaining public trust in the rule of law.

The selection and appointment of judges and prosecutors must strictly adhere to the provisions of the International Covenant on Civil and Political Rights (ICCPR) and relevant international standards, including the Basic Principles on the Independence of the Judiciary. Priority should be given to implementing these reforms during the retrials of terrorism cases to guarantee fair trial standards and uphold justice.

#### 4. Reforming Prisons and Ensuring Justice

We recommend that the Government of Iraq take immediate steps to improve prison conditions and establish robust monitoring mechanisms to address the mistreatment of inmates. The amendment of the General Amnesty Law should be prioritized as a means to rectify the wrongful imprisonment of innocent individuals and address systemic violations since the fall of Saddam Hussein's regime in 2003. Efforts should focus on reducing overcrowding, ensuring humane treatment, and providing fair access to justice for all detainees.

We further recommend amending the Iraqi Penal Code No. 111 to align with international human rights standards and revising the Law on the Reform of Inmates and Detainees No. 18 of 2018 to grant independent organizations access to prisons. The legislative framework governing the High Commission for Human Rights must also be restructured to comply with the Paris Principles,<sup>68</sup> ensuring transparency and fairness in selecting commissioners. To preserve the Commission's independence, the Cabinet decision granting the Minister of Justice supervisory authority should be repealed immediately.

#### 5. Combating Hate Speech and Promoting Accountability

We recommend that the Iraqi government take immediate steps to facilitate the reporting of racist hate speech and hate crimes, ensuring accessible and effective channels. Comprehensive data on the frequency, nature, and outcomes of hate speech incidents, investigations, prosecutions, and reparations should be collected

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<sup>68</sup> Hussein, S. S. (2021, July 27). The legal status of the Iraqi Human Rights Commission in light of the decisions of the Federal Court. IOHRD. <https://is.gd/gYKr7>



and disaggregated by key demographics, to be included in Iraq's next periodic report.

Furthermore, the Iraqi government must strongly condemn all forms of hate speech, especially when propagated by politicians and public figures. The government should distance itself from such rhetoric, ensuring thorough investigations and holding perpetrators accountable through legal action. This approach is vital for social cohesion and upholding human rights.





Despite Iraq's ratification of the Convention against Torture, the country lacks a robust legal framework and procedural safeguards to prevent torture. Detention facilities and prisons remain largely outside the reach of effective legal oversight.

"Before stepping through the prison door, you are forced to surrender your humanity and dignity, as they will be stripped away under relentless duress. The harrowing torture inflicted on prisoners has claimed the lives of many."

**A former prisoner in Iraq**

"Every day, the guards would bring us rice and soup, only to throw it on the floor, forcing us to eat like animals. On one occasion, they dragged us outside in the rain and made us crawl through the mud."

**A former prisoner in Iraq**

Shiite militias, tribal factions, and other groups operate dozens of "secret detention facilities" where systematic torture is routinely carried out

Between **2017** and **2023**, **12,000** Iraqi families reported missing relatives, including dozens of detainees who disappeared in connection with the November **2019** anti-government protests.

"Some of her relatives who were released from Al-Muthanna Airport Prison in Baghdad told me that her brother has been held there for over a year since his abduction and is being tortured by the prison guards. When I went to see him, I was denied access, and they insisted he wasn't there."

**54-year-old Iraqi woman**



Iraq became a party to the International Convention for the Protection of All Persons from Enforced Disappearance in **2010**. However, successive governments have failed to implement the necessary legal measures to criminalize enforced disappearance under domestic law, allowing militias and security forces to continue perpetrating crimes against humanity.

The Ministry of Justice has repeatedly admitted to the prevalence of diseases in prisons caused by severe overcrowding, yet efforts to address the issue have been minimal. In fact, certain official procedures, such as washing inmates' clothes without adhering to medical precautions, have exacerbated the spread of these diseases.

The government denies holding political prisoners, insisting all detainees violated criminal laws. However, human rights groups argue the government uses criminal charges as a cover to detain people for their political activities or beliefs.

**Obtaining accurate figures on detainees facing execution or torture in Nasiriyah Prison is difficult for several reasons:**

- a) Secrecy:** Authorities keep much of the prison's information hidden, complicating efforts to verify statistics.
- b) Fear:** Inmates and their families often fear retaliation, deterring them from reporting abuse.
- c) Fluctuating Numbers:** The inmate count is constantly changing due to secret executions and deaths from torture or harsh conditions.

Nasiriyah Prison in Iraq exemplifies violations of the UN's Mandela Rules for prisoner treatment. Human rights reports reveal severe issues like extreme overcrowding, inadequate healthcare, and arbitrary restrictions on prisoners' basic rights, including visitation and communication.

Most detainees in Nasiriyah Prison are convicted under the loosely defined **2005 Anti-Terrorism Law**, which expands the definition of terrorist acts without clear legal standards (Articles 2 and 3). It lacks the typical legislative rigor found in anti-terrorism laws.

A woman in her sixties reported that prison officials burned her son's head with acid and demanded **\$1,000** to cease the torture.

Iraqi authorities must conduct a transparent investigation into conditions at Nasiriyah Prison, involving key stakeholders. They should allow international human rights organizations access to verify the situation. Those responsible for human rights violations must be held accountable.

**At least 8,000** individuals await execution under Article 4 of the Anti-Terrorism Law, which imposes severe penalties, including life imprisonment and the death penalty. Many were convicted for minor reasons, such as appearing on terrorist organization lists or being arrested based on secret informant tips without legal evidence of their involvement in terrorism.



"Yesterday, I reviewed a case involving an ISIS cook and suggested the death penalty. How can an ISIS fighter execute someone if he wasn't fed properly the night before?"

Iraqi Judge

Death sentences were reportedly issued after summary trials lasting just an hour or two. The judge allegedly asked defendants if they were guilty or innocent; upon their "innocent" responses, the judge remarked, "you look like criminals," and immediately sentenced them to death.

At least **145** Iraqis were executed in Nasiriyah Prison between December **2023** and September **2024**.

Iraqi authorities often tend to intensify executions in response to political pressure.

Death row inmates endure extremely poor prison conditions, uncertain of their execution dates. Constant threats from prison wardens create a tense psychological environment, especially as many inmates have been taken from their cells and never returned.

"Executions were conducted without prior notice, leaving prisoners, their lawyers, and families uninformed. Families were only notified by phone to bring a blanket to the forensic department for the body and to pay fees for its release."

Lawyer to WJWC



United Nations special rapporteurs have reported that death row inmates face violations such as torture, ill-treatment, and inadequate medical care for serious and infectious diseases, resulting in the early deaths of dozens during detention.

The brother of two death row inmates in Nasiriyah reported to Female Journalists Without Chains that one of them died due to torture and medical neglect. "We were not informed of his death until seven months later. We learned through another detainee, who told my other brother—also imprisoned in a separate cell—that his brother had died."

The workforce in Nasiriyah Prison is exclusively composed of Iraqi Shia, while most of the prisoners belong to the Sunni sect.

The prison administration executed detainees in their sleepwear, denying them the opportunity to pray or write wills and letters to their families. They were abruptly taken to a special unit where the execution platforms were located, with six detainees hanged at a time, sometimes accompanied by sectarian taunts.

**AFAD Observatory, an Iraqi NGO**

Executions are being carried out at an increasing rate, almost as if the goal is to exterminate these young people without fair trials. They are being framed as terrorists and treated as criminals before being proven guilty.

**Brother of a death row inmate to WJWC.**



According to reports, the morgue at Nasiriyah prison has been overcrowded since late 2023, with an increasing number of bodies, some of which have been buried in the prison's backyard.

"During my work, bodies from Nasiriyah Prison would arrive with fractures in the limbs, rib cage, spine, neck, and lower back, along with subcutaneous bruises that appeared to be caused by blows from iron rods or batons wrapped in leather to conceal the marks."

**Forensic doctor to WJWC**

"The body of a man in his 40s from al-Hout Prison displayed severe torture signs, with shattered joints and visible starvation effects. He likely died days earlier, as officials often delay notifying the forensic department to alter reports and conceal torture evidence."

**Forensic doctor to WJWC**