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Human Rights Committee

Information received from Iraq on follow-up to the concluding observations on its sixth periodic report*

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Paragraph 9: Transitional justice

- (a) **Take the measures necessary to investigate and prosecute in a timely manner all reported cases of human rights violations, including in cases involving sexual offences committed by Da'esh members during the armed conflict against Yazidi women and girls, and those violations that occurred in the context of the 2019 and 2020 demonstrations, particularly allegations of enforced disappearances, arbitrary detention, and torture and other violence**

1. The period during which Da'esh terrorist gangs controlled a number of Iraqi governorates constitutes a dark age of grave violations during which, in addition to murders, forced displacement, torture and enforced disappearances, that terrorist organization transported large numbers of abducted persons to other countries and engaged in human trafficking, which also had a large number of victims.

2. Many of the abductions carried out by Da'esh terrorist gangs have been resolved. Others are in the process of being investigated with members of Da'esh, who face charges of abduction and murder, both of civilians and of military personnel. Iraqi criminal courts have handed down rulings in this regard on the basis of recorded confessions made by perpetrators, supported by witness testimony and other legally probative evidence.

3. The table below shows statistics relating to abductions committed by the Da'esh terrorist organization that are in the course of investigation or trial, for the period 2020–2024.

<i>Case type</i>		<i>2020</i>	<i>2021</i>	<i>2022</i>	<i>2023</i>	<i>2024</i>
Abductions being investigated	In process	615	720	556	1 011	67
	Concluded	570	714	516	888	53
Abductions brought for trial	In process	178	333	182	120	4
	Concluded	158	187	166	103	3
	Convictions	96	105	83	48	0

4. As part of their efforts to combat terrorism, the Iraqi security forces collect information on terrorist crimes, including enforced disappearances. Arrest warrants are then issued against the perpetrators of these crimes and accused persons are referred to the competent courts for sentencing.

5. The Iraqi government cooperated with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) throughout its mandate, working with the competent authorities to create appropriate conditions for the Team to operate. With the conclusion of the mandate under Security Council resolution 2697 (2023), the results of the Team's work were delivered to the Supreme Judicial Council, and a national team was formed – led by the Council – to collect and document evidence wherewith to hold Da'esh criminals responsible for their actions. The national team works to gather evidence and prepare dossiers related to the offences committed by Da'esh terrorist gangs, also with a view to preserving that material in a national archive then coordinating with other countries in investigating and prosecuting perpetrators and discovering their whereabouts via the International Criminal Police Organization (INTERPOL).

6. A national centre for international cooperation – attached to the Supreme Judicial Council – has been set up, which focuses on international judicial cooperation to combat terrorism.

7. In addition, the following committees have been established to deal with the impact of the crimes committed by the Da'esh terrorist organization:

- Under Administrative Order No. 24621 of 2024, a committee was formed and tasked with completing the formalities for the inclusion of the crimes committed by the Da'esh terrorist group in the Memory of the World Register. The committee, which is chaired by the deputy head of the Office of the Prime Minister and has members

representing various stakeholders, examines what steps need to be taken for those crimes to be included in the Register. A subcommittee has been created, attached to the main committee, whose job it is to provide support by collecting and archiving all relevant data and information then collating it into a single dossier which is to be submitted to the United Nations Educational, Scientific and Cultural Organization (UNESCO).

- A committee chaired by the deputy head of the Office of the Prime Minister has been formed under Administrative Order No. 24732 of 2024. Members of the committee include the Human Rights Adviser to the Prime Minister and representatives from the Ministry of Justice, the Ministry of the Interior, the Ministry of Health, the National Security Agency and the Martyrs' Foundation. Their task is to oversee the Ministry of Health as it completes procedures to match genetic samples taken from victims of the Badush prison massacre and the Camp Speicher massacre, as well as from Yazidi and Turkmen victims, before handing over the remains to their families.
- A committee was formed to search for abducted persons who fall into the categories envisaged in Yazidi Female Survivors Act No. 8 of 2021. The committee is led by the Human Rights Adviser to the Prime Minister and its membership is made up of persons with the rank of director-general from ministries and other bodies.
- The National Committee for Missing Persons was established to resolve cases of enforced disappearance in Iraq, to monitor the fulfilment of the Government's obligations under the International Convention for the Protection of All Persons from Enforced Disappearance, to supervise the drafting of reports on cases brought to the attention of the Working Group on Enforced or Involuntary Disappearances and the United Nations Committee on Enforced Disappearances and to oversee the creation of a unified database by the bodies represented on the National Committee.

8. According to article 10 (1) of the Yazidi Female Survivors Act No. 8 of 2021, a committee is to be formed to consider applications from survivors. It receives such applications directly, via the General Directorate for Survivors' Affairs or online. The applications are to be accompanied by proof that the party concerned falls under the provisions of the Act, in the form of legally recognized written testimony or of eye-witness testimony supported by evidence or other means of substantiation envisaged in the Evidence Act No. 107 of 1979. In the case of applications submitted online, an interview with the applicant is to be arranged. The committee requires the party concerned to bring a case before the competent court, stating the complaint of the survivor, identifying witnesses and bringing forward any probative evidence showing that an abduction took place. In the absence of sufficient evidence, the committee conducts a simple interview with the survivor then rules on her application. A total of 2,216 survivors (children and men as well as women) have been covered by the Act. In addition, the General Directorate, in partnership with the Supreme Judicial Council and with Iraqi missions in Germany and France, has allowed persons outside Iraq to give their testimony remotely (via videoconference).

Demonstrators

9. The right to demonstrate is a legal right safeguarded in article 38 (3) of the Constitution, which upholds the freedom to meet and demonstrate peacefully, without prejudice to public order or public morals and as regulated by law. For its part, the Government has adopted a policy of not interfering with protesters while remaining cognisant of the need to protect and preserve the dignity of citizens and to deal with all persons in accordance with human rights principles.

10. The Government of Iraq has included freedom of opinion and expression and peaceful assembly as part of its ministerial agenda. In that connection, it has created a legal team to review the work of earlier investigative committees which looked into violations against demonstrators and members of the security forces and took steps to prevent impunity and hold those responsible to account. The team also works with the Council of Representatives to review and enact legislation regulating freedom of freedom of opinion and expression and peaceful assembly. In addition to this – and in order to consolidate justice and guarantee personal and public rights – the Prime Minister has ordered the reactivation of the fact-finding

and compensation committee for injured demonstrators, formed under Administrative Order No. 293.

11. From the very earliest stages of the demonstrations, the Supreme Judicial Council was directing the investigative courts and investigating judges to conduct thorough inquiries into anyone responsible for committing violations against demonstrators. The Council also ordered that the peaceful demonstrators who had been arrested during the course of the events be released, immediately and without delay, while also directing that persons accused of assaulting and injuring security personnel and destroying public property be dealt with in accordance with due legal procedure, in the presence of prosecutors and defence lawyers.

12. The command structure of law enforcement has been reorganized and transformed into a body that constitutes a subsection of the Ministry of the Interior. Directives have been issued ordering all members of law enforcement to enrol in human rights courses aimed at training them to protect large-scale gatherings, to uphold freedom of peaceful protest and to protect demonstrators and their freedom to express their views. The training is underpinned by the principle of respecting human rights while protecting public and private property.

13. In issuing authorizations for demonstrations organized in various governorates, the Ministry of the Interior seeks to protect all demonstrators. The Ministry has also run 310 courses and workshops to provide law enforcement officials with training and capacity-building on how to deal with demonstrators and the media.

(b) Ensure that perpetrators are punished and that penalties imposed are commensurate with the severity of the offence, but do not include the death penalty, and that the victims or members of their families receive full reparation

14. The judiciary takes effective action to address issues of impunity and provide redress for victims in order to guarantee access to justice for all persons, including vulnerable groups. It also takes the necessary steps to conduct comprehensive investigations into human rights violations and abuses, in line with national law which guarantees access to justice.

15. Criminal laws, including the Criminal Code and the Anti-Terrorism Act, constitute the legal framework regulating accountability for grave violations of international humanitarian law. The crimes committed by the Da'esh terrorist organization against Iraqi minorities such as Yazidi, Turkmen and Shabak are characterized as crimes of genocide under article 7 of the Yazidi Female Survivors Act. The perpetrators of those offences are not covered by any general or specific amnesties and the concomitant penalties are not subject to a statute of limitations.

16. The General Directorate for Survivors' Affairs at the Ministry of Labour and Social Affairs allocates rewards to persons who provide information that leads to the release of abducted persons. In fact, a number of abducted persons of both sexes in neighbouring countries have been liberated and reunited with their families, and the General Directorate is continuing to work on several other cases with the competent authorities.

17. Security forces and law enforcement personnel are using security and intelligence reports and arrest warrants to hunt down members of Da'esh terrorist gangs and bring them to justice.

18. The Martyrs' Foundation Act No. 2 of 2016, as amended by Act No. 23 of 2024, and Act No. 20 of 2009 concerning compensation for persons affected by military operations, military errors and terrorist activities, as amended by Act No. 57 of 2015 and by Act No. 2 of 2020, both envisage material and moral compensation for persons who have suffered harm and belong to the categories specified in those laws.

19. Persons killed or injured during the demonstrations of October 2019 demonstrations have been included in Act No. 20 of 2009, as amended.

20. Twenty-five billion Iraqi dinars (ID) have been allocated in the 2023 budget to fund the Yazidi Female Survivors Act.

21. A total of 2,070 survivors receive a monthly stipend, while the committee that considers applications from survivors has approved 1,979 applications.

22. Two hundred and fifty land plots in Sinjar and 12 in Tall Afar have been distributed to persons covered by the Act.

(c) Ensure the swift adoption of the bill on the protection of persons from enforced disappearance, and take all necessary measures to ensure the cessation of this practice

23. The Government is making strenuous efforts to promulgate a law on enforced disappearance. It fully understands the philosophy underpinning the International Convention for the Protection of All Persons from Enforced Disappearance and supports the implementation of the Convention at the national level. Indeed, the accession to the Convention under Act No. 17 of 2009 was an expression of the desire to build a State founded on rule of law and to prevent and reduce the impact of enforced disappearances. The bill is consistent with the Convention; it defines enforced disappearance as it is defined in article 2 of that instrument, it designates such actions as crimes punishable by law and it allocates specific penalties.

24. In accordance with the principle of the separation of powers, the enactment of legislation is the responsibility of the legislature. The human rights committee of the Iraqi Council of Representatives has initiated procedures for the enactment of a law on enforced disappearance by giving its approval, in principle, to the bill submitted by the Government. The bill has now been sent before the Council of Representatives for the finalization of legislative procedures.

25. The bill on enforced disappearance is consistent with the International Convention for the Protection of All Persons from Enforced Disappearance and defines enforced disappearance as it is defined in article 2 of the Convention. Legislators have established penalties for this offence and the law includes other provisions that are consistent with the Convention. Article 1 of the bill defines enforced disappearance in the following terms: "The arrest, detention, abduction or any other form of deprivation of liberty by State officials or persons charged with public service, or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law." Thus, with the passage of the bill, enforced disappearance will be criminalized and punished under a separate law within a unified legal framework.

26. Crimes characterized as enforced disappearance are addressed in article 421 of the Criminal Code (Act No. 111 of 1969), which states: "Anyone who arrests, detains or deprives a person of liberty by any means without a warrant from a competent authority and in circumstances other than those explicitly provided for in the applicable laws and regulations shall be liable to a term of imprisonment of up to 15 years, in the following circumstances:

- If the action is committed by a person who is wearing, without entitlement, the uniform or distinctive official insignia of a public servant, assumes a false public identity or produces a fake warrant of arrest, detention or imprisonment while claiming that it was issued by a competent authority.
- If the action is accompanied by the threat of death or of physical or mental torture.
- If the offence is committed by two or more persons or by a person bearing a weapon.
- If the period of arrest, detention or deprivation of liberty exceeds 15 days.
- If the purpose of the act is financial gain."

27. Article 92 of the Code of Criminal Procedure (Act No. 23 of 1971) stipulates: "No person may be arrested or detained except pursuant to a warrant issued by a judge or a court and in accordance with the conditions established by law." This is consistent with article 421 of the Criminal Code, above.

28. Article 2 (8) of the Anti-Terrorism Act No. 13 of 2005 reads: "The following acts are considered acts of terrorism: ... Abducting, restricting the freedom of or detaining persons in order to extort money for the purpose of obtaining political, sectarian, nationalistic, religious or racial advantage in a manner that threatens national security and unity and promotes terrorism."

Paragraph 17: Counter-terrorism measures

The State party should take the necessary steps to ensure that its anti-terrorism legislation, including the draft amendment to the Anti-Terrorism Act and the national counter-terrorism strategy, is in line with international human rights standards, particularly by defining terrorism more precisely, limiting the use of anonymous statements, ensuring full victim and witness participation in trials and ensuring the full observance of fair trial guarantees. The State party is also encouraged to refrain from mandatory imposition of the death penalty for offences under the Anti-Terrorism Act

29. The right of citizens to live dignified and secure lives is enshrined in the 2005 Constitution of Iraq, article 19 of which states: "All persons have the right to life, security and freedom, and those rights may not be removed or restricted save in accordance with the law and under a legal ruling issued by a judicial authority." According to article 19 (4): "Persons are innocent until proven guilty in a fair and legal trial. Once acquitted, accused persons cannot be retried on the same charges unless new evidence emerges." Article 19 (5) reads: "The right to a defence is upheld and guaranteed at all stages of the investigation and the trial."

30. Iraqi courts operate under the Code of Criminal Procedure (Act No. 23 of 1971). Article 92 of the Code stipulates: "No person may be arrested or detained except by order of a judge or a court or as permitted by law."

31. Legal safeguards for persons in detention are envisaged under the Anti-Terrorism Act No. 13 of 2005 as well as under article 3 (2) (a), (c) and (d) of the Act regulating the Counter-Terrorism Service, according to which:

(a) Surveillance, search and investigation activities are to be carried out under a court order

(b) Arrest warrants issued by a competent judge are to be enforced in accordance with the Anti-Terrorism Act.

(c) Arrested persons are to be interrogated by judicial investigators under the supervision of the competent judge. All accused persons arrested by units of the Counter-Terrorism Service are to be arrested under warrants issued by a competent judge in accordance with the Anti-Terrorism Act.

32. All persons in the custody of the Counter-Terrorism Service pending investigation are duly informed of their rights, including the right to appoint a defence lawyer. Persons unable to appoint a lawyer will have one appointed on their behalf by the court. Accused persons are brought before a judge within a maximum of 24 hours from the time of arrest while, for their part, prosecutors in detention centres check to ensure the validity of the arrest procedures and the relevant documentation. The court listens to the requests made by the lawyer of an accused person and duly informs the person's relatives of the place of detention and allows them regular contact. Detention conditions are also monitored by the mission of the International Committee of the Red Cross (ICRC) in Baghdad.

33. A bill to amend the Anti-Terrorism Act has been drafted and is currently being discussed before the Council of Representatives before the finalization of legislative procedures.

34. The law envisages the death penalty for crimes that affect internal or external State security or that have a serious impact on the security of society. Any case in which a death sentence is handed down, be it for a criminal offence or a terrorist crime, is referred for scrutiny to the Office of the Public Prosecution. This takes place as a matter of course and irrespective of whether or not the parties to the case have lodged an appeal. A legal opinion is then issued on criminal cases individually, depending upon the circumstances of each case, by all prosecutors at the Office of the Public Prosecution who are at liberty to request that the ruling of the criminal court be upheld (if they find it to be in accordance with the law) or that it be overturned (for procedural reasons or if the evidence is unconvincing or insufficient to justify conviction and enforcement of sentence) and that the accused person or persons be

released. Their opinions and requests are then sent to the Court of Cassation for it to undertake a final scrutiny of the case. They can also request that confessions be overturned if it is shown that they were extracted using coercion and that the accused persons be released. Convicted persons or their legal representatives have the right to request a retrial if any of the retrial conditions stipulated in articles 270, 271, 272 ff. of the Code of Criminal Procedure are met.

35. Act No. 58 of 2017 concerning the protection of witnesses, experts, informants and victims includes provision for a mechanism to protect such categories of persons and their families, overcome any reluctance to testify and ensure that their evidence can be duly given and preserved.

Paragraph 21: Prohibition of torture and other cruel, inhuman or degrading treatment or punishment

- (a) **Take the necessary steps to expedite the adoption of the anti-torture bill, ensuring at the same time that its definition of torture is fully in line with article 7 of the Covenant and other internationally established norms and that it clearly prohibits torture or cruel, inhuman or degrading treatment or punishment under any circumstances**
- (b) **Take concrete measures to prevent torture and ill-treatment, including through training programmes for police, the judiciary, including public prosecution and penitentiary staff, as well as awareness-raising programmes for detainees, and to ensure that all such allegations are promptly, independently and thoroughly investigated, that perpetrators are brought to justice and adequately sanctioned and that victims receive full reparation**

36. According to article 37 (1) (c) of the Constitution of Iraq, all forms of psychological and physical torture and inhumane treatment are prohibited. Moreover, any confession made under coercion or torture is inadmissible and victims have the right to seek compensation for material and moral damages incurred, in accordance with the law.

37. The Criminal Code (Act No. 111 of 1969) prescribes penalties for persons who commit acts of torture. Under article 333 of the Code, such an offence is classified as abuse of authority by a public official. Legislators have envisaged no exemptions from liability for this offence under any circumstances. Indeed, they have consolidated the safeguards afforded to accused persons who suffer torture, pursuant to article 218 of the Code of Criminal Procedure (Act No. 23 of 1971), which states that a confession must not be obtained under duress. This is all in keeping with the principles set out in articles 15, 19 and 37 of the Constitution.

38. At its seventh regular session of 2025, the Council of Ministers approved a bill prohibiting torture and inhumane treatment. The bill has now been referred to parliament for the finalization of legislative procedures.

39. Security agencies are required to comply with laws and directives that prohibit detention or restriction of liberty without an arrest warrant issued by a competent judicial authority. Officials who violate these provisions are liable to the penalties envisaged in article 421 of the Criminal Code. In addition to this, the Prime Minister issued directives on 1 December 2014, under Administrative Order No. 57, stating officials conducting an arrest or detention must, within 24 hours, record in a central register (electronic or handwritten) the name of the person concerned, the place of detention, the reason for the arrest and the applicable legal provisions.

40. All accused persons who have been arrested by the security services are detained on the basis of warrants issued against them by the competent courts. In the first instance, they are arrested pending investigation by the competent investigating judge. They are then questioned by an investigating body in the presence of the investigating judge, the public prosecutor and a defence lawyer whom they have appointed or has been assigned to them. Once these procedures have been completed, a legal warrant is issued, either to release them or to refer them to the competent courts.

41. Prisons, detention facilities and deportation centres fall are supervised by the Head of the Public Prosecution Service and are subject to regular visits of inspection to ensure that all inmates are being held under proper warrants issued by the courts.

42. The Iraqi security forces take action to monitor and prevent human rights violations in which their own personnel are implicated. To this end, fact-finding committees have been formed to look into possible instances of torture in the course of security force operations. In addition, hotlines have been opened to receive complaints, awareness-raising programmes have been run to consolidate human rights principles and human rights officers have been delegated to monitor any violations that might arise. If a violation does occur, a fact-finding committee is formed, as stated earlier, and any person suspected of wrongdoing is to be referred to the courts with a recommendation of the appropriate penalty. In all cases, the security forces operate according to a code of professional conduct that takes due account of human rights principles.

43. Officers in military units are tasked with monitoring and preventing human rights violations. They are also required to provide the Human Rights Directorate with a detailed report on the human rights situation in their units.

44. According to a circular issued by the Secretariat of the Council of Ministers, a female officer is to be on hand when female detainees are being questioned, interrogations are recorded on film and the use of torture or any form of inhumane treatment is prohibited.

45. The Iraqi Department of Corrections is a body with legal personality. It is part of the Ministry of Justice and is subject to continuous monitoring and inspection. Inmates who have been convicted by the courts are referred to the Department for the enforcement of sentence, in accordance with article 6 (1) of the Prisoners and Detainees Reform Act No. 14 of 2018. The Department of Corrections is also required to prevent all forms of torture, in compliance with article 3 (10) of the same Act which states: "It is prohibited to subject prisoners and detainees to torture, to cruel or degrading treatment or to forced or hard labour. The commission of any of these offences is deemed to be an aggravating circumstance."

46. The Iraqi Department of Corrections takes precautionary measures to prevent torture against inmates, to which end the Human Rights Section and the Inspection and Complaints Division undertake unannounced visits. At the same time, a security committee formed within the Department conducts monitoring to ensure that corporal punishment is not being applied and that inmates are not being held in unlit cells or subjected to cruel, inhuman or degrading punishment.

47. The Department of Corrections has formed a committee to conduct administrative investigations into cases where inmates have suffered torture or ill-treatment at the hands of any member of prison staff. Statements are taken from all parties concerned while the inmate in question undergoes a medical examination. The outcome of the investigation is submitted to the Legal Affairs Department then to the Director-General for the approval of any recommendations. If it emerges that an inmate was subjected to torture, the offender is referred to the courts.

48. The Criminal Code, the Code of Criminal Procedure and the Prisoners and Detainees Reform Act contain clear rules governing redress for crimes of torture and ill-treatment. Victims and their representatives are entitled to file complaints with the competent authority or to notify the regulatory authorities, as specified in the Prisoners and Detainees Reform Act No. 14 of 2018, the High Commission for Human Rights Act and the Public Prosecution Act. Complainants can request compensation in the same procedure or in independent proceedings.

49. The judiciary takes effective action to address issues of impunity and provide redress for victims in order to guarantee access to justice for all persons, including vulnerable groups. It also takes the necessary steps to conduct confidential and comprehensive investigations into human rights violations and abuses. The judicial system is independent and autonomous, and Iraqi laws guarantee that all persons are able to access justice without any impediments.

50. The Supreme Judicial Council also investigates human rights violations, including torture. Victims undergo medical examinations to discover whether or not there are signs of torture. This then makes it possible for investigators to refer persons implicated in such acts to the courts for them to hand down appropriate sentences.

51. According to article 10 of the Code of Criminal Procedure (Act No. 23 of 1971), when filing a criminal complaint, victims have the right to submit a civil claim for compensation for any material or moral harm they have suffered. The court can then rule on the reparation they are due.

52. By order of the Prime Minister, a special email address has been allocated for submitting torture-related complaints directly to the Human Rights Advisor to the Prime Minister or the Prime Minister's personal secretary.

53. The Supreme Judicial Council pursues a policy that entails exchanging information and experiences and concluding memorandums of understanding with prestigious judicial institutions around the world. It also runs workshops to develop the capacity of judges, prosecutors and other officials, including those working in the field of human rights.

54. Security services are developing training programmes consistent with international standards that are intended for officers and enlisted men. The services also distribute posters explaining what constitutes a human rights violation and what penalties perpetrators might face.

55. The Ministry of the Interior runs courses and workshops aimed at consolidating a culture of human rights among all its staff. In coordination with other competent authorities, the Ministry also runs specialized training programmes for police and law enforcement officials regarding the ethical and legal conduct to be followed during security operations to ensure that such operations are governed by human rights principles and humanitarian practices. For its part, the Training Directorate has run a series of programmes aimed at disseminating a culture of human rights among officers and other ranks, and it has coordinated with international and governmental organizations and with the United Nations Office in Iraq to organize courses and workshops on human rights principles and the rejection of torture. At the same time, educational units within the Ministry of the Interior have been instructed to integrate human rights into all training activities. Some of these activities are shown in the following table.

56. Training activities run by educational units within the Ministry of the Interior:

<i>Training activity</i>	<i>No. of training activities</i>	<i>No. of participants</i>	<i>No. of places</i>
1 Management of detention facilities and detainees	26	328	688
2 Human rights	87	958	2 748
3 Workshop on the Convention against Torture	2	14	91

57. Statistics concerning human rights training activities held inside Iraq:

<i>Training activity</i>	<i>Year</i>	<i>No. of courses</i>	<i>No. of participants</i>
1 Courses and workshops on combating human trafficking	2018, 2019, 2021, 2022, 2023	5	126
2 Workshop on police work and human rights	2018, 2019, 2021	4	52
3 Workshop on investigations, investigators and human rights	2018	3	52
4 Courses and workshops on international law and human rights	2018, 2019, 2023, 2024	16	349
5 Workshops on community policing and courses on the concept of community policing	2018, 2020, 2021, 2022	10	177
6 Training workshops on policing demonstrations while respecting human rights	2020	3	32
7 Workshops on human rights-related international and national laws and treaties	2020	1	15

	<i>Training activity</i>	<i>Year</i>	<i>No. of courses</i>	<i>No. of participants</i>
8	Courses and workshops on gender-based violence, violence against women and promoting the role of women	2021, 2022	4	105
9	Peaceful and effective governance of demonstrations	2021	1	35
10	Workshops on investigative techniques in cases of human trafficking and migrant smuggling	2022	4	38
11	Courses on effective and human rights-compliant interrogation techniques for terrorist prisoners	2023	1	6
12	Workshops on human rights-related aspects of criminal investigations	2023, 2024	4	81
13	Courses and workshops on human rights programmes in the context of combating terrorism	2024	3	36
14	Course on human rights at border posts	2024	4	53
15	Course on human rights-based border management	2024	1	6
16	Workshop on guidelines for policing and interacting amicably with juveniles	2023	3	58

58. Statistics concerning human rights training activities held outside Iraq:

	<i>Training activity and location</i>	<i>Year</i>	<i>No. of courses</i>	<i>No. of participants</i>
1	Training course on domestic violence and the rights of women and children (Jordan)	2018	1	6
2	Workshop on combating human trafficking and migrant smuggling (Jordan)	2018	1	2
3	Second meeting of the Seventh Conference on People Smuggling (Australia)	2018	1	4
4	Fifty-third session of the Subcommittee on Trafficking in Persons (Azerbaijan)	2018	1	1
5	Regional capacity building workshop on violence against children recruited and exploited by extremist terrorist groups (Japan)	2019	1	1
6	Multi-disciplinary government delegation to discuss the seventh periodic report of Iraq under the Convention on the Elimination of All Forms of Discrimination against Women (Switzerland)	2019	1	1
7	International Visitor Programme – course on preventing and combating domestic violence and abuse (USA)	2020	1	1
8	Workshop on effective responses in cases of violence against women (Jordan)	2020	1	18
9	Thirty-eighth executive meeting of the INTERPOL specialist unit dealing with crimes against children (France)	2022	1	3
10	Advanced training course on human rights in law enforcement (Italy)	2023	2	2
11	Course on the law of armed conflict, human rights and legal aspects of anti-corruption (USA)	2023	12	40

59. The Iraqi National Security Agency provides accused persons with all the legal safeguards envisaged in the Constitution, the law and international treaties. The Agency has produced a human rights manual which has been distributed to all its units, and it has created 18 administrative units (human rights sections) in the operational directorates to monitor

respect for human rights. The Agency is also in the process of developing an integrated human rights strategy.

60. The Human Rights Directorate of the Popular Mobilization Forces oversees the development of training programmes for members of the Forces. The purpose of this exercise is to promote an awareness of human rights and to prevent torture. The Directorate coordinates with the competent authorities to ensure prompt, independent and comprehensive investigations into any allegations of torture or ill-treatment in order to bring perpetrators to justice and ensure that they are punished in accordance with the law, while also providing victims with full compensation.

61. The Iraqi Department of Corrections at the Ministry of Justice has taken a body of concrete steps to prevent torture and ill-treatment, including training courses on human rights and torture prevention for staff at the Department (officials and administrative staff). Sixteen such courses – which took place both inside the Department and outside the Department in the competent ministries – were held in 2024. Social workers also give regular lectures to inmates in all prisons run by the Department of Corrections. The Department, moreover, will not accept any inmate (male or female) from any security agency in the absence of a medical report from an accredited hospital showing that the inmate in question has undergone a medical examination (internal, psychological and dermatological) carried out by specialized doctors. That report must be ratified by doctors within the Department of Corrections.

62. Human rights training courses organized by the Training Cooperative in 2024

	<i>Course name</i>	<i>Venue</i>	<i>No. of participants</i>	<i>Month</i>
1	Course on human rights and torture prevention	Correctional development department – Abu Ghraib	32	January
2	Course on human rights (II)	Amarah Prison	45	January
3	Workshop on basic human rights principles	Human rights section/Babil	31	February
4	Course on psychological torture	Staff training unit	23	February
5	Workshop on preventing violent extremism – Commission for Human Rights	Baghdad University – Faculty of Education and Psychology	34	February
6	Course on human rights (III)	Amarah Prison	45	March
7	Workshop on the prevention of torture and ill-treatment (I) – Commission for Human Rights	Correctional development department – Abu Ghraib	16	April
8	Workshop on the prevention of torture and ill-treatment (II) – Commission for Human Rights	Correctional development department – Abu Ghraib	16	April
9	Workshop on the prevention of torture and ill-treatment (III) – Commission for Human Rights	Correctional development department – Abu Ghraib	17	April
10	Course on psychological rehabilitation and aftercare for prisoners	Baghdad University – Faculty of Psychology in Jadriyah	21	July
11	Course on the role of good governance in human rights in the light of the political and economic crises in Iraq	Ministry of Justice	5	July
12	Workshop on the Universal Declaration of Human Rights, international treaties and monitoring mechanisms	Ministry of Justice	6	August

	<i>Course name</i>	<i>Venue</i>	<i>No. of participants</i>	<i>Month</i>
13	Course on handling riots and disturbances and on negotiation teams	Correctional development department – Abu Ghraib	25	September
14	Course on the national suicide prevention strategy	Staff training unit	20	October
15	Course on effective prison management and enhancing human rights	Ministry of Youth and Sports – educational welfare department	21	November
16	Course on handling riots and disturbances and on negotiation teams	Correctional development department – Abu Ghraib	29	December

(c) **Ensure that confessions obtained in violation of article 7 of the Covenant are not accepted by courts under any circumstances and that the burden of proving that the confession was made voluntarily falls on the prosecution**

63. Article 127 of the Code of Criminal Procedure (Act No. 23 of 1971) prohibits the use of any unlawful means to obtain a confession from an accused person. Article 218 of the Code stipulates that confessions are not to be made under duress and, if it emerges that they were, the court is under an obligation to discard them.

64. The Supreme Judicial Council has taken legal steps regarding the question of torture and forced confessions. A special court to deal with human rights-related cases has been established in each of the country's courts of appeal, and one of the functions of the new courts is to receive complaints from persons claiming to have been subjected to torture.

65. Article 3 (c) and (d) of Act No. 13 of 2016 regulating the Counter-Terrorism Service stipulates: "The Counter-Terrorism Service is to serve arrest warrants issued by a competent judge and to question arrested persons, with a judicial investigator and under the supervision of a competent judge." It follows from this that accused persons who have been arrested by units of the Counter-Terrorism Service under valid arrest warrants are to be brought directly before the competent investigating judge, who will then decide on their fate.

(d) **Ensure that unannounced visits to prisons and detention centres can be carried out by inspection bodies and that any recommendations or reports emanating from such visits are followed up on**

66. According to article 45 of the Prisoners and Detainees Reform Act, the Department of Juvenile Corrections is to be monitored by the bodies whose names are set forth in the Act; i.e., the Council of Representatives, the Office of the Public Prosecution, the High Commission for Human Rights, the council of the governorate in which the prison or detention centre is located and any other body legally authorized to monitor the situation of inmates and submit reports to the competent authorities. The Department of Corrections is to facilitate this process by granting the aforementioned institutions admittance then acting to ensure that their recommendations or reports are duly applied by the prisons that were visited. This matter is then followed up by the Office of the Assistant Director General for Comprehensive Care (visit reports division of the social research section). Visits of inspection to correctional facilities conducted during 2024 are shown in the following table.

67. List of external visits to the Iraqi Department of Corrections in 2024:

	<i>Body conducting the visit</i>	<i>Total visits</i>
1	Members of the Council of Representatives	6
2	Commission on Integrity	11
3	Delegation from the Office of the Commander-in-Chief and the Office of the Prime Minister	5
4	Office of the Public Prosecution	50

<i>Body conducting the visit</i>	<i>Total visits</i>
5 High Commission for Human Rights	13
6 Governorate Council and State Consultative Council	14
7 Health delegations	269
8 Delegations from the Human Rights Department	101
9 National Security Agency	55
10 Delegations from the Ministry of Defence and the Ministry of the Interior	35
Total visits	559

68. The Minister of Justice conducts field visits to correctional institutions – both unannounced and on a regular basis – to familiarize himself with the situation inside prisons, hear directly from inmates and help resolve their problems. These visits have resulted in a number of decrees that have helped to improve prison conditions.

69. The Human Rights Adviser to the Prime Minister also undertakes visits to prisons and detention facilities to assess the legal and humanitarian situation of inmates. The Adviser then reports directly to the Prime Minister who directs the competent authorities to put an end to any violations that might have emerged during the visits.

70. The monitoring section of the Human Rights Department at the Ministry of Justice conducts field visits to the Department of Juvenile Corrections in order to review the humanitarian situation and to verify the services and healthcare available inside prisons. It also drafts reports for the Minister of Justice on the visits it undertakes to correctional facilities run by the Iraqi Department of Corrections and the Department of Juvenile Corrections, in both Baghdad and the governorates.

71. All detention facilities run by the Ministry of the Interior are subject to monitoring and oversight by the Human Rights Directorate, which undertakes systematic field visits according to a prearranged annual plan. The Directorate checks on inmates' conditions and on arrangements for visits by family members or lawyers, and it directs prison administrators to facilitate those procedures in line with the instructions issued by senior management. The humanitarian situation and the services and healthcare available to inmates inside detention facilities are assessed according to the human rights standards enshrined in international treaties, and any officials who are shown to have been neglectful of their duties in that regard are held accountable.