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“WE HOLD THEM RESPONSIBLE FOR THE BLOOD OF OUR YOUTH”

FIVE YEARS ON, IMPUNITY PREVAILS FOR VIOLATIONS AGAINST
TISHREEN PROTESTERS

AMNESTY
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1. EXECUTIVE SUMMARY

On 1 October 2019, mass protests calling for better employment opportunities for higher education graduates, better public services and an end to government corruption erupted in Baghdad and quickly spread across cities in southern Iraq on an unprecedented scale. Hundreds of thousands of Iraqis participated in these mass protests, which became known as the *Tishreen* protests, in reference to the month they erupted.

Iraqi security forces, including anti-riot police, counterterrorism forces and members of Popular Mobilization Units (PMU), a large network of militias legally considered part of the Iraqi Armed Forces, used excessive and unlawful lethal force against largely peaceful protesters. The violent crackdown on the protests was accompanied by a sinister and lethal campaign of threats, harassment and intimidation against prominent activists in the protest movement that quickly escalated to deliberate killings away from the sites of protests.

According to the Iraqi High Commission for Human Rights (IHCHR), between October 2019 and 16 June 2020, at least 541 protesters were killed and at least 20,597 more were injured. Amnesty International documented security forces' use of live ammunition on protesters, including sniper fire, severe beatings using batons, and military-style grenades fired directly into crowds, in some cases directly at protesters' heads. Amnesty International investigations found that Iraqi security forces intended to kill or severely injure protesters through this relentless, unlawful use of force.

Further, the IHCHR recorded 27 targeted killings of activists, 28 attempted killings, and 75 abductions. According to their information, as of 16 June 2020, 53 people remained missing. Those targeted include civil society activists, women human rights activists, lawyers representing detained protesters, journalists covering the protests or reporting on human rights violations, and activists who led or organized protests.

In addition, the relatives of loved ones killed in the protests, assassinated, or abducted who have been calling for justice, truth and reparation have been subjected to threats and intimidation, and in one case killing, amid the failure of the authorities to protect them.

Although successive Iraqi governments have promised accountability and redress for the violations that occurred in the context of the *Tishreen* protests, and have established numerous investigative committees, five years on, Amnesty International has found that the Iraqi authorities have either been unwilling or incapable of holding security forces, affiliated militias, and other persons suspected of criminal responsibility accountable for those crimes inflicted on the Iraqi people and delivering meaningful justice.

According to Amnesty International's analysis of information from Iraqi courts shared by Iraq's Supreme Judicial Council with the organization in August 2024, although criminal investigations have been opened into more than 2,700 complaints, only 10 arrest warrants have been issued against suspected perpetrators, and only seven convictions were handed down.

In Baghdad, the Supreme Judicial Council told Amnesty International criminal investigations had been opened into cases concerning 311 people who had been killed and 2,129 people who had been injured, but that only four arrest warrants had been issued against suspected members of the security forces, only three cases were referred for trial, and only three security force members were convicted under Article 406(2) of the Penal Code which relates to intentional killing and are currently serving life imprisonment terms.

In the governorate of Najaf, one of the key sites of protest violence, the Supreme Judicial Council said that 195 criminal investigations had been opened. Ten proceeded to trial, but those did not result in any convictions. No one is currently detained in Najaf on charges relating to violence against protesters.

Families of killed or disappeared activists told Amnesty International that they eventually gave up or lost faith in the floundering investigations by authorities, most commonly raising concerns over investigations being too slow, the lack of transparency on the progress of investigations and steps taken, and the authorities' refusal to provide them with documents related to the case.

One woman who had taken part in the protests in Baghdad said: "We hold [the authorities] responsible for the blood of our youth that we lost, blood that was spilled on these streets. But the government does not care".

Amnesty International interviewed 56 individuals for this report, including survivors, witnesses, family members of those killed, as well as human rights defenders, lawyers and civil society workers. It also reviewed court documents, death certificates and medical reports, where possible, as well as photographs, CCTV footage, media articles and social media posts related to specific incidents. The organization submitted requests for information to the Prime Minister's Office and the Supreme Judicial Council on 5 July 2024. The Supreme Judicial Council responded on 7 August 2024, and a copy of that response is provided in Annex 1. Amnesty International had not received a response from the Prime Minister's Office at the time of publication. The report also draws on the organization's continuous monitoring of the protests over the past five years relating to the crackdown on the *Tishreen* movement.

The report details the failed accountability processes in six cases of killings and disappearances of protesters and activists, which underscore the serious flaws in Iraq's judicial system, political interference in the work of the judiciary, the lack of political will to hold the powerful members of the security forces and affiliated militias accountable, and the complete lack of transparency in these proceedings. These cases are indicative of the broader culture of impunity in Iraq.

In one particularly egregious example, on 6 July 2020, four unidentified men on motorcycles shot and killed Dr Hisham al-Hashimi in front of his house in the Zayouna neighborhood of Baghdad. Al-Hashimi was a leading security analyst and an expert on armed groups in Iraq. He was also an advisor to then-Prime Minister Kadhimi. His assassination generated huge public outrage both inside and outside Iraq, and was condemned internationally, including by the UN.

Al-Hashimi was a critic of the impunity enjoyed by militia groups in Iraq, and shortly before his assassination, he criticized Kata'ib Hezbollah, a faction of the PMU, during a television interview. Al-Hashimi's brother told the media that he had received threats before he was killed.

On 8 July 2021, the Chair of the Supreme Judicial Council announced that arrest warrants had been issued for suspects, and on 16 July 2021, Iraqi police said that they had arrested the alleged shooter. Then Prime Minister al-Kadhimi tweeted: "We promised to arrest the killers of Hisham al-Hashimi. We fulfilled the promise." However, the case was marred by procedural irregularities and ultimately did not result in any accountability for al-Hashimi's killers.

On 7 May 2023, the Rusafa Criminal Court in Baghdad convicted the alleged perpetrator and sentenced him to death for the killing of al-Hashemi. But it was unclear whether the defendant was present for the hearing or whether he was tried in absentia. Iraqi media had reported that the suspect had already been released. On 20 March 2024, the Federal Court of Cassation overturned the conviction and dropped the charges against the alleged killer, citing a lack of evidence.

Families of those who were disappeared for their involvement in the *Tishreen* protests are still searching for any information on the fate and whereabouts of their loved ones, amid no meaningful steps from the Iraqi authorities to conduct effective investigations to reveal their fate and hold those suspected of criminal responsibility to account or to protect them from reprisals by armed groups.

One illustrative case is that of Sajjad al-Iraqi, a prominent civil society activist and influential figure in the *Tishreen* protests. On 19 September 2020, he was abducted by a group of armed men from a vehicle he was travelling in with his friends in Nasiriya in Thi Qar governorate. His family attempted to locate him and requested information from the authorities, including prison authorities, about his whereabouts but did not receive any substantive responses. They nonetheless filed a court case against the suspected perpetrators, which led to them being subjected to multiple threats.

One relative told Amnesty International: "Most of the threats come from people linked to... the abductors. Their relatives sent a lot of people to us and they used very strong words. They want us to drop the case

against the abductors... Relatives of the accused most often come to our homes and the homes of our relatives [several] times. Sajjad's case is the most dangerous because the accused are known and their names are known ... They want us to give up on the case."

On 15 November 2020, the Thi Qar Appeals Court issued arrest warrants for two individuals for the kidnapping of Sajjad al-Iraqi, but neither suspect was arrested. On 22 March 2023, the Thi Qar Criminal Court sentenced these two individuals to death in absentia for kidnapping Sajjad al-Iraqi, but to date, neither of them have been apprehended and al-Iraqi's fate and whereabouts remain unknown. A relative told Amnesty International, "There is no interest in Sajjad's case. It is just false promises and reassurances. It is just ink on paper."

The Iraqi government has made more notable progress in compensating the families of those killed in the *Tishreen* protests, with payments of 10 million Iraqi Dinars (the equivalent of 7,637 USD) made out to each of the families of 504 people killed in the protests. In a letter to Amnesty International on 2 April 2023, Prime Minister al-Sudani's office told Amnesty International that "investigations are still underway to confirm the rest of the names and numbers announced in the media". On 5 July 2024, Amnesty International requested further updates on the compensation scheme for families of those killed in the *Tishreen* protests but did not receive a response prior to publication.

Although former Prime Minister al-Kadhimi promised that protesters who sustained injuries during the protests would also receive compensation, they described to Amnesty International the arduous and lengthy process of securing compensation, which often requires navigating no less than five government bodies to secure the necessary paperwork in a process that can take months, and in some cases years.

One of the most significant obstacles that protesters raised is the requirement that those seeking compensation present a hospital report detailed their injuries. Protesters told Amnesty International that during the protests, they were reluctant to seek treatment in hospitals due to fears that they would be arrested by security forces. Amnesty International had documented in October 2019 the arrest of around 50 people, including children, who were suspected to have participated in the protests from a hospital in Karbala. Further, some injured protesters were treated in field hospitals or by doctors in private homes, making it difficult to obtain the necessary documentation for their compensation claims.

Civil society advocates raised concerns about the arbitrary nature of the compensation process, which is determined by a committee within the Ministry of Health. The level of compensation awarded is based on the assessed level of disability, which has opened the door to allegations of bribery and corruption.

One protester, who lost a leg as a result of an injury sustained during a protest in Baghdad on 24 October 2019, described the ordeal he had to go through in order to obtain compensation. First, he had to get a hospital report confirming his injuries and then provide two witnesses to obtain a court order attesting to the circumstances of his injury. He then had to undergo a security background check, which in his case took more than one year. After his security check was approved, a medical committee issued a report on his health situation and his "level of disability", which they deemed to be 90%, based on criteria that was not public. His report then went to the Foundation of Martyrs and then the National Pension Fund. After a three-year process, the protester was finally awarded monthly compensation of 1,200,000 Iraqi Dinars, or the equivalent of 916 USD.

He said "I suffered three years of courts, security checks, and exhausting paperwork regarding my condition and injury and the treatment I received in government institutions was inhumane and immoral." Further, the authorities failed to ensure that survivors and relatives of families receive other forms of reparation for the harm suffered as per the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. This includes prompt reparation for the harms suffered, access to relevant information concerning violations and reparation mechanisms, ensuring the safety of victims and their families from intimidation and retaliation, and taking appropriate legislative and administrative and other appropriate measures to prevent violations.

For families of victims and civil society leaders, the aftermath of *Tishreen* is yet another example of Iraq's entrenched impunity, which has fuelled ongoing violence that has gripped the country for decades, from the 2003 U.S. invasion to sectarian bloodshed, the war against the IS, and corruption-fuelled tragedies, like the 2019 Mosul ferry disaster. Families of victims of the *Tishreen* movement continue to live in fear, haunted by the absence of justice, truth and reparation for their loved ones' death - in some cases knowing exactly who the perpetrators are. Survivors of the brutal crackdown speak of the daily struggles they face due to the injuries they sustained during the protests, some of which have led to permanent disabilities.

The core demands of the *Tishreen* protests - improved government services, job opportunities, and an end to rampant corruption - remain as urgent today as they were in 2019. Each summer, as temperatures soar to 50 degrees Celsius and prolonged power outages leave millions sweltering without relief, Iraqis take to the streets in protest. Families demand justice for their disappeared loved ones despite the lack of answers. Young graduates continue to struggle for employment in an oil-rich country, while corruption persists. Women's rights remain under fierce debate and controversial new legislation threatens hard-won rights to freedom of expression and peaceful assembly.

Protestors and civil society leaders interviewed by Amnesty International for this report expressed growing concerns over new measures adopted by Prime Minister Mohammad Shia' al-Sudani's government that further shrink civic space, restrict the rights to freedom of expression and peaceful assembly, and perpetuate the climate of impunity. Such measures, they say, are a continuation of the repression that occurred during the protests and are aimed at preventing another popular uprising that would challenge the political order.

One civil society leader summed up the sentiment among Iraqi youth to Amnesty International: "The people are still out on the streets. At any moment, they can rise again, especially in the summer. We're seeing this in Al Samawah, Nasriya—these are all signs that they cannot handle the despair. *Tishreen* is expected. I cannot guarantee it will happen again, but as long as despair and the gap between the government and the people persist, *Tishreen* is possible and could occur at any moment."

The Government of Iraq must fully and effectively investigate these human rights violations and crimes under international law and make the findings public, including the full chain of responsibility and not just the persons who perpetrated the actual act of killing, attempted killing or abduction. The Government of Iraq also needs to take urgent steps to prevent these attacks and provide protection to those at risk, while also recognizing the legitimacy of human rights defenders' work, the role and importance of journalists, and the necessity of being able to ensure safe public places for people to exercise their fundamental freedoms.

However, given the wilful inability of the Iraqi authorities to provide accountability and effective remedy to the victims and their families and the failings of the authorities to prevent these targeted attacks, Amnesty International recalls that all states are permitted to exercise universal jurisdiction and, in some cases, when a person suspected of criminal responsibility for torture or enforced disappearance is found in the territory of a third state, this state is obliged to bring the alleged perpetrator to justice, unless the third state decides to extradite the person concerned to another state or to an international criminal court or tribunal.

2. METHODOLOGY

This report examines and assesses the steps that the Iraqi authorities have taken in the last five years to ensure truth, justice and reparation for the crimes and violations committed by state security forces and affiliated militias against demonstrators in the context of the nation-wide *Tishreen* (October) protests which began on 1 October 2019 and carried on until mid-2020. The report also analyses the authorities' efforts at providing truth and justice for the campaign of killings and disappearances that targeted activists and other individuals prominent in the *Tishreen* protests and which lasted until the end of 2021, as well as the obstacles that survivors and families of the victims have faced in seeking redress and accountability.

The violations that state security forces and affiliated militias perpetrated against human rights defenders, journalists and protest leaders include the unlawful use of force against protesters and bystanders, killings, and enforced disappearances across the country, with a particular focus on the governorates of Basra, Baghdad, Karbala, Najaf, Thi Qar, Diwaniya, and Maysan.

Research for this report was carried out remotely and in-person in Baghdad between May 2021 and September 2024, and also draws on documentation carried out by Amnesty International of the violent dispersal of the *Tishreen* protests and subsequent crackdown. Amnesty International interviewed a total of 56 individuals. This includes 34 survivors of the unlawful use of force at the protests and of attempted killings, as well as witnesses present when the violations occurred and family members of those unlawfully killed and subjected to enforced disappearance. Amnesty International also spoke with 22 lawyers, human rights defenders, NGOs workers, academics, and commissioners from the Iraqi High Commission for Human Rights (IHCHR). Additionally, two remote focus groups were held in April 2022 and August 2024, with eight and five participants respectively, consisting of protesters and civil society members who had documented the human rights violations during the protests. A third focus group was conducted in person in Baghdad in May 2023, involving eight protesters and civil society members.

Researchers obtained informed consent from all interviewees, who were briefed on the purpose and voluntary nature of the interviews and the ways in which Amnesty International would use their information. None of the interviewees received any compensation for their participation.

Amnesty International submitted requests for information in writing to the Iraqi Prime Minister's Office and to the Supreme Judicial Council in June 2024 and received a response from the Supreme Judicial Council in August 2024. The data provided by the Iraqi authorities has been reflected in the report, and a copy of the Supreme Judicial Council's response is provided in Annex 1, with names of individuals redacted.

Additionally, Amnesty International obtained court documents, death certificates and medical reports, where possible, as well as photographs, CCTV footage, media articles and social media related to specific incidents. It examined official statements from the government and Supreme Judicial Council, the highest judicial authority in Iraq, and has drawn on statistics from the IHCHR and published by the United Nations Assistance Mission for Iraq (UNAMI).

At the time of writing, survivors, relatives of the victims and witnesses remain at acute risk of further violations, including killing, enforced disappearance and arbitrary detention, as well as reprisals at the hands of state-affiliated militias. In light of this, some names and other identifying details of the individuals interviewed by Amnesty International were omitted.

Amnesty International would like to express its immense gratitude to all those who agreed to share their experiences with the organization, sometimes at significant risk to themselves.

3. BACKGROUND

On 1 October 2019, hundreds of thousands of people took part in mass protests calling for better employment opportunities for higher education graduates, better public services and an end to government corruption. The protests erupted in Baghdad and spread across cities in southern Iraq on an unprecedented scale. The mass protests and accompanying movement came to be known as the *Tishreen*, or October, movement in reference to the month they erupted.

The protests were largely led by young Iraqis and civil society activists frustrated by the deep-seated problems prevailing in the country and advocating for a better future. As the authorities' response to the protests became more violent, the demands evolved into calls for the resignation of then-Prime Minister Adil Abdul-Mahdi, early elections, an end to what the protestors considered a corrupt political system, and accountability for human rights violations committed during the protests. The protests grew organically, and many women and older people participated.¹ Although the Covid-19 pandemic subdued many of the protests, these nonetheless continued throughout 2020 and 2021, gradually focusing on specific demands such as the release of activists arbitrarily arrested in the context of the protests and accountability for those suspected of committing violations in the context of protests.

One protester explained the significance of the *Tishreen* protests to Amnesty International:

"*Tishreen* was the first time I felt I was Iraqi, the first time I felt I had a voice, and the first time I felt there are thousands like me who want to make their demands heard. *Tishreen* created a new generation... Before *Tishreen*, there were attempts at protests, but nothing like this. It gave us the possibility to sit in any public space and say, 'I want electricity, I want to speak, I want the Iraq I belong to, to be a good place'"

In response to the nationwide popular protests, the security forces, consisting of the anti-riot police, counter-terrorism forces and the Popular Mobilization Units (PMU)² factions, used excessive and unlawful lethal force against the largely peaceful protests.^{3 4} The Popular Mobilization Units (PMU), known in Arabic as al-Hashd al-Sha'abi, are a group of over 60 militias that were brought under a common umbrella in June 2014 by then Prime Minister Nouri al-Maliki in the context of the fight against the so-called Islamic State. In February 2016, then Prime Minister Haider al-Abadi issued an executive decision putting the PMU factions under the command of the Iraqi armed forces.⁵ In November of the same year, the Iraqi Parliament passed a law formally integrating the PMU into the Iraqi armed forces.⁶

¹ UNAMI, "Demonstrations in Iraq: Update", 25 October – 4 November 2019, uniraq.org

² The Popular Mobilization Units (PMU), known in Arabic as al-Hashd al-Sha'abi, are militias affiliated to the central Iraqi authorities that were brought under a common umbrella in June 2014 by then Prime Minister Nouri al-Maliki in the context of the fight against the so-called Islamic State. In February 2016, then Prime Minister Haider al-Abadi designated them as "an independent military formation" forming part of the Iraqi armed forces". See Amnesty International, Iraq: Turning a blind eye: The arming of the Popular Mobilization Units (Index: MDE 14/5386/2017; hereinafter: Amnesty International, Turning a blind eye)

³ Amnesty International, "Iraq: Horrific scenes as security forces resort to lethal force to disperse Karbala protests", 29 October 2019, www.amnesty.org/en/latest/press-release/2019/10/iraq-horrific-scenes-as-security-forces-resort-to-lethal-force-to-disperse-karbala-protests/

⁴ Amnesty International, "Iraq: End campaign of terror targeting protesters", 10 December 2019, www.amnesty.org/en/latest/press-release/2019/12/iraq-end-campaign-of-terror-targeting-protesters/

⁵ Akhbaar, "المحتجون في العراق يطالبون بالإفراج عن المعتقلين والمختفين قسراً", July 2016, akhbaar.org/home/2016/7/215105.html

⁶ Iraq, Ministry of justice, رقم قانون هيئة الحشد الشعبي رقم (40) [The Law on the Popular Mobilization Authority No.40], 2016, <https://www.moj.gov.iq/view.2899/>

Security forces fired live ammunition consistent with sniper fire⁷ and military-grade tear gas grenades that were aimed to kill rather than disperse crowds⁸. In some cases documented by Amnesty International, security forces stabbed and attempted to run over protesters.⁹ Iraqi authorities intermittently shut down access to the internet throughout the country - bar the Kurdistan Region – in a bid to prevent the proliferation of images and footage of violence against protesters that were fuelling further protests.¹⁰

On the first day of the protests, 1 October 2019, the Ministry of Health reported the death of the first protester. Shortly after, the government stopped releasing casualty figures and took steps to conceal the scale of the violence.¹¹ For example, an IHCHR member told Agence France Presse (AFP) that "The ministries of health and interior stopped giving us numbers... so we started going to the morgues to get numbers of dead, the hospitals to learn of the wounded and the police stations for numbers of detainees."¹² In a report issued on 22 October 2019, UNAMI described how public hospitals were restricted from sharing information.¹³

Protesters, activists and journalists told Amnesty International that they were receiving threatening phone calls from security forces telling them to "keep silent" and that their names had been added to "a list" compiled by the intelligence services for "supporting" protesters.¹⁴

According to the IHCHR, between 1 October 2019 and 16 June 2020, at least 541 protesters were killed and more than 20,000 were injured.¹⁵ Scores of protesters were arbitrarily arrested and detained, including from hospitals after having been admitted with injuries from the protests. The IHCHR also reported that 17 members of the security forces were killed and 4,091 were injured during the protests.¹⁶

Within the first ten days of the protests in October 2019, protesters, activists and journalists also reported receiving threatening phone calls and indirect warnings from intelligence services telling them to "keep silent" and that their names had been added to "a list".¹⁷

The violent crackdown on the protests was accompanied by a sinister and lethal campaign of threats, harassment and intimidation that quickly escalated to deliberate killings of protesters and activists away from sites of protests.

Between 1 October 2019 and 15 May 2021, UNAMI documented 48 incidents of targeted killings or attempted killings, resulting in 32 deaths and at least 21 injuries by "unidentified armed elements".¹⁸ It further expressed concerns about ongoing threats and attacks, noting that it had documented 26 incidents targeting activists between 1 May 2021 and 30 April 2022, including one targeted killing and three

⁷ Amnesty International, "Iraq: Deadly sniper attacks and intimidation as protesters face intensifying crackdown", 4 October 2019, www.amnesty.org/en/latest/press-release/2019/10/iraq-deadly-sniper-attacks-and-intimidation-as-protesters-face-intensifying-crackdown/

⁸ Amnesty International, "Iraq: 3D reconstruction shows security forces deliberately killed protesters", 23 March 2020, www.amnesty.org/en/latest/news/2020/03/iraq-3d-reconstruction-shows-security-forces-deliberately-killed-protesters/

⁹ See, for example, Amnesty International, "Iraq: Authorities must immediately rein in security forces and protect freedoms of assembly and expression", 3 October 2019, amnesty.org/en/latest/news/2019/10/iraq-authorities-must-immediately-rein-in-security-forces-and-protect-freedoms-of-assembly-and-expression; Amnesty International, "Iraq: Deadly sniper attacks and intimidation as protesters face intensifying crackdown", 9 October 2019 amnesty.org/en/latest/news/2019/10/iraq-deadly-sniper-attacks-and-intimidation-as-protesters-face-intensifying-crackdown; Amnesty International, "Iraq: Testimonies emerge of coordinated attacks which killed at least 20 protesters", 9 December 2019, amnesty.org/en/latest/news/2019/12/iraq-testimonies-emerge-of-coordinated-attacks-which-killed-at-least-20-protesters/; Amnesty International, "#IraqProtests Under Fire: The Weapons Used Against Demonstrators", 5 March 2020, citizeneyevidence.org/2020/03/05/iraqprotests-under-fire-the-weapons-used-against-demonstrators; Amnesty International, "Iraq: 3D reconstruction shows security forces deliberately killed protesters", 17 March 2020, amnesty.org/en/latest/news/2020/03/iraq-3d-reconstruction-shows-security-forces-deliberately-killed-protesters & teargas.amnesty.org/iraq

¹⁰ Amnesty International, "Iraq: Authorities must immediately rein in security forces and protect freedoms of assembly and expression", 7 October 2019, www.amnesty.org/en/latest/press-release/2019/10/iraq-authorities-must-immediately-rein-in-security-forces-and-protect-freedoms-of-assembly-and-expression/

¹¹ France 24, "In Iraq, protests: Counting the dead is a dangerous job", 31 October 2019, www.france24.com/en/20191031-in-iraq-protests-counting-the-dead-is-a-dangerous-job

¹² France 24, "In Iraq, protests: Counting the dead is a dangerous job", 31 October 2019, www.france24.com/en/20191031-in-iraq-protests-counting-the-dead-is-a-dangerous-job

¹³ UNAMI, "UNAMI Special Report on Demonstrations in Iraq", 22 October 2019, www.ohchr.org/sites/default/files/Documents/Countries/IQ/UNAMI_Special_Report_on_Demonstrations_in_Iraq_22_October_2019.pdf

¹⁴ Amnesty International, "Iraq: Deadly sniper attacks and intimidation as protesters face intensifying crackdown", 4 October 2019, www.amnesty.org/en/latest/news/2019/10/iraq-deadly-sniper-attacks-and-intimidation-as-protesters-face-intensifying-crackdown/

¹⁵ Iraqi High Commission for Human Rights, "آخر احصاءة رسمية لرصد المفوضية العالية لحقوق الإنسان بخصوص التظاهرات في العراق للفترة من 1/10 و 16/6/2020" [The latest official statistics of the High Commission for Human Rights monitoring of demonstrations in Iraq for the period of 10/1 until 16/06/2020]

¹⁶ Iraqi High Commission for Human Rights, "آخر احصاءة رسمية لرصد المفوضية العالية لحقوق الإنسان بخصوص التظاهرات في العراق للفترة من 1/10 و 16/6/2020" [The latest official statistics of the High Commission for Human Rights monitoring of demonstrations in Iraq for the period of 10/1 until 16/06/2020]

¹⁷ Amnesty International, "Iraq: Deadly sniper attacks and intimidation as protesters face intensifying crackdown", 4 October 2019, www.amnesty.org/en/latest/press-release/2019/10/iraq-deadly-sniper-attacks-and-intimidation-as-protesters-face-intensifying-crackdown/

¹⁸ Office of the UN High Commissioner for Human Rights, "UNAMI Update on Accountability in Iraq", 12 July 2022, iraq.un.org/sites/default/files/2022-07/OHCHR%20UNAMI%20Update%20on%20Accountability%20in%20Iraq_12%20July%202022%20ENG.pdf

attempted targeted killings. Between October 2019 and June 2020, the IHCHR recorded 41 deaths and injuries from targeted killings, and 14 attempted attacks which did not result in deaths or injuries.¹⁹

The IHCHR reported that 53 people remained missing as of 16 June 2020. In May 2021, UNAMI reported that at least 20 protesters abducted by “unidentified armed elements” remained missing.

Amnesty International recorded the highest rate of killings and attempted killings in the governorate of Thi Qar. Incidents were also recorded in the governorates of Baghdad, Babel, Basra, Diwaniya, Karbala, Maysan and Wasit.

Amnesty International’s research reveals that killings and kidnappings were mostly carried out by armed men who didn’t wear uniforms and were usually reported to be dressed in black and sometimes masked. They were armed with pistols fitted with silencers, and their vehicles did not have license plates.

Those who were killed were generally shot late at night as they were returning home, often from the protests. Amnesty International found that the armed men fired shots at the head or chest, indicating intent to kill.²⁰ Those who were abducted were taken from their vehicles or pulled off the street and bundled into a vehicle. In most cases, there were very few witnesses to any of these incidents.²¹

Those targeted include civil society activists, women human rights activists, lawyers representing protesters detained, journalists covering the protests or reporting on human rights violations, and activists who have led or organized protests. Many of the individuals had called for fundamental political reform, engaged in human rights activism and expressed criticism of the militia groups belonging to the PMU and what they believe to be Iran’s influence in Iraq. Health workers providing assistance to injured protesters were also targeted, with at least one doctor killed. These lethal tactics were also directed at relatives of those killed or disappeared, pushing many to flee their home areas and in some cases even the country.

Those who were directly targeted had usually received death threats prior to their killing or abduction, which they or their families told Amnesty International came from supporters of certain PMU factions or religious leaders, or directly from known individuals of the PMU.

Prime Minister Adil Abdul-Mahdi resigned on 29 November 2019. In a pre-recorded speech, he acknowledged the violent crackdown on the protests, saying “we did our best to stop the bloodshed, and at the time we made brave decisions to stop using live ammunition, but unfortunately when clashes happen there will be consequences.”²²

On 7 May 2020, Mustafa Al-Kadhimi was sworn into office as prime minister, promising parliamentary elections in June 2021.²³ Soon after the start of his term, al-Kadhimi ordered the formation of a Fact-Finding Committee to investigate the killing and injuring of protesters, and called on the security forces and judicial authorities to release all protesters detained during the demonstrations.²⁴ However, during al-Kadhimi’s tenure, no information was made public on the work of this committee.

Mohammed Shia’ al-Sudani assumed the post of Prime Minister on 27 October 2022. Upon taking office, al-Sudani pledged to seek justice and accountability for the violations committed during the *Tishreen* protests. On 14 February 2023, he ordered the acceleration of the Fact-Finding Committee’s work. He told Iraqi news media that the results of the Fact-Finding Committee’s investigation would be presented at a conference dedicated to this purpose.²⁵

However, five years after the *Tishreen* protests, the Iraqi government’s promises of justice and accountability for the horrific crimes inflicted on protesters and activists during that period ring hollow. Only a handful of individuals have been convicted for the killing, injury or disappearance of protesters and activists, and many

¹⁹ UNAMI, UNAMI Report: Accountability for Human Rights Violations and Abuses”, 15 September 2021, www.ohchr.org/sites/default/files/UNAMI_Report_Accountability_for_Human_Rights_Violations_and_Abuses_ENG.pdf

²⁰ Amnesty International, “Iraq: ‘We are all targets’: Violence against protesters in Iraq”, 29 April 2020, www.amnesty.org/en/documents/mde01/1357/2020/en/

²¹ Interviews by voice call with family members of killed protesters, 2021.

²² PBS NewsHour, “Iraqi PM formally submits resignation amid more violence”, 29 November 2019, www.pbs.org/newshour/world/iraqi-pm-formally-submits-resignation-amid-more-violence

²³ See, Amnesty International, “Iraq: New government must put human rights at heart of agenda”, 8 May 2020, amnesty.org/en/latest/news/2020/05/iraq-new-government-must-put-human-rights-at-heart-of-agenda

²⁴ Iraqi News Agency, “الكاطمي يعيد الساعدي ويشكل لجنة عليا لتقصي الحقائق”, 9 May 2020, ina.iq/106453--.html

²⁵ Shafaq News, “السوداني يصدر قرارا عاجلا يخص تظاهرات تشرين”, October 2022, shafaq.com/ar/%D8%B3%DB%8C%D8%A7%D8%B3%D9%8A%D8%A9/%D8%A7%D9%84%D8%B3%D9%88%D8%AF%D8%A7%D9%86%D9%8A-%D9%8A%D8%B5%D8%AF%D8%B1-%D9%82%D8%B1%D8%A7%D8%B1%D8%A7-%D8%B9%D8%A7%D8%AC%D9%84%D8%A7-%D9%8A%D8%AE%D8%B5-%D8%AA%D8%B8%D8%A7%D9%87%D8%B1%D8%A7%D8%AA-%D8%AA%D8%B4%D8%B1%D9%8A%D9%86

remain missing, with the government failing to provide answers about their fate and whereabouts to their loved ones.

4. PREVAILING IMPUNITY

"In truth, the investigation cannot be described as an investigation. It was basic and routine—merely ink on paper. There is no justice, no accountability. The culprit in [Tishreen] is known. He is strong and has authority and weapons and money. And so he remains unexposed."

Ali Dahamat, brother of activist killed during *Tishreen* protests, September 2024

In the five years since the *Tishreen* protests began, Iraqi authorities have repeatedly promised justice and accountability for the killing, disappearance and injury of protesters and activists. However, these promises have largely gone unfulfilled, and to this day, survivors and families of the victims continue to express frustration at what they say is government indifference.

Fact-finding committees have failed to issue any findings publicly, and judicial proceedings have fallen woefully short of ensuring comprehensive, impartial, independent and effective investigations. One woman who had taken part in the protests in Baghdad said: "We hold [the authorities] responsible for the blood of our youth that we lost, blood that was spilled on these streets. But the government does not care".²⁶

In addition to the demonstrated lack of political will by Iraqi authorities to ensure justice and accountability, one of the major obstacles has been the intimidation and reprisals against the families of victims who have campaigned or spoken out publicly, amid the failure of the authorities to provide them with protection. Activists and human rights defenders report that many families have been forced into silence, particularly in cases where they fear losing another family member, as was seen in one shocking case where a father of a forcibly disappeared lawyer was killed after campaigning for answers about his son's whereabouts.

Illustrating this climate of fear, some families have reached out to Amnesty International to request anonymity or the withdrawal of their cases from public documentation, after initially giving their consent.

4.1 "TO KILL A CAUSE, FORM A COMMITTEE"

Since October 2019, the Iraqi authorities have announced the establishment of numerous committees at both the national and governorate levels to investigate the deaths, injuries, and kidnappings of protesters and

²⁶ Interview by voice call with protester, 8 July 2024

other activists committed in connection with the protests. However, none of these committees have ever publicly reported on their findings, their membership, budgets and scope of work have been opaque, and it is unclear if and/or how these committees worked together and how they worked with the security agencies and the judiciary. Amnesty International sent a letter to the Iraqi government on 5 July 2024 requesting more information about these committees but did not receive a response prior to publication.

On 12 October 2019, then-Prime Minister Adil Abdul-Mahdi established a High Ministerial Investigative Committee to investigate the violence against protesters between 1 and 8 October 2019, including deaths, injuries, and other violations.²⁷ The Committee conducted investigations between 13 and 21 October 2019. The report was not made public, but according to UNAMI identified 44 members of the security forces “with varying degrees of involvement in the killing and injury of protesters, including some of high rank, it concluded that most were implicated for ‘losing control over their units’, and most recommendations referred to disciplinary or administrative punishment”.²⁸ No information is publicly available on what the exact findings of the committee were, what specific recommendations it made, and whether those individuals identified as responsible for abuses were referred to any disciplinary boards or the judiciary.²⁹

On 6 July 2020, prominent researcher, security analyst and advisor to al-Kadhimi Hisham al-Hashimi was shot outside his home in Baghdad. Al-Kadhimi vowed to bring his killers to justice.³⁰

Following this, on 7 July 2020, the Supreme Judicial Council, Iraq’s highest judicial authority, announced the formation of investigative committees in each of the affected governorates, in coordination with the Ministry of Interior, to examine the killing and injury of protesters, as well as violations of press freedom.³¹ Each committee comprised three judges and a prosecutor.³² According to UNAMI, these committees “registered 8,163 cases of criminal acts and related allegations related to violence during demonstrations, and initiated thousands of investigations”.

In October 2020, then-Prime Minister Mustafa al-Kadhimi established yet another fact-finding committee made up of retired judges, legal experts and investigators tasked with gathering evidence about the violence that took place during the protests and identifying those responsible, and providing periodic reports to the prime minister.³³ The committee would have “broad powers, including summoning witnesses, including the families of victims of violence, reviewing all official documents and relevant data, and seeking the assistance of Iraqi and international experts to complete its work”.³⁴

The work of these various and overlapping committees has remained shrouded in secrecy, with very little information disseminated to the public about the progress of their work, leading activists and protesters to express deep scepticism about the efficacy of these committees and dismiss them as cynical tools used by the authorities to quell public anger without achieving justice. At least nine individuals interviewed by Amnesty International echoed a phrase, unprompted, that has become commonplace when describing these committees: “If you want to kill a cause, form a committee”.

A lawyer from Baghdad told Amnesty International: “To date we do not know if these committees are real or imaginary. We don’t know who is on the committee, what their tasks and deadlines are, who they report to or what they are even looking into. Prime Minister [al-Kadhimi] used broad terms and impassioned speeches to describe these committees but then they just evaporate.”³⁵

A few months after becoming prime minister, Mohammed Shia al-Sudani directed the fact-finding committee established by al-Kadhimi to expedite its work and promised that the results of the committee’s investigations would be presented at a public conference.³⁶ However, that has not materialized. In response to an open letter by Amnesty International on 15 March 2023 expressing concern about the lack of accountability for

²⁷ UNAMI, “UNAMI Report: Accountability for Human Rights Violations and Abuses”, 15 September 2021, www.ohchr.org/sites/default/files/UNAMI_Report_Accountability_for_Human_Rights_Violations_and_Abuses_ENG.pdf

²⁸ Office of the UN High Commissioner for Human Rights, “Demonstrations in Iraq: UNAMI OHCHR report”, 27 August 2020, reliefweb.int/sites/reliefweb.int/files/resources/Demonstrations%20in%20Iraq_UNAMI%20OHCHR%20report_08%2027%202020.pdf

²⁹ Office of the UN High Commissioner for Human Rights, “Demonstrations in Iraq: UNAMI OHCHR report”, 27 August 2020, reliefweb.int/sites/reliefweb.int/files/resources/Demonstrations%20in%20Iraq_UNAMI%20OHCHR%20report_08%2027%202020.pdf

³⁰ The Media Office of the Prime Minister, Facebook Post, 6 July 2020, <https://www.facebook.com/IraqiPMO/posts/3091640670943909>

³¹ Supreme Judicial Council, “تشكيل هيئة تحقيقية قضائية تختص بالتحقيق في جرائم الاغتيالات”, 7 July 2020, <https://www.hjc.iq/view.67376/>

³² Supreme Judicial Council, “تشكيل هيئة تحقيقية قضائية تختص بالتحقيق في جرائم الاغتيالات”, 7 July 2020, <https://www.hjc.iq/view.67376/>

³³ [https://iraq.un.org/sites/default/files/2022-](https://iraq.un.org/sites/default/files/2022-07/OHCHR%20UNAMI%20Update%20on%20Accountability%20in%20Iraq_12%20July%202022%20ENG.pdf)

[07/OHCHR%20UNAMI%20Update%20on%20Accountability%20in%20Iraq_12%20July%202022%20ENG.pdf](https://iraq.un.org/sites/default/files/2022-07/OHCHR%20UNAMI%20Update%20on%20Accountability%20in%20Iraq_12%20July%202022%20ENG.pdf)

³⁴ https://www.facebook.com/GovernmentofIraq/photos/a.357667907972080/1032716590467205/?type=3&locale=ms_MY

³⁵ Interviews by voice call with focus group, 14 April 2022

³⁶ Iraqi News Agency, “عادل عبد المهدي: مستمرون في تحقيق العدالة لمظاهري تشرين”, [Prime Minister Mohammed Shia al-Sudani, on Tuesday, directed the expedition of the procedures of the committee on the October 2019 events, 14 February 2023, www.ina.iq/178268--293-.html]

the *Tishreen* violations, on 2 April 2023, Prime minister al-Sudani's office informed the organization that the prime minister had ordered the re-activation of the committee and detailed some of the Committee's activities, including the review of over 215 cases from the Rusafa Central Investigative Court and the examination of more than 5,375 official documents, such as medical reports, victims' autopsy forms, and forensic expert analyses.³⁷ Amnesty International requested further information on 5 July about the Fact-Finding Committee, including information on its procedures, its membership and resources and its outcomes but had not received a response prior to publication.

4.2 MEAGRE CRIMINAL PROSECUTIONS

According to Amnesty International's analysis of information from Iraqi courts shared by Iraq's Supreme Judicial Council with Amnesty International in August 2024, despite the scale of the abuses perpetrated against protesters and activists engaged in the *Tishreen* movement, of the criminal investigations opened into more than 2,700 complaints, Amnesty International is only aware of 10 arrest warrants against suspected perpetrators, and seven convictions. The Supreme Judicial Council's letter to Amnesty International, which includes a breakdown of the number of investigations, prosecutions, trials, arrest warrants and convictions per governorate related to the *Tishreen* protests can be found in Annex I.

In Baghdad, the Supreme Judicial Council told Amnesty International there that cases were under investigation related to the killing of 311 people and the wounding of 211,, but that only four arrest warrants had been issued against suspected members of the security forces, only three cases were referred for trial, and only three security force members were convicted on charges of killing and are currently serving life imprisonment terms.

In the governorate of Najaf, one of the key sites of protest violence, the Supreme Judicial Council said that 195 criminal investigations had been opened. Ten proceeded to trial, but those did not result in any convictions. No one is currently detained in Najaf on charges relating to violence against protesters.³⁸ The extremely small number of prosecutions, arrests and convictions is consistent with the accounts of families of victims and survivors.

Families of killed or disappeared activists told Amnesty International that they eventually gave up or lost faith in the floundering investigations by authorities, most commonly raising concerns over investigations being too slow, the lack of transparency on the progress of investigations and steps taken, and the authorities' refusal to provide them with documents related to the case.

The criminal justice system in Iraq is deeply flawed and the judiciary lacks independence.³⁹ Amnesty International has consistently documented serious violations of fair trial rights in Iraq, including the use of torture and ill-treatment during investigations, reliance on forced "confessions" as evidence, the use of secret informants, breaches to the right to adequate defence and a lawyer of one's choice, prolonged pretrial detention without the opportunity to challenge the lawfulness of detention, and the imposition and implementation of the death penalty, including following grossly unfair trials.⁴⁰ Lawyers are regularly threatened, intimidated and harassed, particularly for working on cases alleging criminal responsibility to armed men affiliated with or members of militia groups or security forces⁴¹.

Six high-profile cases related to *Tishreen* violations underscore the serious flaws in the judicial system, political interference in the work of the judiciary, the lack of will to hold the powerful members of the security forces and affiliated militias accountable, and the complete lack of transparency surrounding judicial proceedings.

CASE OF LIEUTENANT COLONEL OMAR NAZAR

On 25 June 2022, the Thi Qar Criminal Court sentenced Lieutenant Colonel Omar Nazar, a senior military officer in the Iraqi army and a member of the Ministry of Interior's elite Emergency Response Division (ERD), to life imprisonment for giving orders to the second regiment of the ERD to fire live ammunition at protesters

³⁷ Amnesty International, "Iraq: Unrestrained repression of dissent: The ongoing crackdown on protests", 30 March 2023, www.amnesty.org/en/documents/mde14/6745/2023/en/

³⁸ Iraq Higher Judicial Council, Your email dated 5 July 2024, 7 August 2024, Annex 1

³⁹ Amnesty International, Iraq: The Road to Justice – A Long Way to Go, Amnesty International Submission for the UN Universal Periodic Review, November 2019 [amnesty.org/download/Documents/MDE1403162019ENGLISH.pdf](https://www.amnesty.org/download/Documents/MDE1403162019ENGLISH.pdf)

⁴⁰ Amnesty International, "Iraq: Unrestrained repression of dissent: The ongoing crackdown on protests", 30 March 2021, www.amnesty.org/en/wp-content/uploads/2021/05/MDE1403162019ENGLISH.pdf

⁴¹ Interview by voice call with a lawyer, August 2023

during a protest in Nasiriya on 27 November 2019. Twenty-four protesters were killed and 200 were injured on the day that became known as the **Jisir El-Zeitoun Massacre**.⁴²

Activists shared on Telegram what seemed to be written confessions from Nazar's fellow officers, alleging that he had ordered the firing of live ammunition on the al-Zeitoun Bridge on the day of the protest. These alleged confessions generated public outrage, and activists believe that this resulted in pressure for his conviction. An activist who was forced to flee Iraq after receiving threats related to his work to expose Nazar described to Amnesty International the moment of his conviction as a "great joy and victory"⁴³.

However, that joy was short-lived. In August 2024 Amnesty International learned that an order was issued for Nazar's release from prison. In court documents reviewed by Amnesty International, the Federal Court of Cassation, citing insufficient evidence presented against Nazar, decided to overturn his conviction on 30 July 2024 and ordered his release.⁴⁴ The court did not provide sufficient evidence to refute earlier evidence presented, including written confessions from fellow officers, and did not address the possibility that witnesses and complainants may have been subjected to duress.

According to reliable sources, a total of 24 complaints were submitted by family members of victims in the legal proceedings against Omar Nazar. At least four families provided substantial evidence, including at least one direct eyewitness testimony who said he had been injured and who gave testimony in front of a judge identifying Omar Nazar as the individual responsible for the killing of another protester. Additionally, according to a source who was involved in the legal proceedings, "secret witnesses," reportedly security officers, corroborated Nazar's role in issuing orders to kill protesters and video and photographic evidence from the days of the attack were also presented.⁴⁵

At least one key witness recanted his testimony. Informed sources told Amnesty International that the witness feared for their life and had told a contact "I can either recant or be killed" and had requested assistance to flee Iraq. At least one family member of one of the protesters killed also withdrew their testimony.⁴⁶

The Federal Court of Cassation failed to investigate whether those who recanted or altered their testimony did so under duress. Amnesty International has documented retaliatory actions against families of victims seeking justice and accountability, including death threats and, in one instance, the killing of an individual pursuing legal action in court for the disappearance of his son.

Nazar had previously been accused of having committed crimes during the war with the so-called Islamic State (IS). In May 2017, a photojournalist published photos and videos that apparently showed Nazar and his unit torturing and killing individuals they alleged to be members of IS.⁴⁷

CASE OF DR HISHAM AL-HASHIMI

On 6 July 2020, four unidentified men on motorcycles shot and killed Dr Hisham al-Hashimi in front of his house in the Zayouna area in the capital, Baghdad. Al-Hashimi was a leading security analyst and an expert on armed groups in Iraq. He was an advisor to then-Prime Minister Kadhimi.⁴⁸ His assassination generated outrage in Iraq and sparked global condemnation, including from the UN and the United States Secretary of State.

Al-Hashimi was a critic of the impunity enjoyed by militia groups in Iraq, and shortly before his assassination, he criticized Kata'ib Hezbollah, a faction of the PMU, during a television interview.⁴⁹ Al-Hashimi's brother told the media that he had received threats before he was killed.⁵⁰

⁴² Rudaw, "Iraqi Prime Minister issues orders to quell protests as violence escalates", 25 June 2023, www.rudaw.net/english/middleeast/iraq/250620231

⁴³ Interview by voice call, 16 July 2024

⁴⁴ Federal Court of Cassation, 2024, on file with Amnesty International.

⁴⁵ Interviews by voice call with people involved in judicial proceedings against Omar Nazar, 28 August 2024

⁴⁶ Interview by voice call, 28 August 2024

⁴⁷ Human Rights Watch, "Senior Military Officer Accused of Crackdown on Protesters in Iraq", 24 February 2022, www.hrw.org/news/2022/02/24/senior-military-officer-accused-crackdown-protesters-iraq

⁴⁸ BBC Arabic, "هشام الهاشمي: الذكرى الأولى لمقتل الباحث العراقي الذي دفع حياته ثمناً لرايه" [Hisham Al-Hashemi: The first anniversary of the killing of the Iraqi researcher who paid with his life for his opinion] 8 July 2020, www.bbc.com/arabic/middleeast-53338358

⁴⁹ BBC Arabic, "هشام الهاشمي: الذكرى الأولى لمقتل الباحث العراقي الذي دفع حياته ثمناً لرايه" [Hisham Al-Hashemi: The first anniversary of the killing of the Iraqi researcher who paid with his life for his opinion] 8 July 2020, www.bbc.com/arabic/middleeast-53338358

⁵⁰ BBC, "Hisham al-Hashimi: Leading Iraqi security expert shot dead in Baghdad", 7 July 2020, <https://www.bbc.co.uk/news/world-middle-east-53318803>

On 15 November 2020, a spokesperson for the Iraqi government announced that they had identified two of his killers, but that the suspects had fled Iraq after “one party smuggled them outside the country”.⁵¹ The spokesperson did not name the party.

On 8 July 2021, the Chair of the Supreme Judicial Council announced that arrest warrants had been issued for suspects, and on 16 July 2021, Iraqi police said that they had arrested the alleged shooter.⁵² Then Prime Minister al-Kadhimi tweeted: “We promised to arrest the killers of Hisham al-Hashimi. We fulfilled the promise.”

On the same day, the state Iraqiya TV station broadcast footage of the detained suspect allegedly showing him confessing to killing al-Hashemi that he said he carried out with three other individuals. The suspect reportedly worked as a low-ranking police officer in the Ministry of Interior since 2007.⁵³

The case was marred by irregularities. On 28 March 2023, Iraqi media began reporting on a Ministry of Justice letter addressed to parliament, which allegedly stated that the suspect was no longer in custody.⁵⁴ In a statement, Dr al-Hashemi’s family described their distress: “We are deeply disturbed by the news and reports confirming the escape of the main suspect in the murder of our beloved Hisham Al-Hashimi, as acknowledged by the Minister of Justice... If these reports are confirmed, it is a blatant violation of justice and adds insult to injury. The assassination alone was a heinous act, targeting a highly influential figure in Iraqi society, but the escape of the suspect undermines the very fabric of the Iraqi state and its ability to deliver justice to its citizens.”⁵⁵

Days later, on 3 April 2023, Iraqi Minister of Justice Khaled al-Shawani issued a clarification saying that the suspect was not in the custody of the Ministry of Justice’s correctional facilities because the trial was ongoing and no verdict had been issued. However, he confirmed that the suspect was still being held in a detention centre by “relevant security agencies”.⁵⁶

On 7 May 2023, the Rusafa Criminal Court convicted the alleged perpetrator and sentenced him to death for the killing of al-Hashemi.⁵⁷ It is unclear whether the defendant was present for the hearing or whether he was tried in absentia.

However, on 20 March 2024, the Federal Court of Cassation overturned the conviction and dropped the charges against him, citing a lack of evidence.

CASE OF SAJJAD AL-IRAQI

On 19 September 2020, **Sajjad al-Iraqi**, a prominent activist⁵⁸ was abducted and subject to enforced disappearance by a group of armed men from a vehicle he was travelling in with his friends in Nasiriya, in Thi Qar governorate. He had been an influential figure in the *Tishreen* protests and had been involved in civil society activism for years, including documenting corruption.⁵⁹ One of his friends described him as the “spokesperson for *Tishreen* since October 2019. He speaks for the youth on the ground.”⁶⁰

His family attempted to locate Sajjad al-Iraqi and requested information from the authorities, including prison authorities, about his whereabouts but did not receive any substantive responses.

On 15 November 2020, the Thi Qar Appeals Court issued arrest warrants for two individuals for the kidnapping of Sajjad al-Iraqi, but neither suspect was arrested. On 22 March 2023, the Thi Qar Criminal Court sentenced these two individuals to death in absentia for kidnapping Sajjad al-Iraqi, but to date, neither of them have been apprehended.⁶¹

⁵¹ Shafaq News, “Fugitive suspect escapes in al-Hashimi’s assassination, family outraged”, 19 August 2023, shafaq.com/en/Iraq/Fugitive-Suspect-Escapes-in-al-Hashimi-s-Assassination-Family-Outraged

⁵² Supreme Judicial Council, “القاضي فائق زيدان: القضاء عمل تخصصي وهناك من يستغل هذا في ترويح معلومات مغلوطة”, 8 July 2021, hjc.iq/view.68588

⁵³ Al Iraqiya TV, “رئيس مجلس الوزراء مصطفى الكاظمي يعلن القبض على قتلة هشام الهاشمي”, 16 July 2021; this broadcast was also covered by Al-Ain, “ضابط بالداخلية.. اعترافات مشيرة لقتل الخبير العراقي هشام الهاشمي”, 16 July 2021, al-ain.com/article/1626448972

⁵⁴ Shafaq News, “Fugitive suspect escapes in al-Hashimi’s assassination, family outraged”, 19 August 2023, shafaq.com/en/Iraq/Fugitive-Suspect-Escapes-in-al-Hashimi-s-Assassination-Family-Outraged

⁵⁵ Shafaq News, “Fugitive suspect escapes in al-Hashimi’s assassination, family outraged”, 19 August 2023, shafaq.com/en/Iraq/Fugitive-Suspect-Escapes-in-al-Hashimi-s-Assassination-Family-Outraged

⁵⁶ Iraqi News Agency, “وزير العدل يوضح مصير المتهم بقتل هشام الهاشمي”, [The Justice Minister clarifies the fate of the alleged perpetrator of Hisham al-Hashimi’s killing], 3 April 2023, <https://www.ina.iq/182043--.html>

⁵⁷ Iraqi News Agency, “INA discusses 13 files with the President of Al-Rusafa Criminal Court”, 29 September 2023, <https://ina.iq/eng/28907-ina-discusses-13-files-with-the-president-of-al-rusafa-criminal-court.html>

⁵⁸ Interviews by voice call with friends and family members of Sajjad al-Iraqi between 9 June to 22 June 2021

⁵⁹ Interview by voice call with friend of Sajjad al-Iraqi, 9 June 2021

⁶⁰ Interview by voice call with friend of Sajjad al-Iraqi, 9 June 2021

⁶¹ Amnesty International opposes the death penalty in all cases without exception – regardless of who is accused, the nature or circumstances of the crime, guilt or innocence or method of execution.

A family member told Amnesty International that during a meeting with Prime Minister al-Sudani in early 2023, he promised to follow up on Sajjad al-Iraqi's case. However, more than four years later, Sajjad al-Iraqi's whereabouts remain unknown, and no arrests have yet been made in his case. A relative told Amnesty International, "There is no interest in Sajjad's case. It is just false promises and reassurances. It is just ink on paper".⁶²

CASE OF EHAB AL-WAZNI

On 9 May 2021, at around 12.30am, **Ehab al-Wazni**, a key figure in the protest movement in Karbala and an anti-corruption campaigner, was shot dead outside his home reportedly by men on motorbikes using a gun fitted with a silencer.⁶³ He was returning from al-Ahar square in Karbala city where the protests were concentrated.⁶⁴

Al-Wazni had been involved in protests against poverty and corruption since 2011 and was widely respected among other activists.⁶⁵ His assassination sparked immediate protests in Karbala. Demonstrators reportedly set fire to trailers outside the Iranian consulate and blocked roads and bridges with burning tyres.⁶⁶ The outpouring of anger against his killing led to mass protests on 25 May 2021 across the country, including in Baghdad and Karbala, calling for accountability and for the names of those suspected of criminal responsibility to be revealed.⁶⁷

A person close to al-Wazni told Amnesty International that prior to his killing, al-Wazni regularly received threats to his life at the protests to him, through online fake accounts, and directly from members of PMU militias. He said "...the threats were every day, ten times a day, the last couple of days he didn't talk about them. A threat came from Kata'ib Hezbollah [PMU faction] who threatened him and five others with disappearance. An Al-Tafuf [PMU faction] intelligence officer threatened him more than once and got into a fight with him. I was with him. The officer wasn't wearing a uniform as he is in intelligence. There were motorcycles, and they were carrying guns and knives saying 'we could kill you'. This happened by the end of April 2020... in Karbala."⁶⁸

On 27 May 2021, Qassem Musleh, the leader of Liwa al-Tafuf, a PMU brigade, was arrested in connection with the killing.⁶⁹

On 7 June 2021, he was released after the militia group stormed the Green Zone in Baghdad and surrounded several government buildings. The Supreme Judicial Council said he was released due to insufficient evidence against him and stated that all legal procedures had been followed.⁷⁰

CASE OF BASSAM AL-ZAAK

On 24 October 2021, journalist **Bassem al-Zaak** was abducted while he was live-streaming a sit-in organised by the al-Fatah Alliance in Baghdad, a political bloc protesting the results of the 2021 parliamentary elections. An eyewitness who was with Bassem al-Zaak at the time of his kidnapping told Amnesty International that uniformed individuals belonging to the PMU's security unit had arrested Bassem al-Zaak.⁷¹ Multiple eyewitnesses confirmed the same information to the family.⁷²

The judiciary opened an investigation into Bassem al-Zaak's enforced disappearance on 27 October 2021, after the family filed a report with the police, but his fate and whereabouts remain unknown. His family told Amnesty International that in November 2021, the Kidnapping Unit of the Ministry of Defence confirmed to them verbally that Bassem al-Zaak was taken by individuals from the PMU but said that since the PMU is an official body of the state, the Kidnapping Unit could not investigate further. They also confirmed that in

⁶² Interview by voice call with family member of Sajjad al-Iraqi, 14 September 2023

⁶³ France 24, "Iraqi reporter shot a day after activist's killing sparks protests", 10 May 2021, www.france24.com/en/middle-east/20210510-iraqi-reporter-shot-a-day-after-activist-s-killing-sparks-protests

⁶⁴ Interview by voice call, 18 June 2021

⁶⁵ Interview by voice call, 18 May 2021

⁶⁶ Al Jazeera, "Iraq: Activist murder protests called as Iran consulate targeted", 10 May 2021, [aljazeera.com/news/2021/5/10/iraqi-activist-murder-protests-called-as-iran-consulate-targeted](https://www.aljazeera.com/news/2021/5/10/iraqi-activist-murder-protests-called-as-iran-consulate-targeted)

⁶⁷ France 24, "Iraqi reporter shot a day after activist's killing sparks protests", 10 May 2021, www.france24.com/en/middle-east/20210510-iraqi-reporter-shot-a-day-after-activist-s-killing-sparks-protests

⁶⁸ Interview by voice call, 18 May 2021

⁶⁹ PBS NewsHour, "Targeted Assassinations, Violent Protest Crackdowns Keep Iraqi Voters Away from Polls", 14 October 2021, <https://www.pbs.org/newshour/show/targeted-assassinations-violent-protest-crackdowns-keep-iraqi-voters-away-from-polls>; Aymenn Jawad Al-Tamimi, Liwa al-Tafuf of the Hashd: Interview, 15 February 2019, aymennjawad.org/2019/02/liwa-al-tafuf-of-the-hashd-interview

⁷⁰ Shafaq News, "Iraqi Judiciary: No evidence proved Musleh's involvement in Al-Wazni's assassination", 15 June 2021, shafaq.com/en/Iraq/Iraqi-Judiciary-no-evidence-proved-Musleh-s-involvement-in-Al-Wazni-s-assassination

⁷¹ Interview by voice call with protester, 8 July 2024; Amnesty International, "Iraq: Reveal fate of disappeared journalist: Bassem al-Zaak", 15 December 2023, <https://www.amnesty.org/en/documents/mde14/7478/2023/en/>

⁷² Amnesty International, "Iraq: Reveal fate of disappeared journalist: Bassem al-Zaak", 15 December 2023, <https://www.amnesty.org/en/documents/mde14/7478/2023/en/>

December 2022, the legal department of the Ministry of Interior circulated a letter to all its departments requesting information on Bassem al-Zaak, but all of them reported he was not in their custody.⁷³

CASE OF AMJAD AL-DAHAMAT

On 6 November 2019, at around 10pm, **Amjad al-Dahamat**, a prominent activist was shot dead metres away from the headquarters of the Police Command in the city of Amara, in the governorate of Maysan. He was coming out of a meeting that the Head of Police had convened with activists. His family told Amnesty International that they found out after his death that he had received death threats prior to his killing.⁷⁴

Amjad Dahamat's family submitted a formal complaint to the Maysan Appeals Court regarding his killing. During the court proceedings, the family was questioned about potential suspects responsible for the killing. The family, however, could not identify any specific individuals and, as a result, the case was officially filed against an "unknown perpetrator."

The family expressed concerns over the investigative process, characterizing it as superficial. They noted that investigators failed to engage in thorough questioning or conduct any substantive search for evidence. As part of the investigation, the presiding judge issued official letters to the Intelligence Directorate, Iraqi National Intelligence Service and the Iraqi National Security Service requesting information concerning the killing or the identity of those suspected of criminal responsibility. The responses from these agencies uniformly stated that no relevant information was available.

Ali Dahamat, Amjad's brother, said "In truth, the investigation cannot be described as an investigation. It was basic and routine—merely ink on paper. There is no justice, no accountability. The culprit in [*Tishreen*] is known. He is strong and has authority and weapons and money. And so he remains unexposed."⁷⁵

Most families interviewed Amnesty International reported meeting with then Prime Minister al-Kadhimi who pledged his assurance that the authorities would take the case forward or search for their loved one. Families had also met with current Prime Minister al-Sudani.

5. FINANCIAL COMPENSATION

My dream is to smell perfume. My dream is to see normally. They took all of this from me. The question is why? Why did they do this to me? I was an 18 year old man. Instead of the government giving me opportunities and a future, it gives me a bullet?"

Ibrahim Abbas, injured protester, August 2024

On 5 October 2019, then-Prime Minister Adel Abdul Mehdi announced that protesters killed during the demonstrations would be recognized as 'martyrs' and, therefore, eligible for financial compensation. Prime Minister Mustafa al-Kadhimi's government moved forward with compensating the families of those killed and promised that injured protesters would also receive financial compensation. While the majority of families did receive compensation for the killing of their loved ones, those injured or disabled during the protests continue to face significant bureaucratic hurdles in accessing these funds.

Further, the authorities failed to ensure that survivors and relatives of families receive other forms of reparation for the harm suffered as per the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. This includes prompt reparation for the harms suffered, access to relevant information concerning violations and reparation mechanisms, ensuring the safety of victims and their

⁷³ Interview by voice call with family of Bassem al-Zaak, 1 November 2023

⁷⁴ Interview by voice call with Ali Dahamat, 17 September 2024

⁷⁵ Interview by voice call with Ali Dahamat, brother of Amjad Dahamat, 17 September 2024

families from intimidation and retaliation, and taking appropriate legislative and administrative and other appropriate measures to prevent violations.⁷⁶

COMPENSATION FOR THOSE KILLED DURING THE *TISHREEN* PROTESTS

The recognition of those killed during the *Tishreen* protests as ‘martyrs’ meant that their families were entitled to a one-off payment through the Foundation of Martyrs, a state institution established in 2005 to provide compensation to the families of victims of Saddam Hussein’s government.⁷⁷ On 31 July 2020, Prime Minister Al-Kadhimi announced the establishment of a consolidated database including 561 names of individuals who had been “martyred” in the protests to ensure their families received financial and other compensation.⁷⁸

Subsequently, on 11 August 2020, the Iraqi Council of Ministers announced that the families of *Tishreen* “martyrs” and the injured would also benefit under Law No. 20 of 2009 on Compensation of Victims of War Operations, Military Mistakes and Terrorist Operations, meaning that their families would receive one-off payments and in some cases a monthly stipend.⁷⁹ They also said that those injured and disabled in the protest movement would be included in the Law on Persons with Disabilities and Special Needs.⁸⁰

In a letter to Amnesty International on 2 April 2023, Prime Minister al-Sudani’s office said that payments of 10 million Iraqi Dinars, the equivalent of about 7,614 USD, were made out to each of the families of 504 people killed in the protests and that “investigations are still underway to confirm the rest of the names and numbers announced in the media”.⁸¹ On 5 July 2024, Amnesty International requested further updates on the compensation scheme for families of those killed in the *Tishreen* protests but did not receive a response prior to publication.

COMPENSATION FOR THOSE INJURED DURING THE *TISHREEN* PROTESTS

According to the ICHCR, the crackdown by security forces and the PMU on protests resulted in at least 20,597 injuries⁸², some of which led to permanent disabilities.

The Iraqi Council of Ministers, through their inclusion of protesters in Law 20 (2009)⁸³ guaranteed monthly compensation for the rest of their lifetime to those who were injured or disabled during the protests.⁸⁴ The injured would receive a monthly allowance depending on the severity of their injury or disability, ranging from 400,000 – 1,200,000 IQD⁸⁵ (equivalent to 300 - 915 USD).

On 5 July 2024, Amnesty International requested information on the number of injured protesters who had received compensation and the process for these claims, but the Iraqi government did not respond prior to publication.

Protesters who were injured or who sustained a disability due to security force violence during the protests described to Amnesty International the arduous and lengthy process of securing compensation, which often requires navigating no less than five government bodies to secure the necessary paperwork in a process that can take months, and in some case years. One advocate told Amnesty International that people with disabilities were discouraged from seeking compensation because the government buildings they had to visit were not accessible.⁸⁶

⁷⁶ UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law

⁷⁷ Foundation of Martyrs, <https://alshuhadaa.gov.iq/Default>

⁷⁸ Iraqi News Agency, “الكاظمي يحدد السادس من حزيران في العام المقبل موعداً لإجراء الانتخابات المبكرة” [Al-Kadhimi sets June 6th of next year as the date for holding early elections], 31 July 2020, www.ina.iq/110550---.html

⁷⁹ Amnesty International, “Iraq : Letter of Response from the Government of Iraq to Amnesty International on 2 April 2023”, 4 May 2023, <https://www.amnesty.org/en/documents/mde14/6745/2023/en/>

⁸⁰ Iraqi News Agency, “قرارات مجلس الوزراء في جلسة اليوم” [The decisions of the Council of Ministers today], 11 August 2024, <https://www.ina.iq/111069---.html>

⁸¹ Amnesty International, “Iraq : Letter of Response from the Government of Iraq to Amnesty International on 2 April 2023”, 4 May 2023, <https://www.amnesty.org/en/documents/mde14/6745/2023/en/>

⁸² Iraqi High Commission for Human Rights, “آخر أحصانة رسمية لرصد المفوضية العالية لحقوق الإنسان بخصوص التظاهرات في العراق للفترة من 1/10 و 16/06/2020 لغاية 16/06/2020” [The latest official statistics of the High Commission for Human Rights monitoring of demonstrations in Iraq for the period of 10/1 until 16/06/2020]

⁸³ Iraq, Law No. 20 of 2009: Law on Compensation of Victims of War Operations, Military Mistakes and Terrorist Operations, 2009, <https://www.refworld.org/legal/legislation/natlegbod/2009/en/124316>

⁸⁴ Iraq, Law No. 2 of 2020: Second Amendment to the Law on Compensation of Victims of War Operations, Military Mistakes and Terrorist Operations, 2020, <https://www.refworld.org/legal/legislation/natlegbod/2020/en/123132>

⁸⁵ Interview by voice call with Ibrahim Moath Asaad Abbas, injured protester, 1 August 2024

⁸⁶ Interview by voice call with civil society organization, 26 July 2024

Another significant bureaucratic hurdle was the requirement that injured protestors present a hospital report from when they were initially injured in order to apply for compensation. Protesters told Amnesty International that during the protests, they were reluctant to seek treatment in hospitals due to fears that they would be arrested by security forces.⁸⁷ Amnesty International had documented in October 2019 the arrest of around 50 people, including children, who were suspected to have participated in the protests from a hospital in Karbala.⁸⁸ Further, some injured protestors feared being treated in hospitals, where Amnesty International documented the arrest of protestors⁸⁹, and were treated in field hospitals or by doctors in private homes, making it difficult to obtain the necessary documentation for their compensation claims.⁹⁰

Organizations advocating on behalf of the injured have also raised concerns to Amnesty International about the arbitrary nature of the compensation process, which is determined by a committee within the Ministry of Health. The level of compensation awarded is based on the assessed level of disability, which has opened the door to bribery and corruption. These organizations have called for greater transparency and fairness in the compensation process to ensure that all victims receive the support and recognition they deserve based on the harm suffered.⁹¹

Ibrahim Abbas, a protester whose skull was fractured and who lost an eye during a protest on 26 November 2019 in Baghdad, described the months-long process he had to go through to obtain compensation.⁹² He said that he had to go through various government agencies, secure witnesses, and face demands for bribes at multiple stages of the process. Abbas described how he had to the National Security Service; the Rusafa Criminal Court, where he was required to present two witnesses to his injury; the Foundation of Martyrs, where a committee of seven people including representatives from the Ministries of Health, Justice and Defence examined his case; a medical committee from the hospital where he was treated; and the National Pension Fund.

"The past two months I haven't received my [monthly compensation]. When I went to the office, I saw my file was thrown on the floor. This whole process took years. I don't care about any of this. What I care about is that I am a young man, I was 18 years old and was hit. My dream is to smell perfume. My dream is to see normally. They took all of this from me. The question is why? Why did they do this to me? I was an 18 year old man. Instead of the government giving me opportunities and a future, it gives me a bullet?"⁹³

Another protester, Saif Salman Sadeq, who lost his leg after sustaining an injury during a protest in Baghdad on 24 October 2019, described a similar process.⁹⁴ First, he had to obtain a hospital report confirming his injuries and after providing two witnesses to obtain a court order attesting to the circumstances of his injury. He then had to undergo a security background check, which in his case took one year. After his security check was approved, a medical committee issued a report on his health situation and his "level of disability", which they deemed to be 90%. His report then went to the Foundation of Martyrs and then the National Pension Fund. He hired a lawyer to assist him with the process.

He said "I suffered three years of courts, security checks, and exhausting paperwork regarding my condition and injury and the treatment I received in government institutions was inhumane and immoral".⁹⁵ Saif Salman Sadeq, after nearly three years, was granted a one-time payment of 18,000,000 Iraqi Dinars (the equivalent of 13,740 USD) and monthly compensation of 1,200,000 Iraqi Dinars (the equivalent of 915 USD).⁹⁶

⁸⁷ Interview by video call with focus group, 25 July 2024

⁸⁸ [Iraq: Horrific scenes as security forces resort to lethal force to disperse Karbala protests - Amnesty International](#)

⁸⁹ Amnesty International, "Iraq: Horrific Scenes as Security Forces Resort to Lethal Force to Disperse Karbala Protests", 28 October 2019, <https://www.amnesty.org/en/latest/press-release/2019/10/iraq-horrific-scenes-as-security-forces-resort-to-lethal-force-to-disperse-karbala-protests/>

⁹⁰ The New Humanitarian, "Iraq Protests: Baghdad's Medical Workers at Breaking Point", 17 October 2019, <https://www.thenewhumanitarian.org/news-feature/2019/10/17/iraq-protests-Baghdad-medical-aid-human-rights>

⁹¹ Interviews by voice call with civil society organizations, 17 July 2024 and 26 July 2024

⁹² Interview by voice call with Ibrahim Abbas, injured protester, 1 August 2024

⁹³ Interview by voice call with Ibrahim Abbas, injured protester, 1 August 2024

⁹⁴ Interview by voice call with Saif Salman, injured protester, 2 August 2024

⁹⁵ Interview by voice call with Saif Salman, injured protester, 2 August 2024

⁹⁶ Interview by voice call with Saif Salman, injured protester, 2 August 2024

6. FAMILIES FORCED INTO SILENCE

Today, because of what has happened to the families who were publicly vocal and asked about the fate of their sons and daughters, other families have no steps to follow in. There is no blueprint for doing this successfully without being killed. There is no faith in the central authorities.

Civil society activist, July 2024

In addition to the demonstrated lack of political will by Iraqi authorities to ensure justice, truth and reparation families of victims who have campaigned or spoken out publicly have faced intimidation and reprisals, amid the failure of the authorities to provide them with protection. In one case, the relatives of those killed or disappeared were themselves killed merely for demanding justice. As a result, many families have been forced into silence, relocating within Iraq, going into hiding, restricting their movements, or even fleeing the country.

Illustrating this climate of fear, some families have reached out to Amnesty International to request anonymity or the withdrawal of their cases from public documentation, after initially giving their consent.

For example, on 25 May 2019 in Baghdad, security forces violently dispersed a protest organized by relatives of victims and supporters in Baghdad using the widely circulated hashtag "Who killed me?" alongside portraits of those deliberately killed or forcibly disappeared was violently dispersed by security forces. Tragically, during these protests, two demonstrators were killed, and over 150 people—including protesters and security forces—were reportedly injured.⁹⁷

An activist and NGO worker from Baghdad pointed out that many campaigns of intimidation start on social media either directly by members of the PMU or their supporters: "That is where militias start the campaign before the attack. They build this image of a person that seeks to reduce sympathy when and if they are attacked."⁹⁸

The family of **Sajjad al-Iraqi**, prominent activist who was forcibly disappeared from Nasriya, Thi Qar, on 19 September 2020, told Amnesty International that they had been subjected to multiple threats for pursuing accountability for his disappearance. A family member described to Amnesty International the threats they had been subjected to:

"Most of the threats come from people linked to the PMU... to the abductors. Their relatives sent a lot of people to us and they used very strong words. They want us to drop the case against the abductors... Relatives of the accused most often come to our homes and the homes of our relatives [several] times. Sajjad's case is the most dangerous because the accused are known and their names are known and witnesses say they are linked to the Badr faction. They want us to give up on the case."⁹⁹

In another case, the brother of **Amjad Dahamat**, a prominent human right activist and protest leader who was killed on 6 November 2019 in Maysan, received death threats himself after advocating for justice for his brother's killing. After his brother's targeted killing, Ali Dahamat continued to attend the protests in Maysan, but soon found himself subjected to threats from individuals who said warned him: "do you want to end up like your brother?"¹⁰⁰ Ali Dahamat was forced to flee and go into hiding after he said he saw his name appear on "kill" lists circulating on social media.

Ali Dahamat, now out of hiding, runs an organization made up of the families of people killed in protests or through targeted killings. He described the climate of fear they continue live in. "We remember our loved

⁹⁷ France 24, "Two Iraqis Killed at Protest in Iraq Over Unpunished Killings", 25 May 2021, <https://www.france24.com/en/middle-east/20210525-two-iraqis-killed-at-protest-in-iraq-over-unpunished-killings>

⁹⁸ Interviews with focus group by video call, 14 April 2022

⁹⁹ Interview by voice call with family member of Sajjad al-Iraqi, 14 September 2023

¹⁰⁰ Interview by voice call with Ali Dahamat, Amjad Dahamat's brother, 16 June 2022

ones on their birthdays, on their death anniversaries. But because of all this fear, there is a sense of hopelessness. Many don't make demands anymore. If you make a demand, you get a threat. What's the point? You could lose your job, you could be forced into exile."¹⁰¹

This fear is further intensified by the authorities' apparent inability—or unwillingness—to protect those who come forward seeking answers.

One of the earliest enforced disappearances was of **Ali Jaseb Hatab al-Helaji**, a human rights lawyer who was well-known for defending protesters detained in the *Tishreen* protests in Amara, Maysan governorate. He was also a vocal critic of the PMU's alleged role in the killing of protesters. According to the UN Working Group on Arbitrary Detentions, two members of the PMU visited his home on 6 October 2019 and "warned the human rights defender to stop speaking out on Facebook about the killing of people participating in the demonstrations that had begun in the country, and to stop accusing certain factions of the PMU of perpetrating these killings, threatening him with death if he continued".¹⁰²

According to the UN Working Group, two days later, on 8 October 2019, in the city of Amarah where he lived, "armed men alleged to be members of the PMU dragged him from where he stood and took him into one of two black pick-up trucks at the scene, both allegedly belonging to the PMU. The men then drove [him] away, since then his whereabouts remain unknown..."¹⁰³

Following Ali Jaseb's disappearance, his father, **Jasib Hattab Abboud al-Heliji**, vocally campaigned for his fate to be revealed, including filing a court case naming the Ansar Allah al-Awfa militia, a faction of the PMU, and its commander in the governorate of Maysan who he believed to be involved.¹⁰⁴ ¹⁰⁵ After the court case in Maysan went silent for months, Jasib al-Heliji requested that the case be transferred to a Baghdad court. The investigative judge in Baghdad deemed there was insufficient evidence for an arrest warrant.¹⁰⁶

On 10 March, Jasib al-Heliji was shot dead in the city of Amara in Maysan.¹⁰⁷ Five months earlier, he had met with then Prime Minister Al-Kadhimi.¹⁰⁸

There continues to be a general climate of fear for victims and families to initiate cases for crimes related to human rights violations and as a result many don't register complaints, and no positive precedent has been set for families seeking justice. One NGO director working with survivors of torture in detention commented: "The pressure on families differs from one governorate to another. Today, because of what has happened to the families who were publicly vocal and asked about the fate of their sons and daughters, other families have no steps to follow in. There is no blueprint for doing this successfully without being killed. There is no faith in the central authorities. In fact, people know militias are stronger than the government in this because these things happen in front of them [Iraqi authorities]."¹⁰⁹

7. APPLICABLE INTERNATIONAL LEGAL FRAMEWORK

¹⁰¹ Interview by voice call with Ali Dahamat, Amjad Dahamat's brother, 17 July 2024

¹⁰² Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders, Ali Jasib Hattab Al Holaiji, 9 November 2020, UA IRQ 6/2020 <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25695>

¹⁰³ Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders, Ali Jasib Hattab Al Holaiji, 9 November 2020, UA IRQ 6/2020 <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25695>

¹⁰⁴ Office of the UN High Commissioner for Human Rights, "Iraq: UN Experts Appalled by Killing of Disappeared Human Rights Defender's Father", 26 March 2021, <https://www.ohchr.org/en/press-releases/2021/03/iraq-un-experts-appalled-killing-disappeared-human-rights-defenders-father>

¹⁰⁵ Associated Press, "Iraq's Prime Minister Pledges to Quit After Bloodiest Day in Protests", 29 November 2019, <https://apnews.com/article/3584dcf607d745d4936bc3e4dd4fe030>

¹⁰⁶ Associated Press, "Iraqi Protesters Fear Reprisals After Clashes with Security Forces", 25 October 2019, <https://apnews.com/general-news-a2413814c86ef4b68ce59a9fd379b30a>

¹⁰⁷ Amnesty International, Urgent Action: Fate of disappeared lawyer remains unknown, 5 November 2020, <https://www.amnesty.org/en/wp-content/uploads/2021/05/MDE1433102020ENGLISH.pdf>

¹⁰⁸ The New Arab, "Outspoken Father of Missing Lawyer Shot Dead in Iraq", 11 March 2021, <https://www.newarab.com/news/outspoken-father-missing-lawyer-shot-dead-iraq>

¹⁰⁹ Interview by voice call with civil society worker, 25 July 2024

7.1 INTERNATIONAL HUMAN RIGHTS LAW AND INTERNATIONAL CRIMINAL LAW

Under international human rights law, everyone has the right to life, the right to liberty and security of the person, and the right to freedom of expression and assembly.

International human rights law, primarily through Article 6 of the International Covenant on Civil and Political Rights (ICCPR), to which Iraq is a state party, requires states to respect and protect the lives of all within their respective jurisdiction from attacks and threats of attacks, and to provide an effective remedy where this has not been the case.¹¹⁰ The right to life, as the precondition for the full realization of human dignity and the effective exercise of all human rights,¹¹¹ imposes an obligation on states and its agents not only to refrain from engaging in arbitrary killings, but also to protect people from such threats.¹¹² When a violation of the right to life has been committed, states must ensure that victims and their families are provided with accessible, effective and enforceable remedies.¹¹³ States must ensure that a prompt, thorough and effective investigation takes place through independent and impartial bodies and that all those suspected of criminal responsibility are brought to justice in fair trials before ordinary civilian courts and without recourse to death penalty.¹¹⁴

Likewise, Iraq is a party to the International Convention for the Protection of All Persons from Enforced Disappearance (CPED), which it acceded to in 2010. Also, given its ratification in 1971 of the ICCPR Iraq is obliged not to engage in enforced disappearances given that the act violates a range of civil and political rights, including a person's right to recognition as a person before the law;¹¹⁵ his/her right to liberty and security including freedom from arbitrary detention;¹¹⁶ the prohibition on torture and other cruel, inhuman or degrading treatment;¹¹⁷ and the right to life.¹¹⁸ Enforced disappearances, which is a crime under international law, has been described as a "grave threat to life".¹¹⁹ Enforced disappearance and "imprisonment or other severe deprivation of fundamental rules of international law" are recognised in the Rome Statute of the International Criminal Court, if committed as part of a widespread or systematic attack against a civilian population, as crimes against humanity. An enforced disappearance is also a "continuing crime", which takes place so long as the disappeared person remains missing and information about his or her fate or whereabouts has not been provided by the state authorities. Families of the disappeared suffer mental anguish and are at risk when trying to seek the truth and redress.

The right to freedom of opinion and expression is enshrined in a number of international instruments, including Article 19 of the ICCPR, which encompasses the right to freedom of opinion without interference, the right to seek and access information, and the right impart information and ideas.¹²⁰ This right imposes obligations on the Government of Iraq to respect, protect and uphold this right. This right and the exercise of this right is regarded as essential to the fulfilment of other human rights, to "effective participation in a free and democratic society", an "important tool for combating impunity and corruption", and while an individual right it is also a collective right.¹²¹ This right is fundamental to the work of journalists and human rights defenders. Restrictions on the exercise of this right may be imposed, as specified in paragraph 3 of Article 19, but only as are provided by law and are necessary.

Human rights defenders, such as lawyers, journalists and civil society activists, whose work involves defending human rights, are accorded particular protections because of the specific risks they face in carrying out their work. Under the Declaration of Human Rights Defenders,¹²² states are required to recognise the value and important contribution of human rights defenders to peace, sustainable development and human rights; respect human rights defenders on a non-discriminatory bases; protect

¹¹⁰ ICCPR., Article 6. Furthermore, the right to life has been recognized as a rule of customary international law. See Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, 9 August 2012, UN Doc. A/67/275, para. 105.

¹¹¹ Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, 9 August 2012, UN Doc. A/67/275, paras 11-12.

¹¹² 2 194 Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, 10 April 2012, UN Doc. A/HRC/20/22, para. 42.

¹¹³ Human Rights Committee, General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, 26 May 2004, UN Doc. CCPR/C/21/Rev.1/Add. 13, para. 15.

¹¹⁴ Human Rights Committee, General Comment 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant, 26 May 2004, UN Doc. CCPR/C/21/Rev.1/Add. 13, paras 15-18.

¹¹⁵ ICCPR, Article 16.

¹¹⁶ ICCPR, Article. 9.

¹¹⁷ ICCPR, Article 7.

¹¹⁸ ICCPR, Article 6.

¹¹⁹ ICCPR, Article 6(1). See Human Rights Committee, General Comment No. 36: Article 6: the right to life (2019), para.58

¹²⁰ Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 20 April 2010, A/HRC14/23, para. 25. documents-dds-ny.un.org/doc/UNDOC/GEN/G10/130/49/PDF/G1013049.pdf?OpenElement

¹²¹ Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 20 April 2010, A/HRC14/23, paras 26-29. documents-dds-ny.un.org/doc/UNDOC/GEN/G10/130/49/PDF/G1013049.pdf?OpenElement; also see,

¹²² Declaration of Human Rights Defenders, ohchr.org/EN/Issues/CivicSpace/Pages/DeclarationHumanRightsDefenders.aspx

them against any arbitrary action as a consequence of the legitimate exercise of the rights enshrined in the Declaration; ensure access to effective remedies in the case of violations; and reinforce their work by creating an enabling environment through laws, and other steps.¹²³ The Declaration is based on and incorporates human rights enshrined in legally-binding instruments and reaffirms the defence of, inter-alia, freedom of association, peace assembly, opinion and expression, and the right to gain access to information, to provide legal aid. It is aimed at creating a safe and enabling environment for human rights defenders.

7.2 RIGHTS TO TRUTH, JUSTICE, AND REPARATION

Victims and their families have the rights to truth, justice, and reparation, as provided in the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law.¹²⁴ The International Convention for the Protection of All Persons from Enforced Disappearance provides that states parties 'shall ensure in its legal system that the victims of enforced disappearance have the right to obtain reparation and prompt, fair and adequate compensation' and also provides the right to know the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person.¹²⁵

Obligations under the international human rights instruments outlined above require states to provide effective full reparation.¹²⁶ States must establish the facts about violations of human rights that have occurred; they must investigate those violations and bring all those suspected of criminal responsibility to justice in fair trials before ordinary civilian courts and without recourse to death penalty; and they must provide victims and their families with full and effective reparation in the form of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.

¹²³ Declaration of Human Rights Defenders, ohchr.org/EN/Issues/CivicSpace/Pages/DeclarationHumanRightsDefenders.aspx

¹²⁴ Adopted and proclaimed by General Assembly resolution 60/147 of 16 December 2005.

¹²⁵ International Convention for the Protection of All Persons from Enforced Disappearance, Article 24.

¹²⁶ ICCPR, Article 2(b).

8. CONCLUSION AND RECOMMENDATIONS

8.1 CONCLUSION

In the five years since the eruption of unprecedented mass protests across the country, successive Iraqi governments have failed to ensure accountability for the security forces and affiliated militias who were responsible for the killing of at least 541 protestors and injury of 20,597. Likewise, they have been unable to halt the campaign of intimidation, abduction and killings that targeted prominent individuals within the protest movement or those seeking justice for the abuses perpetrated. Instead, the Iraqi authorities have adopted new measures that further shrink civic space, restrict the rights to freedom of expression and peaceful assembly, and perpetuate the climate of impunity.

Activists interviewed for this report told Amnesty International that they believe that new restrictions are geared towards preventing another popular uprising that would challenge the government and are a continuation of the repression that happened during the protests. At least four individuals interviewed said that the government fears another *Tishreen*.¹²⁷ One civil society worker added, “*Tishreen* exposed the power of civil society to the government”.¹²⁸

Among the most alarming developments has been the government’s reintroduction of a draft law to Parliament, which, if passed, would significantly curtail the rights to freedom of expression and peaceful assembly. On 9 May 2023, the proposed Law on Freedom of Expression and Peaceful Assembly had its second reading in parliament.¹²⁹ This draft law, which Amnesty International reviewed, would provide the Iraqi authorities with a legal pretext to arbitrarily prosecute individuals who make public statements deemed to violate “public morals” or “public order” and sentence them to up to life imprisonment. Additionally, the draft law would allow authorities to ban peaceful public gatherings unless prior permission is obtained at least five days in advance. The criteria for approving or prohibiting protests are not specified, effectively giving the authorities unchecked powers to ban all protests. Due to lack of transparency, it is unclear what the status of this law is and when it will be put to vote.

There is also growing concern about the government’s restrictions on the work of non-governmental organizations (NGOs). At the time of writing, a draft law governing NGOs was under discussion in Parliament. Civil society leaders who have seen leaked versions of the draft in 2024 said that they were alarmed by provisions that would allow NGOs to be dissolved without a judicial order. One activist noted, “There are many ways the government is restricting the work of activists that you cannot even comprehend.”¹³⁰

On 10 January 2023, the Ministry of Interior announced the start of a campaign to crack down on “indecent content”.¹³¹ Following the announcement, courts prosecuted dozens of people for publishing “indecent” or

¹²⁷ Interviews by voice call with civil society organizations, July-August 2024

¹²⁸ Interviews with focus group by video call, 25 July 2024

¹²⁹ Amnesty International, “Iraq: Draft Laws Threaten Rights to Freedom of Expression and Peaceful Assembly”, 18 July 2023, <https://www.amnesty.org/en/latest/news/2023/07/iraq-draft-laws-threaten-rights-to-freedom-of-expression-and-peaceful-assembly/>

¹³⁰ Interview by voice call with civil society worker, 9 July 2024

¹³¹ Amnesty International, Iraq: Joint statement: Iraqi authorities must cease chilling crackdown on free speech, 3 March 2023, <https://www.amnesty.org/en/documents/mde14/6511/2023/en/>

“immoral” content on social media. In most cases, those prosecuted were charged under Article 403 of the Iraqi Penal Code which criminalizes published material that “violates public integrity or decency”. Restrictions based on ambiguous, overly broad terms such “violating public integrity or decency” fail to meet international standards, and open the door to the suppression of peaceful dissent.¹³²

Another civil society leader added, “The government is determined to control the narrative. They don’t want any information reaching international mechanisms or NGOs that could highlight their failures in meeting human rights obligations.”¹³³ Organizations noted that in a roundtable hosted by the government with civil society organizations in June 2024, the organizations were warned about sharing information with international human rights organizations, including Amnesty International, and in particular for Iraq’s upcoming Universal Periodic Review (UPR) in January 2025. The UPR is a mechanism of the UN Human Rights Council where countries undergo a review of their human rights records every four and a half years. At least a dozen organizations told Amnesty international that they would no longer be making submissions to the UN Human Rights Council.

A protest leader shared his assessment of the possibility of the eruption of further mass anti-government protests given that the underlying grievances that led people to the streets in 2019 have not been addressed, and the widespread anger at prevailing climate of impunity for violations committed in the deadly crackdown on *Tishreen*. He said “The people are still out on the streets. At any moment, they can rise again, especially in the summer. We’re seeing this in Al Samawah, Nasriya—these are all signs that they cannot handle the despair. *Tishreen* is expected. I cannot guarantee it will happen again, but as long as despair and the gap between the government and the people persist, *Tishreen* is possible and could occur at any moment.”

Given the wilful inability of the Iraqi authorities to provide accountability and effective remedy to the victims and their families and the failings of the authorities to prevent these targeted attacks, Amnesty International recalls that all states are permitted to exercise universal jurisdiction and, in some cases, when a person suspected of criminal responsibility is found in the territory of a third state, this state is obliged to bring the alleged perpetrator to justice, unless the third state decides to extradite the person concerned to another state or to an international criminal court.

8.2 RECOMMENDATIONS TO THE GOVERNMENT OF IRAQ

- The Fact-Finding Committee established by former Prime Minister Mustafa al-Kadhimi should make public its findings to date, including how many incidents have been investigated and their nature, how the investigations were carried out, and how many individuals were referred to trial based on those investigations. All investigations into human rights violations and crimes under international law must be thorough, independent, impartial and prompt.
- If there is sufficient admissible evidence, judicial authorities must prosecute all those suspected of criminal responsibility in fair trials before ordinary civilian courts. Those criminal proceedings – from investigations, prosecutions and trials – must adhere to international law and standards for due process and fair trials rights. The death penalty should not be imposed as a sentence for those convicted.
- Ensure all criminal investigations investigate the full chain of responsibility including those who may have planned or ordered, not just the persons who perpetrated the actual act of killing, attempted killing or abduction.
- Establish a clear compensation process for those who were injured and/or sustained permanent disabilities in the context of the protests. That process must streamline the process of applying for and receiving compensation, have a clear timeline for processing claims, and develop transparent and impartial criteria for assessing the severity of a person’s injuries and the amount of money they are entitled to.
- Ensure that all forms of reparation are made available to victims, including guarantees of non-repetition. That, by reviewing and reforming laws that may consent or tolerate crimes against humanity or gross human rights violations, and by refraining from enacting new laws that enable such crimes or violations.

¹³² Amnesty International, Iraq: Joint statement: Iraqi authorities must cease chilling crackdown on free speech, 3 March 2023, <https://www.amnesty.org/en/documents/mde14/6511/2023/en/>

¹³³ Interview by voice call with civil society worker, 9 July 2024

- Exercise effective civilian power and oversight over all Iraqi state security forces including those groups within the PMU, and ensure the chain of command and control is clear and operational on all state forces including the PMU.
- Expressly recognize the legitimacy of human rights defenders' work, the role and importance of journalists, and the necessity of being able to ensure safe public places for people to exercise their fundamental freedoms.
- Establish a national consolidated database of enforced disappearances that is up-to-date and provides reliable data on the identity of disappeared persons, sex, gender identity, nationality and ethnic or religious affiliation of the disappeared person, as recommended by the UN Committee on Enforced Disappearances.¹³⁴
- Incorporate into domestic legislation the crime of enforced disappearance by strengthening the current draft law to reflect Iraq's international obligations under the International Convention for the Protection of All Persons from Enforced Disappearance and ensuring its timely adoption.¹³⁵
- Promptly recognize the competence of the Committee on Enforced Disappearances to receive and consider communications from or on behalf of victims or other states parties to the International Convention for the Protection of All Persons from Enforced Disappearance;
- Promptly recognize the competence of the Committee against Torture to receive and consider communications from or on behalf of victims or other states parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Promptly ratify the Rome Statute of the International Criminal Court and the Ljubljana – The Hague Convention on International Cooperation in the Investigation and Prosecution of Genocide, Crimes against Humanity, War Crimes and other International Crimes.

8.3 RECOMMENDATIONS TO THE INTERNATIONAL COMMUNITY

- Initiate criminal investigations under the principle of universal jurisdiction. When a person suspected of criminal responsibility is found in the territory of a third state, this state should bring the alleged perpetrator to justice, unless the third state decides to extradite the person concerned to another state or to an international criminal court or tribunal.

¹³⁴ See, Concluding observations on the additional information submitted by Iraq under Article 29 (4) of the Convention, 1 December 2020, Committee on Enforced Disappearance, CED/C/IRQ/OAI/1*, observation number 5. Iraqi NGOs have also called for a nationwide database to record all enforced disappearances.

¹³⁵ The latest version of the draft law, introduced on 30 June 2019, is now before the Council of Representatives, pending review, see a copy of the law here: menarights.org/sites/default/files/2019-12/IRQ_Draft_EnforcedDisappearanceLaw_tbc_EN.pdf

ANNEX 1

The following letter was received in Arabic and has been translated to English by Amnesty International.

Letter from the Supreme Judicial Council to Amnesty International on 7 August 2024

Greetings,

With reference to your letter dated 7/5/2024, and after referring what was stated therein to the Department of Studies and Research at the presidency of the Judicial Oversight Authority, we would like to clarify:

After circulating the questions contained in your letter above to the presidencies of the Courts of Appeal, the answers were received as follows:

1. The Head of the Baghdad/Al-Rusafa Court of Appeal clarified:
 - The number of cases (under investigation) related to cases of assault on demonstrators, indicating their names and the court and the legal article and charges against them are: (311) martyr (2129) wounded.
 - The number of arrest warrants issued against officers and members of the security services related to cases of assault demonstrators, indicating their names, the court, the legal material, and the charges against them are: (4) Arrest warrants on charges of premeditated murder in accordance with the provisions of Article 405 of the Iraqi Penal Code No. 111 of 1969, and under the authority of the judicial body formed pursuant to Judicial Order No. (178/Q/A) dated 10/23/2019.
 - The number of current detainees are officers and members of the security services related to cases of assault on demonstrators with a statement of their names, positions, court, legal material, and charges against them are: - None.
 - The number of cases referred to the trial court related to cases of assault on demonstrators are: - (3) Cases.

The number of current convicts are officers and members of the security services related to cases of assault on demonstrators with a statement of their names, the court, the legal article, the case number, and the duration of the ruling are: **(3) cases**, as listed below:

[NAMES REDACTED]

- The number of those released among officers and members of the security services related to cases of assault on demonstrators by the trial court, indicating their names, the court, the legal article, the case number, and the duration of the ruling are:
(6) Defendants, as listed below:-

[NAMES REDACTED]

2. The Head of the Maysan Court of Appeal clarified:
 - All complaints related to cases of assault on demonstrators were closed due to the unknown perpetrator by the judicial investigative body specializing in the investigation of accidents, martyrdom, and injuries of demonstrators, security forces, and attacks on the media.
3. The Head of the Babel Court of Appeal clarified:
 - The number of cases (under investigation) related to cases of assault on demonstrators, indicating their names, the court, and the article of the legal cases and the charges against them are: (38).
 - The number of arrest warrants issued against officers and members of the security services related to assault cases against the demonstrators, indicating their names, the court, the legal material, and the charges against them are: (2) arrest warrants on charges of (Assault) in accordance with the provisions of Article 1/413 of the Iraqi Penal Code No. 111 of 1969 and (2) arrest warrants on a charge of (assault) in accordance with the provisions of Article 230 of the Penal Code, and (1) an arrest warrant on the charge of (threat) in accordance with the provisions of Article 432) of the Penal Code.

- The number of current detainees are officers and members of the security services related to cases of assault on demonstrators with a statement of their names, positions, court, legal material, and charges against them are: - None.
- The number of cases referred to the trial court related to cases of assault on demonstrators is: - One case.
- The number of current convicts are officers and members of the security services related to cases of assault on demonstrators indicating their names, the court, the legal article, the case number, and the duration of the ruling are: One

[NAME REDACTED]

- The number of those released are officers and members of the security services related to cases of attacks on demonstrators previously with subject court, indicating their names, the court, the legal article, the case number, and the duration of the ruling are:

[NAMES REDACTED]

4. The Head of the Kirkuk Court of Appeal clarified:
 - There are **3 cases** (under investigation) in accordance with the provisions of Article A/1/406 of the Penal Code, the perpetrators have not been identified yet and no information is available at the present time
5. The Head of the Karbala Court of Appeal clarified:
 - No information is available at the present time regarding the questions, with the exception of the paragraph relating to the number of defendants released, as follows:
The number of those released are officers and members of the security services related to cases of attacks on demonstrators and the subject court, indicating their names, the court, the legal article, the case number, and the duration of the ruling are:-

[NAMES REDACTED]

6. The Head of the Wasit Court of Appeal explained:
 - There are cases that have been closed due to an unknown perpetrator – these are 20 cases, in addition to the lack of any information available at the present time regarding the other questions with the exception of the paragraph relating to the number of cases under investigation, as follows:
 - The number of cases (under investigation) related to cases of assault on demonstrators, indicating their names and the court and the legal material and charges against them are: (10) Cases in accordance with the provisions of Article 332 of the Penal Code under the purview of the special investigative body examining the cases of demonstrations in Wasit Governorate.
7. The Head of the Basra Court of Appeal clarified:
 - No information is available at the present time regarding the questions, with the exception of the paragraphs related to the number of convicts and those released, as follows:
 - The number of current people convicted are officers and members of the security services related to cases of assault on demonstrators with a statement of their names, the court, the legal article, the case number, and the duration of the ruling are: (2) convictions, as listed below:

[NAMES REDACTED]

- The number of those released are officers and members of the security services related to cases of attacks on demonstrators subject court, indicating their names, the court, the legal article, the case number, and the duration of the ruling are: - 3 cases

[NAMES REDACTED]

8. The Head of the Muthanna Court of Appeal clarified:
 - That there were no cases related to assaults on demonstrators at the time except for one case that was registered in the Samawah Investigation Court and is still under investigation in accordance with the provisions of Article 1/413) of the Penal Code No. 111 of 1969, as amended.
9. The Head of the Najaf Appeals Court clarified:
 - The number of cases (under investigation) related to assault cases against the demonstrators, indicating their names, the court, the legal matter, and the charges against them are: (195) cases.
 - The number of arrest warrants issued against officers and members of the security services related to assault cases against the demonstrators, indicating their names, the court, the legal matter, and the charges against them are: - None.
 - The number of those arrested are officers and members of the security services related to cases of assault on demonstrators
With a statement of their names, positions, court, legal material, and charges against them are: - None.
 - The number of cases referred to the trial court related to cases of assault on demonstrators are: - (10) cases.
 - The number of current convicts are officers and members of the security services related to cases of assault on demonstrators with a statement of their names, the court, the legal article, the case number, and the duration of the ruling: none.
 - The number of those released are officers and members of the security services related to cases of attacks on demonstrators previously with the trial court, indicating their names, the court, the legal article, the case number, and the duration of the ruling are: 47 defendants
10. The Head of the Baghdad / Al-Karkh Court of Appeal clarified:
 - There are no cases related to attacks on demonstrators at present, with the exception of one case (under investigation) filed with the Al-Bayaa Investigation Court.
11. The Head of the Dhi Qar Court of Appeal clarified:
 - The number of current convicts are officers and members of the security services related to cases of assault on demonstrators, indicating their names, the court, the legal article, the case number, and the duration of the ruling they are: (1) as listed below

[NAMES REDACTED]
 - The number of those released are officers and members of the security services related to cases of attacks on demonstrators previously the subject court, indicating their names, the court, the legal article, the case number, and the duration of the ruling are: 28
 - Number of cases under investigation: 105
 - Arrest warrants: 1
12. The Presidency of the Al-Qadisiyah Court of Appeal clarified:
 - There are no cases related to attacks on demonstrators at the present time With the exception of (4), cases (under investigation) are filed with the Diwaniyah Investigation Court.

We would also like to point out that the Supreme Judicial Council, according to the directives of the Honorable President of the Supreme Judicial Council, called on the claimants of personal rights for the dead, the injured, missing, and media bodies who were attacked to follow up with investigative bodies that were formed in each of the Iraqi governorates in which demonstrations took place, according to the governorate in which one resides. The Supreme Judicial Council also directed all investigative bodies to release detained demonstrators, considering that the right to protest is a right guaranteed under the provisions of Article (38) of the Iraqi Constitution of 2005, provided that these demonstrations are not accompanied by an act against state institutions or individuals that violates the law. The honorable President of the Supreme Judicial Council

stressed the need for increased attention regarding the cases of demonstrators and their consideration as cases which are important and urgent. In addition, martyrs of the demonstrations have been included in the Foundation of Martyrs Law No. 2 of 2016 and inclusion of the wounded in the Compensation of Victims of War Operations, Military Mistakes and Terrorist Operations No. 57 of 2015 (amended) and the rights and privileges in includes, and the referral of injured demonstors who cannot be treated inside the country abroad for treatment

Please review with appreciation.

The Office of the Head of the Supreme Judicial Council

07/08/2024

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“WE HOLD THEM RESPONSIBLE FOR THE BLOOD OF OUR YOUTH”:

**FIVE YEARS ON, IMPUNITY PREVAILS FOR VIOLATIONS AGAINST *TISHREEN*
PROTESTERS**

On 1 October 2019, mass protests erupted across Iraq, known as the *Tishreen* protests, with hundreds of thousands taking to the streets to demand better job opportunities, improved public services, and an end to government corruption. In response, Iraqi security forces, including anti-riot police, counterterrorism units, and militias under the Popular Mobilization Units, used excessive and unlawful lethal force against mostly peaceful demonstrators, killing hundreds. This violent crackdown was accompanied by a campaign of intimidation, killings and abductions of prominent activists in the protest movement.

On the five-year anniversary of the protests, Amnesty International’s research reveals a shocking pattern of impunity, with only a handful of convictions against individuals responsible for the crimes committed in the context of the *Tishreen* protests. The briefing demonstrates a litany of broken promises by Iraqi authorities to deliver justice, truth and reparation, and urges the authorities to fully and effectively investigate these human rights violations and crimes under international law, make the findings public and provide accountability and effective remedy to the victims and their families.