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New cases have emerged of Kurdistan Regional Government (KRG) authorities detaining men and boys fleeing Mosul on suspicion of affiliation with the Islamic State (also known as [ISIS](#)), Human Rights Watch said today.

Family members reported that after Kurdish authorities took their relatives into custody, the families had no contact with the detainees for as long as four months, that authorities would not tell the families where their relatives were, and that the families had no means to challenge their relatives' detention.

"The security risks the KRG faces from ISIS are significant, but completely cutting off detained Mosul men and boys from their families does nothing to enhance security," said [Priyanka Motaparthi](#), senior emergencies researcher at Human Rights Watch. "At a minimum, the KRG should inform families of where their relatives are being held and allow them to communicate."

Human Rights Watch interviewed the relatives of three men and two boys, from four families, taken into custody at the Khazir and Nargizlia displacement camps between January and April 2017. Each detainee passed through multiple screening points between Mosul and KRG-held territory, their relatives said. While two were detained when entering camps for displaced people, three were detained after they had passed Kurdish security agencies' clearance process to enter the camps. They had been in the camps for a week or more, raising questions about why authorities chose to detain them at that point.

One of those detained is a 16-year-old boy whose family fled Mosul fearing for his safety after ISIS detained the boy twice for selling cigarettes.

None of the families had any contact with their relatives after they were taken, despite repeated requests for information in most cases, nor would the authorities provide reliable information about their location. The failure to provide families with information about the status and

whereabouts of their relatives may make these detentions enforced disappearances, which violate international human rights law and can be international crimes, Human Rights Watch said.

Between 2014, when people fleeing ISIS began arriving, and late January 2017, KRG forces detained over 900 displaced men and boys from five camps and from Erbil, based on reports from people working in the camps, local communities, and camp residents. Human Rights Watch was unable to verify how many are still being detained, whether any were allowed to communicate with their family members, and whether any of their families were informed of their whereabouts.

Human Rights Watch has previously documented 85 other cases in which [relatives of terrorism suspects](#) said they were [in the dark](#) about the [fate and whereabouts](#) of relatives detained by KRG or Iraqi forces from camps and local communities. Detainees had been held for as long as four months, at the time their families were interviewed, without any communication with or updates for family members.

Human Rights Watch also previously documented KRG authorities' abuse of detainees, [including 17 children who said KRG forces tortured or otherwise abused them in detention](#), denied them contact with their families, and denied them access to legal counsel. Detainees' lack of contact with relatives, as well as past incidents of ill treatment, heightens the risk of abuse.

Iraqi Security Forces (ISF), as well as the Popular Mobilization Forces (known as the PMF or Hashd al-Sha'abi), [have also detained men and boys fleeing Mosul](#) on suspicion of ISIS affiliation, in some cases beating or torturing them. On June 1, the Iraqi Ministry of Interior announced that future detentions could only be conducted in line with the Iraqi Criminal Procedure Code, which requires an arrest warrant based on allegations of a specific crime of an individual. The warrant should include more detailed information than simply their first and last name, signed and stamped by a court, before authorities may proceed with detention. This is an important administrative check which could help curb arbitrary arrests by central government authorities. Those detained by Iraqi forces may also be eligible for amnesty under an August 2016 law offering amnesty to anyone who can demonstrate they joined ISIS or another extremist group against their will, and did not commit any serious offense while a member.

By contrast, KRG authorities have neither introduced such checks on investigative detention, nor passed a similar amnesty provision, as far as Human Rights Watch is aware. In October 2016, Human Rights Watch contacted Dr. Dindar Zebari, chairman of the KRG's High Committee to Evaluate International Organizations' Reports, raising the issue of the detention of men and boys from camps, as well as the failure to inform families about their whereabouts. Zebari [responded that people coming from ISIS-held territory](#) are subjected to additional screening "based on the intelligence agencies, national security agencies, and the local security agencies in the area." He said that those who "prove to be a security risk" are detained for 24 hours, then transferred to "special courts that determine whether or not [they] prove to be a risk to the Kurdistan region."

None of the families interviewed had been informed of legal proceedings against their relatives. Without this information, or the ability to communicate with their family members, they had no opportunity to arrange legal counsel or to know whether their relative had an opportunity to challenge their detention, as required under international law. Zebari said that while KRG authorities are committed to informing families about the process and status of a relative's detention, "lack of personnel and financial resources" make it difficult. However, the families' experiences did not indicate such a commitment. One woman said that when she asked officers from the Asayish, the KRG security forces, at the gates of Khazir camps about her son 18 days after security forces detained him at the camp, an officer told her: "If he's done nothing, he'll come back. If he has something [indicating he is a security risk], he won't."

Other families said they received similar responses, or were only told that their relatives were under investigation and were given no information about how to pursue their inquiry. In one case, a woman said an Asayish officer told her that her husband was being held at the Zarqa detention facility, on the outskirts of Dohuk, but she could not verify the information because Asayish refused her request to visit, and provided no means to communicate with him.

KRG authorities should make efforts to inform family members, either directly or indirectly via local police or camp management, about detainees' locations and procedures to communicate with and visit them. The authorities should make public the number of fighters and civilians detained, including at checkpoints, screening sites, and camps during the conflict with ISIS, and the legal basis for their detention, including the charges against them. Human Rights Watch has [previously documented the unclear, or in some cases invalid, legal basis](#) for terrorism related detentions in the KRG region.

The authorities should release all children who have not yet been formally charged, as international law allows authorities to detain children before trial only as a last resort and for the shortest appropriate period of time, and only if they have formally charged the child with committing a crime. Authorities should ensure that children detained solely for suspected ISIS affiliation are rehabilitated and reintegrated. KRG authorities should ensure prompt independent judicial review of detention and allow detainees to have access to lawyers and medical care and to communicate with their families.

"The dismissive responses families received do nothing to fulfill the KRG's obligation to provide them with information about their loved ones," Motaparthi said. "When authorities are keeping men and boys in detention for months, they need to provide at least the basic details to families who are desperate for any news."

New Detention Cases

In one case, a man from the Nabi Younes neighborhood of east Mosul told Human Rights Watch that Asayish officials detained his 16-year-old son five days after the family arrived in Khazir camp, in early January 2017, and had held him for four months. ISIS had detained his son twice in Nabi Younes, after catching him selling cigarettes to support the family, the father said. After his second detention, the family fled the neighborhood.

When Iraqi Security Forces reached the village of Gogjali, two kilometers east of Mosul's eastern border, the family escaped ISIS-controlled territory and fled toward the Iraqi forces. The Iraqi Rapid Response Force checked their IDs, then directed them to al-Hamdaniya district, southeast of Mosul, where Iraqi authorities checked their IDs again.

When they arrived at Khazir camp, in the Kurdistan Region of Iraq, they left their IDs at the entrance gate, as the camp authorities require. Five days later, the man said, an Asayish officer came to their sector of the camp, asked for the boy by name, and took him into custody. He said he has received no news of his son since, despite repeated inquiries to the Asayish forces guarding the camp, and after reporting the case to the International Committee of the Red Cross (ICRC).

In a second case, a man in his 20s from al-Tanak neighborhood of west Mosul said Asayish officers detained his adult brother, "Ahmed" (a pseudonym), when the family arrived at Khazir camp in late March. Their mother, whom Human Rights Watch also interviewed, said that in Mosul she had held the ID cards for each member of her family and distributed them on the morning the family fled, but that Ahmed had stepped out to pray and she forgot to pass his ID on to him. The mother said that the family was separated while fleeing, and ISIS fighters had temporarily stopped her from leaving, but that Ahmed and two of his brothers managed to escape.

Outside Mosul, Popular Mobilization Forces (known as the PMF or Hashd al-Sha'abi), Shia armed forces allied with the Iraqi government, stopped Ahmed and his brothers to check their IDs but allowed them to pass. When Ahmed told them he did not have his ID card, they said, "Don't worry, we won't send you back to ISIS," his brother said. He said that all three of them passed through security screening at Hammam al-Alil camp, where Iraqi authorities brought displaced people from west Mosul before sending them to other camps. But when they arrived at the KRG-controlled Khazir camp, and Ahmed informed the Asayish he did not have his ID card, they told him to wait by the outer fence. His brother said they saw him wait for 15 minutes there, then officers put him in a car and took him away.

The brother said he made repeated inquiries about Ahmed, but received no information from Asayish officers guarding the camp. When their mother arrived 18 days later, she brought Ahmed's ID card and asked the officers about his whereabouts, she said. But the authorities provided no information other than to confirm he was in custody. "They said, 'Just go, he's being held. If he's done nothing, he'll come back. If he has something [indicating he is a security risk], he won't,'" she said.

In a third case, in mid-April, a woman said that her husband, a Kurdish man in his 30s, was detained at the gate of Nargizlia camp, near the village of Sheikhan in the Kurdistan Region of Iraq, after arriving at the camp in his car with his wife and children. When they arrived, an Asayish officer asked him, "You are a Kurd, so why did you stay in Mosul until now?" his wife said. The officer directed her and her children to take buses into the camp, and said her husband would follow by car. When he did not arrive, the wife said she returned to the gate to ask the Asayish officers about his whereabouts and that they informed her they were investigating him.

When she returned a few days later, she said, an officer told her, "You all stayed in a prison for three years. So why don't you let him stay in prison one year with us?" He informed her that her husband was being held at a detention facility in Zarqa, but despite her requests, she said camp authorities denied her permission to visit, since he remained under investigation. She had not been able to speak with her husband since his detention, and could not confirm his whereabouts through any official means. The family also tried to reach him, or secure his release, through their contacts in the Peshmerga, which is the KRG's military force, and Asayish, but the contacts could only confirm that he remained under investigation, she said.

In the fourth case, two brothers, one 24 and the other a 17-year-old boy, were arrested in the Khazir camp one to two weeks after their arrival. Their older brother, who traveled with them, said that he, his brothers, and his wife and children escaped west Mosul with a group of 150 to 200 families. His wife and children were separated from the group, and ISIS fighters prevented them from leaving, he said.

He and his brothers reached Kwar, where the PMF checked their IDs and allowed them to continue. A masked informant, who was apparently there to identify ISIS supporters from the area, also cleared them to pass, he said. They then went to Hammam al-Alil, where Iraqi security officers screened them once more, checking their names in a computer database, the brother said. Again, masked informants screened them here.

They went to a relative's house in east Mosul, under Iraqi Security Force control, to rest for a few days, then took a taxi to Khazir camp. The camp security allowed the brothers to enter, but about a week later, Asayish officers came and took "Hassan," the 24-year-old brother, from their tent. "They came and asked, 'which one is [Hassan],' and took him," the oldest brother said. "They said nothing will happen to him, and they didn't hit or handcuff him." About eight days later, he said a single Asayish officer returned and took the 17-year-old brother. The family had not asked camp

authorities about the brothers' whereabouts, because they heard from other families that they would not receive any information, the oldest brother said.

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