overturned the sentence. He remained in prison awaiting a retrial.

The family of Hamid Ghasemi-Shall, a dual Canadian-Iranian national, was told in April that his execution was imminent, though he remained on death row at the end of the year. He was held in solitary confinement for 18 months without access to a lawyer and sentenced to death in December 2008 after an unfair trial in which he was accused of “enmity against God”, “espionage” and “co-operation with an illegal opposition group”.

Three members of the Kurdish minority were executed on 20 September in Oroumieh’s Central Prison for their political activities.

The authorities suspended the death sentence imposed on Canadian resident Saeed Malekpour for “insulting and desecrating Islam” after software he had devised for uploading photographs online was used by others, without his knowledge, to post pornographic images. Saeed Malekpour had been held since his October 2008 arrest; his torture allegations have never been investigated.

Amnesty International visits/reports

Amnesty International has not been permitted to visit Iran to undertake human rights research since 1979. The authorities rarely responded to communications from the organization.

“We are ordered to crush you”: Expanding repression of dissent in Iran (MDE 13/002/2012)

IRAQ

REPUBLIC OF IRAQ
Head of state: Jalal Talabani
Head of government: Nuri al-Maliki

Thousands of people were detained; hundreds were sentenced to death or prison terms, many after unfair trials and on terrorism-related charges. Torture and other ill-treatment of detainees remained rife and were committed with impunity. Hundreds of prisoners were on death row. At least 129 people were executed, including at least three women. Armed groups opposed to the government continued to commit gross human rights abuses, killing hundreds of civilians in suicide and other bomb attacks. Harassment, intimidation and violence against journalists and media workers continued to be reported. Over 67,000 refugees from Syria sought safety in Iraq.

Background

The political stalemate in parliament continued to stifle the legislative progress, preventing, among other things, the adoption of an amnesty law. Political tensions were exacerbated by the arrest of scores of people associated with Vice-President Tareq al-Hashemi, who fled from Baghdad after he was accused of organizing death squads. In December 2011 Iraqi television broadcast “confessions” by detainees reported to have worked for him as bodyguards, who said they had been paid by the Vice-President to commit killings. The Vice-President evaded capture but was charged, tried and sentenced to death in his absence in September, together with his son-in-law, Ahmad Qahtan, in connection with the murder of a woman lawyer and government official. They received further death sentences in their absence in November and December following further trials.

Relations between the Baghdad authorities and the Kurdistan Regional Government (KRG) remained fraught due to differences over the distribution of oil revenues and the continuing dispute over internal boundaries.

Young people, particularly those seen locally as nonconformists, were subject to a campaign of intimidation after flyers and signs targeting them appeared in the Baghdad neighbourhoods of Sadr City, al-Habubiya and Hay al-‘Amal in February. Those targeted included youths suspected of homosexual conduct and those seen as pursuing an alternative lifestyle because of their distinctive hairstyles, clothes or musical tastes.

In March, the League of Arab States held its summit meeting in Baghdad for the first time since the overthrow of Saddam Hussein in 2003. Prior to the meeting, the security forces carried out mass arrests in Baghdad, apparently as a “preventive” measure.

In April, parliament approved the establishment of an Independent High Commission for Human Rights. In December, tens of thousands of mostly Sunni Iraqis began holding peaceful daily anti-government
protests against the abuse of detainees. The unrest was triggered by the detention of several bodyguards of Finance Minister Rafi‘e al-Issawi, a senior Sunni political leader, and by allegations of sexual and other abuse of women detainees. Parliamentary committees delegated to examine these allegations reached conflicting conclusions.

**Abuses by armed groups**

Armed groups opposed to the government continued to commit gross human rights abuses, including indiscriminate killings of civilians.

- On 5 January, at least 55 civilians, including Shi‘a pilgrims making their way to Karbala, were killed and dozens injured in suicide bombings and other attacks. The attacks targeted predominantly Shi‘a districts in Baghdad, including Sadr City and Khadimiya, and a police checkpoint near al-Nassiriya where pilgrims were waiting to travel south.

- At least 100 people, both civilians and members of the security forces, were killed on 23 July in a wave of bomb attacks and shootings in Baghdad and other cities, including Kirkuk and Taji.

- At least 81 people, including many civilians, were killed on 9 September in a wave of co-ordinated bomb attacks in Baghdad, Baquba, Samarra, Basra and other cities.

**Torture and other ill-treatment**

Torture and other ill-treatment were common and widespread in prisons and detention centres, particularly those controlled by the Ministries of the Interior and Defence, and were committed with impunity. Methods included suspension by the limbs for long periods, beatings with cables and hosepipes, the infliction of electric shocks, breaking of limbs, partial asphyxiation with plastic bags, and sexual abuse including threats of rape. Torture was used to extract information from detainees and “confessions” that could be used as evidence against them at trial.

- Nabhan ‘Adel Hamid, Mu‘ad Muhammad ‘Abed, ‘Amer Ahmad Kassar and Shakir Mahmoud ‘Anad were arrested in Ramadi and Fallujah at the end of March/early April. They were reported to have been tortured while held incommunicado for several weeks at the Directorate of Counter-Crime in Ramadi. Their “confessions” were then broadcast on local television. When brought to trial, they told the Anbar Criminal Court that they had been forced under torture to “confess” to assisting in murder. Witness testimony of fellow detainees supported their torture allegations. A medical examination of one defendant recorded burns and injuries consistent with torture. Despite this, all four men were sentenced to death on 3 December. No independent investigation into their torture allegations was known to have been held.

**Deaths in custody**

Several detainees died in custody in circumstances suggesting that torture or other ill-treatment caused or contributed to their deaths.

- ‘Amer Sarbut Zaidan al-Battawi, a former bodyguard of Vice-President al-Hashemi, died in detention in March. His family alleged that marks on his body had been caused by torture. Authorities denied that his death was caused by torture and announced further investigations.

- Samir Naji ‘Awda al-Bilawi, a pharmacist, and his 13-year-old son, Mundhir, were detained by security forces at a vehicle checkpoint in Ramadi in September. Three days later, his family learned that Samir Naji ‘Awda al-Bilawi had died in custody. Images they released to Iraqi media showed injuries to his head and both hands. Following his release, Mundhir said he and his father had been assaulted at a police station then taken to the Directorate of Counter-Crime in Ramadi and tortured, including with electric shocks. He said he was ordered to tell an investigating judge that his father was connected to a terrorist organization. Lawyers for the family were allowed to read but not copy an official autopsy report that reportedly said Samir Naji ‘Awda al-Bilawi’s death was due to torture, including electric shocks. No action was known to have been taken against those responsible by the end of the year.

**Counter-terror and security**

The authorities arrested and detained hundreds of people on terrorism charges for their alleged participation in bomb and other attacks on security forces and civilians. Many alleged that they were tortured or otherwise ill-treated in pre-trial detention and were convicted and sentenced after unfair trials. In some cases, the authorities allowed Iraqi television stations to broadcast footage of detainees making self-incriminating statements before they were brought to trial, gravely prejudicing their right to a fair trial. Some were subsequently sentenced to death. The Ministry of Interior paraded detainees before press conferences at which they “confessed”. The
Ministry also regularly uploaded detainees’ “confessions” on its YouTube channel.

In late May, the Ministry of Interior paraded at least 16 detainees accused of belonging to an armed group linked to al-Qa’ida at a press conference and gave television stations recordings of some of them making self-incriminating statements. At the press conference, one of the detainees, Baghdad Provincial Council member Laith Mustafa al-Dulaimi, protested and shouted out that he and others had been abused.

Ramzi Shihab Ahmad, a 70-year-old with joint Iraqi and British nationality, was sentenced to 15 years’ imprisonment on 20 June by the Resafa Criminal Court for helping to fund terrorist groups and issuing religious fatwas. The court accepted his “confession” made in pre-trial detention as evidence, despite strong indications that it was obtained through torture.

Death penalty
As in previous years, many, possibly hundreds, of people were sentenced to death, swelling the number of prisoners on death row. Most were convicted on terrorism-related charges. Ramadi’s Tasfirat Prison held 33 prisoners sentenced to death during the first half of the year, 27 of whom had been convicted on terrorism charges. Trials consistently failed to meet international standards of fairness; many defendants alleged that they were tortured during interrogation in pre-trial detention and forced to “confess”.

Muhammad Hussain and Sohail Akram, two associates of Vice-President al-Hashemi, were sentenced to death in October after the Central Criminal Court convicted them of murdering security officers.

At least 129 prisoners were executed, more than in any year since executions resumed in 2005. The authorities sometimes carried out multiple executions; 34 prisoners were executed in one day in January and 21 prisoners, including three women, were executed in one day in August. In September at least 18 women were reported to be on death row in a prison in the al-Kadhemiya district of Baghdad.

Abd Hamid Mahmoud, formerly Saddam Hussein’s presidential secretary and bodyguard, was executed in June. He was sentenced to death in October 2010 by the Supreme Iraqi Criminal Tribunal.

Refugees and asylum-seekers
The process of gradually relocating some 3,200 Iranian political exiles from Camp New Iraq (formerly “Camp Ashraf”) to Hurriya Transit Center (“Camp Liberty”), north-east of Baghdad, began in February and was nearly completed at the end of the year. They were long-term residents of Iraq and most were members or supporters of the People’s Mojahedin Organization of Iran. They accused Iraqi security forces of attacking some of them while they were being relocated and criticized living conditions at Camp Liberty. In July, UNHCR, the UN refugee agency, publicly urged the international community to offer resettlement places or other forms of humanitarian admission to the residents of Camp Liberty.

The worsening conflict in neighbouring Syria impacted heavily on Iraq. Over 67,000 refugees from Syria crossed into Iraq, mostly after 18 July, and mostly entering the Kurdistan Region. Thousands of Iraqi refugees returned from Syria. In October, the Iraqi authorities violated international law by closing al-Qaem border crossing to refugees fleeing Syria, except in emergency cases. Following an earlier closure in August, restricted access had been allowed.

Kurdistan region of Iraq
Tension between the KRG and the central government in Baghdad remained high. In June, Kurdistan’s parliament adopted a general amnesty law applicable to the Kurdistan region. The amnesty law excluded prisoners convicted of “honour” killings, rape, terrorism and drug trafficking crimes.

The KRG authorities continued to target some who spoke out against official corruption or expressed dissent. Incidents of torture or other ill-treatment continued to be reported.

Hussein Hama Ali Tawfiq, a businessman, was arrested on 27 March. He was taken to General Security (Asayish) in Suleimaniya where he was reportedly blindfolded, punched and beaten with an object while his hands were cuffed diagonally across his back. He was told to testify against others in a corruption case but refused. He was then charged with bribery and remained in detention until his acquittal in November. No investigations into his torture allegations were known to have been conducted.

Amnesty International visits/reports
Amnesty International delegates visited Iraq in September.
Iraqi women held without charge (MDE 14/003/2012)
Conditions in a young offender institution were heavily criticized. Calls were renewed to regulate access to legal abortion. Legislation criminalizing female genital mutilation was enacted.

Prison conditions
In August, a new system for the investigation of serious complaints from prisoners by external investigators with an appeal to the Inspector of Prisons and Places of Detention, was announced. The government promised its eventual extension to other less serious complaints. However, this reform remained short of the independent complaints mechanism recommended by the UN Committee against Torture in 2011.

A report by the Inspector of Prisons on St Patrick’s Institution for Young Offenders, published in October, described ill-treatment, intimidation and harsh punishment of the young men and boys detained there. It also identified inadequate provision of education and health care. Following the report, the government announced reforms within the facility – including improved training for prison officers – and the investigation of some staff. Earlier in the year, the placement of 16-year-olds in St Patrick’s ended, although there remained concerns that 17-year-olds would continue to be placed there until a new children’s detention facility becomes available in 2014.

Right to health
The government began a review of conformity with international human rights standards of the 2001 Mental Health Act. The Act primarily governs the circumstances in which a person may be involuntarily admitted to, detained and treated in a hospital.

In October, a 31-year-old woman died in hospital of septicaemia in circumstances where it was alleged that she was denied a potentially life-saving abortion. Her case highlighted the lack of clarity in legislation and regulations regarding women’s right to access abortion where their life is at risk.

Violence against women and girls
At the end of the year, the government had still not established an independent investigation into allegations of ill-treatment of women and girls placed in religious-run institutions, known as the Magdalene Laundries, as recommended by the UN Committee against Torture. An inter-departmental committee established by the government in 2011 to “clarify any State interaction with the Magdalene Laundries” had also not issued its report.

In April, the Criminal Justice (Female Genital Mutilation) Act was enacted, criminalizing female genital mutilation (FGM). It also criminalized the removal of a girl from the country to undergo FGM, and provides protection for victims during legal proceedings.

Police and security forces
In October, the Oireachtas (parliament) approved an extension to the Smithwick Tribunal by a further nine months to end-July 2013. The Tribunal was examining allegations that members of An Garda Síochána (the police) colluded in the 1989 Provisional Irish Republican Army killing of two Royal Ulster Constabulary police officers in Northern Ireland.

Legal, constitutional or institutional developments
Ireland signed the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights in March.

A government-appointed Constitutional Convention was established in July to examine elements of the Irish Constitution (Bunreacht na hÉireann), including in the areas of marriage equality for same-sex couples, women’s equality and blasphemy. The Convention did not expressly include an examination of the Constitution’s incorporation of human rights, and of economic, social and cultural rights.