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To Sleep the Law

Violence Against Protesters and Unaccountable Perpetrators in Iraq



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Unaccountable Perpetrators in Iraq

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To Sleep the Law

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Summary

Iraq's outgoing prime minister, Mustafa al-Kadhimi, owed his premiership to a revolutionary movement and moment. The hundreds of thousands of protesters who took to the streets in central and southern Iraq at the beginning of October 2019 demanded not just the fall of the then-government, but of the entire political system that was constructed after the US- and UK-led invasion of the country in 2003. This nearly twenty-year-old order, most demonstrators believed, was the source of persistently poor public services, meager economic opportunity, and overall bleak futures, predominantly among the country's youth who make up more than 50 percent of Iraq's population.

Security forces responded to the protests with vicious and unrelenting violence. According to the UN, nearly 500 protesters were killed and thousands more injured in just the first few weeks of the uprising. The culprits were an array of Iraqi state security forces, including federal police and military, as well as armed groups that help make up the Popular Mobilization Forces (*al-hashd al-sha'bi*), a collection of some 60 distinct entities guided by varying political agendas.

The steadfastness of the protesters, however, left little room for the government of then-prime minister, Adel Abdul Mehdi, to remain. Iraqi state security forces were killing the very people they were meant to protect, and protesters deemed the prime minister – in his role as head of the Iraqi armed forces and the lethal armed response he was ostensibly authorizing – one of the most responsible for the violence. Eight weeks after the protests began, Abdul Mehdi resigned – **the first time in Iraq's contemporary history a popular uprising felled a government.**

A collection of political parties and leaders selected Mustafa al-Kadhimi as a consensus candidate to form a new government in the spring of 2020. One of the most prominent and promising commitments **al-Kadhimi made as Iraq's new prime minister was a pledge to seek accountability for the violence against protesters.** He publicly proclaimed that those who **"spilled Iraqi blood" would not escape justice.** However, **two and a half years since these pronouncements, legal accountability for such perpetrators has remained elusive.**

This report takes stock of progress made towards accountability for the killing and injuring of protesters and activists committed during, and in the wake of, the 2019-2020 uprising across central and southern Iraq. The report considers two aspects of supposed accountability efforts by the Iraqi government: legal justice for perpetrators of violence, and financial compensation for victims of violence and their families. This report highlights the details of specific cases of violence against protesters – some prominent, others far less so. Evidence from victims and their families suggests that despite initial interest among Iraqi authorities in determining the facts of incidents and crimes, in particular the assassinations of activists, there is little to no follow-up by police or the judiciary to achieve **accountability within Iraq’s legal system.**

While legal accountability efforts have been woefully inadequate, Iraqi authorities have succeeded in doling out financial compensation for the families of protesters killed during demonstrations, and those assassinated in targeted operations by armed groups. For **example, according to the Iraqi government and the UN’s Office of the High Commission for Human Rights in Baghdad**, more than 500 families who had relatives killed because of their participation in protest activity have received 10 million Iraqi dinar (US\$6,850) as a **one-off compensation payment from Iraq’s Martyrs Foundation.** Most of these families also receive monthly payments from the National Pension Directorate.

However, financial compensation for those injured during protests or in assassination attempts has been slower to materialize. The Iraqi government previously insisted it would compensate the injured – including by sending citizens abroad for medical treatment should the seriousness of their injuries warrant it, and at no financial cost to the patients. But the Iraqi government did not establish a formal, clear mechanism for those injured, some severely, to attain compensation. For those injured who have received compensation, some cases languished for more than two years before any financial redress was provided, and only after lawyers were hired to help fast-track claims but at great financial cost to the injured. Recent reports also indicate at least some of the injured who have succeeded in traveling abroad for medical treatment have not actually received **adequate treatment, in part because Iraq’s Ministry of Health sent some patients to medical care facilities that were unequipped to treat the specific injuries.**

In addition to a background section that offers context for this research, the findings of this report are presented across two sections and as a series of cases and individuals

directly impacted by the violence. The report examines five incidents of killings or attempted killings against protesters, including: the killings of four activists, two of whom are women, an attempted assassination of an activist leading to injury, and the kidnapping and disappearance of an activist who remains missing. The report also examines the cases of four people injured following violence by security forces and state-affiliated armed groups who sought compensation for their injuries.

This case-specific approach is intended to facilitate a reading of the particularities faced by victims and their families; at the same time, individual experiences among activists and their relatives also point to patterns across cases. In other words, the specificities of discrete cases help reveal commonalities across them and in turn shed light on the ways accountability for violence against protesters is hardly ever meted out in Iraq.

Part of the reason why legal accountability for this violence goes virtually nowhere is that state security actors are themselves implicated in the very incidents they should be investigating. For example, both family members of those killed and injured survivors of attempted assassinations interviewed pointed to the fact that ubiquitous security checkpoints – operated by state security personnel across different cities – have done little to stop assassins from moving through districts and urban quarters to carry out assassinations. In some cases of assassinations and attempted assassinations, interviewees insisted that longstanding checkpoints mysteriously disappeared in the vicinity of, and shortly before, assassination operations on activists. Family members seeking legal accountability are thus not surprised that the **legal cases they file are “put to sleep”** (*nayyamoha*), as some interviewees stated, for any serious investigation would likely implicate the very people and institutions from whom they are demanding justice.

Another common finding across cases is that Iraqi authorities often seem quick to act in the immediate aftermath of attacks on activists and protesters, including in cases of targeted assassination. Police take statements from family members often on the same day a killing has occurred, and investigative judges tasked with examining the specifics of a crime in many cases interview and take testimony from family members within days of the incident. But soon after, the cases languish. Iraqi authorities hardly ever follow up or offer any sort of update on investigations to families.

Iraqi authorities have not entirely ignored the individuals and families directly impacted by violence against activists and protesters. Where legal justice has rarely been achieved in both high-profile cases and those far-lesser-known, Iraqi authorities have used financial compensation as a form of redress for families who have had relatives killed in connection with protests. But this process, commendable for offering some restitution, has fallen far short of assisting thousands of injured protesters.

The process for attaining compensation, more broadly, is cumbersome, bureaucratic, and hardly clear to those who would qualify. The required approvals for compensation are spread across no less than six different ministries and public institutions. The **Prime Minister's Office (PMO) has a direct hand in advancing and approving compensation** payments for families who have had members killed, an interest at the highest levels of the Iraqi government that should also be commended.

But merely advancing financial compensation for the families of those killed does not go far enough in achieving accountability for violence permitted, facilitated, or directed by Iraqi state security personnel. By some estimates, more than 27,000 protesters were injured as a direct result of their participation in protests and demonstrations. If financial compensation remains a central tool of redress for the violence, it should also be adequately, efficiently, and effectively offered to those who live with all manner of injuries and scars brought about at the hands of state security personnel.

More broadly, while financial compensation can be an important form of redress, it does little to address structural challenges embedded in Iraqi public institutions. This is why many families who are entitled to financial compensation, including families who had members killed, have rejected seeking compensation for their loss. Rather, they demand only legal justice and accountability for the perpetrators of the violence that killed their loved ones.

Legal justice and accountability, among the main demands of the protest movement that brought down a government in November 2019, are central to the long-term sustainability **of Iraq's political order. This is why the activists and demonstrators** who sought to participate in the federal elections in October 2021 – instead of rejecting them outright, as some segments of the protest movement did – made accountability a central plank of their electoral platforms. To many of **these activists who demanded an overhaul of the country's**

political order, achieving accountability for the killing and maiming of peaceful protestors would be, in Iraq, nothing short of revolutionary.

Recommendations

To the **Prime Minister's Office**

- The Fact-Finding Committee established by former Prime Minister Mustafa al-Kadhimi should publicly release findings from its investigations into violence against protesters. These findings should include details of investigations while protecting the right to privacy of victims and families, should they choose to exercise that right. The findings should include details of how the investigations were carried out, the number and nature of cases examined, and what accountability for crimes was achieved, if any.
- To the extent the Fact-Finding Committee determines that state security personnel and state-affiliated armed groups were responsible for the killings of protesters, call on judicial actors to hold identified perpetrators to account, including by referring security personnel and members of implicated armed groups – including those within the Popular Mobilization Forces – to Iraqi courts for criminal prosecution.
- Urge judicial authorities through the Higher Judicial Council to publicly release information about the status of any criminal investigations into violence against protesters and ensure consistent access to any trials of accused perpetrators.
- Guarantee the legal, structural, and actual independence of the criminal justice system, ensuring that the judiciary is fully independent, that decisions about individual cases are free from any interference or pressure from ministers, and that the role of central government is to protect and guarantee the independence of the justice system, including from attempts of outside intimidation towards prosecutions and trials.
- Establish and publish a clear and concise compensation and medical care policy for victims of violence related to political protests, and their families. This policy should consist of straightforward steps that minimize bureaucratic hurdles to attaining compensation, including limiting the number of agencies and ministries whose involvement is required. This policy should also include a reasonable timeline for processing claims and receiving compensation.
- Establish an effective mechanism within the Ministry of Health to adequately identify medical treatment facilities, including outside Iraq, where Iraqi citizens

can receive treatment for their injuries, with all costs covered by the Iraqi government.

Methodology

This report is based on interviews carried out by Human Rights Watch researchers during two research trips to Iraq in March and April 2022. The researchers interviewed 15 men and 10 women in person in Baghdad, Basra, Nasriya, Suleimaniya, and Erbil.

The interviewees included protesters who were targeted and injured in assassination attempts or injured while participating in mass protests, as well as family members of injured, killed, and kidnapped protesters. A further six interviews were carried out over the phone with activists now living outside Iraq, forced to flee due to threats to themselves or their families.

Most interviewees gave permission to use their real names. Pseudonyms are used in some instances, as indicated in the report. All interviews were conducted in Arabic.

Researchers informed all interviewees about the purpose and voluntary nature of the interviews and the ways in which Human Rights Watch would use the information, and obtained informed consent from all interviewees, who understood they would receive no compensation for their participation in this research.

Human Rights Watch also spoke with and interviewed representatives from local non-governmental organizations and international non-governmental organizations involved in issues of accountability for violence against protesters.

This report also builds on extensive research Human Rights Watch has carried out on violence against protesters in Iraq between 2019 and 2021.

Human Rights Watch sent a letter to the former Iraqi government headed by Prime Minister Mustafa al-Kadhimi on March 31, 2022, outlining the preliminary findings of our research **and requesting responses to questions about the government's accountability efforts to address violence against protesters, as well as questions about the government's financial** compensation policies for the victims of violence and their families. The Iraqi government did not provide an official written response to the letter but rather, through an interview

with a senior government adviser, offered information about the government's efforts (such as the number of families who have received compensation). That information is included and reflected in the report.

Background

Uprising, Violence, and Unaccountability

In the fall of 2019, Iraqis in central and southern Iraq took to the streets in the hundreds of thousands calling for the downfall of the political system under which they had been governed for the better part of two decades. The protests began on October 1 and continued for eight days, and then resumed on October 25 and continued for months. The spread of the uprising and the steadfastness of the protesters forced then-prime minister Adel Abdul Mehdi to **resign, a first in Iraq's** contemporary history, and a key demand of the demonstrators at the time.¹

Protesters demanded Abdul Mehdi's resignation in part because of the violent response to the protest movement that his government oversaw and for which protesters deemed his government responsible.² State security personnel and armed groups formally tied to and supported by public institutions deployed to quash the uprising. Between October 2019 and April 2020, these forces killed at least 487 demonstrators during protests across central and southern Iraq.³ As Human Rights Watch documented at the time, unidentified armed forces and state security forces seemingly worked in cooperation to kill protesters.⁴

Protesters continued to fill the streets even **after the resignation of Abdul Mehdi's** government. In their list of demands, demonstrators implicated not only the ruling government as the cause of their plight but rather the entire ethnosectarian political system that was established during, and facilitated by, the US and UK occupation of Iraq

¹ "Iraqi PM Abdul Mahdi submits resignation to parliament," *Al Jazeera*, December 1, 2019, <https://www.aljazeera.com/news/2019/12/1/iraqi-pm-abdul-mahdi-submits-resignation-to-parliament> (accessed September 9, 2022).

² In April 2021, injured protesters and some families of slain demonstrators launched a lawsuit in a French court accusing Abdul Mehdi of overseeing the violent **killings and injuries of peaceful protesters**. Alex MacDonald, "Iraq: Activists hopeful in French legal case against former PM Abdul Mahdi," *Middle East Eye*, April 9, 2021, <https://www.middleeasteye.net/news/iraq-france-abdul-mahdi-former-pm-legal-case-activists-hopeful> (accessed September 9, 2022).

³ OHCHR, "Human Rights Violations and Abuses in the Context of Demonstrations in Iraq October 2019 to April 2020," United Nations Assistance Mission for Iraq, August 2020, p. 6, <https://www.ohchr.org/sites/default/files/Documents/Countries/IQ/Demonstrations-Iraq-UNAMI-OHCHR-report.pdf> (accessed September 9, 2022).

⁴ "Iraq: State Appears Complicit in Massacre of Protesters," Human Rights Watch news release, December 16, 2019, <https://www.hrw.org/news/2019/12/16/iraq-state-appears-complicit-massacre-protesters>.

after 2003.⁵ This system, demonstrators insisted, was the cause of structural problems across Iraq, such as poor public services, including electricity and clean water, and a lack of jobs and economic opportunity, especially among a growing youth population, or “Generation 2000” coming of age in post-2003 Iraq.⁶

Protesters remained in the streets not just in Iraq’s capital, Baghdad, but across several southern cities, including Nasriya, Amara, and Basra.⁷ The geography of these protests remains important. Iraq’s southern provinces and cities are populated predominantly by Shia Arabs, those of the same sect as the dominant political parties that today govern Iraq.⁸ The mass discontent in these parts of the country further challenges a stubbornly dominant yet crude and simplistic narrative about Iraq, that the country is plagued by ethnosectarian divisions and requires a political system that apportions representation along ethnic and religious identity.⁹

The 2019-2020 uprising threatened the entirety of the political system and the collection of political and armed actors who dominate and benefit from it.¹⁰ This existential threat is arguably what prompted a collection of influential parties from across Iraq’s political

⁵ “مظاهرات في ”التحرير“ .. العراقيون يحيون الذكرى الثانية لـ”ثورة تشرين“” *Al Hurra*, October 21, 2021, <https://www.alhurra.com/iraq/2021/10/01/%D9%85%D8%B8%D8%A7%D9%87%D8%B1%D8%A7%D8%AA-%D9%81%D9%8A-%D8%A7%D9%84%D8%AA%D8%AD%D8%B1%D9%8A%D8%B1-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A%D9%88%D9%86-%D9%8A%D8%AD%D9%8A%D9%88%D9%86-%D8%A7%D9%84%D8%B0%D9%83%D8%B1%D9%89-%D8%A7%D9%84%D8%AB%D8%A7%D9%86%D9%8A%D8%A9-%D9%84%D9%80%D8%AB%D9%88%D8%B1%D8%A9-%D8%AA%D8%B4%D8%B1%D9%8A%D9%86> (accessed September 23, 2022); Haley Bobseine, “Under Pressure, Iraqi Activists Plot ‘Third Way,’” *The Century Foundation*, September 28, 2022, <https://tcf.org/content/report/under-pressure-iraqi-activists-plot-third-way/> (accessed September 30, 2022).

⁶ “Fight or Flight: The Desperate Plight of Iraq’s ‘Generation 2000,’” *International Crisis Group*, August 8, 2016, <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/fight-or-flight-desperate-plight-iraq-s-generation-2000> (accessed September 9, 2022).

⁷ “Iraq’s Tishreen Uprising: From Barricades to Ballot Box,” *International Crisis Group*, July 26, 2021, <https://www.crisisgroup.org/middle-east-north-africa/gulf-and-arabian-peninsula/iraq/223-iraqs-tishreen-uprising-barricades-ballot-box> (accessed September 9, 2022).

⁸ Renad Mansour, “Iraq After the Fall of ISIS: The Struggle for the State,” *Chatham House*, July 4, 2017, <https://www.chathamhouse.org/2017/07/iraq-after-fall-isis-struggle-state> (accessed September 9, 2022).

⁹ Taif Alkhudary, “How Iraq’s sectarian system came to be,” *Al Jazeera*, March 29, 2020, <https://www.aljazeera.com/opinions/2020/3/29/how-iraqs-sectarian-system-came-to-be> (accessed September 9, 2022);

Arwa Ibrahim, “Muhasasa, the political system reviled by Iraqi protesters,” *Al Jazeera*, December 4, 2019, <https://www.aljazeera.com/news/2019/12/4/muhasasa-the-political-system-reviled-by-iraqi-protesters> (accessed September 9, 2022); Mona Damluji, “Securing Democracy in Iraq’: Sectarian Politics and Segregation in Baghdad, 2003-2007,” *Traditional Dwellings and Settlements Review* 21, no. 2 (2010): 71-87.

¹⁰ Renad Mansour and Benedict Robin-D’Cruz, “The Basra Blueprint and the Future of Protest in Iraq,” *Chatham House*, October 8, 2019, <https://www.chathamhouse.org/2019/10/basra-blueprint-and-future-protest-iraq> (accessed September 9, 2022).

spectrum to coalesce around a strategy of violence and killing aimed at ending the protest movement.¹¹

The Popular Mobilization Forces (PMF, or *al-hashd al-sha'bi*) formed in 2014 in response to the Islamic State of Iraq and Syria (ISIS, or *Daesh*) capture of one-third of Iraq's territory from a hollowed-out Iraqi military. The PMF, which grew to a collection of nearly 60 armed groups of different political affiliations, was vital to recapturing that territory on behalf of Iraqi authorities. However, some of these groups – namely those that by many years predated the formation of the PMF – were implicated in a host of abuses during and after their operations against ISIS, as previously documented by Human Rights Watch.¹²

The power of these groups took on a different hue in February 2016, when then-prime minister Hayder al-Abadi decreed by executive order that the PMF would report to the head of the Iraqi armed forces, who is the prime minister. This order was further formalized and legalized in November of that same year, when the Iraqi parliament passed a law formally **integrating the PMF into Iraq's security forces**.¹³ This incorporation of the PMF into the security forces makes the country's prime minister ultimately responsible for the actions and decisions of the PMF and the parties that comprise it, though the prime minister's control over these groups is more *de jure* than *de facto*.

The PMF is not a coherent entity but an amalgamation of fragmented groups, some of which fall into different camps with esoteric political agendas that do not always align. But their formal collective status as part and parcel of the Iraqi security forces is important context for how some PMF component groups have been able to carry out violence against protesters with impunity.¹⁴

¹¹ Omar Sirri and Renad Mansour, "Surviving on violence: Iraq's political elite," *Mada Masr*, November 10, 2019, <https://www.madamasr.com/en/2019/11/10/opinion/u/surviving-on-violence-iraqs-political-elite/> (accessed September 9, 2022).

¹² "Iraq: Investigate Abuses in Hawija Operation," Human Rights Watch news release, September 28, 2017, <https://www.hrw.org/news/2017/09/28/iraq-investigate-abuses-hawija-operation>; "Iraq: Displacement, Detention of Suspected 'ISIS Families,'" Human Rights Watch news release, March 5, 2017, <https://www.hrw.org/news/2017/03/05/iraq-displacement-detention-suspected-isis-families>.

¹³ Renad Mansour, "More Than Militias: Iraq's Popular Mobilization Forces Are Here to Stay," *War on the Rocks*, April 3, 2018, <https://warontherocks.com/2018/04/more-than-militias-iraqs-popular-mobilization-forces-are-here-to-stay/> (accessed September 9, 2022).

¹⁴ Benedict Robin-D'Cruz, "Violence and Protest in South Iraq," *LSE Middle East Blog*, August 18, 2020, <https://blogs.lse.ac.uk/mec/2020/08/18/violence-and-protest-in-south-iraq/> (accessed September 9, 2022); "Iraq: Turning a Blind Eye," *Amnesty International*, 2017, https://www.amnestyusa.org/files/iraq_report_turning_a_blind_eye.pdf (accessed September 9, 2022).

For example, individuals and groups implicated in assassination operations against activists have been able to easily move around and across different cities to undertake killings. As discussed later in this report, families of those killed and survivors of assassination attempts persistently question how it is possible that would-be assassins can easily enter and exit residential areas that are purportedly secured by other segments of the Iraqi security forces, such as federal police or the military. Part of the answer lies in the fact that some armed groups, as part of the PMF, are permitted to bypass security procedures and infrastructure, such as urban checkpoints.¹⁵ Put differently, Iraqi state imprimatur over the PMF helps to facilitate the killing of activists that the Iraqi government claims it protects.

Meanwhile, against continued violence from a collection of Iraqi state security actors and factions, the protest movement persisted. Demonstrations continued into March 2020, before activists were forced into their homes due to the onset of the Covid-19 pandemic. This taming of protest activity did not mean that the most important demands of demonstrators were fully met – nor that the violence directed at them would stop. Violence against protesters continued even after the slow dispersal of protesters over those early-pandemic weeks, and after the formation of a new government in May 2020 under the premiership of Mustafa al-Kadhimi. Unidentified armed groups continued to threaten prominent activists across Iraq and ultimately disappeared or assassinated many.¹⁶

Former Prime Minister al-Kadhimi came into power on the back of the largest Iraqi uprising in decades. Soon after occupying his post, he promised accountability for violence against protesters, insisting he would bring to justice those responsible for disappearing tens of activists, killing hundreds, and injuring tens of thousands more.¹⁷ In October 2020, al-

¹⁵ Renad Mansour, *Networks of Power: The Popular Mobilization Forces and the state in Iraq*, Chatham House, February 2021, p. 26, <https://www.chathamhouse.org/sites/default/files/2021-06/2021-02-25-networks-of-power-mansour.pdf>.

¹⁶ Belkis Wille, “Despite Prime Minister’s Promises, Disappearances Continue in Iraq,” commentary, Human Rights Watch, December 15, 2020, <https://www.hrw.org/news/2020/12/15/despite-prime-ministers-promises-disappearances-continue-iraq> (accessed September 9, 2022); Simona Foltyn, “Targeted assassinations, violent protest crackdowns keep Iraqis away from polls,” *PBS Newshour*, October 14, 2021, <https://www.pbs.org/newshour/show/targeted-assassinations-violent-protest-crackdowns-keep-iraqi-voters-away-from-polls> (accessed September 9, 2022).

¹⁷ “الكاظمي يتعهد بـ”استعادة الحقوق من المتورطين بالدم العراقي“” *IO News*, October 1, 2020, <https://www.iqiraq.news/political/49--.html> (accessed September 9, 2022)

Kadhimi formed a governmental fact-finding mission to investigate the violence against protesters since October 1, 2019, including to determine who was responsible.¹⁸

Since the establishment of the committee, however, the prime minister's office has not publicly published any information about the findings of its work. In two recent reports on accountability in Iraq, the Office of the United Nations High Commissioner for Human Rights (OHCHR) said that it has only been able to obtain limited information about the work and findings of the prime minister's committee.¹⁹

Since 2019, Human Rights Watch has documented cases of targeted assassinations of prominent activists, disappearances, and injuries.²⁰ This report further examines this persistent violence in order to explore any progress made on legal accountability long promised by the Iraqi government, as well as to document any financial compensation received by families of those killed or injured as a result of their participation in peaceful protests.

Despite political promises and nominal efforts at achieving legal accountability, the cases in this report show how the Iraqi government has failed to ensure those responsible for killing, disappearing, and injuring protesters are held to account. The Iraqi government has made more progress in the area of financial compensation for violence against protesters. But the cases documented, along with other available evidence, suggest this has predominantly come in the form of payments to the families of slain protesters – almost as a replacement for legal accountability for those implicated in the killings.

¹⁸ "تقصي الحقائق: استدعاء 112 ضابطاً ومنتسباً للتحقيق بأحداث تظاهرات تشرين" *Iraqi News Agency*, May 28, 2021, <https://www.ina.iq/126779-112-.html> (accessed September 23, 2022).

¹⁹ OHCHR, "Update on Demonstrations in Iraq: Accountability for Human Rights Violations and Abuses by Unidentified Armed Elements," United Nations Assistance Mission for Iraq, May 2021, https://www.ohchr.org/sites/default/files/UNAMI_Report_Accountability_for_Human_Rights_Violations_and_Abuses_ENG.pdf (accessed September 9, 2022); OHCHR, "Update on Accountability in Iraq: Limited progress towards justice for human rights violations and abuses by 'Unidentified Armed Elements,'" United Nations Assistance Mission for Iraq, June 2022, https://www.ohchr.org/sites/default/files/2022-06/OHCHR_UNAMI_Update_on_Accountability_in_Iraq_June2022_ENG_0.pdf (accessed September 9, 2022).

²⁰ "Iraq: Basra Political Group Targeted," *Human Rights Watch news release*, August 26, 2020, <https://www.hrw.org/news/2020/08/26/iraq-basra-political-group-targeted>; "Iraq: No Justice for Enforced Disappearances," *Human Rights Watch news release*, November 16, 2020, <https://www.hrw.org/news/2020/11/16/iraq-no-justice-enforced-disappearances>; Belkis Wille, "Despite Prime Minister's Promises, Disappearances Continue in Iraq," commentary, *Human Rights Watch*, <https://www.hrw.org/news/2020/12/15/despite-prime-ministers-promises-disappearances-continue-iraq>; "Human Rights Watch Submission to the UN Human Rights Committee in Advance of its Review of Iraq," *Human Rights Watch*, January 25, 2022, <https://www.hrw.org/news/2022/01/25/human-rights-watch-submission-un-human-rights-committee-advance-its-review-iraq>.

Some protesters who have suffered significant injuries during protest activities, as well as those targeted for assassination because of their participation in the protest movement, have also received partial compensation for their injuries. But successful compensation claims for those injured often lag, sometimes for years, and those injured are often left out of pocket as they seek compensation (because of legal costs), or when they are denied the compensation for which they applied. The delays and bureaucratic hurdles further suggest the Iraqi government is falling short of meeting its responsibility to provide long-term quality care for those maimed and scarred for a lifetime.

“Sleeping” Legal Cases

Shortly after taking office, former Prime Minister Mustafa al-Kadhimi promised to bring to justice those responsible for violence against protesters.²¹ Part of this effort centered around the formation of an investigative committee that would examine cases of violence against protesters.²² **Al-Kadhimi’s government in its early weeks also attempted to demonstrate that it was pursuing individual cases of killings. “I promised that those who spilled Iraqi blood will not be allowed to rest and we are honoring that promise,”** al-Kadhimi tweeted in May 2020, announcing efforts to arrest perpetrators of violence against protesters in Basra.²³ In June 2020, authorities claimed they had arrested a man whom the government said confessed to killing a protester and other violence in Baghdad.²⁴ These efforts were used by the then-nascent government to claim it was serious about accountability – though these instances proved to be exceptional rather than indicative of any positive pattern towards legal accountability.

In July 2020, Hisham al-Hashimi was gunned down outside his home in the Zayouna district of eastern Baghdad. Al-Hashimi was a prominent researcher and analyst of security issues in Iraq. **While he enjoyed cordial relations with most of Iraq’s political elites, al-Hashimi was also an adviser to the former prime minister al-Kadhimi.**²⁵ His assassination was thus widely interpreted as a message to al-Kadhimi to tread carefully when it came to **targeting Iraq’s powerful armed groups, including in seeking accountability for violence against protesters.**²⁶

²¹ “New Iraqi PM releases protesters; promotes respected general,” *Al Jazeera*, May 10, 2020, <https://www.aljazeera.com/news/2020/5/10/new-iraq-pm-releases-protesters-promotes-respected-general> (accessed September 15, 2022).

²² Video clip, “03.10.2020 / لقاء خاص مع رئيس مجلس الوزراء مصطفى الكاظمي يحاوره الدكتور نبيل جاسم,” *Iraqi News Channel*, YouTube, October 3, 2020, https://www.youtube.com/watch?v=or5VSLr_1rs (accessed September 23, 2022).

²³ Mustafa al-Khadhimi (@MAKadhimi), “Under my direction, our security forces carried out operations to detain those behind assaulting protesters in Basra, based on judicial warrants. I promised that those who have spilled Iraqi blood will not be allowed to rest and we are honoring that promise.” Twitter, May 11, 2020, <https://twitter.com/makadhimi/status/1259853700635467783> (accessed September 23, 2022).

²⁴ “Spokesman of the General Commander bureau announces the arrest of the criminal, known as the Al-Jurithi ‘Rat’, in Baghdad,” *Iraqi News Agency*, June 11, 2020, <https://ina.iq/eng/8593--.html> (accessed September 15, 2022).

²⁵ Chloe Cornish, “Iraq government adviser shot dead in Baghdad,” *Financial Times*, July 7, 2020, <https://www.ft.com/content/93678c50-abd7-4d82-b65f-9569f6ffde4b> (accessed September 15, 2022).

²⁶ Alissa J. Rubin, “Killing of Security Analyst Seen as Message to Iraqi Government,” *New York Times*, July 7, 2020, <https://www.nytimes.com/2020/07/07/world/middleeast/iraq-hashimi-killing.html> (accessed September 15, 2022); Renad Mansour, “In life and death, Iraq’s Hisham al-Hashimi,” *Chatham House*, August 1, 2020,

The al-Hashimi case itself became a litmus test for the al-Kadhimi government's seriousness in tackling accountability. In July 2021, on the one-year anniversary of al-Hashimi's killing, al-Kadhimi announced the arrest of one of the suspected assassins who the government asserted confessed to the crime.²⁷ The suspect, according to the government, also reportedly confessed to being a member of the armed group Kita'ib Hezbollah, which is part of the PMF.²⁸ However, the case against the suspect has not proceeded.²⁹ It remained unclear for months whether he even remained in prison or had been released. Two long-time researchers on Iraq suggested in interviews with Human Rights Watch that authorities quietly released the suspect from prison, while other sources close to the government suggested that he in fact remains in prison, as recent reporting has also suggested, but that the judge in the case has been unable to advance with judicial proceedings due to political pressure.³⁰

The al-Hashimi case is a useful bellwether of accountability, or lack of it. The inability of the authorities to proceed with accountability in the justice system, when they seemingly were able to identify and detain at least one of the suspects, and where the victim was so close to the prime minister himself, does not bode well for far less high-profile cases.

In October 2020, al-Kadhimi formed a Fact-Finding Committee, by Executive Order 293, to examine the violence directed at protesters. Its establishment came half a year after al-Kadhimi came into office, suggesting his promises of quickly prioritizing accountability would be followed by foot-dragging. Outside of a handful of discrete cases, al-Kadhimi's government ultimately made little progress investigating the killing of protesters, let alone arresting, trying, and convicting those responsible.

<https://www.chathamhouse.org/publications/the-world-today/2020-08/life-and-death-iraqs-hisham-al-hashimi> (accessed September 15, 2022).

²⁷ Qassim Abdul-Zahra, "Iraqi officials claim killer of prominent analyst arrested," *Associated Press*, July 16, 2021, <https://apnews.com/article/middle-east-shootings-arrests-iraq-4a5961d862e186b93ebe0ca69f5a878c> (accessed September 15, 2022).

²⁸ Formed in the aftermath of the 2003 US- and UK-led invasion of Iraq, Kita'ib Hezbollah is an Iran-supported armed group that is also formally part of the Popular Mobilization Forces. It was also implicated in an attempted assassination of Prime Minister al-Kadhimi in November 2021. "Iran-backed militia staged drone attack on Iraqi PM – officials," *Reuters*, November 8, 2021, <https://www.reuters.com/world/middle-east/iran-backed-militia-behind-attack-iraqi-pm-sources-2021-11-08/> (accessed September 15, 2022).

²⁹ "SJC postpones the trial of al-Hashemi's assassin," *Shafaq News*, August 31, 2022, <https://shafaq.com/en/Iraq-News/SJC-postpones-the-trial-of-al-Hashemi-s-assassin> (accessed September 15, 2022).

³⁰ Human Rights Watch interview with Iraqi journalist, Baghdad, March 2022.

In its report on accountability for violence against protesters published in May 2022, UNAMI/OHCHR documented just four cases, over the previous year, of convictions for **“targeted killings, shootings, abductions and disappearances attributed to ‘unidentified armed elements.’”**³¹ As for state security forces suspected of similar crimes, the report similarly identified only four such cases that are before the courts. The report said that **“UNAMI/OHCHR was unable to identify any other cases that progressed beyond the investigative stage during the reporting period.”**³²

The following case studies contain five incidents of targeted violence against activists and protesters, some of whom were prominent during demonstrations. Three of the incidents resulted in the assassinations of four activists, including two women. The fourth incident, a targeted assassination attempt that was unsuccessful, resulted in serious injuries to an activist. The fifth incident resulted in the kidnapping and disappearance of an activist who remains missing.

In each of these cases, there has been little to no progress on legal accountability for those responsible for the violence. This lack of progress comes despite victims and **witnesses providing evidence to the authorities, including to the prime minister’s** investigation committee. To date, the committee has produced little public information about its efforts or findings.

These cases are neither exhaustive nor exceptional; they are instead exemplars of the ways legal accountability has rarely been achieved for the killing and injuring of activists and demonstrators. Put differently, these cases, and the evidence offered by interviewees, shed light on the ways legal accountability for violence against protesters remains elusive, **and how the law is not so much laid down but “put to sleep.”**

Emjad in Amara

Majeed Kadhim Mohammed, 56, more popularly known as Emjad al-Dehemat, was one of the most prominent social justice proponents in Amara, the capital of the southeast Iraqi province Maysan, which runs along the Iranian border. Local residents saw Emjad as a **protest leader in part because of his history of activism in his community.** “From 2011 he

³¹ OHCHR, “Update on Accountability in Iraq,” June 2022, p. 7.

³² Ibid.

was demonstrating in the streets,” said Ali Kadhim Mohammed, 52, a brother of Emjad, referring to the demonstrations that swept the Arab world that year.³³ Emjad was active in social justice for years after, and in 2014 was awarded the “man of peace” award for Maysan province. According to Ali, when protests again erupted in Iraq in 2019, Emjad was one of the first to set up a tent in Amara’s city center.

Four local activists told Human Rights Watch that on November 6, 2019, one month into the protests across central and southern Iraq, authorities summoned Emjad and other activists close to him to the local police station for a meeting with a senior provincial police commander.³⁴ According to protesters who were in attendance at the meeting, the activists were told the reason for the gathering was that the commander wanted to discuss the demands of a subset of protestors in the city. The commander reportedly helped secure a set of job offers with a Chinese oil company operating in the area and wanted to consult protest leaders as to who specifically should be offered these positions.³⁵ Some activists who attended the meeting told the commander they had no interest in naming individuals for these supposed jobs. They also insisted that this development did very little to assuage the broader and deeper demands of the protest movement.³⁶

The meeting occurred at night, between approximately 8:30 p.m. and 9:30 p.m. After the meeting ended, some activists returned to the main protest square in Amara while others headed home. One activist in attendance, “Aziz,” told Human Rights Watch that as he left the meeting and walked to his car across the street from the police station, he spotted a 1990s Mercedes parked nearby. Its engine was running idle and inside sat two male occupants whom Aziz could see through the open driver’s side window.³⁷ Both men were sporting hats and long beards. As Aziz reached his car, the Mercedes, grey in color and without license plates, quickly sped away.

“I was still driving three minutes later when I got the call,” Aziz recalled. He was told that Emjad al-Dehamat and another activist with him had been shot just a few hundred meters

³³ Demonstrations also occurred in Iraq, though these are less discussed in the context of other Arab uprisings that brought down governments, such as in Tunisia and Egypt; Human Rights Watch interview, Ali Kadhim Mohammed, March 2022.

³⁴ Human Rights Watch interviews with four activists, March and May 2022; “قائد شرطة ميسان يتسلم مهامه رسمياً” *Mawazin News*, October 26, 2019, <https://www.mawazin.net/Details.aspx?jmare=70062> (accessed September 23, 2022).

³⁵ Human Rights Watch interviews with meeting attendees, May 2022.

³⁶ Human Rights Watch interviews with meeting attendees, March and May 2022.

³⁷ Human Rights Watch interview with Aziz (phone), May 2022.

from the police station from which Aziz himself just departed. One bullet struck the second activist, injuring him. But Emjad took the brunt of the attack; he was shot four times and was dead by the time he reached the hospital.

Iraqi authorities initially **seemed interested in investigating Emjad's killing**. Investigators took witness statements at the hospital the same night of the assassination. Four days **after they buried their son, Emjad's parents, along with his wife, were interviewed by an investigative judge examining the killing.**³⁸ **"It was all basic questions and statements," noted Emjad's brother Ali.**

But since these initial investigative steps, no apparent progress has been made into **determining who was responsible for Emjad's killing**. Iraqi police have made no arrests even though the killing occurred meters from the Amara police station. Investigators have stopped asking questions in a case with numerous witnesses, including the local police commander himself, who has since been rotated out of Maysan province entirely.

As other cases below further show, Iraqi authorities are often quick to take statements from witnesses and families, a seemingly admirable quickness to determine the facts at hand. But such quickness is often followed by silence, as most individuals and family who file similar legal cases often go months or sometimes years without any follow up from authorities and in almost all cases no suspects are detained or charged.

The lack of any legal accountability for Emjad's killing is an important example in part because of persistent efforts by his brother Ali to achieve justice. Despite his own following up with various legal authorities about the status of the case and investigation, **Ali has gotten nowhere**. **"The political forces responsible for accountability are actually the ones committing the violations," he lamented. "We simply want them to apply the law."**

At the beginning of 2020, Ali himself began receiving threats, especially as he pursued justice for his brother. Ali recently established the Tishreen Organization for Human Rights to push forward the demands of the protest movement, including around accountability for violence against protesters.³⁹ The threats he has received because of this work forced Ali

³⁸ Human Rights Watch interview with Ali Kadhim Mohammed, Iraq, March 2022.

³⁹ Tishreen Organization for Human Rights Facebook page, <https://www.facebook.com/%D9%85%D9%86%D8%B8%D9%85%D8%A9-%D8%AA%D8%B4%D8%B1%D9%8A%D9%86->

to flee his home in Amara to the Kurdistan Region of Iraq (KRI). A senior security official called Ali directly and told him his life was in danger. “I first traveled to Baghdad and stayed in a hotel for 15 days, then I traveled to Erbil and stayed there for three or four months.” Ali has since traveled to and lived in different cities for protection. “Sometimes I return home to Amara,” he said. “Just to see my family, for two or three days every few months. But I only travel at night, to avoid being seen.”

Sara and Hussein in Basra

Sara Talib Edan, 23, may not have been destined to become an activist. As a young girl, she was always very quiet and shy, often deferential to others, family members recalled to Human Rights Watch.⁴⁰ Sara married young and had a daughter. But after she and her partner divorced, Sara’s family noted that she changed and became more outspoken.

In the summer of 2018, mass protests erupted in Basra after a clean water crisis hit the city. More than 100,000 people were hospitalized after being poisoned by contamination in the public water supply.⁴¹ Through the crisis Sara became more outspoken, resolute that everyday life in her city had to change for the better.

“We’ve come out in the streets for the most basic of services, water, and electricity,” Sara said in a video that quickly went viral during the 2018 protests.⁴² “It’s been 17 days we’ve been here at this sit-in, and nobody [from the government] has looked at us. Not one has said, ‘Okay we can meet one of your demands.’ So now the demands have increased, more than just water and electricity,” Sara insisted. Gesturing behind her, over her left shoulder, towards the provincial governor’s office, she added, “Now I want to bring this down.”

Sara’s prominent role in the 2018 protests, and her call to bring down the local government, brought attention to her and her family. Threats on her life soon followed, according to her mother, Um Sara. The threats came in the form of direct messages to her

%D9%84%D8%AD%D9%82%D9%88%D9%82-%D8%A3%D9%84%D8%A7%D9%86%D8%B3%D8%A7%D9%86-105838612092171/ (accessed September 23, 2022).

⁴⁰ Human Rights Watch interviews with family members, Basra, April 2022.

⁴¹ Human Rights Watch, *Basra is Thirsty: Iraq’s Failure to Manage the Water Crisis*, July 22, 2019, <https://www.hrw.org/report/2019/07/22/basra-thirsty/iraqs-failure-manage-water-crisis>.

⁴² Video clip, “لحظة اغتيال المتظاهره الشهيد ساره بنت البصره”, ابن ميسان الحبيبة, YouTube, October 14, 2019, <https://www.youtube.com/shorts/LFGrHUhsAtQ> (accessed September 23, 2022).

social media accounts, sent from profiles that would disappear soon after delivery. She also received threatening text messages from unknown phone numbers.

Sara and her second husband, Hussein Adel Ali, 25, fled Iraq because of the threats. They traveled to Turkey and stayed there for much of 2019. They returned only when Hussein received word his mother was sick with cancer.⁴³ Upon their return to Basra, they kept a **low profile. They first stayed with Sara’s family, and then soon after rented their own flat in the city’s Jnayna neighborhood.**

According to Sara’s family, when protesters again took to the streets of Basra barely a year later, on October 1, 2019, Sara and Hussein did not participate. They instead elected to observe from the sidewalks, watching a cross-generational coalition of Basrawis come out in thousands. The next evening, on October 2, Um Sara (Sara’s mother) received a call from a friend of Sara and Hussein, asking to speak with Sara’s father, Amu Talib. She was told an incident had occurred at Sara’s house. Um Sara raced over expecting the worst: “I arrived and it was chaos,” she recalled.⁴⁴

Sara and Hussein had been shot and killed inside their home. According to Um Sara, local police took statements from those at the scene that evening, including from Um Sara, who, **along with Sara’s father and Hussein’s parents, also gave statements to an investigative judge the next day.** The circumstances of their assassinations are strange, she insisted: **“There is usually a checkpoint 200 meters from their house. And at the time there was an official curfew (*hadhr*) too.”**

The curfew, in intent if not always in practice, means ordinary vehicles are not permitted to move about the city after a certain hour without approval from state authorities – though state security vehicles are exempted from this order. Given the proximity of the checkpoint, Um Sara cannot understand how an unauthorized vehicle could enter the **neighborhood and carry out two killings. “My daughter was shot three times. Hussein was shot seven times. And nobody heard a thing?”** Um Sara insists their neighborhood is surrounded with CCTV cameras and that some of that footage was collected by authorities **but never shown to Sara or Hussein’s families.**

⁴³ Human Rights Watch interview with Um Sara, Basra, April 2022.

⁴⁴ Ibid.

Um Sara also speculated that Sara and her husband were likely hosting a visitor before they were killed given that Sara was wearing a headscarf. “Sara was wearing a hijab while inside her house [when she was killed]. So, somebody not close to them must have also been there visiting.”

Sara’s mother twice met with officials from the Falcons Intelligence Cell (*khaliyat saqoor*), an elite investigative unit affiliated with the Federal Intelligence and Investigations Agency within the interior ministry, once in 2019 and again in 2020.⁴⁵ Um Sara also visited then-Prime Minister Mustafa al-Kadhimi three months after her daughter’s killing. Al-Kadhimi vowed to find and arrest those who killed her daughter and son-in-law. “He said it would take them three months – it’s been almost three years, and nothing has happened,” she said.

Similar to Emjad’s case above, Sarah and Hussein’s killing received swift attention from the authorities, but then no real progress nearly three years on. Um Sara drew attention to material evidence that could be vital to any investigation, including the likely video evidence, which she has never been shown. This footage could potentially offer answers as to how and why a state security checkpoint that is ostensibly in place for the safety of residents could be circumvented in the lead-up to a double assassination.

Reham in Basra

At the age of 30, Reham Shaker Yacoub held a PhD in sport and fitness, and owned and operated a fitness gym. Reham did not organize protests and was not so much a leading activist; she was, however, a “high-profile female voice” in Basra civil society, which was enough to gain the ire of unidentified armed groups.⁴⁶ After the protests in 2019 began, Reham received a threat by text message.⁴⁷ She reported it to the authorities, which

⁴⁵ Suadad al-Salhy, “How Kadhimi seized power by accusing Iraq’s spymaster of foreign loyalties,” *Middle East Eye*, February 1, 2021, <https://www.middleeasteye.net/news/iraq-kadhimi-spy-master-falcons-cell-shia-militias-foreign-loyalty> (accessed September 15, 2022).

⁴⁶ Benedict Robin-D’Cruz, “Why Did They Kill Riham Yacoub? The Murder of a Civil Society Activist in Basra,” *LSE Middle East Blog*, August 24, 2020, <https://blogs.lse.ac.uk/mec/2020/08/24/why-did-they-kill-riham-yacoub-the-murder-of-a-civil-society-activist-in-basra/> (accessed September 15, 2022).

⁴⁷ Human Rights Watch was provided a copy of one threatening message Reham received, which read:

“In the name of God, the most gracious and merciful, to the agent of the Americans. We know very well you are organizing the protests. We know where your apartment is. We know where your gym is and your college too. Prepare yourself, your day is coming.”

included providing the phone number from which the text came, but her family heard nothing back at the time.⁴⁸

On August 19, 2020, Reham was driving in a car with her sister, Fatima, and a friend of Reham's. Not far from Reham and Fatima's family home, an unidentified gunman on a motorbike opened fire on their car and killed Reham.⁴⁹ Her friend was also injured. Fatima ran home and informed their father, Shaker, about the shooting.

“There were always police on that street [where the shooting occurred], 24 hours a day they were there,” Reham's brother Ali, 33, insisted in an interview. His claim marks an important similarity with the case of Sara and Hussein's killing: “But the day of the shooting they were not there, they had pulled away.”

Police took statements from Reham's mother and father on the night of the shooting. They also impounded as evidence Reham's vehicle for one month. Court investigators also interviewed the family three days after Reham's killing. Only seven months later was there any kind of follow-up, this time from intelligence officials (*istikhbara*) tied to the interior ministry. They called to inform the family that they had made an arrest – not for Reham's killing, but for the original threat she had received in 2019. Only then did Reham's family learn that local authorities had actually arrested a man for the threat months earlier. The man's name was registered to the phone number that the text message threat came from.

“We were told he is from Baghdad, and that he has brothers who are part of armed groups,” said Reham's father, Shaker, 57. “So the threat was probably issued from them.” Authorities charged the man, Hassan Jabr Muhsen, under Iraq's anti-terrorism law. Those convicted under this law face either life in prison or the death penalty.

Human Rights Watch attended the trial of Muhsen on March 31, 2022. While Muhsen was charged under the anti-terrorism law, it was only for the crime of sending the threatening text message to Reham Yacoub in 2019, not for her assassination. During the brief trial, which lasted roughly 20 minutes, a three-judge panel asked the defendant a series of questions related to the threat and the assassination.

⁴⁸ Human Rights Watch interview with Shaker Yacoub, Basra, March 2022.

⁴⁹ Lawk Ghafari, “Killers of Basra activists ‘will not escape punishment’, Kadhimi tells grieving family,” *Rudaw*, August 23, 2020, <https://www.rudaw.net/english/middleeast/iraq/230820203> (accessed September 15, 2022).

Denying any involvement in her killing, Muhsen also denied sending the threat. “I don’t know, I don’t know,” he repeated through tears when asked how the phone number from which the threat came was registered in his name. Muhsen also denied any involvement in any political party or armed group.

The family of Reham Yacoub were also in attendance during the trial. One by one, her family members – her father, mother, and sister Fatima, who was in the car with Reham when she was killed – waived their right to charge Muhsen for the threat (*itnazalou ‘an haqhom*). Despite his name being on the registered SIM card, they believed Muhsen was not involved in the threat against Reham or her killing. They suggested it was easy for someone close to Muhsen to use his identification to register a SIM card without his knowledge.

Besides, Reham’s father Shaker insisted, “We know who killed her. But they ran to Iran that same night.” Reham’s family and their lawyer insist they provided information and evidence about who they believe Reham’s killers are, but that they have not acted on this information.

Her family members claim the evidence, which they did not share with Human Rights Watch, shows that armed groups tied to the Popular Mobilization Forces operate assassination “cells.” They also claim their evidence suggests that these cells are comprised of six people who carry out killings using three vehicles, two cars, and one motorbike. “Two people are for lookout, two are for backup, and two execute the mission.”

After the trial of Muhsen for the charge of threatening Reham, and as per the wishes of her family, authorities dropped the charges against Muhsen. According to Reham Yacoub’s family, Iraqi authorities have today not proceeded with further investigation into her assassination.

Reham’s case shares tragic similarities with Sara and Hussein’s, both in terms of the apparent disappearance of state security personnel on Basra streets in the lead up to activist killings, and the kinds of mobile phone and social media threats Sara and Reham received. These similarities suggest there is a link between the everyday role and function of state security institutions and the manner in which targeted assassinations take place –

how assassination cells, for example, are able to move and kill in usually heavily securitized settings.

Such a link, in turn, has a direct impact on legal accountability processes. Part of the reason accountability efforts go nowhere is because they may implicate the very authorities whose public responsibility it is to provide public protection.

Ali Salih Ghafil in Nasriya

“I used to be with him all the time,” Hayder Salih Ghafil, 30, recalled of his younger brother, Ali, 27. That is why, on November 29, 2019, Hayder called Ali more than 20 times when he had not heard from him. A friend of Ali’s finally answered the phone and told Hayder that Ali was in the hospital. “I couldn’t find him though. Then I found out through social media he had died.”⁵⁰

Ali’s death certificate read that he died by live fire. Hayder insisted on pursuing a legal case against state security personnel who he said, according to statements from other protesters there that same day near Zeitoun Bridge, were responsible for killing demonstrators. “I was also there,” Hayder said. “In two days, between November 28 and 29, 84 demonstrators were martyred near the bridge.”⁵¹

Hayder filed a legal case with the police which was taken up in Al-Adly court. He implicated Iraqi security forces in the killing of demonstrators, including Emergency Response Division, SWAT, and federal police officers, all tied to the interior ministry. Hayder also claimed that security personnel avoided using their state-issued radios to communicate commands. They instead used their mobile phones, including using voice notes, so as to not have orders to shoot live fire at protesters being overheard or recorded.

⁵⁰ Human Rights Watch interview with Hayder Salih Ghafil, Nasriya, April 2022.

⁵¹ **“New Protester Deaths Despite Order Not to Fire,”** Human Rights Watch news release, December 4, 2019, <https://www.hrw.org/news/2019/12/04/iraq-new-protester-deaths-despite-order-not-fire>; **“Over 20 Iraqi Protesters Killed in Nasiriyah,”** *Bas News*, November 28, 2019, <https://www.basnews.com/en/babat/564232> (accessed September 15, 2022); John Davison, **“With sorrow and anger, clans mourn kin gunned down on bridge in southern Iraq,”** *Reuters*, December 6, 2019, <https://www.reuters.com/article/us-iraq-protests-nassiriya-killings-idUSKBN1YA14S> (accessed September 15, 2022).

Hayder specifically identified two Iraqi security personnel who were present during the killing of protesters and gave those names to the authorities, who did not follow up with Hayder about his complaint.

Khalid in Basra

At the beginning of January 2021, more than a year after the uprising in central and southern Iraq began, Khalid Samer, 31, knew he was not safe. He had been deeply involved in the protest movement for months. Part of his efforts included forming a team of lawyers to volunteer their time to defend protesters being targeted for arrest. On January 3, **Khalid received a call from a friend and fellow protester named Hussein. “It’s dangerous here,” Khalid recalled Hussein telling him. “It’s not safe for us anymore.”**⁵²

That same day Qassim Sulemani, the head of Iran’s elite Quds Force, and Abu Mehdi al-Muhandis, the head of Iraq’s Popular Mobilization Forces, were assassinated by a US drone strike on their vehicle convoy departing Baghdad International Airport.⁵³ Activists feared that the assassinations of these commanders, raising the ire of Iran, would ultimately make their daily existence more precarious. Many activists expected that Iran-backed armed groups would take out their revenge for the double assassination on protesters who were threatening the political system in which they were central actors.

“I didn’t have the money to leave Basra, so I stayed,” Khalid recalled. One week later, Khalid was stopped while walking in the street by three plain-clothes intelligence officers (*istikhbarat*). They asked him to show his identification, then he was arrested and handed over to Basra Police Directorate. The police held him for three hours with other activists who had been participating in protests. Upon his release, Khalid went to Erbil for three weeks before returning to Basra.

Six months later, on July 17, 2021, Khalid drove away from his home for about three kilometers. All of a sudden, a man on a motorbike drove up beside him, pulled out a gun, **and fired 11 shots at him.** “I took three shots into my body, on my left side – one into my shoulder, and another two into my arm.” **Eight other bullets lodged into his vehicle.**

⁵² Human Rights Watch interview with Khalid Samer, Basra, April 2022.

⁵³ “Iran’s Soleimani and Iraq’s Muhandis killed in air strike: militia spokesman,” *Reuters*, January 3, 2020, <https://www.reuters.com/article/us-iraq-security-blast-soleimani-idUSKBN1Z201C> (accessed September 15, 2022).

Khalid threw his car in reverse and went backwards for about 50 meters, letting it roll to a stop. Just then another vehicle appeared – a Toyota Land Cruiser GXR (*jexara*, in the colloquial) – and blocked the road ahead. Similar to Sara and Reham’s cases before, and suggesting a pattern, Khalid noted the strange disappearance of checkpoints that were usually present: “There are usually two checkpoints in the area where I was shot, one entry and one exit. But that day there were none.”

The *jexara* and the motorbike then took off as quickly as they appeared. “They thought I was dead. The driver of the motorbike shot his gun into the air, to indicate the end of the operation.”

“I called a friend who came to help me and we went to the hospital,” Khalid continued. “I had an operation which took a day.” Khalid spent a month recovering at home, during which time he also worked to file a legal case for his attempted assassination. “I gave a statement to the police at the hospital. And ten days later I gave a statement to the court.” Following up on his case nearly a month after the incident, Khalid learned from the anti-crime unit within the Basra police that his file was passed along to the Saqoor Cell.

“But at that point I knew the case was over. I knew then that there wasn’t going to be any evidence for them to find. They wouldn’t find any video footage [so long after the incident] and they weren’t going to even investigate.” Khalid has not heard any progress about his case and stopped following up with legal authorities.

Sajjad in Nasriya

On September 19, 2020, Sajjad Sattar Shinnan, 25, left his house reluctantly. His mother said he was tired and lethargic. But his friends had called him and insisted he join them to check on a friend of theirs who had been injured in an explosion at Nasriya’s main protest site, in Habubi Square. “He quickly washed up, put his ID card and 10,000 Iraqi dinars [US\$6.80] in his pocket, and walked out,” his mother, Um Sajjad, recalled.⁵⁴ It was early in the night, around 8 p.m. Barely 20 minutes later, Um Sajjad learned of her son’s kidnapping after it quickly spread on social media.

⁵⁴ Human Rights Watch interview with Um Sajjad, Nasriya, April 2022.

Sajjad al-Iraqi, the name by which he is more commonly known, was likely targeted because of his public writings and criticisms about corruption among political leaders, such as about the appropriation of land and real estate in and around Nasriya.⁵⁵ Sajjad and five of his friends were on their way to the hospital when their car was stopped by a pick-up truck without license plates. Between seven and nine unidentified armed men spilled out of the vehicle. **“The whole ordeal felt like it took maybe six seconds. They broke a car window, they took our mobiles,”** said one witness, Muntadhar Abdul Karim, who was in the car with Sajjad that night.⁵⁶

Witnesses to Sajjad’s kidnapping, those with him when he was taken, also suggest that the driver of their car was likely party to the crime. “We know who it was,” said Bassim Flaih Hassan, 43, another friend who was in the car with Sajjad and who was shot in the leg during his kidnapping.⁵⁷ **“We filed a case against him [the driver]. But we heard he is outside Iraq now.”** Multiple witnesses claimed the accused driver and the driver’s brother are associated with Badr Brigade, an armed group that is a part of the Popular Mobilization Forces.

“We gave all of this information to many different state security institutions [for the legal case], the institutions which should be carrying the responsibility,” said Abdul Karim. **“But there has been no serious movement by them, and we have had no contact with the prime minister’s committee.”** These witnesses insist they gave information about the case to no less than six state security institutions: federal and local police, and intelligence units (*istikhabara*) under the interior ministry; the Counter-Terrorism Service and the National Security Service (*amn al-watan*), which report to the prime minister’s office; Dhi Qar Provincial Security; and federal intelligence (*mukhabara*). **“All they’ve done is perform routine procedures,”** said Abdul Karim.

Sajjad remains missing. Um Sajjad knows all the rumors about where Sajjad might be.⁵⁸ Some of his friends suggest he has been killed, his body thrown in the Euphrates River, or

⁵⁵ For example, see: Sajad al-Iraqi (@sajad_aliraqi), “صدر امر من هادي العامري الى مسؤول منظمة بدر في ذ قار ومع مسؤول استخبارات وعمليات ،، ناشطي ذي قار يرجى الحذر (د.م.الج...ي) للعمل على تصفية قيادات التظاهرات وخصوصا الذي شاركو في حرق وتهديم مقرات بدر ،، ناشطي ذي قار يرجى الحذر” Twitter, August 28, 2020, https://twitter.com/sajad_aliraqi/status/1299310535041785859?s=20&t=HC8S540MpA9bwzupV08Gzw (accessed September 23, 2022).

⁵⁶ Human Rights Watch interview with Muntadhar Abdul Karim, Nasriya, April 2022.

⁵⁷ Human Rights Watch interview with Bassim Flaih Hassan, Nasriya, April 2022.

⁵⁸ Human Rights Watch interview with Um Sajjad, Nasriya, April 2022.

perhaps buried by those who took his life. Others hold out hope he is being held in a secret prison. Nobody is certain. Despite receiving threats demanding she withdraw the criminal complaint about her son's kidnapping, Um Sajjad has remained steadfast. "I took care of him his whole life," she mourned. "I just want to know what happened to him."⁵⁹

On July 2, 2022, a variety of Iraqi social media sources reported that then-Prime Minister al-Kadhimi had received a report confirming the fate of Sajjad. It indicated that after his kidnapping he had been killed in the district of Sayid Dakhil, east of Nasriya.⁶⁰ However, Tech 4 Peace, an Iraqi organization that works to verify online rumors that spread on Iraqi social media, could not confirm the rumors.⁶¹ Tech 4 Peace cited a statement from the Dhi Qar governor's office denying it had any news about the fate of Sajjad, and also quoted Sajjad's brother Abbas denying the existence of any update on Sajjad's state or whereabouts. His fate remains unknown.

The cases considered in this section of the report suggest that despite initial interest among authorities in cases of violence against protesters, including in the form of witness statements and the collection of other evidence such as video footage, legal cases are left lagging among police and judicial investigators. Even in the case of Reham Yacoub, the case that eventually reached the court earlier this year was not for her assassination in 2020, but a threat issued against her months earlier.

The details of these cases also suggest that just as state security personnel were implicated in violence against protesters participating in the 2019-2020 uprising, they may also be implicated in targeted assassinations, in part by apparently withdrawing from areas in which an assassination or an attempted assassination of an activist is about to occur. Potential links between state security institutions and what families affected call "assassination cells" help explain how and why those responsible for seeking accountability ultimately remain uninterested in carrying it out.

⁵⁹ Human Rights Watch interview with Um Sajjad, Nasriya, April 2022.

⁶⁰ الخوة النظيفة, Facebook post, July 2, 2022,

https://www.facebook.com/100064761785698/posts/409002447935145/?mibextid=d47rTd&fs=e&s=clhttps%3A%2F%2Fm.facebook.com%2Fstory.php%3Fstory_fbid%3Dpfbid0HOxWBEbrqDWJiuzxAnFy722V3VENCxZZggVirGkMpM9YEK29A75ThA Wq7736m5zHI&id=115453174499625 (accessed September 23, 2022).

⁶¹ "بين النفي والتأكيد ما هو مصير الناشط سجاد العراقي؟" Tech 4 Peace, July 2, 2022, <https://t4p.co/article/2022-07-02-sajjad-aliraqi> (accessed September 23, 2022).

Successful Compensation?

Along with accountability for violence against protesters, former Prime Minister Mustafa al-Kadhimi also promised to provide compensation to protesters and their families – both for the families of demonstrators killed and those injured.

Al-Kadhimi's government worked to provide compensation to the families whose relatives were killed during protests. **A one-off payment is provided to families through Iraq's Martyrs Foundation**, an institution established in 2005 to provide compensation to the **families of victims of Saddam Hussein's regime**.⁶² On October 5, 2019, days into the uprising, the then-government under Prime Minister Adel Abdul Mehdi announced that protesters killed during demonstrations would be recognized as martyrs; this designation would make their families eligible for benefits from the Martyrs Foundation.⁶³

A senior government official told Human Rights Watch that there was initial resistance among some at the Martyrs Foundation to be involved paying out compensation to the families of protesters. This resistance stemmed in part from a desire to avoid creating the perception of an equivalence between killings of the past and the present.⁶⁴ However, **Mustafa al-Kadhimi's government reinforced the martyr designation after taking office**. In addition to the formation of a Fact-Finding Committee into the killing of protesters, **al-Kadhimi's government announced it would extend medical care to injured protesters, with those severely injured eligible for medical treatment abroad with the government covering all expenses**.⁶⁵

According to the Iraqi government, **509 families of protesters have received the martyr's grant of 10 million Iraqi dinars (US\$6,850)**, and 17 families of security forces killed have also received the grant.⁶⁶ In addition to the one-off payment, families of those killed are also provided **with a monthly stipend administered by Iraq's National Pension Directorate**.

⁶² See Iraq Martyr's Foundation website, <https://alshuhadaa.gov.iq> (accessed September 23, 2022).

⁶³ OHCHR, "Human Rights Violations and Abuses in the Context of Demonstrations in Iraq October 2019 to April 2020," August 2020, p. 23.

⁶⁴ Human Rights Watch interview with a senior government official, Baghdad, March 2022.

⁶⁵ OHCHR, "Human Rights Violations and Abuses in the Context of Demonstrations in Iraq October 2019 to April 2020," August 2020, p. 23.

⁶⁶ OHCHR, "Updated on Accountability in Iraq," June 2022, p. 10.

Al-Kadhimi's government made progress on compensation for the families of protesters who were killed. But for injured protesters, the record is more mixed. Many severely injured protesters have received compensation for their injuries, but only after long waits and extended efforts. Some injured protesters found it necessary to hire a lawyer, at great cost, to navigate bureaucratic procedures with public institutions, including the Martyrs Foundation. Other relevant public agencies and ministries have also not allocated – or been authorized to allocate – adequate resources to assist in compensation efforts for the injured.⁶⁷

In an interview with Human Rights Watch, a senior government representative insisted the al-Kadhimi government fulfilled its pledge of getting compensation into the hands of the families of those killed – as evidenced by the more than 500 families who have received compensation. According to the representative, at the end of March 2022 there were also a further 112 cases pending compensation.⁶⁸ But the number of injured who have received compensation is unknown and, as far as Human Rights Watch can discern, not tracked in the same manner as compensation for those killed.

There also appears to be no documented set of procedures for how injured protesters can seek government compensation in the first place. According to the government representative, however, there is a process for the families of those killed to seek **compensation. This process consists of at least five steps: registering a person's death** with the police and interior ministry; confirming with the health ministry how the person died, for example, by live fire; registering the case of the deceased with the judiciary; **filling the case with the government's human rights committee for martyrs; and an investigation** into the death/killing by government investigators, sometimes in cooperation with Iraqi intelligence agencies.⁶⁹

This process of institution hopping is not uncommon for bureaucratic processes in Iraq. But by not clearly laying out publicly and accessibly the compensation procedures, Iraqi authorities have facilitated an incoherent compensation scheme for injured protesters eligible for financial redress. These efforts have also, in turn, impacted the quality of care

⁶⁷ Ibid.

⁶⁸ Human Rights Watch interview with a senior government representative, Baghdad, March 2022.

⁶⁹ Ibid.

for the injured. The anemic condition of Iraq's public health facilities and institutions has long been a grievance among the citizenry, including protesters.⁷⁰ Many of the demonstrators who sustained serious injuries are thus unable to receive adequate long-term treatment inside the country, ostensibly making a large number of the injured eligible for medical treatment abroad at the cost of the state.

However, some of those injured told Human Rights Watch that despite their serious injuries, they were effectively denied access to medical treatment abroad by Iraqi health authorities. At the same time, those who have received approval and traveled abroad for assistance discovered that Iraq's health ministry sent them to hospitals that were wholly unequipped to provide them with adequate care for their injuries.⁷¹

The Iraqi government has claimed progress in compensating the families who have had relatives killed. But such claimed successes have helped obscure inadequate compensation mechanisms for thousands who continue to live with their injuries, many of whom sustained them at the hands of state security forces and armed groups linked to Popular Mobilization Forces.

Ali Kamil in Nasriya

After nearly five months of demonstrations and sit-ins across central and southern Iraq, many young protesters gained prominence among their compatriots, especially in smaller cities like Nasriya. Ali Kamil, a 20-year-old student, was one of them. He was a constant presence at the protests in Habubi Square and near Zeitoun Bridge. On February 22, 2020, **Ali was attending protests under the bridge, close to the provincial governor's office building.**⁷² That day, as they had before, state security forces opened fire on protesters, killing Ali with a bullet to the chest.⁷³

⁷⁰ Ahmed Aboulenein, "The medical crisis that's aggravating Iraq's unrest," *Reuters*, March 2, 2020, <https://www.reuters.com/investigates/special-report/iraq-health/> (accessed September 15, 2022).

⁷¹ Zaid Salem, "جرحي التظاهرات العراقية: معاناة في ألمانيا من دون علاج," *Al Araby*, July 5, 2022, <https://www.alaraby.co.uk/society/%D8%AC%D8%B1%D8%AD%D9%89-%D8%A7%D9%84%D8%AA%D8%B8%D8%A7%D9%87%D8%B1%D8%A7%D8%AA-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%86%D8%A7%D8%A9-%D9%81%D9%8A-%D8%A3%D9%84%D9%85%D8%A7%D9%86%D9%8A%D8%A7-%D9%85%D9%86-%D8%AF%D9%88%D9%86-%D8%B9%D9%84%D8%A7%D8%AC> (accessed September 23, 2022).

⁷² Human Rights Watch interview with Kamil Ali Sagar, Nasriya, April 2022.

⁷³ Human Rights Watch interview with activists, Nasriya, April 2022. These activists were present during the protests and affirm that the state security forces opened fire, though none said they saw Ali get shot.

Different state security institutions had forces present during the incident, according to **Ali's father and those who attended the protests but who did not witness Ali's killing.** These institutions included anti-riot police, Iraqi federal police, and emergency response division (ERD), all of which fall under the interior ministry. They were all wearing official uniforms, according to those present that day. Activists insist that there is video footage, taken from a nearby home, showing federal police officers opening fire on the crowd.

“There are very clear images” from the footage, Ali's father Kamil insisted. “We filed a case against federal police and provided the video footage from the home to the court.” Human Rights Watch was unable to locate this footage. But according to Kamil, three or four police officers confessed to opening fire that day and were subsequently arrested by the **prime minister's committee** investigating violence against protesters. Kamil is unsure if these police officers were charged, convicted, or sentenced for their actions. Investigators from Baghdad **“came and then left Nasriya, and they didn't even interview witnesses.”**

Kamil, however, did receive state compensation for his son's killing after submitting documentation, including Ali's death certificate which stated he died by live fire to the heart. He received 10 million Iraqi dinar (US\$6,850) from Iraq's Martyrs Foundation. He also receives a monthly payment of 900,000 Iraqi dinar (\$615) from Iraq's pension directorate.

Saif in Babel

Saif Salman, 27, traveled to Baghdad from Babel to participate in the resumption of protests on October 25, 2019. He recalled to Human Rights Watch his movements and those of his fellow protesters that day, and how they collectively faced down violence from men wearing all black and carrying tear gas guns pointed at demonstrators.⁷⁴ State security forces were also implicated in the attacks.⁷⁵

Later that day, Saif and his fellow protesters were occupying the Republican Bridge that connects Tahrir Square to an entrance into the Green Zone. **“We were seven on the bridge, and we all got hit. I was the third.”** Saif was struck with a tear gas canister – a direct shot

⁷⁴ Human Rights Watch interview with Saif Salman (phone), Baghdad, August 2022.

⁷⁵ **“Iraq: Protesters Killed by Teargas Canisters,”** Human Rights Watch news release, October 27, 2019, <https://www.hrw.org/news/2019/10/27/iraq-protesters-killed-teargas-canisters>.

to his right leg. The canister lodged into his leg. “The gas was still coming out of my leg as it was in me.”

Saif’s friends rushed him to Sheikh Zayed Hospital, just south of Tahrir Square. “The doctors immediately knew they didn’t have the capacity to perform the surgery I needed.” After traveling to a second hospital that also could not treat him, Saif finally arrived at Medical City, a large hospital and medical complex in north Baghdad.

In the ensuing days, Saif received seven operations on his leg. All failed to repair the damage. “The gangrene was spreading, the smell was awful,” he recalled. Saif finally agreed to an amputation.

Saif and his fellow protesters filed a legal case against the most senior politicians in the government, those who they held ultimately responsible for the violence and injuries they suffered. The case, as with previous cases discussed, went nowhere, with no communication from the courts about the progress of his complaint.

Saif received medical support from Médecins Sans Frontières (MSF), who worked to provide him with a higher-quality prosthetic and follow-up physical therapy during his recovery.⁷⁶ While there was no progress on his legal case in the courts, the authorities informed him that he would be eligible for compensation and that his case was taken up by the Martyrs Foundation for review. In cases of injury, compensation claims begin with paperwork and approvals from the Martyrs Foundation, which then refers these compensation claims to the National Pension Directorate.

However, Saif’s case for compensation was continuously delayed in part because of the multiple government bodies involved in verifying the claim – the Martyrs Foundation, the National Security Service (*amn al-watan*), the Ministry of Health, local police, and local court authorities.⁷⁷ These bureaucratic delays eventually pushed Saif to hire a lawyer. “If you don’t have a lawyer, your claim won’t go anywhere,” he insisted.⁷⁸

⁷⁶ “Mending broken lives: treating wounded protesters in Baghdad,” *Médecins Sans Frontières*, January 10, 2020, <https://www.msf.org/mending-broken-lives-treating-wounded-protesters-iraq> (accessed September 21, 2022).

⁷⁷ Human Rights Watch interview with Saif Salman (phone), Baghdad, August 2022.

⁷⁸ *Ibid.*

Saif's lawyer told him that in order for his claim to be processed quicker, Saif would have to pay additional "fees" or bribes to relevant authorities and institutions. "Without money and *wasta* [connections], you're left waiting in the sun," Saif lamented. Saif agreed to paying the additional fees.

In April 2022, nearly two and a half years after losing his leg merely for protesting, Saif received compensation for his injury. His injury was deemed severe, and the Martyrs Foundation offered Saif 36 million Iraqi dinar (US\$24,650) as his one-off payment. But after accounting for his lawyer fees as well as the bribes he had to pay, Saif said he only received about half that amount.

The medical committee that assessed Saif's injuries gave Saif one of the highest disability rates (*nisbat al-'ajaz*) it offers, a calculation made proportionate to one's injury. The 90% rate he was assessed means Saif receives 1.2 million Iraqi dinar per month (\$820). Saif uses most of those funds to pay for ongoing medical care. "I travel to Baghdad once a week for physical therapy. I pay 100,000 to 150,000 Iraqi dinar per week for treatment (\$70-100)."

Saif's case suggests that at least some severely injured protesters have received compensation. But Saif received his funds only after two and a half years of waiting, and after being forced to hire a lawyer and pay what amounted to bribes to a range of authorities involved in processing his claim. Without legal support and ultimately paying from his eventual compensation, Saif would have waited much longer for an outcome, with no guarantee of success.

Nouraldin in Baghdad

"We were just chanting against the government." Nouraldin Khalid's recollection sounded innocuous enough. But it was October 25, 2019, the first day that mass protests resumed after eight days of protest that had occurred at the beginning of the month. "There was a concrete barrier between us protesters and the police. At around 10:50 a.m., the anti-riot police began firing tear gas canisters toward us."⁷⁹

⁷⁹ Human Rights Watch interview with Nouraldin Khalid, Baghdad, March 2022.

Ten minutes after the tear gas attacks began, Nouraldin, 23, said he was struck in the neck with a tear gas canister. “Other protesters moved me in a tuk tuk to Ibn Nafis hospital,” he recalled. “I stayed there in intensive care for five days, laying unconscious for another two days, before finally being released.” But Nouraldin had to return to the hospital four days after his release. “I had to do another surgery because chemical liquids were coming out of my neck due to the tear gas,” he said.

Nouraldin underwent a total of three surgeries, one of them in Sulaymaniyah in northern Iraq. But as a result of the tear gas attack, he suffered irreparable nerve damage. “I have arm paralysis now, so I can’t move my right arm. And I suffered damage to my vocal cord nerves too.” Nouraldin submitted a request for compensation for the injuries he suffered, and he now receives a monthly stipend from the pension directorate. But his medical needs have yet to be met by the government he deems responsible for his injuries.

“I need surgery [for my vocal cords] that I can only get outside Iraq. I cannot afford the cost. I went to the health ministry seeking assistance but received nothing,” Nouraldin bemoaned. “The prime minister said that the government will send the injured abroad to receive the care they need and cannot get here. I just hope the government translates their words into action.”

Ahmed in Nasriya

Ahmed Sattar Jabar Sameer, 33, has escaped death at least three times. The first time was on November 10, 2019, while he was in a protester tent in Habubi Square. Anti-riot police moved in to remove the protesters, first striking protesters with batons. “The advance was slow,” he recalled, before it escalated.⁸⁰ State security forces launched tear gas and then live fire. Ahmed was struck in the leg, and his friends lifted him out of the square and rushed him to the hospital.

The second incident, on January 10, 2020, occurred when he and other protesters were occupying a major highway, on Fahed bridge. They had been doing a sit-in for a week when state security forces, without warning, stormed the protest site. “The boy next to me,

⁸⁰ Human Rights Watch interview with Ahmed Sattar Jabar Sameer, Nasriya, April 2022.

Mustafa Ghizi, was shot and killed. Actually, two other protesters named Mustafa were also killed that day.”

After this attack on protesters, Ahmed and other activists filed a case against a senior police officer in Nasriya at the time. “[I know] he was there and directed police actions that day,” Ahmed recalled. “He was at the front of the forces.” Witnesses filed statements with the police. They also followed up with the appeals court and gave statements against the police officer.

The case went nowhere. “The first time I went to file the complaint against him, the police threatened me,” Ahmed said. “They told me he is our boss and we might arrest you for making this complaint.” According to Ahmed, shortly after the incident the police officer was transferred out of Nasriya and ultimately to Amara, where he became head of the police for Maysan province.⁸¹

The third time Ahmed was almost killed while protesting was on August 21, 2020. He and other activists were back in the protest tent in Habubi Square when a motorbike parked close by exploded. The bike bomb knocked Ahmed unconscious. He barely survived and suffered lasting damage to his eyesight.

He traveled to Baghdad for treatment. Doctors there told him he would have to travel outside of Iraq for surgery to improve his vision. He appealed to Iraq’s Ministry of Health, but officials there concluded that Ahmed would not benefit from medical treatment abroad. He would have to bear the costs of medical treatment abroad himself.

“I traveled to Iran to receive two operations on my eyes. My eyesight is a bit better now. But I had to pay \$10,000 for the treatment,” Ahmed said. He has sought compensation for

⁸¹ “قائد شرطة ميسان يتسلم مهامه رسمياً” *Mawazin News*, October 26, 2019, <https://www.mawazin.net/Details.aspx?jicare=70062> (accessed September 23, 2022); “العميد ناصر الاسدي يتسلم مهام قيادة شرطة ذي قار” *Baghdad Today*, January 22, 2020, <https://baghdadtoday.news/news/108185/%D8%A7%D9%84%D8%B9%D9%85%D9%8A%D8%AF-%D9%86%D8%A7%D8%B5%D8%B1-%D8%A7%D9%84%D8%A7%D8%B3%D8%AF%D9%8A-%D9%8A%D8%AA%D8%B3%D9%84%D9%85> (accessed September 23, 2022); “اللواء ناصر الاسدي يباشر مهام عمله قائداً لشرطة محافظة ميسان” *Ki Youm*, January 2, 2022, <https://www.klyoum.com/iraq-news/ar/18-%D8%A7%D9%84%D9%84%D9%88%D8%A7-%D9%86%D8%A7%D8%B5%D8%B1-%D8%A7%D9%84%D8%A7%D8%B3%D8%AF%D9%8A-%D9%8A%D8%A8%D8%A7%D8%B4%D8%B1-%D9%85%D9%87%D8%A7%D9%85-%D8%B9%D9%85%D9%84%D9%87-%D9%82%D8%A7%D8%A6%D8%AF%D8%A7-%D9%84%D8%B4%D8%B1%D8%B7%D8%A9-%D9%85%D8%AD%D8%A7%D9%81%D8%B8%D8%A9-%D9%85%D9%8A%D8%B3%D8%A7%D9%86.php> (accessed September 23, 2022).

his injuries and as of yet has not received any. “It’s all just a routine exercise,” he lamented about the compensation process for the injured, “and in the end it won’t be successful and it’s not worth it to try again.” Ahmed’s resignation from the process is tied to just how many Iraqis are in a similar position: “We have so many people with disabilities here, and they are without assistance. We all need help and support.”

Ahmed’s case further demonstrates the need for Iraqi authorities to improve the compensation system for the thousands of Iraqis who suffered injuries as a result of their participation in demonstrations and protests. Recent reports, however, indicate that even Iraqis who have been cleared to travel abroad for medical treatment, paid for by the Iraqi government, have not received the care they require.⁸² **One patient, Wa’ad al-Azzawi**, was paralyzed by a bullet in his back. He was sent to Germany for his paralysis, but upon arriving discovered the hospital he was sent to specialized in elderly care, not paralysis.

To the extent Iraqi authorities have been successful in compensating the victims of violence against protesters, their efforts have focused largely on the families of those killed. Some injured protesters have also been successful in gaining compensation. But those who have been successful have often waited years to receive monies; most others have simply given up, knowing hiring a lawyer to fast-track their case would be far too costly.

⁸² Zaid Salem, “جرحي التظاهرات العراقية: معاناة في ألمانيا من دون علاج,” *Al Araby*, July 5, 2022, <https://www.alaraby.co.uk/society/%D8%AC%D8%B1%D8%AD%D9%89-%D8%A7%D9%84%D8%AA%D8%B8%D8%A7%D9%87%D8%B1%D8%A7%D8%AA-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A%D8%A9-%D9%85%D8%B9%D8%A7%D9%86%D8%A7%D8%A9-%D9%81%D9%8A-%D8%A3%D9%84%D9%85%D8%A7%D9%86%D9%8A%D8%A7-%D9%85%D9%86-%D8%AF%D9%88%D9%86-%D8%B9%D9%84%D8%A7%D8%AC> (accessed September 23, 2022).

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To Sleep the Law

Violence Against Protesters and Unaccountable Perpetrators in Iraq

In October 2019, hundreds of thousands of protesters took to the streets of cities in central and southern Iraq demanding the fall of the political system constructed after the US- and UK-led invasion of the country in 2003. Security forces and state-backed armed groups responded with vicious and unrelenting violence, killing more than 500 protesters and injuring thousands more in just the first few weeks of the uprising. This report takes stock of measures initiated by the Iraqi government to ostensibly provide accountability for the killing, disappearing, and maiming of protesters and activists during and after the 2019-2020 uprising.

The report examines two aspects of these supposed efforts: legal justice for perpetrators, and financial compensation for victims and their families. Evidence from victims and their families suggest that despite initial investigative interest from Iraqi authorities, particularly into assassinations of activists, there has been little follow up from authorities to achieve justice. The report calls on the Iraqi government to publicly release information collected by its own Fact-Finding Committee investigating the violence against protesters. It also calls on the Iraqi government to establish a clear and concise medical care and compensation policy for victims of violence against protesters, including for families of those killed as well as those who were injured.

(above) Activists use barbed wire to stop protesters from crossing cement blocks separating them from Iraqi riot police, at the Tahrir square in Baghdad, Iraq, December 10, 2019.

© 2019 AP Photo/Nasser Nasser

(front cover) Young women gathered in Tahrir Square commemorating youth killed during the early weeks of the Tishreen uprising, December 2019, Baghdad, Iraq.

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