



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Committee against Torture Seventy-third session

Summary record of the 1887th meeting*

Held at the Palais Wilson, Geneva, on Tuesday, 26 April 2022, at 10 a.m.

Chair: Mr. Heller

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Second periodic report of Iraq (CAT/C/IRQ/2; CAT/C/IRQ/Q/2; CAT/C/IRQ/RQ/2)

1. *At the invitation of the Chair, the delegation of Iraq joined the meeting.*
2. **Mr. Salar Abdulsattar Mohammed** (Iraq), introducing his country's second periodic report (CAT/C/IRQ/2), said that efforts had been made to put into effect the recommendations made by the Committee in its concluding observations on the initial report (CAT/C/IRQ/CO/1). Those efforts had taken place against the backdrop of a security situation that had resulted in the holding of early elections and the formation of the current Government. The new administration took a clear position on abduction, detention and torture and sought tirelessly to promote the rule of law and bring the perpetrators of those crimes to justice.
3. The Human Rights Department in the Ministry of Justice had been set up in 2019 and was responsible for monitoring the observance of international obligations and promoting cooperation and coordination with human rights bodies. The second periodic report had been prepared by a committee comprising representatives of the executive, the judiciary and the Office of the Coordinator of International Recommendations of the Kurdistan Regional Government. An anti-torture bill had been prepared, taking into account the obligations set out in the Convention and the Committee's concluding observations of 2015.
4. The National Human Rights Plan for the period 2021–2025 was part of efforts to promote human rights following a wave of popular demonstrations calling for reform, action on corruption and strengthening of the rule of law. Under the Plan, torture would be categorized as a serious offence in national legislation, in accordance with the Convention. In addition, there were measures to ensure that perpetrators were punished and victims received compensation and redress. The Plan also provided for the establishment of monitoring mechanisms to prevent torture in all contexts of deprivation of liberty and an easily accessible complaints mechanism.
5. The judicial system was independent and impartial, and access to justice was ensured for all. Severe penalties were imposed on any person who carried out an arrest without a warrant or who used torture in the course of an investigation. Accused persons received legal guarantees. The judiciary tackled impunity, ensured reparation for victims and made confidential and thorough investigations into human rights violations in accordance with the Criminal Code, the Anti-Terrorism Act and the laws on compensation. To ensure that national legislation complied with human rights standards, a committee of retired judges had been set up to study and, where appropriate, redraft laws, including criminal laws, taking into consideration the international recommendations made in that regard.
6. Great efforts had been made to meet the demands of protestors and better serve citizens through a reform package. The cases involving torture of persons taking part in demonstrations in the period from October 2019 were a matter of priority for the Ministry of Justice, as they touched on the important rights of freedom of expression and freedom of assembly, which were guaranteed in the Constitution. The Prime Minister had taken a direct interest in those cases as part of efforts to restore the rule of law. To determine the facts, the head of the Supreme Judicial Council had requested meetings between representatives of the United Nations Assistance Mission for Iraq (UNAMI) and the judges investigating the demonstrators' treatment. The Supreme Judicial Council had released all arrested demonstrators, since their actions were considered to constitute exercise of the rights to freedom of expression and freedom of opinion. The Government and the parliament had set up investigative committees and had referred many persons to the courts on charges of suppression of demonstrations and use of excessive force.
7. Iraq had embraced the principles of international and regional cooperation and openness, particularly in dealing with crimes committed by Da'esh and tackling the challenges of transitional justice. An open invitation had therefore been extended to all United Nations special procedures to make visits to the country in accordance with their

respective mandates, and a central committee had been established to organize the visits. The Special Rapporteur on torture had attempted to visit a number of times but had been obliged to postpone owing to scheduling issues and the circumstances on the ground.

8. The Council of Ministers had approved a legal aid bill that would strengthen the defence of persons who were unable to meet the costs of proceedings, and the Anti-Terrorism Act was being amended. Act No. 58 of 2017 provided for witness protection, including to prevent threats or retaliation that would impinge upon fair trials and the provision of information to bring offenders to justice. The Prisoners and Detainees Reform Act, issued as Act No. 14 of 2018, took account of relevant human rights standards and established the legal framework for the monitoring of correctional services, including through visits and coordination with international organizations. A bill to amend that Act would give the inspection authorities broader powers.

9. Sexual violence and other human rights violations committed by Da'esh against Iraqis were a major cause of concern. The Supreme Judicial Council had initiated the necessary investigations through specialized courts, and the authorities cooperated with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant, established pursuant to Security Council resolution 2379 (2017). The Yazidi Female Survivors Act, Act No. 8 of 2021, had led to the establishment of the General Directorate for Yazidi Survivors, which provided services to persons from all groups who had survived crimes perpetrated by Da'esh and coordinated national efforts to prosecute the perpetrators.

10. Instruction on human rights was being introduced in training programmes for the security forces, the military, judicial institutes, law schools and law enforcement and prison officers, and the Iraqi High Commission for Human Rights had developed specialized training programmes on human rights and interaction with civilians during armed conflict and civil strife. The Ministry of Defence also provided training on human rights and international humanitarian law, and inspection teams and committees from that Ministry's Human Rights Directorate were active during military operations.

11. **Mr. Zebari** (Iraq) said that the Kurdistan Regional Government, which he represented, was unwavering in its commitment to human rights. Kurdistan Region had witnessed political, economic and security challenges in recent years, including in connection with the fight against Da'esh. A regional plan for human rights had been approved in 2021, in consultation with United Nations bodies, international and local civil society organizations and diplomatic offices. Judicial and administrative measures were taken to combat torture; the public prosecutor's office was responsible for investigating all forms of torture in detention and correctional facilities to ensure that prisoners were not subjected to ill-treatment. Cases of alleged torture had been addressed through legal proceedings, and measures – including warnings, deprivation of allowances and relocation to other units – had been taken against a number of law enforcement officers for the use of violence against prisoners. UNAMI had conducted visits to correctional facilities in 2021.

12. Arrests were carried out in accordance with the law and detainees were entitled to respect for their basic rights and the appointment by the court of a lawyer, in the event that they could not afford to hire one. As of March 2022, there were approximately 4,900 convicts in correctional facilities in the Region, 465 of whom were women or minors. To address problems of overcrowding, new buildings were under construction, including a special building for juvenile and female convicts. In April 2022, the Prime Minister had ordered the opening of three psychiatric hospitals for women.

13. More than 920,000 internally displaced persons and refugees were living in the Region. To address the crimes committed by Da'esh, the Regional Government had documented more than 5,000 cases of abduction; almost half of those cases had been disposed of by the courts, while 2,000 cases remained under investigation and thousands of persons were still registered as missing. Social and psychological support had been provided to victims and the Regional Government had worked to produce a digital archive of the crimes in question and cooperated with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant. Unrelenting efforts had been made to liberate abducted Yazidis and other minorities, which

had led to a number of rescues, and a committee had been established to collect information on abductions.

14. The Region hosted more than 9,000 journalists and multiple media outlets, including websites, radio stations, newspapers and television channels. The judicial authorities were taking action on allegations of violence against journalists, which had led to the imposition of fines in a number of cases. Four shelters had been established to receive abused women, including foreign women and refugees residing in the Region. To combat trafficking in persons, 340 recruitment agencies and more than 2,000 foreign nationals had been investigated, and a number of companies had been referred to the courts. Awareness-raising sessions on trafficking in persons had been organized and a shelter for victims of trafficking had been opened. Since 2008, capital punishment had been suspended, except in cases with a particular public impact. Death sentences that had been issued had not been implemented. In 2021, of the 36 criminals sentenced to death, 6 had had their penalty reduced to life imprisonment on appeal.

15. **Mr. Tuzmukhamedov** (Country Rapporteur) said that, since the Constitution of Iraq made Islam the fundamental source of law in the State party, he would welcome an explanation of the balance struck between international law, including the Convention, and Islam within the current constitutional system, and clarification as to which authority decided on the compatibility of the norms of the Convention and other international treaties with the dictates of Islam. He wondered whether the Supreme Criminal Tribunal had referred in its judgments to the case law of international criminal tribunals, and whether the courts, including the human rights courts, sought legal arguments from international sources such as the Convention and the opinions of non-judicial bodies including the Committee. Examples would be appreciated.

16. Concerning the bilateral and international treaties referred to in the replies to the list of issues, he wished to know whether the now abrogated memorandums of understanding under which Iraqis living in Nordic States had been “compelled to return” ([CAT/C/IRQ/RQ/2](#), para. 83) had indeed provided for the forcible return of Iraqis, even in violation of the principle of non-refoulement, and whether the extradition agreements concluded with the former German Democratic Republic and the former Union of Soviet Socialist Republics ([CAT/C/IRQ/RQ/2](#), para. 89) remained in force with the unified Germany and the successor States of the Soviet Union. It would be helpful to know how the latter agreements addressed the issue of extradition and ensured compliance with the principle of non-refoulement. Details would be appreciated of any reasons, in addition to those set out in the replies to the list of issues ([CAT/C/IRQ/RQ/2](#), para. 179), for the decision not to accede to the Rome Statute of the International Criminal Court and the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts.

17. Regarding national legislation, two anti-torture bills had been introduced in the Council of Representatives, one prepared by the Council’s own Human Rights Committee and the other by the Ministry of Justice. He wished to know why two separate bills were being considered; whether there were any fundamental differences between them and, if so, whether they were reconcilable; how torture was defined in the bills; and what the prospects were of either bill’s becoming law. He would appreciate clarification of the provision in the Ministry of Justice’s anti-torture bill according to which no one accused of the offence of torture might participate in the related investigation, since an official would not be expected to investigate himself or herself. In the same vein, he wondered whether the Ministry’s bill sought to bar courts martial and the courts of the internal security forces from examining cases involving torture or ill-treatment in order to prevent military judges from trying military defendants and thereby ensure judicial impartiality. He would like to know what role, if any, would be played by the human rights courts under that bill.

18. He would be grateful for further details on the specific procedures for dealing with alleged torture under the Forensic Medicine Act, as amended, and the Act concerning the protection of witnesses, experts, informants and victims. He would be interested to hear how the mandate of the committee of judges established by the Supreme Judicial Council to review and amend national legislation with a view to bringing it into line with international treaties could be reconciled with article 98 (1) of the Constitution, which prohibited judges

from serving concurrently in judicial and legislative capacities. Was the committee comprised solely of retired judges? Given that the powers of investigating judges were broad and seemed to extend beyond the confines of the judicial sphere, clarification of the status of such judges and the limits imposed by law on their authority would be appreciated.

19. It would be helpful to have details of notable torture-related cases that had come before the courts and their outcomes, specifically the number of convictions and acquittals, and the length of any prison sentences imposed. Was it correct, as had been reported, that offences related to torture carried a penalty of “penal servitude”, alongside imprisonment? If so, he wondered how the term “penal servitude” was defined in Iraqi law and how the penalty was enforced in practice. He also wished to know why there was such a difference between the severity of penalties for torture-related offences under the Criminal Code, which provided for imprisonment for 1 year and a fine of 100 dinars (ID), and the penalties for trafficking-related offences under the Trafficking in Persons Act, which envisaged fines of up to ID 25 million and custodial sentences of up to life imprisonment.

20. He would be interested to learn what the capital offences were in Iraq and which laws other than the Criminal Code and the 2005 Anti-Terrorism Act prescribed the death penalty. Details on prospective amendments to bring legislation that provided for the death penalty into line with human rights standards would be welcome. He wished to know how many death sentences had been handed down and for what offences; how many convicts had been executed and how many remained on death row; and how many death sentences had been commuted since the reinstatement of the death penalty by Order No. 3 of 2004. It would be useful if the delegation could elaborate on the claim in the State party’s report that the death penalty was now applied on a smaller scale and only for specific offences, including crimes of terrorism, as defined in the Order, and explain the rationale behind delegating responsibility for legislating on the death penalty to the executive branch of government. Given that, in case of a mitigating justification for an offence that attracted the death penalty, the penalty should be reduced to life or fixed-term imprisonment, or to detention for a period of not less than 1 year, he wondered why those lesser penalties varied to such a degree.

21. He would appreciate information as to whether the High Commission for Human Rights was adequately funded to fulfil its mandate; whether its composition reflected the complex nature of Iraqi society in terms of social strata and ethnic groups; what role political forces had played in establishing its mandate; what its priority areas were and whether they included torture; whether it was authorized to conduct unannounced visits to places of detention, whether it had ever made such a visit and whether it had ever been prevented from doing so; whether it could file a complaint with the public prosecutor if it identified a violation; and whether the Commission interacted with the courts on human rights matters. He also wished to know whether commissioners enjoyed immunities while in office and whether there had been any instances of interference with the activities of the Commission or harassment of its members. In particular, he wondered whether the delegation might comment on reports of judicial harassment against the former commissioner Ali Akram al-Bayati for remarks concerning torture that he had made while still in office.

22. He would be interested to learn whether there was a system established by law that provided remedies to victims of torture and outlined scales of pecuniary and other forms of compensation, and, if so, how the system worked in practice. Given the references in the State party’s report to compensation in cases of martyrdom (CAT/C/IRQ/2, paras. 64 and 114), it would be helpful to have an explanation of the concept, with examples, and how it related to torture.

23. He wished to have further information on the human rights training provided to military and police personnel, including what manuals were used and who the instructors were. It would be useful to have an indication of the effectiveness of the extensive amount of training given. In the light of certain gaps in the State party’s replies to the list of issues, he would welcome detailed information about any interrogation rules, instructions, methods and practices or arrangements for custody that had been introduced since the consideration of the initial report (CAT/C/IRQ/1); the use of alternatives to imprisonment both before and after trial; allegations of shots having been fired at medical staff treating demonstrators; reports of torture during interrogations in prisons in Mosul; and the investigation and prosecution of serious human rights abuses committed by the Iraqi security forces and

affiliated forces during the fighting with Da'esh and other armed groups. Lastly, he would appreciate more detailed responses to the questions raised in the following paragraphs of the list of issues: paragraph 23, on admissibility in court of evidence obtained through torture and ill-treatment; paragraph 24, on measures taken to protect human rights activists; and paragraph 27, on the State party's response to threats of terrorism.

24. **Mr. Liu** (Country Rapporteur) said that he wished to know whether a valid contract of marriage concluded between a perpetrator of rape and the victim still constituted grounds for suspending the enforcement of a sentence or for dropping an investigation or prosecution. He would like to learn more about how judges exercised their discretion in applying the mitigating factors, such as defence of honour, set out in articles 128, 130 and 131 of the Criminal Code. Had there been any recent changes in that regard? He wondered what recommendations the Department for the Empowerment of Women had made for the amendment and/or repeal of legal provisions that discriminated against women, and what the outcome of any such reform had been. He asked why the number of complaints received and investigations conducted by the Ministry of the Interior in cases of violence against women had fallen drastically in 2021 compared to 2019 and 2020.

25. He would like to learn how computerized systems containing inmates' records were used, whether records were shared between competent bodies, whether they could be used to determine a person's whereabouts, and whether the authorities and the general public were able to access information about a prisoner's situation. He would appreciate an update on the work of the Da'esh crime investigation unit on the cases of girls, women and children from the Yazidi, Kurdish and other communities who had been victims of crime. He wished to hear examples of visits by national or international non-governmental organizations (NGOs) to prisons and other places of detention that had been authorized by the competent authorities and the Ministry of Justice. He wondered whether the delegation might comment on reports of outbreaks of various diseases, including tuberculosis, scabies and coronavirus disease (COVID-19), in prisons and what efforts had been made to improve health care for prisoners. He wished to know what progress there had been in the construction of new prison facilities in order to tackle overcrowding, whether women's prisons were managed by male staff and, if so, whether that led to exploitation of female prisoners.

26. Regarding the alleged enforced disappearances of demonstrators, he would appreciate information on the status of the cases that had been referred to the judiciary and the security services for further investigation. He also wished to know what the extent of the problem of enforced disappearances was, and what was being done to prevent and investigate deaths and disappearances in prisons and other places of detention. In addition, he wondered what guarantees were in place to ensure that all former prisoners, including child prisoners, who had been granted special amnesty during the COVID-19 pandemic were living in safe and secure conditions.

27. Lastly, regarding international cooperation and technical assistance initiatives, he asked what the areas of greatest need in Iraq were, whether the country had learned any lessons through such initiatives that could benefit other States in a similar position and whether the authorities intended to invite the Special Rapporteur on torture to visit the country.

28. **Mr. Iscan** said that he wished to know whether, and within what time frame, Iraq planned to accede to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, the Convention relating to the Status of Stateless Persons, the Convention on the Reduction of Statelessness, Protocol II Additional to the Geneva Conventions of 1949 and the Rome Statute of the International Criminal Court.

29. The State party's report referred to "the principle of non-refoulement", stating that Iraq applied the same principle to "the situation of Iraqis seeking asylum in European countries". He wondered whether some sort of reciprocity was implied, given that States had an obligation to respect human rights standards, including with regard to non-refoulement, irrespective of such considerations. What provisions on implementation of the principle of non-refoulement were contained in Iraqi legislation?

30. Regarding the deportation of unsuccessful asylum applicants to third countries, he asked whether applicants had recourse to a judicial remedy for challenging such decisions,

what the criteria were for deciding which country unsuccessful applicants should be deported to, what safeguards were in place to ensure that unsuccessful applicants would not face torture or chain-refoulement to a country where they would be at risk of torture, and whether statistical data on the number of such deportations were available. Lastly, he wished to have further information about the case of Ayesha Al Harby, a Saudi citizen currently detained in Al-Rusafa prison awaiting extradition to Saudi Arabia, as well as any other similar cases.

31. **Ms. Racu** said that, given the reports received of poor material conditions and severe overcrowding experienced by female prisoners in Iraq, she wished to know what legislative, institutional and budgetary measures were being taken to improve the situation. She wondered how many women and girls were being held in detention in Iraq, including those on remand and those detained by the security forces, and, of them, how many took part in education, vocational training or other activities. She asked whether any alternatives to detention were available and whether female prisoners who were mothers or who had disabilities had access to medical care and psychosocial support, including mental health care.

32. **Mr. Buchwald** said that he wished to know what provisions were contained in the anti-torture bills regarding the responsibilities of persons in supervisory and leadership positions, and whether the same rules applied to military and civilian personnel. He also asked what legal hurdles needed to be overcome to allow Iraq to accede to the Rome Statute and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The meeting was suspended from 11.35 a.m. to 12.05 p.m.

33. **Mr. Salar Abdulsattar Mohammed** (Iraq) said that the powers of investigating judges were enshrined in the Constitution and laws of Iraq. Investigating judges were responsible for collecting evidence, including from the scene of a crime, taking statements from victims, witnesses and accused persons and referring cases to the competent courts. All decisions made by investigating judges were monitored by the Office of the Public Prosecutor and the relevant criminal court.

34. Legal safeguards were in place to protect accused persons during investigation procedures. They were presumed innocent until proven guilty and could be held under initial arrest for no more than 24 hours. A defence lawyer – to be assigned by the State if necessary – must be present during questioning, and accused persons had the right to appeal against decisions made by the investigating judge.

35. **Mr. Al-Obaidi** (Iraq) said that the committee of judges established to review and amend national legislation with a view to bringing it into line with international treaties was comprised of retired judges only.

36. While Iraqi law did not contain clear provisions on non-refoulement, the recommendations received during the process of acceding to various international treaties had been of great help in the country's efforts to meet human rights standards in that area. Unsuccessful asylum applicants were never deported to countries where they might be at risk of violence or mistreatment. While statistics were not available, he wished to assure the Committee that no such cases had occurred. All extradition agreements and other treaties concluded with the former German Democratic Republic and the former Union of Soviet Socialist Republics that did not have an expiry date remained in force with the unified Germany and the successor States of the Soviet Union.

37. While the Government was in favour of accession to all international treaties, it took care to ensure that such treaties would be enforceable before Iraq acceded to them. Proposals on accession to the Rome Statute and Protocol II Additional to the Geneva Conventions of 1949 had been presented by legal and human rights experts, but, given the security challenges the country faced, the requisite legal conditions were not yet in place. In the case of the Rome Statute, it would be difficult to cooperate with the International Criminal Court as long as the national legal system did not itself penalize the crimes over which that Court had jurisdiction. The legislature was currently developing a bill on international crimes that drew directly from the Rome Statute, with the assistance of international experts. The Government was also studying accession by Iraq to the Optional Protocol to the Convention against Torture, but

further professional opinions first needed to be sought to ensure that conditions in the country were appropriate. A legal study on accession to the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness had been submitted to the Council of State, but the accession process was time-consuming.

38. All human rights violations against civilians, including violations committed by members of the security forces, were referred to the ordinary courts. As torture and ill-treatment were considered ordinary crimes, they could be examined only by the ordinary courts. With regard to the penalties provided in the Criminal Code for torture-related offences, the fines had been adjusted upwards to make them commensurate with the purchasing power of the Iraqi currency as well as the severity of the offences. Human trafficking was defined in Iraqi law in accordance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; it was thus a criminal offence, punishable by heavy penalties.

39. Under the Constitution adopted in 2005, the executive had certain legislative powers. The Prime Minister at that time, in the face of widespread terrorist crime, had bowed to public pressure and decided that the death penalty would apply for certain crimes deemed to be particularly serious, such as terrorist crimes aimed at destabilizing the country and creating dissent and sedition, and crimes involving the violation of the right to life, including indirect violation by, for example, trafficking in human beings or aiding and abetting terrorism, where such acts resulted in loss of life. The death penalty would, however, no longer be imposable for less serious offences.

40. The Supreme Criminal Tribunal referred to judgments of international courts that were relevant to the Tribunal's own work, for example on crimes against humanity and war crimes. In drafting the anti-terrorism bill, legislators had looked to the Convention against Torture and the Committee's concluding observations on the initial report of Iraq on the implementation of the Convention and had received valuable advice from UNAMI. Under the Constitution, draft legislation could be proposed by 10 members of the Council of Representatives; the Ministry of Justice had accordingly been asked to prepare a bill that took due account of the provisions of the Constitution. In addition, a working group had been set up to look into the specific nature of the crime of terrorism in Iraq in order to take account of the wishes and concerns of those members of the community who lived with terrorism every day.

41. Iraq observed the principle of non-refoulement. At the same time, any individual should be permitted to return to his or her own country on a voluntary basis, with due regard for the individual's well-being.

42. **Mr. Al-Luhaibi** (Iraq) said that, in accordance with the Constitution, which stated that Islam was the source of all law, Iraqi legislators made no distinction between the various groups within Islam. Iraqi society, being multi-denominational, practised freedom of religion, and all religions were equal. While Islam as a religion made no mention of torture or human rights, it granted certain prerogatives to law and, in a democratic country such as Iraq, the law guaranteed the freedom of all groups. The Convention had legal status, having been duly ratified in accordance with the law. Under the Constitution, no one could be arrested without a warrant, while torture and ill-treatment, and the use of torture to extract confessions, were prohibited. Redress in such cases was guaranteed.

43. **Mr. Salar Abdulsattar Mohammed** (Iraq) said that the fines provided for under the Criminal Code in cases of torture and ill-treatment had been considerably increased since 2008. A fine of ID 100 had been increased to ID 1 million, while an ID 1 million fine was now ID 10 million. The court had discretion to determine the fine to be applied in any given case.

44. The Ministry of Justice took its collaboration with intergovernmental organizations, international NGOs and UNAMI very seriously. Accordingly, numerous visits were organized every year to detention and correctional facilities, with continual exchanges of correspondence in preparation for the visits. The International Committee of the Red Cross (ICRC) had made six visits in 2019 and two in 2020, for example.

45. Memorandums of understanding concluded between the Ministry of Justice and prisons helped to ensure the proper application of human rights in those facilities, cooperation in the rehabilitation of prisoners and oversight of the administrations' efforts to ensure prisoners' well-being.

46. ICRC ran workshops for prison guards and law enforcement personnel, while the Swiss NGO Terre des Hommes ran events for convicted juveniles designed to stimulate their creativity with the aim of facilitating their reintegration through cultural, leisure and artistic activities. Terre des Hommes worked with several juvenile prisons, including a girls' prison in Baghdad. Other organizations helped to train social workers to deal with mothers who had their children with them in prison, or to provide basic services. There were very few prisoners with disabilities, but training was provided for those who worked with them.

47. The Iraqi High Commission for Human Rights would be in a position to provide more assistance with the implementation of human rights standards in prisons once the forthcoming elections were over. Oversight and monitoring of human rights in prisons were the responsibility of special committees under the Ministry of Justice; they had conducted around 20 visits in 2020 and 10 in 2021, notably to follow up on preventive measures in connection with the COVID-19 pandemic.

48. The Ministry of Justice also worked closely with the international community. Staff of the Ministry had, for example, attended the second United Nations High-level Conference on Counter-Terrorism in 2021. There they had taken part in side events and also met with a former senior official of Egypt who had facilitated, among other things, the signing of a memorandum of understanding enabling Egyptian representatives in Iraq to assist in the rehabilitation of juveniles and in training Iraqi officials to deal with juvenile prisoners.

49. **Mr. Abo Senah** (Iraq) said that, in order to alleviate the problem of overcrowding, new prisons were being built and others extended, in line with international human rights standards. The 2022 budget also included provision for a new rehabilitation centre for drug addicts. Giving details of the numerous projects under way, he said that, even though overall capacity was being increased by thousands of places, more prisons were still needed.

50. **Ms. Al-Nuaimi** (Iraq) said that the human rights units of the Ministry of the Interior were responsible for supervision and monitoring of police stations, with due transparency and neutrality and without discrimination, and in accordance with a special annual plan. Complaints of torture brought by arrested or detained persons were transparently investigated by special Ministry committees, forensic and medical examinations were carried out and legal action was taken against police officers where required. All perpetrators were referred to the courts regardless of their rank. In certain cases, they were referred to the civil courts.

51. The right to peaceful protest was guaranteed by the Constitution and the Government's policy was to protect that right. Police officers were required to enforce the law with all due regard for human rights. Law enforcement officials received training in human rights, in the exercise of self-control and in avoiding any use of force not in accordance with international human rights standards, in order to achieve their aims with the least possible loss and damage. Allegations of use of force lodged by peaceful protesters were investigated without delay. In one case, eight police officers had been arrested on charges of violating the rights of journalists and protestors. Court action was pending in other cases. Hundreds of persons who had been injured while taking part in protests had been hospitalized and compensation paid to their families. Investigations were still under way.

52. The Human Rights Directorate in the Ministry of the Interior, in coordination with the High Commission for Human Rights, ran training courses for police officers on moral behaviour and observance of human rights standards and practices. Other training courses and awareness-raising courses, including workshops on trafficking in human beings, were run in coordination with international organizations, government bodies and the United Nations; 12,000 participants had attended to date. Human rights had also been incorporated into the curricula of the police academies.

The meeting rose at 1 p.m.