

Iraq's Female Detainees: Between Sectarianism and the Jailer's Savagery

Dr. Huda Nuaimi, Director, Rawabet Center for Research and Strategic Studies, Amman, Jordan

November 19, 2014

(This essay was originally published in Arabic on November 16, 2014, by Rawabet Center for Research and Strategic Studies. The following is a translation of excerpts from the original. It is being published here by mutual agreement and can be read in its entirety in Arabic at <http://rawabetcenter.com/archives/1135>)

The government of Iraqi Prime Minister Haidar al-Abadi is yet again faced with a new challenge of addressing the difficult conditions of Iraqi female detainees subjected to torture and human rights abuses. According to recently-freed journalist Zainab al-Kaabi, most women held on the basis of Article 4 of the Terrorism Law, or on prostitution charges, are subjected to systematic rape by their jailers. She also related that she saw women accused of terrorism subjected to beatings, electric shock, forced head shaving, burns, and face mutilation by acid.

These accusations are hardly new; they were the main reason for the protests and sit-ins in the (Sunni) provinces for over a year. But a transparent legal authority, immune to interference, pointless wrangling, and sectarian pressures is urgently needed. The Abadi government is also required to abide by its commitments to resolve this matter, for male and female prisoners are still being held, and the latter are still subject to sexual assault. What is indeed urgently required is an immediate and official general amnesty that would be followed by psychological counseling and protection for the detainees from honor killings and forced marriages.

Such an amnesty should also receive the support of tribal and religious authorities in the country.



The alleged mistreatment of women detainees has angered Iraq's Sunni community

What has been curious is the noted absence of the Prime Minister's Office and the Ministries for Human Rights, Justice, Social Affairs, Interior, and Defense from their missions of addressing abuses and pursuing their perpetrators. Abuses – including the arbitrary confinement of women for the acts of their male relatives, delays in deciding cases, accepting secret informants' unverified reports, and torture and rape- have actually been excused. Continuing such practices robs the government of Prime Minister Abadi of much-needed public confidence. Previous governments also denied similar accusations despite available evidence against prisons and their commanders, thus allowing the abuses to continue with impunity.

4,200 Female Prisoners

In its February 6, 2014, 105-page report "Iraq: Security Forces Abusing Women in Detention," Human Rights Watch (<http://www.hrw.org/news/2014/02/06/iraq->

[security-forces-abusing-women-detention](#))

reported that no woman is safe in Iraq's justice system. It also reported that the overwhelming majority of 4,200 women prisoners in detention centers of the Ministries of Interior and Defense are Sunni, although violations have been perpetrated against women of all sects. These women, according to the HRW, were arrested during investigations of male relatives suspected of crimes or after being accused of supporting militants, and not because of crimes they themselves committed. Further, the Iraqi justice system fails to fully investigate accusations of torture, and when freed prisoners file charges, they were ignored.



Iraqi women detainees in Kathimiya prison, 2006

HRW's report is supported by what other women's and civic organizations have discovered in their investigations of human rights violations. Members of the Iraqi Parliament's Committee on Human Rights have also said that there are many public complaints about violations, torture, sexual assaults, beatings, verbal abuse, and harassment. One female detainee was indeed gang raped by police officers during her transfer from one prison to another.

What is deeply distressing is the increasing contradiction between the state's political position and calculations and a specific sectarian component of the Iraqi people. The sectarian divide and the politicization of social affairs have resulted in a skewed understanding of this affair whereby many Shiites consider the accusations as but fabrications intended to harm the Shiite government. Sunnis, on the other hand, are only seen as supporters of terrorism.

The Secret Informant

The Iraqi justice system depends in much of its cases on information collected from secret informants, thus robbing it of the necessary veracity and accuracy for adjudicating cases. This instrument of investigation shows a corresponding official failure in collecting verifiable and supported intelligence. The Iraqi legal activist Hassan Shaaban has blamed Iraqi judges for accepting evidence collected by secret informants who have been responsible for the arrest of innocent Iraqis. A female prisoner was actually arrested based on information gathered from a jaded suitor who had asked for her hand in marriage.

Some of the abuses fall squarely on the shoulders of the previous government. Former Justice Minister Hassan al-Shammari told Parliament's Committee on Human Rights that the government had banned parliamentary committees from visiting the prisons. On the other hand, a member of the previous Parliament has said that what happens in the prisons is consensual, accusing some female prisoners of having forced themselves on policemen they later accused of sexual assault.

Investigative Committees

Human rights abuses by political systems are no longer mere domestic issues because they have become sources of tension, conflict, and instability that threaten international peace. It is thus necessary to establish an international registry that would prevent the falsification of facts and the manipulation of information and would assist victims in bringing closure to traumatic events in their lives.

Investigative committees can organize temporary, official legal procedures to investigate human rights abuses and the reasons behind them, as well as report on them. Importantly, they can be essential vehicles for changing the current laws and rules governing justice and ensuring respect for human rights. These committees can also assist in conducting their own investigations, limiting abuses, redressing grievances, and advancing recommendations for institutional change.

*Views expressed in this article are not necessarily
those of
Quest for Middle East Analysis*

Images accessed 11/19/14

Demonstration image and caption

<http://www.bbc.com/news/world-middle-east-26064908>

Women detainees' image

<http://www.hrw.org/news/2014/02/06/iraq-security-forces-abusing-women-detention>