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PROGRAMME FOR THE PROTECTION OF DETAINES AND TORTURE VICTIMS (PPDT)
SUPPORT TO THE RULE OF LAW AND JUSTICE IN IRAQ

WORKING FOR A BETTER LIFE FOR TORTURE VICTIMS AND PRISONERS IN IRAQ

2008 - 2011
INTRODUCTION

In Iraq today, detainees remain particularly vulnerable to injustices and poor prison conditions that go against their human rights. In addition, individuals exposed to torture and violence in Iraq are often unable to get the help they need to deal with their experiences.

The Programme for the Protection of Detainees and Torture Victims was designed to improve the conditions for prisoners and victims of torture in Iraq by working to ensure respect for human rights standards in Iraqi prisons, improve access to justice and legal representation for detainees and help individuals who have been exposed to torture with treatment and rehabilitation services.

Throughout its four years of operation from 2008 to 2011, the project has worked directly with lawyers, doctors, psychotherapists, police officers, detention centre staff and NGO workers to help prisoners and their families as well as victims of torture.

In particular, the project has supported the NGO network the Justice Network for Prisoners (JNP) to learn more about prison monitoring and how to work for improved detention conditions for prisoners. It has also supported training programmes for prison staff to learn to treat prisoners in accordance with human rights principles and has supported workshops on prisoners’ rights for professional groups that can exert influence on how detainees are treated. Civil society organisations have also received funding to run legal defence centres that have offered free legal aid to detainees and their families. Much needed medical, psychological and social rehabilitation services have also been provided to victims of torture and violence through project funding and assistance to two rehabilitation centres in Basrah and in Kirkuk.

The Iraqi Ministry of Human Rights (MoHR) and the Ministry of Labour and Social Affairs for the Kurdistan Regional Government (MoLSA-KRG) have closely supported the project, as well as other Iraqi authorities including prison management authorities and the Iraqi Bar Association.

The interaction between project participants and the expertise gained have helped to increase dialogue and cooperation between Iraqi civil society and public authorities on the situation of prisoners and on combating torture. Such cooperation shows the importance of the contributions that civil society can make and the recognition that they have received for their work supporting the government in its efforts to improve the protection of human rights in Iraq.
1. ACCESS TO JUSTICE

Access to a fair trial and access to a lawyer are key human rights. In Iraq, cases of prolonged and arbitrary detention, problems with access to legal representation and loss of contact between detainees and their family members are frequently reported. Groups such as women and juveniles are particularly vulnerable to injustices when detained.

Therefore, in partnership with 17 Iraqi NGOs, the project has supported the establishment of 24 legal defence centres in 17 governorates in the country. The lawyers working in the centres have provided free legal representation and advice to prisoners and their families. These centres offer their services to detainees who may otherwise fall through cracks in the legal system. The voluntary nature of the services provided by the centres’ lawyers also demonstrates that there is a readiness to play a role in achieving justice in Iraq.

During the first three months of the centres’ establishment, lawyers worked to inform their communities about the services they were providing. They also went to talk to police officers, prison authorities, tribal leaders, judges and others who would be well positioned to refer prisoners to the centres for legal aid when needed. The lawyers worked hard to prove their legitimacy in a context where free

“To be able to release a person wrongfully detained awaiting a verdict of life in prison or execution is very important.”

Managing lawyer of a Legal Defence Centre in Basrah

legal services outside the state referral system is new to Iraqis and caution as to the quality of the services offered was amongst initial reactions from the public. Many centres and lawyers intend to continue their services beyond the lifetime of the project.
The provision of hotline services may therefore have allowed women access to legal assistance that they might otherwise not have been able to use.

Between 2008 and 2011, almost 1,300 detainees received legal services, including representation of their cases, from the centres. Additionally, over 2,600 hotline calls for legal consultation were received.

The majority of calls on the hotline number were anonymous; however, figures show that there was a high number of female callers. In Iraqi society many see it as taboo for a woman to request legal assistance. The provision of hotline services may therefore have allowed women access to legal assistance that they might otherwise not have been able to use.

“When educated groups in society, such as lawyers, donate their time and efforts to help vulnerable groups, it sends out a meaningful message to the rest of the community about the importance of giving back to society. This work has also given lawyers a sense of inner peace and satisfaction, which eventually creates an incentive for them to provide the best quality of services.”

Lawyer Kathim Al Beithani
Manager of a Legal Defence Centre in Baghdad
In order to develop an effective system for monitoring human rights in Iraq, there is a need to improve the skills of independent civil society organisations working with human rights.

Focusing on the rights of prisoners, the project has helped NGO members of the Justice Network for Prisoners (JNP) improve their skills across a wide range of areas necessary to their work. It has also supported their efforts to build up a system for exchange of experience between NGOs working with prisoners in different parts of the country and to develop constructive relations with relevant Iraqi public authorities.

“We strongly believe in the role of the network as a monitoring body in the country for prison authorities where we encourage them to uphold prisoners’ and detainees’ rights.”

Mr. Mohammed Al Baldawi
Chairman of the Justice Network for Prisoners
The NGO network, which has over 20 member organizations, regularly carries out monitoring visits to check and report on conditions in prisons. To support this work and improve the quality of the monitoring, the project provided in-depth training for member NGOs on human rights and prison monitoring standards. These trainings were delivered by a Tunisia-based human rights NGO called the Arab Institute for Human Rights.

Through the project, network members have also begun collaboration with prison authorities to train prison staff on how to engage with prisoners and manage prisons in ways that ensure that the rights of prisoners are respected. To support this work, joint trainings on the subject were first delivered by the Arab Institute for Human Rights and the Iraqi Ministry of Human Rights to both JNP members and prison management staff. Later, the NGO representatives and prison focal points worked together to train more prison staff across Iraq to treat prisoners in accordance with international standards and human rights principles.

In addition to the trainings for prison staff, the network organizes seminars on prisoners’ rights also for other groups of professionals such as judges and journalists who in one way or another can influence how detainees are treated.
Prison staff trained on human rights in Dohuk | Photo: UNOPS/Hewa Werdena

Through the project:

- Around 520 prison staff were trained on prisoners’ rights, by JNP members and prison focal points, mostly within the Kurdistan Region of Iraq.
- Over 1,500 members of the public including lawyers, judges, NGO representatives, Provincial Council members and journalists have taken part in seminars to learn about prisoners’ rights conducted by the JNP.

To get a fresh perspective and learn how prisoners’ rights are addressed in different ways in other countries, the project organised two study tours to Morocco and Germany where Iraqi NGO representatives visited a range of detention facilities and met with prison authorities to discuss and ask questions about their work methods. They also had the opportunity to learn about programmes that help prisoners return to normal life after they are released from prison, addressing both how to prevent a return to crime and how ex-prisoners can best reintegrate into communities.

The network has also explored the issue of alternatives to imprisonment in Iraq. Amongst other things, alternatives to detention are intended to help reduce overcrowding of prisons and the problems that stem from this but also to ensure that crimes are punished in appropriate ways and if possible help prevent reoffending. The project supported a conference on alternatives to detention organised by a JNP member NGO in Erbil in late 2011. During the event, civil society activists, members of the judiciary and key decision makers participated in discussions on alternatives to imprisonment in the Kurdistan Region specifically. Discussions were also extended to the situation in the rest of Iraq.

“Government entities have had a role in advancing the work of the network through allowing us to enter prisons, mostly in the Kurdistan Region, and by providing trainings under the umbrella of the Ministry of Human Rights.”

Mr. Mohammed Al Baldawi
Chairman of the Justice Network for Prisoners

Alternatives to detention are intended to help reduce overcrowding of prisons and the problems that stem from this.

Prison staff trained on human rights in Dohuk | Photo: UNOPS/Hewa Werdena
3. HELPING VICTIMS OF TORTURE AND VIOLENCE

The practice of torture has been reported in Iraq both before and after the fall of the regime in 2003. Many victims suffer psychological problems such as Post-Traumatic Stress Disorder (PTSD) and depression and relatives face difficult challenges in looking after their family members. There is great need for rehabilitation services and measures to prevent torture from occurring.

“We cannot afford to abandon victims of torture and violence in this society. As a community we must rise above the effect of emotional scars and move in the direction of rehabilitation and reintegration. The act of torture cannot be reversed, but we can still prevent the after-effects of torture, which can be detrimental to family members who are also considered victims of such unjust practices.”

Dr. Abdul Nasser Hussein
The Director of the Bahjat Al Fouad Rehabilitation Centre for Torture Victims

There is great need for rehabilitation services and measures to prevent torture from occurring.
Between 2008 and 2011, the project supported two local rehabilitation centres in the north and south of Iraq: the Bahjat Al Fouad Rehabilitation Centre for Torture Victims in Basrah and the Kirkuk Centre for Victims of Torture in Kirkuk. Staff from the two centres have been trained to provide medical and psychotherapeutic services to victims of torture and violence. They have also been trained on management, administration and fund-raising to help them sustain their activities beyond the duration of the project.

To date, the centres have treated over 4,600 men, women and children, some of them ex-prisoners. Centre staff use various therapeutic methods such as group therapy, behavioural therapy and counselling, as well as specialised services such as physiotherapy for physical injuries and play and sand therapy for young children. In addition, the centres often hold events to raise awareness on basic human rights principles and ways to help victims of torture reintegrate into their communities.

"Patients, and especially women, leave our centre empowered with higher levels of confidence and stronger characters. This is important for us since it reflects that they have control over their lives. We cannot alter the patients’ environment, but we can teach them positive coping strategies through rehabilitation programmes."

Dr. Amal a psychiatrist working at the Kirkuk Centre for Victims of Torture

Patient receives medical treatment in Basrah | Photo: UNOPS/Jamal Penjweny
The centres also have mobile teams that travel to rural areas surrounding Basrah and Kirkuk to assist vulnerable individuals who cannot reach the centres easily. The two centres regularly collaborate with each other and exchange experience and resources.

"I don’t know what I would have done if not for the weekly treatment I get at the Kirkuk Centre’s women department. The doctors are very good and kind and the environment makes me feel comfortable."

A beneficiary from Kirkuk who was referred to the centre by police officers investigating her case of kidnapping.
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