



Open letter to

*Special Rapporteur
of the commission on human rights on
torture and other cruel, inhuman or
degrading treatment or punishment*

Mr. Manfred Nowak

*About the torture in
Iraq*

19 October 2006

Iraq - Baghdad

Conservation Center of Environmental & Reserves - Fallujah



On the time of being honoured of meeting Special Rapporteur of the commission on human rights on torture and other cruel, inhuman or degrading treatment or punishment Mr. Manfred Nowak, also we received his last report to General Assembly in 14 August 2006. We noticed that the Special Rapporteur is waiting for the call of the current Iraqi government to visit Iraq and to investigate all claims that he received concerning torture and forms of cruel treatment which happen in Iraq. what also draws our surprise that there was no indication that the American and British bases are not attached to the Iraqi authorities, thus, and according to the authorities of the Special Rapporteur, there should be a call to allow the American and British governments to allow the Special Rapporteur's team to visit these prisons and these bases as soon as possible. We attach to our report some testimonies of what we submitted to the Special Rapporteur when we met him in Amman.

Our center (CCERF) by cooperation with Monitoring net of human rights in Iraq (MHRI) are present this report about the crimes and violations conducted by the American forces against some of the civilians peoples in Fallujah, 2003-2004. The delay of presenting this report about the first military operation was due to our efforts had failed to submit lawsuits representing the victims of this report and what they faced from violations and crimes conducted by the American soldiers. These lawsuits were rejected by the American courts. Our network (MHRI) keeps the files and the victims' testimonies and ready to take it for any investigation in future.

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*Testimonies under oath for some victims
tortured by Americans in
Fallujah city - Al-Anbar province ,Iraq*

- 1. 12th.Nov.2003:** American forces arrested Najji About Farhan who lives in Am-Andalus district –near the old cemetery. He works as a worker at a flour factory. The said forces intruded his house at 3:00 am and arrested him in a savage way without indicating any charges against him. He was taken too the American military base at Falluja, which is called the Farm, where he experienced ill- treatment. He was left in a very small room, the bag was on his head, then he was taken to Abu-Ghrieb prison while he was bound on both legs and arms, his eyes were also covered. He was accused of faked charges. He was released from Abu-Ghrieb prison on 6th.Mar.2004.
- 2. 5th.Nov.2003:** (11th.Ramadan.1424): The American Military Unit (B/1505) had arrested Hamid Sarhan Al-Bashir, 61 years old, from his house at Al-Mu'almin district. His house was intruded, his children and family were terrified as the said unit had used bombs to explode the main external door of the house, also using sound bombs, breaking the other doors –despite of being already opened, shouting while frisking the house. All of these actions horrified the women and the children at the house causing sleeping disorder for the children –they suffer this until now, two kids of them are below the age of five. Mr.Hamid, his son Mohammad and his neighbor Mohammad Shakir Al-Alwany were taken to the American military base (the Farm), East of Faluja without accusing them of any charges. In the said base they were tortured and insulted; they were forced to remain standing in bad weather, as it was raining and so windy. They confirmed that the interrogator used to beat them so much, the same when the soldiers take them to the toilets. Interrogation used to be done while the bags are covering their heads. He was wearing the traditional long cloth which is light, so he kept suffering shivering during all of his arresting –which is ten days. The interrogator used while interrogating him to sit over his head and frat on his face, asking the prisoner if he smells or hears anything. Then he was transferred to Mujahideen camp (a former camp for Iranian Khalq militia), where he remained for 14 days in isolated cell for three days, without any mattress to sleep over it. Despite of the small size of the room, the soldier who used to torture him (he was a black American) to knock by a metal hummer as he keeps the head of the prisoner on the edge of the metal door of the cell, and the soldier keeps knocking, asking the translator if the prisoner hears this knocks, this action affected negatively

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the sense of hear of the prisoner. Some times they used to torture him by torturing his son in front of his eyes to force to state false information. It happened when the same black soldier brought Muhammad Hamid and threw him on the flour and put the a blanket over his right leg, then pressed by a Hummer Military car tyre over his leg, while his hands are tied and his face is covered by the bag, which caused tears of his legs' muscles which made him unable to walk or to sit for two months. Then he was transferred to Tareq camp, then to Abu-Ghreib prison. He was released with his son on the 28th.May.2004. His number was US9IZ-153131-uic-wys7y2. At Abu-Ghreib, he was with other thousands of prisoners who were suffering humiliation and daily torture. The least punishment was not to supply the camp of water for 4 -5 hours, taking in consideration that the camp has only one water tap and hosts 600 prisoners. The meals which were provided to the prisoners were substandard which caused diarrhea to so many prisoners, knowing that the camp was called Canzy, the lad of dogs, this name was written on a board where any visitor can read it, among them the Minister of Defense, Ramsfield. The prisoner spent the 7 months of arresting suffering high blood pressure and infection in his left kidney as well as problems with his bones of the neck, he remained all of that period without medication.

3. **28th.May.2004:** at 12:00 midnight, Mr.Ahmad Mohammad Abdul-Sattar Al-Jmeily was surprised, when he went back to him home at Karma, of the presence of the American forces inside his home. He was arrested and taken to the American camp near Falluja, where he remained for 16 days without facing any charge. During all of the arresting period he was tied. The cell was too small as he couldn't stand there properly; in addition his eyes were covered all the time. Moreover, the American forces, during intruding his house, damaged the furniture, the clothes, breaking the kitchen items, damaging the food and occupied the house for two days which caused the displacement of the family.
4. **17th.March.2004:** The American forces arrested Mr.Abdul-Karim Hamad Eifan Al-Muhammadi, 16 years old and a student at Al-Rasafa Secondary school. His house was intruded suddenly at Saqlawiya, the forces damaged everything and released the police dogs which they have to horrify the family. One of the dogs had beaten the shoulder of Abdul-Krarim Rahim, his head was in a bag, the same as his father and his brother, there hands were bind, and they were beaten several times. Later, they were transferred to the Farm Base, then to the Airport Base (by a helicopter), where they kept in a small room similar to a cage, 1.5 m height and 1 m width, they were not allowed to sit or to sleep, they were seated for investigation, during the interrogation they asked about the reason of arresting them, the detectors expressed that they also don't know. The victims confirmed that they experienced harsh and cruel torture within their presence at the Airport Base, such as being beaten by

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sticks, electrical wires, prevention from food and water or going to the water cycle in so many times. They couldn't differentiate the night from the day time due to being in dark cages. The father confirmed that they put him in a casket for 9 days, his legs and hands were bind and the bag covering his head for 4 days, and he remained without food, water or sleep all of that period. The American soldiers used to take them for interrogation by pulling their bodies, at the same time, beating them. They used to put them in front of cold air conditioner and throw so much water which makes them faint, and keep beating them. In addition, they experienced different types of torture such as pull out their nails, depilate their beards, skinned their arms and legs by using electrical sticks. Later they were transferred to Abu-Ghreib prison, where they experienced extreme physical and psychological torture for two months. They were released on Friday, 28th.May.2004.

5. **16th.April.2004:** the American forces arrested 8 brothers from the same family at one of Baghdad districts, for being from the displaced Falluja families due to the military operation in April, they are:

- Mawloud Abdul-Kareem Mousa
- Faisal Abdul-Kareem Mous
- Jamal Abdul-Kareem Mousa
- Abdul-Razzaq Abdul-Kareem Mousa
- Muhannad Abdul-Kareem Mousa
- Mohammad Abdul-Kareem Mousa
- Tariq Qasim Abdul-Kareem Mousa
- Ahmad Abdul-Salam Mohammad

They were taken to the American base at Al-Doura city –it was a residential compound near Abu-Dsheir. The victims didn't face any charge; the torture that they faced was simply as revenge against the resistance of Falluja. The torture was accompanied by depriving from water for 13 days, until the victims were almost dying, then they were released on the 30th.April in the same year.

6. **18th.Dec.2003:** the American forces arrested Mr.Dhiya' Raheem Fadhil Obaidi, at Amiriya crossroad to Falluja, he's a resident of Al-Joulan district near Al-Anwar Al-Muhammadiya mosque. He was taken to the American base at Al-Hadhaba area, and then he was transferred to the Farm Base then again to Mujahideen Base (former camp for Khalq militia) near Farm base, and then transferred to Abu-Ghreib prison, then later to Bouka prison at Basra. The victim confirmed that he faced different types of torture in all locations, he confirmed that he was raped and remained bind for long periods. His arresting remained 6 months; he was released on the 4th.June.2004.

7. **11th.Nov.2003:** The American forces arrested Jabbar Abbas Mar'e from his house which is located at Al-Jadeed street in Falluja, the arresting process was in a savage way as they destroyed the doors and the furniture at 3:00

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am. He was taken to the Farm base, while he was bind and his head is covered by a bag.

At the American base he was tortured and kept in a very small room, where he can't stand and remained there for 12 days, which caused swallowing in so many different areas of his body. His torture was witnessed by other two prisoners; Naji Aboud Farhan and Ahmad Hamad Ali.

8. **12th. Jun.2003:** Ali Salman Sharqi Hamad Al-Falahy, with some other people, tried to evacuate a dead body from one of Baghdad streets; suddenly the American forces came and imprisoned him without any reason. He was taken to the Airport prison then to Oum Qasir prison (Bouka) in Basra, then he was sent back to abu-Ghreib prison. During his presence in these places, he was severely tortured which caused the loss of his right eye and mutilation of his left hand. He was released by the end of 2004.

9. **31st.Jan.2004:** The American forces had arrested:

- Thamir Rasheed Arfouj Al-Muhammadi
- Yousef Rasheed Arfouj Al-Muhammadi
- Amir Rasheed Arfouj Al-Muhammadi
- Hamid Rasheed Arfouj Al-Muhammadi
- Muthanna Hameed Rasheed Arfouj Al-Muhammadi

As they intruded the house at Al-Azrakiya district at Falluja, damaged the furniture and theft \$11300 USD, alongside with hunting guns and killing the guardian dog of the house. The prisoners were taken to the Farm base, where they left in small cells which do not fit for sitting, as they were beaten from time to time by heavy sticks, and left in thirst and hunger. In addition, the American forces conducted the following violations against them:

- Taking the prisoner to the external water circle while they are bind and the bag covering their heads with severe beating while the prisoner is walking and continuous insulting.
- If the American soldiers found a bottle of water with one of the prisoners then they will torture him severely.
- While taking the prisoners for the military court at Mujahideen camo, the soldiers take off all the clothes of the prisoners to humiliate them in front of each others and frustrate them psychologically.
- The prisoners had seen Ammar Mohammad Nawwaf Al-Muhammadi with swallowed hands for a long time, as he can't move them; his hands were tied to a metal object over hid head for a long time. He also confirmed that he was tied to a column for 4 days, day and night, and they used to put nutritious bills in his mouth, in addition to beating him from time to time.

The prisoners remained there for 32 days; they were released in the 21st.May.2004 without being charged of any accusation other than suspecting

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them. They were not compensated or got back their stolen money. Those prisoners are householders and their families were affected very negatively.

10. **2nd.Nov.2003:** The American forces had intruded the house of Muhammad Khamees Saleh Ali Al-Halbousi which is located at Al-Dubbat Al-Oula district. At 11:00 at night, they intruded his house in a savage way as they had beaten him severely in front of his family without any reason, destroyed the furniture and stolen \$37000 USD in addition to 800 gm of gold, hunting guns and 2 Thuraya mobile phones. The prisoner was taken to Farm camp, where he remained there 9 days with just very little food (one of piece of biscuits daily) and little water, he wasn't allowed to go to the water cycle, his hands remained tied to his back for 4 days with severe beating either by the hands or wooden or metal sticks, then they used to leave him tied to one of the columns for three days, while soldiers urinating on him and keep beating him within investigation. The prisoner remembers one of those soldiers who used to torture him so much and urinating over him, he's called (Tubson). Then he was transferred to Abu-Ghreib prison, and labelled by the number of 152930, he was transferred to the section of those who face serious charges, he remained there for 6 months and a half, wearing T-shirt without slippers and light shorts, he has got there two light blankets and he was informed that it's the orders to keep the prisoners in such condition.

The torture started at this section, where a soldier called Marcklet used to beat everybody. She has placed the prisoner under the sun with tying his hands; she always beat by her legs, twice a day. Later the prisoner was shifted to the cells which are designed for torture –same cells which appeared on TV when it was the scandal of Abu-Ghreib. The prisoner's head was beaten on the wall several times, which affected his vision, in addition, to keep him naked when interrogating him for three days and throwing water over him, as well beating him by metal objects. Every time he screams, they ask him to admit that he's from the resistance, as they have a negative answer from him and his evidences of being innocent, they used to beat him more and ask him for a fake admit to release himself from this torture. This condition lasted for 34 days, inside the cell of 2.5 m height and 1.5 m width; as well he remained without water. Among those who tortured him were Reinhard, Bob and Joyner, who used to make him fully naked and torture him.

Later, he was shifted to a section called Bravua, where psychological torture started. The soldiers informed him that they brought his family members to push him to admit. Then he was shifted to another section for those have less serious cases. Later on, he was released, to find out that he was fired from the faculty and his stolen money were not returned back.

11. **5th.Nov.2003** (11th.Ramadhan.1424): At Iftar time, at 5:50 exactly, the American forced raided Al-Mu'alimin district, at the same time, Ibrahim Mohammad Al-Metlaq (living in Saqlawiya) was going to one of his relatives at Al-Mualimin district. He was surprised of the American presence in that area, as they immediately arrested him, tying his hands to his back and covering his

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head by the bag. They didn't state any charge against him as they just wanted a certain number of prisoners from that area. He was taken to the Farm camp, where he remained ten days of torture. The torture was through keeping him in hunger, being naked in cold weather, keeping the bag on his head for a week, then he was put in a small cell made from wood, he didn't know how long it is as it was completely dark and so cold, where he remained naked, without having anything to sit on the ground for ten days. Then he was transferred to a special camp for the American forces, where he remained under severe torture of different methods (one of the soldiers claimed that this type of torture is most recent method). He was transferred to Abu-Ghreib prison on the 17th.Nov.2003, where he was given the number of US9IZ-153133-uic-wys7y2, torture and ill-treatment continued there in a systematic way through keeping him in hunger, coldness, harassment, rape and humiliating his religion and dignity, until he was released after 4.5 months, 22nd.Mar.2004. The prisoner has two children who are deaf, dumb and disabled due to being affected of Falluja polluted environment after the crisis of April 2004, when the forbidden weapons were used by the American occupation forces.

12. Basil Mohammad Nawwaf Jaralla Al-Muhammadi confirmed being a witness of what happened to his brother and father. **On the 10th.Dec.2003**, the American forces had intruded their house, which is located at Albu-Shihab in Saqlawiya and arrested his father who is old and sick. On the 12th.April.2004, the American forces intruded the house of his brother, Ammar, they were still prisoners during the time of hearing to Basil, the witness, on the 17th.Jun.2004. The father is at Abu-Ghreib prison, holding the number 155082, while the son is at Bouka in Basra with the number of 158536. Basil had visited his brother Ammar who informed that he was tortured at Habaniya base (West to Falluja), as he was tied to a column for four days which swallowed his two arms for a long time, and he couldn't use them. In addition, he informed his brother that during transferring him from the Farm base, he was tortured severely by a soldier called Huston, who had beaten the prisoners in a very cruel manner and used to supervise their torture.