

# THE SAFEGUARDS GAP

Detention-Related  
Torture and Ill-  
Treatment in Iraq,  
the United Arab  
Emirates and  
Bahrain



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# 1. Executive Summary

This report by the Gulf Centre for Human Rights (GCHR) documents recurring, detention-related patterns of torture and other ill-treatment in Iraq, the United Arab Emirates (UAE) and Bahrain, highlighting a persistent gap between formal safeguards and treatment in practice - most sharply in cases linked to peaceful expression, civic or political activity, or human rights work. Based on desk-based open-source research drawing primarily on United Nations documentation and reputable human rights reporting, it assesses State practice against applicable treaty obligations and domestic safeguards using core UN standards as strict benchmarks. Across the cases reviewed, risks cluster at three stages of the detention cycle: early custody, where detainees may be held incommunicado and cut off from confidential, effective access to counsel; interrogation, where coercion is used to obtain “statements” or “confessions”; and prolonged detention, where punitive isolation, poor conditions, denial of healthcare, and deaths in custody are repeatedly reported. Where access to lawyers and families is obstructed, independent medical documentation is delayed or unavailable, and complaints do not trigger prompt and impartial action, safeguards lose their protective function and the risk of abuse rises - while accountability and redress remain limited.

## 2. Introduction

Across parts of the Middle East and North Africa (MENA), detention is widely reported to be used as a central tool to silence dissent rather than a measure of last resort in a fair justice system. In a number of countries, people deprived of their liberty continue to face serious risks of torture and other ill-treatment, particularly when they are detained in connection with peaceful expression, civic or political activity, or human rights work. In such cases, weak oversight and ineffective accountability mechanisms mean that abuses committed behind closed doors are rarely prevented, remedied, or punished.

The documentation reviewed for this report shows that, in Iraq, the UAE and Bahrain, there are recurring and well-documented gaps between formal safeguards and actual practice. These gaps are especially sharp at three points in the life-cycle of a case: the first hours and days of custody, when detainees may be held incommunicado and cut off from legal assistance; the interrogation phase, where physical and psychological pressure is used to obtain “statements” or “confessions”; and prolonged detention in prisons and other facilities, where punitive isolation, poor conditions, denial of medical care, and deaths in custody are repeatedly reported.

This report examines how these patterns affect individuals who are targeted for the peaceful exercise of their rights, including human rights defenders, journalists, lawyers, academics, and other civic and political actors. It aims to provide a clear, evidence-based account of the risks they face in detention and of the systemic shortcomings that allow torture and other ill-treatment to persist, in order to inform advocacy before UN mechanisms and other international and national bodies.

The analysis is organised around three recurring patterns: Pattern 1 – early safeguards, focusing on incommunicado detention and denial of access to legal counsel in the first days of custody; Pattern 2 – coercive interrogation, physical and psychological abuse in custody, and statements or “confessions” obtained under torture or other ill-treatment; and Pattern 3 – conditions of detention, disciplinary measures including solitary confinement, access to healthcare, and deaths in custody.

The report is based on desk research using publicly available, open-source material. It draws primarily on UN documentation (including treaty bodies and Special Procedures) and on reputable reporting by the Gulf Centre for Human Rights (GCHR) and other national, regional, and international human rights organisations, and attributes each allegation to the source that documented it. The analysis assesses State practice against each State’s international obligations and relevant domestic constitutional and legislative safeguards, using core UN standards as strict benchmarks.

## 3. International Obligations and National Laws

### 3.1 International obligations and treaty status

Bahrain acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) on 06 March 1998. The United Arab Emirates (UAE) acceded to the CAT on 19 July 2012. Iraq acceded to CAT on 07 July 2011. All three are States parties to the CAT, however none of the three States have signed on as a State party to the Optional Protocol to CAT (OPCAT).

On the CAT inquiry procedure (Article 20), the depositary record reflects that Bahrain withdrew its reservation on 04 August 1998. The UAE, in accordance with paragraph 1 of Article 28 of the Convention, declares that it does not recognise the competence of the Committee against Torture referred to in Article 20. Iraq’s depositary record does not record any declaration under Article 28(1) opting out of the Article 20 inquiry procedure.

On dispute settlement under CAT Article 30(1) (arbitration/ICJ), Bahrain is recorded as not considering itself bound by paragraph 1 of Article 30. The UAE, in accordance with paragraph 2 of Article 30 of the Convention, does not consider itself bound by paragraph 1 of Article 30 relating to arbitration. Iraq's depositary notification of accession sets out no reservation to Article 30(1).

On the definition and scope of torture and other ill-treatment, the depositary record for Bahrain does not record an interpretative declaration on "lawful sanctions". The UAE deposited an interpretative declaration stating that lawful sanctions applicable under national law, and pain or suffering arising from or associated with or incidental to such lawful sanctions, do not fall under the concept of "torture" in Article 1 or under the Convention's provisions on other cruel, inhuman or degrading treatment or punishment. Iraq's depositary notification of accession sets out no comparable interpretative declaration.

Separately, Bahrain acceded to the International Covenant on Civil and Political Rights (ICCPR) on 20 September 2006, and Iraq ratified it on 25 January 1971. The UAE is not a State party to the ICCPR in the UN depositary status list.

Bahrain acceded to the International Covenant on Economic, Social and Cultural Rights (ICESCR) on 27 September 2007. The UAE is not listed among the States parties to the ICESCR in the UN depositary status list. Iraq ratified the ICESCR on 25 January 1971.

## 3.2 National laws

### 3.2.1 Iraq

Iraq's [Constitution \(2005\)](#) recognises the right to life, security and liberty (Article 15) and prohibits all forms of psychological and physical torture and inhuman treatment, providing that no account shall be taken of any confession extracted under duress, threat or torture, with a right to claim compensation (Article 37(First)(C)). The Constitution further guarantees the right to defence at all phases of investigation and trial (Article 19(Fourth)), requires the court to appoint a lawyer at the expense of the State for an accused of a felony or misdemeanour who lacks a defence lawyer (Article 19(Eleventh)), and requires preliminary investigative documents to be submitted to the competent judge within twenty-four hours of arrest (extendable only once for the same period) (Article 19(Thirteenth)).

In ordinary criminal legislation, Iraq's [Penal Code \(Act No. 111 of 1969\)](#) criminalises torture by public officials: Article 333 provides that any public official or agent who tortures or orders the torture of an accused person, witness or expert to compel a confession or obtain statements/information is liable to imprisonment, and includes cases where such compulsion is carried out through the use of force or threats.

At criminal-procedure level, Iraq's Code of [Criminal Procedure No. 23 of 1971](#) contains time-limit safeguards at the interrogation stage: Article 123 provides that the investigating judge or investigator shall interrogate the accused within twenty-four hours of the accused's presence after verifying identity and informing the accused of the attributed offence. Separately, Article 127 prohibits the use of illegal methods to influence the accused and extract an admission, including mistreatment, threats, injury, enticement, promises, psychological influence, or the use of drugs/intoxicants.

On coerced evidence, the constitutional rule is explicit that no account shall be taken of confessions extracted under duress, threat or torture, and Iraq's procedural framework also records the principle that a confession must not have been extracted by coercion (Code of Criminal Procedure, Article 218).

Within places of detention, Iraq's [Law No. 14 of 2018](#) (commonly translated as the Inmates and Detainees Reform/Correction Law), published in the Official Gazette (Issue No. 4499), establishes a statutory framework for the administration of prisons and detention centres. Article 34(Third) requires the competent correctional departments to be equipped with communications equipment and public telephones to enable prisoners to contact their families (at least once a week or when necessary, subject to internal rules). The law also contains a disciplinary chapter (Articles 38–44) and an inspection chapter (Articles 45–47).

### 3.2.2. United Arab Emirates

Article 26 of the [Constitution](#) of the UAE provides that no person may be arrested, searched, detained or imprisoned except in accordance with the law, and that no person shall be subjected to torture or degrading treatment. Article 28 provides that an accused person is presumed innocent until proven guilty in a legal and fair trial, has the right to appoint a lawyer, and may not be physically or morally harmed.

Under [Federal Law by Decree No. \(31\) of 2021](#) Promulgating the Crimes and Penalties Law, Article 290 provides for temporary imprisonment where a public servant uses torture, force or threat with an accused, witness or expert to compel a confession, statement or information relating to an offence. Article 293 provides for imprisonment for a period not less than one year and/or a fine not less than AED 10,000 where a public servant (or a person entrusted with a public service), by virtue of office, treats any person with cruelty in a manner that dishonours or causes bodily agony. Article 308 provides for incarceration and a fine where a person uses torture, force or threat, or offers a gift/privilege or promise thereof, to coerce another person to suppress matters, make untrue statements, or conceal evidence before any judicial authority.

Under [Federal Law by Decree No. \(38\) of 2022](#) Promulgating the Criminal Procedures Law, Article 4(1) provides that an accused charged with a felony punishable by death or life imprisonment shall have a lawyer during the trial stage, and that the court shall appoint a lawyer if the accused fails to do so. Article 6 provides that the Public Prosecution shall supervise penal institutions and places designated for pre-trial detention, imprisonment and confinement of debtors. Article 2(3) provides that it is forbidden to inflict physical or moral harm upon the accused or to subject any person to torture or degrading treatment, and that any evidence obtained by such methods is null and void.

Within detention settings, [Federal Law by Decree No. \(34\) of 2024](#) Regulating Penal and Correctional Institutions provides that the inmate has the right to dignity and must not be subjected to torture, cruel treatment or degrading punishment (Article 8(1)). Article 9(1) provides a right to submit a written complaint and request notification to the competent Public Prosecution, with recording in the database and immediate notification by the institution officer. Article 10 places penal and correctional institutions under Public Prosecution supervision, including entry and database review, and provides that every inmate may meet a member of the Public Prosecution and submit a complaint.

The same Decree-Law provides that no person may be detained in a penal and correctional institution except on the basis of a written detention order issued by a competent authority (Article 13(1)). It further provides that, upon entry, the institution must enable the inmate to contact relatives or whomever the inmate wishes to inform them of whereabouts (Article 13(6)).

For pre-trial detainees, Article 19 provides that a detainee may meet a lawyer at the institution based on written permission from the Public Prosecution (Article 19(2)(b)). It also provides that no third party may communicate with a pre-trial detainee in the institution except with written permission from the Public Prosecution (Article 19(3)).

On deaths in custody, Article 28(2) provides that an inmate may not be buried before notifying the Public Prosecution of the death and its cause and obtaining permission for burial.

On disciplinary isolation, Article 34(1)(d) lists solitary confinement as a disciplinary sanction for a period not exceeding seven days. Article 35(1)(b) provides that solitary confinement may not be imposed as a disciplinary punishment except after a medical examination.

### 3.2.3. Bahrain

Article 19(c) of Bahrain's [Constitution](#) provides that no person may be detained or imprisoned in places other than those designated in the prison regulations and subject to judicial supervision. Article 19(d) prohibits physical or mental torture, inducement and degrading treatment, and provides that any statement or confession proven to have been made under torture, inducement, such treatment, or the threat thereof is null and void.

Article 20(d) prohibits harming an accused person physically or mentally. Article 20(e) provides that every person accused of an offence must have a lawyer to defend him with his consent.

In criminal legislation, Article 208 of Bahrain's [Penal Code](#) provides criminal liability for a public official who uses torture, force, or threats - personally or through another - against an accused person, witness, or expert to compel a confession or obtain statements or information about an offence, with life imprisonment where the torture or use of force results in death. Article 232 provides comparable liability where such acts are committed by a non-official for the same purposes, with aggravated penalties where harm results.

Bahrain has [reported](#) to the UN Committee against Torture that Act No. 52 of 2012 amended Articles 208 and 232 to broaden the prohibited purposes in line with Convention against Torture Article 1, widen the category of victims, remove the statute of limitations for torture offences, and increase penalties.

At criminal-procedure level, [Decree-Law No. 46 of 2002](#) (Code of Criminal Procedure) is cited in official and quasi-official documentation as providing early safeguards, including the right to contact relatives and seek the assistance of a lawyer (Article 61).

Article 146 of the Code of Criminal Procedure empowers the Public Prosecution to order that a detained accused have no contact with other detainees and receive no visitors, without prejudice to the accused's right always to contact the attorney defending him without the presence of a third party.

On exclusion of coerced evidence, Article 253 of the Code of Criminal Procedure provides that judges may not base judgments on any statement found to have been made by an accused person or witness under coercion or threats; such statements are deemed null and void and unreliable.

Within places of detention, [Law No. 18 of 2014](#) (Reform and Rehabilitation Institution Law) is recorded as providing for periodic judicial/prosecutorial visits and inspection powers (including access to prison registers and the ability to hear detainee complaints), and for prisoners' entitlement to submit written or verbal complaints (including in a closed envelope) subject to recording/receipt requirements.

National law has also been [recorded](#) by the UN Committee against Torture as prescribing since 2014, under the Reform and Rehabilitation Institution Act, that solitary confinement should not last for more than seven days.

Law No. 6 of 2024 [amends](#) certain provisions of Law No. 18 of 2014, and Bahrain's National Institution for Human Rights publicly [described](#) the amendments as, inter alia, broadening categories of permitted visitors and improving healthcare services in detention facilities.

## 4. Patterns of Detention-Related Torture and Ill-Treatment

### 4.1. Pattern 1: Early safeguards: incommunicado detention and denial of access to counsel

In the first days following deprivation of liberty, incommunicado detention (formal or *de facto*) - or other early-custody restrictions that cut off, or severely limit, outside contact and timely access to legal counsel - removes immediate safeguards against torture and other ill-treatment and heightens vulnerability during initial custody. This can include restricting communication with family and the outside world and denying confidential and effective access to a lawyer at the investigative stage.

For the purposes of this report, the assessment applies four minimum early-custody safeguards as strict benchmarks from the point of arrest: (1) prompt notification of the place of custody (including after transfer); (2) communication with the outside world - especially family and legal counsel - not denied for more than “a matter of days”; (3) confidential and effective access to a lawyer; and (4) prompt appearance before an independent judicial authority. These benchmarks draw on core UN standards, including the UN Body of Principles and related guidance on judicial control of detention.

In the country sections that follow, documented cases in Iraq, the UAE and Bahrain are assessed against these early-custody benchmarks, together with each State’s applicable treaty obligations and the relevant domestic constitutional and legislative safeguards summarised in Sections 3.1 and 3.2.

## I. Iraq

In Iraq, credible reporting continues to raise concerns about early-custody restrictions on outside contact and barriers to confidential, effective access to legal counsel in politically sensitive contexts, weakening minimum safeguards in the first hours and days following deprivation of liberty.



GCHR [reported](#) that Irish–Iraqi anti-corruption activist **Yasser Eljuboori** was detained at Baghdad International Airport on 26 February 2024 and that for much of that day his family had no idea where he had been taken or which authority was holding him. It further noted that he was detained in the early hours of 26 February and was initially not permitted to contact his family, before appearing in court on 27 February 2024. GCHR later [reported](#) that the charges were dropped and he was released on bail.

GCHR [reported](#) that journalist **Sherwan Sherwani**, known for his coverage of corruption and public protests in the Kurdistan Region of Iraq, was arrested at his home in Erbil on 07 October 2020 and held incommunicado for a week, with his family and lawyers unable to obtain information about where he was being held or to communicate with him during that period. Human Rights Watch [reported](#) that Sherwani and others in the same case were then detained for months without access to their lawyers, including during interrogations and the investigative hearing.



Taken together, these cases indicate a clear gap against the Pattern 1 benchmarks in Section 4.1 - particularly Principles 15–16 of the [UN Body of Principles](#) (family/counsel contact not denied for more than “a matter of days”, and prompt notification of the place of custody, including after transfer) and Iraq’s binding obligation under ICCPR Article 9(3) to be brought promptly before a judge, as interpreted by the Human Rights Committee (48 hours ordinarily sufficient; longer delays only absolutely exceptional and justified). They also sit uneasily with Iraq’s domestic safeguards, notably the Constitution’s guarantee of the right to defence (Article 19(Fourth)) and the prohibition of torture and exclusion of coerced confessions (Article 37(First)(C)), alongside the 24-hour interrogation safeguard in Code of Criminal Procedure No. 23 of 1971 (Article 123).

## II. United Arab Emirates

In the UAE - particularly in cases pursued on national security grounds - credible reporting has repeatedly raised concerns about early-custody restrictions that delay or obstruct prompt disclosure of a detainee’s whereabouts, severely limit outside contact, and deny or materially obstruct confidential, effective access to legal counsel in the first days after arrest, undermining the minimum safeguards that should reduce the risk of torture and other ill-treatment.



GCHR [reported](#) that security officers arrested human rights defender **Ahmed Mansoor** at his home in Ajman in the pre-dawn hours of 20 March 2017 and took him to an undisclosed location, with his family reportedly receiving no information about his whereabouts until an official statement on 29 March 2017. Human Rights Watch further [reported](#) that he had no access to a lawyer in this initial period, while Front Line Defenders likewise [reported](#) that he was denied access to legal counsel following his arrest. GCHR sent a mission to the UAE to try to locate Mansoor, whose family did not know where he was being held from 2017 until his conviction in May 2018. Since then, GCHR and partners have repeatedly raised concern about [reports](#) that Mansoor was held in prolonged solitary confinement, which amounts to torture.



GCHR [documented](#) that Egyptian–Turkish poet and political activist **Abdulrahman Yusuf Al-Qaradawi** was transferred to the UAE on 08 January 2025 following his deportation/extradition from Lebanon and that his family was unable to obtain information about his fate, whereabouts, or legal status for a prolonged period. Amnesty International also [reported](#) he was allowed only a brief (one-minute) phone call with his family on 20 February 2025. GCHR, Human Rights Watch and dozens of partner organisations jointly [called](#) on the UAE to disclose his whereabouts and ensure contact with his

family and lawyers, reflecting the same Pattern 1 concern: prolonged early-custody opacity and barriers to effective legal access.

Taken together, these cases indicate a clear gap against the Pattern 1 benchmarks in Section 4.1 - specially prompt notification of the place of custody and communication with the outside world not denied for more than “[a matter of days](#)” - and against the Human Rights Committee’s strict approach to prompt, independent judicial control under ICCPR Article 9(3) (used here as a benchmark). They also sit uneasily with the UAE’s domestic safeguards (as summarised in Section 3.2.2), including Constitution Article 26 (prohibiting torture/degrading treatment) and Article 28 (right to counsel at trial; prohibition on physical or moral harm), and with the UAE’s preventive obligations as a State party to the Convention against Torture (accession 19 July 2012).

### III. Bahrain

In the Bahrain cases of detained human rights defenders documented under this pattern, the first days of custody are marked by restrictions that weaken the safeguards international standards are designed to secure in the initial hours and days after arrest: detainees are questioned at the Criminal Investigation Directorate (CID) without confidential and effective access to legal counsel at the investigative stage, and where outside contact is documented, it is limited to brief, tightly constrained or reportedly monitored calls. This is the same vulnerability window the Human Rights Committee links to heightened risk of torture and other ill-treatment where there is no prompt, independent judicial control under Article 9(3) of the ICCPR.

Amnesty International has [documented](#) cases in which families had no news of detainees during CID custody and detainees reported being denied effective access to legal counsel, prior to transfer to Dry Dock Detention Centre.



UN Special Procedures mandate-holders [reported](#) that human rights defender **Hashem Al-Wadaei** was arrested on 22 February 2024 and transferred through police facilities before being taken to the CID in Adliya, where he was interrogated without the presence of his lawyer. They further reported that on 23 February 2024 he was again taken to CID and subjected to a full day of interrogations, and that on 24 February 2024 he was interviewed at the Public Prosecution in the presence of his lawyer, where he alleged ill-treatment and coercion to confess during CID interrogation, before the Public Prosecution extended his detention for 14 days pending investigation on 29 February 2024.

Human Rights Watch [reported](#) that human rights defender **Ali Al-Hajee** received a written police summons on 28 February 2025 and was instructed by a CID official to report to the gate of the CID building in Adliya “immediately and on his own”; after he complied, he was questioned and then arrested the next day, and the Public Prosecution ordered his detention for seven days pending investigation, with his family reporting that both the prolonged interrogation and the detention order occurred without the presence of his lawyer. The Bahrain Center for Human Rights (BCHR) also [reported](#) that he made two calls to his family during the CID period, including a 31-second call, and that his family believed the call was monitored because he did not feel able to speak freely.



Taken together, these cases indicate a gap against the Pattern 1 benchmarks in Section 4.1, including the [Body of Principles](#) safeguard that communication with the outside world—particularly family and counsel—should not be denied for more than “a matter of days”, and the requirement of prompt notification of the place of custody after arrest and after transfer. They also raise concern that the record, as documented, does not clearly demonstrate prompt appearance before an independent judicial authority consistent with the Human Rights Committee’s strict reading of “[promptly](#)” under Article 9(3). At domestic level, the same practices sit uneasily with Bahrain’s constitutional and procedural safeguards summarised in Section 3.2.3 (Constitution Articles 19–20; Code of Criminal Procedure Articles 61, 146 and 253).

## 4.2. Pattern 2: Coercive interrogation and statements obtained by torture or ill-treatment

Coercive interrogation - through physical and/or psychological pressure - can be used to break a detainee's will and obtain "statements" or "confessions" later relied upon to justify detention, support charges, or underpin convictions. This pattern is especially acute where questioning takes place while detainees are cut off from effective safeguards, and it directly engages the prohibition on taking "undue advantage" of a detainee's situation to compel self-incrimination, as well as the prohibition on violence, threats, or methods that impair decision-making or judgement.

For the purposes of this report, the assessment applies three minimum safeguards as strict benchmarks from the point questioning begins: (1) systematic review of interrogation rules, methods, and custodial arrangements; (2) prompt, impartial investigation whenever there are reasonable grounds to believe torture has occurred; and (3) exclusion from proceedings of any statement established to have been made as a result of torture, alongside corresponding preventive duties in relation to other cruel, inhuman or degrading treatment. These benchmarks reflect core obligations under the Convention against Torture (in particular Articles 11, 12, 15, read with Article 16).

In the country sections that follow, documented cases in Iraq, the UAE and Bahrain are assessed against these Pattern 2 benchmarks, together with each State's applicable treaty obligations and the relevant domestic constitutional and legislative safeguards summarised in Sections 3.1 and 3.2. Where a State is party to the ICCPR, this pattern is also assessed against the guarantee that an accused must not be compelled to testify against themselves or confess guilt, and the requirement to exclude statements obtained through treatment contrary to Article 7 (as clarified by the Human Rights Committee).

### I. Iraq

In Iraq, UN monitoring and human rights reporting have repeatedly documented a pattern in which defendants allege torture or other ill-treatment linked to interrogation and "confessions," while judicial practice often fails to trigger effective investigation or robust exclusion of tainted evidence. In a UNAMI/OHCHR monitoring period, the mission [reported](#) that in the cases it monitored, judges did not order investigations into torture allegations and did not question confession evidence even when defendants said it was extracted through torture or ill-treatment.



GCHR [reported](#) that journalist **Kohdar Zebari**, from the Kurdistan Region of Iraq) was convicted after a grossly unfair trial in which he alleged torture and other ill-treatment. Amnesty International [reported](#) that the court relied on a confession he said was coerced and that, although his sentence was later commuted and he was due for release in August 2023, the authorities imposed an additional sentence to keep him detained before he was ultimately released on 17 February 2024.

GCHR [reported](#) that **Hisham Mohammed Al-Khazali**, an innocent citizen, arrested on 27 July 2021 at a security checkpoint at Basra Governorate's northern entrance due to mistaken identity (name similarity to a wanted person), died within 24 hours after coercive interrogation through torture—beating, hanging, and suffocation—in the Basra Directorate of Combating Crime, with clear torture marks on his body confirmed by reliable sources.

Amnesty International [reported](#) that a Nasiriya (Dhi Qar) Tishreen activist (name withheld in the public source), arrested in Nasiriya on 08 March 2025 was sentenced on 13 April 2025 to 15 years' imprisonment, with the family and activists interviewed by Amnesty alleging that the case involved fabricated charges and witness statements coerced under torture. Amnesty also noted that it had not accessed or assessed the relevant court documents in this case.

Taken together, these cases indicate a gap against Section 3.1 safeguards requiring prompt, impartial investigation of torture allegations and exclusion of statements established to have been made as a result of torture ([CAT](#) Articles 12 and 15), and—given Iraq's treaty status—against the ICCPR prohibition on compelled confession ([ICCPR](#) Articles 7 and 14(3)(g)). They also sit uneasily with Iraq's domestic safeguards in Section 3.2.1, including Constitution Article 37(First)(C) (exclusion of coerced confessions; torture prohibition) and Code of Criminal Procedure No. 23 of 1971 Article 127 (prohibiting illegal methods to influence the accused). Iraq ratified the ICCPR on 25 January 1971 and acceded to CAT on 07 July 2011.

## II. United Arab Emirates

In the UAE - particularly in national-security cases - credible reporting continues to raise concerns about coercive interrogation environments and allegations of physical and psychological ill-treatment in custody, including practices capable of undermining the voluntariness of statements obtained during detention and later relied upon in proceedings.

GCHR [reported](#) that many defendants linked to the UAE84 case were kept in incommunicado solitary confinement for prolonged periods and described abusive conditions including physical assaults, denial of medical care and required medicines, incessant loud music, and forced nudity. GCHR further reported that some defendants said officials forced them to listen to extremely loud music during rest and sleep periods and that they were interrogated afterward and “forced to confess” under duress and psychological exhaustion - directly engaging Pattern 2’s concern about compelled statements.

UN mandate-holders summarised [allegations](#) that an Indian human rights defender transiting through Dubai on 08 June 2025 was detained, held in isolation, blindfolded before interrogation in Abu Dhabi, and pressured to sign an Arabic document without being given a copy, alongside allegations of shackling/handcuffing, exposure to extreme heat with poor ventilation, and prolonged high-decibel noise during transfer - elements the experts raised as potentially amounting to ill-treatment or torture.

Taken together, these cases indicate a gap against the Pattern 2 benchmarks in Section 4.2, including the [Convention against Torture](#) obligations to keep interrogation rules and custodial arrangements under systematic review (Article 11), to investigate where there are reasonable grounds (Article 12), and to exclude statements established to have been made as a result of torture (Article 15), alongside the Body of Principles prohibition on compelling self-incrimination and “undue advantage” during interrogation (Principle 21). They also sit uneasily with domestic safeguards summarised in Section 3.2.2—including UAE Constitution Article 26 (prohibiting torture/degrading treatment) and Article 28 (no physical or moral harm; right to appoint a lawyer), and the Criminal Procedure Decree-Law’s rule that evidence obtained by torture or degrading treatment is null and void—and raise acute concerns under the UAE’s preventive obligations as a State party to CAT (acceded 19 July 2012), while ICCPR standards operate here as benchmarks only because the UAE is not listed as a State party to the ICCPR.

### III. Bahrain

In Bahrain, UN mechanisms have repeatedly documented allegations that coercive interrogation and torture or other ill-treatment are used to extract “confessions” later relied upon in proceedings, alongside persistent concerns about accountability. The Committee against Torture adopted concluding observations on Bahrain on 28 November 2025, and it has previously raised concerns about torture allegations and the use of confession evidence.



In Opinion No. 65/2022, the UN Working Group on Arbitrary Detention [recorded](#) allegations that human rights defender **Naji Fateel** was arrested on 02 May 2013, taken to the Criminal Investigation Directorate in Adliya, and held incommunicado for two days, where he was subjected to severe physical and psychological torture. It further recorded that, when interrogated at the Public Prosecution, he repeatedly requested a lawyer but the prosecutor refused and threatened to send him back for torture; under the threat of continued torture, he signed papers he was not allowed to read. The Working Group stated that the court relied almost exclusively on torture-tainted confessions to sentence him, and that assurances of investigation were not followed by an effective investigation.

In Opinion No. 2/2023, the UN Working Group on Arbitrary Detention [found](#) a credible prima facie case that human rights defender, academic, activist and blogger Dr **Abduljalil Al-Singace** suffered torture and ill-treatment in detention, including allegations that he was taken blindfolded/hooded to interrogations where he was beaten and threatened and subjected to sexual assault, alongside other forms of ill-treatment (including sleep deprivation) and periods of solitary confinement. The Working Group also noted that cases before it concerning Bahrain frequently raise forced confessions, torture or ill-treatment, and denial of access to lawyers, underscoring the Pattern-2 risk that coercive interrogation is used to break resistance and undermine defence rights in politically sensitive cases.



Taken together, these cases indicate a gap against the Pattern 2 benchmarks (Section 4.2) and against the safeguards summarised in Sections 3.1 and 3.2.3: [CAT](#) Articles 12 and 15 (prompt, impartial investigation; exclusion of torture-tainted statements) and, for Bahrain as a State party, [ICCPR](#) Articles 7 and 14(3)(g); as well as domestic safeguards including Constitution Article 19(d) and Article 20(c)–(e) and the procedural exclusion of coerced statements, including Code of Criminal Procedure Article 253.

## 4.3. Pattern 3: Conditions of detention, healthcare, and deaths in custody

This pattern addresses violations occurring inside places of detention during both pre-trial and post-conviction detention, focusing on living conditions, disciplinary measures (including solitary confinement), access to healthcare, and deaths in custody and the adequacy of any ensuing investigation. These factors can cause serious harm in their own right and can also heighten vulnerability to torture or other ill-treatment.

For this report, the assessment applies three practical benchmarks drawn from core UN standards: solitary confinement is assessed against [the Nelson Mandela Rules](#) (Rule 44: 22 hours or more a day without meaningful human contact; “prolonged” if more than 15 consecutive days, and prohibited under Rule 43); healthcare is assessed against the Mandela Rules’ State responsibility and equivalence of care principle (Rule 24); and deaths in custody are assessed against [the Minnesota Protocol’s](#) minimum requirements for an effective investigation, including promptness, effectiveness and thoroughness, independence and impartiality, and transparency.

In the country sections that follow, documented cases in Iraq, the UAE and Bahrain are assessed against these Pattern 3 benchmarks, together with each State’s applicable treaty obligations and the relevant domestic constitutional and legislative safeguards summarised in Sections 3.1 and 3.2.

### I. Iraq

In Iraq, Pattern 3 risks are [documented](#) not as vague “poor conditions” but as operational realities inside places of detention—including severe overcrowding and weak safeguards around treatment and oversight—that translate into immediate physical and psychological harm. Where a death occurs in custody, the decisive compliance test is whether authorities deliver a prompt, independent, effective, and transparent investigation rather than an internal explanation with undisclosed findings.

In an [interview](#) with the Committee to Protect Journalists, journalist **Kohdar Zebari**, whose case of coerced confession was documented in Pattern 2, also described being held in solitary confinement for 62 days, and later placed in an extremely overcrowded cell (roughly 6m × 4.5m, holding around 150 detainees), describing severe overcrowding and its impact on basic living conditions—facts that squarely engage Pattern 3 because the alleged harm is produced by isolation and overcrowding inside the facility. Amnesty International [reported](#) that he was released on 17 February 2024 and reiterated allegations of torture and other ill-treatment, reinforcing why health impacts and independent medical documentation are central to this pattern.



KirkukNow [reported](#) that **Shayan Ali**, a social-media activist, died in a Baghdad prison on 30 October 2024 after being transferred in connection to proceedings in Kirkuk, with reporting indicating uncertainty and lack of clarity around the circumstances and cause of death. In a later follow-up, KirkukNow [reported](#) that the Ministry of Justice described the death as “natural” while refusing to disclose the relevant report to the family - exactly the kind of opacity that triggers concerns about independence, family involvement, and disclosure of findings according to Minnesota Protocol.

An EU Agency for Asylum country-of-origin [report](#) also referenced the same incident and the reported refusal to disclose the cause/report, providing an additional independent reference beyond local media.



GCHR [documented](#) that engineer **Bashir Khalid**, 28, died on the morning of 07 April 2025 following torture he was subjected to during his arrest and detention. His health deteriorated, leading to kidney failure and death. The case exemplifies the fatal consequences when detention safeguards fail and underscores the critical need for prompt, independent investigations into deaths in custody consistent with the Minnesota Protocol's requirements.

Taken together, these cases indicate a gap against the Section 4.3 benchmarks on solitary confinement and health ([Nelson Mandela Rules](#): solitary confinement is 22+ hours/day without meaningful human contact; “prolonged” is more than 15 consecutive days, and prolonged solitary confinement is prohibited) and against [the Minnesota Protocol’s](#) minimum requirements for investigating potentially unlawful deaths (including independence, effectiveness/thoroughness, and transparency). They also sit uneasily with Iraq’s binding obligations as a State party to the ICCPR and CAT, and with domestic protections under Iraq’s Constitution (Article 37) prohibiting torture and inhuman treatment, as well as the statutory framework governing detention settings (including Law No. 14 of 2018).

## II. United Arab Emirates

Human rights organisations continue to raise concerns that detention in “state security” cases—particularly at Al-Razeen Prison—is marked by restrictive disciplinary controls (including solitary confinement), severe restrictions affecting daily life, and delayed or denied access to healthcare, creating foreseeable risks of serious harm.



On 29 October 2024, Scholars at Risk [reported](#) concerns that Al-Razeen authorities had repeatedly denied Dr **Nasser bin Ghaith**, an academic and human rights defender, necessary medication and appropriate medical care, alongside long-running restrictions affecting his conditions of detention. A Middle East Studies Association letter dated 20 November 2024 likewise [cited](#) credible reports that he was consistently denied needed medication and proper medical care despite deterioration including visual impairment and mobility issues.

**Ali Abdullah Fath Ali Al-Khaja**, a prisoner of conscience, that was found dead in his cell at Al-Razeen prison on 19 November 2025, according to [GCHR](#) and others. Human Rights Watch [reported](#) that authorities did not inform his family until later that evening and that no independent autopsy had been carried out. He was reportedly denied medical care and held in prolonged solitary confinement. GCHR reported that on 28 August 2022, he [completed his sentence](#), but instead of releasing him, the authorities transferred him to the counseling section of Al-Razeen Prison, claiming he allegedly posed a “terrorist” threat. He was then tried as part of the UAE84 referred to trial in December 2024. On 10 July 2024, the Federal Court of Appeal in Abu Dhabi [sentenced](#) him to ten years in prison.



Taken together, these cases indicate a gap against the Pattern 3 benchmarks set out in Section 4.3, including [the Nelson Mandela Rules](#) on healthcare and the strict limitation of solitary confinement, and [the Minnesota Protocol’s](#) minimum requirements for effective investigations into potentially unlawful deaths (including independence and transparency). They also sit uneasily with domestic safeguards, including the UAE Constitution’s protections against torture/degrading treatment and physical or moral harm (Articles 26 and 28), and the statutory framework governing detention conditions and oversight (Federal Decree-Law No. 34 of 2024, including provisions on family contact, healthcare duties, prosecutorial notification/oversight in deaths in custody, and limits/medical prerequisites for disciplinary solitary confinement).

### III. Bahrain

Recent reporting continues to raise concerns about access to healthcare in detention and the handling of deaths in custody in Bahrain, including in politically related cases. During its 18–19 November 2025 dialogue with Bahrain, the UN Committee against Torture [raised](#) concerns linked to detention safeguards, including issues connected to prison health services - underscoring the need for prevention and accountability in places of detention.

A joint letter published on 08 July 2024 by GCHR, Human Rights Watch and partner organisations [raised](#) sustained concerns about human rights defender, academic, activist, and blogger Dr **Abduljalil Al-Singace**'s health in custody, including allegations that authorities failed to provide necessary assistive items and adequate medical support, and that he required timely access to medication and appropriate specialist care. The letter also raised concerns about his detention conditions at Kanoo Medical Centre, including allegations of prolonged solitary confinement and restrictions affecting his ability to go outside, have exposure to direct sunlight, and access required physiotherapy.

The United States Department of State's [reporting](#) (citing the Ministry of Interior's account and activists' concerns) recorded that a detainee died in custody in late March 2024 after collapsing while playing football and being transferred to hospital, amid allegations of medical neglect and calls for effective accountability.

GCHR [reported](#) that political prisoner **Hussein Aman**, 41 years old, died due to medical negligence after collapsing in the yard of Building 11 in Jau Prison on 05 December 2024, amid ongoing protests over prison conditions.



Another [joint letter](#) published on 12 May 2025 by GCHR and other partner organisations referred to the impacts of torture on detained human rights defenders, including Dr Al-Singace, and GCHR's Founding Director **Abdulhadi Al-Khawaja**. On 09 April 2025, UN Special Rapporteur on Human Rights Defenders **Mary Lawlor** [stated](#) that Al-Khawaja "has been tortured, he has been stigmatised, and he has been cut off from his family."

Taken together, these cases indicate a gap against the Pattern 3 benchmarks in Section 4.3 on humane detention conditions and healthcare (including [ICCPR](#) Article 10 and the [Nelson Mandela Rules](#), notably Rules 24, 43–45, and 44 on solitary confinement and "prolonged" solitary confinement). They also fall short of [the Minnesota Protocol's](#) minimum requirements for investigating potentially unlawful deaths (including independence, effectiveness, and transparency), and sit uneasily with the domestic safeguards in Section 3.2.3 (Bahrain Constitution Articles 19–20; Reform and Rehabilitation Institution Law No. 18 of 2014, as amended by Law No. 6 of 2024).

## 5. Conclusion

Across Iraq, the United Arab Emirates and Bahrain, the cases of detained human rights defenders and other members of civil society examined in this report demonstrate a recurring gap between safeguards that exist on paper and the treatment detainees experience in practice - most sharply in cases linked to peaceful expression, civic or political activity, or human rights work.

The findings cluster at three points in the detention cycle: the first hours and days of custody, when individuals may be held incommunicado and cut off from effective legal assistance; the interrogation phase, where physical and psychological pressure is used to obtain “statements” or “confessions”; and prolonged detention, where punitive isolation, poor conditions, denial of medical care, and deaths in custody are repeatedly reported.

Taken together, the documented patterns across the three countries point to structural failures that weaken prevention of human rights violations and enable abuse. Where access to lawyers and families is obstructed, where independent medical treatment and documentation is delayed or unavailable, and where complaints do not trigger prompt and impartial action, safeguards lose their protective function and the risk of torture and other ill-treatment rises. In this context, accountability and redress remain limited, reinforcing a cycle in which coercive interrogation, punitive detention practices, and avoidable harm persist.

The recommendations that follow translate these findings into practical measures aimed at strengthening early safeguards, preventing coercive interrogation, and improving oversight and accountability across all detention centres where people are deprived of their liberty.

## 6. Recommendations

**The Gulf Centre for Human Rights (GCHR) calls on the authorities in Iraq, the United Arab Emirates and Bahrain to:**

1. Stop arresting and detaining human rights defenders and civil society activists on charges that violate their rights to freedom of association, assembly and expression.
2. End incommunicado detention of all those in custody in law and in practice by ensuring prompt, verifiable notification of the place of custody after arrest and after any transfer, and ensuring communication with family is not denied for more than “a matter of days.”
3. Guarantee confidential, effective access to legal counsel for all detainees from the outset and throughout the investigative stage, including during questioning, with no measures that undermine confidentiality or practical access.
4. Guarantee prompt, independent judicial control of detention by making physical appearance of a detainee before a judge the rule within 48 hours; any delay beyond 48 hours must remain absolutely exceptional and specifically justified.
5. Prevent coercive interrogation from the moment questioning begins by prohibiting any “undue advantage” being taken of a detainee’s situation to compel self-incrimination, and by keeping interrogation rules, methods, and custodial arrangements under systematic review.
6. Enforce an absolute exclusionary rule and mandatory investigations by requiring prompt, impartial investigations wherever there are reasonable grounds to believe torture occurred, excluding from proceedings any statement established to have been made as a result of torture, ensuring prompt access to independent medical examination and documentation where ill-treatment is alleged or risk is apparent, and ensuring effective remedy and redress.
7. Bring detention conditions into line with UN benchmarks by prohibiting prolonged solitary confinement (more than 15 consecutive days), ensuring healthcare consistent with State responsibility and equivalence of care, and requiring prompt, independent, effective, and transparent investigations into all deaths in custody consistent with the [Minnesota Protocol’s](#) minimum requirements.



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