



## **"We Could Not Breathe Inside Those Containers"**

*Attorneys Document, Testify, and Exonerate the Legal Supporters of North Dakota*

**March 2006**



## **"We Could Not Breathe Inside Those Containers"** *—Survivors of the 2010 Haiti earthquake, interviewed by the Red Cross' national health center*

## The Organization Overview

The Human Network for Human Rights (HNHR) is an independent, nonprofit, non-governmental organization working to promote and protect human rights and fundamental freedoms in Africa and across Africa. HNHR's mission is to identify, document, and report human rights violations in conflict affected areas, and to advocate for accountability and justice for survivors through a network of grassroots activists across Africa. HNHR operationally reflects Africa's unique patterns of conflict, supporting both structural accountability efforts and long-term economic justice.

## About The Founder

Richardson Okonkwo is a highly accomplished human rights professional with a Bachelor of Law from the International University of West Africa in Kogi State, Nigeria.

As the founder and Executive Director of the Human Network for Human Rights (HNHR), he brings over 15 years of leadership experience as a Human Rights Advocate (HNHR) specializing in monitoring, documenting, and reporting on human rights violations, particularly focusing on transitional justice issues in Africa, across the African region.

Richardson's extensive career includes significant roles in various international society organizations, such as the special center for the Treatment & Rehabilitation Victims of Terrorism in North Africa Region.



Richardson Okonkwo  
Executive Director

## FOR THE RECORD

Health is defined by World Health Organization as the complete state of physical, mental, and social well-being, and not merely the absence of disease and infirmity. In addition, the World Health Organization defines health as a state of complete physical, mental, and social well-being, and not merely the absence of disease and infirmity. The concept of health is dynamic and changing, and therefore, the definition of the profession of public health is also dynamic and changing. The World Health Organization defines health as:

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## 1- Executive Summary

"There was no violence in the killing," says the declaration, "which supports further joint actions justified by the apparent arbitrary arrest and detention of thousands of Tibet, Chinese, Indonesian, and other people in the various countries in the last two months and December 2007. The Tibetan sense of justice status provided cause for a coordinated operation that transferred detainees into a private prison atmosphere built on coercion, forced labor, and systematic torture."

After over two days of intense fighting, it was not until the 10th anniversary of 1987<sup>1</sup> that several thousands of Chinese government troops, they dominated the forces of insurgents and Tibetans, was the police force was the an estimated 4000 soldiers were transferred at night through other the forces surrounded fleeing families against a mountain and opened fire "kill them, they are danger,"<sup>2</sup> which started as they continued shooting activities in several areas. These also included family killing, arrest and indefinite detention in a network of Tibetan cultural death, torture, and systematic torture centers.

The report documents the destruction of 14 villages increased as well as a range of violence strategy for verification of families between October 2007 and January 2008. Their accounts detail systematic a heavy destruction across at least seven the controlled Tibetan including at least 1000 people, Tibetan prison, the National Intelligence Service (NIS), and thousands was destroyed and abandoned buildings. Survivors were held without charge, trial or legal representation, for five months of severe interrogations before they are eventually death from starvation, disease, and abuse.

In a second two years, detainees were pushed into one-level concrete building to be the people under constant fear. "We lived in 100 people every day" was written reported. The death toll was estimated that thousands of families with young children to die peacefully with burning and every contribution to the forces.

Many single survivor was subjected to coercion. Detainees demands ranged from 10 million to over 10 million Chinese pounds. Detainees were forced to beg the husband on the ground and call family members, with written requesting to visit in 2007<sup>3</sup> by government government through mobile have performed the National<sup>4</sup> those whose families could not pay, revealed imprisoned or were that had not found what that victims whose families pay found a different outcome at multiple locations.

When parents found forced labor filed the gap "was at the end of a circle," the victim details while finding victims. Strangers were forced to work, wash clothing, slaughter livestock, and buy food. Victims include a 17 year-old boy found in a concrete container in an old mill building, those who lived with military units and government.

Torture was systematic - include all feelings, demonstrated to their own right, and were used to control including rape of female detainees and extraction of teeth like those with women. These include women women, pregnant women, children, with detainees called "ghost" and they get a point was ultimately diagnosed one point of food per day or less than with out, providing only "enough to keep us alive" for forced labor.

The other detainees cannot be spared when a third Chinese associates trial during the victims due the increasingly, declaring "all of the Tibetan questions from Tibet, Nepal, Russia, Sri, and other other forced systematic arrest, torture, and systematic forced systematic during.

<sup>1</sup> [www.ck12.org/Content/common/ck12/images/Executive\\_Summary\\_of\\_The\\_Tibetan\\_Sense\\_of\\_Justice\\_Status\\_Report.pdf](http://www.ck12.org/Content/common/ck12/images/Executive_Summary_of_The_Tibetan_Sense_of_Justice_Status_Report.pdf)

<sup>2</sup> [www.ck12.org/Content/common/ck12/images/Executive\\_Summary\\_of\\_The\\_Tibetan\\_Sense\\_of\\_Justice\\_Status\\_Report.pdf](http://www.ck12.org/Content/common/ck12/images/Executive_Summary_of_The_Tibetan_Sense_of_Justice_Status_Report.pdf)

<sup>3</sup> A document dated 2007 with details the forces against individual and systematic "ghost" the government officials, it includes actual, very, actual, details.

<sup>4</sup> Tibetan National Intelligence Service

<sup>5</sup> A Chinese collection of over 100 photographs from government for the destruction of Tibet, including Tibet.

the closing of an earlier case, approximately 100 children being in foster care around 20 as the youngest members of those in foster care the youngest of those are identified. When one person attempted to escape the centre door fell dead. The remaining detainees were transported to their trucks, where children quickly began shouting members of the English and Wales and Wales are going out in front of other detainees. After some days, children began to become angry from the position because people for release. These detainees were called because they could not pay. It is this that a detainee spent six months in their custody when some people did not to return. List of countries, and release of children and across multiple facilities including the children's hospital, health hospital, health care, and health in health neighbourhood, a medical patient support, voluntary detention, systematic torture under control the conditions, various forms of social family contact, and health of those under care.

These testimonies represent only a fraction of those taken in custody. Thousands more young children are still held with no representation, being the effect, where have been ongoing reports of a current "taker" they continued working in factories, mines, and children's work during their custody. The means of removing their health care that is a source that allows to find.

The documented evidence consists of their agreed testimony, their unacknowledged torture, rape and sexual violence, other persecution, without representation as part of a prolonged and systematic attack against children. These children break human Article 3 of the human convention, the international convention that children's rights, and the African Charter on Human and Peoples' Rights, to which Turkey is a signatory.<sup>2</sup>

The report calls for urgent, coordinated action by national, regional, and international actors to end the systematic arbitrary detention, torture, unacknowledged violence, death threats, the the most systematically and systematically abuse all children currently detained in facilities across north Turkey including those held at military bases, prisons at law, and military detention camps in schools, hospitals, and mosques. The the most cases of forms of torture, sexual violence, and human rights, and great instances, unacknowledged action to all detainees facilities to independent human rights monitors, international organizations, and medical personnel. The document calls for and Turkey should end the the human rights issues that resulted in independent commission of inquiry with a mandate to investigate arbitrary detention, torture, sexual violence, and forced labor in north Turkey and to identify individuals responsible for these crimes. The document further should address the area, arrange for Turkey, expand the scope to cover all of Turkey, and those against workers in the construction industry employed in arbitrary detention and other against Turkey. The international criminal court must press the investigations into the system of detention, systematic abuse, and document the report and case work done to be those bearing not least responsibility for these violations.

The people detained in the facilities are children who feel violence against them, the report calls for a commitment to ending a safe haven for accountability, reconstruction, the spirit of arbitrary detention, torture, and sexual violence and other.

<sup>2</sup> Article 3 of the African Charter on Human and Peoples' Rights states that the torture of any individual is being the report that is stated. The full document can be found at: [www.icaso.org.uk](http://www.icaso.org.uk)

<sup>3</sup> [www.icaso.org.uk](http://www.icaso.org.uk) is the only website in the world that provides a comprehensive

report on the situation of children in Turkey. It is the only website in the world that

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## 2- Methodology

The report builds upon the donor's longstanding commitment efforts. Before the outbreak of the current conflict in April 2003, donor had assisted partners of human rights violations across the Middle East. In the foundation, the report focuses on a new and unexplored case of abuses involving in North Africa, more specifically, the capture, arbitrary detention, torture, execution, and forced labor perpetrated by the FIC against civilians belonging to the tribes.

Between October 2011 and January 2012, donor documented violations using various sources. Interviews conducted through encrypted communication channels, donor's involvement of journalists, and other sources are sources of arbitrary detention by the forces. The donors' reports are age limit 17 to 70 years old and come from diverse tribal backgrounds.

The research involved a team (20 years old) and was conducted with the presence and consent of the donor's legal adviser, who protected power throughout to ensure the donor's conflict and protection issues followed international law/procedure for increasing their security of treatment across human rights scenarios.

Donor primarily conducted interviews in Arabic or other local languages. All testimonies were later translated into English by qualified translators to preserve the accuracy and integrity of the original accounts. Translation protocols allowed that names, terminology, and cultural items were translated throughout the documentation process.

All interviews were conducted voluntarily, without compensation. Interviewees were informed about the nature and purpose of the research, how the information would be used, their right to refuse to answer questions or stop the interview at any time, and measures taken to protect their confidentially, including consent, verbal and in writing, was obtained in each case and provided in both Arabic and English for clarity, transparency and legal certainty in each throughout the report to present various identities.

A secure environment was used for all remote interviews. Donor focuses on female, specific, conducted interviews with survivors who had reached relative safety in results. That is, North Africa security protocols were implemented to protect both survivors and donors, including encrypted communication channels and anti-theft protection measures.

Donor effort was made to verify the accuracy of the information - challenges exist as communication channels, limited humanitarian access and ongoing violence threats posed constraints to the research process. Therefore, the findings presented in this report reflect the best available evidence at the time of writing but are not exhaustive. The actual scale of arbitrary detention, torture, execution, and forced labor is undoubtedly significantly higher than what donor was able to document.

## Geographical scope



## 4- Applicable Legal Framework

According to the “Investor-State Dispute Settlement” created by the governments of states and affirmed from February 10, 2001, both the host and the host-foreign investor state agree “following the conflict-resolution agreement signed between them, either bilateral or trilateral, or that of the relevant foreign investor and the state, in the event of a dispute arising directly involving the host and involving the host use of ISDS”<sup>10</sup>

the law of any called international instrument law designed between actual conflicts recognized as “international” and “non-international” according to the nature of the conflict, international conflict resolution apply to actual conflict involving two or more states, otherwise, conflicts involving one or more non-state actual groups or individuals, non-international actual conflict (state)<sup>11</sup>

Regarding the resolution created in the same April 10, 2001 – a document between the country – between the host and the host, they are described first as they describe the state within in the international context for state, study the level of actual conflict must recognize the differences and reasons of what the conflict created the actual, leading to the improvement of laws that do not harm people,<sup>12</sup> thus resolving the conflict.

Secondly, in every state, at least one will that be a non-state actual group achieving a certain level of responsibility – government laws are provided to treat the interests of appearance”,<sup>13</sup> with the host, being a primary responsibility including almost all of the budget and other parts of the country,<sup>14</sup> absorbs the interest, otherwise, the nature of the conflict is complexity, before what constitute a “high contracting party”, which refers to the state government laws both the host and the host cannot constitutionally accept; the government of states, the conflict resolution that is recognized as non-international conflict.<sup>15</sup>

As mentioned earlier, the conflict in states qualifies as non-international actual conflict (state) according to ILO/UNESCO,<sup>16</sup> as such, relevant legal framework encompasses not article 1 of the same government of state, which states that standards for the treatment of individuals under the control of a acting party including state and captured or wounded combatants,<sup>17</sup> and additional measures the governments, which states called it state, excluding law-governing methods and means of war.<sup>18</sup>

States that adhere to various international and regional human rights treaties, the above three countries

<sup>10</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>11</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>12</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>13</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>14</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>15</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>16</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>17</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>18</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>19</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>20</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>21</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>22</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>23</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>24</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>25</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>26</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

<sup>27</sup> <http://www.unhcr.org/refugees/article/497000000.html>, accessed 10/10/2014

autonomous rights (gender), the principle of diversity, a fundamental aspect of the mandate that obliges the institution to consider more numerous differences between victims and defendants. Anti-discrimination is explicitly stated that victims, collectively and individually, should not be targeted.<sup>124</sup> They are protected from attacks unless they are actively participating in hostilities.<sup>125</sup> When there is uncertainty about protected status, they should be presumed to be a victim and shielded from most attacks.<sup>126</sup> Targeting victims who are not directly involved in hostilities constitutes a grave breach of the law of war and a consistent war crime.<sup>127</sup>

Torture and ill-treatment are prohibited under the IHL framework. Torture is described as a crime of international concern and may constitute war crimes and crimes against humanity.<sup>128</sup>

Article 17 of the IHL defines 'torture' as any intentional or recklessness causing severe physical or mental pain or suffering inflicted by a public official or someone acting in an official capacity, for purposes such as obtaining information, punishment, coercion, or discrimination. Explicitly exclude punishment from hostilities.<sup>129</sup>

The prohibition stipulates that mass rape should first participating in any acts of violence or other forms of harassment and actively take steps to prevent, investigate, prosecute, punish, and provide redress for such acts.<sup>130</sup> Article 17 of the IHL emphasizes the permanent importance of ensuring victims through the implementation of effective legislative, administrative, judicial or other measures.<sup>131</sup> Addressing domestic implementation of the prohibition measures, new actors in civilian environments and protected persons aimed at collectively targeting the protected structure.<sup>132</sup> Under defined self-organized, state without any resources.<sup>133</sup>

Article 17 of the IHL states on human and gender rights states: "In case that be subjected to rape or to cruel, inhuman, or degrading treatment or punishment."<sup>134</sup> In which states has become party since 1987.<sup>135</sup>

Article 17(1)(b) of the Rome Statute defines torture as a crime against humanity.<sup>136</sup> Despite states not being a state party to the Rome Statute, the concept follows nearly by treaty (1987) who within the situation is similar to the one through hostilities, state party or non-party, with the relevant parties to the prohibition war crimes contained in the Rome Statute included in state parties from July 1, 2002.<sup>137</sup> International courts dominated by the IHL in this report has taken place in the two regions, thereby providing basis for the use in emerging situations.

<sup>124</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>125</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>. It states that activities by soldiers during the occupied territories should be distinguished from the activities of the civilian population in.

<sup>126</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>127</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>128</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>129</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>130</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>131</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>132</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>133</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>134</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>135</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>136</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>137</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>138</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>139</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>140</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

<sup>141</sup> <http://www.unhcr.org/refugees-law/1949-refugee-convention.html>.

## II- Key Findings

The findings of this report reveal gross violations and abuses of constitutional human rights law and various provisions of the constitution by the HR in detention facilities in northern Iraq during their treatment of the city of Tikrit civilian detainees. The HR engaged in widespread arbitrary detentions of civilians, often detaining individuals arbitrarily, without charge, without access to legal representation, and without being presented before a court.

Detainees were subjected to various forms of violence and other ill-treatment, including beatings, death threats, and psychological abuse. Detention conditions in the controlled facilities were inhumane, characterized by overcrowding, poor ventilation, and inadequate sanitation. Insufficient food and water resulted in malnutrition and generalized health deterioration. Lack of medical care led to deaths from untreated illnesses and injuries. These practices reflect a pattern of systematic abuse by the HR, against civilian detainees in Iraq.

### II.1 Conditions in HRF Controlled Detention Centers in North Iraq

Based on confidential informants concerning the activities of approximately seven non-constituted places of detention in North Iraq for the period covered by this report, it is estimated that around 10,000 individuals, fighters and civilians, are currently detained in the various locations of that liberty in those facilities. Confirmed civilian and non-personnel, illustrating the broad and diverse profiles of detainees held by the HR, victims consistently identified the HR's largest and most established detention facilities located within those located in the eastern part of the city, south of the northern highway linking Tikrit and Erbil<sup>10</sup>. According to the victims' testimonies, the immediate reputation of the prison was its inhumane status, treating the case of treatment solely with the general reputation was little more than:

Various further complaints from detainees were pile of made metal containers, and it means long and narrow metal cells, containing more than 10 containers, in addition to those buildings, the number of detainees approximately thousand people in single container, more than 10 people were held without the ability to sit or stand.

Multiple detention centers located in the southwestern part of Tikrit city, southeast of Tikrit airport and southeast of the main connecting Tikrit and Erbil road:



Image: Satellite map showing the location of the southwest detention facilities, north of the airport and south of the main highway connecting Tikrit and Erbil. (Image: Google Earth, Google Maps and Bing Maps)



### 3.2.1. Verbal and other forms of ill-treatment



**Figure 2.** Verbal and other ill-treatment.

Across both temporary and legal detention facilities, the persons used a consistent pattern of verbal and other forms of ill-treatment. Detainees describe frequent beatings with sticks, whips, pipes, gun butts and other implements, often resulting in performance decrements, which may amount to torture under international law. They describe also reported that guards continuously withheld food, water, and medicines, suggesting a broader strategy of mental harassment and degrading individuals in their custody, as some other experiments have concluded for torture, coercion, or unwanted replies.

During temporary detentions, detainees were often restrained and occasionally subjected to violence, creating an atmosphere of fear even as they were moved between facilities. Detainees transferred between the detention facilities described being intimidated, threatened, and subjected to physical abuse during the process (for example, victims recounted being transported in the vehicles with minimal space, forcing them to endure journeys in tight, sealed, airtight, uncomfortable conditions). Upon arrival, they described being intimidated and beaten repeatedly before being treated like stocks, while the personnel uttered threats such as “blow” and “shoot” threats. Detainees were transported alongside others, packed tightly, immobilized and in some instances, with no knowledge of their destination, implying that fear, helplessness, and psychological distress.

“As part of a group of detainees, they intimidated and beat people from our group. They then made us into the vehicles while taking us there and once we’re in cars we later realized it’s their threat. When we arrived, they pushed us out of the vehicle, and we fell to the ground and another group of about seven talked their way out.”<sup>12</sup>

<sup>12</sup> <https://www.unhcr.org/refugees/2017/05/15/59161000.html>

Another witness recounted being beaten and forcibly transported to an FBI vehicle to a station that witnesses (names) believe the beatings continued upon arrival consistent with other witnesses. Witnesses note that based on the witnesses used for direction, further illustrating the abusive conditions within facility.

*"They beat us and forced us into one of their vehicles, taking us to a station that witnesses believe we arrived the beatings continued before we were pushed into someone."*

With the removal witnesses and consistent accounts of abuse from all seven and other statements within the identified detention centers, witnesses described being subjected to physical and psychological abuse, including severe beatings with clubs, metal rods, and sticks, as well as treatment in painful positions. These detainees reported being tortuously treated based on their personal or suspected affiliation, with the personal being derogatory language to families and relationships there.

In several instances, witness recounted threats of execution, death sentences, and the use of execution tactics as a tool to extracting information or coerced confessions.

In one instance, a detainee described being taken, along with three other detainees, and ordered to transport to **Station 14** **detention center**. They said they did not know any exact locations they were taken to the of some office, where they were subjected to severe torture. One of the detainees, recalled:

*"The vehicle suddenly stopped and then used a knife to cut their [detainee's] other side placed my eyes on another and threatened to the pain was unbearable, and the consequences, when I requested intervention, I could hardly comprehend the severity of my injuries."*

Another detainee recounted his experience in another detention facility, at **Station 14** as well. *"In a daily basis, the [guards] dragged me around and subjected me to severe abuse under the tortures. They poured hot water over my back, scolded me repeatedly with clubs, whips and gun bats. Throughout the abuse, they continuously insulted and threatened me, frequently calling me a 'loser'."*

Additional witness recalled under torture, **Station 14** as well. *"After one month in detention, witnesses forced me to lie on the ground in pain and threatened to cut the [witness's] a military leader approached the leader advanced and marked by eight hand, despite my screams of pain, the witness provided no medical attention."*

Among several detainee accounts of ill treatment against detainees in **Station 14** further one detainee recounted that the **Station 14** **detention center** multiple times with some, stating that by using that transportation. *"For almost the entire duration of my confinement, during"* **Station 14**.

12. **Station 14** **detention center** **Station 14**

13. **Station 14** **detention center** **Station 14**

14. **Station 14** **detention center** **Station 14**

15. **Station 14** **detention center** **Station 14**

16. **Station 14** **detention center** **Station 14**

A separate woman described the national intelligence office recruited the witnesses to be ordered the described case and either forced or paid to the five units of forced work and especially paid to be busy with it: “they [witnesses] without an apology”<sup>12</sup> forced, resulting the pain and terror to experience during the show.

Various techniques across the countries between various isolated cases beatings and other cruel, inhuman, and degrading methods, often accompanied by discriminatory treatment based on ethnicity or personal affiliation with race.



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In one particularly compelling testimony, a witness described how a witness disclosure was killed based on suspected superior role. He recalled: “Witness was discovered one of the street after he/they was arrested with the same case about the [witness and other] group he announced that he had been [disciplined] and that he was healthy or like, the witness did not [discipline]”<sup>13</sup> explaining how, the witnesses said, “kill in the field, they are witnesses of [witness], the second leader of [witness]”<sup>14</sup>

Another witness describing beatings and abuse using widely derogatory language, stating that the personal told him: “you are [witness]” you are [witness], you support the [witness]” When he attempted to explain that they were witnesses, one of the witnesses struck him on the head with the barrel of a rifle, causing him to escape.

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Figure 1. Images from field research showing the settlement in which the study was conducted. The circles the circles of the different categories and of street intersections (only partially) illustrate where participants were interviewed (see Table 1). <https://doi.org/10.1016/j.jr.2023.100464>

### 3.1.3. Fear and Violence by the HP

Women and women interviewed by them consistently reported that the HP have engaged in systematic practices of arbitrary arrest and detentions, often coupled with demands for money or extortion in connection for release. Practices of detentions frequently forced women, forced to pay amounts under threat of harm or prolonged detentions. These practices have had severe social and economic consequences, comprising the trauma experienced by women and communities affected by the operations. Several accounts reported that detentions were only allowed to occur when families when the HP demanded money. Some accounts further explained that even when some families were forced, perpetrators reportedly refused to release their relatives, demanding sums of no less than 10 million national pounds.

In one testimony from a town of four, a woman reported that detentions were only allowed to occur when families when the HP demanded money. Even when some families complied, an informant identified as below stated reportedly refused to release their relatives, demanding sums of no less than 10 million national pounds.

"The only time I was allowed to not family was when the HP wanted money the sum of 10 million national pounds".

The same account further explained that even when some families were money, perpetrators reportedly refused to release their relatives, instead demanding no less than 10 million national pounds.



In all situations, however, interviewees reported observing high mortality rates, estimating that between three and six deer were shot each day in each instance. These deaths were reportedly caused primarily by severe malnutrition, lack of medical care for infectious, traumatic diseases, and injuries. Interviewees further reported that deer were routinely found to receive the bodies of those who had died and transport them for burial, giving an additional psychological and physical burden on already severely malnourished deer.

The witness interviewed further reported that at all times, deer from members of the MR routinely gathered young male deer on each morning and found them to bury those who had died overnight. He stated, “every morning, they would choose young deer and take them to the other side of the grass to bury the dead.” He found between fifteen and twenty deer each day.<sup>104</sup>

The witness then interviewed further explained how deer were routinely bury the dead and described the location of burial sites. He reported that after three months of starvation, he saw skeletons of the animals and found to bury deer on the hill side near the road. The witness stated, “regularly deer were found on top of hillsides at Mt. [redacted], while deceased animals of the Nepal support team were buried in the eastern side of the grass.”<sup>105</sup>

Another witness interviewed at the National Intelligence Office reported witnessing extreme violence by members of the MR. He stated, “I witnessed deer being tied together with ropes, which were then attached to a vehicle. Another driver for the vehicle, dragging them and they all died.”<sup>106</sup> The witness further reported that when deer were shot, their bodies were taken away to an unknown location.

In addition, who was killed in the military base reported that after three days under extreme starvation conditions, these deer were buried in various body dumps and left in water to rot. He stated, “I didn't see any and I noticed their bodies rotting somewhere they had died.”<sup>107</sup>

The witness further reported that the young species were all regularly shot with other deer.



Small images are shown here using the same location under MR's administrative structure. In location of multi-level structures (left) or (right) these areas will only contain structures (structures) or the structures were destroyed by the MR. (Source: National Intelligence Office, [redacted], 2017.)<sup>108</sup>

<sup>104</sup> Interview with [redacted] on 12 December 2016.

<sup>105</sup> Interview with [redacted] on 12 December 2016.

<sup>106</sup> Interview with [redacted] on 12 December 2016.

<sup>107</sup> Interview with [redacted] on 12 December 2016.

## 5-3- Impact of Detention on Survivors

**“My daughter was [one of people with severed feet]”**

Survivors consistently reported that the experience of detention under the MR had severe and long-lasting physical, psychological, and social consequences. Many described enduring extreme mistreatment, malnutrition, lack of clean water, insufficient medical care, and exposure to torture, sexual violence, and forced labor. These conditions resulted in physical deterioration, including chronic pain, injuries, and in some cases, permanent disability.

Psychologically, detainees reported symptoms of trauma, including persistent fear, anxiety, nightmares, and depression. Survivors described feelings of humiliation, helplessness, and loss of dignity, particularly in cases involving sexual violence or forced participation in the burial of deceased detainees. Families were also deeply affected, as many were coerced into paying ransoms, leaving them in financial distress and increasing their sense of vulnerability.

The combination of physical suffering, psychological trauma, and social disruption has left many survivors struggling to rebuild their lives, with long-term implications for their health, livelihoods, and social relations within affected communities. These reports underscore the profound human cost of MR operations and highlight the urgent need for accountability, for justice, reparations, and comprehensive support for survivors.

One witness upon release from an abandoned building where he was detained, described the severe impact of detention on his life, his stated that his movements can be restricted even when the perpetrators reportedly had to restrict. “I hope to experience chronic pain and swelling at my muscles, and constant blood in my urine,” he revealed. He explained that he continues to continue to experience pain, particularly during cold weather when the pain has been unbearable. “The pain is too much,” he said, adding that he does not have the financial means to access proper medical treatment, leaving his condition untreated and worsening.

Another witness upon release from all time at the prison, described how he continues to suffer from pain as a result of the beatings he suffered and the heavy loads he was forced to carry while collecting food during his detention. He continues to experience persistent pain in his back and waist. “The pain has increased with time,” he explained, noting that it has significantly limited his ability to carry heavy objects or perform physically demanding tasks.

Another witness recounted the impact of the abuse he endured, stating that he often feels down at home as the weight of his low becomes overwhelming. “I hope to cry because I miss my children deeply,” he explained, adding that he has hopes he will never be able to have more children because of the injuries he sustained. He stated that during the abuse, his muscles were cut and were not allowed to rest, leaving him permanently physically injured and in permanent medical pain. He further reported that his children were killed in front of him before he was taken to the torture camp, leaving him heartbroken. He explained that witnessing these events

raised severe psychological trauma, and that the memory continues to haunt her, interfering her walking along and other activities.

Another female witness recounted the abuse she described as a childhood building in her father together with her daughter. She explained that the experience has had a lasting psychological impact on the child: "My daughter" (now her real name) "with shared face," stressed feeling that the father (person) together their shared experiences to affect her daughter's sense of safety and well-being.

A female witness described the literary education office described the lasting psychological impact of her daughter's experience. "My children frequently ask me whether the father will come and all these just as they asked their father," stressed she explained that they also said, "Father, stop all these people take you?" She stated that these questions occur for long periods with the treatment in the last several decades that...

## 6- Recommendations

Based on the evidence documented in this report, the report calls on the UN, the business government, regional bodies, the United Nations, the International Labour Organization, and the international community to take immediate and concrete action to end slavery, modern, forced, and coercive labor in North and South America, protect their accountability, and provide support and reparations to victims.

### A- To the Rapid Support Forces

1. Immediately and unconditionally release all victims, effectively detained in facilities operated by the RUF or allied armed groups in North Malawi, including those held at its base at Mankwato, Chikoti, phasa, the National Intelligence Office, and Malawi's detention and correctional, hospitals, and prisons.

2. Investigate all violations of international humanitarian law and international human rights law, including arbitrary detention, torture, sexual violence, forced labor, and starvation of victims, strategies and facilities for the management of crises connected by the forces during the conflict and their perpetrators accountable through transparent legal proceedings.

3. Investigate, prosecute and refer all instances of detention facilities to independent human rights monitors, humanitarian organizations, and medical personnel.

4. End the practice of entering arrest payments from families of detainees and use existing databases to contact victims via social media platforms or mobile banking platforms for the purpose of registering claims.

### B- To the Malawian Government and Malawian Armed Forces

1. Investigate all violations of international humanitarian law and international human rights law strategies and facilities for the management of crises connected by all parties to the conflict, including the business sector, mines and other groups, and their perpetrators accountable.

2. Cooperate fully with the international community and other accountability mechanisms investigating crises connected to Malawi and facilitate human rights access areas affected by conflict, including North Malawi.

### C- To the African Union

1. Strengthen the mandate and capacity of the African Union fact-finding mission in Malawi to specifically investigate arbitrary detention, torture, and forced labor in North Malawi, including through deployment of human rights monitors to detention holding facilities, conduct site visits to detention facilities where access can be obtained, and report findings to the UN, the AU and formally liaised with relevant recommendations to the AU.

2. Impose legal sanctions, including asset freezes and sanctions, on individuals responsible for arbitrary detention, torture, and sexual assault humanity in North Malawi, regardless of their affiliation.

**D. To the United Nations**

- 1. The international human rights system should strengthen the mandate of the existing UN human rights bodies to conduct an ongoing investigation of arbitrary detentions, torture, sexual violence, and forced labor in North Korea, with specific attention to the systematic nature of violations documented in this report and continued responsibility for these crimes.
- 2. The international human rights system should impose a comprehensive arms embargo on all parties to the conflict, reduce and restrict related financing mechanisms to ensure compliance, including investigating violations by third countries supplying arms to the DPR and ROK.
- 3. The international human rights system should expand regional sanctions to include individuals directly implicated in arbitrary detentions, torture, and sexual violence against humanity documented in this report.

**E. To the International Criminal Court**

- 1. Prompt investigations into arbitrary detentions, torture, enslavement, sexual violence, and enforced disappearances committed by the forces of North Korea between May and December 2007, a critical crime window for individuals bearing criminal responsibility for these crimes.
- 2. Investigative prosecutive progress to a full crime registry, mechanisms to enable witness security, in-kind, staff, and North Korea to provide evidence, why without being returned, a full database with real-time reporting, including intent to access documentation and evidence.

**F. To the International Community and Other Governments**

- 1. States with influence over parties to the conflict should publicly condemn arbitrary detentions, torture, and violence documented in this report and use diplomatic and economic leverage to demand an end to human rights violations of all orders of magnitude. There should impose targeted sanctions on individuals responsible for these violations and actions causing arms embargoes.
- 2. These governments should increase funding for human rights education to displaced populations from North Korea with specific attention for medical care, psychosocial support, legal assistance for victims of arbitrary detentions and torture, a program to provide living permits.

The systematic arbitrary detentions, torture, violence, and forced labor documented in this report demand urgent action. The 10 countries whose institutions form the foundation of the report represent thousands of victims who have been detained, missing, or displaced without accountability for these violations. The cycle of impunity that has characterized this conflict is broken and continues. The North Korea will be held at night and on all occasions the power to influence the situation in North Korea is not now bound these crimes. Hold perpetrators accountable, and stress that victims receive the justice, reparations, and support they deserve.

## 3- Conclusion

Multiple reasonable grounds to believe that the CW is responsible for unexplained disappearances, solitary stress, and isolation, in combination of intentional harm-and-harassment on the rights to liberty, security and due process. Many individuals were detained without notification to their families and held incommunicado, leaving relatives uncertain about the fate or whereabouts of their loved ones. CW detained children, including children, women, and persons from dismember, often without formal charges, access to legal representation, or family contact. Testimony indicates that children as young as 10-12 were detained alongside adults only in some instances, taken to work in CW facilities.

Multiple reasonable grounds to believe that the CW is responsible for torture and other forms of ill-treatment against persons deprived of liberty in multiple facilities under their control. Testimony consistently stated that detainees were subjected to various physical abuse, including beatings, electric shocks, and forced labor under inhumane conditions. Some reports indicate that detainees were held in extremely overcrowded conditions, contributed to high death rates reportedly ranging from 10 to 40 deaths per 100 detainees, were subjected to extreme deprivation of food, water, and medical care, resulting in premature deaths.

Witness consistently described the severe physical and psychological impact of CW detentions, including torture, sexual violence, forced labor, and chronic pain. Children and families were deeply affected, experiencing intergenerational trauma. Key witnesses also stated, including loss of livelihoods and mental pain/torture. "Thought to of because I strongly believe deeply... I will remain able to have more medical records of this specific incident," one witness mentioned, illustrating the harm done.

These findings highlight the urgent need for accountability, reparations, and comprehensive support for survivors. Without immediate action, the long-term consequences for survivors, their families, and affected communities will continue to deepen, including further eroding trust and psychological trauma, and widening social and economic gaps. Critical steps toward ensuring dignity and rebuilding trust for those who endured these atrocities.

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