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Iraq: Judicial harassment of human rights defender Yasser Al-Hamdani

Human rights defender **Yasser Al-Hamdani** is facing continued judicial harassment. Recently his case was transferred from the Court of Publishing and Information Cases in Nineveh Governorate, northern Iraq to the Misdemeanor Court in Mosul, following the issuance of a warrant for his arrest in November 2022. The human rights defender is currently waiting for the date of the court session for his trial in which he is charged with ‘slander’ and ‘defamation’ against a government official.

[Yasser Al-Hamdani](#) is an Iraqi human rights defender and journalist. His work focuses on fighting corruption, advocating for journalists and documenting human rights violations during the time of conflict in Iraq. He has documented violations and attacks in the city of Mosul, in Northern Iraq, since 2003 and has worked with associations and organisations concerned with the rights of journalists. He is a member of the Iraqi Journalists Syndicate.

On 21 February 2023, after turning himself in to the court of Publishing and information Cases, which examines media and publishing offences, Yasser Al-Hamdani was questioned by an investigative judge. He was released on bail of IQD 3,000,000 (approximately EUR 2,064) on the same day. Following the interrogation, his case was referred to the Misdemeanor Court in Mosul. He currently awaits the date of the court session for his trial. The human rights defender is charged with ‘slander’ and ‘defamation’ against a government official. This happens after he drew attention to administrative and financial corruption in a government agency on social media and in interviews he was conducting.

On 20 November 2022, the Court of Publishing and Information Cases in Nineveh issued an arrest and investigation warrant against journalist Yasser Al-Hamdani in accordance with Article 433 of the 1969 Iraqi Penal Code. The human rights defender was not summoned or informed of the charges before the arrest warrant was issued against him. After the issuance of the arrest warrant, a police officer informed the human rights defender that there was a list of charges issued against him, and that the security services had been investigating and tracking him since 17 July 2022.

As a journalist registered with the Iraqi Journalists Syndicate, the Iraqi Journalist Protection Law of 2011 stipulates that special procedures should be followed before the summoning or arrest of a journalist. These procedures were reportedly violated in the case of Yasser Al-Hamdani. The government agency which submitted the complaint against the human rights defender did not acknowledge that Yasser Al-Hamdani is a journalist, in an attempt to illegally bypass the legal mandatory procedures for the case, such as reporting the arrest warrant to the Iraqi Journalists Syndicate, violating Article 10 of the Journalist Protection Law of 2011.

The human rights defender was residing in Erbil, Iraqi Kurdistan, a state where the police did not have jurisdiction to arrest the human rights defender for the charges he is facing in Mosul. The arrest warrant caused the human rights defender financial challenges and psychological distress. He was blocked from doing his work as he used to travel daily between Erbil and Nineveh to cover the news in the city, but was prevented from travelling as his name was circulated at all checkpoints. The human rights defender states to not have handed himself in earlier to police for fear he would be arrested for a long period, and he could not find a lawyer skilled in cases of journalists. Yasser Al-Hamdani also thought that there were other cases and lawsuits against him related to his work as a journalist.

As a result of his work on fighting corruption in Iraq, Yasser Al-Hamdani was subjected in the past to various kinds of targeted harassment, including death threats by state agencies and authoritarian parties. These are part of a series of restrictive measures taken by the Iraqi government and a number of government officials to target human rights defenders and journalists in an attempt to silence their voices.

Front Line Defenders is deeply concerned about the charges brought against the human rights defender Yasser Al-Hamdani and believes that the actions taken against him are solely motivated by his peaceful and legitimate human rights activities.

Front Line Defenders urges the authorities in Iraq to:

1. Immediately drop all charges against Yasser Al-Hamdani as it is believes that they are solely motivated by his legitimate and peaceful work in defence of human rights;
2. Investigate reports of death threats and other forms of intimidation against human rights defenders and journalists, and adopt immediate measures to ensure their protection;
3. Guarantee in all circumstances that all human rights defenders in Iraq are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including judicial harassment.