

2.4.3 Individuals with (perceived) affiliation to ISIL

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For more information on individuals with perceived affiliation to ISIL, see the EUAA Country Focus, May 2024, section 1.1.3. Individuals with (perceived) affiliation to ISIL.

Both the Anti-Terrorism Law No. 13 of 2005652 in Federal Iraq and the Anti-Terror Law No. 3 of 2006 in the KRI653 contain vague and broad definitions of terrorism.654 The KRI's Anti-Terror Law allows courts to accept confessions extracted under duress if supported by other evidence. 655 The Anti-Terror Law provides consecutive sentences for different terrorist acts, ranging from imprisonment for less than 15 years to life imprisonment or the death penalty. By contrast, the Federal Anti-Terrorism Law mandates the death penalty for any person convicted of specified terrorist acts. It imposes the same penalty on those who incite, plan, finance, or assist terrorists. 656

In a report published in October 2024, Amnesty International has documented cases where authorities base ISIL affiliation accusations on weak evidence such as family ties, personal disputes, or false allegations meant to settle private conflicts or justify property seizures, leaving families with heavy financial burdens.657 For more information on identification of ISIL affiliation and treatment of family members, see the EUAA Country Focus, May 2024, section 1.1.3. Individuals with (perceived) affiliation to ISIL.

Between August 2024 and January 2025, the UN documented 21 executions of individuals convicted under counter-terrorism legislation, including one woman.658 In total, at least 61 executions were recorded in 2024, marking a near fourfold increase compared to the previous year,659 with many of them following terrorism-related convictions.660 However, the Iraqi authorities do not publish official statistics on executions and, according to sources, have not provided such data despite multiple requests. According to the Association for Freedom and Democracy (AFAD), an independent group monitoring human rights in Iraq, the country has experienced an increase in secret executions.661 Trials are reported as unfair, often relying on forced confessions.662 Executions took place without prior notice to family members or lawyers, amid allegations of torture as well as other fair trial and due process violations.663 However, no information on the profile of the individuals who were executed or ordered to be executed was provided by the sources consulted in this report. As of January 2025, over 8 000 prisoners, mostly charged with terrorism-related offenses, 664 were on the death row.665 The Amnesty Law enacted in January 2025 has led to the release of more than 19 000 prisoners as of May 2025. The Amnesty Law is aimed at easing pressure on an overcrowded prison system, including

inmates convicted of being members of ISIL.666 Detainees will now be permitted to request retrials if they claim their confessions were obtained through torture or coercion while in custody.667 See section 2.2 Latest legislation impacting civil and human rights: January 2025 Legislative Package.

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