

ADVOCACY DOSSIER

# ALI AKRAM AL-BAYATI

علي أكرم البياتي

**At liberty** **Iraq**

Ali Akram al-Bayati, a physician and former IHCHR Commissioner, was placed under investigation for defamation in 2022 for documenting torture claims while serving Iraq's national human rights institution. The case was closed in 2022, and he left Iraq fearing reprisals.

HuMENA.

Prepared by HuMENA for Human Rights and Civic Engagement · 8 November 2026

Case reference HM-IQ-2026-008

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# THE CASE AT A GLANCE

Ali Akram al-Bayati, a physician and former IHCHR Commissioner, was placed under investigation for defamation in 2022 for documenting torture claims while serving Iraq's national human rights institution. The case was closed in 2022, and he left Iraq fearing reprisals.

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|---|---|
| STATUS | **At liberty** |
| ARRESTED | **6 Feb 2022** |
| COUNTRY | **Iraq** |
| CHARGES | **Defamation under Article 434 of the Iraqi Penal Code** |

WE CALL ON THE AUTHORITIES TO:

## WHAT WE ASK

01 Immediately end all transnational targeting of Ali Akram al-Bayati, including surveillance, defamation campaigns, Interpol misuse, and consular harassment.

02 Withdraw any in-absentia convictions or politically motivated charges tied to peaceful human rights work.

03 Comply with the UN Declaration on Human Rights Defenders and OHCHR guidance on transnational repression.

**Latest updates on this case**
Scan the code or visit:
https://humena.org/defenders/ali-akram-al-bayati/

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# DOCUMENTED VIOLATIONS

| | INTERNATIONAL STANDARD |
|---|---|
| **Arbitrary detention** | International Covenant on Civil and Political Rights, Article 9 |
| **Criminalisation of solidarity** | International Covenant on Civil and Political Rights, Articles 21, 22<br>UN Declaration on Human Rights Defenders, Article 5 |
| **Judicial harassment** | UN Declaration on Human Rights Defenders, Articles 9, 12 |
| **Threats and intimidation** | UN Declaration on Human Rights Defenders, Article 12 |

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# HOW THE CASE UNFOLDED

**2019**

THREAT

### Threats received during protest documentation

Al-Bayati receives multiple threats warning him to stop the IHCHR's investigations into the authorities' violent crackdown on protesters.

**October 2019**

DEFENDER ACTIVITY

### October 2019 protests begin

Mass anti-government protests erupt across Iraq. Al-Bayati, as IHCHR Commissioner, begins documenting state violence and violations against demonstrators.

**6 December 2020**

DEFENDER ACTIVITY

### Television appearance on Al Ahad TV

Al-Bayati appears on Al Ahad TV in his official capacity as IHCHR Commissioner, describing the Commission's documentation of torture claims and the Anti-Corruption Committee's refusal to permit IHCHR visits to detention centers.

**3 February 2022**

SUMMONS

### Court summons received

Al-Bayati receives a document from Al Resafa Investigative Court informing him of a defamation investigation filed by the Council of Ministers Secretariat under Article 434 of the Iraqi Penal Code.

**6 February 2022**

HEARING

### Questioned by the court; released on bail

Al-Bayati was questioned by the court on 6 February 2022 and learned that the investigation concerned his December 2020 television statements. He was released on bail on 7 February 2022. No further hearing date was disclosed.

**6 February 2022**

ARREST

### Held in custody after questioning

After he was questioned by the Al Resafa Investigative Court about his December 2020 television statements, al-Bayati was held in custody until he was released on bail.

**7 February 2022**

CONDITIONAL RELEASE

### Released on bail

Al-Bayati was released on bail. No date for a further hearing was disclosed.

**April 2022**

OTHER ACT

Security forces try to visit his home in Baghdad

**27 June 2022**

CASE UPDATE

### Defamation case closed, Iraq told UN experts in June 2022

Iraq told UN Special Procedures that the Prime Minister would not appeal the investigating judge's decision and that the defamation case against him was closed. The UN Committee against Torture had already described the prosecution as discontinued on 9 May 2022.

**2022**

DEPARTURE INTO EXILE

### Left Iraq fearing reprisals

After security forces tried to visit his home in April 2022, al-Bayati left Iraq fearing reprisals. He had left by June 2022.

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# THE FULL STORY

## Background and Work

Ali Akram al-Bayati is a physician and human rights defender who served as a Commissioner on the Iraqi High Commission for Human Rights (IHCHR), Iraq's national human rights institution. His tenure coincided with one of the most volatile periods in recent Iraqi history: the mass protests that erupted in October 2019, when hundreds of thousands of Iraqis took to the streets to demand political reform, an end to corruption, and accountability for decades of violence and impunity.

As part of his mandate, al-Bayati documented human rights violations by both state and non-state actors. He investigated reports of excessive force, arbitrary detention, torture, and enforced disappearances during the government's crackdown on the protests. His work frequently made him the sole public source of information on violations occurring in detention facilities and at protest sites across the country. He advocated for transparency, accountability, and the protection of fundamental rights in an environment where such advocacy carried significant personal risk.

## The Television Appearance

On 6 December 2020, while still serving as a Commissioner, al-Bayati appeared on Al Ahad TV. He discussed the IHCHR's efforts to investigate allegations of torture by families of individuals detained under orders of the Anti-Corruption Committee, a body formed earlier that year by Prime Minister Mustafa al-Kadhimi. Al-Bayati stated publicly that the Committee had denied the IHCHR's request to visit detention centers where the alleged torture had occurred.

The statements were made in his official capacity, within the scope of the IHCHR's statutory mandate to document torture and ill-treatment. No additional evidence of defamation was presented in the subsequent investigation file. The documentation of torture allegations and the reporting of institutional obstruction were core functions of his role.

## The Defamation Charge

On 3 February 2022, more than a year after the television appearance, al-Bayati received a document from the Al Resafa Investigative Court in Baghdad. He was informed that he was under investigation for defamation under Article 434 of the Iraqi Penal Code, a provision carrying a prison sentence of up to one year. The document did not specify the basis of the accusation. The complaint had been filed by the Council of Ministers Secretariat (COMSEC).

Three days later, on 6 February 2022, al-Bayati appeared before the court. It was then that he learned the investigation concerned his statements on Al Ahad TV fourteen months earlier. The complaint originated from the Anti-Corruption Committee itself, the institution whose practices he had described on television. By the time the case was filed, al-Bayati's term as Commissioner had ended. The immunity

he enjoyed during his mandate no longer applied, leaving him vulnerable to prosecution for work carried out in an official capacity.

He was held in custody and released on bail on 7 February 2022. The date of the next hearing was not disclosed.

## Context and Prior Threats

The defamation case is not the first act of intimidation al-Bayati has faced. During the period when the IHCHR was actively documenting the authorities' violent response to the October 2019 protests, he received multiple threats warning him to cease the Commission's investigations. The threats targeted his work exposing killings, injuries, and arbitrary detentions of protesters by security forces and unidentified armed groups.

Article 434 of the Iraqi Penal Code is routinely deployed against dissidents, journalists, and human rights defenders. The provision's vague language and the threat of imprisonment create a chilling effect on public discourse and accountability work. The case against al-Bayati sends a clear message to current and future members of Iraq's national human rights institution: documentation of state abuses, even when conducted within an official mandate, may result in prosecution once institutional protections lapse.

## Legal Proceedings

In March 2022 the case remained open and the court had not announced a trial schedule. On 9 May 2022 the UN Committee against Torture described the prosecution as discontinued, and on 27 June 2022 Iraq told UN Special Procedures that the Prime Minister had decided not to appeal the investigating judge's decision and that the case was closed. Fearing reprisals, al-Bayati left Iraq.

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# SAMPLE LETTER

Copy it, adapt it and send it from your own address.

Your Excellency,

I am writing to express grave concern about the ongoing transnational repression targeting human rights defender Ali Akram al-Bayati, physician and human rights defender; former Commissioner of Iraq's High Commission for Human Rights (IHCHR), documenting violations during the 2019 protests. The reach of state intimidation across borders, including against family members in Iraq, must end.

In brief: Ali Akram al-Bayati, a physician and former IHCHR Commissioner, was placed under investigation for defamation in 2022 for documenting torture claims while serving Iraq's national human rights institution. The case was closed in 2022, and he left Iraq fearing reprisals.

I respectfully urge your authorities to:
1. Immediately end all transnational targeting of Ali Akram al-Bayati, including surveillance, defamation campaigns, Interpol misuse, and consular harassment;
2. Withdraw any in-absentia convictions or politically motivated charges tied to peaceful human rights work;
3. Comply with the UN Declaration on Human Rights Defenders and OHCHR guidance on transnational repression.

I will continue to monitor this case until Ali Akram al-Bayati's family and contacts in Iraq can live free from state reprisal.

Respectfully,

[Your name]
[Your city, country]
8 November 2026