

A Safer World For The Truth

**The Assassination of
Sardasht Osman:
*Debunking the Official Story***



A Safer World For The Truth

A Safer World for the Truth works towards the pursuit of justice for crimes committed against journalists.

The project consists of a series of investigations of cases where journalists were murdered for doing their jobs. Through these investigations, new facts and information around the killings will be revealed, paving the way for pursuing justice. A Safer World for the Truth is a collaborative initiative of Free Press Unlimited, the Committee to Protect Journalists and Reporters without Borders.



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Abbreviations

AI - Ansar al-Islam
CCTV - Closed-Circuit Television
CPJ – Committee to Protect Journalists
HRW - Human Rights Watch
IWPR – Institute for War and Peace Reporting
KRG - Kurdistan Regional Government
KRI – The Kurdish Region of Iraq
KDP – Kurdistan Democratic Party
KNN – Kurdish News Network
MoI - Ministry of the Interior
MoPa - Ministry of Peshmerga Affairs
NRT - Nalia Media Corporation
NYT - New York Times
PUK – Patriotic Union of Kurdistan
RSF – Reporters Sans Frontieres

Executive summary

Sardasht Osman Hassan Hamad was a 23-year-old citizen journalist from Erbil, in the Kurdish Region of Iraq (KRI). Sardasht wrote about corruption, human rights violations, inequality, and the acts of oppressive leaders, looking for answers to questions that concerned his generation. On 13 December 2009, Sardasht wrote a satirical article titled: 'I am In Love With Barzani's Daughter'. In it, he wrote in detail about the privileges and nepotism of the Barzani family, openly questioning the family's integrity. Sardasht immediately received death threats, in which reference was made to his recent writing.

On 4 May 2010, Sardasht was kidnapped in Erbil and assassinated because of his writings. Twelve years later, no one has been arrested and convicted for his kidnap and assassination, and there are serious allegations that officials linked to the Barzani family were involved in the murder.

Journalists like Sardasht, who work in places with limited press freedom, are often forced to self-censor to avoid crossing certain red lines, since journalists and media outlets that do cross them are often violently targeted by authorities. Threats and attacks against these journalists are rarely investigated promptly, effectively and thoroughly, and impunity for such crimes prevails. All the killers of murdered journalists in the Kurdish Region of Iraq have operated with impunity. The case of Sardasht is illustrative of the fate of many young, critical journalists in the region.

On 22 May 2010, KRI President Massoud Barzani set up a Special Investigation Committee to find the perpetrator of the kidnapping and assassination. The composition and mandate of this committee was not made public, so it was impossible to scrutinize the impartiality and expertise of the committee members. After four months, the investigation committee concluded that Sardasht Osman was killed by terror group Ansar al-Islam for failing to keep his promise to help the group. Our investigation found that the committee's conclusion is an implausible explanation as to who kidnapped and assassinated Sardasht Osman.

Our investigation team interviewed dozens of witnesses, analyzed official case files and statements, and reviewed satellite imagery and photographic evidence. The aim was to scrutinize the official investigation and unearth new findings concerning Sardasht's murder. This report reveals serious flaws in the official investigation into the kidnap and assassination of Sardasht, and finds credible allegations that Kurdish authorities were directly involved in the murder.

First, we found that after the assassination, Kurdish authorities consistently harassed and threatened Sardasht's family and friends, and threatened journalists who wrote about the case. Additionally, Kurdish authorities banned various publications about Sardasht's life, work and assassination. These threats and bans make no sense in light of the official story, and thus raise serious doubts on the credibility of the committee's findings.

Second, our investigation found serious anomalies in the Special Investigation Committee's story regarding Sardasht's kidnapping. The location where Sardasht was kidnapped was constantly monitored by CCTV cameras and armed guards, yet the armed guards did not prevent the kidnapping; nor did the committee analyze CCTV footage of the kidnapping.

The committee also said that the perpetrators were able to transport Sardasht alive from Erbil to Mosul in a white van with Baghdad temporary number plates. Our investigation found at least 15 security checkpoints on the main roads between Erbil and Mosul at which cars with Iraqi number plates would have most likely been singled out and searched. It is highly unlikely that someone outside the security apparatus would have been able to transport Sardasht alive outside of the borders of the KRI without being searched once.

Third, the official autopsy report as presented by the Special Investigation Committee lacks credibility because of its untimely delivery to the family and the inconsistencies with witness accounts and photographs of Sardasht's body. The doctor who drafted the original autopsy report disappeared after calling the family, and the family were unable to attain a copy of the original report. Instead, they received a copy from the Asayish security service. This 'official' autopsy report concluded that Sardasht sustained a single gunshot wound to the middle of the forehead, but photographic evidence refutes this statement. The report also says that Sardasht displayed no additional injuries, but photographs of Sardasht's body show clear bruises on his body and face. Finally, the report makes no mention of a clear chain of custody regarding evidence found on Sardasht and at the crime scene, such as the bullet and Sardasht's mobile phone.

Fourth, the committee alleged that terror group Ansar al-Islam was behind the assassination of Sardasht, basing their story on a single dubious confession which was later retracted in court. Our findings further demonstrate that the committee's alleged suspect had no clear motive for committing the assassination. Additionally, Ansar al-Islam publicly denied involvement in the murder, despite usually claiming such attacks openly. Furthermore, Ansar al-Islam lacked the capacity to carry out such a complex attack in Erbil. Therefore, the committee's explanation that Sardasht was killed by Ansar al-Islam for failing to keep his promise is improbable.

Fifth, the Special Investigation Committee did not interview any of Sardasht's family members and friends, ignored his writings as possible motive for the murder, and did not investigate threats made against Sardasht in the run-up to his murder. This appears to have resulted in tunnel vision on the part of the committee, and to other possible motives for the murder being ignored.

The threats from Kurdish authorities against Sardasht's family, and the identified flaws in the official investigation, not only demonstrate that no serious attempt was made to find the perpetrators of the assassination of Sardasht Osman, but also suggest involvement of Kurdish authorities and their security services, most notably the Asayish.

A Safer World for the Truth reached out to the relevant Kurdish authorities, but we received no response to our inquiries.

In light of the threats against the family of Sardasht, the identified flaws in the official investigation, and the alleged involvement of Kurdish authorities in the assassination of Sardasht, this report therefore recommends the following:

→ *To the competent Kurdish investigative authorities:*

Independently and transparently re-investigate the kidnapping and assassination of Sardasht Osman in line with international standards for effective, thorough, impartial and transparent investigations.

Nearly twelve years after the assassination of Sardasht, there has not been any progress, nor has there been a legitimate attempt to investigate the murder.

In line with international standards for criminal investigations such as the Minnesota Protocol, investigate cases of murdered journalists in the Kurdish Republic of Iraq transparently, impartially, effectively, thoroughly and promptly. Out of the 22 journalists murdered in relation to their work in Iraq since the assassination of Sardasht, eight were reportedly killed in the KRI. Progress in all of these cases has been non-existent, slow or invisible to family members, colleagues and the public. Such impunity leads to self-censorship and obstruction of a free flow of information.

→ *To the Kurdistan Regional Government:*

Cease harassment, intimidation and threats against family and friends of Sardasht Osman. A re-investigation of Sardasht's case should be coupled with a formal apology rectifying the official investigation committee's statement that Sardasht was a terrorist as well as admitting that the investigation was inadequate and riddled with errors. Additionally, direct and indirect threats from authorities to the family of Sardasht and anyone discussing Sardasht's case, should cease immediately.

Strictly implement existing national and international laws and regulations intended to protect journalists and guarantee transparent and comprehensive investigations into threats and crimes against journalists. Article V and article VI of Kurdish Press Law No. 35 of 2007 call for severe punishment of anyone, including security forces, who attack members of the press. In nearly 14 years there have been no successful convictions based on these articles.

Set up a formal independent prevention mechanism tasked with investigating threats and attacks against journalists. Journalists who are threatened and targeted, particularly in cases where the threat emanates from government officials, are currently unable to bring their concerns to a competent authority. We therefore urge Kurdish authorities to set up a formal independent prevention mechanism which can investigate all credible allegations from (citizen) journalists, including bloggers, who are threatened or attacked, and provide journalists and media workers with immediate access to authorities competent and adequately resourced to provide effective protective measures.

→ *To the European Union, its member states, the United States, the United Kingdom, and other states that hold diplomatic and economic relations with the Kurdistan Regional Government:*

Exert continuous pressure on Kurdish authorities to investigate threats against, attacks on and murders of journalists according to international standards, including a re-investigation of the case of Sardasht Osman. Member States of the Media Freedom Coalition that maintain diplomatic and economic relations with the Kurdistan Regional Government, should ensure the violation of the freedom of opinion, the freedom of expression and the freedom of information are a vital part of their discussions with the KRG, and exert pressure on the KRG to uphold these freedoms.

In May 2021, the United Nations Assistance Mission to Iraq (UNAMI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) recommended that the KRG undertake prompt, effective, thorough, independent, impartial and transparent investigations into threats against and assaults on journalists and their family members, arguing that victims and their family members have the right to justice, truth and reparations. States with diplomatic and economic relations with the KRG should follow up on recommendations made by UNAMI and OHCHR, and intensify their diplomatic and economic pressure on KRG authorities and individuals to comply with international laws and standards for criminal investigations.

In the future, consistently impose targeted sanctions on KRG officials associated with crimes against journalists, and on KRG authorities for preventing prompt, effective, thorough, impartial and transparent investigations into crimes against journalists. Sanctions help to maintain pressure on actors and deter them from continuing their abusive behavior. Targeted sanctions are effective tools that can be used to freeze individuals' assets, ban their entry into certain countries, and prevent them from conducting business in certain countries and currencies. This report therefore recommends Media Freedom Coalition member states who have established sanctions regimes to adopt targeted sanctions against KRG officials associated with crimes against journalists.

The Independent High Level Panel of Legal Experts on Media Freedom specifically notes: "*A consistent use of targeted sanctions when journalists are killed and arbitrarily imprisoned would help to raise international awareness and shift the default from impunity to accountability. There is an important opportunity for states to lead with a new paradigm: that when the media is attacked, targeted sanctions will be a counter-attack. Governments that truly wish to protect journalists should seize it.*"

1. Context of the Assassination

Iraqi Kurdistan: Struggle for Independence

The Kurds are known as one of the largest ethnic groups without a state.¹ Kurdish movements all over the region have been pursuing greater political recognition and cultural rights, more autonomy, and most importantly: independence. In Iraq, the Kurds make up about 20 percent of the total population, the majority of which lives in the northern mountainous provinces bordering Iran, Turkey and Syria.

Two political parties have been leading the Iraqi Kurdish struggle for autonomy: the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). Mustafa Barzani - considered by many to be the father of the Kurdish liberation movement - established the KDP in 1946 and led it until his death in 1979.² The party has a strong clan basis, with the Barzani family name originating from their hometown Barzan in northern Iraqi Kurdistan.³ The most important positions in the party and the region are held by members of the Barzani family, with Nechirvan Barzani acting as President, and his cousin Masrour Barzani acting as Prime Minister. In 1975, Jalal Talabani broke with the KDP and founded the PUK.⁴ After a series of failed rebellions and violent disagreements between the two parties, in the late 1980s and early 1990s then president of Iraq Saddam Hussein ordered the Iraqi national forces to put an end to any Kurdish resistance. In a number of brutal operations, including chemical attacks, a large number of Kurds were killed or displaced.⁵

In the early 1990s, Kurdish leaders and their armed forces were able to create a semi-autonomous civil authority.⁶⁻⁷ Despite the emergence of this de facto Kurdish state, the KDP and PUK spent much of the 1990s fighting a civil war. From 1996 onwards the two parties developed a divided system of government, with the KDP in the north-west (centered around Dohuk and parts of Erbil) and the PUK in the south-east (centered around Sulaymaniyah and Kirkuk).⁸ Both parties also organised their own (internal) security forces, led by members of the Barzani and Talabani families respectively.⁹ Starting 2005, the KDP and PUK agreed to share power on an equal basis. Massoud Barzani of the KDP, son of Mustafa Barzani, was elected by the KRG parliament as the first president of Iraqi Kurdistan. PUK's Jalal Talabani was elected as Iraq's first post-war and non-Arab president.¹⁰

1 Chase Winter (24 January 2018). *Who are the Kurds?*. <https://www.dw.com/en/who-are-the-kurds/a-19515578>.

2 Council on Foreign Relations (2021). *Timeline: The Kurds' Quest for Independence*. <https://www.cfr.org/timeline/kurds-quest-independence>.

3 Aziz, S. & Cottey, A. (2021) The Iraqi Kurdish Peshmerga: military reform and nation-building in a divided polity. *Defence Studies*, 21:2, 226-241, <https://www.tandfonline.com/action/showCitFormats?doi=10.1080%2F14702436.2021.1888644>.

4 Council on Foreign Relations (2021). *Timeline: The Kurds' Quest for Independence*. <https://www.cfr.org/timeline/kurds-quest-independence>.

5 Britannica, T. Editors of Encyclopedia (2020, March 13). *Kurdistan*. *Encyclopedia Britannica*. <https://www.britannica.com/place/Kurdistan>.

6 Gunter, M. M. (2004). The Kurdish Question in Perspective. *World Affairs*, 166(4), 197-205. <http://www.jstor.org/stable/20672696>.

7 Council on Foreign Relations (2021). *Timeline: The Kurds' Quest for Independence*. <https://www.cfr.org/timeline/kurds-quest-independence>.

8 Aziz, S. & Cottey, A. (2021) The Iraqi Kurdish Peshmerga: military reform and nation-building in a divided polity. *Defence Studies*, 21:2, 226-241, <https://www.tandfonline.com/action/showCitFormats?doi=10.1080%2F14702436.2021.1888644>.

9 M.J. Bakr (6 July 2021). *The War at Home: The Need for Internal Security Sector Reform in Iraqi Kurdistan*. <https://www.mei.edu/publications/war-home-need-internal-security-sector-reform-iraqi-kurdistan>.

10 Rogg, I., & Rimscha, H. (2007). The Kurds as parties to and victims of conflicts in Iraq. *International Review of the Red Cross*, 89(868), 823-842.

Governance in the Kurdish Republic of Iraq at the time of the murder (2010)

The KDP and PUK have long been and still are the two biggest and most powerful political parties in Iraqi Kurdistan. In 2009 however, one year before Sardasht was assassinated, a new opposition party was formed after a break with the PUK. The Gorran (Change) movement - popular among younger people in particular - advocated for extensive political, economic and military reforms to the structure that had been built and upheld by the KDP and PUK. It was this message that helped it become the second biggest political party in the KRI after the 2009 elections, in which the Kurdistan List (a coalition between the KDP and PUK) lost 19 electoral seats.¹¹⁻¹² With these results, the Gorran movement sent a shock through the Kurdish political establishment and managed to disrupt the KDP/PUK hegemony in the Kurdistan region for the first time.¹³ The PUK found itself with no clear vision of how to recuperate in its stronghold of Sulaymaniyah, where Gorran became the dominant party; the KDP feared the negative effects that might flow from the new power balance in the Kurdish parliament.¹⁴

After the 2009 elections, many Kurdish people, including Sardasht, became more outspoken about their discontent with the political system as it had been until then. Critical issues such as corruption and the behaviour of senior political figures were more openly discussed.¹⁵ Gorran's rhetoric paved the way for the 2011 mass protest movements in the KRI, which were violently put down by an increasingly unified KDP-PUK front.¹⁶ But despite causing massive upheaval in 2009, Gorran failed to present a lasting challenge to the KDP and PUK.¹⁷⁻¹⁸ Gorran currently is the sixth largest party in Kurdistan.

In their hegemony, or what some referred to as 'a political duopoly', the KDP and PUK control a significant part of state institutions, the security sector, and the (economic) resources of the region.¹⁹⁻²⁰ The two parties have been accused of corruption - for example during recent popular protests²¹ - and are said to often act as rentiers. They compete for and extract (natural) resources from the regions they control, and uphold patronage systems by distributing wealth, employment and contracts among their members, trusted supporters and affiliated businesses.²²⁻²³

11 Hama, H. H. (2020). The rise and fall of movement for change in the Kurdish Region of Iraq (2009–2018). *Asian Journal of Comparative Politics*, <https://journals.sagepub.com/doi/abs/10.1177/2057891120905902>.

12 Aziz, S. & Cottey, A. (2021). The Iraqi Kurdish Peshmerga: military reform and nation-building in a divided polity, *Defence Studies*, 21:2, 226–241, <https://www.tandfonline.com/action/showCitFormats?doi=10.1080%2F14702436.2021.1888644>.

13 Joost Jongerden (2019). Governing Kurdistan: Self-Administration in the Kurdistan Regional Government in Iraq and the Democratic Federation of Northern Syria, *Ethnopolitics*, 18:1, 61–75, <https://www.tandfonline.com/doi/full/10.1080/17449057.2018.1525166?scroll=top&needAccess=true>.

14 Zmkan Ali Saleem & Mac Skelton (28 August 2019). *The Kurdish Duopoly: The Political Economy of Two-Party Rule*. <https://blogs.lse.ac.uk/mec/2019/08/28/the-kurdish-duopoly-the-political-economy-of-two-party-rule/>.

15 Interview Sam Dagher, New York Times correspondent, 18 June 2021.

16 Zmkan Ali Saleem & Mac Skelton (28 August 2019). *The Kurdish Duopoly: The Political Economy of Two-Party Rule*. <https://blogs.lse.ac.uk/mec/2019/08/28/the-kurdish-duopoly-the-political-economy-of-two-party-rule/>.

17 Hawkar Abdullah Azeez (29 October 2018). *Gorran: A Party of Words, not Deeds*. <https://www.washingtoninstitute.org/policy-analysis/gorran-party-words-not-deeds>.

18 Hama, H. H. (2020). The rise and fall of movement for change in the Kurdish Region of Iraq (2009–2018). *Asian Journal of Comparative Politics*, <https://journals.sagepub.com/doi/abs/10.1177/2057891120905902>.

19 Zmkan Ali Saleem & Mac Skelton (28 August 2019). *The Kurdish Duopoly: The Political Economy of Two-Party Rule*. <https://blogs.lse.ac.uk/mec/2019/08/28/the-kurdish-duopoly-the-political-economy-of-two-party-rule/>.

20 Dastan Jasim & Winthrop Rodgers (24 February 2021). *Beyond the elite: Taking protest and public opinion seriously in the Kurdistan Region*. <https://www.mei.edu/publications/beyond-elite-taking-protest-and-public-opinion-seriously-kurdistan-region>.

21 Yerevan Saeed (1 March 2020). *Corruption and partisan politics can bring down the KRG*. <https://www.aljazeera.com/opinions/2020/3/1/corruption-and-partisan-politics-can-bring-down-the-krp>.

22 Aziz, S. & Cottey, A. (2021). The Iraqi Kurdish Peshmerga: military reform and nation-building in a divided polity, *Defence Studies*, 21:2, 226–241, <https://www.tandfonline.com/action/showCitFormats?doi=10.1080%2F14702436.2021.1888644>.

23 Dastan Jasim & Winthrop Rodgers (24 February 2021). *Beyond the elite: Taking protest and public opinion seriously in the Kurdistan Region*. <https://www.mei.edu/publications/beyond-elite-taking-protest-and-public-opinion-seriously-kurdistan-region>.

Each of the two parties also controls its own security forces, with the Peshmerga - 'the ultimate determinant of control of resources'²⁴ - as an important source of political and economic power in itself.

The KRG's Ministry of Internal Affairs (MoI) was established at the same time as the Ministry of Peshmerga Affairs (MoPA) and was tasked with overseeing the establishment of a unified police and Asayish (internal security forces). The Asayish are responsible for investigating major crimes, particularly those that are related to regional security or those that are politically sensitive (including economic crimes such as smuggling, and political crimes such as espionage, sabotage and terrorism).²⁵⁻²⁶⁻²⁷ The majority of these forces, much like the Peshmerga, are closely linked to either the KDP or the PUK and continue to operate as separate and parallel agencies.²⁸ In each city and town there is an Asayish building with a prison or detention facility attached to it, and there are two headquarters: one in KDP stronghold Erbil and one in PUK stronghold Sulaymaniyah. During the civil war between the KDP and the PUK, the parties' security forces gained a reputation for being 'party enforcers', using coercion and surveillance to identify and target suspected dissidents.²⁹ Nowadays, the Asayish are regularly involved in the breaking up of (anti-government) protests and putting down any local dissent.³⁰ Over the years, the Asayish's commitment to preserving security extended to almost every aspect of life in the KRI. For example, permission is required from the Asayish to take up residency in a new neighborhood, and personal information is collected on many of the KRI's residents.³¹

National and international organizations have accused elements within the KRI's security forces of human rights violations. The accusations - particularly those directed at the Asayish - include abuses of authority, arbitrary and unlawful arrests, violations of due process (including the denial of (fair) trial), and abuse, torture and enforced disappearances of prisoners and detainees. In addition, impunity seems to be the norm for most of the crimes that are committed by government officials and security personnel, specifically because they do not appear to be accountable under the law. Most of these accusations can be linked to the (direct and indirect) power and influence of the region's parties and their leaders on the security forces, which permits forces like the Asayish to act outside the law, unconstrained by any judicial or other oversight.³²⁻³³⁻³⁴

24 Aziz, S. & Cottey, A. (2021). The Iraqi Kurdish Peshmerga: military reform and nation-building in a divided polity, *Defence Studies*, 21:2, 226-241, <https://www.tandfonline.com/action/showCitFormats?doi=10.1080%2F14702436.2021.1888644>.

25 Mera Jasm Bakr (6 July 2021). *The War at Home: The Need for Internal Security Sector Reform in Iraqi Kurdistan*. <https://www.mei.edu/publications/war-home-need-internal-security-sector-reform-iraqi-kurdistan>.

26 Aziz, S. & Cottey, A. (2021). The Iraqi Kurdish Peshmerga: military reform and nation-building in a divided polity, *Defence Studies*, 21:2, 226-241, <https://www.tandfonline.com/action/showCitFormats?doi=10.1080%2F14702436.2021.1888644>.

27 Human Rights Watch (2007). *Caught in the Whirlwind: Torture and Denial of Due Process by the Kurdistan Security Forces*. <https://www.hrw.org/reports/2007/kurdistan0707/5.htm>.

28 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor (2020). *2020 Country Reports on Human Rights Practices: Iraq*. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/iraq/>.

29 Mera Jasm Bakr (6 July 2021). *The War at Home: The Need for Internal Security Sector Reform in Iraqi Kurdistan*. <https://www.mei.edu/publications/war-home-need-internal-security-sector-reform-iraqi-kurdistan>.

30 Mario Fumerton & Wladimir van Wilgenburg (16 December 2015). *Kurdistan's Political Armies: The Challenge of Unifying the Peshmerga Forces*. <https://carnegieendowment.org/2015/12/16/kurdistan-s-political-armies-challenge-of-unifying-peshmerga-forces-pub-61917>.

31 Mera Jasm Bakr (6 July 2021). *The War at Home: The Need for Internal Security Sector Reform in Iraqi Kurdistan*. <https://www.mei.edu/publications/war-home-need-internal-security-sector-reform-iraqi-kurdistan>.

32 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor (2020). *2020 Country Reports on Human Rights Practices: Iraq*. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/iraq/>.

33 Human Rights Watch (2007). *Caught in the Whirlwind: Torture and Denial of Due Process by the Kurdistan Security Forces*. <https://www.hrw.org/reports/2007/kurdistan0707/5.htm>.

34 Amnesty International (2009). *Hope and Fear: Human Rights in the Kurdish Region of Iraq*. <https://www.amnesty.org/en/documents/mde14/006/2009/en/>.

Press Freedom in the KRI

Although independent press does exist in the Kurdish Region of Iraq, many of the region's media outlets are supported by or affiliated with (*de facto* belong to) the two biggest political parties (the KDP and PUK). Smaller political parties also have their own TV stations and/or newspapers. Many of the outlets that are not directly linked are offered financial assistance by the KRG.³⁵ When it comes to sharing public information, the main parties tend to prioritize access for the outlets they control, leaving independent outlets or those with ties to opposition parties with only limited or second-hand access to information.³⁶ Among the independent press, are some that are willing to criticize KRG policies and raise issues like human rights violations and corruption, but most outlets self-censor and avoid critical reporting on the KRG, the Asayish and other intelligence and security forces, the KDP and PUK, and the Barzani and Talabani families directly.³⁷⁻³⁸

There are several national and federal laws in place that are intended to protect journalists and freedom of expression in the KRI. In 2007, the KRG issued a new press law (No. 35), which - on paper - expanded freedom of expression in the Kurdish Region of Iraq. It ascertains that the information and opinions published by journalists cannot be used as a reason to injure or prosecute them, and that anyone violating these rights should be punished (per Article V and VI), even security forces and government officials.³⁹ However, in cases involving journalists, courts often selectively apply different legislation, such as the Iraqi Penal code (1969) and the Law to Prevent the Misuse of Communications Devices (2008).⁴⁰ Furthermore, the 2007 press law also includes a number of restrictions that have a significant effect on the work of journalists. For example, it prohibits them from publishing 'false' information, and considers it a criminal offense for print media to publish materials which "sow malice and foster hatred, discord and disagreement amongst the components of society" or which constitute "libel, slander or defamation".⁴¹⁻⁴²

The 2012 Journalist Protection Law of Iraq stipulates forms of compensation for death and injury, while protecting journalists from being arrested or interrogated without a warrant. However, the law maintains a narrow definition of a journalist as being 'any individual practicing a full-time journalism job'. This definition ignores part-time journalists, bloggers and citizen journalists such as Sardasht. Although the authorities have publicly expressed their commitment to ensuring the freedom of expression for all and protecting journalists working in the KRI, the above restrictions, limited definitions, and the situation on the ground tell a different story.

35 Amnesty International (14 April 2009). *Hope and Fear: Human Rights in the Kurdish Region of Iraq*. <https://www.amnesty.org/en/documents/mde14/006/2009/en/>.

36 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor (2020). *2020 Country Reports on Human Rights Practices: Iraq (2020)*. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/iraq/>.

37 Amnesty International (14 April 2009). *Hope and Fear: Human Rights in the Kurdish Region of Iraq*. <https://www.amnesty.org/en/documents/mde14/006/2009/en/>.

38 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor (2020). *2020 Country Reports on Human Rights Practices: Iraq (2020)*. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/iraq/>.

39 Ignacio Delgado Culebras (September 9, 2019). *Press freedom on 'brink of extinction' in Iraqi Kurdistan, journalists say*. <https://cpj.org/2019/09/press-freedom-extinction-iraqi-kurdistan-puk-pdk/>.

40 Office of the United Nations High Commissioner for Human Rights (May 2021). *Freedom of Expression in the Kurdish Region of Iraq*. https://www.ohchr.org/Documents/Countries/IQ/Freedom-of-Expression-in-the-Kurdistan-Region_En.pdf.

41 Amnesty International (14 April 2009). *Hope and Fear: Human Rights in the Kurdish Region of Iraq*. <https://www.amnesty.org/en/documents/mde14/006/2009/en/>.

42 Office of the United Nations High Commissioner for Human Rights (May 2021). *Freedom of Expression in the Kurdish Region of Iraq*. https://www.ohchr.org/Documents/Countries/IQ/Freedom-of-Expression-in-the-Kurdistan-Region_En.pdf.

Journalists and human rights defenders have been jailed on a wide range of charges, including spying, endangering state security, defamation, disrespecting religion, 'deviation from social norms', or spreading 'misinformation'. The latter is a term that is used in the Law of Misuse of Electronic Devices, but not in the 2007 Press Law.⁴³⁻⁴⁴⁻⁴⁵⁻⁴⁶ Courts in the KRI also apply the more strict Iraqi criminal code instead of the 2007 Kurdistan Press Law in lawsuits against journalists; this allows them to circumvent some of the extra protection that the press law offers to journalists and media outlets.⁴⁷ This often results in journalists being detained for several days or longer until their trial starts, and they are only set free after the payment of a large sum of bail money.⁴⁸

Violence against and murders of journalists in the KRI

Journalists in the KRI often self-censor and refrain from covering certain topics. The reason for why much self-censorship occurs in Iraqi Kurdish press is because in practice there seems to be little legal protection and no limits on the repression of journalists who are critical of the government, in particular of the ruling Barzani and Talabani families.⁴⁹⁻⁵⁰ Reports indicate that journalists are subjected to ill-treatment, interrogations, threats and arrests by the Asayish and other security agencies, and also by unidentified sources. Metro Center, an organisation that monitors press freedom in the KRI, reported that between 2011 and 2020, more than 2,100 violations against journalists and media outlets were recorded in the KRI. These ranged from harassment and destruction of equipment, to kidnappings and assassinations.⁵¹ In 2011 for example, Asos Hardi, the founder of newspapers Halwati and Awene, was severely assaulted by an unknown assailant. He suspects the attack was related to his earlier publications which criticized KRG authorities.⁵² Additionally, several journalists interviewed for this investigation noted that they received anonymous threats telling them to stop reporting on certain topics or face the consequences. Speaking to *The New York Times*, a journalist based in Sulaymaniyah said that he was told to stop covering protests after the assassination of Sardasht in May 2010, or he would be "killed like a dog".⁵³ Incidents such as this one often occur after the publication of specific social media posts, news articles or reports (in advance) of demonstrations.

Threats of violence can escalate into violent attacks and murder once Kurdish journalists cross a certain 'red line'. The authorities draw that red line at criticizing the Barzani or Talabani families directly, or reporting on topics such as the financial and corrupt dealings of the government or its officials.⁵⁴ Reporting on them, is clearly crossing that

43 Reporters Without Borders (2021). *Iraq*. <https://rsf.org/en/iraq>.

44 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor (2020). *2020 Country Reports on Human Rights Practices: Iraq (2020)*. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/iraq/>.

45 Office of the United Nations High Commissioner for Human Rights (May 2021). *Freedom of Expression in the Kurdish Region of Iraq*. https://www.ohchr.org/Documents/Countries/IQ/Freedom-of-Expression-in-the-Kurdistan-Region_En.pdf.

46 Committee to Protect Journalists (22 April 2014). *Mountain of impunity looms over Kurdistan journalists*. <https://cpj.org/reports/2014/04/mountain-of-impunity-looms-over-kurdistan-journali/>.

47 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor (2020). *2020 Country Reports on Human Rights Practices: Iraq (2020)*. <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/iraq/>.

48 Committee to Protect Journalists (22 April 2014). *Mountain of impunity looms over Kurdistan journalists*. <https://cpj.org/reports/2014/04/mountain-of-impunity-looms-over-kurdistan-journali/>.

49 Reporters Without Borders (2021). *Iraq*. <https://rsf.org/en/iraq>.

50 Ignacio Delgado Culebras (9 September 2019). *Press freedom on 'brink of extinction' in Iraqi Kurdistan, journalists say*. <https://cpj.org/2019/09/press-freedom-extinction-iraqi-kurdistan-puk-pdk/>.

51 Metro Center (2021). *Journalism in the Kurdistan Region 2021*. <https://en.calameo.com/read/00665792429db61cbfa02>.

52 Committee to Protect Journalists (31 August 2011). *Kurdish journalist brutally assaulted in Iraq*. <https://cpj.org/2011/08/kurdish-journalist-brutally-assaulted-in-iraq/>.

53 Sam Dagher (6 May 2010). *'Abducted Kurdish Writer Is Found Dead in Iraq'*. <https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

54 Quote assigned to Denise Natali, in: Human Rights Watch (29 October 2010). *Iraqi Kurdistan: Journalists Under Threat*. <https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>; Sam Dagher (18 May 2010). *Killing Taints Iraqi Kurdistan's Image*. <https://www.nytimes.com/2010/05/19/world/middleeast/19iraq.html>.

line,⁵⁵ so most journalists refrain from covering them.⁵⁶ A report by RSF indicates that taboos for journalists also include content about tribal leaders and the topics of religion and sex.⁵⁷ Karzan Mohamed, director of the Dima Center for democracy and human rights development in Sulaymaniyah, told our investigators that it is extremely dangerous to “go after people with power in Kurdistan.” Several journalists who previously crossed the red line, such as Asos Hardi,⁵⁸ Kawa Garmyani,⁵⁹ Wedad Hussein⁶⁰ and Soran Mama Hama⁶¹ were violently attacked or even killed.

In the case of Soran Mama Hama, investigative reporter for Lvin magazine, he was shot and killed by unidentified gunmen in front of his home in Kirkuk in 2008. The murder occurred shortly after he published critical articles on Kurdish authorities, police and security officials and their suspected involvement in Kirkuk prostitution rings. Before the incident, he received threatening messages urging him to stop his reporting. To this day, no one has been arrested for his death.⁶²⁻⁶³⁻⁶⁴

Another case is that of Wedad Hussein, a journalist who was threatened, interrogated and tortured by security services (Asayish) to stop his reporting. In August 2016, he was kidnapped in broad daylight in Dohuk city by security services who told him that he was being arrested for an unrelated incident.⁶⁵ Two hours later, Wedad's body was found dumped on the side of a road in Semmel, a city west of Dohuk. An eyewitness noted that security services stopped Hussein's car, forced him out, hooded him, then threw him into their car and drove off in the direction of the highway. The witness subsequently noted down the license plate and make of both cars, and wrote a public Facebook post about what he saw.⁶⁶ The witness began his post with: “After I post this, someone will find my body in the city street”. Four days later, the witness took down the post and since then the profile has been inactive.⁶⁷ No one has been arrested for Hussein's murder.

Data collected by the Committee to Protect Journalists (CPJ) found that since the assassination of Sardasht in May 2010, at least 22 journalists have been murdered in Iraq in connection with their work.⁶⁸ Metro Center says that eight of these journalists have been killed in the KRI.⁶⁹ 21 of 22 cases have been met with complete impunity. In the case of the murder of journalist Kawa Garmyane, only partial justice was achieved as the prime suspect - an

55 Sheyholislami, J. (2011). *Kurdish Identity, Discourse and New Media*. New York: Routledge.

56 For a more detailed analysis of topics considered to cross the 'red lines', please see RSF's November 2010 report: https://www.reporterohnegrenzen.at/wp-content/uploads/pdf/RSF_Bericht_Autonomie_Region_Kurdistan_2010.pdf.

57 Reporters Without Border (2010). *Mission Report, Between Freedom and Abuses: The Media Paradox in Iraqi Kurdistan*. <https://rsf.org/en/reports/between-freedom-and-abuses-media-paradox-iraqi-kurdistan>.

58 Human Rights Watch (30 August 2011). *Iraqi Kurdistan: Prominent Kurdish Journalist Assaulted*. <https://www.hrw.org/news/2011/08/30/iraqi-kurdistan-prominent-kurdish-journalist-assaulted>.

59 Iraq Civil Society Solidarity Initiative (10 December 2013). *Anti-Corruption Journalist Kawa Garmyani murdered and protests to protect journalists in Sulaymaniyah*. <https://www.iraqicivilsociety.org/archives/2539>.

60 Human Rights Watch (25 August 2016). *Iraqi Kurdistan: Kurdish Journalist Abducted, Killed*. <https://www.hrw.org/news/2016/08/25/iraqi-kurdistan-kurdish-journalist-abducted-killed>.

61 Committee to Protect Journalists (2021). *Soran Mama Hama*. <https://cpj.org/data/people/soran-mama-hama/>.

62 Human Rights Watch (29 October 2010). *Iraqi Kurdistan: Journalists under Threat*. <https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>.

63 Committee to Protect Journalists. *Soran Mama Hama*. <https://cpj.org/data/people/soran-mama-hama/>

64 Reporters Without Borders (22 July 2008). *Journalist gunned down in Kirkuk, investigators urged to work on theory he was killed because of his reporting*. <https://rsf.org/en/news/journalist-gunned-down-kirkuk-investigators-urged-work-theory-he-was-killed-because-his-reporting>.

65 Human Rights Watch (25 August 2016). *Iraqi Kurdistan: Kurdish Journalist Abducted, Killed*. <https://www.hrw.org/news/2016/08/25/iraqi-kurdistan-kurdish-journalist-abducted-killed>.

66 Idem.

67 Idem.

68 Committee to Protect Journalists (2022). *Journalists Killed in Iraq between 2010 and 2022*. https://cpj.org/data/killed/mideast/iraq/?status=Killed&motiveConfirmed%5B%5D=Confirmed&type%5B%5D=Journalist&typeOfDeath%5B%5D=Murder&cc_fips%5B%5D=IZ&start_year=2010&end_year=2022&group_by=location.

69 Interview Rahman Graib, Director Metro Center, 30 September 2021.

army general and member of the PUK - was later released because of lack of evidence.⁷⁰ The number above does not include hundreds of journalists killed while on a dangerous assignment or in crossfire. Like Sardasht Osman and Mama Hama, many journalists in the region have died or have been attacked under unclear circumstances, and the suspicion that authorities (including secret services) were involved is reinforced by the lack of serious and independent investigations.⁷¹

⁷⁰ Committee to Protect Journalists (22 April 2014). *Mountain of impunity looms over Kurdistan journalists*. <https://cpj.org/reports/2014/04/mountain-of-impunity-looms-over-kurdistan-journali/>.

⁷¹ Reporters Without Borders (2021). *Iraq*. <https://rsf.org/en/iraq>.

2. Sardasht Osman: Brave and Talented

Two books have been written about Sardasht's life and death. "The books are compilations of all that was earlier published about Sardasht in the news," Awat Ali, president of Nalia Media Corporation (NRT), explains. These books are now prohibited in Erbil by the authorities.⁷² The first book, titled 'Sardasht Osman', was published in 2013, by editor Kamaran Ahmad and the second book, also titled 'Sardasht Osman', was published in 2018, supervised by Bahzad Muhsin Rauf. Both books are written in Sourani Kurdish and were printed thousands of times. The second book contains pictures of Sardasht, pictures of demonstrations in reaction to his assassination, statements of family members, journalists, activists and opposition politicians in Iraqi Kurdistan. 'A Safer World for the Truth' interviewed several of these individuals during a field trip to the KRI at the end of September and beginning of October 2021, and via chat applications and via video conferencing between April 2021 and January 2022. The picture of a brave and talented young journalist emerges, writing to express his opinion on oppression, inequality, security and dignity.

Life and Work

Sardasht Osman Hassan Hamad was born on 25 December 1987 in the Krekaran neighborhood of Erbil, Iraq. His father described Sardasht as a kind boy. Sardasht's family were farmers, who were forcibly displaced by the Ba'ath regime in the late 1980s. They spent their time in exile in the Shamaki plain of Erbil, having been forced to flee from the small village of Gerdazabaneh.⁷³ Sardasht was born and grew up in harsh conditions, experiencing oppression, hunger, poverty, and displacement.⁷⁴

Sardasht's education began at the age of five, when he started at the mixed Negar elementary school, in the Krekaran neighborhood of Erbil. His teachers and school officials soon realized that he stood out from his classmates, and gave their permission for him to skip to a higher class.⁷⁵

Sardasht's brother, Baker Osman, told our investigators that Sardasht started to study English in 2006 and was supposed to complete his study in 2010. "He could not finish it in Erbil. He had this authorisation document with him to finish his studies, which was found on the ground on the day of his kidnapping. Friends found this document at the place where he was taken", said Baker Osman.⁷⁶

Sardasht loved music and reading. Apart from his favourite Kurdish writers, from an early age he was eager to read the works of famous English writers. His ability to read carefully and critically led him into the world of journalism.⁷⁷ Sardasht started writing pieces in 2004 and did not stop writing articles and commentaries in the press until he was killed. According to those around him, Sardasht always asked questions and wanted answers to questions that concerned his generation, such as inequality, poverty and insecurity. In the short time that Sardasht worked as a journalist, he soon became known among peers and security services for his critical writing,⁷⁸ and for posting critical articles that addressed corruption and political mismanagement within the Kurdish ruling elite,

⁷² Interview Baker Osman, 12 January 2022.

⁷³ Kamaran Ahmad (2013). Sardasht Osman.

⁷⁴ Idem.

⁷⁵ Idem.

⁷⁶ Interview Baker Osman, 2 October 2021.

⁷⁷ Idem.

⁷⁸ Idem.

directed at both the Patriotic Union of Kurdistan (PUK) and the Kurdistan Democratic Party (KDP).⁷⁹ Because Sardasht was aware of the risks associated with his critical writing, he wrote some of his posts under a pseudonym called Saro Sardasht.⁸⁰

Lawyer and former MP for the Gorran Party Piman Ezzedine told our investigators that Sardasht was a young university man, interested in reading and writing. "He was a university student, and was writing his opinions. This was his personality. He was not writing political pieces or deep political essays only to be killed", Ezzedine elaborated. "Sardasht was already behaving like a journalist when he was young. He wrote about oppressive leaders and what they did against journalists. He wrote pieces against them, both in Iraq and in the Kurdish Region of Iraq. He always spoke out against injustice", Sardasht's brother Baker Osman said.

Red Line and Threats

Sardasht had been critical of the Kurdish regional government and its leading political parties in his previous work, but on 13 December 2009, he posted an article that most likely crossed the red line: directly accusing the family of President Barzani of corruption and nepotism. Sardasht sent this article to the Kurdistan Post, an online publication, under his pseudonym, Saro Sardasht.⁸¹ "The article was a reaction, a response to something that had been written against him, and it was very political," Baker Osman told our investigators.

The post titled 'I Am In love With Barzani's daughter' was written as a satirical text and juxtaposed the hardships of average Kurdish citizens with the lavish lifestyle of the Barzani family. Sardasht wrote: "Once I become Barzani's son-in-law, I will take his daughter to Paris and spend a month on honeymoon with her. We will visit our uncle's house in the United States, too. I will be able to move house. I will live in the Sari Rash resort and will be guarded all night long by US police trained dogs and Israeli guards."⁸²

Sardasht discussed the nepotism of the Barzani family in detail, by giving examples of the privileges that would befall on his own family if he were to marry into the Barzani clan: "I will be able to look after my father. He served as a Peshmerga during the September Revolution, led by Mustafa Barzani. He even spent three nights in the mountains with Idria Barzani, the Mulla's son. He left the KDP afterwards, so they don't pay him his veterans pension. I will appoint my father Peshmerga Minister. [...] For my uncles, hospitality houses will be opened and my cousins will become university deans, army brigades' commanders and heads of associations and unions."⁸³

Then Sardasht questioned Barzani's ideological integrity by (rhetorically) asking who he should bring with him when he asks the President for his daughter's hand and suggests that the right persons to bring would be "the Kurds who collaborated with Saddam Hussein's regime. [...] the traitors who were involved in the Anfal massacres [...]. Massoud Barzani adores such people."⁸⁴

79 Sam Dagher (6 May 2010). 'Abducted Kurdish Writer Is Found Dead in Iraq'. <https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

80 Idem.

81 Committee to Protect Journalists (2014). *Mountain of impunity looms over Kurdistan journalists*. <https://cpj.org/reports/2014/04/mountain-of-impunity-looms-over-kurdistan-journali/>.

82 Sardasht Osman (13 December 2009). *I am in love with Massoud Barzani's daughter*. Translated by Michael Rubin/Aryan Baban. <https://ekurd.net/mismas/articles/misc2010/5/state3816.htm>.

83 Sardasht Osman (13 December 2009). *I am in love with Massoud Barzani's daughter*. Translated by Michael Rubin/Aryan Baban. <https://ekurd.net/mismas/articles/misc2010/5/state3816.htm>.

84 Niquash (unknown publication date). <https://www.niqash.org/en/articles/society/2673/Why-was-he-killed.htm>.

I am in love with Massoud Barzani's daughter.

By Sardasht Osman

I am in love with the daughter of Massoud Barzani, the man who appears here and there and claims he is my president. I would like him to be my father-in-law and also I would like to be a brother-in-law with [former Prime Minister] Nechirvan Barzani.

If I become Massoud Barzani's son-in-law, we would spend our honeymoon in Paris and we would visit our uncle's mansion in America. I would move my house from one of the poorest areas in Erbil to Sari Rash [Barzani's palace complex] where it would be protected by American guard dogs and Israeli bodyguards.

I would make my father become the Minister of Peshmerga [the Kurdish militia]. He had been Peshmerga in September revolution, but he now has no pension because he is no longer a member of Kurdistan Democratic Party.

I would make my unlucky baby brother, who recently finished university but is now unemployed and looking to leave Kurdistan, chief of my special forces.

My sister who has been too embarrassed to go to the bazaar to shop, could drive all the expensive cars just as Barzani's daughters do.

For my mother, who is diabetic and has high blood pressure and heart problems but who is not able to afford treatment outside Kurdistan, I would hire a couple of Italian doctors to treat her in the comfort of her own house.

For my uncles, I would open a few offices and departments and they, along with all my nieces and nephews would become high generals, officers, and commanders.

All my friends said Saro, let it go and give it up for otherwise you will get yourself killed. The family of Mulla Mustafa Barzani [Massoud Barzani's father] can kill anyone they want, and they surely will.

I told them I did not commit blasphemy and I swear to the dagger of [Massoud's late brother] Mustafa Idris Barzani that my father had spent 3 nights with him on the same mountain [during the fight against Saddam]. So why not say those things? Massoud Barzani claimed himself that he is a president, and I would ask him how many times has he visited Erbil and Sulaimaniyah in the last 18 years?

My problem is that this man, Massoud Barzani, is so tribal, so arrogant, that he does not recognize anybody from even the other side of Sari Rash. With a few clicks, I can find out more about any leaders' wives in the world but I have no idea who my mother-in-law would be and what she looks like.

I have no idea who I should take with me to ask Massoud Barzani to give me his blessing to marry his daughter. From the beginning, I thought I should take with me few religious figures, some respectful old men and some old Peshmerga, but one of my journalist friends told me that I should find some Saddam collaborators and those who participated in the Anfal operation [ethnic cleansing in the late 1980s] with Saddam because they are all around Massoud now and he likes them. Another friend suggested that I should go a news conference of Nechirvan Barzani and make friends with him and ask him to do me a favor. However, if he doesn't help, then I can ask Dashne [a Kurdish singer] because she meets them frequently and might help out.

Source: Ekurd (13 December 2009). Translated by Michael Rubin/Aryan Baban.

Ranj Alaadin, an expert on the region, stated that this article “crossed the red line of local taboo”.⁸⁵ Piman Ezzedine said that it is assumed that “this specific article, which talks about the president’s [Barzani] daughter and about the Barzaniya clan and the Kurdish region, probably led to Sardasht’s assassination”.⁸⁶ Veteran journalist Asos Hardi noted that the article was very heavy and critical of the Barzani family. “I read all the articles that Sardasht wrote before he died. I believe he was a very talented young guy; if he was still alive I think he could become a very well-known figure in the KRI. It is a very heavy article, with very heavy criticism against the ruling parties,” Hardi said.⁸⁷

After the article was posted on *Kurdistan Post*, Sardasht started receiving insulting and threatening messages. Beshdar Osman, one of Sardasht’s brothers, said that Sardasht received a threatening phone call in January, telling him to leave Erbil. Renas Salam, a friend of Sardasht, said that Sardasht received another threat in April from a caller saying that he had “one week to leave Erbil or he would be killed”.⁸⁸ Renas Salam, a friend of Sardasht, said that Sardasht received another threat in April from a caller saying that he had “one week to leave Erbil or he would be killed”.⁸⁹ All of the threats Sardasht received made reference to his recent writings and some said he “would pay” for his insults.⁹⁰

In a public post on 21 January 2010, Sardasht wrote that he reported the threats to the college dean, who told him that it was a matter for the police. He then contacted the commander of the Erbil police department, Abdul Khaliq Tal’at, and reported receiving death threats. The commander ignored his request for help, reportedly telling Sardasht that the mobile phone from which he had received the threats was located outside Iraq, and adding: “Erbil is very quiet. Nothing like that happens here.”⁹¹ Abdul Khaliq Tal’at currently holds a high-profile position as KRG representative on the joint operations command in Baghdad.⁹²

A short paragraph in the 2018 book about Sardasht briefly gives his reaction to these threats. “The only reason I’m worried about these threats is simply because there are still a lot of issues to talk about, to be left in that way. The misfortune of this government is that it is not afraid of its children,” wrote Sardasht. His brother Baker Osman said that Sardasht did not want to involve his family in his situation. “He did not want to put his family in danger, and have them sleep in fear. He did not inform us,” Osman said.⁹³ Sardasht’s family only became aware that Sardasht had received death threats after his assassination.⁹⁴ A Safer World for the Truth could not independently verify the origin of the threats that Sardasht received.

On 21 January 2010, Sardasht posted an article under his own name, titled ‘Bells Of My Death Are Ringing’, in which he discussed the threats he had been receiving following his December publication. Sardasht wrote: “In recent days, I was told for the first time that my life is going to end. They said to me that they would no longer give me the permission to breathe. I am not afraid of death or torture. I’m here waiting for my appointment with my murderers. I am praying for the most tragic death possible, to match my tragic life”⁹⁵

85 Ranj Alaadin (13 May 2010). *Death of Kurdish journalist must be explained*.
<https://www.theguardian.com/commentisfree/2010/may/13/zardasht-osman-death-kurdistan>.

86 Interview Piman Ezzedine, 29 September 2021.

87 Interview Asos Hardi, 28 September 2021.

88 Sam Dagher (7 May 2010). *Abducted Kurdish Writer Is Found Dead in Iraq*.
<https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

89 Idem.

90 Human Rights Watch (29 October 2010). *Iraqi Kurdistan: Journalists Under Threat*.
<https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>.

91 Niquash (unknown publication date) <https://www.niquash.org/en/articles/society/2673/Why-was-he-killed.htm>.

92 Interview anonymous journalist, 31 January 2022.

93 Interview Baker Osman, 2 October 2021.

94 Interview Baker Osman, 12 January 2022.

95 Niquash (unknown publication date).
<https://www.niquash.org/en/articles/society/2673/Why-was-he-killed.htm>; Interview Baker Osman, 22 January 2022.

Seemingly aware of his looming fate, Sardasht closed his column with a commitment to telling the truth: "There are always people who don't want to listen when you start telling the truth and they get furious at the slightest whisper. To stay alive, though, we must tell the truth. I will continue to write until the last minute of my life."⁹⁶

Sardasht continued writing in the months that followed, posting several articles under his own name. Our investigation reviewed his writings in the months preceding his murder and assessed that most of his posts did not contain extremely sensitive material or critical statements; they were primarily Kurdish translations of English language publications.⁹⁷ Our investigation did identify two articles that were particularly critical. In one piece, Sardasht expressed criticism towards Jalal Talabani, then President of Iraq, accusing him of siding with Iraq's prime minister Nouri al-Maliki, who in turn was known for his authoritarian leadership style.⁹⁸ Sardasht wrote that Talabani supported Maliki for no other reason than to maintain his own position as president.⁹⁹ In the other piece, Sardasht criticizes the lack of transparency among Kurdish leaders and their detachment from public opinion.¹⁰⁰ As Sardasht started receiving threats prior to these two articles, it is likely that it was the earlier publication of the poem that had triggered plans to murder him. Although publicly criticizing the Talabani family also crosses a 'red line' and places Kurdish journalists at risk, this post dates from after receiving the first threats. By continuing to post critical pieces Sardasht showed that he could not be silenced with threats alone. Instead of censoring himself, Sardasht continued writing and speaking out.

96 Dana Asaad (11 May 2010). *Let my death be as tragic as my life*.

<https://web.archive.org/web/20110719054546/http://www.niqash.org/content.php?contentTypeID=74&id=2674&lang=0>.

97 Nearly every article that Sardasht wrote can be found here: <http://www.sardashtosman.com/ku>

98 MEI (2014). *Maliki and the Security Sector in Iraq*. <https://www.mei.edu/publications/maliki-and-security-sector-iraq>; Washington Institute (2009). *Populism, Authoritarianism, and National Security in al-Maliki's Iraq* <https://www.washingtoninstitute.org/policy-analysis/populism-authoritarianism-and-national-security-al-malikis-iraq>.

99 Sardasht Osman (10 March 2010). "What Makes Talabani President Again".

100 Sardasht Osman "Don't Close The Doors, We Are Seen From The Windows".

3. The Assassination of Sardasht Osman

This section documents the details of Sardasht's murder, based on witness interviews, written sources, official case files, photographic evidence and satellite imagery. Because of security concerns, all statements from Sardasht's family were made by the family spokesman, Sardasht's brother Baker Osman who currently resides in Sweden, or were published before the investigations for this report began.

The kidnap and assassination of Sardasht Osman

On the morning of Tuesday 4 May 2010, five months after what we believe to be the publication that triggered his murder, Sardasht was dropped off by his brother Sardar at the college of Arts building of the Salahaddin University in Erbil, opposite the main entrance.¹⁰¹ Sardar states in *The New York Times* that "[Sardasht] got out [of the car] in front of the Arts Institute, where at least half a dozen soldiers from the well-trained Zerevani unit of the Kurdish Peshmerga armed force guard the gate at all times."¹⁰² The street was crowded at the time, which was morning rush hour in Erbil.¹⁰³ A member of the Peshmerga unit present at the scene commented that it had been too crowded for him to see the abduction happen.¹⁰⁴



Map of Erbil and Mosul, kidnapping location

101 Sam Dagher (7 May 2010). *Abducted Kurdish Writer Is Found Dead in Iraq*. <https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

102 Idem.

103 Committee to Protect Journalists (22 April 2014). *Mountain of impunity looms over Kurdistan journalists*. <https://cpj.org/reports/2014/04/mountain-of-impunity-looms-over-kurdistan-journali/>.

104 Observation attributed to Khawer Hassan, who was present at the scene that morning, belonging to the Peshmerga in: Sam Dagher (7 May 2010). *Abducted Kurdish Writer Is Found Dead in Iraq*. <https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

After dropping off Sardasht, Sardar drove off. Sardasht was abducted immediately after Sardar left, so Sardar did not witness the abduction.¹⁰⁵ A report by Reporters Without Borders and Sardasht's family noted that the time of the abduction was around 8:20 AM.¹⁰⁶⁻¹⁰⁷⁻¹⁰⁸

It is unclear what exactly happened after Sardasht was dropped off by his brother. Amnesty International¹⁰⁹ states that Sardasht was kidnapped "by a group of unidentified armed men, [who] forced him into a car and drove away".¹¹⁰ A report by Reporters Without Borders describes¹¹¹ the kidnappers as "men dressed in civilian clothes".¹¹² A *New York Times* report, which based its findings on eyewitness accounts, states that Sardasht was taken by "men in a white minibus".¹¹³ Sam Dagher, the author of this *New York Times* article, noted in a separate interview with our investigators that he based his report on people he spoke to on the campus: eye-witnesses to the kidnapping who described the minibus to him.¹¹⁴ According to an anonymous source interviewed by Sam Dagher days after the murder, the dean of the college reportedly arrived at the scene after Sardasht was kidnapped and picked up Sardasht's notebooks, which had been scattered on the street.¹¹⁵ Baker Osman said that Sardasht's university friends alerted the family immediately after Sardasht was taken.¹¹⁶

Baker Osman received the details of the kidnapping from eyewitnesses that he spoke to at the time¹¹⁷ and described the kidnapping as he understood it to our investigators: "The family found out that there was a white van in front of the university that day with three security people, and ten meters in front of them, there was a checkpoint. Two men came out of the van and used a lot of violence to draw Sardasht into the van. A book with Sardasht's name on it plus a document needed for his study were later found on the ground by Sardasht's university friends. These friends had not seen the incident themselves, but when they heard that someone had been kidnapped they called Sardasht's family. Sardasht was taken at 8.20 a.m., and by 8.30 a.m. his friends had already called the family. After the call we [his family] directly came to the spot, arriving at 9.15 a.m.", Baker explained. Friends and family subsequently called anyone they knew working at security checkpoints throughout the city and on the main roads leading out of Erbil. "20 to 25 minutes after the incident every checkpoint in Erbil received an announcement that someone had been taken, not via official channels but via friends; because in the KRI everyone knows someone at a checkpoint. We [friends and family] informed them all. This was 25 minutes after the incident," Baker told our investigators.

Sardasht's family reported to RSF that on 4 May 2010, the day of his abduction, his mobile phone had remained switched on until 2.00 p.m.¹¹⁸ Interviewed for this investigation, Baker Osman explained that Sardasht's phone

105 Sam Dagher (7 May 2010). *Abducted Kurdish Writer Is Found Dead in Iraq*.
<https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

106 Reporters Without Borders (3 November 2010). *Mission Report, Between Freedom and Abuses: The Media Paradox in Iraqi Kurdistan*.
<https://rsf.org/en/reports/between-freedom-and-abuses-media-paradox-iraqi-kurdistan>.

107 Interview Baker Osman, 2 October 2021.

108 Interview Baker Osman, 12 January 2022.

109 Without mentioning sources.

110 Amnesty International (7 May 2010). *Iraq: Kurdistan Authorities*
<https://www.amnesty.org/download/Documents/40000/mde140072010en.pdf>

111 Without mentioning sources.

112 Reporters Without Borders (3 November 2010). *Mission Report, Between Freedom and Abuses: The Media Paradox in Iraqi Kurdistan*.
<https://rsf.org/en/reports/between-freedom-and-abuses-media-paradox-iraqi-kurdistan>.

113 Sam Dagher (7 May 2010). *Abducted Kurdish Writer Is Found Dead in Iraq*.
<https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

114 Interview Sam Dagher, 18 June 2021.

115 Sam Dagher (7 May 2010). *Abducted Kurdish Writer Is Found Dead in Iraq*.
<https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

116 Interview Baker Osman, 22 January 2022.

117 Osman did not share the identity of these eyewitnesses with us. Our investigators were thus not able to independently verify their accounts.

118 Reporters Without Borders (3 November 2010). *Mission Report, Between Freedom and Abuses: The Media Paradox in Iraqi Kurdistan*.
<https://rsf.org/en/reports/between-freedom-and-abuses-media-paradox-iraqi-kurdistan>.

had even remained switched on until 5 May 2010. "During a demonstration on 5 May 2010, Sardasht's friends tried to tell and show Asayish forces that when they called Sardasht's phone it still rang. They demanded that the Asayish track the location of the phone, but the Asayish did not give a response", Osman said.¹¹⁹

Reaction to the murder

On Wednesday 5 May 2010, a banner appeared on Kurdistan TV, which read: "If you want more information about Sardasht Osman you can call this number".¹²⁰ Osman said that the family called the number and discovered there was a Kurdish man in Mosul who had information about the lifeless body of Sardasht, that had been found in Mosul, a city about 80 kilometers west of Erbil that falls outside the boundaries of the Kurdish Region in Iraq.¹²¹ This Kurd in Mosul told the family that he had seen the corpse of Sardasht. "His hands were tied and there was a bag put around the head. A car had taken the corpse to the morgue", this individual told the family according to Osman.¹²²

The kidnap and assassination led to unprecedented street protests in the Kurdish region, especially in Erbil and Sulaymaniyah.¹²³ A few days after the murder, hundreds of university students marched from Sardasht's university building to the Parliament building, chanting: "Whose hands are stained with the blood of Sardasht?"¹²⁴ Demonstrators carried a symbolic coffin with the Kurdish word for "freedom" (ئازادى) written on the side.¹²⁵⁻¹²⁶

The murder was condemned in opposition and independent media outlets.¹²⁷ On 6 May 2010, 75 Kurdish journalists, editors and intellectuals issued a joint statement, saying: "This work is beyond the capability of one person or one small group. We believe first and foremost that the Kurdistan regional government and its security forces are responsible and they should do everything in their power to find this evil hand."¹²⁸

According to a report by the *Huffington Post*, which was corroborated by several anonymous witnesses, the security forces responsible for the investigation at this point fell under the authority of one of Massoud Barzani's sons, Masrour Barzani, who was Chancellor of the Kurdistan Region Security Council.¹²⁹ On 22 May 2010, 18 days after Sardasht was kidnapped, the Presidency of the Kurdistan Region issued an official statement addressing the murder of Sardasht and the subsequent protests, expressing that "[the Presidency] is saddened by news of the abduction and murder of Mr. Sardasht Osman, a student at the University of Salahaddin." The statement went on to state that it had tasked the Ministry of Interior, led by Minister for the Interior Karim Sinjari, and security agencies to "expand all available resources in bringing those responsible for this terrible crime to justice."¹³⁰⁻¹³¹

119 Interview Baker Osman, 12 January 2022.

120 Interview Baker Osman, 2 October 2021.

121 Sam Dagher (7 May 2010). *Abducted Journalist Is Found Dead in Iraq*.
<https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

122 Interview Baker Osman, 2 October 2021.

123 Namo Abdulla (16 July 2010). *Concern Over Kurdish Journalist's Unsolved Killing*.
<https://iwpr.net/global-voices/concern-over-kurdish-journalists-unsolved-killing>.

124 Committee to Protect Journalists (2014). Mountain of impunity looms over Kurdistan journalists.
<https://cpj.org/reports/2014/04/mountain-of-impunity-looms-over-kurdistan-journali/>.

125 Human Rights Watch (29 October 2010) *Iraqi Kurdistan: Journalists Under Threat*.
<https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>.

126 Awat Ali (2010). Dangi Qalam. NRT.

127 Namo Abdulla (16 July 2010). *Concern Over Kurdish Journalist's Unsolved Killing*.
<https://iwpr.net/global-voices/concern-over-kurdish-journalists-unsolved-killing>.

128 Sam Dagher (7 May 2010). *Abducted Journalist Is Found Dead in Iraq*.
<https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

129 John Lundberg (15 May 2010). *Writer Killed Over a Poem in Iraq*.
https://www.huffpost.com/entry/writer-killed-over-a-poem_b_576817.

130 Press statement Presidency Kurdistan Region, retrieved from ekurd.net (22 May 2010) *Kurdistan Government, Presidency condemn attack on Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/5/state3807.htm>. Official Statement Translated by Metro Center.

131 Karim Sinjari is currently the Chief of Staff of President Nechirvan Barzani, who at the time of the assassination was Prime Minister under Massoud Barzani.

18 foreign correspondents covering the KRI wrote an open letter to KRG authorities urging them to launch an independent investigation into the kidnap and assassination of Sardasht. In response, Interior Minister Karim Sinjari, on behalf of President Barzani's office, pledged to find the killers of Sardasht, and wrote that "not a single shred of evidence would be overlooked in their investigation"¹³²

On the assassination of Sardasht Osman, Massoud Barzani, the president of the Kurdish Region of Iraq, reiterated "We will not allow anyone to exploit the issue of the Sardasht Osman's assassination in order to achieve their political goals". He stated that: "We are seeking to find the facts related to this assassination and we will not allow anyone to abuse this issue in order to achieve their political goals."

A week after Sardasht's death, and under significant pressure from the local population and international organisations, a government inquiry into his abduction and killing was announced. An official press release said the investigation would be unprecedented in scope, aided by anti-terror units and overseen by the interior ministry.¹³³

132 Ekurd (9 June 2010). *Kurdistan President's Office responds to press freedom criticism by famed correspondents*. <https://ekurd.net/mismas/articles/misc2010/6/state3944.htm>.

133 Namo Abdulla (16 July 2010). *Concern Over Kurdish Journalist's Unsolved Killing*. <https://iwpr.net/global-voices/concern-over-kurdish-journalists-unsolved-killing>.

4. The official investigation and story

On 22 May 2010, the government of the Kurdish Region of Iraq announced there would be an investigation into the murder of Sardasht.¹³⁴ According to government statements, this investigation was to be conducted by a 'Special Investigation Committee' (SIC) based on an order by the President of the Kurdistan Region. The SIC fell under the authority of the Interior Ministry and was tasked with identifying the perpetrators of the murder.¹³⁵ This section discusses the structure, method and findings of the special investigation committee, and the 'confession' of one of the co-perpetrators, which was the only evidence presented by the official investigation committee in their final statement.

A mysterious investigation committee

According to a government press release on 22 May 2010, a 'Special Investigation Committee' was established to investigate the murder, based on an order by the President of the Kurdistan Region.¹³⁶ There was no public communication regarding the committee's membership and mandate and the composition of the investigation committee remains unknown even today. When RSF carried out a mission to Erbil to inquire about the murder and its aftermath, government officials approached by RSF were "unable or unwilling to provide [...] the name of a single member of the special commission responsible for investigating the murder."¹³⁷ The officials approached by RSF included Tariq S. Rasheed (function unknown), Fayaq Tofiq (KRG's Deputy Minister of the Interior), General Aldi Botani (Deputy Chief of Asayish), and several unidentified advisors to Kurdistan's Prime Minister.

A report by the Institute for War and Peace Reporting cites an anonymous Kurdish security official stating that all members of the committee were "close to the Kurdistan Democratic Party (KDP)".¹³⁸ The IWPR report also sought comments from KRG's Interior Ministry, its prime minister, and top security officials, but none of the requests for a response were answered.

This lack of transparency regarding the committee members makes it impossible to assess whether or not the committee members had the necessary qualifications and impartiality to conduct an independent murder investigation. If its members were indeed close to the KDP, as has been reported, it would shed serious doubt on the committee's independence and neutrality, especially given Sardasht's critical writing regarding the Kurdish ruling elite, particularly his criticism of the Barzani family.

Four months after Sardasht's murder, on 15 September 2010, the committee published its findings in a 430-word statement titled: 'A statement from the special Investigating Committee of the murdered student (Sardasht Osman)', which announced the arrest of a suspect, Hisham Mahmood Ismail.¹³⁹ On publication of its findings, the identity and mandate of the committee members remained a secret.

134 Idem.

135 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

136 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

137 Reporters Without Borders (3 November 2010). *Mission Report, Between Freedom and Abuses: The Media Paradox in Iraqi Kurdistan*. <https://rsf.org/en/reports/between-freedom-and-abuses-media-paradox-iraqi-kurdistan>.

138 Namo Abdulla (16 July 2010). *Concern Over Kurdish Journalist's Unsolved Killing*. <https://iwpr.net/global-voices/concern-over-kurdish-journalists-unsolved-killing>.

139 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

Statement by the investigating committee (verbatim translation)

A statement from the special Investigating Committee of the murdered student (Sardasht Osman)

The Investigation Committee declares the identification of the murderers. As a follow up to our previous initial statement about this case on May, 23, 2010, when we announced that Sardasht Osman Hasan– who was a student in the College of Languages, English Department in Salahaddin University in Erbil –was kidnapped on the date of May, 4, 2010, in front of the Institute of Fine Arts which is opposite from his college.

His body was found in Mosul City on May, 5, 2010. In accordance with legal procedures, the autopsy examination was done on his body by the Mosul Medical Justice Office in Mosul Hospital. A day after that his body released to his family.

Based on an order by the President of the Kurdistan Region, a special investigation committee was formed about this case to find the murderers. The committee started to work and interviewed many witnesses (those who were personally near the incident location) and took their testimony. The witnesses told how he was taken in a white mini bus (Hyundai) vehicle which had a Baghdad temporary license plate number.

After the committee collected and analyzed different information from various sources, they learned that a person who is a member of the terrorist group Ansar Al-Islam – named Hisham Mahmood Ismail, 28 years old, Kurdish, a resident of Mosul, working as a mechanic in the town of Bayji's industrial area – participated in this crime.

Under the supervision of the committee and through the authority of the court, the Asayish in coordination with the local police of Bayji town, arrested the mentioned suspect and turned him over to the investigation committee.

After interrogating the arrested suspect Hisham Mahmood Ismail, he confessed that he was involved in the crime, stating on May, 4, 2010, his boss identified as "A. A.," ordered him to go to Shargat town in Salahaddin Province, to contact another member of the group identified as "A. M.," to get something that they would give him and take it to Mosul City. He was asked to carry out this mission because he was the one most familiar with the Mosul area. After his arrival at the specified place and time, he met the other three members of their group with the mentioned car. Hisham got the car from them and the victim was in it, alive with his hands and legs bound and his mouth covered. Then Hisham drove the car to Mosul with "A.M." to the Al-Intissar neighborhood, where he handed over the car and the victim to his boss "A.A."

After a few days Hisham heard from "A.A." that they killed Sardasht Osman because Sardasht had promised the group to help them, but he did not keep his promise.

It should be mentioned that the arrested suspect's statement has been approved by the judge of the Erbil Investigation Court, and we are working continuously to arrest the other suspected members of this group, as they have arrest warrants from the mentioned court. We will provide updates to all when we have further steps forward in this case.

*The Investigating Committee
September, 15, 2010*

Statement by the investigating committee

Findings by the Special Investigation Committee

The investigation committee's findings, a brief 430-word statement, contains a vague description of steps taken by the investigation committee to collect evidence.¹⁴⁰ The statement lacks details on the methods applied for collecting and handling evidence. It also lacks any detailed argument for its main conclusion, namely that the murder was perpetrated by a militant group called Ansar al-Islam.¹⁴¹

According to the statement, the investigation consisted of the following elements:

- 'An autopsy performed in the Mosul Medical Justice Office in Mosul Hospital';
- 'Interviews and testimonies of "many witnesses" (those who were personally near the location of the incident)';
- 'Collecting and analyzing different information from various sources'.¹⁴²

According to the investigation committee, witnesses identified the vehicle in which Sardasht was taken as a "white minibus with a temporary Baghdad license plate number".¹⁴³ The family corroborates that the vehicle used was a white minibus, in line with the official statement.

The investigation then supposedly led to the identification of a co-perpetrator who, according to the report, was subsequently arrested. The report identifies this co-perpetrator as "Hisham Mahmood Ismail, a 28 year-old Kurdish resident of Mosul, working as a mechanic in the town of Bayji's industrial area"¹⁴⁴ According to the official statement, Hisham Mahmood was "interrogated and subsequently confessed".

The official statement says that Hisham Mahmood Ismail's role was to pick up the van with Sardasht – still alive at the time – in it in Shargat town and then drive the car to Mosul's Al-Intissar neighborhood, where he would hand it over to his superior. According to the report, this happened on the 4th of May, the day that Sardasht was abducted in front of the university in Erbil. A few days later, Hisham's superior told him that Sardasht had been killed because Sardasht "had promised to help the group, but he had not kept his promise."¹⁴⁵

After four months of investigating, the committee relied solely on the confession of Hisham Mahmood Ismail. Aside from this confession, the report does not provide any further evidence or verifiable witness accounts, but states that the committee continues to work towards arresting all other suspects of the murder. It remains unclear who the witnesses interviewed by the investigation committee were and whether they were credible witnesses. Nearly 12 years later, the committee has failed to present any other evidence, witnesses or suspects related to the murder.

140 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

141 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

142 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

143 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

144 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

145 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

The suspect Hisham Mahmood Ismail

On 21 September 2010, ten days after the publication of the above statement, Kurdistan TV, which is owned by the KDP, aired a recording of a confession of the alleged co-perpetrator Hisham Mahmood Ismail.¹⁴⁶ In his confession, he gives a description of the events related to his role in Sardasht's killing, namely that of the driver, fully in line with the official statement from the investigation committee mentioned above.

According to the recording, Hisham Mahmood lived in Mosul and worked as a mechanic in Bayji town. He was approached by an individual called Abu Ahmad, who he knew because he had a mechanical repair shop. According to Hisham, Abu Ahmad instructed him to take a taxi to the shop on Tuesday 4 May, between 11 and 12 o'clock and to call 'Abu Maryam', who arrived in his own car, an Opel Victoria.¹⁴⁷ Abu Maryam took Hisham to a place where there were only three people: an individual called 'Sohaib', and two Arab males.

Hisham Mahmood stated that when he went to drive the car, he saw 'the boy' [Sardasht] in the back, with his hands tied behind his back with a piece of clothing, and his legs tied to a piece of wood. A car tent was pulled over his head, and his mouth was gagged.¹⁴⁸

Sohaib told Hisham to drive the van to Mosul together with Abu Maryam.¹⁴⁹ Hisham said that the trip to Mosul was easy; he knew the road really well and all the police knew him and they didn't stop him. When Hisham arrived in Mosul he immediately called Abu Ahmad, who said: "I'm in Hay al-Ettesall, come to the 30th street"¹⁵⁰ Hisham handed the car over to Abu Ahmad, who later told him they killed Sardasht for not keeping his promises.¹⁵¹

According to Asos Hardi and Niyaz Abdullah, two journalists who followed the case closely and who were interviewed for this investigation, Hisham appeared in court in March 2012, and denied being involved in the case.¹⁵² Baker Osman told our investigators that Hisham clearly explained to the judge that he was in fact in prison on 4 May 2010.¹⁵³ On 15 May 2013, three years after Sardasht was murdered, Awene news agency reported that Hisham Mahmood Ismail was released due to a lack of evidence, and after reportedly retracting his confession.¹⁵⁴ At the time of this report being written, Sardasht's family stated that they had received information that Hisham was still in prison. Despite Hisham's word being the only piece of evidence in the official investigation, there have been no other known arrests related to Hisham's confession, nor has there been a public statement announcing the release or current incarceration status of Hisham. A Safer World for the Truth was not able to independently verify Hisham Mahmood Ismail's current whereabouts.

146 Kurdistan TV (21 September 2010). *Televised Confession of Hisham Mahmood Ismail*. https://www.youtube.com/watch?time_continue=3&v=yuGvIOvj4g8&feature=emb_logo.

147 Kurdistan TV (21 September 2010). *Televised Confession of Hisham Mahmood Ismail*. https://www.youtube.com/watch?time_continue=3&v=yuGvIOvj4g8&feature=emb_logo.

148 Kurdistan TV (21 September 2010). *Televised Confession of Hisham Mahmood Ismail*. https://www.youtube.com/watch?time_continue=3&v=yuGvIOvj4g8&feature=emb_logo.

149 Kurdistan TV (21 September 2010). *Televised Confession of Hisham Mahmood Ismail*. https://www.youtube.com/watch?time_continue=3&v=yuGvIOvj4g8&feature=emb_logo.

150 Kurdistan TV (21 September 2010). *Televised Confession of Hisham Mahmood Ismail*. https://www.youtube.com/watch?time_continue=3&v=yuGvIOvj4g8&feature=emb_logo.

151 Kurdistan TV (21 September 2010). *Televised Confession of Hisham Mahmood Ismail*. https://www.youtube.com/watch?time_continue=3&v=yuGvIOvj4g8&feature=emb_logo.

152 Interview Asos Hardi, 28 September 2021; Interview Niyaz Abdullah, date unknown.

153 Interview Baker Osman, 12 January 2022.

154 Awene (15 May 2013). Suspect withdraws confession in court and gets released <http://www.sardashtosman.com/ku/?p=664>.

5. Gaps and weaknesses in the official investigation

The official story of the kidnapping of Sardasht Osman, as presented by the Special Investigations Committee, contains multiple anomalies that cast serious doubt about the credibility of the official investigation. Our investigation uncovered important inconsistencies in the official version of Sardasht's assassination. Kurdish authorities threatened Sardasht's family in the aftermath of the assassination, and after the publication of the committee's findings; this sheds serious doubt about the probability of the official version of events as put forth by the Special Investigation Committee. Furthermore, the inconsistencies in the official version are most pronounced with regards to the kidnapping of Sardasht, transporting Sardasht (or his body) from Erbil to Mosul, the official autopsy report, the allegation that the perpetrators were Ansar al-Islam, and the alleged motive for his assassination.

Threats by KRG authorities

Kurdish authorities and security services, specifically the Asayish, harassed family and friends of Sardasht, and threatened journalists who wrote about the case. Additionally, authorities banned documentaries and books detailing Sardasht's case.

First, during the protests in the immediate aftermath of the murder, several Kurdish journalists reported receiving severe threats. While taking part in a protest for Sardasht in Sulaymaniyah the editor of an influential magazine claims to have received this anonymous text message: "We will kill you like a dog."¹⁵⁵ Furthermore, Kamal Chomani, a journalist who wrote and translated articles about Sardasht's assassination, told Human Rights Watch that he received an email in August 2010 that read: "Give up what you are doing. If you don't think of yourself, then think about your parents. We can do whatever we want."¹⁵⁶ International journalists like Sam Dagher, who was working as a correspondent for *The New York Times* at the time, also noted that the office of Barzani was upset that Dagher had written about Sardasht's case.¹⁵⁷ "They stopped taking my calls for meetings or comments after this report [NYT publication 7 May 2010] and I'm pretty sure they blacklisted me," said Dagher.

Second, after the assassination, officials also tried to reconcile with the family on several occasions, and when that did not work, they warned Sardasht's family to keep quiet. Officials tried to persuade Sardasht's family to let the case go, but they rejected these attempts. Baker Osman told our investigators that officials then allegedly told the family: "Let us forget about the story." He recalls: "They came to my father and said: 'You have now lost your son, but do not add fuel to the fire'. Since the first day after the assassination, Sardasht's family has continuously been threatened by authorities. "It is different from time to time, but even now, if anything happens in Erbil, if there is a demonstration on whatever topic, the Asayish security service immediately sends two cars to be posted outside the family house," Baker Osman said.

One example of the threats and pressure Sardasht's family endured following the assassination, occurred on 9 May 2010. Kurdistan TV, a KDP affiliated media platform, went to the family home to interview Baker and his father. They were joined by a committee of three Asayish security officers. Before the interview started, the Asayish spoke

¹⁵⁵ Sam Dagher (18 May 2010). *Killing Taints Iraqi Kurdistan's Image*.
<https://www.nytimes.com/2010/05/19/world/middleeast/19iraq.html>.

¹⁵⁶ Human Rights Watch (29 October 2010) *Iraqi Kurdistan: Journalists Under Threat*.
<https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>.

¹⁵⁷ Interview Sam Dagher, *The New York Times* correspondent, 18 June 2021.

to the family for 15 minutes, telling them how they expected the family to respond. “It is better for your family to respond negatively to the people in the demonstrations who accuse us or the KDP of this murder,” the officers told the family.¹⁵⁸ Kurdistan TV then asked questions concerning the case; in response Baker spoke for 6 minutes, while his father spoke for 3 minutes. Ultimately, none of Baker’s speech was broadcasted, and only 30 seconds of the father’s speech was used.

These threats continued even after the release of the investigative committee’s official statement on 15 September 2010. The family said that they were threatened by security services and KDP members after speaking out against the committee’s findings.¹⁵⁹ Indirect threats were and are ongoing. Baker Osman said that ‘people’ were sometimes sent to the family to ask them: “How can you fight the Barzani family? They have so much power; it is a big family! The members of that family will do anything for the head of the family”.¹⁶⁰ Human Rights Watch also reported that Sardasht’s family had received several visits from people whom they hardly knew, but recognized as local members of the KDP and its security services.¹⁶¹

Finally, documentaries and books about Sardasht have consistently been prohibited in the KRI, particularly in Erbil. The documentary *Dangi Qalam*, or ‘The Voice of the Pen’, was produced directly after the assassination of Sardasht. It contained all the information the documentary makers could gather on the case in 40 days.¹⁶² Documentary maker Awat Ali told our investigators that the documentary was to be shown at Sardasht’s first commemoration ceremony, but security officials demanded to see the documentary first. After the viewing, the security services rejected the documentary. The family decided not to show the documentary at the ceremony to prevent more trouble, said Ali.¹⁶³ Essentially, Sardasht’s case has become another red-line topic for journalists in the Kurdish Region of Iraq.

The two books, detailing Sardasht’s life, work, and the protests after his murder, are also banned in Erbil. Baker Osman told our investigators that an individual who was caught transporting these books from Sulaymaniyah to Erbil was stopped at a checkpoint. While being searched, the man questioned why he was being prohibited from bringing the books to Erbil. He asked: “Why am I being stopped, these are books, not drugs or TNT.” Security services at the checkpoint replied: “These books are more dangerous than drugs or TNT.”¹⁶⁴

The described events suggest involvement of KDP officials, and KDP-affiliated security services, specifically the Asayish. In relation to that, Baker Osman stated: “In the beginning of the case, there was not much evidence about who was behind this murder. But when we received more and more of these threats, it became clear who was responsible for the kidnapping and assassination of Sardasht.”¹⁶⁵ In light of the official story as put forth by the committee, these threats by Kurdish authorities would make no sense, and therefore raise further doubts on the probability of the committee’s findings.

158 Interview Baker Osman, 12 January 2022.

159 Human Rights Watch (29 October 2010) *Iraqi Kurdistan: Journalists Under Threat*. <https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>.

160 Interview Baker Osman, 12 January 2022.

161 Human Rights Watch (29 October 2010) *Iraqi Kurdistan: Journalists Under Threat*. <https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>.

162 A commemoration ceremony for Sardasht was held 40 days after his assassination.

163 Interview Awat Ali, 18 December 2021.

164 Interview Baker Osman, 12 January 2022.

165 Interview Baker Osman, 12 January 2022.

An unreliable story about the kidnap of Sardasht Osman

The official story of the kidnapping of Sardasht, as presented by the Special Investigations Committee, contains multiple anomalies that cast serious doubt on the credibility of the investigation.

First, during our investigation we found strong indications that the location of the kidnapping was guarded by armed security guards, and was monitored by CCTV security cameras. Ranj Alaaldin - journalist for *The Guardian* - noted that the kidnappers met no resistance from the armed security guards in front of the university when they threw Sardasht into a vehicle.¹⁶⁶ Additionally, Dana Asaad, a journalist for Niqash, spoke to several eyewitnesses who saw the incident. "Four armed men came in a car to the university, grabbed Sardasht, and took him away", said one witness. The witness later added that security guards from the English and Fine Arts departments were present but did nothing.¹⁶⁷ There is no mention in the official investigation statement that security guards or other potential eyewitnesses present at the scene were interviewed for the official investigation.



An armed guard is seen at the entrance of the University of Salahaddin in 2010.
Source: Google Maps.

Furthermore, the kidnapping - the run-up to or the direct aftermath - was most likely captured on CCTV cameras. However, security forces failed to publish any footage of the kidnapping, nor have they stated that CCTV footage was analyzed during the official investigation. Baker Osman confirmed to our investigators that CCTV cameras constantly monitored the entrance of the College of Arts, from where Sardasht was taken.¹⁶⁸ Our investigators also found indications that the location where Sardasht was kidnapped was monitored by several CCTV cameras.¹⁶⁹ This footage stems from 2015, but supports witness accounts that the entrance was being monitored.

¹⁶⁶ Ranj Alaaldin (13 May 2010). *Death of Kurdish Journalist must be explained*.
<https://www.theguardian.com/commentisfree/2010/may/13/zardasht-osman-death-kurdistan>.

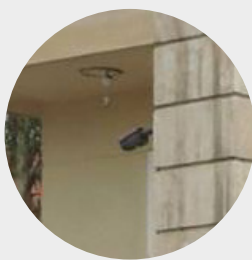
¹⁶⁷ Dana Asaad (11 May 2010). *Let my death be as tragic as my life*.
<https://web.archive.org/web/20110719054546/http://www.niqash.org/content.php?contentTypeID=74&id=2674&lang=0>.

¹⁶⁸ Interview Baker Osman, 12 January 2022.

¹⁶⁹ Max Bernhard, May 2021.



Camera 1



Camera 2



Camera 3

Entrance to the College of Arts at University of Salahaddin in 2015. At least three cameras can be seen. Individuals in this photograph are unrelated to the investigation. Source: Google Maps

The second anomaly in the official story regarding the kidnapping of Sardasht is that transporting a victim alive past several heavily guarded checkpoints would be very difficult for anyone outside of the Kurdish security apparatus. A Safer World for the Truth analyzed the most used roads and checkpoints between Erbil and Mosul to further explore the plausibility of the official story. We analyzed open source satellite imagery and photographs around the time Sardasht was kidnapped and found that there were at the very least 15 security checkpoints between Erbil and Mosul and the surrounding area.¹⁷⁰ In all probability, the actual number of checkpoints was even higher, considering there was no imagery of approximately one quarter of the road. Most of these checkpoints were controlled by security and intelligence services of the KRG.

Kurdish security services use these checkpoints to keep a very tight grip on security in the region.¹⁷¹ According to the UNHCR, when people go from one city to another inside the Kurdish controlled areas, people must pass checkpoints, at least when they leave one city and enter another.¹⁷² UNHCR added that although it is sometimes possible to bribe your way through at certain checkpoints, this is not a structural possibility.¹⁷³ Furthermore, Paasche and Sidaway, two scholars specialized in the security space in the KRI, noted that the Asayish run a tight security network in the KRI based on several levels of control: controlling movement, immigration and ID cars, and monitoring suspicious behavior.¹⁷⁴ The ability of the Asayish to 'control movement' by means of roadblocks and checkpoints in the KRI and between the KRI and disputed territories is strong. According to Paasche and Sidaway: "This roadblock system within the KRI makes it impossible to move without being checked by the Asayish. Besides a visual scan of the car checking for suspicious behavior, the KRG has introduced a number plate system that enables fast control.... Cars with Iraqi plates from outside the KRG are inevitably singled out and searched for explosives and weapons."¹⁷⁵ According to the official version as presented by the Special Investigation Committee, the white minibus transporting Sardasht alive between Erbil and Mosul had Baghdad number plates, and therefore should have been checked at least once on the 80-kilometer journey from Erbil to Mosul.

Given the above, it is highly unlikely that someone outside of the security apparatus could have kidnapped Sardasht in broad daylight in the center of Erbil, put him in a vehicle with an Iraqi car license plate, and transported him alive through several guarded checkpoints to Mosul (outside of the KRI and in the disputed territories) without being searched thoroughly at least once.

170 Max Bernhard, May 2021.

171 Ranj Alaaldin (13 May 2010). *Death of Kurdish Journalist must be explained*. <https://www.theguardian.com/commentisfree/2010/may/13/zardasht-osman-death-kurdistan>.

172 Danish Refugee Council (April 2016). *The Kurdish Region of Iraq (KRI): Access, Possibility of Protection, Security and Humanitarian Situation*. <https://www.refworld.org/pdfid/570cba254.pdf>.

173 Idem.

174 Paasche, T. F. & Sidaway, J. D. (2015). Transecting Security and Space in Kurdistan, Iraq. *Environment and Planning* (47), 2113 - 2133.

175 Paasche, T. F. & Sidaway, J. D. (2015). Transecting Security and Space in Kurdistan, Iraq. *Environment and Planning* (47), 2113 - 2133.



Overview of analyzed satellite footage, detailing the most frequently used roads between Erbil and Mosul. Our analysis focussed specifically on the roads leading out of Erbil and into Mosul. The roads to the north of Mosul were not analyzed in detail but Wikimapia shows at least three checkpoints between Ba'ashiqah and Mosul. The red dots are locations of at least one checkpoint. Sources: Google Earth & Wikimapia.

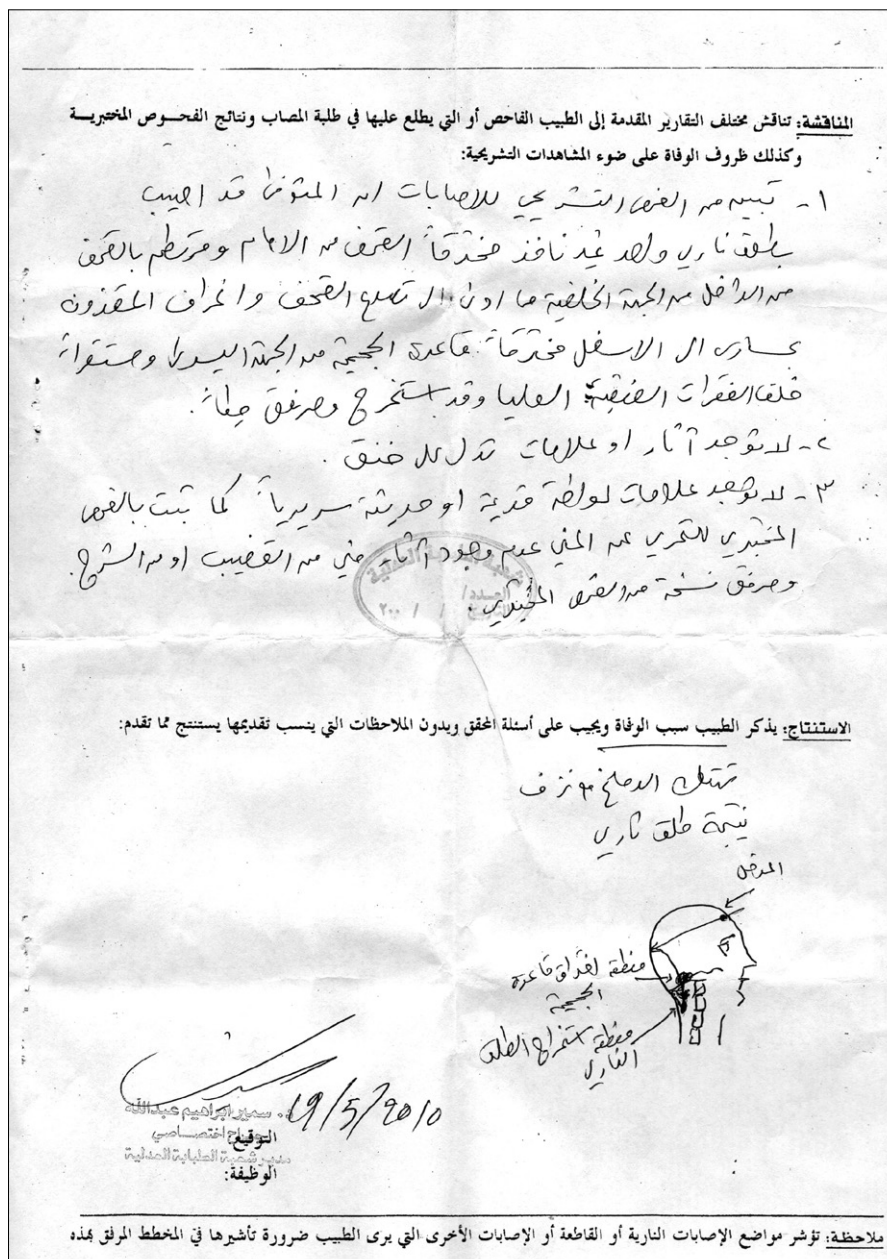


Example of one of the identified checkpoints. This Peshmerga-run checkpoint, located at coordinates 36°12'20.46"N, 43°52'24.60"E, is on the main road between Erbil and Mosul and was captured on satellite on 16 May 2010, 12 days after the kidnap and assassination. On the bottom right lines of cars are waiting to be checked at the checkpoint structures on the road. Source: Wikimapia.

The lack of a timely, credible and consistent official autopsy report

An essential tool that could have provided more clues about the murder is the conducting of an autopsy. However, the official autopsy report as presented by the Special Investigation Committee lacks credibility because of its untimely delivery to the family and its inconsistencies with witness accounts and photographs of Sardasht's body.

Our investigators obtained a copy of the official autopsy report that was used in the Special Investigation Committee's inquiry. The report presents the findings of an autopsy performed on Sardasht's body on 6 May 2010 at 8:00 a.m., one day after his body was found. Additionally, to corroborate the official autopsy report, we obtained photographs and video records of Sardasht's body. The autopsy report is addressed to the Al-Ahrar police station in Mosul, and is signed by Dr. Sayed Ibrahim Abdullah who conducted the autopsy, according to the report.¹⁷⁶ The report is printed on stationery from the Nineveh Department of Health and is stamped.¹⁷⁷



Last page of the official autopsy report. The image shows the bullet's alleged entry point in Sardasht's head. Source: internal archive.

176 Autopsy Report Nr. 147052, Nineveh Health Department Forensic Medicine Division No. 616. 19 May 2010.

177 *Idem*

Additional images of the body appeared in a report written by an anonymous author, who stated in the report that (s)he cannot reveal their identity due to safety concerns. The pictures included in the report appear to have been taken in the morgue and show Sardasht's face, which appears to have been cleaned.¹⁷⁸ It is not known who took the pictures and on what date. The collected pictures and testimonies show inconsistencies with the delivery and findings of the official autopsy report.

First, the family of Sardasht described that they were obstructed from obtaining (a copy of) the original autopsy report. According to the Kurdish Regional Government, a forensic autopsy was performed on Sardasht's corpse by the Mosul Medical Justice Office in Mosul Hospital.¹⁷⁹ One of Sardasht's brothers mentions that a doctor at the Mosul Hospital telephoned and told him he could pick up the autopsy report. When he arrived at the hospital, the original autopsy report had already been collected by someone else and there was no copy left.¹⁸⁰ Baker Osman told our investigators that they asked to speak to the doctor who had called, but that no one in the hospital had heard of a doctor by that name. "This 'doctor' had promised on the phone that the family would get the original autopsy report and every time it was being postponed," Baker Osman told. "It looked like the doctor had vanished."¹⁸¹ According to Osman, the family then received an autopsy report from the Asayish, not from the hospital. The events described in it have led the family of Sardasht to contest the authenticity of the official autopsy report.¹⁸²

Second, the official autopsy report concludes that Sardasht had a single 1 centimeter bullet hole in the middle of his forehead.¹⁸³ Photographs taken of Sardasht's body in the morgue in Mosul clearly show that Sardasht was not shot in the middle of his forehead, as suggested in the official autopsy.¹⁸⁴ The family of Sardasht also mentioned that Sardasht was in fact shot in the mouth, and not in the middle of the forehead.¹⁸⁵

Third, the official autopsy report does not mention any additional injuries. However, based on interviews with friends and family, Human Rights Watch and *The Guardian* reported that the body showed signs of torture.^{186 187} Additionally, when interviewed for this investigation, Sardasht's family reiterated that they noticed that his skin was bruised, and showed blue and red marks all over his body.¹⁸⁸ "The color of the skin was blue and red, as if he was beaten severely," said Baker Osman.¹⁸⁹

Fourth, according to the official autopsy report, the bullet used in the assassination was dislodged from the head, but there is no mention of a ballistic analysis of that bullet, nor is there any report on what was done with the bullet after it was dislodged. Furthermore, there is no mention of Sardasht's mobile phone, which he had with him when he was kidnapped and which remained switched on until the following day. This was the same mobile phone on which Sardasht had received threats to his life. Nearly 12 years later, it is impossible to shed light on the chain of custody that should have been in place for any piece of evidence related to the case. According to widely accepted international standards on handling evidence, like the Minnesota Protocol, a crime-scene must be examined carefully, and evidence must be managed according to 'chain-of-custody' standards, safeguarding it from possible

178 Anonymous. Document 126634. Photographs are not shared here out of respect for Sardasht.

179 Press Release (15 September 2010), retrieved from ekurd.net: *Statement by the investigating committee over killing of Iraqi Kurdish journalist*. <https://ekurd.net/mismas/articles/misc2010/9/state4209.htm>.

180 Interview Baker Osman, 12 January 2022.

181 Interview Baker Osman, 12 January 2022.

182 Interview Baker Osman, 12 January 2022.

183 Autopsy Report Nr. 147052, Nineveh Health Department Forensic Medicine Division No. 616. 19 May 2010.

184 Photographs in Document 126634.

185 Sam Dagher (7 May 2010). *Abducted Kurdish Writer Is Found Dead in Iraq*. <https://www.nytimes.com/2010/05/07/world/middleeast/07erbil.html>.

186 Human Rights Watch (2010). *Iraqi Kurdistan: Journalists Under Threat*. <https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>.

187 Ranj Alaaldin (13 May 2010). *Death of Kurdish Journalist must be explained*. <https://www.theguardian.com/commentisfree/2010/may/13/zardasht-osman-death-kurdistan>.

188 Interview Baker Osman, 22 January 2022.

189 Interview Baker Osman, 22 January 2022.

manipulation or disappearance.¹⁹⁰ In the case of Sardasht Osman's assassination, these international standards for handling evidence found at the crime scene were not followed.

Unlikelihood of Ansar al-Islam as perpetrator

Kurdish authorities blamed the assassination of Sardasht on Ansar al-Islam. This explanation is implausible. Not only is there a lack of motive, Ansar al-Islam has also publicly denied the accusation, when they normally openly claimed such attacks. Furthermore, Ansar al-Islam lacked the capacity to execute such a complex attack in the KRI.

First, Ansar al-Islam openly denied allegations that they were behind the murder of Sardasht. On 23 October 2010, in several Kurdish newspapers, the group stated: "If we kill or kidnap someone, we will announce it ourselves. We don't need anybody to lie for us. We consider the kidnappings and killings we may carry out a prayer for which we shall be rewarded by God"¹⁹¹



Newspaper article about the statement made by Ansar al-Islam, 23 October 2010, denying their involvement in the assassination. The author behind this story asked the KDP for a response to Ansar al-Islam's public denial but received none. Source: Internal Archive.

Second, KRG authorities said that Ansar al-Islam's motive for killing Sardasht was his betrayal of the group. According to the authorities, Sardasht had promised to help the group, but later backtracked on that decision. This was vehemently denied by Sardasht's friends and family, who said that Sardasht had never been in contact with the group, and rejected the authorities' attempt to accuse Sardasht of being a terrorist. They furthermore described him as being secular, far from a religious fanatic.¹⁹² "We the family not only reject the results of the investigation, but we condemn this action and express our resentment towards these attempts to accuse him of being a terrorist," Sardasht's brother Baker Osman was quoted by *E Kurd*.¹⁹³ Sardasht's writings underline this sentiment.¹⁹⁴

190 United Nations Human Rights Office of the High Commissioner (2016). *The Minnesota Protocol on the Investigation of Potentially Unlawful Death* (2016). <https://www.ohchr.org/Documents/Publications/MinnesotaProtocol.pdf>.

191 Reporters Without Borders (4 May 2012). *Tribute to Sardasht Osman on second anniversary of his murder*. <https://rsf.org/en/news/tribute-sardasht-osman-second-anniversary-his-murder>.

192 Namo Abdulla (6 October 2010). *Death of a Critic of Iraqi Kurdish Authorities*. <https://ekurd.net/mismas/articles/misc2010/10/state4265.htm>.

193 AFP (16 September 2010). *Family and watchdogs slam probe into Kurd reporter's death*. <https://ekurd.net/mismas/articles/misc2010/9/state4203.htm>.

194 Sardasht Osman (date unknown). <http://www.sardashtosman.com/ku/>.

Third, Ansar al-Islam had been effectively defunct between the outbreak of the Iraq war in 2003 and the Syrian war in 2011. Its bases in the Hawraman region near Sulaymaniyah had been bombed by US forces at the outbreak of the war, and that had severely limited their operational capacity to coordinate and execute attacks and kidnappings, especially in the center of Erbil.¹⁹⁵

In conclusion, the story of the almost redundant Ansar Al-Islam group being behind the murder seems unreliable, particularly because the group lacked motive, had publicly denied being involved, and lacked the capacity.

The Special Investigation Committee ignored Sardasht's family, his writings and threats against him

In their inquiry, the Special Investigation Committee did not interview Sardasht's family, did not analyze his writing to discern a possible motive, and did not investigate the threats against his life. The committee therefore heard no alternative motives for the kidnap and assassination of Sardasht Osman other than the motive presented in the committee's statement.

First, none of Sardasht's relatives or friends were interviewed by the investigation committee.¹⁹⁶ According to international standards such as the Minnesota Protocol, liaising with a victim's family is a central part of a criminal investigation.¹⁹⁷ The Special Investigation Committee could have explained its progress, reassured Sardasht's relatives and interviewed them as important witnesses. Instead, the investigation committee never spoke to the family or friends of Sardasht. "We were not even contacted once by this committee for their investigation. We have no idea who they are," said Baker Osman.

Second, the official investigation did not take Sardasht's writings into account when determining a potential motive for his assassination. The 430-word statement from the investigative committee focuses on Sardasht's alleged connection with Ansar al-Islam and ignores his writing. Additionally, the official statement emphasizes that Sardasht was a student, not a journalist.¹⁹⁸ The title of the statement is: "A Statement from the investigating committee on the case of the murdered student (Sardasht Osman)", and the text itself refers to Sardasht as an English student. Sources interviewed by journalist Ranj Alaaldin noted that the official version left out Sardasht's writings and links to journalism so as to not attract unnecessary (international) attention to the case.¹⁹⁹

Third, the Special Investigation Committee did not look into the threats that Sardasht had received following his critical publications. In the run-up to the murder, the Erbil police department and the university where Sardasht studied ignored Sardasht's requests for protection.²⁰⁰ The commander of the Erbil police department, Abdul Khaliq Tal'at, allegedly told Sardasht that one of the phone numbers used to threaten him was based outside of Iraq. The commander subsequently reprimanded him, saying that "such things do not happen here [Erbil]".²⁰¹ The statement from the Special Investigation Committee does not mention that the dean and the Erbil police commander were interviewed.

195 Namo Abdulla (6 October 2010). *Death of a Critic of Iraqi Kurdish Authorities*. <https://ekurd.net/mismas/articles/misc2010/10/state4265.htm>.

196 Human Rights Watch (29 October 2010) *Iraqi Kurdistan: Journalists Under Threat*. <https://www.hrw.org/news/2010/10/29/iraqi-kurdistan-journalists-under-threat>.

197 United Nations Human Rights Office of the High Commissioner (2016). *The Minnesota Protocol on the Investigation of Potentially Unlawful Death* (2016).

198 The Investigating Committee (15 September 2010). *A Statement from the investigating committee on the case of the murdered student (Sardasht Osman)*.

199 Ranj Alaaldin (13 May 2010). *Death of Kurdish Journalist must be explained*. <https://www.theguardian.com/commentisfree/2010/may/13/zardasht-osman-death-kurdistan>.

200 Balen Izat Mika (14 May 2020). *Impunity: A motivator for continuous assassinations and violence against Journalists in the Kurdistan region*. <https://kirkuknow.com/en/news/62228>.

201 Niquash (unknown publication date) <https://www.niqash.org/en/articles/society/2673/Why-was-he-killed.htm>.

Conclusion and Recommendations

Sardasht Osman was a courageous and talented 23-year-old citizen journalist, who wrote about corruption and political mismanagement within the Kurdish Regional Government (KRG) in a period of political upheaval. On 13 December 2009, Sardasht wrote a satirical article accusing the family of President Barzani of corruption and nepotism, a ‘red line’ in the Kurdish Region of Iraq (KRI). The article, titled: ‘I Am In Love With Barzani’s Daughter’, juxtaposed the hardships of average Kurdish citizens with the lavish lifestyle of the Barzani family. Colleagues, family, friends and experts told our investigators that it was highly likely that this article had led to the assassination of Sardasht.

Between December 2009 and May 2010, Sardasht received several threatening messages and phone calls. Some of the threats told him to leave Erbil or he would be killed, others made reference to his recent writings and said he ‘would pay’ for his insults. Sardasht took the threats to the college dean of his university, who referred him to the police. However, when Sardasht went to the commander of the Erbil police, Abdul Khaliq Tal’at, he ignored Sardasht’s request for help, saying that the mobile phone from which Sardasht had received the threats was located outside of Iraq and adding that “Erbil is very quiet, nothing like that happens here.”²⁰²

Sardasht became increasingly aware of his impending fate. In January 2010, he wrote that he was told that ‘his days were numbered’. The message he received stated: “You will no longer be allowed to breathe”.²⁰³ Nonetheless, Sardasht remained dedicated to telling the truth. He wrote: “I am not afraid of death or torture. I’m here waiting for my appointment with my murderers. ... There are always people who don’t want to listen when you start telling the truth and they get furious at the slightest whisper. To stay alive, though, we must tell the truth. I will continue to write until the last minute of my life.”²⁰⁴

On the morning of Tuesday 4 May 2010, around 08:20 a.m., Sardasht was kidnapped by several unidentified gunmen in a white van in front of the College of Arts building of the Salahaddin University in Erbil. Less than half an hour later, friends and family alerted people they knew who manned security checkpoints all around Erbil. Sardasht’s phone remained switched on until the next day. On Wednesday 5 May 2010, Sardasht’s lifeless body was found in Mosul, 80 kilometers from Erbil, in Al Wahda district.

The official investigation that followed the murder lacked credibility, transparency and effectiveness. The mandate and composition of the Special Investigation Committee, which was tasked by President Massoud Barzani to investigate the murder, remain unknown until this day. On 15 September 2010, the committee published its findings in a brief 430-word statement, and announced the arrest of Hisham Mahmood Ismail. According to the official investigation, Sardasht was kidnapped and murdered because he had promised to work with Ansar al-Islam, a local terror group, and had reneged on his promise. This story was followed by Hisham Ismail’s confession, broadcast on KDP-affiliated Kurdistan TV, in which Hisham reiterated the official version.

The official investigation and story show significant gaps and weaknesses that warrant a re-investigation of the case and suggest involvement of authorities and security services. Our investigation found that the special investigation committee relied on a single piece of evidence: the questionable confession of Hisham Mahmood Ismail, which he later retracted.

202 Niquash (unknown publication date) <https://www.niqash.org/en/articles/society/2673/Why-was-he-killed.htm>.

203 Niquash (unknown publication date). <https://www.niqash.org/en/articles/society/2673/Why-was-he-killed.htm>; Interview Baker Osman, 22 January 2022.

204 Niquash (unknown publication date). <https://www.niqash.org/en/articles/society/2673/Why-was-he-killed.htm>; Interview Baker Osman, 22 January 2022.

In addition to the shortcomings of the methods used by the special investigation committee to reach its conclusion, our investigation found significant anomalies in the committee's findings.

First, as part of the official investigation, an autopsy was conducted by the Mosul Medical Justice Office of Mosul Hospital on 6 May 2010 at 08:00 a.m. One of Sardasht's brothers was called by the hospital to pick up the autopsy report. When he arrived at the hospital, he was informed that the original autopsy report had already been collected by someone else, and that there was no copy. For weeks the family was not able to obtain a copy of the official autopsy, nor could they find the doctor who performed the autopsy. When they finally received a copy, it was from the Asayish and not from a doctor, and showed several inconsistencies with what the family had seen when they collected the body, and with photographs of Sardasht's body, taken while he was in the morgue.

According to the official report, Sardasht sustained a 1cm bullet wound to the middle of the forehead, and showed no other injuries. Photographs taken at the morgue clearly show that Sardasht does not have a bullet wound in the middle of the forehead. These photographs also show significant bruising on Sardasht's body. Also, bullets and other evidence collected from the scene or from the body have disappeared. There was no clear chain of custody regarding the bullet or other evidence, nor was there a ballistic analysis on the bullet to determine the caliber and probable type of firearm used in the assassination.

Second, according to the official version of events, Hisham Mahmood Ismail drove Sardasht, then still alive, past several heavily guarded checkpoints between Erbil and Mosul. Our analysis, combined with witness testimonies and photographs of the location where Sardasht was kidnapped, suggests that it would have been highly unlikely for an Ansar al-Islam (AI) operative to kidnap an individual in broad daylight in front of university security services and CCTV cameras without being noticed. Furthermore, it is doubtful that an Ansar al-Islam operative could have transported Sardasht alive in a white van with Baghdad license plates from Erbil (in the KRI) to Mosul (in the disputed territories) past several heavily guarded checkpoints, some of which had at that point been alerted by friends and family of Sardasht, without being checked thoroughly at least once. Consequently, this sheds serious doubts on the committee's version of events.

Third, the only piece of evidence that the committee relied on in their final statement was a questionable testimony by Hisham Mahmood Ismail, the alleged co-perpetrator. Yet, when Hisham Mahmood Ismail was brought in front of an Erbil court, he retracted the previously televised confession broadcast on Kurdistan TV, saying that he was in fact in prison on 4 May 2010. Three years later, on 15 May 2013, charges against Ismail were dropped due to a lack of evidence and after withdrawal of his confession. There was no public statement announcing Hisham's release, nor have there been any other known arrests related to the official investigation. Furthermore, Ansar al-Islam, the group to which Hisham Mahmood allegedly belonged, has come out to deny allegations that the group was behind the murder of Sardasht, despite normally claiming such attacks openly. In several Kurdish newspapers, the group stated: "If we kill or kidnap someone, we will announce it ourselves. We don't need anybody to lie for us."

Finally, since the assassination of Sardasht in May 2010, Kurdish authorities and officials linked to the KDP have continuously threatened Sardasht's family and friends. The family noted that officials came to their house and said to the father: "You have now lost your son, but do not make the fire bigger". Additionally, journalists reporting on the case and the ensuing protests were severely threatened by KRG authorities, with some being told that they would "die like a dog". Consequently, the case of Sardasht Osman risks becoming another 'red line' for journalists in the Kurdish Region of Iraq.

This report has demonstrated that the investigation into the kidnapping and assassination of Sardasht Osman fails to meet internationally accepted standards for investigations, such as the Minnesota Protocol. Furthermore, our findings have shown several anomalies in the official version of events, and in the subsequent conclusion of the Special Investigation Committee. The inconsistencies in the autopsy report and delayed delivery to the family, the unlikelihood of Ansar al-Islam being able to kidnap and transport Sardasht in front of security services and past heavily guarded checkpoints, the retraction of the only piece of evidence, and the subsequent threats to the family by government officials suggest the involvement of Kurdish authorities and their security services in the kidnapping and assassination of Sardasht Osman. Our investigation therefore finds serious indications that

Kurdish authorities might have been responsible for the kidnapping and assassination of Sardasht, and were subsequently involved in pressuring and threatening Sardasht's family members and friends to remain quiet.

Based on these findings, we therefore urge the following:

→ *To the competent Kurdish investigative authorities:*

Independently and transparently re-investigate the kidnapping and assassination of Sardasht Osman in line with international standards for effective, thorough, impartial and transparent investigations.

Nearly twelve years after the assassination of Sardasht, there has not been any progress, nor has there been a legitimate attempt to investigate the murder.

In line with international standards for criminal investigations such as the Minnesota Protocol, investigate cases of murdered journalists in the Kurdish Republic of Iraq transparently, impartially, effectively, thoroughly and promptly. Out of the 22 journalists murdered in relation to their work in Iraq since the assassination of Sardasht, eight were reportedly killed in the KRI. Progress in all of these cases has been non-existent, slow or invisible to family members, colleagues and the public. Such impunity leads to self-censorship and obstruction of a free flow of information.

→ *To the Kurdistan Regional Government:*

Cease harassment, intimidation and threats against family and friends of Sardasht Osman. A re-investigation of Sardasht's case should be coupled with a formal apology rectifying the official investigation committee's statement that Sardasht was a terrorist as well as admitting that the investigation was inadequate and riddled with errors. Additionally, direct and indirect threats from authorities to the family of Sardasht and anyone discussing Sardasht's case, should cease immediately.

Strictly implement existing national and international laws and regulations intended to protect journalists and guarantee transparent and comprehensive investigations into threats and crimes against journalists. Article V and article VI of Kurdish Press Law No. 35 of 2007 call for severe punishment of anyone, including security forces, who attack members of the press. In nearly 14 years there have been no successful convictions based on these articles.

Set up a formal independent prevention mechanism tasked with investigating threats and attacks against journalists. Journalists who are threatened and targeted, particularly in cases where the threat emanates from government officials, are currently unable to bring their concerns to a competent authority. We therefore urge Kurdish authorities to set up a formal independent prevention mechanism which can investigate all credible allegations from (citizen) journalists, including bloggers, who are threatened or attacked, and provide journalists and media workers with immediate access to authorities competent and adequately resourced to provide effective protective measures.

→ *To the European Union, its member states, the United States, the United Kingdom, and other states that hold diplomatic and economic relations with the Kurdistan Regional Government:*

Exert continuous pressure on Kurdish authorities to investigate threats against, attacks on and murders of journalists according to international standards, including a re-investigation of the case of Sardasht Osman. Member States of the Media Freedom Coalition that maintain diplomatic and economic relations with the Kurdistan Regional Government, should ensure the violation of the freedom of opinion, the freedom of expression and the freedom of information are a vital part of their discussions with the KRG, and exert pressure on the KRG to uphold these freedoms.

In May 2021, the United Nations Assistance Mission to Iraq (UNAMI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) recommended that the KRG undertake prompt, effective, thorough, independent, impartial and transparent investigations into threats against and assaults on journalists and their family members, arguing that victims and their family members have the right to justice, truth and reparations. States with diplomatic and economic relations with the KRG should follow

up on recommendations made by UNAMI and OHCHR, and intensify their diplomatic and economic pressure on KRG authorities and individuals to comply with international laws and standards for criminal investigations.

In the future, consistently impose targeted sanctions on KRG officials associated with crimes against journalists, and on KRG authorities for preventing prompt, effective, thorough, impartial and transparent investigations into crimes against journalists. Sanctions help to maintain pressure on actors and deter them from continuing their abusive behavior. Targeted sanctions are effective tools that can be used to freeze individuals' assets, ban their entry into certain countries, and prevent them from conducting business in certain countries and currencies. This report therefore recommends Media Freedom Coalition member states who have established sanctions regimes to adopt targeted sanctions against KRG officials associated with crimes against journalists.

The Independent High Level Panel of Legal Experts on Media Freedom specifically notes: *"A consistent use of targeted sanctions when journalists are killed and arbitrarily imprisoned would help to raise international awareness and shift the default from impunity to accountability. There is an important opportunity for states to lead with a new paradigm: that when the media is attacked, targeted sanctions will be a counter-attack. Governments that truly wish to protect journalists should seize it."*

Appendix: timeline with key events

July 2009	▶	Gorran Movement becomes second biggest party in Kurdistan regional election. KDP and PUK receive a first challenge in decades of uncontested rule.
13 December 2009	▶	Sardasht Osman writes his 'red line' article titled "I Am In Love With Barzani's Daughter", accusing the Barzani family of corruption and nepotism.
December 2009 – May 2010	▶	Sardasht received threatening messages and phone calls referring to his article and telling him that he "would pay" for his insults.
21 January 2010	▶	Sardasht is told that 'his life is going to end'. Sardasht takes these threats to the university dean and the commander of the Erbil police, Abdul Khaliq Tal'at. Both ignored Sardasht's requests for help.
Tuesday 4 May 2010	▶	<p>08:20 AM: Sardasht is kidnapped by several unidentified gunmen in a white van in front of the College of Arts building of the Salahaddin University in Erbil.</p> <p>08:45 AM: Friends and family warn acquaintances at checkpoints around to look out for the white van transporting Sardasht.</p>
Wednesday 5 May 2010	▶	Sardasht's lifeless body is found in Mosul, 80 kilometers from Erbil. His phone is still ringing on that day but is never retrieved.
Thursday 6 May 2010	▶	The Mosul Medical Justice Office in Mosul Hospital conducts an autopsy on the body of Sardasht. When the family goes to pick up the autopsy report, they are told that someone else has already collected the report, and the doctor who first informed them about the report has disappeared. After weeks of trying to get in touch with the right doctor, Asayish security forces provide the family with an unverified version of the autopsy report.
22 May 2010	▶	After two weeks of massive protests, President Barzani announces a 'Special Investigation Committee' to investigate the murder of the 'student', Sardasht Osman, saying the inquiry will be 'unprecedented in scope' and leaving 'not a single shred of evidence overlooked'. Details of the committee's composition and its mandate remain a secret.
June 2010	▶	A documentary about Sardasht, made by NRT within 40 days after Sardasht's assassination, is proof-viewed by officials and prevented from airing during a memorial held for Sardasht.
15 September 2010	▶	The Special Investigation Committee publishes its findings in a brief 430-word statement. The committee also announces the arrest of a suspect, Hisham Mahmood Ismail, who confessed after being interrogated. The committee's inquiry is not an effective, thorough, prompt, independent and transparent criminal investigation that meets international standards.
21 September 2010	▶	Televised confession of Hisham Mahmood Ismail on Kurdistan TV, owned by the KDP.
October 2010	▶	Family and friends of Sardasht report that they are being threatened by officials related to the KDP to let the case rest. Family members also report being approached by officials with reconciliation offers.
15 May 2013	▶	Charges against Hisham Mahmood Ismail are dropped due to a lack of evidence and after retracting his confession, stating that he was in fact in prison on 4 May 2010. Hisham Mahmood is believed to still be in prison.

A Safer World For The Truth