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Asylum In The UK

COUNTRY ASSESSMENT - IRAQ

April 2001

Country Information and Policy Unit

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1. SCOPE OF DOCUMENT

1.1 This assessment has been produced by the Country Information & Policy Unit, Immigration & Nationality Directorate, Home Office, from information obtained from a variety of sources.

1.2 The assessment has been prepared for background purposes for those involved in the asylum determination process. The information it contains is not exhaustive, nor is it intended to catalogue all human rights violations. It concentrates on the issues most commonly raised in asylum claims made in the United Kingdom.

1.3 The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

1.4 It is intended to revise the assessment on a 6-monthly basis while the country remains within the top 35 asylum producing countries in the United Kingdom.

1.5 The assessment will be placed on the Internet: (<http://www.ind.homeoffice.gov.uk/>). An electronic copy of the assessment has been made available to the following organisations:

Amnesty International UK

Immigration Advisory Service

Immigration Appellate Authority

Immigration Law Practitioners' Association

Joint Council for the Welfare of Immigrants

JUSTICE

Medical Foundation for the care of Victims of Torture

Refugee Council

Refugee Legal Centre

UN High Commissioner for Refugees

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2. GEOGRAPHY

2.1 The Republic of Iraq is a virtually land locked state in Western Asia, with a narrow outlet to the sea on the Persian (Arabian) Gulf. Its neighbours are Iran to the east, Turkey to the north, Syria and Jordan to the west, and Saudi Arabia and Kuwait to the south. [1 & 2]

2.2 Since the end of the Gulf War in 1991, Iraq is essentially divided into two parts - the north east of the country, which is also known as Kurdistan, and the rest of the country. [1 & 2]

2.3 The Republic of Iraq has a population of 22,017,983 (official estimate as at mid 1997). Ethnically and linguistically, the Iraqi population includes Arabs, Kurds, Turkomen, Yazidis, and Armenians. The official language is Arabic, which is spoken by approximately 80% of the population. About 15% speak Kurdish, while there is a small Turkoman speaking minority. [1 & 2]

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3. HISTORY

A. Origins of Iraq

3.1 Iraq was formerly part of Turkey's Ottoman Empire. During the First World War (1914-18) when Turkey was allied with Germany, the territory was captured by British forces and was placed under a League of Nations mandate, administered by the United Kingdom. In 1921 Amir Faisal ibn Hussain was proclaimed King of Iraq. During the early years the new kingdom was faced by Kurdish revolts (1922-32) and by border disputes to the south. The British mandate ended on 3 October 1932, when Iraq became fully independent. [1]

3.2 Following the overthrow of King Faisal II during a military revolution on 14 July 1958, which brought to power a left-wing nationalist regime headed by Brig. (later Lt-Gen.) Abd al-Karim Kassem, the 1925 Constitution was abolished, the legislature was dissolved, and in March 1959 Iraq withdrew from the Baghdad Pact, a British-inspired agreement on collective regional security. Until his assassination in February 1963, during a coup by members of the armed forces, Kassem maintained an increasingly isolated position. The new government of Col. (later Field Marshal) Abd as-Salem Muhammed Aref was more pan-Arab in outlook and sought relations with the United Arab Republic (Egypt). [1]

3.3 Following his death in 1966 President Aref was succeeded by his brother, Maj.-Gen. Abd ar-Rahman Muhammed Aref, who remained in power until he was ousted by members of the Arab Renaissance (Ba'ath) Socialist Party on 17 July 1968. Maj.-Gen. (later Field Marshal) Ahmad Hassan al-Bakr became President and Prime Minister, and supreme authority was vested in the Revolutionary Command Council (RCC), of which President al-Bakr was also Chairman. On 16 July 1979 the Vice-Chairman of the RCC, Saddam Hussein, who had long since exercised the real power in Iraq, replaced Al-Bakr as Chairman. [1]

B. Iran - Iraq War

3.4 Relations with Iran, precarious for many years developed into full scale war in September 1980. The Algiers agreement between Iran and Iraq, signed in 1975, had defined the southern border between the two countries as a line along the middle of the Shatt al-Arab waterway. In the ensuing years Iraq had become dissatisfied with the 1975 agreement and called for the withdrawal of Iranian forces from Abu Musa and the Tumb islands, dependency of the UAE which Iran had occupied in 1971. The Iranian revolution of 1979 escalated the situation. Border disputes occurred in the summer of 1980 and in September Iraqi forces advanced into Iran. The fighting continued until August 1988 when a cease-fire was agreed after Iran announced its unconditional acceptance of the UN Security Council Resolution 598. However, negotiations on the full implementation of the Resolution made little progress until Iraq's invasion of Kuwait in August 1990, at which point Iraq abruptly sought a formal peace agreement with Iran, by accepting all the claims that Iran had pursued since the cease-fire, including the re-instatement of the Algiers Agreement of 1975, dividing the Shatt al-Arab. [1]

C. Invasion of Kuwait

3.5 In mid-1990 the Iraqi Government criticised countries (principally Kuwait and

the UAE) which persistently produced petroleum in excess of the quotas imposed by OPEC. Iraq also accused Kuwait of violating the Iraqi border in order to secure petroleum resources, and suggested that Kuwait should waive Iraq's debt repayments. In July Kuwait and the UAE agreed to reduce their petroleum production, and it was agreed that the minimum price of crude petroleum should be increased. Direct negotiations between Iraq and Kuwait began at the end of July, with the aim of resolving their disputes over territory and Iraqi Debt. The discussions failed and on 2 August 1990 Iraqi forces invaded Kuwait. On 8 August Iraq announced the formal annexation of Kuwait, claiming that its forces had entered Kuwait at the invitation of insurgents, who had overthrown the Kuwaiti government. [1]

3.6 The UN Security Council responded by unanimously adopting, on the day of the invasion, Resolution No. 660, which demanded the immediate and unconditional withdrawal of Iraqi forces from Kuwait. Subsequent resolutions imposed mandatory economic sanctions on Iraq and occupied Kuwait, and declared Iraq's annexation of Kuwait to be null and void. Diplomatic efforts to achieve a peaceful solution to the crisis all foundered on Iraq's refusal to withdraw its forces from Kuwait. In late November the UN Security Council adopted a Resolution (No. 678) which permitted member states to use 'all necessary means' to enforce the withdrawal of Iraqi forces from Kuwait, if they had not left by 15 January 1991. On the night of 16-17 January 'Operation Desert Storm' began with attacks on Baghdad by the multinational force. The US government on 28 February declared a cease-fire. Iraq agreed to renounce its claim to Kuwait, to release prisoners of war, and to comply with the relevant UN Security Council resolutions. [1]

D. Events in Northern Iraq (Kurdistan)

3.7 A Kurdish Autonomous Region was formed in 1970 where the Kurds exercised limited powers of self-determination. During the 1980's representatives of Iraq's Kurds demanded greater autonomy. Resources were repeatedly diverted from the war with Iran to control Kurdish rebellion in the north-east of the country. Discussions began in December 1983, following a cease-fire between the Iraqi government and Jalal Talabani, the leader of the main Kurdish opposition party in Iraq, the Patriotic Union of Kurdistan (PUK). These discussions did not include the other main Kurdish group, the Democratic Party of Kurdistan (KDP). The collapse of negotiations in May 1984 frustrated hopes for a government of national unity, including the PUK and the Iraqi Communist Party. In January 1985 armed conflict was resumed in Kurdistan between PUK guerrillas and government troops. The PUK blamed the Government's continued persecution and execution of Kurds; its refusal to permit consideration in autonomy talks of one-third of Kurdistan which, in Kirkuk province, contains some of Iraq's main oilfields, and an agreement with Turkey to act jointly to quell Kurdish resistance. [1]

3.8 In February 1988 PUK and KDP guerrillas (assisted by Iranian forces) made inroads into government-controlled territory in Iraqi Kurdistan. In March the Iraqi Government retaliated by using chemical weapons against the Kurdish town of Halabja. The cease-fire in the Iran-Iraq War in August enabled Iraq to divert more troops and equipment to Kurdistan, and to launch a new offensive to over-run guerrilla bases near the borders with Iran and Turkey, during which chemical weapons were allegedly used, forcing Kurdish civilians and fighters to escape across the borders. The various Kurdish factions appeared to have achieved greater unity of purpose through their alliance in May 1988, in the Kurdistan Iraqi Front (KIF). In September the Iraqi Government began to evacuate inhabitants of the Kurdish Autonomous Region to the interior of Iraq and by October 1989 an uninhabited 30 km wide 'security zone' was in place along the whole of Iraq's border with Iran and Turkey. This prompted the PUK to announce a campaign of urban guerrilla warfare against the Government throughout Iraq. [1]

3.9 In April 1991 the leader of the PUK, Jalal Talibani, announced that Saddam Hussain had agreed, in principle, to implement the provisions of the Kurdish peace plan of 1970. However, negotiations subsequently became deadlocked over the delineation of the Kurdish Autonomous Region, in which Kurdish groups wished

the city of Kirkuk to be included. In October, in the absence of any negotiated agreement on an "autonomous Kurdistan", the Iraqi Government withdrew all services from the area, effectively subjecting it to an economic blockade. The KIF proceeded to organise elections to a 105-member Kurdish national assembly, and for a paramount Kurdish leader. The result of the elections to the Assembly held on 19 May 1992 and in which virtually the whole of the estimated 1.1m strong electorate participated was that the DPK and the PUK were entitled to an almost equal number of seats [1]

3.10 In March 1993 the Kurdish Cabinet was dismissed by the Kurdish national Assembly for its failure to effectively deal with the crisis in the region. A new cabinet was appointed at the end of April. Armed conflict between fighters belonging to the PUK and the KDP in May 1994, led to the division of the northern Kurdish-controlled enclave into two zones. A peace agreement was reported to have been concluded in early June, but fighting broke out again in August. Numerous other peace agreements were short lived and sporadic fighting continued between the two factions for several years. [1]

3.11 In February 1996 Turkey agreed to continue with NATO 'Operation Provide Comfort' in order to protect the Kurdish enclave in areas of Iraq north of latitude 36 degrees N. However, on 31 August 1996, government troops, tanks, artillery, and helicopters first shelled and then captured the city of Irbil (aka Arbil, Erbil) in northern Iraq. Several other cities and villages in northern Iraq were shelled by artillery and then were entered by government troops. The Special Rapporteur stated in November 1996 that indiscriminate shelling by Iraqi forces of civilian settlements had been a recurrent practice well before these most recent clashes. Disappearances in northern Iraq also increased in 1996 as Iraqi and Iranian intelligence units grew more active. The Special Rapporteur stated that the fate of these individuals remains unknown. Unconfirmed reports blamed Iran for the disappearances of several Iranian opposition figures who resided in the north. [1]

3.12 Also during 1996, fighting continued between the KDP and PUK in Northern Iraq, in which both fighters and civilians were killed. KDP co-operation with the Iraqi Government in the attack on Irbil on 31 August 1996 and PUK co-operation with Iran increased instability and the ability of both governments to act against political opponents in the area. A cease-fire established on 23 October 1996 ended fighting for the rest of 1996, albeit with a few sporadic clashes. [2a]

3.13 On several occasions in 1996, Turkish armed forces entered northern Iraq in pursuit of members of the Kurdistan Workers' Party (PKK) and their bases. Terrorist activities in northern Iraq and Turkey by the Turkish PKK terrorist organisation, also resulted in the death of both fighters and civilians. Both Iraqi Kurdish groups and the PKK reportedly committed serious abuses, including killings, torture, arbitrary arrest and detention. [2a]

3.14 In 1997 sporadic fighting between the KDP and PUK continued. A truce brokered by the United States, the United Kingdom and Turkey called the "Ankara Peace Process" was broken when PUK forces attacked KDP positions and occupied the Safeen mountain positions on 12 October 1997. Turkish forces entering the area to attack members of the Kurdistan Workers Party (PKK) have further complicated the situation in Kurdistan. The PKK has also come under attack from KDP forces after they attempted to support PUK forces. [3(a)(b)]

3.15 In Northern Iraq the main Kurdish parties, KDP and PUK, continued a dialogue leading to a peace agreement. It was reported that in March 1998 the KDP and PUK released a number of prisoners of war (POW's), following an agreement between the parties to release all detainees and POW's. However, the peace did not continue throughout the whole of Northern Iraq. Reports continued throughout 1998 of Turkish forces entering Iraq to battle with PKK forces. It was reported that the Turkish forces had the backing of the KDP. In February 1999 Turkish forces in Nairobi, Kenya captured the PKK leader Abdullah Ocalan. This provoked demonstrations by Kurds in northern Iraq and worldwide. Following Ocalan's capture, Turkish armed forces were reported to have halted their campaign against the PKK in northern Iraq. There have also been reports of

fighting between KDP and PKK forces. [1, 4(d)(e)(f)(g)]

3.16 In September 1998 the KDP and PUK agreed a conciliatory and peace agreement called the Washington Accord following talks in the United States of America. The agreement planned for parliamentary elections the next summer, and guaranteed the lawful rights of Turkomen, Assyrians and Chaldeans in Iraqi Kurdistan. The agreement did not call for a separate Kurdish state but protected the territorial integrity and sovereignty of Iraq. [4(h)(i)]

3.17 The PUK held municipal elections in February 2000, the first elections held in the Kurdish-controlled areas since 1992. Foreign and local election observers reported that the elections generally were fair. [2(e)]

3.18 Armed hostilities and resulting deaths were reported in 2000 between the KDP and the Iraqi Turkoman Front (ITF), the PUK and the IWCP, the PUK and the Kurdistan Workers Party (PKK), and the KDP and the PKK. There were a number of bomb attacks on civilian targets during the year in both the KDP- and PUK-controlled areas, which killed at least 12 persons. [2(e)]

3.19 KDP forces attacked the Erbil headquarters of the ITF in July, killing at least two persons and injuring several others. Tension between the KDP and the ITF had been building for months as the KDP leadership expressed frustration that the ITF failed to accept the KDP as the local authority. The ITF complained that the KDP interfered in its internal affairs. [2(e)]

3.20 In July 2000 the PUK reportedly ordered all opposition groups to move their offices out of Sulaymaniah's city center following a number of bombings; the IWCP reportedly refused to move. PUK security forces subsequently killed at least six IWCP members and arrested several others. PUK forces also killed several IWCP members who were inside a car. In connection with this dispute, the PUK closed the IWCP-affiliated Independent Women's Organization and the Women's Protection Centre in July and detained temporarily 12 women who had been staying at an abused women's shelter within the Centre. [2(e)]

3.21 There were repeated military incursions by Turkish security forces into northern Iraq during the year 1999/2000. In late 1999, the Turkish airforce targeted PKK positions in both KDP and PUK controlled areas. In April, May, and August 2000, Turkish troops again were deployed to the region. In one incident, Turkish troops killed 38 Kurdish civilians. In July the PUK attempted to push the PKK out of its territory and fighting ensued. Both the PKK and the PUK suffered a number of casualties. In December hundreds of Turkish troops were deployed to the region, threatening to intervene on the PUK's behalf. Subsequently, the PUK and the PKK declared a cease-fire. [2(e)]

E. Events in Southern Iraq since 1990

3.22 The conflict with the United Nations was followed by domestic unrest. In early March 1991 rebel forces, including Shi'a Muslims and disaffected soldiers were reported to have seized Basra and other southern cities gaining control of much of the country, but the rebellion was soon crushed by troops loyal to Saddam Hussein. In the north, Kurdish separatists over-ran a large area of Kurdistan, however they were unable to resist the onslaught of the Iraqi armed forces, which were redeployed northwards as soon as they crushed the uprising in Southern Iraq. By mid-June 1991 the United Nations and the Iraqi government had negotiated a 'memorandum of understanding' whereby the UN was permitted to establish humanitarian centres ('safe havens' for the Kurdish population) on Iraqi territory for a period of 6 months which was subsequently extended. In response to renewed attacks by Government forces on southern Iraqi Shi'a communities and on the inhabitants of Iraq's southern marshlands, on 26 August 1992 the US, British, French, and Russian Governments announced their decision to establish a zone in southern Iraq, south of latitude 32 degrees N, from which all Iraqi fixed-wing aircraft would be excluded. [1(a) & (b)]

3.23 In May 1994, facing an economic crisis, Saddam Hussein assumed the post of Prime Minister in a reshuffle of the Council of Ministers. In January 1995 a comprehensive reorganisation of military ranks took place, apparently as a result of an unsuccessful attempt to stage a military *coup d'état* in the same month. In March another attempted coup, organised this time by the former head of Iraqi military intelligence and supported by Kurdish insurgents in the north and Shi'a rebels in the south, was reported to have been suppressed. The U.N. Special Rapporteur, the international media, and other groups all have reported a heightened number of summary executions in Iraq since 1997. The Government's motive for such high numbers of summary executions, estimated at over 3,000 between 1997 and year 2000, may be linked to reported intimidation of the population and reduction of prison populations. As in previous years, there were numerous credible reports that the regime continued to execute persons thought to be involved in plotting against Saddam Hussein or the Ba'ath Party. These executions included high-ranking civilian, military, and tribal leaders. For example, according to various opposition groups, government officials reportedly executed Republican Guard Brigadier General Abd al-Karim al-Dulaymi and between 25 and 38 other Republican Guard officers on suspicion of disloyalty during the year 2000. [2(e)] Also in 2000 Government officials killed seven employees of the Central Computer Department in Baghdad because they allegedly purchased computer equipment from the UAE; the Government reportedly believed that the equipment would be used to send information abroad.

3. 24 The Government in February 1996 executed Hussein Kamel and Saddam Kamel, Saddam Hussein's sons in law, when they returned from Jordan after defecting in August 1995. Although the Government announced amnesties for both men, they and over 40 relatives, including women and children, were killed in what the official Iraqi press described as the spontaneous administration of tribal justice. [2(a)] The UN Special Rapporteur, Max van de Stoel, noted in his November 1998 report that "the killings occurred without any legal process and with total impunity". In 2000, Government agents reportedly killed Safiyah Hassan, the mother of Hussein and Saddam Kamal who had allegedly criticized the Government publicly, for killing her husband and her sons. [2(e)]

3. 25 The UN Special Rapporteur also cited continued reports of the frequent use of the death penalty for such offences as "insulting" the President or the Ba'ath Party and the pervasive fear of death for any act or expression of dissent. [2(a)]

3.26 In September 2000 Government authorities reportedly amputated the tongue of a person who allegedly criticized Saddam Hussein. Following the amputation, authorities reportedly drove him around in an open truck and broadcast his alleged crime and punishment.

3.27 In 1996, Iraqi military operations continued to target Shi'a Arabs living in the southern marshes. In central and southern Iraq, the regime continued to divert humanitarian supplies to its security forces, the military, and other supporters. Government forces reportedly executed more Shi'a inhabitants of the southern marshes in 1996, but there remains no independent means to verify these reports. Credible reports confirm the ongoing destruction of the marshes by the army continuing to construct canals, causeways, and earthen berms to divert water from the wetlands. Hundreds of square kilometres have been burned in military operations. Moreover, the regime's diversion of supplies in the south limited the population's access to food, medicine, drinking water and transportation. [2(a)]

3.28 The regime has for some years, forced Turkomans, Assyrians and Kurds from government-controlled areas into the northern governorates in line with the Iraqi regime's policy of "Arabisation". [24]

3.29 Opposition groups have claimed the Iraqi regime carried out large numbers of executions in 1997. The Iraqi National Congress (INC) claimed in December 1997 that at least 1,200 prisoners were executed as part of a so-called "prison cleansing campaign". It was claimed that most were suspected of belonging to opposition groups. Also in December 1997 four Jordanian students were executed

for smuggling car parts. However, in January 1998 Iraq released 95 Jordanian prisoners. [3(c)(d)(e)(f)] During 1999, the UN Special Rapporteur continued to receive reports referring to a "prison cleansing" execution campaign taking place in Abu Ghraib and Radwaniyah prisons [2(d)]

3.30 In January 1998 a military build-up occurred in the Gulf region when the United Nations withdrew its inspection teams (UNSCOM), who were searching for chemical weapons facilities, when they were unable to inspect certain Iraqi sites. Military action was avoided when the Secretary-General of the United Nations, Kofi Annan signed a Memorandum of Understanding in February with the Iraqi Deputy Prime Minister, Tareq Aziz. A further crisis between Iraq and the UN occurred in August 1998 when the Iraqi National Assembly voted to suspend most co-operation with UNSCOM. As a result of Iraq's attempts to restrict the work of UNSCOM, the UK and the US came very close to taking military action. [3(i)(j)(l),4(p),5(d)]

3.31 The Iraqi Government ended all forms of co-operation with the UN Special Commission (UNSCOM) in October 1998. They asserted that all of UNSCOM's activities would be halted until; the UN Security Council adopted "a positive and honest view of Iraq's firm right" to the lifting of UN sanctions; and Richard Butler was dismissed as the UNSCOM chairman and UNSCOM was restructured in "a manner that makes it a neutral and professional institution". This decision came the day after the Security Council had agreed outline terms of reference for a comprehensive review of Iraq's compliance with its obligations. Faced with the prospect of imminent military strikes Iraq backed down and gave, and the Security Council demanded, an unconditional undertaking to allow the weapons inspectors unrestricted access. Richard Butler was given one month to report on Iraqi co-operation. His December report indicated that the Iraqi Government had failed to meet its obligations and continued to obstruct the weapons inspectors. Operation Desert Fox was initiated in December 1998. [5(d)(e)]. The Iraqi Government reacted to it by deciding to challenge the "no-fly" zones that had been imposed in December 1992 and May 1993 [1] by the Gulf War Allies thereby initiating a continuing confrontation in the zones [24]

3.32 The US Government designated 7 Iraqi opposition groups, in January 1999, eligible for US\$97 million worth of financial assistance under the Iraqi Liberation Act approved by Congress in October 1998. The groups were the Iraqi National Congress, Kurdish Democratic Party, Patriotic party of Kurdistan, Supreme Council for the Islamic Revolution in Iraq, Iraqi National Accord, Islamic Movement of Iraqi Kurdistan (IMIK), Movement for Constitutional Monarchy. [5(e)]

3.33 Following killing on 19 February 1999 of Ayatollah Mohammad Sadeq Al-Sadr and his sons, there were widespread reports of military assaults on protesters in areas of Baghdad heavily populated by Shi'a, and in cities with a Shi'a majority such as Karbala, Nasiriyah, Najaf, and Basra, in which hundreds of persons were killed. While a funeral for Al-Sadr was prohibited, spontaneous gatherings of mourners took place in the days after his death. Novelist Hamad Al-Moukhtar reportedly was executed after several months in prison following his detention for holding a funeral for Al-Sadr. Government security forces used excessive force in breaking up these illegal gatherings. For example, in the impoverished Shi'a district of Al-Thawra in Baghdad, a crowd of tens of thousands was attacked by government security forces using automatic weapons and armoured vehicles, which resulted in the deaths of approximately 25 mourners (although estimates ranged up to 400) including, according to one report, the imam of the Al-Thawra mosque. Fifty persons reportedly were wounded seriously and about 250 persons were arrested, including 15 religious scholars. In a related incident, 22 persons reportedly were killed in the Shu'la district of Baghdad. Afterwards, more than 600 Shi'a residents of Al-Thawra reportedly were arrested arbitrarily in security sweeps. [2(d)]

3.34 Outside Baghdad "illegal" assemblies of Shi'a took place in most of the major cities of the south in reaction to the Al-Sadr killing, according to many Shi'a sources. Ali Hassan Al-Majid, the military "super-governor" for southern Iraq, reportedly declared martial law throughout the region. On February 20, 22 persons

reportedly were killed in the Suq As-Shuyukh area of Nasiriyah when security forces attempted to disperse mourners from three mosques who gathered in the marketplace. When the crowds could not be forced to disperse, the army reportedly surrounded the city and shelled its Centre, which killed 17 more persons. Shi'a sources reported that 10 to 20 armoured personnel carriers then entered the city, sealed off the marketplace, and caused a stampede within the crowd, which resulted in further injuries and deaths. Other Shi'a sources report that on the same day, the city of Najaf was surrounded by government troops. The news of Al-Sadr's death and government suppression of mourning activities incited demonstrations in Karbala and Basra. Several Shi'a sources report that in Amara, Sheikh Ali As-Sahalani, the imam of the Majar Al-Kabir mosque, was shot and killed along with other mourners; the enraged crowd then reportedly seized control of the city for a short period of time. Nine demonstrators reportedly were executed in Ramadi. The chief Shi'a clerics of Basra and Nasiriyah reportedly were arrested to prevent them from leading religious gatherings. [2(d)]

3.35 The Iraqi Communist Party and other Shi'a groups reported large-scale protests in Basra in March 1999 when Government authorities sought to prevent Shi'a gatherings by forbidding Friday prayer gatherings. According to these reports, security forces under Ali Hassan Al-Majid attacked the marchers, which resulted in many deaths and detentions, including 70 persons who were detained in the Abu Sakhair region of Basra, 100 in the Hayaniyh district, 40 in the Dor Ad-Dubat area, 85 in the Jumhuriya district, and an unspecified number in the Khamasiya district. A large number of those detained reportedly were executed summarily under the direct supervision of senior government officials, including Al-Majid and Basra governor Ahmed Ibrahim Hamash. Opposition sources reported that Al-Majid ordered the execution of 180 persons on March 21 and 56 persons on March 23. The Special Rapporteur reported that many of those executed were buried in a mass grave in Buresiyya district, about 12 miles from Basra. As part of its policy, the authorities demolished the houses and detained the family members of protesters. [2(d)]

3.36 In Najaf 15 persons reportedly were wounded and hundreds arrested in early April 1999 while they commemorated the 40-day anniversary of Al-Sadr's death; such a commemoration is a traditional Islamic religious observance. On April 16, dozens of unarmed protesters (some reports indicate hundreds) allegedly were killed in street gatherings in the Al-Thawra district of Baghdad after the Security Services prohibited Shi'a worshippers from attending Friday prayers. After the closure announcement, a large unarmed crowd reportedly gathered at the entrance of the Hikmat mosque in the Jawadir section of Thawra, which was guarded by Ba'ath party members. At the same time, a smaller group--in which some individuals were armed--gathered in the Sharkat neighbourhood nearby. When shooting began between security forces and the Sharkat group around noon, the Ba'ath Party members fired on the unarmed group at the Hikmat mosque. The Supreme Council of the Islamic Revolution of Iraq (SCIRI) reported that regime forces later opened fire at another crowd that had formed outside the Abbas Mosque near the Al-Thawra Children's Hospital. Thousands of Shi'a men reportedly were arrested in security sweeps in Basra that month. [2(d)]

3.37 From 19-27 May 1999, the Al-Fatah Al-Mubaeen forces of the Special Republican Guards and the Ba'ath Party militia under the command of Aziz Salih Al-Noman, reportedly conducted operations in the Jazirah region of Kut, Amarah, and Nasiriyah provinces. The local resistance forces reported that it repelled the attack. On June 5, the village of Al-Maeil in Meisah province reportedly was attacked and 15 houses were destroyed. The HROI reported that 1,093 persons were arrested in June in Basra alone. [2(d)]

3.38 On 22 June 1999 the Iraq Revolutionary Council issued Decree 101 banning the detention of women accused of manslaughter during the investigation and trial stages until a decision or sentence is issued in the case. Based on paragraph (A) of section 42 of the Constitution, the revolutionary council decreed the following;

It shall be impermissible to detain women accused of manslaughter during the investigation and trial stages until a decision or sentence is issued in the case.

The victim's hospitalisation or death because of attempted manslaughter shall not prevent the release of the accused on bail during the investigation or trial of the case until a decision or sentence is issued in the case.

This decree is effective immediately. [3(m)]

3.39 The Iraq Revolutionary Council also issued Decree 110 amending the constitution regarding Iraqi nationals who illegally left the country. Based on paragraph (A) of section 42 of the Constitution, the revolutionary council decrees the following;

All Iraqi who left illegally,

Those Iraqi who left Iraq on official mission but did not return after completion of the mission. This includes those who managed to do so through illegal departures, forgery (of official documents used for this purpose),

All the Iraqi's who fall under the above-mentioned categories and who had been sentenced, are now exempted, they shall be free, released unless they had been sentenced with other crimes (in addition to the above),

The decree is effective from the date of issue (28/06/99). However, the decree makes no mention of those Iraqi's who left Iraq legally and failed to return nor of those Iraqis who left illegally and where legal proceedings have not been started. [3(m)]

3.40 The Government apparently revived its use of thallium poisoning as a means of killing political opponents. Although not widely used in recent years, the use of slow-acting poisons such as thallium (a radioactive substance that can be dissolved in drinking water) was a preferred method of political killing in the late 1980's and early 1990's. Observers attributed the death in August 1999 of Iraq's chief architect Husam Bahnam Khuduri and the August attempted murder of Salahadeen University president Hamed Idris to political plots. Khuduri had extensive knowledge about the construction of Saddam's palaces, tunnels, and bunkers. While the official obituary did not state a cause of death, acquaintances reported that Khuduri showed signs of being under the effect of slow-acting poison during the days before he died. Similarly, Salahadeen University president Idris, long active in human rights circles, also developed signs of the effects of a slow-acting poison in August. Laboratory tests conducted outside Iraq confirmed the presence of thallium in his system. Because the attempted murder of Idris occurred outside of central government control in northern Iraq, he was able to obtain medical attention, and he survived. Other suspected thallium-poisoning cases include those of former Security director Abd Al-Rahman Ahmad Al-Duri, who reportedly was dying of thallium poisoning in December 1999, and former Security director Taha Al-Ahbab (Al-Duri's successor), who died mysteriously in 1998. [2(d)]

3.41 On 17 December 1999 the UN Security Council adopted Resolution 1284 (1999) which created a new inspection regime (UNMOVIC) which would have allowed the suspension of all sanctions against Iraq for 4 month renewable phases if the Government had co-operated fully with UNMOVIC and the International Atomic Energy Agency (IAEA) within a whole 120-day period. The Resolution also lifted the ceiling on the amount of oil which Iraq could sell abroad under the "oil for food" deal. The Government of Iraq immediately rejected the Resolution, stating that it would not co-operate with UNMOVIC. [1(c), 3(h)]

F. ECONOMY

3.42 The Iraqi Government controls most of the economy, which is largely based on oil production, and owns all major industries. [2(a)] UN sanctions originally banned all exports and allowed imports only of food, medicine and materials for essential civilian need. [24] In May 1996, after a year of obstruction and delay, the

Government reached agreement with the UN on a plan to implement UN Security Council Resolution (UNSCR) 986, which would allow a controlled sale of Iraqi oil to purchase food and other humanitarian goods to improve the deteriorating situation of the Iraqi people, so called "oil for food" program. Throughout the rest of 1996, however, the Government continued to engage in delaying tactics and other actions, which the UN and other observers cited as delaying implementation. The Government's actions threatened the Resolution's intended controls on oil sales and the conditions required to ensure fair and equitable distribution of relief. [2(a)]

3.43 On 2 April 1997, the Government of Iraq began distributing the first food rations to its citizens under the "Memorandum of Understanding" or "oil for food" programme arranged with the UN. The first ship carrying food under the programme, which had been approved in December 1996 arrived in Iraq on 31 March. Sanctions remain in place due to the Government's failure to comply with UN Security Council resolutions. [24] There have been reports that the sanctions have affected not only health, food and educational systems but also Iraq's power system. In March 1998 the ceiling on Iraq's oil exports was raised from \$2 billion to \$5.3 billion every 6 months and provision has been made for the import of approved spare parts to facilitate expansion of U.N.-controlled oil exports. In December 1999, the ceiling on Iraq's oil exports was removed altogether. [3(g)(h) (i), 4(a)(b), 5(b), 2(c), 24]

3.44 The Government continued to interfere routinely with the international community's provision of humanitarian assistance to the populace by placing a higher priority on importing industrial items than on food and medicine, diverting goods to benefit the regime, and restricting the work of UN personnel and relief workers. In response to an increase in international humanitarian aid, the Government announced on 6 June 1998 that it would refuse to accept shipments of humanitarian aid from other governments and non-governmental agencies (NGOs). The Government stated that it previously had accepted such aid only to effect contacts with organisations and nations that might support Iraq politically. Some humanitarian aid was allowed into the country in 1998, but only on a case-by-case basis and with clear political overtones. For example, aid from Kuwait, the United Arab Emirates, and Saudi Arabia was refused consistently. The Iraqi opposition reported that the Government ordered the confiscation of all agricultural crops in February 1998 in order to maintain its monopoly on the supply of food. Later, in what appeared to be a further attempt to strengthen political power by controlling food supplies, the Government imposed a tax on all imported goods. [2 (c)]

3.45 There were widespread reports in the year 2000 that food and medicine that could have been made available to the general public were stockpiled in warehouses rather than ordered, or diverted for the personal use of some officials. In a letter to the Government in January 2000, the executive director of the U.N. office in charge of the oil-for-food program confirmed the insufficient placement of orders in which he expressed concern about the low rate of submission of applications in the health, education, water, sanitation, and oil sectors. He also stated that of the \$570 million worth of medicines and medical supplies that had arrived in Iraq through the oil-for-food program in 1998 and 1999, only 48 percent had been distributed to clinics, hospitals, and pharmacies. [2 (e)]

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4. INSTRUMENTS OF THE STATE

A POLITICAL SITUATION

4.1 Political power in Iraq lies exclusively in a repressive one-party apparatus dominated by Saddam Hussein and members of his extended family. The provisional Constitution of 1968 stipulates that the Arab Ba'ath Socialist Party (ABSP) governs Iraq through the Revolutionary Command Council (RCC), which exercises both executive and legislative authority. President Saddam Hussein, who is also Prime Minister, Chairman of the RCC, and Secretary General of the Regional Command of the ABSP, wields decisive power. [2(b)]

B SECURITY FORCES

4.2 Military service is compulsory for all men at the age of 18 years, and lasts between 18 months and two years, extendable in wartime. It is possible to begin military service at the age of 14, however those under the age of 18 require the consent of their father. See also Saddam Cubs under "Children"

4.3 In August 1998 the armed forces totalled an estimated 429,000 regular members; the army had an estimated total strength of 375,000 (including an estimated 100,000 active reserves); the air force had a strength of 35,000, and the navy an estimated 2,000. There was, in addition, an air defence command with an estimated strength of 17,000. Defence expenditure in 1997 was estimated at us \$1,300m. [1]

C LEGAL FRAMEWORK

4.4 There are two parallel judicial systems: the regular courts, which try common criminal offences; and special security courts, which generally try national security cases, but may also try criminal cases. Procedures in the regular courts theoretically provide for many protections. Trials in the regular courts are public, and defendants are entitled to counsel, at government expense in the case of indigents. Defence lawyers have the right to review the charges and evidence brought against their clients. There is no jury system; panels of three judges try cases. Defendants have the right to appeal to the Court of Appeal and then to the Court of Cassation, which is the highest court. Special security courts have jurisdiction in all cases involving espionage and treason, peaceful political dissent, smuggling, currency exchange violations, and drug trafficking. [2(b)]

D. NORTHERN IRAQ (IRAQI KURDISTAN)

4.5 Northern Iraq has effectively been split between the Kurdish forces of the KDP and PUK following the fighting May 1994. All central government functions have been performed by local administrators, mainly Kurds, since the Government withdrew its military forces and civilian administrative personnel from the area after the 1991 uprising. A regional parliament and local government administrators were elected in 1992. This parliament last met in May 1995. Discussions among Kurdish and other northern Iraqi political groups continued on the reconvening of parliament, although fighting between the PUK and KDP prevented normal parliamentary activity. [1,2(b),22]

4.6 The latest peace agreement was signed in September 1998 in the United States of America with a follow up meeting in northern Iraq in January 1999. The Kurdish parties have insisted that the agreement will maintain the territorial integrity and sovereignty of Iraq, and is a step towards unifying the judiciary and education systems and would help to secure the services the region's inhabitants were seeking to obtain. [4(h)(i),2(b)]

4.7 The Government continued its "Arabisation" policy by discriminating against and forcibly relocating the non-Arab population, including Kurds, Turkomans, and Assyrians from the Government controlled northern parts of Iraq, into Iraqi Kurdistan. Most observers view the policy as an attempt to decrease the proportion of non-Arab citizens in the oil-rich Kirkuk region, and thereby secure Arab demographic control of the area. Frequently, a security force official demands that a family change its ethnicity from "Kurdish" or "Turkoman" to "Arab". Subsequently, security officials frequently arrest the head of household and tell the other family members that the person will be imprisoned until they agree to settle elsewhere in the country. Such families frequently choose to move to Iraqi Kurdistan. Family members must sign a form that states that the departure is voluntary and they are not allowed to take any property or their food ration cards issued under the U.N. oil-for-food program. The Government frequently transfers the family's house to an Arab Ba'ath Party member. Those expelled to Iraqi Kurdistan are not permitted to return to the area controlled by the Government.

4.8 It was reported that the agreement will guarantee the lawful rights of the Turkomen, Assyrian and Chaldean Christian minorities in the area. Elections were due to be held, in July 1999, for a Kurdish Assembly with 105 members, 5 of which would be representing the Assyrians and may include representatives of the Turkomen minority. [4(h)(i)]

4.9 The KDP and PUK have control of their own areas apart from the Halabja region (PUK territory) where the IMIK (Islamic Movement of Iraqi Kurdistan) is influential, and in the mountains of northern Iraq (KDP territory), where the PKK has bases. The Kurdish regions under their authority both have a system of justice, based on Iraqi legislation, with police to enforce public order; there are also hospitals, schools and universities. Both regions have their own government, in which several parties have seats. [21]

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5. HUMAN RIGHTS

A. GENERAL HUMAN RIGHTS SITUATION

A.1 Full political participation in the Iraqi Government at the national level is confined to members of the Arab Ba'ath Socialist Party, estimated at about 8 percent of the population. The political system is dominated by the Party, which governs through the Revolutionary Command Council, headed by President Saddam Hussein. However, the RCC exercises both executive and legislative authority. It overshadows the National Assembly, which is completely subordinate to it and the executive branch. Saddam Hussein and his regime refer to an October 1995, non-democratic "referendum" to legitimise his presidency in which he received 99.96 percent of the vote. This "referendum" included neither secret ballots nor opposing candidates, and many credible reports indicated that voters feared possible reprisal for a negative vote. [2(b)]

A.2 There are strict qualifications for electoral candidates; the candidates for the National Assembly, by law, must be over 25 years old and "believe in God, the principles of the July 17-30 revolution, and socialism." Elections for the National Assembly were held in March 2000; 220 of the 250 parliamentary seats were contested and the 30 remaining seats were filled by presidential appointees. Out of the 250 seats, 165 seats reportedly were won by members of the Ba'th Party, 55 by independents, and 30 were appointed by Saddam Hussein to represent the northern provinces. According to the Special Rapporteur, the Ba'th Party allegedly instructed a number of its members to run as nominally independent candidates. [2(e)]

A.3 The judiciary is not independent, and there is no check on the President's power to override any court decision. However, the regime often assigns to the security courts cases which, on their merits, would appear to fall under the jurisdiction of the regular courts. [2(b)]

A.4 The Government shields certain groups from prosecution for alleged crimes. A 1992 decree grants immunity from prosecution to members of the Ba'ath Party and the security forces who kill anyone while in pursuit of army deserters. Unconfirmed but widespread reports indicate that this decree was applied in 1997 to prevent trials or punishment of government officials. [2(b)]

A.5 According to the Special Rapporteur and other sources, military officers or civil servants with no legal training head these tribunals, which hear cases in secret. Authorities often hold defendants incommunicado and do not permit contact with lawyers. The courts admit confessions extracted by torture, which often serve as the basis for conviction. There are reports that individuals who have co-operated with UN weapons inspectors have been subjected to secret trials. [2(b)]

A.6 Many cases appear to end in summary execution, although defendants may appeal to the President for clemency. Saddam Hussein may grant clemency in any case that apparently suits his political goals. There are no Shari'a, or Islamic law, courts as such. Regular courts are empowered to administer Islamic law in cases involving personal status, such as divorce and inheritance. [2(b)]

A.7 Although the Constitution and Legal Code explicitly prohibit arbitrary arrest and

detention, the authorities routinely engage in these practices. The Special Rapporteur stated that arbitrary arrests are still common throughout the country and many times lead to detention for often long periods of time without access to a lawyer or being brought before a court. The military and security services, rather than the ordinary police, carry out most cases of arbitrary arrest and detention. It is claimed that numerous foreigners arrested arbitrarily in previous years remain in detention. [2(b)]

A.8 It has also been reported that there is a widespread practice of holding family members and close associates responsible for the alleged actions of others. The Special Rapporteur notes that "guilt by association" is facilitated by administrative requirements on relatives of deserters or other perceived opponents of the regime. For example, relatives who did not report deserters, for example, could lose their ration cards for purchasing government-controlled food supplies or be evicted from their residences. It has been reported that relatives often do not inquire about the whereabouts of arrested family members for fear of being arrested themselves. [2(b)]

A.9 Mass arrests are also reportedly commonplace ; the Special Rapporteur learned of at least 3 such instances in southern Iraq in 1997. Twenty-five families are reported to have been interred in Al-Fajir prison in Nassariyah province; 30 persons (women, children and old men) from Al-Ghizlah reportedly were arrested and taken to Baghdad; on 3 April, a large number of persons were reportedly arrested in the Bani Said area and have yet to be released. [2(b)]

A.10 As socio-economic conditions deteriorated, the regime punished persons accused of economic crimes, military desertion, and a variety of other charges with torture and cruel and inhuman penalties, including the extensive use of amputation. In his 1994 report, the UN Special Rapporteur refers to the recent laws for the punishment of thieves and military deserters as promoting the application of cruel and unusual punishments. [2(a),6]

A.11 Certain prisons are notorious for routine mistreatment of prisoners. Abu Ghraib prison, west of Baghdad, may hold as many as 15,000 persons, many of whom reportedly are subjected to torture. According to a report received by the Special Rapporteur in 1998, these persons have been detained for close to 2 decades in extremely harsh conditions without specific charges or trials. The report states that many of these detainees had been used as experimental subjects in Iraq's outlawed chemical and biological weapons programs. Al-Rashidiya prison, on the Tigris River north of Taji, reportedly has torture chambers. The Al-Shamma'iyah prison, located in east Baghdad, holds the mentally ill and reportedly is the site of both torture and disappearances. The Al-Radwaniyah detention centre is a former prisoner-of-war facility near Baghdad and reportedly the site of torture as well as mass executions. This prison was the principal detention centre for persons arrested following the civil uprisings of 1991. Human Rights Watch and others have estimated that Radwaniyah has held more than 5,000 detainees. A multi-story underground detention and torture centre reportedly was built under the general military hospital building close to the Al-Rashid military camp on the outskirts of Baghdad. The Centre for Human Rights of the Iraqi Communist Party stated that the complex includes torture and execution chambers. A section reportedly is reserved for prisoners in a "frozen" state: that is, those whose status, fate, or whereabouts may not be inquired into. [2(d)]

A.12 According to former detainees, torture techniques include branding, electric shocks, administered to the genitals and other areas, beatings, burnings with hot irons, suspension from ceiling fans, dripping acid on the skin, rape, breaking of limbs, denial of food and water, and threats to rape or otherwise harm relatives. Tormentors kill many victims and mutilate their bodies before returning them to the victims' families. [2(a),8] During the year 2000, the Special Rapporteur reported receiving information about two detention facilities in which prisoners are locked in metal boxes the size of coffins that reportedly are opened for only 30 minutes each day

A.13 Political killings and terrorist actions continued in the Kurd-controlled north of

the country. For example in the year 2000, unknown persons killed the leader of the Democratic Nationalist Union of Kurdistan, Sirbit Mahmud. In July unknown assailants killed parliamentary deputy Osman Hassan. In July PUK forces killed 4 members of the Iraqi Communist Workers Party and KDP forces killed several members of the Turkoman Front.

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B. HUMAN RIGHTS : SPECIFIC GROUPS

WOMEN

B.1 The Iraqi Government has stated that women constitute 48.7 per cent of Iraq's total population, and that like all other Iraqi citizens, have suffered the adverse effects of the embargo in the form of a drop in income, rapidly escalating prices and a sinking level of food and health security. The Government claims that it is committed to equality for women, who make up about 20 percent of the work force. It has enacted laws to protect women from exploitation in the workplace and from sexual harassment; to permit women to join the regular army, Popular Army, and police forces; to require education for girls; and to equalise women's rights in divorce, land ownership, taxation, and suffrage. It is difficult to determine to what extent these protections are afforded in practice. However, reports indicate that the application of these laws has declined as Iraq's political and economic crisis persists. A large number of Iraqi women have been forced to abandon working life by resigning or retiring from jobs and are denied the opportunity to participate in public life. [16,17,2(c)]

B.2 The Iraqi Government has also claimed the embargo has an adverse impact on women's physical and mental health with a shortage of food, medicines and essential humanitarian needs. It has been claimed that 73 per cent of women suffered from anaemia and the maternal mortality rate had risen from 36 per 1,000 to 120 per 1,000. [16,17]

B.3 Although the Government has stated that women have suffered because of the embargo, the Special Rapporteur, human rights organisations, and opposition groups continued to receive numerous reports of women suffering severe psychological trauma after they were raped in custody. The security forces allegedly raped women captured during the Anfal campaign and during the occupation of Kuwait. The Government has never acknowledged these reports of rape or conducted any investigation. Although the Government made a variety of announcements against rape and other violent crimes throughout 1997, it took no action against those who committed this abuse. [2(b)]

B.4 The Special Rapporteur also noted that there is an unusually high percentage of women in the Kurdish areas, purportedly caused by the disappearances of tens of thousands of Kurdish men during the Anfal Campaign. The Special Rapporteur reported that the widows, daughters, and mothers of the Anfal Campaign victims are economically dependent on their relatives or villages because they may not inherit the property or assets of their missing family members. [2(c)]

B.5 Domestic violence against women occurs but little is known about its extent. Such abuse customarily is addressed within the tightly knit family structure. There is no public discussion of the subject, and no statistics are published. Spousal violence constitutes grounds for divorce and criminal charges; however, suits brought on these charges are believed to be rare. Men who kill female family members for "immoral deeds" may receive immunity from prosecution for such "honour crimes" under a 1990 law. [2d] There are widespread reports of an increase in honour killings throughout northern Iraq [24]. However, the PUK declared in April 2000 that "honour crime" immunity would not apply in the area under its control [2(e)]

B.6 On 22 June 1999 the Iraq Revolutionary Council issued Decree 101 banning the detention of women accused of manslaughter during the investigation and trial stages until a decision or sentence is issued in the case. Based on paragraph (A) of section 42 of the Constitution, the revolutionary council decreed the following;

1. It shall be impermissible to detain women accused of manslaughter during the investigation and trial stages until a decision or sentence is issued in the case.

2. The victim's hospitalisation or death because of attempted manslaughter shall not prevent the release of the accused on bail during the investigation or trial of the case until a decision or sentence is issued in the case. [3(m)]

B.7 In October 2000 security forces reportedly beheaded a number of women suspected of prostitution and some men suspected of facilitating or covering up such activities. Security agents reportedly decapitated numerous women and men in front of their family members. The victim's heads were displayed in front of their homes for several days. Thirty of the victims' names reportedly were published, including three doctors and one medical assistant.[2(e)]

CHILDREN

B.8 The Government claims that it has enacted laws to require education for girls. No information is available on whether the Government has enacted specific legislation to promote the welfare of children. However, the Special Rapporteur and several human rights groups have collected a substantial body of evidence pointing to the Government's continuing disregard for the rights and welfare of children. The evidence may include government officials taking children from minority groups hostage in order to intimidate their families to leave cities and regions where the regime wishes to create a Sunni Arab majority. [2(d)]

B.9 The Government's management of the oil-for-food program did not take into account the special requirements of children between the ages of 1 and 5, despite the U.N. Secretary General's specific injunction that the Government modify its implementation procedures to address the needs of this vulnerable group. In 1999 UNICEF issued the results of the first surveys of child and maternal mortality in Iraq that have been conducted since 1991. The surveys were conducted between February and May 1999, in cooperation with the Government in the southern and central regions, and in cooperation with the local Kurdish authorities in the north. The surveys revealed that in the south and center parts of the country, home to 85 percent of the population, children under 5 years old are dying at more than twice the rate that they were a decade ago. In contrast mortality rates for children under 5 years old in the Kurdish-controlled north dropped in the period from 1994 to 1999. The Special Rapporteur criticized the Government for "letting innocent people suffer while [it] maneuvered to get sanctions lifted." Had the Government not waited 5 years to adopt the oil-for-food program in 1996, he stated in October 1999, "millions of innocent people would have avoided serious and prolonged suffering."

B.10 Government authorities failed to take advantage of available resources for the benefit of the country's citizens, and used some resources to enrich themselves at the expense of vulnerable sectors of the population. For example, on August 11 1999, the Kuwaiti coast guard seized a shipment that was leaving Iraq carrying, among other items, 75 cartons of infant powder and 25 cartons of infant feeding bottles. The captain of the boat confessed that he previously had committed six similar violations.[2(d)]

B.11 In the year 2000, for the seventh year, the Government held 3-week training courses in weapons use, hand-to-hand fighting, rappelling from helicopters, and infantry tactics for children from 10 to 15 years of age. Camps for these "Saddam Cubs" operated throughout the country. Senior military officers who supervised the course noted that the children held up under the "physical and psychological strain" of tough training for as long as 14 hours each day. Sources in the Iraqi

opposition report that the army found it difficult to recruit enough children to fill all of the slots in the program. Families reportedly were threatened with the loss of their food ration cards if they refused to enrol their children in the gruelling course. The Supreme Council for the Islamic Revolution in Iraq reported in October 1999 that authorities were denying food ration cards to families that failed to send their young sons to Saddam Cubs compulsory weapons-training camps. Similarly, authorities reportedly withheld school examination results to students unless they registered in the Feddayin Saddam organisation. [2(e)]

B.12 The employment of children under age 14 is prohibited, except in small-scale family enterprises. Children reportedly are encouraged increasingly to work in order to support their families because of the country's harsh economic conditions. The law stipulates that employees between the ages of 14 and 18 work fewer hours per week than adults. Each year the Government enrolls children as young as 10 years of age in a paramilitary training program. There is no information available on forced and bonded labour by children. [2(d)]

RELIGIOUS GROUPS

B.13 The Provisional Constitution of 1968 states that "Islam is the religion of the State." The Ministry of Endowments and Religious Affairs monitors places of worship, appoints the clergy and approves the publication of religious literature. However, the Government severely limits freedom of religion. [2(a),2(b)]

B.14 About 95% of the population of Iraq are Muslims, of whom 50% belong to the Shi'a Sect. However, since the present regime came into power in 1968, members of the Sunni Sect have dominated it. Despite legal guarantees of sectarian equality, the regime has in recent years repressed the Shi'a clergy and followers of the Shi'a faith. Security forces have desecrated Shi'a mosques and holy sites, particularly in the aftermath of the 1991 civil uprisings. Reports have claimed that Iraqi Government forces attacked residential areas of southern Iraq where the Shi'a population is concentrated. [1,2,4(I)] In June 1999 several Shi'a opposition groups reported that the Government instituted a new program in the predominantly Shi'a districts of Baghdad that used food ration cards to restrict where individuals could pray. The ration cards, part of the UN oil-for-food program, reportedly are checked when the bearer enters a mosque and are printed with a notice of severe penalties for those who attempt to pray at an unauthorised location. Shi'a sources outside the country who reported this new policy believe that it is aimed not only at preventing unauthorised religious gatherings of Shi'a, but at stopping Shi'a adherents from attending Friday prayers in Sunni mosques, which many pious Shi'a have turned to since the closure of their own mosques. [2(d)]

B.15 The Special Rapporteur for Iraq expressed his concern that the killings of two leading Shi'a scholars were part of an organised attack by Iraqi officials against the independent leadership of the Shi'a religious community in Iraq. On 21 April 1998 Ayatollah Shaykh Murtada al-Burujerdi was assassinated after leading congregational prayers. The killing of Grand Ayatollah Shaykh Mirza Ali al-Gharawi on 18 June 1998 followed this. It was also alleged that Ayatollah al-Burujerdi had suffered various forms of harassment by Iraqi officials in the two years prior to his arrest. [19]

B.16 The Iraqi authorities accused foreign parties of carrying out the killings of the Shi'a scholars. Following these killings the Iraqi authorities developed a security plan to provide protection for religious scholars. This involved the Iraqi military intelligence service directly supervising the security of all religious centres in southern Iraq and will also be assigned to provide protection to the religious scholars there. [4(m)]

Sunni Muslims

B.17 Sunni Arabs make up 12-15% of the population have traditionally dominated economic and political life. The wealthier Muslims tend to be made up of the Sunni

Sect. Saddam Hussein and most of the ruling Ba'ath Party are of Sunni persuasion. [12,7(a)]

Shi'a (Shi'ite) Muslims

B.18 Shi'a Muslim Arabs make up between 50-65% of the population in Iraq. They live predominantly in the southern Iraq, Baghdad and in Saddam City, a satellite town on the outskirts of Baghdad. Despite their demographic majority, Iraqi Shia's have historically played a subordinate role to the country's Sunni population. Shi'a under representation in government positions persisted after the Ba'athist Party came to power in 1968. Despite legal guarantees of sectarian equality the Government has in recent years repressed the Shi'a clergy and followers of the Shi'a faith. Security forces have desecrated Shi'a mosques and holy sites, particularly in the aftermath of the 1991 civil uprising. [12,13]

B.19 The Iraqi government continues to insist that its own appointee replace the late Grand Ayatollah Abul Qasim Al-Khoei, the formerly highest-ranking Shi'a clergyman, who died in government custody in 1992. The Shi'a religious establishment refuses to accept the Government's choice and in 1998 two leading religious scholars were allegedly killed by Iraqi authorities after refusing to stop leading congregational prayers. The following government restrictions on religious rights remained in effect throughout 1998: A ban on the Muslim call to prayer in certain cities; a ban on the broadcast of Shi'a programs on government-controlled radio or television; a ban on the publication of Shi'a books, including prayer books; a ban on funeral processions other than those organised by the Government; and the prohibition of certain processions and public meetings commemorating Shi'a holy days. [2(b),19,2(c)]

B.20 The Government reportedly continued to target Shi'a Muslim clergy and their supporters for arbitrary arrest and other abuses in 1998. It also reportedly continued forcibly to move Shi'a populations from the south to the north, and other minority groups such as Assyrians and Turkomen from the north to government-controlled territory. Large-scale assaults by the Government against the Shi'a population were reported by several sources in September 1998, an estimated 20,000 persons reportedly were detained arbitrarily and trucked to tent-camp holding facilities in the desert region of al Rifa'i about 60 miles (100 kilometres) north of the marshes in southern Iraq. It was reported in January 1999 that the Iraqi Government had executed hundreds of Shia's and detained many more in the south. [2(c),21]

Christians

B.21 Iraq is home to 1½ million Christians who follow mostly eastern forms of Christianity with special rites. There have been allegations by Christians of discrimination but many have reportedly attained important official and private positions. One of the Deputy Prime Ministers, Tariq Aziz, is a Chaldean Christian. Despite this the influence of Christians in the Ba'athist government has been small. [9,13]

Assyrians

B.22 Assyrian Christians are an ancient sect and speak Syriac. Public instruction in Syriac, which was to have been allowed under a 1972 decree, has never been implemented. The estimated 350,000 members of the Apostolic Catholic Assyrian Church of the East in Iraq traditionally live in the northern governorates. Their leader is the Catholicos Patriarch, His Holiness Mar Dinkha IV. The Special Rapporteur and others report that the government has engaged various abuses against the Assyrian Christians, and has often suspected them of "collaborating" with Kurds. Military forces have destroyed numerous Assyrian churches. Numerous reports indicated continued systemic discrimination against Assyrians, especially in terms of forced movements from northern areas and repression of political rights there. Assyrian groups reported several instances of mob violence by Muslims against Christians in the North. In October 1998 Assyrian sources

reported that regional Iraqi Kurdish authorities refused to allow secondary school classes in the Assyrian language. However, details of the practice were not available and regional authorities denied engaging in this practice. The Assyrians are expected to form part of the Kurdish Assembly. Assyrian groups reported several instances of mob violence by Muslims against Christians in the north in recent years. Assyrians continue to fear attacks by the Kurdistan Workers Party (PKK). The Christians often feel caught in the middle of intra-Kurdish fighting. In December 1997, six Assyrians died in an attack near Dohuk by the PKK. Some Assyrian villagers have reported being pressured to leave the countryside for the cities as part of a campaign by indigenous Kurdish forces to deny the PKK access to possible food supplies. [1,2(c), 2(e),4(i),7(b),]

Chaldean Rite

B.23 There were an estimated 202,998 Chaldean Catholics in Iraq at December 1996. They are scattered through Iraq and are a uniate Church, i.e. they recognise the supreme authority of the Roman Catholic Pope. The agreement between the Kurdish parties in Northern Iraq planned to guarantee the lawful rights of Chaldeans there. [1,4(h)]

Armenian Apostolic Church

B.24 It is an Orthodox Church with 18,000 followers and nine churches situated mainly in Baghdad (4 churches in Baghdad). The head of the church is Garegin I. [1,10]

Armenian Rite

B.25 They are members of the Roman Catholic faith and at 31 December 1996 the archdiocese of Baghdad contained an estimated 2,200 adherents. [1]

Mandeans (also known as Nasoraeans, Sabians or Subbis)

B.26 There are various differing views on Mandeans in Iraq. Mandeism, has been classed as an ancient Middle East religion still surviving in Iraq and Khuzistan (Southwest Iran). The religion is usually treated as a Gnostic sect that resembles Manichaeism in some respects. Another viewpoint describes the religion as having affinities with Judaism and Christianity and exhibits early influences from the Iranian religious milieu and the Mandeans live, as their ancestors did along the rivers and waterways of southern Iraq and Khuzistan. However others have claimed that Mandeans can be found in Baghdad. [7(c)]

B.27 Another viewpoint claims that Mandeans have claimed to be Christians of St. John, but this claim appears to have been made largely in order to gain status in Arab eyes as 'people of the book', in order to claim certain religious and legal rights. Their scriptures and other documents suggest they are pre-Christian and that they were regularly in doctrinal and sometimes in political conflict with early Christians. [7(c)]

Yazidis or Yezidis

B.28 The Yazidis are a Kurmanji speaking group and are exclusively Kurdish. Yazidi beliefs incorporate aspects of several major religions in the region, including Zoroastrianism, Islam, Nestorian Christianity, Judaism and Manichaeism. There are figures of the Yazidi population in Iraq ranging from 30,000 to 120,000 and they live predominately in the Mosul region of Iraq. The leader is Tashin Baik, Ainsifni. The allegation that they are devil-worshippers and many other things do not bear scrutiny. [1,13,14]

Baptists

B.29 No sources could be found on Baptists in Iraq. Baptists have a relationship

with the Mandeans, who are known as Subbi (baptisers), a Gnostic Baptist Community. [7(c)]

Sabeans

B.30 They are said to have originated from a people from South Arabia in pre-Islamic times who were founders of the Kingdom of Saba. There is an estimated 20,000 adherents whose head is Sheikh Dakhil and they live mostly in Nasiriyah. [1]

Jews

B.31 Most of Iraq's Jews have emigrated to Israel, leaving only 2,500 Jews in Iraq, principally in Basra and Baghdad. They are free to practice their religion but face restrictions in travelling abroad and in contacting Jewish groups outside the country. The Iraqi cabinet condemned the killings of two Jews and two Muslims when an individual stormed a synagogue for Iraqi Jews. [1, 4(n), 13]

ETHNIC GROUPS

Kurds

B.32 The Kurds constitute the largest ethnic minority and comprise approximately 20% of the population. Historically they have suffered political and economic discrimination, despite the token presence of a small number of Kurds in the national Government. The majority live in or around the northern hill country of Iraq, where they retain their tribal organisation, although there are a proportion who reside in Baghdad. The Kurds have been seeking greater autonomy from Iraq for many years. In 1970, they came close to an agreement, however, this broke down in 1974. The Iraqi regime is known to have employed some particularly harsh methods of crush the Kurdish resistance, such as the Anfal Campaign in 1988, during which the people were attacked with chemical bombs. However, since the end of the Gulf War, the "Safe Haven" was set up in April 1991. Since then, the north of Iraq has been effectively under Kurdish control (see sections on Northern Iraq). [1, 2(c) 6, 12, 24]

Faili Kurds

B.33 In describing the Faili Kurds, the Special Rapporteur noted that this group reflect in their persons the fault lines of much of the Iraqi society under Ba'ath rule: Arab versus Kurd; Sunni versus Shi'a; and Iraq versus Iran. He added that the Faili Kurds have suffered considerably since the beginning of Ba'ath rule because they were suspected of disloyalty by their non-Arab, Shi'a nature and their almost Iranian geographical location. Hundreds of thousands of Faili Kurds were reportedly expelled in mass waves during the 1970's and in April and May of 1980. Following this suppression took the form of arbitrary arrests, detention and expulsion. In the early 1970's after the seizure of the Arab islands of Abu Musa, Tunb al-Sughra, and Tunb al-Kubra in the straits of Hormuz 100,000 Shi'a Faili Kurds had their possessions confiscated and were forcibly expelled from Iraq to Iran. [12]

B.34 The Special Rapporteur received a report in May that indicated that hundreds of Faili (Shi'a) Kurds and other citizens of Iranian origin who had disappeared in the early 1980's during the Iran-Iraq war are being held incommunicado at the Abu Ghraib prison. According to the report, these persons have been detained for 17 to 18 years in extremely harsh conditions without specific charges or trials. The report alleged that many of these detainees had been used as experimental subjects in Iraq's outlawed chemical and biological weapons programs. [2(c)]

Turkomans or Turcomans

B.35 The Turkomans are predominately Sunni Muslims although there exists a

small community of Shi'a Turkomans. The Turkomans are concentrated in northern Iraq, principally in the governorates of Kirkuk (the main centre of Turkoman population), Mosul, Arbil and Diyala. The population estimates of the Turkomans range from 300,000 to as high as two million. The Special Rapporteur stated that the most basic problem of the Iraqi Turkomans is that their national identity, their civil and political rights are not recognised by the Constitution of Iraq. They speak Turkik language, which is written in Arabic script. The Turkoman minority are restricted in the use of their language, cultural and propriety rights, even in areas where they constitute the majority of the population. [4(o),2(b),12]

B.36 Multiple sources in the Turkomen community reported a brief outbreak of fighting between Turkomen and Iraqi Kurds in Irbil in August and September. The incidents apparently were related to Turkomen political and cultural activity with dozens of Turkomen offices temporarily closed by local Kurdish authorities. Turkomen and Kurdish officials disagreed about responsibility for the incidents. Kurdish officials claimed that they closed the Turkomen offices to prevent spontaneous violence. However, Turkomen sources claimed that the local Kurdish authorities instigated the violence. Initial reports that the clashes resulted in several deaths apparently were exaggerated and, by late October, the situation was calm. [2(c)]

Marsh Arabs

B.37 The Marsh Arabs, followers of the Shi'a religion lived in the area of permanent lakes and marshes surrounding the Tigris and Euphrates rivers in south-east Iraq. In 1988, at the end of the Iran-Iraq war, there were about half a million Marsh Arabs. By early 1994 almost all Marsh Arabs had been forced from their homes as Saddam Hussein asserted his control of the area with massive drainage programmes and continuous military attacks. Many were forcibly resettled on artificial waterways or on dykes built to separate one Marsh region from another. Here the Iraqi army closely supervises their movements. Approximately two thirds of the Amarah and Hammar marshes - representing the bulk of Iraq's traditional marshland - had been drained. [12]

B.38 The practice of the security services to force large numbers of Shi'a inhabitants of the southern marshes to relocate to major southern cities and to areas along the Iranian border probably is connected to the destruction of villages. Special Rapporteur van der Stoep described this practice in his February 1999 report, and added that many other persons were transferred to detention centres and prisons in central Iraq, primarily in Baghdad. The military also continued its water-diversion and other projects in the south. Observers gave little credence to the Government's claim that the drainage is part of a land reclamation plan to increase the acreage of arable land and spur agricultural production. Hundreds of square miles have been burned in military operations. The UN Special Rapporteur has noted the serious detrimental impact that draining the marshes has had on the culture of the Shi'a marsh Arabs. The SCIRI claims to have captured government documents that detail the destructive intent of the water-diversion program and its connection to "strategic security operations," economic blockade, and "withdrawal of food supply agencies."

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C. HUMAN RIGHTS : OTHER ISSUES

FREEDOM OF POLITICAL OPINION

C.1 Citizens do not have the right to change their government. Although the Government has taken steps to increase the perception of democracy, the political process still was controlled firmly by the State. The 1995 "referendum" on Saddam Hussein's presidency was not free and was dismissed as a sham by most international observers. It included neither voter privacy nor opposing candidates, and many credible reports indicated that voters feared possible reprisal for a negative vote. A total of 500 people reportedly were arrested in Karbala, Baghdad, and Ramadi provinces for casting negative ballots, and a member of the intelligence services reportedly was executed for refusing to vote for the President. [2(b),2(c)]

C.2 Opposition political organisations are illegal and severely suppressed. Membership in certain political parties is punishable by death. In 1991 the RCC adopted a law that theoretically authorised the creation of political parties other than the Ba'ath Party; in practice the law is used to prohibit parties that do not support Saddam Hussein and the Government. New parties must be based in Baghdad and are prohibited from having any ethnic or religious character. The Government does not recognise the various political groupings and parties that have been formed by Shi'a Muslims, as well as Kurdish, Assyrian, Turkomen, and other Iraqi communities. These political groups continued to attract support despite their illegal status (See Annex A for details on political parties). In contrast, in Kurdish-controlled northern Iraq, numerous political parties and social and cultural organisations exist. [2(b),2(c)]

FREEDOM OF THE INDIVIDUAL

C.3 The Government frequently disregards the constitutional right to privacy, particularly in cases allegedly involving national security. The law defines security offences so broadly that authorities are virtually exempt from the legal requirement to obtain search warrants. In 1996 the authorities subjected citizens of various ethnic groups and tribal affiliations to searches without warrants. [2(a)]

C.4 The regime routinely ignores the constitutional provisions safeguarding the confidentiality of mail, telegraphic correspondence, and telephone conversations. The Government periodically jams news broadcasts, coming from outside Iraq including those of opposition groups. [2(a)]

FREEDOM OF ASSEMBLY

C.5 Citizens may not peacefully assemble or organise for any political purpose other than to express support for the regime. The Government regularly orchestrates crowds to demonstrate support for the regime and its policies through financial incentives for those who participate and threats of violence against those who do not. The Government controls the establishment of political parties, regulates their internal affairs, and monitors their activities. Several parties are specifically outlawed, and membership in them is a capital offence. A 1974 law prescribes the death penalty for anyone "infiltrating" the Ba'ath Party. [2(a)]

FREEDOM OF SPEECH AND OF THE PRESS

C.6 The Government severely restricts freedom of speech, press, assembly, association, religion, and movement. Special Rapporteur van der Stoep, who resigned in October 1999, confirmed in his February and October reports that these freedoms do not exist, except in some parts of the north under the control of Kurdish factions. [2(d)]

C.7 The Government and the Ba'ath Party own all print and broadcast media and operate them as propaganda outlets. They generally do not report opposing points of view that are expressed either domestically or abroad. According to the Special Rapporteur, journalists are under regular pressure to join the Ba'ath party and must follow the recommendations of the Iraqi Union of Journalists, headed by Uday Hussein. According to Iraqi sources, Uday Hussein dismissed hundreds of union members who had not praised Saddam Hussein and the regime sufficiently or often enough. At the same time, the value of awards granted to writers who praised Saddam Hussein increased. According to a September 1999 report, Uday Hussein jailed at least four leaders of the Iraqi National Students Union for not carrying out his orders to take action against students known for their criticism of the situation in the country. Also in September, journalist and Baghdad University professor Hachem Hasan was arrested after declining an appointment as editor of one of Uday Hussein's publications. Hasan's fate and whereabouts remain unknown.

C.8 Negative articles can carry extreme consequences: one journalist was reportedly executed extra-judicially for criticising an article written by Saddam Hussein under a pseudonym, while another was sentenced to life imprisonment for telling a joke about the President. [2(a)]

C.9 The Ministry of Culture and Information periodically holds meetings at which general guidelines for the press are provided. Foreign journalists must work from offices located within the ministry building and are accompanied everywhere they go by ministry officers, who reportedly restrict their movements and make it impossible for them to interact freely with citizens. Many Western news services are represented in Baghdad by bureaucrats who are based in the Ministry of Information and Culture. [2(d)]

C.10 Books may be published only with the authorisation of the Ministry of Culture and Information. The Ministry of Education often sends textbooks with pro-regime propaganda to Kurdish regions; the Kurds routinely remove propaganda items from the books. In October 1997, the Minister of Education stated that he had "warned these cliques that we hold them responsible" for altering the books. [2(d)]

C.11 The Government regularly jammed foreign news broadcasts. Satellite dishes and fax machines are banned, although some restrictions reportedly were lifted toward the end of the year. The penalty for possessing a satellite dish reportedly was an indefinite term of imprisonment in solitary confinement and confiscation of all household effects. However, in mid-November the Government announced that ownership of satellite dishes would be permitted and that certain accredited journalists would be permitted to use fax machines. [2(d)]

C.12 Several statutes and decrees suppress freedom of speech and the press. These include a 1986 decree stipulating the death penalty for anyone insulting the President or other high government officials; Section 214 of the Penal Code, which prohibits singing a song likely to cause civil strife; and the Press Act of 1968, which prohibits the writing of articles on 12 specific subjects, including those detrimental to the President. [2(a)]

C.13 In northern Iraq, several newspapers have appeared over the past five years, as have opposition radio and television broadcasts. The absence of central authority permits some freedom of expression, although most journalists are influenced or controlled by various political organisations. [2(a)]

FREEDOM OF TRAVEL

C.14 The Government controls the movement within the country of citizens and foreigners. Persons who enter sensitive border areas and numerous designated security zones are subject to arrest. Police checkpoints are common on major roads and highways. [2(a)]

C.15 All Iraqis who wish to travel abroad must obtain exit permission. Efforts to control currency exchange have led, since September 1986, to further travel limitations being imposed. Permission to travel abroad is now restricted to only a few categories of Iraqis. These include government officials, government approved students and persons needing medical treatment abroad. The government can require a prospective traveller to post a substantial bond to assure return. It also seeks to limit the countries that an Iraqi may visit and should the traveller visit an unauthorised country he may have to pay a small fine on his return.[2(a)] Prior to December 1999, each student who wished to travel abroad was required to provide a guarantor who would be liable if the student failed to return. In December authorities banned all travel for students (including those in grade school), cancelled spring and summer holidays, and enrolled students in compulsory military training and weapons-use courses.[2(d)]

C.16 The Government prohibits the granting of approval for foreign travel to journalists, authors, and all the employees of the Information Ministry. Security authorities interrogate all media employees, journalists, and writers who have travelled outside Iraq about the reasons for their travel and who they met during their trips. [2a]

C.17 The Iraq Revolutionary Council also issued Decree 110 amending the constitution regarding Iraqi nationals who illegally left the country. Based on paragraph (A) of section 42 of the Constitution, the revolutionary council decreed the following;

All Iraqi who left illegally,

Those Iraqi who left Iraq on official mission but did not return after completion of the mission. This includes those who managed to do so through illegal departures, forgery (of official documents used for this purpose),

All the Iraqi's who fall under the above-mentioned categories and who had been sentenced, are now exempted, they shall be free, released unless they had been sentenced with other crimes (in addition to the above),

The decree was effective from the date of issue (28/06/99). However, the decree made no mention of those Iraqis who left Iraq legally and failed to return nor of those Iraqis who left illegally and where legal proceedings had not been started. [3 (m)]

C.18 In October 1999 Justice Minister Shabib Al-Maliki announced that authorities may seize assets belonging to Iraqis living outside the country who did not return in response to the amnesty decree. A special ministerial committee was formed to track and monitor Iraqis inside the country who received money from relatives abroad.[2(d)]

C.19 A new travel law that took effect in November 1999 placed additional penalties on citizens who attempt to leave the country illegally. Under the law, a prison term of up to 10 years and "confiscation of movable and immovable property" is to be imposed on anyone who attempts to leave illegally. Similar penalties face anyone found to encourage or assist persons banned from travel, including health care professionals, engineers, and university professors.[2(d)]

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ANNEX A.

MAJOR POLITICAL PARTIES

New political parties must be based in Baghdad and are prohibited from having any ethnic or religious character. The Government does not recognise political organisations that have been formed by Shi'a Muslims or Assyrian Christians. [2 (d)]

Ba'ath Party - Arab Ba'ath Socialist Party (Hizb al-Ba'ath al-Arabi al-Ishtiraki)

The Ba'ath Party was established in Damascus in the early 1940s and is the ruling party in Iraq. It came to power in Iraq on 17 July 1968 when Maj.-Gen. (later Field Marshal) Ahmed Hassan Al-Bakr became President and Prime Minister, and supreme authority was vested in the Revolutionary Command Council (RCC), of which President Al-Bakr was also Chairman. On 16 July 1979 Saddam Hussein replaced Al-Bakr as Chairman and as President of Iraq. His rule has continued and in May 1994, facing a deepening economic crisis, he also assumed the post of Prime Minister in a reshuffle of the Council of Ministers. [1,15]

A referendum on 15 October 1995 approved an amendment of the Constitution whereby the elected Chairman of the RCC would automatically assume the Presidency of the Republic, subject to the approval by the National Assembly and endorsement by the national referendum. [1]

National Progressive Front (NPF)

The NPF was formed in 1973 when the Ba'ath Party and the Iraqi Communist Party signed a joint manifesto agreeing to establish a comprehensive progressive nationalist front. In 1975 representatives of Kurdish and independent organisations joined the front. In March 1979 the Iraqi Communist party left the National Progressive Front. [1]

Iraqi Communist Party (ICP)

Parti Communisti Iraq, al-Hizb al Shuyu'i al-Iraqi

The Iraqi Communist Party was set up in 1934. In 1973 the ICP formed an alliance with the Iraqi Ba'ath government. However, collaboration quickly deteriorated as a result of dissension between both parties about the position of the Kurds in Iraq and the lack of National Assembly elections. After 1978 the Ba'ath government began to persecute the Communists, and in particular the middle management of the party. The government in Baghdad thought they no longer needed the Communists and accused the party of enlisting Iraqi soldiers and officers to the ICP. Collaboration between the ICP and the Ba'ath Party was officially terminated in 1979 after which many Communist leaders fled the country and the ICP went underground. [22]

Its local section, Haremi Kurdistan, represents the ICP in *Kurdistan*. The Communists are also collaborating intensively with other Kurdish political parties, including the KDP and the PUK. This political collaboration led among other things to the ICP taking a seat in the cabinet of the Kurdish Regional Government after

the elections in 1992. In 1993 the Kurdish section of the ICP changed its name to the Kurdistan Communist Party (KCP). The KCP is currently a part of the KDP dominated government. [22]

The present leader of the ICP is Hamid Majid Moussa al Bayati; the KCP is led by Karim Ahmad. The KCP and ICP co-operate closely; the central committees of both parties have the same members for the most part and Karim Ahmad is also a part of the ICP politburo. Both parties have offices in Duhok, Arbil and Sulaymaniah. They also have their own television and radio stations and bring out various publications in Arabic and Kurdish. [22]

Iraqi National Congress (INC)

al-Mu'tamar al-Watani al-Iraqi

The Iraqi National Congress (INC) was launched in June 1992 aiming to unite the various Kurdish, Sunni and Shi'a factions of the opposition and consists of a Presidential Council of 3 members. Although launched initially by Kurdish exiles, 170 representatives from a wide spectrum of Iraqi opposition groups attended the INC's conference held in Iraqi Kurdistan in October 1992. Participants committed themselves to the non-violent overthrow of Saddam Hussein and the establishment of a federal system that would permit a substantial degree of ethnic autonomy without partition of the country. However, the INC's unification efforts encountered some obstacles, for example, the INC has neglected to provide an essential place for the Shi'a religious movement. The triumvirate presidency of the INC acknowledges the three principal Iraqi communities but does not offer a framework for communal existence. [13,15]

The INC was set up in Vienna during the first party congress, which took place from 16th until 19th June 1992. During the second party congress of the INC in Salahuddin in Northern Iraq, from 27th until 31st October 1992, the Presidential Council, the Executive Council and the National Assembly were elected. This congress was also regarded as the formal founding congress. Kurdish parties are also in the INC. The President of the Executive council is Dr Ahmad Chalabi, who lives in London. When it was set up, the INC was an umbrella organisation for practically all Iraqi opposition parties, but recently a number of parties, among them the Kurdish KDP, have distanced themselves from the INC because of internal conflicts and conflicting power struggles. [22]

Kurdistan Democratic Party (KDP)

The KDP is a largely tribal party based in northern Iraq close to the Turkish border. Throughout the 1960s there was fighting as Kurdish groups tried to gain autonomy within Iraq. After the coup of 1968 the Ba'ath Party wanted to solve the Kurdish problem and in 1969 Saddam Hussein entered into negotiations with Mulla Mustafa Barzani, the KDP's leader. The talks between the Ba'ath Party and the KDP brought about a cease-fire and the declaration of a peace agreement on 11 March 1970. This agreement recognised the Kurdish people as a distinct national entity and therefore with the right of autonomy. A general amnesty was declared and the government subsidised the KDP. It was agreed to implement the agreement within 4 years. [15]

In 1974, through the Autonomy Law, the Ba'ath Party acknowledged the existence of Kurds as a distinct group and granted them a level of autonomy. However, it also imposed limits on this autonomy and effective authority remained with the central government in Baghdad. The KDP rejected the law and in April 1974 hostilities broke out again. Their campaign collapsed when the Shah abandoned the Kurds as the counterpart for gaining the control he wanted in the Shatt-al-Arab waterway in the Algiers Agreement of 1975. Mulla Mustafa Barzani, went into exile in the United States of America and the KDP broke into several factions. The Patriotic Union of Kurdistan (PUK) was formed in June 1975 under the leadership of Jalal Talabani. Ma'sud Barzani, the son of Mulla Mustafa Barzani, took command of the KDP. [15]

In 1987 Kurdish political and military strength gathered through the rapprochement of the two main parties, the KDP and PUK, in early 1987 and the subsequent formation of the Iraqi Kurdistan Front (IKF) in July 1987. After the defeat of the Iraqi armed forces in Kuwait in February 1991 the KDP took part in the armed uprising in northern Iraq. Although the rising was initially successful, by April 1991 the Kurdish guerrillas had been driven out of the cities of northern Iraq. In mid April 1991 the KDP, with the PUK, accepted the offer of talks with the Iraqi leadership. The talks were suspended in the autumn of 1991 when the Iraqi regime imposed a partial economic blockade on Kurdish areas. [15]

In Kurdish elections in May 1992 the KDP and the PUK emerged as the two dominant Kurdish groups opposing the Iraqi government. In June 1992 the KDP and other Kurdish opposition parties met together in Vienna to establish the Iraqi National Congress (See above). However conflict between the KDP and PUK resumed, although meetings have been held to organise a transitional government. A conciliatory and peace agreement was reached with the PUK in September 1998. (See III) [3(j),4(h)(i),15]

Patriotic Union of Kurdistan (PUK)

The PUK is led by Jalal Talabani and follows a Marxist-Leninist ideology and was formed in 1975 following a split in the KDP. In the early years of the Iran-Iraq War the rivalry between the PUK and KDP prevented a joint Kurdish strategy against the Ba'ath Party. [15]

By 1985 the PUK were taking part in a full-scale insurrection against the Ba'ath regime. In July 1987 the PUK joined the Iraqi Kurdistan Front (IKF) with the KDP following a rapprochement between the two parties. In Kurdish elections in May 1992 the PUK and the KDP emerged as the two dominant Kurdish groups opposing the Iraqi government. In June 1992 the PUK and other Kurdish opposition parties met together in Vienna to establish the Iraqi National Congress (See above). However conflict between the KDP and PUK resumed, although meetings have been held to organise a transitional government. A conciliatory and peace agreement was reached with the KDP in September 1998. (See III) [3(j),4(h)(i),15]

Al-Da'wah Party

The Al-Da'wah Party, or Islamic Call, is a militant Shi'a organisation, formed in 1968 and is based in Tehran. The Al-Da'wah was not just a reformist movement but rather a revolutionary party advocating the replacement of the modern secular state by an Islamic social political order. It was inspired by the prominent Iraqi Ayatollah Muhammad Baqir al-Sadr. After the Iranian Revolution a massive wave of enthusiasm engulfed the Shi'a community in Iraq and drove the Al-Da'wah party, which openly endorsed Ayatollah Khomeini as its spiritual leader, to step up its activities against the regime. In 1989 the Ba'ath regime responded to demonstrations in support of Khomeini by imposing martial law in southern cities. Membership of the Al-Da'wah Party became punishable by death. It has made assassination attempts on Saddam Hussein. [15]

Supreme Council of the Islamic Revolution of Iraq (SCIRI)

SCIRI was founded in 1982 and is a Shi'a organisation. It was led for the first three years of its' existence by its' founder, Hojjat al-Islam Muhammad Baqr al-Hakim, and then by a collective leadership. SCIRI was based in Iran and provided a focal point for Iraqi Shi'a opposition to the war with Iran. [15]

The 10,000 strong military arm of SCIRI, largely under the control of the Iranians, is largely made up of Iraqi Shi'a prisoners taken by the Iranians during the Iran-Iraq War. [15]

Al Khoei Foundation

A religious body established by Ayatollah al Khoei, the Shi'a Mirja of Naja, in the 1970's and run as a charitable organisation. Co-operates with opposition to Saddam Hussein. [15]

Association of Iraqi Democrats

Grouping of Iraqi's who share the same national, democratic and liberal views. [15]

Iraqi National Accord Party - Wifaq

Harakat Wifaq al-Watani

This opposition movement has its origins in Central Iraq and consists chiefly of Iraqis who still adhere to the doctrine of the Ba'ath Party, but have distanced themselves from Saddam Hussein. The INA had a few offices in Dohuk, Suleimaniyya, Zakho. Salahuddin and Arbil, but its activities in Iraq diminished after August 1996 as a result of the underlying struggle between the KDP and the PUK. The INA used the Kurdish offices among other things as a base for mobilising people and making contacts with INA followers who were carrying out underground activities in Iraq. Since February 1996 the INA has had an office in Amman. The party supports Kurdish national and democratic aspirations. The INA is also striving to guarantee the cultural rights of the Turkmen and the Assyrians in Iraq. [22]

Kurdish Tribal Association

Leading Kurdish tribal grouping (about 20 tribes), established 1991. [15]

Iraqi Free Officers

Connected to Iraqi Independent Alliance. The group appears to have support in Iraq and has attempted to poison Saddam Hussein at least once. [15]

Iraqi Kurdistan Front (Berey Kurdistan Iraq)

In 1988 the KDP, the PUK, the KPDP, the KSP-I and the PASOK together formed the Iraqi Kurdistan Front (IKF)). The aim of the Front was the establishment of united Kurdish movement in the fight against the regime in Baghdad. The IKF played a major role during the Intifada and in the preparations for the general elections on 19 May 1992. After the elections, the ICP, the KTP and the Assyrian Democratic Movement (ADM) also joined the Front. The activities of the Front were hindered, however, by the underlying rivalry between the KDP and the PUK. [22] The IKF has since disbanded. [24]

Royalists

Followers of Sherif Ali Hussain, cousin of King Faisal who was killed in the 1958 coup. [15]

Unity Party of Kurdistan

Coalition of three of the smaller Kurdish parties - the Kurdistan Popular Democratic party (DPDP), the Kurdistan Socialist Party of Iraq (KSPI) and the Popular Alliance of Socialist Kurdistan (PASOK). Merged with the KDP in the summer of 1993. [15]

Islamic Movement of Iraqi Kurdistan (IMIK)

Bizutnewey Islami le Kurdistan Iraq, Al-Haraka al-Islamiyya fi Kurdistan al-Iraq

The Islamic Movement (IMIK) was founded in 1986 by Sheikh Uthman Abd al-Aziz and several other Sunni mullahs who were all part of the non-political "Union of Religious Scholars" (*Yaketi Mamostayani Ayni Islami, Ittihad Ulama' al-Din*). The foundation was officially ratified in 1998. The IMIK operates from the town of Halabja and after the KDP and the PUK it is currently the largest party in Northern Iraq. In the region controlled by the IMIK, the party has set up its own infrastructure. Sheikh Uthman Abd al-Aziz was appointed as a *mufri* (religious judge) by the IMIK. [22]

In 1998. He has moved to Arbil with a number of followers. The leadership of the party is currently in the hands of his brother Mullah Ali Abd al-Aziz Halabji, who has his office in Halabja. [22]

IMIK holds two ministerial posts in the PUK-dominated government. This co-operation appears to be principally a temporary coalition dictated by pragmatic considerations. IMIK is receiving aid from Iran and is also said to receive money from other Islamic countries. IMIK has offices in various towns in Northern Iraq, including Suleimaniyya and Arbil. [22]

Kurdistan Revolutionary Party (KRP)

Hizbi Shorishgeri Kurdistan, al-Hizb al-Thawri al-Kurdistani

The Kurdistan Revolutionary Party was set up in 1972 after a conflict with Mustafa Barzani by a group of former members of the KDP. Two years later the KRP joined the government-inclined National Progressive Front (NPF), the only organisation in Iraq to which parties other than the Ba'ath Party are admitted. The Secretary-General of the party was Abdul Sattar Taher Sharef. He fled Iraq about two years ago. The party supports Baghdad and plays practically no active role in the part of Northern Iraq, which is under the control of the Kurdish parties. [22]

Kurdish Revolutionary Hizbollah (KRH)

Hizbullahi Kurdi Shorishger, Hizbullah al-Kurdi al-Thawri

The KRH was set up in 1988 and is a splinter group of the *Kurdish Hizbollah*. The KRH is under the leadership of Adham Barzani, also a cousin of Masud Barzani, the leader of the KDP. The KRH is a small military organisation, which has a few offices in the vicinity of Diyana and Hadji Omran near the Iranian border. This organisation receives both military and financial support from Iran, but has little influence on Kurdish society. [22, 4]

Kurdistan Conservative Party (KCP)

Parti Parezgarani Kurdistan, Hizb al-Muhafidhin al-Kurdistani

The KCP came into being after the elections in 1992 and chiefly consists of members from

the Surchi tribe. Before the Intifada, the tribal chiefs of the Surchi belonged to the so-called *Mustashars*, local Kurdish leaders who supported the regime of Saddam Hussein. After the *Intifada*, however, many *Mustashars* abandoned Baghdad. Although the Surchis had had conflicts with the Barzanis in the past, the party initially had normal contact with both the PUK and the KDP. Since 1995/1996, however, relations with the KDP have seriously deteriorated. [22]

The KCP was initially under the leadership of Omar Surchi, while Hussein Surchi acted as the leader of the tribe. Several other leaders of the party include Najar Surchi, Aram Mohammed Said and Jalal Hussein. After the KDP had accused the Surchi of sympathising with the PUK, KDP troops attacked Hussein Surchi's village on 16 June 1996 and he was taken prisoner. Later he and other leaders

from his tribe were killed. Since then his brother Omar has openly chosen the side of the PUK and the KCP is no longer tolerated in the KDP region. [22]

The Surchi tribe meanwhile controls a reasonably large area between the towns of Rawanduz and Akra. The headquarters of the KCP is at present established in Suleimaniyya. The party has its own television station, which beats the name of the party. The son of the party leader is the minister of transport in the PUK cabinet. [22]

Kurdistan Islamic Union (KIU)

Yaketi Islami le Kurdistan, Rabetat Al-Muslimin Fi Kurdistan

The KIU is part of an international Islamic organisation called the Ikhwan Al-Muslimin (Islamic Brotherhood). The branch in Kurdistan is in principle independent and is directly responsible for policy matters. The KIU receives a lot of support from various countries around the Persian Gulf. [22]

The KIU is under the leadership of Salahadin Mohammed Baha al-Din. Other leaders include Ali Mohammed Ahmad, Dendaar Najmen Al-Doski and Omar Abdul Aziz. The party is striving to set up an Islamic state in Iraq in which the rights of the Kurds are recognised. It is chiefly active among students and enjoys good relations with both the PUK and the KDP. [22]

Kurdistan Socialist Democratic Party (KSDP)

Parti Sosyaliri Dimuqrati Kurdistan, Al-Hizb al-Ishtiraki al-Dimuqrati al-Kurdistani

After a conflict with the KDP leadership, Mohammed (in Kurdish Hama) Hadji Mahmoud, who was a member of the KSP-I before amalgamation with PASOK and KPDP, decided in September 1993 to set up the KSP-I again. One year later the name of the party was changed to the Kurdistan Socialist Democratic Party (KSDP). The KSDP is more of a military than a political organisation. The Secretary-General is Hama Hadji Mahmoud. There is also a politburo and a committee of 15 members which is divided into a military office, an office for internal affairs, an office for external affairs, an administration office, an office for social affairs and an office for trade unions. The administration office has 5 regional departments of which one is abroad. [22]

The party receives support from Iran and the PUK, but has little influence in Kurdistan. The party is said to have hundreds of peshmergas at its disposal in the PUK region, its followers are mainly to be found in Sharbazjer. In the KDP region the party cannot carry out any public activities because the KDP would not permit this due to the bad relationship. There are said to be offices of a splinter group of the KSDP in Dohuk and Arbil. The party has its own television station in Suleimaniyya. [22]

Kurdistan National Democratic Union (YNDK)

Yaketi Natawaie Dimokrati Kurdistan, Inihjad al-Qaumi al-Demoqrati al-Kurdistani

This party was set up in March 1996 in the province of Arbil where it also has its headquarters. The YNDK was in the first instance an extension of the PKK, but the founders of the former party quickly turned against the PKK. During the conflict between the KDP and the PUK the party split into two groups. One group was under the PUK and the PKK, the other under the KDP. The first group has meanwhile almost disappeared and some of its leaders have been murdered. There are thought to be fewer than 100 armed fighters linked to the YNDK. The party publishes a party newspaper under the name "Media". The aim of the party is the independence of Kurdistan. [22]

Action Party for the Independence of Kurdistan (PKSK of PSKI)

Parti Kari Sarbakhoy Kurdistan or Party Khabat bo Serbogoy Kurdistan

The PKSK is a splinter organisation of the ICP and was originally affiliated with both the PKK and the PUK. The party was initially under the leadership of Mohammed (Hussein) Halleq. However, he was murdered on 2 November 1995. After his murder, relations between the PKSK and the PUK became difficult because the PKSK accused the PUK of the murder. The PKSK is now trying to restore its relationship with the PUK. Contacts with the PKK have also deteriorated because the PKSK has taken the side of the KDP and opposes the presence of armed PKK fighters in North Iraq. [22]

The present leader of the party is thought to be Yousif Hanna Yousif, who is better known as Abu Hikmat. He is also a minister in the cabinet of the KDP in Arbil. At the moment there is some confusion about the question of where the offices of the PKSK are located. There are reports that the party also has offices in Suleimaniyya and Rania. According to some reports, the office in Suleimaniyya is said to be run by a so-called "carbon-copy party". Other sources state that these offices represent the actual PKSK, while on the contrary the office in Arbil is said to no longer belong to the "real" PKSK but to be controlled by a "carbon-copy party". [22]

Hamas

During a conference of the IMIK at the beginning of 1998, a group of officials under the leadership of Najim al-Dien Faraj (better known as Mullah Kerekaar) left the IMIK and set up Hamas. Hamas is an illegal orthodox military grouping which is thought to be increasingly active in the PUK region but has no official responsibility. It is not known whether this organisation receives much support from IMIK members. Several recent bomb attacks and murders which took place in Suleimaniyya and Arbil in the first half of 1998 have been attributed to Hamas. [22]

Iraqi Workers' Communist Party (IWCP)

Hizbi Communisti Krekari Iraq. Al-Hizb al-Shuyu'i al-Ummali al-Iraqi

This party was set up in July 1993 after a merger between four smaller Communist groupings, including the Communist Current (Rewti Communist al-Tayyar al-Shuyu'i).98. The chairman of the IWCP is Amjad Ghafour. The party recognises a politburo (at present nine members) and a central committee (currently twenty-five members). The number of members and the composition of this party organ have changed several times since its foundation. The IWCP has a few sub-organisations such as the Independent Women Organisation and the Union of the Unemployed. The IWCP does not have its own militia. The central medium (newspaper) of the party is published in Arabic and is called *Al-Shuyu'iyya al-Ummaliyya* (= the workers' communism). [22]

The following of the IWCP is in Arbil and Suleimaniyya. In 1997 the relationship between the IWCP and the KDP was bad. Since 1998 there has been a gradual improvement. The activities of the party in Arbil appear to be tolerated by the KDP at present. The relationship with the PUK is good, although the IQCP is criticising the co-operation of the PUK with the IMIK. The party has repeatedly come into conflict with the IMIK, among other things about the position of women in the region controlled by the IMIK. [22]

Democratic Alliance of Kurdistan (DAK)

Hawpaymani Demoqrati Kurdistan, al-Tahalluf al-Dimuqrati al-Kurdistani

On 13 October 1996 five Kurdish parties set up the Democratic Alliance of Kurdistan together as a protest against the co-operation of the KDP with the Iraqi authorities. The front comprised the PUK, the Iraqi Toiler's Party, the Democratic

Movement, Socialist Democratic Kurdistan and the Conservative Party of Kurdistan. The DAK publishes a newspaper called Haw Pemani, in Arabic al-tahalluf. [22]

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ANNEX B

CHRONOLOGY OF IMPORTANT EVENTS

14 July 1958 : The monarchy was overthrown. The new Government consisted of military and civilian members under Brigadier Abd Al-Karim Qassem.

February 1963 : Qassem was killed in a coup organised by nationalist and Ba'athist officers, who then seized power under Abd Al-Salam Aref.

17 July 1968 : A group of Ba'athist officers led by Ahmad Hasan Al-Bakr organised another coup.

30 July 1968 : Ahmad Hasan Al-Bakr made President, and Saddam Hussein appointed Deputy President.

March 1970 : An agreement was reached between Barzani (leader of the KDP) and the regime.

Spring 1974 : Ba'ath Party promises regarding a Kurdish autonomy were not fulfilled which resulted in a major conflict between the Kurds and the regime.

March 1975 : Iran and Iraq signed the Algiers agreement.

16 July 1979 : Ahmad Hasan Al-Bakr resigned as President in favour of Saddam Hussein. At this time, real power moved away from the Ba'ath Party and almost exclusively to Saddam Hussein.

September 1980 : Saddam Hussein ordered Iraqi forces into western Iran, which began the Iran/Iraq war (also at the time, called the "Gulf War"). Around this time, Saddam also expelled many Iraqi's of possible Iranian extraction, mainly Shi'a, from Iraq. They were taken to the Iranian border and left. Many remain there, although some travelled to other countries and claimed asylum.

June 1987 : The United Nations passed Resolution No.598, which called for a cease-fire of the Iran/Iraq war.

8 August 1988 : The United Nations announced a cease-fire, which came into effect on 20 August 1988. The economic situation in Iraq after the end of the war was precarious which led to high inflation and steep rises in the cost of living.

1988 : Saddam launched the Anfal Campaign. This involved chemical bombing against the Kurds residing in the north of Iraq. Many thousands of Kurds were killed or disappeared during this campaign. Halabja was the most publicised town, as 5,000 people were poisoned there by chemical gases. This campaign was initially set up to resettle Kurds to where they were more easily controlled.

Spring 1990 : Saddam demanded access to the Kuwait islands of Bubiyan and Warba as well as reviving Iraq's claim to part of the Rumailia oil fields. This led to the Gulf War/Desert Storm.

2 August 1990 :Iraq invaded Kuwait.

January 1991 :The Gulf War commenced, in which Iraq was opposed by the UN with coalition forces including troops from 40 countries (including Egypt, Syria, Saudi Arabia, Kuwait).

27 February 1991 :A cease-fire was agreed upon.

28 February 1991 :The Intifada commenced (also known as the 1991 uprising by the people against the regime). This began in the southern city of Basra.

March 1991 :There was a spontaneous uprising in the north of Iraq in the town of Ranya, which spread across Kurdistan.

29 March 1991 :Samawa (southern Iraq), which held out the longest against the authorities was retaken.

3 April 1991 : The Iraqi army recaptured Sulaimaniya (northern Iraq). About 1.5 million Kurds fled to the mountains and this eventually led to setting-up of the "Safe Haven" in the north of Iraq.

October 1991 : The Iraqi Government withdrew its armed forces from the north, together with police units and pro-Ba'ath employees from the governorates of Irbil, Suliamaniya and the Dohuk areas which it had occupied.

December 1992 & May 1993: Gulf War allies imposed "no-fly" zones over both northern and southern Iraq.

October 1994 : An attempted coup was uncovered resulting in the execution of senior army officers.

November 1994 : The UN Security Council voted to continue economic sanctions imposed on Iraq after the Gulf War.

February 1996 : Two of Saddam's son-in-laws, Hussein Kamel and Saddam Kamel, were executed after returning to Iraq following their earlier defection to Jordan.

31 August 1996 : KDP forces with Iraqi Government troops, first shelled and recaptured the city of Irbil in northern Iraq. Disturbances continued in September until government authorities were forced to leave the "Safe Haven".

1996 : Fighting resumed between the KDP and the PUK.

23 October 1996 : A cease-fire between the KDP and PUK ended the fighting for the rest of 1996.

12 October 1997 : Truce brokered by the United states, the United Kingdom and Turkey, called the "Ankara Peace Process" broken when PUK forces attacked KDP positions.

December 1997 : Reports of over 1,200 executions of prisoners.

January 1998 : Crisis between the Iraqi Government and the United Nations Special Commission following the stopping of the work of the UN investigation team.

January 13-14: Iraq prevented UNSCOM team led by Scott Ritter from carrying out inspection work.

January 17: President Saddam threatened to halt all co-operation with UNSCOM if sanctions are not lifted.

February 6: Amidst build-up of US and UK forces in the Gulf, President Clinton and Prime Minister Blair reiterated determination to prevent Saddam from threatening neighbours and the world with weapons of mass destruction.

February 23: UN Secretary-General Kofi Annan brokered a memorandum of understanding allowing UNSCOM to inspect eight "presidential sites".

February 1998 : Kofi Annan, the Secretary-General of the United Nations agreed a deal with the Iraqi Government, and averted a military attack. An agreement for Iraq to double its oil output was also accepted by the UN.

March 2: UN Security Council adopted Resolution 1154 threatening Iraq with the "severest consequences" if it breached the February 23 memorandum of understanding.

March 26: UNSCOM began inspection of "presidential sites".

April 2: UNSCOM completed first round of inspections of "presidential sites".

April 27: After reviewing the latest six-monthly UNSCOM report, UN Security Council decided against reviewing sanctions against Iraq.

April 30: Clinton announced intention to reduce strength of US forces in the Gulf.

April and June 1998 : Two Shi'a clerics murdered.

June 11-15: UNSCOM head Richard Butler and Iraqi Deputy Prime Minister Tariq Aziz reached agreement on "road map" for verification of Iraqi disarmament and the eventual lifting of UN sanctions.

June 19: UN Security Council adopted Resolution 1175 allowing Iraq to purchase US\$300 million worth of equipment for its oil industry.

June 24: In a presentation to the UN Security Council, Butler asserted that Iraq had loaded missile warheads with the chemical weapon VX before the 1991 Gulf War.

July 27: The International Atomic Energy Agency (IAEA) reported that there was evidence that Iraq was concealing nuclear weapons.

August 1998 : The Iraqi National Assembly voted to temporarily suspend UNSCOM inspections.

August 5: After the collapse of the latest round of Aziz-Butler talks, the Iraqi legislature voted for immediate suspension of UNSCOM inspections.

August 9: UNSCOM suspended inspections.

August 20: UN Security Council decided to maintain sanctions against Iraq.

September 9: UN Security Council adopted Resolution 1194 demanding that Iraq co-operate with UNSCOM and suspending indefinitely periodic reviews of UN sanctions against Iraq.

August 1998: The Iraqi National Assembly voted to suspend most co-operation with UNSCOM.

September 1998 : The Iraqi National Assembly voted to suspend all co-operation with UNSCOM and the IAEA.

October 1998 : The Iraqi National Assembly ceased all co-operation with UNSCOM

October 31: A joint meeting of the Revolutionary Command Council and the Ba'ath Party formally ended all forms of co-operation with UNSCOM and called for Butler's dismissal.

November 5: Amidst a fresh build-up of US and UK forces in the Gulf, the UN Security Council adopted Resolution 1205 demanding that Iraq rescind immediately and unconditionally the Oct 31 decision, but made no mention of military threat.

November 15: Only hours before planned US and UK air strikes, Saddam annulled the October 31 decision.

November 17: UNSCOM inspectors returned to Iraq.

November 24: UN Security Council approved the renewal of the "oil-for-food" deal which allows Iraq to sell US\$5,200 million worth of oil over the next six months for the purchase of humanitarian goods.

December 9: Iraq blocked UNSCOM inspectors from entering a sensitive site in Baghdad.

December 15: Butler delivers a highly critical report to the UN Security Council.

December 16-20: US and UK launched air strikes on Iraq.

January and February 1999 : Iraq's repeated violation of the northern and southern no-fly zones and threats against UK and US aircraft caused the latter to respond in self-defence.

February 1999 : Disturbances in southern Iraq following the assassination of Grand Ayatollah Mohammed Sadeq al-Sadr and his sons. Later followers of al-Sadr were arrested and executed. There were also demonstrations by Kurds in northern Iraq against the capture by the Turkish authorities of the Turkish PKK leader Abdullah Ocalan.

June 1999 The Iraq Revolutionary Council issued Decree 101 banning the detention of women accused of manslaughter during the investigation and trial stages until a decision or sentence is issued in the case. of manslaughter during the investigation and trial stages until a decision or sentence is issued in the case. The Iraq Revolutionary Council also issued Decree 110 amending the constitution regarding Iraqi nationals who illegally left the country.

August 1999 A former Iraqi international soccer player stated that he and his teammates had been tortured on Uday Hussein's orders for not winning matches. Sharar Haydar Mohamad Al-Hadithi, said that he was subjected to beatings on the soles of his feet, dragged shirtless through a gravel pit, then made to jump into sewage to cause infection. He also was subjected to sleep deprivation and beatings during periods of detention in Al-Radwaniya prison. His claims of brutality were supported by Uday Hussein's former private secretary and press spokesman Abbas Janabi who described watching members of the national soccer team being forced to kick a concrete ball on the grounds of Al-Radwaniya prison after they failed to qualify for the 1994 World Cup.[2d] There were reports that three soccer players who lost a game in the Asian Cup quarter finals in October 2000 were whipped and detained for three days. [2e]

December 1999 The UN Security Council adopted Resolution 1284 (1999) which created a new weapons inspection body for Iraq, the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) to replace UNSCOM. The new body was established to operate a reinforced system on ongoing monitoring and verification to eliminate Iraq's nuclear, chemical and biological weapons arsenal. [3h]

January 2000 The IAEA carried out a physical inventory verification of Iraq's uranium stockpiles as part of its Safeguards Agreement with Iraq under the Treaty on the Non-Proliferation of Nuclear Weapons. This inspection in no way substituted for the IAEA's verification activities in Iraq under the relevant Security Council Resolutions.[23(a), 23(b)] Iraq repeated its rejection of Resolution 1284, insisting on the total lifting of sanctions as a precondition for the return of UN arms inspectors to Iraq [3(n)] .

February 2000 Hans Blix, a former director of the IAEA, was appointed chairman of UNMOVIC.

Sources [1,2a,2c,3,4,5,6,7,]

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ANNEX C.

ABBREVIATIONS

ABSP - ARAB BA'ATH SOCIALIST PARTY

ILK - ISLAMIC LEAGUE OF KURDISTAN (another name for IMIK)

IMIK - ISLAMIC MOVEMENT OF IRAQI KURDISTAN

INC - IRAQI NATIONAL CONGRESS

KDP - KURDISH DEMOCRATIC PARTY

KIF - KURDISTAN IRAQI FRONT

PKK - KURDISTAN WORKERS PARTY

PUK - PATRIOTIC UNION OF KURDISTAN

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