

U.S. Department of State
Annual Report on International Religious Freedom for 1999:
Iraq

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IRAQ

Section I. Freedom of Religion

The Constitution provides for freedom of religion; however, the Government severely limits this right in practice. Islam is the official state religion.

The Government's registration requirements for religious organizations are unknown.

The Ministry of Endowments and Religious Affairs monitors places of worship, appoints the clergy, approves the building and repair of all places of worship, and approves the publication of all religious literature.

While a precise statistical breakdown is impossible because of likely inaccuracies in the latest census (1997), according to conservative estimates, over 95 percent of the population are Muslim. The (predominantly Arab) Shi'a Muslims constitute a 60 to 65 percent majority, while Sunni Muslims make up 30 to 35 percent (approximately 18 to 20 percent are Sunni Kurds, 12 to 15 percent are Sunni Arabs, and the rest are Sunni Turkomans). The remaining approximately 5 percent consist of Christians (Assyrians, Chaldeans, Roman Catholics, and Armenians), Yazidis, and a small number of Jews.

The Shi'a, predominantly in the south, are present in large numbers in Baghdad and have communities in most parts of the country. Sunnis form the majority in the center of the country and in the north. Christians are concentrated in the north and in Baghdad. Yazidis are located in the north.

New political parties must be based in Baghdad and are prohibited from having any ethnic or religious character. The Government does not recognize political organizations that have been formed by Shi'a Muslims or Assyrian Christians. These groups continued to attract support despite their illegal status. There are religious qualifications for government office; candidates for the National Assembly, for example, "must believe in God."

Although Shi'a Arabs are the largest religious group, Sunni Arabs traditionally have dominated economic and political life. Arabs holding Sunni religious beliefs are at a distinct advantage in all areas of secular endeavor: civil, political, military, economic, etc. Although there is a political factor, the government's repression of the Shi'a appears basically religiously motivated. Shi'a and Sunni Arabs are not ethnically distinct. Shi'a Arabs supported an independent Iraq alongside their Sunni brethren

since the 1920 Revolt, many joined the Ba'ath Party, and Shi'a formed the backbone of the Iraqi Army in the 1980 to 1988 Iran-Iraq War.

The Government--dominated by a repressive one-party apparatus controlled by Saddam Hussein and members of his extended family--has for decades conducted a brutal campaign of murder, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi'a Muslim population and has sought to undermine the identity of minority Christian (Assyrian and Chaldean) and Yazidi groups.

There was no change in the status of respect for religious freedom during the period covered by this report.

Despite supposed legal protection of religious equality, the regime has repressed severely the Shi'a clergy and those who follow the Shi'a faith. Forces from the Intelligence Service (Mukhabarat), General Security (Amn al-Amm), the Military Bureau, Saddam's Commandos (Fedayeen Saddam), and the Ba'ath Party have murdered senior Shi'a clerics, desecrated Shi'a mosques and holy sites (particularly in the aftermath of the 1991 civil uprising), arrested tens of thousands of Shi'a, interfered with Shi'a religious education, and prevented Shi'a adherents from performing their religious rites. Security agents reportedly are stationed at all the major Shi'a mosques and shrines and search, harass, and arbitrarily arrest worshipers.

The following government restrictions on religious rights remained in effect throughout the period covered by this report: restrictions and outright bans on communal Friday prayer by Shi'a; restrictions on Shi'a mosque libraries loaning books; 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 and guides; a ban on funeral processions other than those organized by the Government; a ban on other Shi'a funeral observances such as gatherings for Koran reading; and the prohibition of certain processions and public meetings commemorating Shi'a holy days. Shi'a groups report capturing documents from the security services during the 1991 uprising that listed thousands of forbidden Shi'a religious writings. Since 1991 security forces have been encamped in the shrine to Imam Ali in Najaf, one of Shi'a Islam's holiest sites, and at the Shi'a theological schools of Najaf. As far as is known, security forces to be encamped there. In June 1999, several Shi'a opposition groups reported that the Government had instituted a new program in the predominantly Shi'a districts of Baghdad using food ration cards to restrict where individuals could pray. The ration cards, part of the U.N. 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 unauthorized location. Shi'a expatriates reporting this new policy believe it is aimed not only at preventing unauthorized religious gatherings of Shi'a but at stopping Shi'a adherents from attending Friday prayers in Sunni mosques, an expedient many pious Shi'a have turned to since their own mosques remain closed.

Shi'a groups reported numerous instances of religious scholars--particularly in the internationally renowned Shi'a academic center of Najaf--being subjected to arrest, assault, and harassment during the period covered by this report. This follows years of Government manipulation of the Najaf theological schools. As reported by Amnesty International in the late 1970's and early 1980's, the Government systematically deported tens of thousands of Shi'a (both Arabs and Kurds) to Iran, claiming erroneously that they were of Persian descent. According to Shi'a sources, religious scholars and Shi'a mer-

chants who supported the schools financially were prime targets for deportation. In the 1980's, during the Iran-Iraq war, it was widely reported that the Government expelled and denied visas to thousands of foreign scholars wishing to study at Najaf. After the 1991 popular uprising, the Government relaxed some restrictions on Shi'a attending the schools, perhaps hoping this would deflect popular revulsion over arrests and executions of religious leaders. Instead the revival of the schools appears to have exceeded greatly the Government's expectations, helping to bring traditional Shi'a piety into even greater contrast with the depredations of the regime. This led to a redoubled Government crackdown on the Shi'a religious establishment.

These restrictions have played a divisive role in society, leading to the alienation of many Shi'a adherents from society and to protests against the regime. The apparently systematic campaign by the Government to eliminate the senior Shi'a religious leadership (the Mirjaiyat) through murder, disappearances, and summary execution accelerated during the period covered by this report. There were four attempts at killing high-level Shi'a clerics, culminating in the death of Grand Ayatollah Sayyid Mohammad Sadiq as-Sadr, the country's senior Shi'a religious leader. Some of the more prominent incidents of this nature since Saddam Hussein became President of Iraq are:

Ayatollah Sayyid Mohammad Baqir as Sadr, who was executed along with his sister in 1980; Ayatollah Mohammed Sadeq al-Qazwini, who was arrested in 1980 and whose whereabouts remain unknown; Sayyid Mehdi al Hakim, the eldest son Grand Ayatollah Mohsin al Hakim, who was killed in Khartoum in 1981; Ayatollah Abul Sahib Al Hakim and 16 members of his family, who were killed in 1983; Ayatollah Qasim Shubar, who was arrested in 1979 and whose whereabouts remain unknown; Ayatollah Nasrallah al Mustanbat, who was killed in the mid-80s; Ayatollahs Ala'ad-din Bahr al-Aloom and Aiz ad-Din Bahr al-Aloom and over a dozen members of their family, who were arrested by security agents in 1991 and still are missing; Ayatollah Sheikh Mohammad Taqi al Jawahary, who was arrested in the 1980's and whose whereabouts remain unknown; Grand Ayatollah Abul Qasim Al-Khoei, age 93 and formerly the senior Shi'a clergyman, who died under house arrest in 1992 after intensive interrogation (a total of 108 of al-Khoei's associates arrested with him still have not been accounted for, and the Government continued to harass and threaten members of his family); Ayatollah Mohammad Taqi Al-Khoei, who died in what appeared to be a staged car accident in 1994; and Grand Ayatollah Sayyid Ali as Seistani, who survived an attempt on his life in 1996.

Since January 1998, the killings of three internationally respected Shi'a clerics (and an attempt on the life of a fourth) have been widely attributed to Government agents by international human rights activists, other governments, and Shi'a clergy in Iran and Lebanon. Grand Ayatollah Sheikh Murtada al-Borojourni, age 69, was killed in April 1998. Grand Ayatollah Sheikh Mirza Ali al-Gharawi, age 68, was killed in July 1998. Ayatollah Sheikh Bashir al Hussaini escaped an attempt on his life in January 1999. Grand Ayatollah Mohammad as-Sadr, age 66, was killed in February 1999.

U.N. Human Rights Commission Special Rapporteur for Iraq Max Van Der Stoel sent a letter to the Government expressing his concern that the killings might be part of an organized attack by the Government against the independent leadership of the Shi'a community. The Government has not responded to Van Der Stoel's inquiries.

On April 22, 1998, Grand Ayatollah Murtadha Ali Mohammad al-Borojourni and two of his followers were shot and killed near the Imam Ali Mosque in Najaf while returning home after mor-

ning prayers. The killing was widely attributed by Shi'a religious leaders outside Iraq to the Government because of the assaults and harassment he had suffered in recent years. Security forces reportedly beat al-Borojourni in 1996. Subsequently, a hand grenade was thrown at him. In 1997 government agents reportedly threatened to kill him if he did not cease leading prayers and giving sermons at the Imam Ali Mosque, an order with which he refused to comply.

On June 1, 1998, Ayatollah Sheikh Mirza Ali al-Gharawi, his son, and son-in-law were shot on the road from Karbala to Najaf. A month before these killings, Shi'a sources reported that al-Gharawi had been harassed by government officials and, similar to al-Borojourni, warned to cease leading communal prayers.

The Government's initial claims regarding these two killings-- that forces from outside Iraq perpetrated the attacks--and its subsequent assertion that a gang led by Shi'a religious students killed the clerics to rob them, were criticized by Shi'a authorities outside of the country as transparent lies. They criticized the Government's subsequent executions of eight of these men. In the aftermath of the killings, the Government stepped up repressive activities in the south and in other predominantly Shi'a areas to prevent mourning observances and popular demonstrations. As part of this campaign, two Shi'a scholars in Baghdad, Sheikh Hussain Suwai'dawi and Sheikh Ali al-Fraijawi, reportedly were executed in July 1998.

On January 7, 1999, Ayatollah Sheikh Bashir al-Hussaini (also known as al-Najafi and al-Bakistani), a high-ranking scholar and teacher in Najaf, escaped an attempt on his life when a hand grenade was thrown into his home. At the time, al-Hussaini was teaching a class in Islamic jurisprudence to students gathered during the Ramadan fast. Three of his pupils were killed and al-Hussaini was injured.

On February 19, 1999, Grand Ayatollah Mohammad Sadiq as-Sadr, the most senior Shi'a religious leader in Iraq, was killed in downtown Najaf when the car he was riding in was boxed in by two other cars and hit by machine gun fire. Two of his sons also were killed in the attack. As-Sadr's death was widely attributed to the Government, as he was killed immediately after leading Friday prayers despite an order not to do so issued by Central Euphrates Region Military Governor and Revolutionary Command Council member Mohammad Hamza al Zubeidi.

As-Sadr reportedly expected to die and had led the Friday prayers wearing a funeral shroud. In the months leading up to his death, Shi'a sources report that security agents detained as-Sadr several times, arrested his deputy, blockaded his house, and prevented him from leading prayers. Government agents pretending to be religious students allegedly came to study under him in order to keep tabs on him. President Saddam Hussein reportedly made blunt reference in his speeches to as-Sadr's cousin-- Grand Ayatollah Mohammad Baqir as-Sadr, executed in 1980--as al-Maqbur, "the buried one." In the aftermath of the killing, the Government delayed a public announcement of his death for 24 hours, allegedly pressured his family and followers not to hold a funeral, and reportedly executed as-Sadr's deputy. As-Sadr's writings (including pamphlets on devotion and prayer) and videotaped sermons were banned and seized.

Unconfirmed reports from Shi'a sources in Najaf indicate that several teams of security officers were immediately on the scene after the shooting to collect as-Sadr's body and rush it away, a circumstance that they believe points to government foreknowledge of the attack. These same sources also claim to

have learned the identities of four of the five members of a special security death squad that allegedly were assembled from around the country to carry out the killing. They allege that Security Major Mohammad Ghanim of Tikrit, Security Major Ahmad abd al-Khalaf of Basra, and Security Major Akram Said Umar of Baghdad were involved, as was one "Hajj Aziz."

Although a funeral for al-Sadr was prohibited, spontaneous gatherings of mourners took place in the days after his death. Some of these, particularly those outside major mosques in the cities, grew to be quite large. Government security forces used excessive force in breaking up these illegal religious gatherings. In the impoverished Shi'a Thawra district of Baghdad, a crowd of tens of thousands of persons was attacked by security forces using automatic weapons and armored vehicles, resulting in the death of perhaps 25 mourners killed (although estimates range up to 400) including, according to one report, the imam of the al-Thawra mosque. Fifty persons reportedly were seriously wounded and about 250 persons were arrested, including 15 religious scholars. At around the same time, in the Shu'la district of Baghdad, 22 persons reportedly were killed. Afterwards more than 600 Shi'a residents of al-Thawra may have been arrested arbitrarily in security sweeps.

Outside Baghdad illegal assemblies of Shi'a took place in most of the major cities of the south in reaction to the as-Sadr killing. Ali Hassan al-Majid, the military "supergovernor" for southern Iraq, reportedly declared martial law throughout the region. Twenty-two persons reportedly were killed in the Suq as-Shuyukh area of Nasiriyah on February 20, 1999 when security forces attempted to break up a gathering of mourners. When the crowds could not be quelled directly, the army reportedly surrounded the city and shelled its center; 17 more persons reportedly were killed. Expatriate citizens from Nasiriyah subsequently learned that 10 to 20 armored personnel carriers then entered the city, sealed off the marketplace, and stampeded the crowd, resulting in further injuries and deaths.

Other Shi'a sources report that on the same day the city of Najaf also was surrounded by government troops. Sparked by the news of as-Sadr's death and government suppression of mourning activities, demonstrations took place in Karbala and Basra. Several Shi'a sources report that in Amara Sheikh Ali as-Sahalani, the imam of the Majar al-Kabir mosque, allegedly was shot and killed along with other mourners; the angry crowd then reportedly seized control of the city for a short while. Nine demonstrators reportedly were executed in Ramadi. To prevent them from leading religious gatherings, the chief Shi'a clerics of Basra and Nasiriyah reportedly were arrested. These government actions ultimately silenced the mourners and protesters, and the disturbances had ended by late February 1999.

In Najaf in early April 1999, 15 persons reportedly were wounded and hundreds were arrested while commemorating the 40-day anniversary of as-Sadr's death, a traditional Islamic religious observance. Later in April, the Government executed four Shi'a men for the as-Sadr slaying after a closed trial. Shi'a religious authorities and opposition groups objected to the trial process and contend that the four executed men were innocent. At least one of the four, Sheikh Abdul Hassan Abbas Kufi, a prayer leader in Najaf, was reportedly in prison at the time of the killing. The Shi'a press reported in January 1999 that he had been arrested on December 24, 1998. The three others executed with Kufi were Islamic scholar Ahmad Mustapha Hassan Ardabili, Ali Kathim Mahjan, and Haider Ali Hussain. The condition of Ali al-Musawi, another Shia cleric accused of complicity in as-Sadr's death, was unknown.

In the aftermath of as-Sadr's killing the Shi'a religious community is in a precarious state. Of the three generally acknowledged senior Shi'a clerics, Grand Ayatollah Ali as-Seistani is forbidden to lead prayers and remains home bound in Najaf as a result of attempts on his life; Ayatollah Mohammed Sayeed al-Hakim is forbidden to lead prayers at the shrine of Imam Ali in Najaf; and the status of Ayatollah Hussein Bahr al-Aloom in Kufa is not known. Many scholars at the Shi'a religious schools in Najaf have reportedly been arrested as have many of as-Sadr's religious appointees throughout the country. These restrictions will make it difficult, if not impossible, for a new Shi'a leadership to emerge naturally. Normally after the mourning period for a very senior cleric like as-Sadr, the Shi'a faithful--particularly the scholars--would begin to learn more about the surviving senior clerics by attending their lectures and prayer sessions, reading their religious analyses and decisions under Islamic law, etc. Gradually, in a traditionally informal and discreet process, a consensus would form regarding who would lead the religious community. According to several knowledgeable Shi'a observers outside Iraq, there is no way this process can take place under the present circumstances.

The as-Sadr killing intensified Shi'a anger at the ruling Sunni minority and led to more severe government repression of the Shi'a and bolder actions by the Shi'a resistance against the regime--including grenade and rocket attacks on security headquarters, Ba'ath Party offices, and presidential residences in Baghdad and small arms attacks in many parts of the capital. For example, the al Amin, Nuwab ad-Dubbat, and al Nafth districts of Baghdad reportedly remained in heightened state of alert every Friday since February.

The security and military crackdown against the Shi'a, however, had been building for some time. During the period covered by this report, Shi'a and opposition sources with close ties to individuals in the south, such as the Supreme Council for the Islamic Revolution in Iraq (SCIRI) and the Dawa organization, report that regular armed forces, the Republican Guard, Saddam's Commandos, and ad hoc formations of Ba'ath Party members have conducted deliberate ground sweeps and artillery attacks against Shi'a civilians and large-scale burning operations in the southern marshes.

According to these Shi'a sources, in January 1998, Shi'a villages near Sayed Yoshi lake in Nasiriyah province were surrounded by government troops and bombarded with heavy artillery and mortars, the 14th Division bombarded fishermen in the Am an-Ni'aj marsh in Amara province, and scores of villagers in the Am al Ghizlan area of Amara province were arrested and their crops burned. In February 1999, the Government cut off food rations and attacked the al-Fuhood district of Nasiriyah province and the Hamyan, al Azair, and Nahr al-Iz districts of Amara province, with dozens of Shi'a civilians reportedly killed and hundreds arrested. In March 1999, the 11th Division bombarded many areas in Nasiriyah, and Ba'ath Party militia followed with sweeps against the Amarya tribe, which included incidents of looting. In May 1999, the Government launched a mass arrest campaign in the al-Alam, ad-Dawara, and Nahr al-Iz areas. In June 1999, "Saddam's Commandos" attacked villages between Qala'at Salih and al-Kahla in Amara province and arrested and tortured a Shi'a businessman in Amara as a pretext for confiscating his savings.

Reports of military operations against Shi'a civilians increased notably in the summer of 1998, after the killings of Ayatollahs Ali al Gharawi and Sheikh al Borojourni. In July 1998, security services resumed arrest sweeps in the Thawra district of Baghdad, rounding up young men, assaulting residents, and looting money and personal property. In August 1998, the Third Army Corps, in conjunction with Ba'ath Party officials led by Abdul Baqi as-Sa'doon, conducted large-scale operations

against settlements of the al Juwaisid, ar-Rahma, al-Bu Salim, and Asakira tribes in Nasiriyah province; most of the inhabitants, including women, children, and the elderly, were forced to flee after dozens were wounded in heavy artillery bombardments.

In September 1998, security forces launched an attack on an-Nibron village in the Rifa'ee district; the troops burned houses, confiscated land, and arrested entire families. This was only a precursor to further large-scale assaults against the Shi'a that month. According to reports received by the Iraq Foundation, an estimated 20,000 persons reportedly were detained arbitrarily and trucked to tent-camp holding facilities in the desert region of Rifa'ee about 60 miles north of the marshes in the south.

In October 1998, government troops reportedly attacked villages in the Fuhood and I'gaga districts of Nasiriyah province. In November 1998, security forces, the Third and Fourth Army Corps, and Ba'ath Party militia staged a 5-day assault, including heavy artillery bombardment, in the Bani Malik area and the al Suwaib district of Basra province, and widespread areas of Nasiriyah and Amara provinces, nearly to the Iranian border. Hundreds of persons reportedly were killed in late November 1998 in Amara as part of a security sweep personally directed by Qusay Hussein, Saddam's son and his Principal Deputy on the State Council. In December 1998, commandos arrested 39 persons in the aftermath of an alleged attempt in Karbala to kill Revolutionary Command Council Vice President Izzat ad-Douri. Some sources in the opposition claimed that the attempt on ad-Douri's life was staged in order to justify the crackdown. Others indicate that the 39 persons arrested were executed summarily.

On January 14, 1999, according to a report from SCIRI, security officials reportedly arrested Sheikh Awas, imam of the Nasiriyah city mosque. The next day, when Awas did not appear to lead the Friday prayers, his deputy went to the Nasiriyah security directorate to plead for his release. Soon afterward hundreds of Shi'a congregation members reportedly marched on the security directorate to demand that Awas be released immediately to them. Security forces allegedly opened fire on the unarmed crowd with automatic weapons and also threw hand grenades. Five persons were killed, 11 were wounded, and 300 were arrested. The security services subsequently banned Friday prayer in Nasiriyah.

The security forces have used the symbolism of religious holidays to underscore the impunity with which they operate. In January 1999, for example, 27 members of the elite "Saddam's Commandos" reportedly were executed in Amara for conspiring with the Shi'a-based opposition forces. Their bodies reportedly were delivered to their families on Eid al Fitr, one of the most important holidays of the Islamic year.

On February 15, 1999, troops of the 11th division reportedly attacked the Asakir tribe in the south of Nasiriyah province. In March 1999, the Iraq Communist Party and Iraqi Shi'a groups reported large-scale protests in Basra when government authorities forbade Shi'a Friday prayer. According to these reports, security forces under orders from Ali Hassan al-Magid attacked the marchers resulting in many deaths. Seventy Shi'a men allegedly were detained in the Abu Sakhair region of Basra; 100 in the Hayaniyh district; 40 in the Dor a-Fdubat area, and 85 in the Jumhuriya district.

On April 16, 1999, dozens of unarmed protesters (some reports indicate hundreds) allegedly were killed in street gatherings in the Thawra district of Baghdad, after the security services prohibited

Shi'a congregants 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 neighborhood nearby. When shooting erupted between security forces and the Sharkat group around noon, the Ba'ath Party members fired on the unarmed group at the Hikmat mosque. Afterwards regime forces reportedly opened fire on another crowd that had formed outside the Abbas mosque near the Thawra Children's Hospital.

In April 1999, thousands of Shi'a men reportedly were arrested in security sweeps in Basra. From May 19 to May 27, 1999, the al Fatah al-Mubaeen forces of the Special Republican Guards and 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 reports that it repelled the attack. On June 5, 1999, the village of al-Maeil in Meisah province reportedly was attacked and 15 houses were destroyed.

The scale and severity of the sweeps and attacks against Shi'a appear to be increasing in severity. The Human Rights Organization in Iraq (HROI) reported that 1,093 persons were arrested in June 1999 in Basrah alone. The Iraqi National Congress reports that tanks from the Hammourabi Republican Guard division attacked the towns of Rumaitha and Khudur on June 26, after residents protested the systematic misdistribution of food and medicine to the detriment of the Shi'a. Fourteen villagers were killed, over a hundred arrested, and 40 homes were destroyed. On June 29, 1999, SCIRI reported that 160 homes in the Abul Khaseeb district near Basra reportedly were destroyed. In June the bodies of executed family members who had been arrested in the March 1999 protests were returned; in some instances, all the male children from a family reportedly were arrested and killed, even though not all had taken part in the protests.

Probably connected to this outright destruction of villages was 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. Special Rapporteur van Der Stoel described this practice in his February 1999 report, adding that many other persons have been transferred to detention centers and prisons in central Iraq, primarily in Baghdad.

The military also continued its water-diversion and other projects in the south. 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 was given little credence. Hundreds of square kilometers have been burned in military operations. The U.N. Special Rapporteur has noted the devastating impact draining the marshes has had on the culture of the Shi'a marsh Arabs. 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."

In addition, the regime's diversion of supplies in the south limited the Shi'a population's access to food, medicine, drinking water, and transportation. According to the U.N. Special Rapporteur and opposition sources, thousands of persons in Nasiriyah and Basra provinces were denied rations that should have been supplied under the U.N. oil-for-food program. In these provinces and in Amarah province, access to food allegedly is used to reward regime supporters and silence opponents. Shi'a

groups report that, due to this policy, the humanitarian condition of Shi'a in the south continued to suffer despite a significant expansion of the oil-for-food program.

The Government reportedly also continued to move forcibly Shi'a populations from the south to the north to replace Kurds, Turkomen, and Assyrians who in turn have been expelled forcibly from major cities. However, much of the rich farmland surrounding the cities appears to have been re-deeded not to Shi'a from the south but to absentee landlords who support the Saddam Hussein regime.

The Government continued to hold numerous religious detainees and prisoners.

The Government reportedly continued to target Shi'a Muslim clergy and their followers for arbitrary arrest and imprisonment. While Shi'a are not the only group targeted in this way (others--Kurds and secular regime opponents--are targeted for ethnic and political reasons), the Shi'a are the primary group targeted based on their religion. In view of these discriminatory arrests and the demographic predominance of the Shi'a in the general population, they likely constitute the majority of the prison population as well.

While no firm statistics are available and international monitors are refused entry into the prisons, observers estimate the number of security detainees to be in the tens of thousands, a large figure given the country's population of 20 to 23 million. Some individuals have been held for decades. Others who have remained unaccounted for since their arrests may have died or been executed secretly years ago. This makes it impossible to produce an accurate listing of religious detainees held in the prisons. The Government continued summarily to execute its perceived opponents and Shi'a leaders. Those few citizens able to protest the arrests and executions have persisted in attempts at documentation. Opposition groups, including SCIRI, have provided detailed accounts of summary executions, including the names of hundreds of persons killed.

Certain prisons are well known for their routine mistreatment of prisoners. The Radwanayah detention center 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 center for persons arrested following the civil uprisings of 1991, mostly Shi'a from southern Iraq. Human Rights Watch and others have estimated that Radwanayah holds more than 5,000 detainees. Abu Ghraib prison west of Baghdad may hold as many as 15,000 persons, many of whom reportedly are subjected to torture. Ar-Rashidiya prison, on the Tigris River north of Taji, reportedly has torture chambers. The U.N. Special Rapporteur continued to receive reports that persons arrested are subjected routinely to mistreatment including prolonged interrogations accompanied by torture, beatings, and various deprivations.

In March the Shi'a opposition reported that 60 citizens from al-Nasiriyah province were executed. In April 100 detainees from Radwanayah prison reportedly were taken to Ramadi province where they were buried alive in a pit. In May opposition sources released the names of 38 individuals who were executed.

In November 1998, more than 150 detainees in the southern city of Amara reportedly were ordered killed by Qusay Hussein (Saddam Hussein's son). A possible 39 more reportedly were killed in December 1998 in the city of Karbala.

On March 21, 1999, Ali Hassan al-Magid reportedly ordered the executions of 180 detainees from the Sabkhat area of Baghdad. Two days later, 56 more reportedly were killed at al-Magid's command. In most of these and other instances of mass executions, Shi'a expatriates report that families have been forbidden from conducting funeral services for the deceased. Some reports indicate that families must sign a written declaration that they will not conduct mourning ceremonies before bodies are released.

The Special Rapporteur received a report in May 1998 indicating that hundreds of Fayli (Shi'a) Kurds who had disappeared in the early 1980's during the Iran-Iraq war still were 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.

In a 1997 report, Amnesty International documented the repeated failure by the Government to respond to requests for information about persons who have disappeared, many of whom were Shi'a. The report detailed unresolved cases dating from the early 1980's through the mid-1990's, particularly the disappearances of Aziz as-Sayyid Jassem, Sayyid Muhammad Sadeq, Muhammad Ridha al-Qazwini, Mazin Abd al-Munim as-Samarra'i, the six al-Hashimi brothers, the four ash-Sheibani brothers, and numerous persons of Iranian descent or of the Shi'a branch of Islam.

The Government consistently politicizes and interferes with religious pilgrimages, both of Iraqi Muslims who wish to make the Hajj to Mecca and Medina and of Iraqi and non-Iraqi Muslim pilgrims who wish to travel to holy sites in Iraq.

The Government has used Iraqi pilgrims who wish to make the Hajj to Mecca--a religious duty of all Muslims who can undertake it--as pawns in a test of wills with the United Nations. In 1998 the U.N. Sanctions Committee offered to disburse vouchers for travel and expenses to pilgrims making the Hajj, but the Government rejected this offer. In 1999 the Sanctions Committee offered to disburse funds to cover Hajj-related expenses via a neutral third party. The Government again rejected the opportunity. In both years the Government insisted that these funds would be accepted only if they were paid in cash to the central bank in violation of U.N. sanctions. As a result, in both 1998 and 1999, no Iraqi pilgrims were able to take advantage of the available funds. According to press reports, only 4,000 Iraqi pilgrims made the Hajj in 1999, despite the availability of 22,000 spaces.

In 1999 the Government flew several planeloads of elderly Hajj pilgrims unannounced to Saudi Arabia. Simple approval procedures established by the U.N. Sanctions Committee allow flights for religious and humanitarian purposes to originate from and return to Iraq, provided that advance notification is given to regional air controllers and coalition military aircraft about such flights. The Government chose to ignore these safety procedures and sent the Hajj flights without any notification.

Twice each year--on the 10th day of the Muslim month of Muharram and forty days later in the month of Safar--Shi'a pilgrims from throughout the country and around the world seek to commemorate the death of the Imam Hussein in the city of Karbala. The Government has for several decades interfered with these "Ashura" commemorations, preventing processions on foot into the city. In both 1998 and 1999, violent incidents were reported between Iraqi pilgrims and Ba'ath party members and security forces enforcing the ban, though nothing to equal the clashes of 1977 when thousands were

arrested and hundreds killed. Some devout Shi'a, wishing to avoid confrontation, have tried to select other significant days in the Muslim calendar for their pilgrimage. In 1998 Ayatollah as-Sadr announced that the 15th of Sha'baan--the anniversary of the birth of the Twelfth Imam (which fell in November that year)--would be an appropriate date for pilgrimage to Karbala, but the Government reportedly prevented pilgrims from entering the city. Shi'a expatriates report that groups as small as 10 to 20 pilgrims attempting to make their way into the city at other times have been arrested. Shi'a sources report that Ba'ath Party militia forces clashed with Shi'a pilgrims attempting to commemorate Ashura in May 1998. The interference reportedly was especially severe at Karbala, Basra, and the al-Thawra district of Baghdad.

In past years, the Government has denied visas to many foreign pilgrims for the Ashura. In 1999 it seemed intent on profiteering from them. Shi'a pilgrims reported being charged \$900 for bus passage and food from Damascus to Karbala, a trip that would normally cost about \$150. The Government had reportedly tacked on a \$600 surcharge for foreign pilgrims in addition to the \$100 visa fee and a requirement to exchange \$50 into Iraqi dinars.

The Special Rapporteur and others reported that the Government has engaged in various abuses against the country's 350,000 Assyrian and Chaldean Christians, especially in terms of forced movements from northern areas and repression of political rights.

Assyrians and Chaldeans are considered by many to be a distinct ethnic group as well as the descendants of some of the earliest Christian communities, but the Constitution does not provide for an Assyrian or Chaldean identity. These communities speak a distinct language (Syriac), preserve two important traditions of Christianity in the east, and have a rich cultural and historical heritage that they trace back over 2,000 years. Although these groups do not define themselves as Arabs, the Government, without any historical basis, defines Assyrians and Chaldeans as such, evidently to encourage them to identify with the Sunni-Arab dominated regime.

Assyrian religious organizations have complained that the Government applies apostasy laws in a discriminatory fashion, since Islam is the official religion of the state. Assyrians are permitted to convert to Islam, whereas Muslims are forbidden from converting to Christianity.

Most Assyrians live in the northern governorates, and the Government often has suspected them of "collaborating" with Iraqi Kurds. In the north, Kurdish groups often refer to Assyrians as Kurdish Christians. Military forces destroyed numerous Assyrian churches during the 1988 Anfal Campaign and reportedly tortured and executed many Assyrians. Both major Kurdish political parties have indicated that the Government occasionally targets Assyrians as well as ethnic Kurds and Turkomen in expulsions from Kirkuk, where it is seeking to Arabize the city.

The Government does not permit education in languages other than Arabic and Kurdish. Public instruction in Syriac, which was announced under a 1972 decree, has never been implemented. Thus, in areas under government control, Assyrian and Chaldean children are not permitted to attend classes in Syriac. In northern areas under Iraqi Kurdish control, classes in Syriac have been permitted since the 1991 uprising against the Government. By October 1998, the first groups of students were ready to begin secondary school in Syriac in the north, but some Assyrian sources reported that regional Iraqi Kurdish authorities refused to allow the classes to begin. Details of this practice (e.g., the number of

students prepared to start secondary courses in Syriac and the towns where they were located) were not available, and Kurdish regional authorities denied engaging in this practice. There were no reports of elementary school instruction in Syriac being hindered in northern Iraq.

The Constitution does not provide for a Yazidi identity. The Yazidis are a syncretistic religious group (or a set of several groups) whose worship centers on the Peacock Angel and a series of avatars. Many Yazidis consider themselves to be ethnically Kurdish, though some would define themselves as both religiously and ethnically distinct from Muslim Kurds. However, the Government, without any historical basis, has defined the Yazidis as Arabs.

There is evidence that the Government has compelled this re-identification to encourage Yazidis to join in domestic military action against Muslim Kurds. Captured government documents included in the 1998 Human Rights Watch report "Bureaucracy of Repression, the Iraqi Government in Its Own Words" describe special all-Yazidi military detachments formed during the 1988-89 Anfal campaign to "pursue and attack" Muslim Kurds.

However, the Government does not hesitate to impose the same repressive measures on Yazidis as on other groups. For example, 33 members of the Yazidi community of Mosul, arrested in July 1996, still are unaccounted for.

There are no Shari'a (Islamic law) courts as such. Civil courts are empowered to administer Islamic law in cases involving personal status, such as divorce and inheritance.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

On June 19, 1999, the Assyrian International News Agency (AINA) reported that the partially decomposed body of Helena Aloun Sawa, a 21-year-old Assyrian woman missing since early May, had been discovered by a shepherd in a shallow grave near Dohuk dam. Her family reportedly suspected that she had been raped. Sawa had been a housekeeper for Kurdistan Democratic Party (KDP) Political Bureau member Izzeddin al-Barwari. Reporting that the KDP had offered no assistance in searching for Sawa and that al-Barwari had intimidated the family into not pursuing an investigation, AINA concluded that the murder "resembles a well-established pattern" of complicity by Kurdish authorities in attacks against Assyrian Christians in northern Iraq. It reported that Sawa had been coerced into working for al-Barwari to restore to her family a KDP pension that had been suspended arbitrarily. The pension had been awarded because of the recognition of Sawa's father as a KDP martyr after he was killed in the uprising against the Iraqi regime in 1991.

However, on June 21, 1999, a spokesperson for the Kurdistan Regional Government (KRG) announced that the Dohuk police Homicide Division and the Dohuk General Security Department were investigating the Sawa murder. A subsequent KRG statement indicated that there did not appear to be a "political or racial" motive. The KRG noted that the al-Barwari family had reported last seeing Sawa when she left Dohuk on her way to a vacation at her family village in the Nerwa O Rakan area, and that al-Barwari had been in Damascus, Syria at the time. Nevertheless, al-Barwari was suspended from official KDP duties pending the conclusion of the investigation. At the end of June, KDP Presi-

dent Massoud Barzani decided to appoint a three-member commission to further investigate the killing.

Section II. Societal Attitudes

The country's cultural, religious, and linguistic diversity is not reflected in its political and economic structure. Various segments of the Sunni Arab community, which itself constitutes a minority of the population, effectively have controlled the Government since independence in 1932.

Shi'a Arabs, the religious majority of the population, have long been economically, politically, and socially disadvantaged. Like the Sunni Kurds and other ethnic and religious groups in the north, the Shi'a Arabs of the south have been targeted for particular discrimination and abuse by the Government, ostensibly because of their opposition to the Government.

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), a Turkish-based terrorist organization operating against indigenous Kurds in northern Iraq. 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.

Many Assyrian groups reported a series of bombings in Irbil in late 1998 and early 1999. On December 9, 1998, Nasreen Shaba and her 3-year-old daughter Larsa Toma were killed when a bomb exploded on the doorstep of their home in the Tterawa section of the city. Later the same month, bombs exploded at the front door of Salman Toma Khoshaba in the al-Iskan area and in front of a convent in the al-Mal'ab area. On January 6, 1999, a bomb exploded at the door of Father Zomaya Yusip in the 7th-of-Nisan area. No one was killed in these three subsequent incidents. Although the bombings have not been linked to any particular faction or group, Assyrians fear that they are part of a terror campaign designed to intimidate them into leaving northern Iraq. The Assyrian Democratic Movement, the Assyrian Patriotic Party, and other groups have criticized the investigation into these incidents conducted by the Kurdistan Regional Government (KRG). Thus far there have been no arrests.

Section III. U.S. Government Policy

The United States has no diplomatic relations with Iraq and thus cannot raise directly with the Government the problems of severe restrictions on religious freedom and other human rights abuses. However, the U.S. Government makes its position clear in public statements and in diplomatic contacts with other states.

The President regularly discusses the problems experienced by Shi'a, Christian, and other religious groups in his periodic reports to Congress on Iraq. The Assistant Secretary of State for Near Eastern Affairs, in testimony before Congress on Iraq, has highlighted the situation of persons in the south. The State Department spokesperson issued statements criticizing the deaths of Ayatollahs al-Gharawi, al-Borojourni, as-Sadr, and the attempt on the life of Ayatollah al-Hussaini. The Voice of

America has broadcast several editorials dealing with the human rights abuses committed against religious groups by the Iraqi Government.

It is the policy of the United States to encourage a change of regime in Iraq. Through the State Department's Office of the Special Coordinator for the Transition of Iraq, the United States is in frequent contact with Iraqi democratic opposition groups, including religiously oriented Shi'a, Sunni, and Christian groups. All of the groups designated as eligible for assistance under the Iraq Liberation Act have indicated their strong support for religious freedom and tolerance.

In March 1999, for the seventh consecutive year, the United States joined other members of the United Nations Human Rights Commission (UNHRC), to call on the U.N. Secretary General to send human rights monitors to "help in the independent verification of reports on the human rights situation in Iraq." However, the Iraqi Government continued to ignore these calls. As in the past, it did not allow the U.N. Special Rapporteur to visit nor did it respond to his requests for information. It continued to defy calls from various U.N. bodies to allow the Special Rapporteur to visit the southern marshes and other regions. Denied entry to Iraq, the Special Rapporteur based his reports on the Government's human rights abuses on interviews with recent –migr–s from Iraq, interviews with opposition groups with contacts in Iraq, and other interviews, as well as on published reports.

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