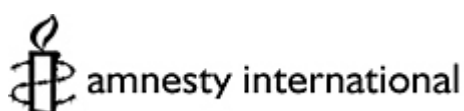


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Amnesty International Annual Report 2011 - Iraq

Head of state: **Jalal Talabani**
 Head of government: **Nuri al-Maliki**
 Death penalty: **retentionist**
 Population: **31.5 million**
 Life expectancy: **68.5 years**
 Under-5 mortality (m/f): **43/38 per 1,000**
 Adult literacy: **77.6 per cent**

Armed groups opposed to the government carried out numerous suicide bomb and other attacks, killing hundreds of civilians. Militia groups also carried out targeted killings. Serious human rights violations were committed by Iraqi security forces and US troops: thousands of people were detained without charge or trial, including some held for several years, although many others were released. All prisons formerly controlled by US forces were transferred to Iraqi administration by mid-July together with all but some 200 detainees who remained in US custody in Iraq. Torture and other ill-treatment of detainees by Iraqi security forces were endemic; some detainees were tortured in secret prisons and several others died in custody in suspicious circumstances. The courts handed down death sentences after unfair trials and at least 1,300 prisoners were reported to be on death row. One execution was reported, although the real total was believed to be much higher. Around 3 million Iraqis were either internally displaced within Iraq or refugees abroad. Women continued to face discrimination and violence.

Background

Parliamentary elections in March resulted in a stalemate until November, when a new government was agreed headed by the incumbent Prime Minister, Nuri al-Maliki. Armed groups opposed to the government stepped up suicide bomb and other attacks in the interim period, killing and injuring hundreds of civilians.

The USA withdrew its last combat troops from Iraq in mid-August, although around 50,000 US troops remained reportedly in a support and training role.

In July, US forces in Iraq (USF-I) completed their handover of detainees and prisons to

the Iraqi government as required by the 2008 Status of Forces Agreement (SOFA) between the USA and Iraq. Several thousand detainees were transferred to Iraqi custody. Around 200 detainees, mostly leaders of armed groups and former senior members of the Ba'ath administration under Saddam Hussain, remained in USF-I detention, in a section of Camp Cropper (renamed al-Karkh Prison by the Iraqi government in July), apparently at the request of the Iraqi authorities. The SOFA contained no human rights safeguards despite the well-established record of torture and other ill-treatment of detainees by Iraqi security forces.

Most Iraqis continued to live in poverty. Shortages of water and electricity supplies were chronic, and unemployment was above 50 per cent. The continuing high level of insecurity deterred foreign investment, and corruption in government institutions was rife. In July, a US official audit concluded that the Pentagon could not account for over 95 per cent of US\$9.1 billion intended for Iraqi reconstruction that it had been given to manage.

In February, Iraq's human rights record was assessed under the UN Universal Periodic Review.

In August, the UN Security Council unanimously adopted resolution 1936, extending the mandate of the United Nations Assistance Mission for Iraq (UNAMI) for another year.

In November, Iraq ratified the International Convention against enforced disappearance, although it entered reservations concerning individual claims.

Abuses by armed groups

Armed groups opposed to the government and the presence of US forces committed gross human rights abuses, including kidnapping, torture and murder. They carried out suicide bombings in public places and other large-scale indiscriminate attacks against civilians, and assassinated individuals. Many attacks were carried out by al-Qa'ida in Iraq, two of whose leaders were killed in April in a raid by US and Iraqi forces, and its allies among Sunni armed groups.

In October, it was reported that many former members of Awakening Councils, Sunni militia recruited to assist US forces fighting al-Qa'ida in Iraq, had gone over to al-Qa'ida under threat and out of disillusion with what they saw as their abandonment by the USF-I.

Shi'a militia, in particular members of 'Asa'ib Ahl al-Haq (the League of the Righteous), a Mahdi Army splinter group, also committed gross human rights abuses, including kidnapping and murder.

Many victims of attacks were civilians, including members of ethnic and religious minorities, local authority officials, lawyers and judges, journalists and other professionals. Women and children were among those killed.

- On 25 January, three co-ordinated suicide car bombs exploded in quick succession in central Baghdad, killing at least 41 people and injuring more than 75 others. The Islamic State of Iraq, a front for al-Qa'ida in Iraq, claimed responsibility.
- On 2 February, a woman walking with Shi'a pilgrims in Baghdad detonated an explosive belt killing at least 54 people and injuring more than 100 others.
- On 14 May, three suicide bombers killed around 25 people and injured more than 100 at a football field in a Shi'a neighbourhood of Tal-'Afar, a Turkomen town between Mosul and the Syrian border.
- On 31 October, more than 40 worshippers were killed in a Catholic church in Baghdad following an attack claimed by the Islamic State of Iraq, during which

about 100 worshippers were taken hostage. Following a three-hour stand-off, Iraqi security forces stormed the church and the hostage-takers reportedly used grenades and detonated suicide belts to kill hostages.

Detention without trial

Thousands of people continued to be held without charge or trial. Some were held by the USF-I and transferred to Iraqi custody by mid-July, when the last US-run prison, Camp Cropper, was handed to Iraqi control. Many detainees had no access to lawyers and their families, and some were held in secret prisons operated by the Ministries of Interior and Defence where torture and other ill-treatment were rife. Most detainees were Sunni Muslims suspected of supporting Sunni armed groups. Many had been held for several years.

- Qusay 'Abdel-Razaq Zabib, a police officer, remained held without charge or trial. He was arrested by US soldiers at the police station where he worked, near Tikrit, on 17 July 2008, apparently because he was suspected of supporting armed groups. He was held at a succession of US-run prisons and was at Camp Taji when he and the prison were transferred to Iraqi control. In mid-November he was transferred from prison to a police station in Tikrit, from where he was released on 30 December.

Torture and other ill-treatment

Torture and other ill-treatment of detainees were rife in Iraqi prisons, especially those controlled by the Ministries of Defence and Interior. Detainees were beaten with cables and hosepipes, suspended by their limbs for long periods, given electric shocks, had their limbs broken, were asphyxiated with plastic bags, and raped or threatened with rape. Torture was used to extract information from detainees and "confessions" that could be used as evidence against them in court. USF-I secret files published by the Wikileaks organization in October showed that US soldiers had many times reported evidence of torture by Iraqi security forces to their superiors up to the end of 2009; such reporting apparently did not prompt investigations.

- In April, a secret detention facility was reported to have been uncovered at the former Muthanna airport in central Baghdad in which more than 400 detainees were being held, mostly Sunni Arabs who had been detained in Mosul in late 2009. The secret prison, most of whose inmates said they had been tortured, was reported to be controlled by the office of Prime Minister Nuri al-Maliki. The government released about 95 of the detainees and moved others to al-Rusafa Prison in Baghdad. It denied that the prison was secret but closed it down, arresting three officers of the military unit that had run it.

Deaths in custody

Several detainees died in custody possibly as a result of torture or other ill-treatment.

- Riyadh Mohammad Saleh al-'Uqaibi, a former army officer, died on 12 or 13 February at the Muthanna airport prison. Arrested in late September 2009, he was alleged to have been beaten so severely under interrogation that he sustained broken ribs, liver damage and internal bleeding. His body was returned to his family weeks later with a death certificate giving heart failure as the cause of death.
- Two unnamed detainees died in US custody at Camp Cropper on 27 March and 12 April, before it was transferred to the Iraqi government. The USF-I announced that autopsies were being conducted but in both cases the cause and circumstances of death had not been disclosed by the end of 2010.

Trials of former Ba'ath party officials

The Supreme Iraqi Criminal Tribunal (SICT) continued to try former senior members of the Ba'ath party as well as military and other officials in the government of Saddam Hussain, toppled in 2003, who were accused of war crimes, crimes against humanity and other grave offences. Trials failed to meet international fair trial standards; the SICT lacked independence and was said by lawyers and judges to be influenced by political interference.

- In October, two former government ministers – 74-year-old Tareq 'Aziz, the former Foreign Affairs Minister; and Sa'doun Shakir, former Interior Minister – as well as 'Abed Hamoud, Saddam Hussain's private secretary, were sentenced to death by the SICT after being convicted of participating in the elimination of Shi'a religious parties.

Human rights violations by US forces

US forces in Iraq committed serious human rights violations, including killings of civilians.

- 'Omar 'Abdullah and his wife were killed on 10 March when US troops opened fire on their car in Baghdad's al-Iskan neighbourhood. A US military statement was reported to have said that the couple were killed during a joint US-Iraqi security operation and that there would be a joint investigation; no further information was released.

Thousands of classified files were published by Wikileaks. These showed, among other things, that US troops manning security roadblocks had shot dead many Iraqi civilians in previous years and that, contrary to their denials, the US military authorities had sought to keep a count of the number of Iraqi civilians killed in the conflict in Iraq. Revised estimates put the total number of civilian casualties in the conflict in Iraq between 2004 and 2009 at 66,081.

Violence against women and girls

Women were targeted for violence by armed groups, and women who did not adhere to a strict dress code were under threat. Women also suffered violence within the family and were inadequately protected under Iraqi law and in practice. Many women and girls were subject to harmful practices, including forced and early marriage.

In October, the Human Rights Ministry reported that at least 84 women had been killed in "honour killings" in 2009 – not including the Kurdistan region. It reiterated its call for legal changes, including amendments to Article 409 of the Penal Code, which provides that any man who kills his wife or female relative for surprising her in the act of adultery should receive no more than a three-year prison term. No change to the law was made.

Refugees and internally displaced people

Around 1.5 million displaced Iraqis were said to be living as refugees in Syria, Jordan, Lebanon, Turkey and other countries in the region. At least 1.5 million others were internally displaced, including about 500,000 homeless people living in settlements or camps in extremely harsh conditions. Thousands of internally displaced people returned to their homes in the belief that security conditions had improved, but they faced many problems. Several European countries forcibly returned failed Iraqi asylum-seekers to Iraq, in direct breach of advice from UNHCR, the UN refugee agency.

Death penalty

At least 279 people were sentenced to death and at least 1,300 prisoners were said to be on death row, although the authorities generally did not disclose information about the death penalty. One execution was made public, but it appeared that the total number of executions was considerably higher.

Most death sentences were passed by the Central Criminal Court of Iraq against defendants convicted of involvement in armed attacks. Trials consistently failed to satisfy international standards for fair trial; defendants frequently alleged that they had been forced to sign "confessions" under torture or other duress while held incommunicado in pre-trial detention and were unable to choose their own defence lawyers. Death sentences were also passed by the SICT.

- 'Ali Hassan al-Majid, a cousin of and former senior official under Saddam Hussain, was executed on 25 January. He had been sentenced to death four times, the last of which was on 17 January.

In December, Iraq was one of a minority of states that voted against a UN General Assembly resolution calling for a worldwide moratorium on executions.

Kurdistan region of Iraq

The Kurdistan region remained largely unaffected by the political violence seen in other parts of Iraq. Human rights conditions continued generally to improve, although many abuses were reported.

In May, legislation was passed to create a human rights commission for the Kurdistan region. In June, the Kurdistan parliament extended the application of the 2006 anti-terrorism law for a further two years. In November a law restricting demonstrations was passed.

In November, on the occasion of the holy 'Eid al-Adhha festival, the President of the Kurdistan Regional Government (KRG) issued an amnesty under which 207 prisoners were said to have been released. Among those freed were a few people who had been serving prison terms for "honour crimes"; women's rights activists criticized these releases.

Attacks on opposition activists

Members and supporters of political opposition groups were threatened, harassed, attacked or arrested.

- On 14 February, unidentified gunmen attacked the office of the Kurdistan Islamic Union (KIU) party in Sulaimaniya, but caused no casualties. Four days later, the KRG authorities detained several KIU members in Dohuk.
- On 16 February, armed men reportedly linked to the Patriotic Union of Kurdistan (PUK), one of the parties forming the KRG, violently disrupted a meeting of the opposition Goran Movement in Sulaimaniya; the authorities arrested 11 Goran Movement activists but took no action against those who broke up the meeting.

Freedom of expression

Several independent journalists were attacked.

- On 4 May, Sardasht Osman, a student and journalist, was abducted in Erbil by unidentified armed men. Two days later, his body was found in Mosul, outside the area administered by the KRG. He was reported to have received anonymous threats because of articles criticizing senior Kurdish political leaders. However, a KRG-appointed investigative committee reported on 15 September that he had been killed by Ansar al-Islam, a Kurdish Sunni armed group. The authorities said one of the alleged perpetrators had been arrested. Sardasht Osman's family rejected the investigative committee's findings.

Violence against women

Women continued to suffer discrimination and violence. Incidents of men killing female relatives were reported, and scores of women died reportedly as a result of self-inflicted burns. Female genital mutilation was reported to be widely practised. According to Kurdish official records, in the first half of 2010 at least 671 women suffered "serious domestic violence" and at least 63 women were sexually abused.

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