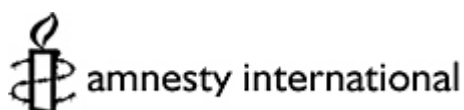


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Amnesty International Annual Report 2012 - Iraq

Head of state: Jalal Talabani
 Head of government: Nuri al-Maliki
 Death penalty: retentionist
 Population: 32.7 million
 Life expectancy: 69 years
 Under-5 mortality: 43.5 per 1,000
 Adult literacy: 78.1 per cent

Government security forces used excessive force against peaceful and other protesters, some of whom were shot dead. Others were arrested and tortured. Thousands of people were detained; many had been arrested in previous years and held without charge or trial. Torture and other ill-treatment remained rife. Hundreds of people were sentenced to death, many after unfair trials, and dozens of prisoners were executed. US forces also committed serious human rights violations. Armed groups opposed to the government and the presence of US troops continued to commit gross human rights abuses; they carried out numerous suicide and other bomb attacks, killing hundreds of civilians.

Background

Inspired by the popular uprisings in Tunisia and Egypt, thousands of Iraqis demonstrated in Baghdad, Basra and other cities against corruption, unemployment and lack of basic services, and in favour of greater civil and political rights. The largest demonstrations, held across Iraq on 25 February, were forcibly dispersed by the security forces.

On 18 December, the last US soldiers left Iraq in accordance with the Status of Forces Agreement signed by the US and Iraqi authorities in 2008. A proposed deal, under which several thousand US troops would remain in Iraq as military trainers, fell through because of legal issues relating to immunity.

In July, Iraq became party to the UN Convention against Torture.

Abuses by armed groups

Armed groups opposed to the government and to the presence of US forces continued to commit gross human rights abuses, including indiscriminate killings of civilians and kidnapping. Many such attacks were carried out by al-Qa'ida in Iraq and its allies.

- On 10 February, nine people were killed and at least 27 others were wounded when a car bomb exploded near a procession of Shi'a pilgrims heading towards the holy Shi'a shrines in Samarra' in Salahuddin governorate.
- On 15 August, at least 89 people were killed across Iraq in more than 40 co-ordinated attacks. The deadliest attack was in a crowded market in Kut, south-east of Baghdad, when two explosions killed at least 35 people and injured more than 60.
- On 29 August, at least 29 people were killed and many wounded in a suicide bomb attack in Um al-Qura mosque, Baghdad's largest Sunni mosque. Among the dead was Khalid al-Fahdawi, a member of parliament.

Detention without trial

Thousands of people remained detained without charge or trial. In July, the Chairman of the Supreme Judicial Council (SJC) said there were around 12,000 untried detainees, referring only to those held in facilities controlled by the Justice Ministry. Many other detainees were believed to be in prisons run by the Ministries of Defence and Interior. Many detainees had no access to lawyers or their families.

In July, the US authorities transferred two half brothers of former President Saddam Hussain and his former Defence Minister, all under sentence of death, to Iraqi custody together with almost 200 detainees who were alleged members of armed groups. These were the last prisoners and detainees under the control of the US military in Iraq. They all remained in al-Karkh Prison (formerly Camp Cropper), near Baghdad International Airport.

Torture and other ill-treatment

Torture and other ill-treatment were widespread in prisons and detention centres, in particular those controlled by the Ministries of Interior and Defence. Commonly reported methods were suspension by the limbs for long periods, beatings with cables and hosepipes, electric shocks, breaking of limbs, partial asphyxiation with plastic bags, and rape or threats of rape. Torture was used to extract information from detainees and "confessions" that could be used as evidence against them in courts.

- Abdel Jabbar Shaloub Hammadi, who helped organize anti-government protests, was arrested on 24 February in a Baghdad street by 30 armed police. He was beaten, blindfolded and taken to a police building in Baghdad's al-Baladiyat district. During the first five days he was held there, he alleges that he was suspended by his wrists with his legs and arms bound together, and had icy water thrown over him. He was released without charge on 8 March.

Excessive use of force

The security forces used excessive force in response to anti-government protests in Baghdad and other cities, particularly in February and March, using live ammunition, sound bombs and other weapons to disperse peaceful protests. At least 20 people were killed in the protests that began in February.

- On 25 February, Mu'ataz Muwafaq Waissi was one of five people shot dead by security forces at a peaceful demonstration in Mosul. He was said to have been killed by a sniper. According to witnesses, the security forces used sound bombs and fired into the air at first but then used live fire against protesters.

- Also on 25 February, during protests in Basra, Salim Farooq was killed and scores of other protesters were injured during clashes between security forces and protesters outside the provincial council building.

Death penalty

Hundreds of people were sentenced to death; in July, the SJC Chairman said that courts had imposed 291 death sentences in the first half of the year. In September, an SJC spokesperson revealed that 735 death sentences had been referred to the Iraqi Presidency for final ratification between January 2009 and September 2011, of which 81 had been ratified. According to the Ministry of Justice, 65 men and three women were executed during the year.

Most death sentences were imposed on people convicted of belonging to or involvement in attacks by armed groups, kidnapping or other violent crimes. Trials consistently failed to meet international standards for fair trial. Defendants commonly complained that "confessions" accepted as evidence against them had been obtained under torture when they were held incommunicado and interrogated, and that they could not choose their own defence lawyers. In many cases, these "confessions" were broadcast on television, in some cases in advance of trials, undermining the right to be considered innocent until proven guilty. The government rarely disclosed information about executions, especially names of those executed and exact numbers.

- On 16 June, the Central Criminal Court of Iraq sentenced to death 15 men after "confessions" by several of them were aired on television a few days earlier. The 15, said to be members of armed groups, were reportedly found guilty of murdering dozens of people at a wedding party and the rape of women and girls, including the bride, in a village near al-Taji, north of Baghdad, in June 2006. On 24 November, the Ministry of Justice announced that 12 people involved in this case had been executed earlier on the same day. The fate of the remaining three was not known at the end of the year.
- On 16 November, 10 men, including a Tunisian and an Egyptian national, who had been convicted of "terrorism" and murder, were reported to have been executed in al-Kadhimiya Prison in Baghdad.

Trials of former Ba'ath and army officials

The Supreme Iraqi Criminal Tribunal (SICT) continued to try former senior Ba'ath and army officials associated with Saddam Hussain's rule who were accused of war crimes, crimes against humanity and other offences. The court, whose independence and impartiality has been undermined by political interference, imposed several death sentences. In September, the President of the SICT told Parliament that the court was no longer operating as it had completed all of the criminal cases it was due to hear.

- On 21 April, Hadi Hassuni, 'Abd Hassan al-Majid and Farouq Hijazi, all former senior intelligence officers, were sentenced to death for the murder of Taleb al-Suhail, an opposition leader, in 1994 in Lebanon. The court's Appellate Chamber upheld the sentences, but at the end of 2011 they were still awaiting ratification by the Presidency.
- On 6 June, 'Aziz Saleh al-Numan, a former senior Ba'ath party official, was sentenced to death after he was found guilty of crimes against humanity in connection with the suppression of the 1991 Shi'a uprising in southern Iraq.

Attacks on media workers

A new law passed in August, ostensibly to protect the rights of journalists, was criticized as inadequate by media organizations and journalists, who continued to face politically motivated threats and attacks by the security forces in what appeared to be an

orchestrated clampdown on the media. Those working for independent or opposition media outlets were particularly targeted. Several journalists were arrested and tortured.

- Prominent radio journalist Hadi al-Mahdi was shot dead in his flat in Baghdad on 8 September shortly before he was due to attend a protest. Friends said that he had received threats in the weeks before his murder. Earlier, he and three other journalists had been detained by soldiers when they attended the 25 February protest, held overnight and interrogated while being tortured, including with beatings, electric shocks and threats of rape.

Human rights violations by US forces

US forces were involved in a number of incidents in which civilians were killed in suspicious circumstances.

- On 7 March, a joint US-Iraqi force arrived by helicopter at the village of Allazika, Kirkuk province, and raided the house of Ayad Ibrahim Mohammad 'Azzawi al-Jibbouri, a physician. They took away both him and his brother Khalil, a teacher. On 8 March, Ayad al-Jibbouri's relatives were contacted by the morgue in Tikrit and informed that they should collect his body, which had been brought there by US forces the previous day. Khalil al-Jibbouri was taken by US forces to their military camp in Tikrit. At the end of the year it was not known whether he had been handed over to Iraqi custody or released.
- On 30 July, Shaikh Hamid Hassan, a tribal leader, and two of his relatives were killed in Rufayat village, north of Baghdad, when their house was attacked during a joint US-Iraqi security operation. At least six other relatives – four of them women – were reported to have been wounded.

Camp Ashraf

Iraqi security forces continued to tighten their grip on and use violence against residents of Camp Ashraf, some 60km north of Baghdad. Renamed Camp New Iraq, it still housed some 3,250 Iranian exiles, members and supporters of the People's Mojahedin Organization of Iran, which opposes the Iranian government. On 8 April, Iraqi troops stormed the camp using grossly excessive force, including live ammunition, against residents who tried to resist them. Some 36 residents – 28 men and eight women – were killed and more than 300 wounded. Subsequently, those injured and others who were seriously ill were prevented or obstructed from leaving the camp to obtain specialized medical treatment.

Senior Iraqi government officials insisted that the camp would be closed by the end of 2011, leading UNHCR, the UN refugee agency, to call for an extension to allow it to interview residents seeking to register as refugees. At the end of the year, the Iraqi government agreed to extend the deadline to April 2012 provided that the residents would be moved to Camp Liberty near Baghdad International Airport.

Kurdistan region of Iraq

People also staged demonstrations in the Kurdistan region, especially in Sulaimaniya, protesting against corruption and calling for political reform.

Several new laws were enacted. A new law on NGOs simplifies the legal registration process, permits NGOs to receive funds from both local and foreign sources, recognizes that NGOs have a role to monitor government institutions and access information, and allows them to open branches and form networks. A new law to combat violence against women prohibits a wide range of acts of violence within the family, requires that the identities of victims are protected and establishes a special court to try cases of violence against women.

Excessive use of force

Kurdish security forces used excessive force, including live ammunition, to quell protests in Sulaimaniya and Kalar, resulting in at least six deaths.

- Rezhwan 'Ali, a 15-year-old boy, was shot in the head and died instantly on 17 February when thousands of people demonstrated in Sulaimaniya's Sara Square. At least 50 people were injured.
- On 19 February, Surkew Zahid, aged 16, and Sherzad Taha, aged 28, were seriously injured when security forces opened fire on a mass protest in Sulaimaniya. Both died in hospital the following day. At least 14 other people were injured.

Torture and other ill-treatment

A number of pro-democracy activists, including members of opposition political parties, were detained and tortured and otherwise ill-treated.

- Sharwan Azad Faqi 'Abdullah, who was arrested in Erbil during the protests on 25 February, was detained for four days and tortured. He was repeatedly punched to force him to sign a "confession", and still had visible injuries apparently caused by torture when Amnesty International delegates saw him on 11 March in Erbil.
- In early December, scores of members of the Kurdistan Islamic Union, an authorized Islamist party, were arrested in Dohuk and Zakho by Kurdish security forces. Many were released within days, but at least 14 were held for several weeks. Some were reported to have been tortured. The arrests took place immediately after attacks by Islamist protesters on shops selling alcohol and other businesses.

Attacks on media workers

Several journalists, particularly those working for independent media, were threatened, harassed or attacked, apparently by security officials.

- On 29 August, Asos Hardi, editor of the independent newspaper *Awene*, was beaten by an armed assailant as he left his office in Sulaimaniya.
- On 7 September, Ahmed Mira, editor of the independent *Levin* magazine, was held for three hours by members of a special force in Sulaimaniya, during which he was kicked and hit with a rifle butt. He was freed by order of a judge.

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