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Iraq (2006)

Polity:

No polity available

Political Rights:

6*

Civil Liberties:

5

Status:

Not Free

Population:

28,800,000

GNI/Capita:

\$1,090

Life Expectancy:

59

Religious Groups:

Muslim (97 percent)
[Shia Muslim (60-65 percent), Sunni Muslim (32-37 percent)], other [including Christian] (3 percent)

Ethnic Groups:

Arab (75-80 percent), Kurd (15-20 percent), other [including Turkmen and Assyrian] (5 percent).

Capital:

Baghdad

Additional Info:

[Freedom in the World 2005](#)

[Freedom of the Press 2005](#)

[Nations in Transit 2004](#)

[Countries at the Crossroads 2005](#)

Ratings Change

Iraq's political rights rating improved from 7 to 6 due to the holding of modestly successful elections to a transitional national assembly in January 2005 and the subsequent formation of a transitional government.

Overview

The ascension of a new government through procedurally free and fair elections in 2005 marked a major watershed in Iraq's transition to democracy. However, civil liberties came under increasing threat as Sunni Arab terrorist groups stepped up attacks on the civilian population (especially Shias), and the new Shiite-dominated government launched an aggressive counterinsurgency campaign, allegedly involving scores of extrajudicial executions of suspected Sunni Arab insurgents.

The modern state of Iraq, consisting of three former Ottoman provinces, was established after World War I as a League of Nations mandate administered by Great Britain. The British installed a constitutional monarchy that privileged the Sunni Arab minority at the expense of Kurds and Shiite Arabs. Sunni Arab political dominance in Iraq, which formally gained independence in 1932, continued after the monarchy was overthrown in a 1958 military coup. The Arab nationalist Baath party seized power in 1968. The new regime's de facto strongman, Saddam Hussein, formally assumed the presidency in 1979.

Hussein brutally suppressed all opposition to his rule and sought to establish Iraq as a regional superpower by invading Iran in 1980. During the eight-year war, his regime used chemical weapons against both Iranian troops and rebellious

Iraqi Kurds. Iraqi troops invaded Kuwait in 1990 and were ousted the following year by a U.S.-led coalition. After the war, the UN Security Council imposed economic sanctions on Iraq, pending the destruction of its weapons of mass destruction. Because of Iraq's refusal to fully cooperate with UN weapons inspectors, however, the sanctions remained in place for over a decade.

Following the establishment of a U.S.-enforced no-fly zone north of the 36th parallel in 1991, most of the three northern provinces of Erbil, Duhok, and Suleimaniyah came under the control of Massoud Barzani's Kurdistan Democratic Party (KDP) and Jalal Talabani's Patriotic Union of Kurdistan (PUK), which established a Kurdistan Regional Government (KRG). During the 1990s,

northern Iraq experienced rapid economic development and a flourishing of political and civil liberties not seen elsewhere in the Arab world.

In the aftermath of the September 11, 2001, attacks on the United States, U.S. president George W. Bush designated Iraq's weapons of mass destruction a salient threat to American national security and committed his administration to engineering Hussein's ouster. In March 2003, a U.S.-led military coalition invaded Iraq, captured Baghdad less than three weeks later, and established a Coalition Provisional Authority (CPA) to administer the country temporarily. In July, after extensive negotiations with leading Iraqi political and religious leaders, the CPA appointed a 25member Iraqi Governing Council (IGC) and granted it limited lawmaking authority.

The initial euphoria felt by many Iraqis after the regime's collapse was quickly tempered by the security vacuum, widespread looting, and acute electricity and water shortages that followed. Unemployment soared as a result of the CPA's decision to disband Iraq's 400,000-man army and dismiss upper-level Baath party members from government posts, which left some 35,000 civil servants out of work.

Sunni Arabs, who constitute roughly 20 percent of the population, viewed the prospect of majoritarian democracy with immense trepidation. Exploiting these fears, loose networks of former regime officials and foreign Islamist militants began organizing and funding an insurgency that rapidly gained strength in late 2003 and 2004. The insurgency combined sophisticated guerrilla warfare against coalition forces and nascent government security forces; sabotage attacks on vital infrastructure targets; suicide bombings against Shiite civilians and Iraqis viewed as collaborating with coalition forces; executions (often videotaped and made public via the internet) of humanitarian aid workers, civilian contractors, and other foreigners; and assassinations of prominent Iraqi public figures who support the interim government.

Deteriorating security conditions slowed progress in many critical areas of Iraq's reconstruction. Oil production remained well below its prewar level as a result of insurgents' sabotage, while essential public services, such as power and water, have been repeatedly disrupted in most areas of the country. Residents of northern Iraq, where Kurdish militia forces (peshmerga) continued to maintain security, were spared most of these tribulations.

In spite of the escalating insurgency, Iraq's political transition has progressed substantially. In March 2004, the IGC adopted a Transitional Administrative Law (TAL) to serve as the country's interim constitution. In June, after weeks of UN-mediated negotiations among the main (noninsurgent) political groups, the CPA and the IGC transferred sovereignty to an Iraqi Interim Government (IIG), headed by Prime Minister Iyad Allawi.

Elections for the 275-seat Transitional National Assembly (TNA), along with simultaneous elections for provincial governments and the KRG, were held in January 2005. Insurgents' calls for a boycott and threats of violence on election day led the vast majority of Sunni Arabs to stay away from the polls, handing a

landslide victory to the Shiite-led United Iraqi Alliance (UIA) and a joint KDP/PUK Kurdish coalition. After three months of contentious negotiations, the TNA selected a new Iraqi Transitional Government (ITG), headed by Prime Minister Ibrahim Jafaari.

The meager representation of Sunni Arabs in the TNA (only 17 seats) gave them little voice in the legislative process of drafting a permanent constitution. The final text that went to referendum clearly reflected the interests of Shiite and Kurdish coalitions, allowing for a federal system with powerful regional governments-recognizing autonomy for the KRG in northern Iraq and allowing predominantly Shiite provinces to form a similar autonomous regional government-and failing to unequivocally stipulate that revenue from oil and natural gas fields (located mostly in Kurdish and Shiite regions) be distributed equitably. Many articles of the constitution pertaining to internationally recognized political rights and civil liberties are vaguely worded and subject to implementing legislation, while its stipulation that the Federal Supreme Court include an unspecified number of "experts in Islamic jurisprudence" alongside civil judges represents an intrusion of clerical influence that is rare even in the Islamic world. The draft constitution was approved by a popular referendum in October, though two Sunni Arab provinces voted overwhelmingly against it.

The Sunni Arab community's self-exclusion from the political process paved the way for Shiite and Kurdish parties to extend their influence throughout government. Newly appointed interior minister Bayan Jabr, who formerly commanded the armed wing of the Supreme Council for the Islamic Revolution in Iraq (SCIRI), infiltrated Shiite militia forces into the police and authorized more aggressive counterinsurgency operations. Extrajudicial detentions and killings by Shiite militias and militia-dominated police commandos, as well as Kurdish security forces in the north, rapidly proliferated during the year.

One silver lining of these ominous developments was a renewed willingness of Sunni Arabs to participate in the political system. In November, representatives of several indigenous insurgent groups reportedly held indirect talks with U.S. officials on the sidelines of an Arab League-sponsored reconciliation conference in Cairo. In sharp contrast to the January elections, many prominent Sunni Arab moderates announced their intention to run in the December 2005 elections for a fullterm national assembly, which will have an opportunity to amend the constitution before it goes into effect in 2006.

Political Rights and Civil Liberties

Citizens of Iraq cannot change their government democratically. The prime minister is the head of government. Under the TAL, the prime minister is chosen by the three-man Presidency Council, consisting of the president and two vice presidents, who are elected by the TNA. Although largely ceremonial in practice, the Presidency Council has some executive powers under the TAL, most notably the power to veto legislation passed by the TNA and appoint members of the Federal Supreme Court. While the Baath party is banned, political parties representing a wide range of viewpoints are allowed to organize and campaign freely.

The Independent Electoral Commission of Iraq (IECI), whose nine-member board was selected by a UN advisory committee, has sole responsibility for administering elections in Iraq. Elections in January and the constitutional referendum in October were certified as free and fair by international monitors. However, the TNA elections were marred by violence (44 Iraqis were killed near polling stations) and a Sunni Arab boycott (turnout, 58 percent overall, dipped to just 2 percent in the Sunni province of Anbar). Elections for a permanent, 275-seat Council of Representatives in December 2005 will use a multidistrict system, instead of the single nationwide district system used in the TNA elections (which inherently disadvantages regions where turnout is low).

Iraq is plagued by pervasive corruption. In August 2005, 27 former senior officials of the Allawi administration, including former ministers of defense, labor, transportation, electricity, and housing, were indicted in connection with the embezzlement of more than \$1 billion from military contract expenditures. Iraq was ranked 137 out of 159 countries surveyed in Transparency International's 2005 Corruption Perceptions Index.

Freedom of expression in Iraq is protected by the TAL and generally respected by the authorities. Over a dozen private television stations are in operation. Although most are affiliated with particular religious or political groups, the nonpartisan station Al-Sharqiya is the most widely watched Iraqi television station. Major Arab satellite stations are easily accessible, as roughly one-third of Iraqi families own a satellite dish. More than 130 print publications have been established since 2003 and are allowed to operate without significant government interference. Internet access is unrestricted, though limited to roughly 200,000 subscribers. No media outlets were suspended or closed in 2005, though the Qatar-based Al-Jazeera satellite television station has remained banned from working in the country since August 2004 for violating CPA Order 14, which prohibits media organizations from publishing or broadcasting material that incites violence or civil disorder.

Although the Iraqi media are not subject to any form of government censorship, violent retributions against journalists led most media outlets to practice some degree of self-censorship. In 2005, according to the Committee to Protect Journalists, 22 journalists and 3 media workers (drivers, bodyguards, and translators) were killed in Iraq. Of these, 16 were victims of targeted killings by suspected insurgents, three were targeted by suspected Shiite militias, two were incidental casualties of an insurgent suicide bombing, three were killed inadvertently by coalition forces, and one person was killed by unidentified forces while covering live combat operations. In addition, 14 journalists were abducted during the year by insurgent and other nonstate armed groups (including five who were later killed). At least seven journalists were subjected to prolonged detention without charge or disclosure of supporting evidence by U.S. forces in Iraq on suspicion of aiding and abetting insurgents, one of whom remained in detention at year's end.

Freedom of religion is guaranteed by the TAL and generally respected by the government. Mosques, churches, and other religious institutions are allowed to operate with little formal oversight. All religious communities in Iraq were

threatened by sectarian violence in 2005. Suicide bombings specifically targeting Shias claimed several hundred lives in 2005. In June, a suicide bomber attacked a Sunni religious meeting in Balad, killing 10 people. At least four members of Iraq's tiny 80,000-strong Sabaeen (Mandaean) minority were killed during the year by militant Islamists after refusing to convert to Islam at gunpoint.

Baathist-era restrictions on academic freedom were abolished in 2003. However, Kurdish parties in northern Iraq and Shiite parties in southern Iraq "controlled the pursuit of formal education and the granting of academic positions" at universities in their areas of influence, according to the 2005 U.S. State Department's human rights report. University professors were frequently targeted by extremist groups. In April 2005, the Basra De-Baathification Committee fired six University of Basra college deans after Shiite Islamists demanded their removal and threatened to kill their families.

Rights to freedom of assembly and association are recognized by the TAL and generally respected in practice. The new constitution guarantees these rights "in a way that does not violate public order and morality." Domestic and international nongovernmental organizations were able to operate without restrictions, though security constraints limited their activities in many regions. Peaceful demonstrations occurred frequently during the year without interference from coalition forces or the Iraqi government, except when they were in violation of curfews. Gatherings or rallies that violated anti-Baath strictures were considered illegal.

The TAL guarantees the right to "form and join unions" and to "strike peaceably in accordance with the law." While Iraq's 1987 labor law remains in effect, technically prohibiting unionization in the public sector-where the vast majority of Iraqi workers are employed-union activity has flourished in nearly all industries since 2003, and strikes have not been uncommon. The Iraqi Federation of Trade Unions (IFTU) was targeted by insurgents after it called for participation in the TNA elections. At least three union leaders, including IFTU International Secretary Hadi Saleh, were murdered in 2005.

The TAL provides for an independent judiciary. The Higher Judicial Council (HJC)-headed by the chief judge of the Federal Supreme Court and composed of Iraq's 17 chief appellate judges and several judges from the Federal Court of Cassation-has administrative authority over the court system in Iraq. In practice, however, judges have come under immense political pressure. Since judges were virtually required to be Baath party members prior to 2003, they are now subject to removal by the executive branch through selective enforcement of de-Baathification laws. The new constitution stipulates that trials must be conducted in public "unless the court decides to make it secret."

Persons accused of committing war crimes, genocide, and crimes against humanity fall under the jurisdiction of the Iraqi High Tribunal (IHT), previously known as the Iraq Special Tribunal. The IHT statute does not explicitly require that guilt be proven beyond a reasonable doubt and lacks adequate safeguards against selfincrimination. In October 2005, Saddam Hussein and seven former

Iraqi officials went on trial for the 1982 executions of more than 140 Shiites in the town of Al-Dujail (the first in a series of cases the IHT plans to prosecute). The murders of an IHT judge and two defense lawyers in the case raised questions about whether the government can ensure the security of participants.

Iraq's Criminal Procedure Code and the TAL prohibit arbitrary arrest and detention (except in undefined "extreme exigent circumstances"), though both practices are common in security-related cases. In March 2005, according to Iraqi press reports, the HJC rebuked the Interior Ministry for distributing an internal memo authorizing arrest without warrants in "non-exigent" circumstances. In November, U.S. troops raided a detention center controlled by the Interior Ministry and discovered 169 incommunicado detainees, most of whom bore evidence of severe mistreatment or torture. There were credible reports of other illegal detention facilities run by the Interior Ministry. Several hundred people, mostly Arab and Turkmen, were arrested during the year by Kurdish authorities and detained incommunicado at five illegal detention centers in northern Iraq. Although the exact number fluctuated during the year, well over 10,000 Iraqis suspected of involvement in the insurgency were held by the

U.S. military at any given time, before being released or handed over to the Iraqiauthorities. Most criminal trials are summary, often lasting less than 30 minutes.

Neither coalition forces nor the Iraqi authorities have established effective safeguards against the mistreatment of detainees. According to a U.S. military investigation, American forces in Iraq were responsible for "systemic" and "illegal abuse of detainees" at Abu Ghraib prison between August 2003 and February 2004. The torture and ill-treatment of suspects detained by the authorities in connection with security-related offenses is much more severe and widespread, with hundreds of reported cases in 2005, and coerced confessions are a common method of investigation. In July 2005, nine men detained by police in Baghdad suffocated to death after they were confined in a van for up to 14 hours in the blazing sun.

The National Security Order of July 2004 enables the prime minister to declare martial law for a 60-day period (renewable every 30 days with approval of the Presidency Council) in areas of the country where violence against citizens poses a "danger of grave proportions." Under martial law, the government can restrict freedom of movement and assembly. The state of emergency declared by Prime Minister Ibrahim Jafaari in November 2004 was continuously renewed throughout 2005, mainly so as to impose curfews in areas where security is lacking.

Sunni Arab insurgents massacred thousands of Iraqi civilians (mostly Shiites) in 2005. Scores (hundreds, by some estimates) of mostly Sunni Arab civilians were murdered during the year by Shiite militias and Shiite-controlled police units. In May, the bodies of 16 Sunni Arab farmers who had been detained by men wearing police uniforms were discovered near Baghdad. A few weeks later, the mutilated body of a Sunni cleric and member of the Association of Muslim

Scholars, Hassan al-Nuaimi, was found in Baghdad, a day after he was arrested by the police. In August, the bodies of 36 Sunni Arabs, arrested by men wearing police commando uniforms a day earlier, were discovered. Although the Interior Ministry promised investigations of these and other cases, no new information on these crimes was released by the authorities for the remainder of the year.

The internal security forces are dominated by Shiites, and there were credible allegations of employment discrimination against non-Shiites in some government institutions in 2005, such as the ministries of Health and Communications. Minorities in northern Iraq-Turkmen, Arabs, Christians, and Shabak-reported instances of discrimination and harassment at the hands of Kurdish authorities. Palestinians were the targets of harassment and discrimination by both police and the general public.

Iraq's Baathist-era Personal Status Law remains in force and guarantees equal rights for women, as does the TAL. The TAL guarantees Iraqi women 25 percent of the seats in the TNA, though in fact 87 women (32 percent) were elected in January 2005. The 37-member cabinet formed in May included six female ministers. Female enrollment in universities is 42 percent. Public security for Iraqi women remained a major problem in 2005. Women who hold jobs, attend university, or go out in public unveiled were frequently harassed, and in some cases killed, by radical Islamist groups (both Sunni and Shiite). According to Newsweek, 32 women were murdered by suspected Islamic extremists from March 2003 to January 2005 in Baghdad and Mosul alone. In March 2005, three women in the Shiite Sadr City district of Baghdad were gunned down after being accused of prostitution by local extremists. Municipal officials in Basra estimate that there were two to three murders of women per week in 2005, many of them by Shiite Islamist groups.