

# AMNESTY INTERNATIONAL PRESS RELEASE

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## Iraq: Continuing failure to uphold human rights

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(Baghdad) After more than 100 days of occupation, the promises of human rights for all Iraqis have yet to be fulfilled, Mahmoud Ben Romdhane Amnesty International's head of delegation to Iraq said.

Speaking at the launch of a *Memorandum on concerns relating to law and order*, he continued: "The Iraqi people have suffered for long enough - it is shameful to still hear of people who are being detained in inhumane conditions without their family knowing where they are and with no access to a lawyer or a judge - often for weeks on end."

Dr Suhail Laibi and his son, Ahmad, were detained on 15 May 2003 for having a pistol in their car. Dr Suhail was released from Abu Ghraib Prison on 14 June 2003 and was told that his son had been transferred to Nassiriya. On his arrival there, he found no information about his son and an officer warned him against going to the prison camp because he might be arrested. Continuing his search on his return to Baghdad, Dr Suhail was finally informed by an officer that his son was in Camp Bucca. But this same officer had no idea where this was. After 66 days in detention, Ahmad was finally released on 20 July.

Former detainees told Amnesty International that people detained by Coalition Forces were held in tents in the extreme heat and were not provided with sufficient drinking water or adequate washing facilities. They were forced to use open trenches for toilets and were not given a change of clothes - even after two months' detention.

The organization has investigated a number of cases of unlawful detention. These result from the failure of Coalition Forces to implement promptly release orders issued by Iraqi examining magistrates, before the approval of a senior military official.

"This is a flagrant breach of the rule of law," said Amnesty International delegate Curt Goering.

Amnesty International has received reports of torture or ill-treatment by Coalition Forces. Reported methods include prolonged sleep deprivation, prolonged restraint in painful positions -- sometimes combined with exposure to loud music, prolonged hooding and exposure to bright lights.

Khreisan Khalis Aballey, 39, and his father, 80, were arrested at their home on 30 April. Khreisan was hooded and handcuffed and made to stand or kneel facing a wall for nearly eight days while he was

being interrogated. He suffered from sleep deprivation as a bright light was placed next to his head and distorted music was playing. His knees bled so he mostly stood and by the end he said his leg was swollen to the size of a football. His father was held in the cell next to him and could hear his son's screams.

"Many of the Coalition soldiers and military police engaged in law enforcement do not have basic skills and tools in civilian policing or to be aware of the law they are supposed to be applying," Curt Goering said.

People interviewed by Amnesty International described how soldiers smashed their way into cars and cupboards even when their owners offered keys. There are also numerous reports of confiscation of property, including large sums of money, upon arrest. This property is not returned upon release.

In one case, US officers accepted that there was evidence that a crime had been committed by officers who removed more than three million dinars (2000 US dollars) from a family home. Officers said that redress would be long and difficult as they lacked the means to find out where the division accused of committing the crime was now stationed.

Amnesty International has documented several incidents of shootings at Iraqi demonstrators by US soldiers in disputed circumstances. While it is true Coalition Forces are dealing with complex situations -- they are still engaged in situations of combat and others where the use of force may be necessary, like the dispersal of violent demonstrators - they must still abide by international standards.

US forces shot 12-year-old Mohammad al-Kubaisi as they carried out search operations around his house on 26 June. That evening, as usual, Mohammad was carrying the family bedding up to the roof when a soldier shot at him from the opposite house. Mohammad was still alive when neighbours tried to rush him by car to the nearby hospital but they were stopped by soldiers in a tank on the way. The soldiers forced the neighbours to the ground and after 15 minutes ordered them to return home because the curfew had started. Mohammad was already dead.

As part of the legal reforms introduced by the Occupying Powers, the Iraqi courts no longer have jurisdiction over any Coalition personnel in relation to civil and criminal matters.

"Given the nature of the allegations emerging from the Occupation of Iraq, the CPA must urgently clarify to the public what are the disciplinary and criminal mechanisms to hold members of the Coalition Provisional Authorities (CAP) and Coalition Forces to account," Mahmoud Ben Romdhane concluded.

"The CPA must carry out competent, independent and impartial investigations into individual cases - nothing less will suffice."

In its memorandum, Amnesty International welcomes some of the measures taken by the US and UK governments, exercising their authority as the occupying powers through the CPA, such as the suspension of the death penalty and the abolition of the Revolutionary Special and National Security Courts -- which were known for their grossly unfair trials.

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