

IRAQ: HUMAN RIGHTS BRIEFING

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INTRODUCTION

As Iraq prepares to hold national parliamentary elections on 7 March 2010 a fresh wave of political violence has erupted in recent weeks resulting in further killings of civilians. Armed groups opposed to the Shi'a-dominated government and the presence of US forces, including al-Qa'ida in Iraq, have intensified their activities. Intent on undermining or sabotaging the elections by provoking insecurity and havoc, they have intensified suicide bomb and other attacks, even in areas that have been relatively peaceful such as southern Iraq. As well, they have targeted politicians, parliamentary candidates, election workers and members of religious and ethnic minorities, particularly Christians, for killing and kidnapping. At least two candidates, one a woman, have been killed in recent weeks and at least one other candidate has been the target of an attempted assassination.

The sectarian divide was further fuelled by the decision of the Justice and Accountability Commission, a Shi'a-controlled governmental body set up to purge former members of the outlawed Ba'ath party, to ban some 500 candidates from standing in the elections because of their alleged Ba'athist ties or links to the former government of Saddam Hussain. This decision, announced on 9 January 2010, was highly controversial as it ruled prominent Sunni leaders ineligible. Many of the barred candidates appealed the decision before an appeal panel recently established by the parliament comprising seven judges, but only 26 succeeded in overturning the Justice and Accountability Commission's decision.

Amid this uncertain political climate and almost seven years on since the United States (US)-led invasion in March 2003, the human rights situation in the country remains grave. All parties to the continuing conflict have committed gross abuses and the civilian population continues to bear the brunt of the ongoing violence. The security situation is still precarious despite some improvement in 2009. Attacks on civilians, arrests, kidnapping, armed clashes are reported in Iraqi media on a daily basis.

This briefing summarizes Amnesty International's main human rights concerns in Iraq seven years after the toppling of Saddam Hussain. These include detention without charge or trial, torture and other ill-treatment, the extensive use of the death penalty, unfair trials, violence against women, impunity and abuses by armed groups. Since 2003 Amnesty International has published numerous reports detailing gross and systematic human rights violations committed by all sides.¹

¹ For further information visit Amnesty International's website (Iraq section), <http://www.amnesty.org/region/iraq>

1) DETENTION WITHOUT CHARGE OR TRIAL

Thousands of people have been detained without charge or trial in Iraq, some for up to six years. Some detainees have continued to be held although Iraqi courts or investigative judges have ordered their release for lack of evidence or adequate grounds to imprison them. Many detainees were tortured or ill-treated in the initial period of their detention when they were held incommunicado. The majority of the detainees have had no access to legal representation and some have not had visits from their families.

The majority of detainees are Sunni Arabs from central, western and north-western Iraq, held on suspicion of involvement in or supporting Sunni armed groups fighting against Iraqi and US troops. However, hundreds of others are Shi'a Muslims, mostly followers of Muqtada al-Sadr or alleged members of the League of the Righteous, a Shi'a armed group that splintered from al-Sadr's Mahdi Army, held on suspicion of involvement in or supporting armed militia activities. The exact number of untried detainees currently being held by the Iraqi authorities is not known and the authorities do not disclose such information; however, they are estimated to number around 30,000. They are mostly held in prisons and detention centres controlled by the Ministries of Justice, Interior and Defence in severely overcrowded conditions, with the result that many detainees are reported to suffer from health problems, especially skin diseases.

In mid-2007 the US forces in Iraq were holding around 23,000 detainees, the overwhelming without charge or trial. Most of these detainees, however, have now been either released or transferred to custody of the Iraqi authorities as provided for under the terms of the Status of Forces Agreement (SOFA). This security agreement between the US and Iraqi governments took effect on 1 January 2009, requiring the US forces progressively to either release detainees or transfer them to Iraqi government custody following a review of all detainees' cases by a committee comprising representatives of Iraq's Justice, Human Rights, Labour and Social Affairs, Interior and Defence Ministries.

At the beginning of 2009 the United States Forces-Iraq (USF-I)² were holding around 15,500 detainees, mostly without trial. The detainees were held mainly in Camp Bucca near Basra, southern Iraq, and at Camp Cropper near Baghdad International Airport. By February 2010 the USF-I had released around 8,500 detainees and transferred at least 1,440 detainees, including some foreign Arab nationals, to Iraqi custody; these were issued with arrest warrants or served with detention orders issued by Iraq's judicial authorities. In February 2010, the USF-I was still holding some 5,800 detainees. In September 2009 Camp Bucca was closed down. Some of its inmates were released, others were transferred to Iraqi government custody while the remainder were moved to the two remaining prisons

² This is the new official name for the US troops in Iraq. Until 1 January 2010 the US-led coalition forces in Iraq were officially known as the Multinational Force (MNF).

controlled by the USF-I - Camp Cropper, where most of the detained former high-ranking Ba'ath party members are held, and Camp Taji, north of Baghdad. On 11 February 2010 a senior US military officer in Baghdad stated that the USF-I would transfer control of Camp Taji and Camp Cropper to the Iraqi government on 15 March and 15 July 2010, respectively.

***Ibrahim Jassam Mohammad**, a freelance photographer working for Reuters news agency, was arrested in the early hours of 2 September 2008 from his home in Mahmoudiya, south of Baghdad, by a joint Iraqi and US military force. His four cameras, mobile phones and his computer hard drive were confiscated. Ibrahim Jassam Mohammad, who had worked for Reuters for more than four years, had previously received anonymous threats. On 30 November 2008 the Central Criminal Court of Iraq (CCCI) ruled that there were no grounds to detain him and ordered his release but the US authorities did not comply with the ruling and continued to detain Ibrahim Jassam Mohammad without charge or trial at Camp Cropper until they finally released him on 10 February 2010. They did not disclose the reason for his detention to his family or to Reuters but apparently suspected him of having links with insurgents, although he is a member of the Shi'a community, and of being "a security threat."³ In all, Ibrahim Jassam Mohammad was detained without charge or trial for almost 18 months. His case is typical of many others.

2) TORTURE, ILL-TREATMENT AND OTHER ABUSES BY IRAQI SECURITY FORCES

Torture and other ill-treatment of detainees, including children, in prisons and detention centres controlled by the Iraqi security forces are widespread. Amnesty International has received numerous reports of detainees, especially those suspected of direct or indirect involvement in armed groups, being tortured by Iraqi security forces, especially forces under the control of the Interior and Defence Ministries. Methods of torture include beating with cables and hosepipes, prolonged suspension by the limbs, administration of electric shocks to sensitive parts of the body, breaking of limbs, and removal of toenails with pliers. Some detainees have been forced to sit on sharp objects such as broken bottles. Others have been raped or threatened with rape. Torture often occurs immediately following arrest when detainees are held incommunicado in police stations or detention facilities, some said to be secret, controlled by the Ministries of Interior and Defence. Detainees are tortured to force them to make and sign "confessions" linking them to specific criminal offences, which are often used against them if and when they are brought before a judge.

³ Reuters, "A year on, Reuters cameraman still held by US army", <http://www.reuters.com/assets/print?aid=USL242067020090902>

In May 2009, following a visit to the women's prison in al-Kadhimiya, Baghdad, a delegation from the Human Rights Committee of the Council of Representatives (parliament) told the media that two female prisoners had complained that they had been raped repeatedly in detention after they were arrested and before they were transferred to the prison. No action is known to have been taken by the government.

In mid-June 2009, a member of the Council of Representatives reported that more than 21 male detainees, including 11 held in al-Rusafa Prison in Baghdad and 10 in al-Diwaniya Prison, in southern Iraq, had suffered sexual assaults by members of the security forces. Detainees in both prisons went on hunger strike in protest against the use of torture and other ill-treatment in the prisons. A senior Interior Ministry official admitted that there had been "violations and excesses against the detainees held in the Ministry's prisons".⁴

On 28 July 2009, Iraqi security forces stormed Camp Ashraf, north of Baghdad, home to about 3,500 Iranian refugees (see Section 9) and detained 36 residents. The 36 were subsequently reported to have been tortured, including by being beaten with batons and guns. Several people needed medical treatment for their injuries.

3) UNFAIR TRIALS

Trials in Iraq consistently fall short of international standards for fair trials. The CCCI, established by the Coalition Provisional Authority (CPA) in June 2003, is the main criminal court, with jurisdiction over crimes relating to terrorism, sectarian violence, organized crime and government corruption. The CCCI, which sits in Baghdad and other governorates, has handed down the vast majority of the death sentences. Defendants commonly complain that "confessions" were extracted under torture during pre-trial interrogation, often when they were held incommunicado in police stations or in detention facilities controlled by the Ministry of Interior or Defence. Defendants are often not brought before an investigative judge within a reasonable time and not told of the reason for their arrest. The "confessions" extracted from them are often used as evidence against them at their trials, and accepted by the courts without taking any or adequate steps to investigate defendants' allegations of torture. Such "confessions" have also frequently been broadcast on the Iraqi government-controlled satellite TV *al-'Iraqiyya*. For example, on 25 January 2010 the station showed several individuals making confessions about specific acts they planned or perpetrated on behalf of al-Qa'ida in Iraq.

Defendants also complain that they are not able to choose their own defence lawyers; the vast majority, including those tried on capital charges, have defence lawyers appointed by the court whom they have never met before. The quality of such representation is often low and the lawyers have very little knowledge of the substance of the charges. Some lawyers refuse to represent defendants accused of "terrorism", mostly Sunni Muslims, fearing reprisals by armed militia groups linked to Shi'a political parties. Trial proceedings before the CCCI are very brief, often lasting only a few minutes before verdicts are handed down.

⁴ *Al-Hayat* Newspaper, 17 June 2009.

Trials before the Special Iraqi Criminal Tribunal (SICT), established by the Iraqi government with US assistance through Law 10 of 2005, also do not meet international standards for fair trials. The SICT was set up to try former President Saddam Hussain and officials from the former Ba'ath administration accused of war crimes, genocide and crimes against humanity. Proceedings before this tribunal have been marred by political interference, undermining its independence and impartiality. It was reported in September 2008 that the government had engineered the dismissal of one of the judges who had tried Saddam Hussain shortly before the year-long trial ended in 2006, replacing him with a judge considered more likely to support the imposition of the death penalty. In late October 2009, more than 50 members of parliament called for the SICT to be detached from the Council of Ministers headed by the Prime Minister and placed under the sole authority of the Supreme Judicial Council. They also called for the SICT's jurisdiction to be extended to cover crimes committed by civilian and military officials after 1 May 2003.

The tribunal has also failed to ensure the safety of defence lawyers, witnesses and others and a number of lawyers, judges and prosecutors have been murdered by armed groups. Trial proceedings are broadcast on *al-Iraqiyya* TV on a quite regular basis.

As of February 2010, at least 11 people had been sentenced to death by the SICT; five, including Saddam Hussain, have been executed, while at least six are still under sentence of death. The latest execution is that of Ali Hassan al-Majeed (Chemical 'Ali), which was carried out on 25 January 2010. He had received a fourth death sentence by the SICT on 17 January 2010 for his role in the gas attack on the Kurds in Halabja in 1988. He had previously been charged with war crimes and crimes against humanity and sentenced to death for three other convictions, including attacks on Kurdish civilians in 1988, killing of civilians during the 1991 Shi'a uprising and the 1999 killing of Shi'a religious leaders.

4) THE DEATH PENALTY

Over the last five years the Iraqi authorities have increasingly resorted to the death penalty in the face of attacks by armed groups and the high level of violence within the country, and Iraq now makes greater use of the death penalty than most other states. Following the ousting of Saddam Hussain, the death penalty was briefly suspended by the CPA in 2003. However, it was restored by the interim government that replaced the CPA in 8 August 2004, and since 2005 its scope and application have been widened by the authorities.

Under Iraqi law, the death penalty may be imposed for a wide range of offences, including crimes without lethal consequences. The 1969 Penal Code, despite recent amendments, prescribes the death penalty for premeditated murder, all crimes compromising the internal security of the state, attacks on means of transportation resulting in fatalities, attempts to overthrow the government by violent means, and damage to public property. Further, capital crimes were created with the introduction of both the Anti-Terrorism Law of 2005 and Law 10 of 2005. The latter established the Supreme Iraqi Criminal Tribunal, empowered to impose the death penalty for genocide, crimes against humanity, war crimes, and membership and support of armed groups. The Internal Security Forces' Penal Code, enacted in February 2008, and the Military Code, promulgated in April 2007, impose the death penalty for offences committed by members of the military, police and other security forces,

including passing secrets, plans and instructions to an armed group, passing state secrets to other governments, and deliberately sabotaging or damaging means of communication and transportation, as well as damaging weapons and explosives.

At least 1100 prisoners are believed to be under sentence of death. More than 900, including 17 women, have exhausted all means of appeal or clemency. The authorities have publicly justified the use of the death penalty as a response to “terrorism” and the activities of insurgent groups. On 16 February 2010 the Iraqi Human Rights Minister, Dr. Wijdan Mikhail Salim, told the UN Human Rights Council in Geneva that “Because of the extraordinary circumstances we are facing... we have maintained the penalty as a means of deterrence.”⁵ However, it has not proved to be an effective deterrent, as evidenced by the continuing high level of political violence and killings. The government has provided very little information on executions and some are said to have been carried out in secret. For example, on 10 June 2009 some 19 people, including one woman, were executed, but this was not officially announced and was only made known when the information was leaked to the media. Many of the death sentences were handed down following court proceedings which did not meet international standards for fair trials. In 2009 at least 120 people, including two women, were executed.

***Samar Sa’ad ‘Abdullah**, aged 27, was sentenced to death by the CCCI in al-Karkh in Baghdad on 15 August 2005. She had been found guilty of the murder of her uncle, his wife and one of their children in a district of Baghdad. She reportedly blamed the killings on her fiancé, who, she said, had carried them out in order to rob her uncle. At her trial, she alleged that, after her arrest, police in Hay al-Khadhra, Baghdad, had beaten her on the body with a cable, beaten the soles of her feet (*falaqa*) and subjected her to electric shocks to make her “confess”. The judge failed to order an investigation into her allegations, and sentenced her to death. Her father, Sa’ad ‘Abdel-Majeed ‘Abd al-Karim, told Amnesty International that the trial was concluded in less than two days, that he was not permitted entry to the court, and that Amal ‘Abdel-Amir al-Zubaidi, one of Samar’s lawyers, was ordered out of the court by the trial judge. Her death sentence was confirmed by the Court of Cassation on 26 February 2007.

5) KILLINGS AND OTHER ABUSES BY ARMED GROUPS

Armed groups, especially al-Qa’ida in Iraq and its allies, have been responsible for gross human rights abuses, including kidnapping, torture, threats and murder. They have carried out numerous suicide bombings in public places, such as markets and public buildings, and other large-scale indiscriminate attacks against civilians with a view to inflicting as many casualties as possible. These groups have been fighting against the Shi’a-majority government and against the presence of foreign troops since the US-led invasion of Iraq in

⁵ Agence France Presse (AFP) report, 16 February 2010.

2003. Among their targets are anyone perceived to be supporting and cooperating with the Iraqi government and the US forces in Iraq, members of ethnic and religious minority groups, including Christians, Yazidis, Turkomans, Mandaean-Sabeans, Shabak and Kaka'is, members of professional associations such as journalists, doctors, lawyers and judges, gays and women who do not conform to strict Islamic dress and moral codes. Shi's militia groups continue to commit human rights abuses, including kidnapping, torture and murder of civilians. Some of these groups, including the Mahdi Army and the Badr Organization, are associated to political parties represented in the Iraqi government and parliament.

Thousands of civilians, including women, children and members of religious and ethnic minority groups, have been killed as a result of suicide and other attacks carried out by armed groups. Amnesty International has repeatedly condemned the killing of civilians by armed groups in Iraq. These attacks on civilians constitute war crimes and crimes against humanity. These crimes are among the most serious crimes under international law.

* Two Christian shop-owners, 75-year-old **Hikmat Slaiman**, and 52-year-old **Saadallah Youssif Jorjis**, were shot dead by unidentified gunmen in Mosul in separate attacks on 11 and 17 January 2010, respectively.

*At least 36 people were killed and more than 80 injured in highly coordinated car bomb attacks which targeted three well-known Baghdad hotels used by foreign reporters and security contractors on 25 January 2010. The attacks on the Sheraton, Palestine and al-Hamra Hotels were reportedly claimed by the Islamic State of Iraq, which is reportedly linked to al-Qa'ida.

*On 5 February 2010 at least 40 people were killed and 145 injured as a result of twin car bomb attacks which targeted Shi'a pilgrims in the holy city of Karbala. Hundreds of thousands of Shi'a pilgrims were observing a major Shi'a religious rite.

*During the first quarter of 2009 at least 25 boys and men were said to have been killed in Baghdad because they were, or were perceived to be, gay. The killings were reportedly carried out by Shi'a militiamen, as well as by member of the tribes and families of the victims. Certain religious leaders, especially in the predominantly Shi'a district of al-Sadr City in Baghdad, had urged their followers to take action to eradicate homosexuality in Iraqi society. Many of the victims were kidnapped and tortured. Some of the bodies found in the streets were badly mutilated.

* Iraqi Journalists and media workers have also been targeted for kidnapping and killing by armed groups. On 31 May 2009 'Ala' 'Abdel-Wahab, a sports' journalist working for al-Baghdadia satellite TV, was killed by a bomb which exploded in his car in Mosul. On 23 February 2008, 74-year-old **Shihab al-Tamimi**, head of the Iraqi Journalists' Association, was shot by unidentified gunmen in his car shortly after leaving the organization's office in Baghdad. He died three days later. He had received several death threats prior to the attack, including in connection with his work as head of the association. On 20 September 2008, his successor, **Mu'aid 'Allami**, survived a bomb attack near the organization's office

6) IMPUNITY

Iraqi security forces and prison guards have been responsible for gross human rights violations including torture, intimidation, threats and extrajudicial executions. The Iraqi authorities have on numerous occasions announced the setting up of investigations into incidents of torture, deaths in custody, or killings of civilians but the outcomes of such investigations have never been made public. This raises the suspicion that such investigations may not have been carried out seriously or at all. This failure to seriously and effectively deal with torture and other human rights violations by the Iraqi security forces has encouraged a climate of impunity and a continuation or repetitions of these violations.

*Following allegations of widespread torture of detainees in Diwaniya and al-Rusafa prisons in June 2009 (see section on torture), the Iraqi government announced at the time that it had set up investigations into these allegations. It also announced that it had set up an investigation into the 12 June 2009 killing, in suspicious circumstances, of Hareth al-'Ubaidi, the head of the human rights committee within the Council of Representatives. In June 2009 Amnesty International publicly urged the Iraqi government to set up independent inquiries in the incident of torture and the killing of **Hareth al-'Ubaidi**. However, as of February 2010 the outcome of such investigations, if indeed they were set up and completed, was not made public by the government.

Until the end of 2008 foreign private military and security contractors working in Iraq were immune from the Iraqi legal process under an order signed in June 2004 by the head of the CPA, US diplomat Paul Bremer. Thus dozens of shooting incidents, in which foreign contractors were involved and which resulted in Iraqi civilian casualties, went unpunished. One of such incidents was that involving five Blackwater security contractors who were accused of killing 14 unarmed Iraqi civilians in Baghdad and wounding 20 others, in an allegedly unprovoked attack at a crowded checkpoint in al-Mansour district, when they were accompanying a US diplomat on 16 September 2007. More than two years later, on 31 December 2009, a US federal judge dismissed criminal charges against the five former Blackwater operatives on the grounds that the men "had had their constitutional rights violated by the way confession statements they had made had been used by the prosecution."⁶ The collapse of the case in a US court outraged Iraqis, including the Iraqi government.

The SOFA, or security agreement, removed the immunity from prosecution of contractors employed in Iraq by the US Department of Defense. However, contractors working for the US State Department and other agencies retain their immunity. Also,

US soldiers continue to enjoy their immunity unless they commit "major premeditated

⁶ The statements were made by the five people when they were reportedly threatened of losing their jobs if they failed to cooperate with the investigators. The five were promised that such statements would not be used against them in a criminal case. See the Guardian newspaper, 1 January 2010, <http://www.guardian.co.uk/world/2010/jan/01/iraq-us-blackwater-case-trial>

felonies” while off duty and outside their bases. However, a number of soldiers have been charged and tried by US military tribunals in Iraq, the USA and Germany for a variety of criminal offences; some have been convicted and have received prison sentences.

7) VIOLENCE AGAINST WOMEN

Women and girls in Iraq have been particularly affected by the ongoing violence that has torn the country apart since the US-led invasion in March 2003. They continue to suffer domestic and societal violence, indignity and discrimination. Very little has been done by the Iraqi authorities with regards to the provision of adequate protection against violence, including by other family members. Women and girls are being attacked in the street by men with different political agendas but who all want to impose veiling, gender segregation and discrimination. Islamist armed groups, including Shi’a militias, have claimed responsibility for and justified violent attacks on women for not complying with their views.

Women are also suffering violence at the hands of their fathers, brothers and other relatives, particularly if they try to choose how to lead their own lives. Many face terrible retribution if they refuse to be forcibly married or dare to associate with men not selected by their families – even though Iraqi legislation specifically prohibits forced marriage, and the right to choose a spouse is guaranteed under international law applicable in all parts of Iraq. Some women are reported to have been killed by male relatives who the authorities have then failed to bring to justice.

***Leila Hussein** was shot dead on 17 May 2008 in Basra while walking with two other women, who were injured in the attack. Her life was known to be in peril because she had denounced and parted from her husband after he allegedly killed their teenage daughter, Rand ‘Abd al-Qader, in March 2008 because of her friendship with a British soldier. No prosecutions for either murder are known to have been initiated.

Women political activists have been targeted for killing. At least one woman candidate for the 7 March 2010 elections has been killed:

***Soha ‘Abdul-Jarallah**, a candidate for the 7 March 2010 parliamentary elections on al-‘Iraqiyya List of former prime minister Iyad ‘Allawi, was gunned down as she left a relative’s house in Mosul on 7 February 2010.

The Iraqi authorities must intensify their efforts to protect women against violence, including domestic violence. Women play a transformative role in building and supporting a non-sectarian society. To counter threats to women in conflict-affected situations, the UN Security Council adopted Resolution 1325 urging states to ensure increased participation of women in conflict resolution and peace-building processes, as well as development and reconstruction.

8) REFUGEES AND INTERNALLY DISPLACED PEOPLE

Hundreds of thousands of Iraqis have been forced to flee to Iraq's neighbouring countries since the March-2003 US-led invasion of the country. They are mostly in Syria and Jordan, but also in Lebanon, Turkey and other countries in the region. The vast majority of these refugees continue to experience acute economic difficulties. They are not allowed to work in their countries of refuge and many survive on hand-outs by UNHCR, the UN refugee agency, and charities. However, in some countries they have had access to services such as education and health care although, due to families' increasing impoverishment many children have been forced to drop-out of school and there have been reports of child labour, sexual exploitation and domestic violence. According to UNHCR, between January and October 2009 a total of 32,500 Iraqi refugees returned to Iraq because of what they perceived as improvements in the security situation there – although many were also prompted to return by the difficulties they faced in exile.

In addition to refugees outside Iraq, there are at least 2.7 million Iraqis who are internally displaced inside the country. In 2009 thousands of internally displaced returned to their homes, also because of the perceived improvement in security. However, they faced numerous challenges. Many of them found that they had serious problems securing food, water and energy supplies. Others found their homes destroyed or taken over by other people.

The Iraqi government has continued to threaten Iranian refugees living in Camp Ashraf with forcible removal from the camp. On 28 July Iraqi security forces raided and took over the camp, in Diyala Governorate, which houses some 3400 members or supporters of the People's Mojahedeen Organization of Iran (PMOI), an Iranian opposition group. The camp had been under US military control since 2003 until the SOFA agreement came into force at the beginning of 2009. During the raid Iraqi forces used force against the camp residents. In video footage filmed at the time, Iraqi forces could be seen deliberately driving military vehicles into crowds of unarmed protesting camp residents. Further, live ammunition was used resulting in at least nine residents being shot dead. Another 36 were detained and subjected to beatings and torture. They were in poor health and staged a hunger strike against their detention and ill-treatment. The 36 remained held in al-Khalis police station, also in Diyala, although an investigative judge ordered their release. They were moved to Baghdad and only released in October after international protests. The Iraqi government reportedly wanted to move Camp Ashraf residents to another camp in southern Iraq and gave the residents an ultimatum to move by 15 December 2009 or they would be moved by force. However, by late February 2010 no forced removal had taken place, although Iraqi security forces continue to make life difficult for the residents.

9) THE HUMAN RIGHTS SITUATION IN THE KURDISTAN REGION OF IRAQ

Tangible progress has been made in the protection and promotion of human rights in the last few years in the Kurdistan region. Hundreds of political detainees, held without charge or trial for lengthy period of time, were released; several official bodies to monitor and prevent violence against women were set up and amendments have been made to existing Iraqi laws with a view to strengthening protection of human rights and expanding freedom of expression. However, despite this progress, human rights violations continue to be reported and they include arbitrary detention, attacks on independent journalists and opposition activists, the continuation of incidents of violence against women and the use of the death penalty, although executions are not known to have been carried out recently.

Despite the release of hundreds of political detainees in the last three years following general amnesties, a number of people continue to be held without charge or trial, some for long periods of time. They are suspected of links with armed groups, including *Ansar al-Sunna*. In one such case the detainee has been held for 10 years without charge or trial.

***Walid Yunis Ahmad**, a Turkoman born in 1958, married with three children, was arrested by men in civilian clothes, believed to be *Asayish*, in the street in Erbil on 6 February 2000. His family did not discover his whereabouts for about three years. They learned through the International Committee of the Red Cross (ICRC) that he was being detained in the Erbil headquarters of the *Asayish*. He was allegedly tortured following his arrest. He was transferred to Shaqlawa Prison, then 'Aqra Prison and eventually moved back to *Asayish* Erbil, where he is still being held, in solitary confinement, without charge or trial. At the end of 2008 he went on a 45 day hunger strike to protest against his detention.

A number of independent journalists and members and supporters of the opposition Goran Movement have been targeted for physical attacks, intimidation, threats and even murder, especially since the elections to the Kurdistan region's parliament which were held on 25 July 2009 in the Kurdistan region.

*On 17 February 2010 a meeting by Goran Movement activists in Sulaimaniya was disrupted by armed men reportedly linked to the Patriotic Union of Kurdistan (PUK) who shot at participants. At least three men were injured and required hospital treatment, and 11 activists were arrested. All 11 were released a few days later.

***Arsalan Mahmoud**, a 36-year-old journalist from Rania and editor of Roomal newspaper, is reported to have been detained without charge since 6 December 2009 and to be currently held at an undisclosed place. He has not been seen since he went to the headquarters of the Kurdistan Democratic Party (KDP) in Salahuddin after being summoned by an official of the KDP, to which he belongs. A KDP official is reported to have told Arslan Mahmoud's family that he had been detained but was expected to be released in mid-January 2010, but he is still being held and, it appears, he has not been permitted access to his family or to a lawyer of his choice.

***Sardar Qadir**, a businessman and candidate for the Goran Movement in the forthcoming parliamentary elections, was shot through a window on 4 December 2009 when he was at a relative's house in the Iskan neighbourhood of Sulaimaniya.

At least 150 people are under sentence of death, including at least seven women. In 2009 at least 17 people were sentenced to death for crimes such as murder and "terrorism" activities. No reports of executions are known to have taken place in the last 18 months.

Despite all the efforts made by the Kurdistan Regional Government (KRG) to curb violence against women, women and girls continue to be targeted for killing because of so called "honor" crimes, by relatives. According to the KRG, between July 2007 and June 2008, 102 women were killed, including by their relatives, and a further 262 died due to injuries caused by intentional burning, including suicides. Relatives and friends of women suicide victims and suicide survivors have frequently reported that they were driven to attempt suicide to escape violence or repression within the family.

*In October 2009 the body of **Jian Ali Abdel Qader**, aged 23, was discovered next to the family house in the village of Qadafari, Sulaimaniya. She had previously reported being subjected to family violence and sought refuge in a shelter in Sulaimaniya in July. However, she had returned to the family after assurances for her safety had been given. Relatives, including her father, were detained in connection with her murder.

10) CONCLUSIONS AND FUTURE PROSPECTS

The human rights situation in Iraq remains dire and the civilian population continues to pay a heavy price for the ongoing political violence. Armed groups continue to commit attacks on civilians and other gross human rights abuses; in many cases these amount to war crimes and crimes against humanity.

Iraqi security forces also continue to be responsible for serious human rights violations, including arbitrary detention and torture. The government has generally failed to bring those responsible of human rights violations to account for their acts. This has encouraged a widespread culture of impunity.

The latest upsurge in political violence in advance of the 7 March parliamentary elections provides a grim reminder that for millions of Iraqis the peace, security and stability that they require to be able to fully exercise their human rights remain a distant prospect, a distant hope.

It is high time that the violence should end and that the right of Iraqis to live their lives in peace and security should be recognized by all.

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