

IRAQ: PEOPLE COME FIRST

amnesty international

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amnesty international working for human rights

Amnesty International began in 1961 with a newspaper article calling for an international campaign to free “forgotten prisoners” around the world. The offers of help were so overwhelming that six months later a permanent, international movement had been born.

The movement’s emphasis was on the international protection of human rights – people worldwide would campaign for other people anywhere in the world.

Fifteen years later, Amnesty International’s work was recognized through the award of the Nobel Peace Prize.

Today, Amnesty International is a democratic, self-governing movement, with more than 1.5 million members and supporters in over 150 countries and territories working for the full range of human rights. Its vision is a world where every person enjoys all the human rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

Amnesty International is independent of any government, political persuasion or religious creed. It does not support or oppose any government or political system, nor does it support or oppose the views of those whose rights it seeks to protect. It is concerned solely with the impartial protection of human rights in all parts of the world. It is funded largely by its worldwide membership and public donations.

Campaigning on Iraq

Amnesty International has been campaigning for the human rights of Iraq’s people since the 1960s.

On the basis of evaluated information gathered from research trips, contacts in the country and many other sources, Amnesty International has produced regular reports on the human rights situation in Iraq.

In response to this information, Amnesty International members around the world have taken responsibility for campaigning on behalf of individual Iraqis who have “disappeared”, faced execution, were at risk of torture or were political prisoners. Groups of Amnesty International members have sent letters to the Iraqi authorities, and sometimes to relatives of victims, and have raised awareness in their own communities about the plight of Iraq’s people.

The hundreds or thousands of appeals sent every year have ensured at a minimum that the Iraqi authorities knew that the victims of repression were not forgotten and that the abuses were not unnoticed by the outside world.

Amnesty International has also maintained pressure on other governments to take seriously their obligation to promote and protect the human rights of all people, wherever they live. The organization has submitted numerous reports and statements on Iraq to UN bodies, has lobbied governments individually, and has mounted many media and publicity campaigns to bring to the world’s attention the suffering of the people of Iraq.

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Amnesty International reports on Iraq

1975: Reports of arrests and executions of Kurds since the cessation of hostilities in March 1975 (MDE 14/000/1975)

1977: The situation of Kurds in Iraq (MDE 14/016/1977)

1978: List of reported executions of Kurds between January 1977 and April 1978 (MDE 14/004/1978)

1979: List of people reported to have been executed in Iraq between January 1978-August 1979 (ACT 05/027/1979)

1980: Background paper on executions in Iraq (MDE 14/012/1980)
1981: Iraq: Evidence of torture
(MDE 14/006/1981)
1983: Report and recommendations of an Amnesty International mission to the government of the
Republic of Iraq
(MDE 14/006/1983)
1985: Torture in Iraq 1982-1984
(MDE 14/002/1985);
1986: Iraq: Torture (MDE 14/002/1986)
Iraq: Death penalty (MDE 14/003/1986)
1987: Amnesty International's concerns in Iraq
(MDE 14/005/1987)
1988: Iraq: Deliberate killings of unarmed Kurdish civilians
(MDE 14/006-7/1988)
1989: Iraq: Children – innocent victims of political repression
(MDE 14/004/1989)
1990: Iraq/Occupied Kuwait: Human rights violations since 2 August (MDE 14/016/1990)
1991: Iraq: Human rights violations since the uprising
(MDE 14/005/1991)
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"Our delegates in Iraq have seen bodies removed from mass graves, spoken to people who feel
unsafe on the streets and heard of security files which could provide vital evidence of past human
rights abuses being used to wrap goods in the market. All of this underlines our call for human rights to
be at the heart of discussions on Iraq."
Extract from a letter sent to the UN Security Council by Amnesty International on 22 May 2003
calling for a comprehensive commitment to human rights, ranging from truth and accountability for
past violations to ensuring the security of Iraqis today.
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[photo caption] Amnesty International members in Italy march behind a banner reading “Not in the name of human rights” before the 2003 war on Iraq. © AI

People come first

For decades the people of Iraq have suffered appalling human rights abuses and the devastating consequences of war and economic sanctions. For decades Amnesty International's members and supporters have campaigned tirelessly for the rights and dignity of Iraq's people.

In a climate of fear, many thousands of Iraqis were killed over the years by the security forces. Similar numbers "disappeared" after arrest. Countless people were tortured, imprisoned or executed for daring to oppose the government or for simply belonging to a particular community.

The 1980-88 war between Iraq and Iran cost the lives of hundreds of thousands of young conscripts. After Iraq invaded Kuwait in August 1990, the US-led military intervention to force Iraq's withdrawal led to the deaths of thousands more. The uprisings by Shi'a Muslims in the south and Kurds in the north that followed the 1991 war were brutally crushed by Iraqi forces.

The UN-imposed economic sanctions on Iraq from 1990 contributed to the early deaths of countless people, particularly children, and to widespread hardship. From 1998, UK and US military forces carried out repeated air strikes, causing civilian casualties, while maintaining "no fly zones" in the north and south of the country.

The March/April 2003 war on Iraq by US and UK forces saw large numbers of Iraqi civilians killed.

With the end of the war, peace and security remained elusive as widespread lawlessness and violence persisted. Unexploded cluster bombs posed a continuing risk, as did the lack of water and electricity supplies to towns. Hospitals, already starved of supplies, struggled to provide the most basic help to the sick and injured.

Long-term stability and human rights protection in Iraq require the rule of law and transparent, accountable systems of government that are based on respect for human rights and recognition of the particular needs of women as well as ethnic and religious groups without discrimination.

Amnesty International's efforts to draw attention to the human rights of all the people of Iraq over the decades have frequently been greeted by indifference or hostility from government leaders who put their own political interests first.

This Briefing, published in the wake of the 2003 war, shows that human rights must not be subject to political, economic and military interests if the long suffering of Iraq's people is to end. People must come first.

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In February 2003, before the start of the war, Amnesty International handed to the UN a petition signed by more than 60,000 people in nearly 200 countries and territories calling on the Security Council to assess the human rights and humanitarian impact on the civilian population of any military action against Iraq.

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Amnesty International reports on Iraq

1991: Iraq: The need for further United Nations action to protect human rights

(MDE 14/006/1991)

1992: Iraq: Death penalty

(MDE 14/001/1992)

1993: Iraq: "Disappearance" of Shi'a clerics and students (MDE 14/002/1993); Iraq: Secret detention of Kuwaitis and third-country nationals

(MDE 14/005/1993)

1994: Iraq: Amputation – Two men sentenced to amputation for theft (MDE 14/004/1994)

1995: Iraq: Human rights abuses in Iraqi Kurdistan since 1991 (MDE 14/001/1995)

1996: Iraq: State cruelty – branding, amputation and the death penalty (MDE 14/003/1996)

1997: Iraq: "Disappearances" – Unresolved cases since the early 1980s
(MDE 14/005/1997)
1998: Iraq: Expulsion of Kurdish families must stop
(MDE 14/002/1998);
Iraq: Fear of imminent executions
(MDE 14/003/1998)
1999: Iraq: Victims of systematic repression (MDE 14/010/1999)
2000: Iraq: Fear of further extrajudicial executions
(MDE 14/015/2000)
2001: Iraq: Systematic torture of political prisoners
(MDE 14/008/2001);
Iraq: US and UK bombing of Baghdad (MDE 14/001/2001); Iraq: Stop the torture (MDE 14/012/2001)
2002: USA/Iraq: Not in the name of human rights
(MDE 14/009/2002);
Iraq: human rights in the balance
(MDE 14/011/2002)
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IRAQ: BACKGROUND

Iraq borders Iran, Turkey, Syria, Jordan, Saudi Arabia and Kuwait. It gained independence in 1932 and became a republic in 1958. The Ba'ath Party took power in 1968, led first by Ahmad Hasan al-Bakr and from 1979 by Saddam Hussain.

More than half the estimated population of 24 million are Shi'a Muslims who live mainly in the south. Most of the rest are Sunni Muslims, although there is a sizeable Christian community.

Ethnic minority groups include Assyrians, Kurds and Turkmen. Kurds are the largest ethnic minority and live mostly in the north. After a 1970 autonomy agreement broke down in 1974, fighting resumed between Kurdish Pesh Merga and Iraqi forces. In 1991 the Iraqi government withdrew from the Kurdish region, and since regional elections in mid-1992 Iraqi Kurdistan has been relatively autonomous.

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[picture caption] Amnesty International members in the Philippines lead a candle-lit vigil in March 2003 calling for the protection of human rights in Iraq. The candles form the shape of a dove. © AI

[picture of children: no caption. Credit should read: © Terry J. Allen]

[PAGES 4-5]

Decades of human rights abuse in Iraq

The people of Iraq suffered systematic and widespread abuses of their human rights for decades. Mass killings, “disappearances”, systematic use of torture, political imprisonment and forced removal from communities were used by Saddam Hussain’s government in an attempt to wipe out all opposition. Yet for most of this period, the world’s governments seemed oblivious to the plight of Iraq’s people.

Political killings

Over the years tens, or possibly hundreds, of thousands of people were killed by Iraqi security forces – lined up and shot in their villages, poisoned with chemical weapons and executed in prisons.

Many of the victims were targeted simply for belonging to a community seen as opposed to the government. The killing of an estimated 5,000 men, women and children by chemical weapons in the Kurdish town of Halabja in March 1988 was just one example of mass extermination, made notorious only because journalists could reach the border town from Iran.

Other methods of political killings included mass executions by firing squads, burying people alive, drowning in rivers, bleeding prisoners to death, and targeted assassinations. Thousands more died in custody in mysterious circumstances.

‘Disappearances’

Many thousands of people “disappeared” (see page 10). Most of their relatives are still waiting to find out what happened to their loved ones. Some families, however, were told the devastating news that their “disappeared” relative had been executed – and then ordered to pay a fee to cover “state expenses”, including the cost of the bullet used in the execution, in order to have the body returned for burial.

Torture

Torture was used systematically against political detainees in prisons and detention centres, and no action was ever taken to stop it. Torture methods reported included gouging out of eyes, severe beatings and electric shocks. Many victims were tortured while held at the headquarters of the General Security Directorate and the General Intelligence, both in Baghdad, or the branches of both institutions elsewhere in the country. Detainees were held incommunicado in such places for months or even years.

The victims of torture included security officers suspected of opposition, Shi’a and Kurdish political activists, and relatives of suspected opponents of the government.

In 1994 government decrees prescribed judicial punishments such as amputation of hand and foot, branding of the forehead, and cutting off of the ears for various criminal offences. Army deserters were particularly targeted and many suffered ear amputation. This practice stopped in 1996, but the other judicial punishments remained in force until they were abolished in January 2003.

Death penalty

The death penalty was used on a massive scale for a wide range of criminal and political offences. Thousands of people, including prisoners of conscience and political prisoners, were executed over the years. The true figures may never be known as the government kept the number of executions a secret.

Highlighting the abuses

All these abuses were difficult to investigate. There was little access to the country, and the fear that pervaded every level of society prevented people from speaking out. There was no legal redress from within the country.

Nevertheless, Amnesty International did publicize the atrocities and campaigned relentlessly for action by the Iraqi government and the international community on the basis of information that seeped out over the years. The work was based on the testimony of Iraqis who fled abroad to escape the repression, on appalling video footage taken by Iraqi intelligence and security personnel to record their atrocities, on the discovery of mass graves, and other sources cross-checked and evaluated by Amnesty International.

Suffering ignored

Until August 1990, when Iraq invaded Kuwait, most of the world's governments – many of whom had political and strategic interests in the oil-rich Gulf – turned a blind eye to the suffering of the Iraqi people. They ignored the chilling pictures from Halabja. They seemed oblivious to the massacres and reports of mass “disappearances”. They were deaf to the cries of exiles.

Those same governments used military action in 1991 to drive Iraq out of Kuwait and then ignored one of the worst periods of political repression in Iraq following the uprisings in 1991 in the north and south. Until the build-up to the 2003 war, the world's attention once again strayed from the continuing human rights crisis in Iraq.

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“Since the Ba’athist military coup in July 1968 several hundred people have been arrested. The majority are still held without charge, but scores have been tried for ‘espionage’ and 36 have been executed. Amnesty International made a formal request to the government for permission to send an observer to the trials but the request was ignored.”

Amnesty International's annual report, 1968-69

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“At the end of April 1974, Sir Osmond Williams, Acting Chairman of AI's British Section, visited Baghdad at the invitation of the Human Rights Society in Iraq. . . This was, AI believes, the first visit by a humanitarian organization to Iraq for many years.”

Amnesty International's annual report, 1973-74

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“Since May 1980 Amnesty International has received disturbing information about the alleged poisoning of political suspects. . . Amnesty International wrote to President Saddam Hussain urging him to open an inquiry into the reported poisonings and to make public its findings.”

Amnesty International's annual report, 1981

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FORCIBLE EXPULSIONS OF NON-ARABS

Thousands of Kurds and other non-Arabs, including Turkmen and Assyrians, who had lived all their lives in the oil-rich Kirkuk region, were expelled by Iraqi government forces to the Kurdish provinces in the north controlled by Kurdish political parties. Many had their property and food rationing cards confiscated. Arab families were encouraged to move from other parts of Iraq into Kirkuk region in this apparent “Arabization of Kirkuk” program.

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Amnesty International delegates visited Iraq in January 1983 and raised allegations of widespread torture of political detainees, the lack of legal safeguards for political detainees, and the large number of executions for political offences. In May that year Amnesty International sent a memorandum to the government based on the delegates' findings.

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In 1989 and 1990 Amnesty International stated that it was “deeply disturbed at the decision of the UN Commission on Human Rights to take no action on the systematic and wide-ranging abuses in Iraq”.

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THE 1991 REPRESSION

The bodies were hanging from pylons, their silhouettes and stench powerful symbols of the government's determination to crush dissent. A few hours earlier the victims had been running for their lives, chased by Iraqi soldiers on the rampage.

Other people were arrested, doused with petrol and burned alive. Some were tied to tanks and dragged to their deaths. Others were bound, blindfolded and shot at close range in front of their terrified families. Women were forced to walk in front of tanks as "human shields" to protect the murderous troops.

All this happened in and around al-Samawa town between 20 and 29 March 1991. Such scenes were repeated throughout southern Iraq in the weeks following a mass uprising against the authorities that had been encouraged by the US government. People were reportedly dropped from aircraft. Other bodies were found on roadsides, bound with wire, bearing the signs of torture, with bullet holes in the head. Some had been mutilated with the tongue, ears or hands severed before execution. In the face of such horror, hundreds of thousands of Iraqis in the south fled towards Iran, Saudi Arabia or to wherever they thought they might find safety.

In the north, an even larger exodus happened at the same time as troops used similarly brutal methods to crush an uprising by Kurds. By the end of April, at least 1.5 million Iraqi Kurds had fled to Iran or had reached the Turkish border.
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In July 1991 AI took the unprecedented step of urging the UN to establish an international on-site human rights monitoring operation in Iraq to prevent torture, killings and other abuses by government forces.

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[photo captions]

Iraqi Kurds in Sulaimaniya, northern Iraq, January 2003, holding photographs of the victims of the chemical weapons attack on Halabja in March 1988.

Amnesty International drew attention to deliberate killings of unarmed civilians in Iraq at the March 1988 session of the UN Commission of Human Rights, but no action was taken. Two weeks later, Iraqi forces attacked Halabja. In September 1988, Amnesty International appealed to the UN Security Council to act immediately to stop the massacre of Kurdish civilians. © AP

Amnesty International members in Senegal campaign for human rights in Iraq. © AI

Amnesty International members in the Netherlands. © AI

[top left photo, no caption] © AI

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The terrible toll of war

As millions of people around the world demonstrated against the threatened war on Iraq, Amnesty International members campaigned vigorously for the human rights and humanitarian needs of Iraqis to be put first.

The organization urged UN Security Council members to resort to force only as a last resort. It warned that military action would cause further suffering for a people who had already suffered terribly as a result of government repression and the devastating effects of economic sanctions. It also highlighted how concern for the lives, safety and security of the Iraqi people was missing from the debate, as was any discussion on their fate in the aftermath of conflict.

Some of Amnesty International's worst fears were borne out during the conflict. Many Iraqi civilians were killed, and many more were injured and maimed. Some were victims of cluster bombs, others were killed in attacks in disputed circumstances. Homes and vital institutions were destroyed by bombs. Whole communities were cut off from electricity and water supplies.

Civilian deaths

The US and UK governments repeatedly stated that they had "no quarrel with the Iraqi people" and that they would do everything possible to minimize casualties. However, the prolonged and intense bombardment in or near residential areas inevitably maimed and killed civilians, including children. Hospitals around the country were overwhelmed by the number of injured people arriving at their doors.

On 6 April 'Ali Isma'il 'Abbas, aged 12, was asleep when a missile obliterated his home and most of his family, leaving him orphaned, badly burned and without arms. The boy's father, pregnant mother and eight other close relatives were killed in the attack on their house in Diyala Bridge district, east of Baghdad.

Iraqi forces breached international humanitarian law by using tactics that blurred the distinction between combatants and civilians.

Amnesty International called for all credible allegations of unlawful killings of civilians to be fully investigated and for those found responsible to be individually held to account.

Prisoners of war

Thousands of prisoners were detained by military forces during the war on Iraq. According to UK authorities on 3 April, more than 5,300 Iraqi prisoners of war were being held by US and UK forces.

Amnesty International was concerned that all those held should have immediate access to the International Committee of the Red Cross without exception, and that all should be accorded protection according to international law.

Amnesty International delegates raised reports of ill-treatment of prisoners of war with the US and UK authorities.

Amnesty International called on the US and UK governments to:

- n treat all prisoners of war in conformity with the Third Geneva Convention;
- n issue clear instructions to their forces to treat humanely all prisoners, the wounded and those who surrender;
- n ensure that all those responsible for breaches of the laws of war are brought to justice.

Human rights

Throughout the war, Amnesty International focused attention on the rights of the Iraqi people.

Amnesty International persistently sought assurances from all parties to the conflict that they would do their utmost to comply with their obligations under international human rights law and international humanitarian law.

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Amnesty International's appeal

On the eve of war, Amnesty International issued a 10-point appeal to all parties to the conflict. It urged them to do everything in their power to:

- protect civilians by strictly adhering to the rules of international humanitarian law;
- refrain from using indiscriminate weapons;
- treat civilian detainees fairly and humanely;
- protect the rights of combatants;
- ensure that the security and humanitarian needs of the Iraqi population are fully met;
- protect and assist refugees and internally displaced persons;
- make sure that perpetrators of crimes under international law are brought to justice;
- commit to using the International Humanitarian Fact-Finding Commission to investigate violations of the Geneva Conventions and their Additional Protocols;
- support and facilitate the deployment of human rights monitors in Iraq as soon as the security situation permits;
- support the UN in its humanitarian and human rights work.

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INTERNATIONAL BACKLASH

After the military action by US and UK forces began on 20 March 2003, a backlash against human rights was witnessed around the world. This included:

- attacks on the rights to freedom of expression and assembly as millions of people worldwide took to the streets to protest against the war;
- excessive use of force by police against anti-war demonstrators;
- restriction of asylum rights.
- Amnesty International highlighted these abuses, and called on all governments not to use the war as an excuse for curtailing or abusing fundamental human rights.

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INTERNATIONAL HUMANITARIAN LAW

International humanitarian law is the body of rules and principles that seek to protect those who are not participating in the hostilities, including civilians but also combatants who are wounded or captured. Its central purpose is to limit, to the extent possible, human suffering in times of armed conflict. The four Geneva Conventions of 1949 and their two Additional Protocols of 1977 are the principal instruments of the "rules of war".

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CLUSTER BOMBS

It was clear that something terrible had happened in al-Hilla on 1 April 2003. Dozens of dead and injured people were taken to the hospital, their bodies punctured with shards of shrapnel from cluster bombs. Two lorry-loads of dead civilians were seen outside the hospital. Survivors described how the explosives fell "like grapes" from the sky, and how bomblets bounced through the windows and doors of their homes before exploding.

Amnesty International is concerned that the use of cluster bombs in al-Hilla and elsewhere may have amounted to indiscriminate attacks and therefore a grave violation of international humanitarian law.

Up to 10,000 unexploded cluster bombs and bomblets dropped during the war now litter the cities, farmland and roads of Iraq.

Amnesty International called for:

- an immediate halt to the use of cluster bombs in line with the organization's campaign to achieve a worldwide moratorium on their use;
- a speedy removal of all unexploded ordnance by the occupying powers.

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"Let us not forget that these same governments turned a blind eye to AI's reports of widespread human rights violations in Iraq before the Gulf War."

Amnesty International statement, November 2002

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[photo captions]

[main photo: no caption] © Reuters

The mother of Hassan Nasser, victim of a bomb attack, cries at his bedside in hospital in Basra, 9 April 2003. © Odd Anderson/AFP/Getty Images

An Iraqi man cries over the bodies of his children in al-Hilla, April 2003.

© REUTERS/Akram Saleh

Iraq is littered with ordnance, some live © AI

Amnesty International members in Pakistan campaign for human rights in Iraq © AI

Insecurity and lawlessness

“No one is safe.” “We need security, not food.” The people who met Amnesty International’s delegates in Basra in April 2003 were concerned above all about insecurity and violence.

They were living in a city ravaged by looting and lawlessness. A city where looting continued, even though anything of any worth had already been stolen. A city where women and girls were too frightened to go out alone, for fear of violence, gun crime and revenge killings.

Disorder, fear and insecurity were prevalent in many parts of Iraq. The previous government’s authority had been removed, but the occupying US and UK forces failed to provide the protection and assistance they owed to the Iraqi people. The lack of preparedness and deployment of resources meant there was a failure to bring the lawlessness under control.

Looting

As US and UK tanks moved into the major Iraqi cities, widespread looting and arson quickly followed. Government buildings, offices, universities, shops and schools were ransacked. In most cases the occupying forces stood by, apparently unwilling or unprepared to maintain law and order.

When Amnesty International’s delegates arrived in Basra they found almost all the government buildings had been looted and some burned. And yet the looting was still going on. Whenever the delegates returned to a building after a day or two, they found more of it had disappeared – the roof, doors, gates, windows, even the bricks.

Looting affected more than just buildings. Countless documents were burned and destroyed. The destruction of documents will have an incalculable effect on Iraqis – on everything from the settlement of property claims and the establishment of students’ academic records, to providing accountability for past human rights violations.

Lawlessness

There was almost no visible police presence on the streets of Iraq’s cities in April 2003, and UK and US soldiers were neither sufficiently trained in policing methods nor resourced to take on the role of policing. Only four police stations were operating in Basra that month. One of them, Police Station 3, was situated in Old Basra right next to what was known as the “thieves market” – a place where looted goods were on sale every day. Their proximity symbolized the fearlessness of those breaking the law and the ineffectiveness of those supposed to be upholding the law.

In the aftermath of the conflict, some women and young girls became the victims of kidnapping, rape and murder. Amnesty International delegates in Iraq met families who said that they were reluctant to allow women to go out, or young girls to go to school, for fear of what might happen to them. Some Islamist groups reportedly issued warnings that threatened women about the style of clothing worn.

The risks of violence were intensified by the fact that almost every household in Iraq had access to weapons. They came from the many security and militia organizations, from supplies distributed by the government just before the war, or from looted police stations, army barracks and Ba’ath Party buildings.

In the climate of lawlessness, people were determined to hang on to their weapons.

Clearly, the occupying powers needed to act swiftly and decisively to establish law and order, as required under international law. They did not. As a result, the lawlessness spread and the task of restoring order became both more vital and more difficult.

Revenge killings

Revenge killings were reported in increasing numbers in the weeks and months after the war.

“The reason for revenge killings is the absence of security”, a local tribal leader said. “There is

no one to complain to. We need police and police patrols. There is no authority and no rule of law.”

Action needed

Amnesty International called on the occupying forces to:

- n take urgent measures to enforce law and order in areas under their control until Iraqi police forces could operate effectively;
- n ensure that vital information relating to past human rights abuses was not destroyed or lost;
- n set up an effective and fair vetting procedure for members of the Iraqi police, to expedite the creation of an effective police force which does not include human rights violators.

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Protection

The US and UK forces, as occupying powers under international law, have clear obligations to protect the Iraqi population. However, the authority of the occupying powers is transitional and limited to providing protection and assistance to the occupied population in the emergency created by war. They cannot, for example, change the legal system or introduce the radical reforms in the Iraqi criminal justice system needed to ensure respect for human rights. Only a newly established Iraqi government, or a UN transitional administration set up by the Security Council, would have such authority under international law.

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Health at risk

A severe shortage of clean drinking water left southern Iraq facing a mass cholera outbreak, according to the World Health Organisation (WHO) on 8 May. At least 17 cases of the potentially fatal disease had already been identified in Basra. Despite UK forces having had control of the area for around a month, there was still a shortage of vital drugs and intravenous fluids to treat victims.

Iraqis unable to access clean water were drinking contaminated supplies, and the lack of security meant that some victims could not reach a hospital and that health workers were unable to travel to treat them.

Many Iraqis faced grave dangers to their health, with electricity and water supplies cut. Hospitals were ransacked and unable to cope with the casualties of war and the sick, and the lack of security impeded the work of humanitarian organizations.

Amnesty International called on the occupying forces to:

- ensure the provision of food, water and medical supplies to people living in areas under their control;
- maintain medical and hospital services, public health and hygiene.

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More than 10,000 signatures were collected by Amnesty International members in France in 2001 for a petition presented to the UN Security Council raising concern about the humanitarian situation in Iraq since the imposition of sanctions in 1990.

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Abuses by US and UK soldiers

On 16 and 17 April at least 13 people were killed and dozens injured, including children, when US forces exchanged gunfire with Iraqis demonstrating in Mosul. Later that month, at least 16 people were reportedly shot dead and dozens injured when US troops fired on Iraqi civilians holding

demonstrations in the town of Falluja, west of Baghdad.

There were also allegations of abuse by UK soldiers in Basra and elsewhere. In late May it emerged that a UK soldier was in custody and being questioned by military police after photographs were developed that reportedly showed troops torturing Iraqi prisoners of war. One of the images apparently showed an Iraqi prisoner gagged and bound, hanging in netting from a forklift truck driven by a British soldier.

Amnesty International called for:
the US and UK authorities to establish a thorough, independent and public investigation into the killings of demonstrators and allegations of abuses of prisoners.
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[photo captions]

Coffins are prepared for the bodies of people excavated from mass graves. © AI

A prison in Basra ©AI

Documents from the national electricity company in Basra dumped by UK soldiers. Because the site is next to a security building, Iraqis fell upon the papers in the hope they might reveal information about missing relatives. ©AI

A boy drinks unsafe water, Basra, April 2003 © Odd Anderson/AFP/Getty Images

Amnesty International delegates examine a former prison, Basra, April 2003 ©AI

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'Disappearances' – the agony continues

When Amnesty International delegates visited a deserted prison in Basra in April 2003, dozens of people were trying to dig up the ground with the most rudimentary tools, in the forlorn hope that someone they loved was hidden in an underground prison cell.

Grief-stricken and desperate people told the delegates the stories of those who had "disappeared". In one family alone, seven brothers had "disappeared", one had been executed, and two sisters had been tortured and were subsequently unable to marry because of the social stigma attached to their treatment.

When someone is taken into custody by the authorities who then deny all knowledge of their existence, they have "disappeared". Their family suffers extreme agony, not knowing whether their husband, son, mother or sister is alive or dead.

Tens of thousands of people have "disappeared" in Iraq. "Disappearances" were particularly widespread during the Iran-Iraq war from 1980 to 1988. In the first 10 days of August 1983, an estimated 8,000 Kurds of the Barzani clan, all males aged between eight and 70, were arrested in the province of Arbil and have not been seen since.

In early 1988, during "Operation Anfal" in Iraqi Kurdistan, entire Kurdish families "disappeared" from hundreds of villages after they were rounded up by government forces. Amnesty International collected the names of more than 17,000 people who "disappeared" in this wave, but Kurdish sources put the total at over 100,000. Immediately after the 1991 Gulf War, when Iraqi government forces crushed the uprisings led by the Shi'a in the south and the Kurds in the north, thousands more Iraqis "disappeared". However, during the 1991 uprisings, hundreds of people who had "disappeared" in the 1970s and 1980s were discovered alive in secret underground prisons.

Because they are so desperate for news, relatives have exhumed bodies from mass grave sites, unaware of or ignoring the fact that they may be disturbing vital evidence, preventing others from identifying bodies and potentially hindering the process of justice.

Ensuring justice is fundamental for the countless victims of grave violations of human rights by Iraqi government agents. One key aspect of delivering that justice is to protect the sites of mass graves and make sure that they are properly investigated by the appropriate experts and authorities.

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FAMILIES REFUSE TO GIVE UP HOPE

The family of Sadiq Nematollah Fathali thought he was probably dead. Like all relatives of the "disappeared", they could not be certain, and they never gave up hope of finding him alive.

On 15 April 1980 the entire family had been arrested in Baghdad, taken to the Iran-Iraq border and expelled to Iran. All that is except Sadiq Nematollah Fathali, a 27-year-old literature graduate who was doing military service and had returned home on a short visit. He was taken to Abu Ghraib Prison near Baghdad, where he was held until 1982, and then he was sent to an unknown detention centre.

His family heard nothing for 17 long years.

Sadiq Nematollah Fathali's imprisonment was apparently solely because of his ethnic origin – he is a Feily Kurd. During the 1980s many Feily Kurds were declared to be of "Iranian descent" and forcibly expelled to Iran. However, thousands of their male relatives were arrested. Although many were released after the end of the Iran-Iraq war, thousands of others are still unaccounted for.

In 1996 one of Sadiq Nematollah Fathali's sisters returned to Iraq and managed to obtain information suggesting that he was still alive and had undergone a surgical operation at a prison hospital. Although his family managed to obtain some letters from him, they do not know where he is or the state of his health.

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Amnesty International wrote an open letter to US President George Bush and UK Prime Minister Tony

Blair in May 2003 calling on them to ensure that important evidence, such as mass graves and documentation, is protected and preserved.

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“My wife and I take this opportunity to express our gratitude and sincere appreciation for your support. We hope and pray that your efforts to determine the fate of my brother [Al-Sayyid] Izzidin will prove fruitful.”

Letter received by AI groups in Germany, the USA and Sweden in 1995 from relatives of Al-Sayyid Izzidin ‘Ali Bahr al-’Ulum. Al-Sayyid Izzidin and another religious scholar “disappeared” in 1991 and the AI groups worked on the case for many years.

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[photo caption] Women weep in a Basra marketplace, April 2003. No one knows how many Iraqis are still grieving for loved ones who have “disappeared”. © Reuters/ Goran Tomasevic

Agenda for justice

As a contribution to the debate on the future of Iraq, Amnesty International offers a set of measures it believes are essential for the protection and promotion of human rights in the country.

PAST VIOLATIONS: END IMPUNITY

Hundreds of thousands of Iraqis have suffered serious violations of their human rights in the past two decades, amounting to crimes against humanity.

The violations include “disappearances”, extrajudicial executions, torture, execution after summary trial and forcible expulsion under the former Iraqi government. Iraqis and others have also suffered violations of international humanitarian law in the recent conflict and earlier wars.

To secure a future where human rights are protected, there must be justice for those who suffered these abuses.

Amnesty International calls for such violations to be investigated, whenever they were committed, whoever the perpetrator, and irrespective of the time that has elapsed. All those suspected of being responsible for human rights abuses should be brought to justice. No amnesties must be given for such crimes, and full reparation must be awarded to victims and their families.

Since April 2003 Amnesty International has been calling for the urgent establishment of a UN commission of experts to develop proposals for a program that would address comprehensively the issue of justice in Iraq, in close consultation with Iraqi civil society. It hoped the commission could begin work immediately and report within months.

THE LEGACY OF WAR AND SANCTIONS

The people of Iraq suffered severe hardship as a result of nearly 13 years of sanctions. They now face further threats to their rights to food, health and education as a result of the war, through displacement, destruction of buildings and infrastructure, and disruption of essential services and supplies.

Amnesty International calls on the international community and the occupying powers to make a commitment to protecting and promoting the full range of human rights of the Iraqi people, and to make this central to the plans for the future of Iraq.

HUMAN RIGHTS IN THE FUTURE

Fundamental changes to Iraq’s legal, judicial and penal systems are needed to ensure against human rights violations. A failure to fully integrate reform to protect human rights in the process of change would be a betrayal of the people of Iraq.

Key elements for the future protection of human rights in Iraq include:

n An end to discrimination – protect and promote the rights of everyone, including:

- the rights of women;
- the rights of ethnic and religious groups.

n A comprehensive legal review by a future Iraqi government to:

- bring Iraq’s laws into line with international human rights standards;
- abolish the death penalty and cruel, inhuman or degrading punishments;
- establish an independent judiciary;
- review and reform the criminal justice system;
- protect the rights to freedom of expression and association.

n Human rights education and awareness raising, funded by the international community.

n The deployment of UN human rights monitors in Iraq in order to:

- help protect Iraqis from abuses in the post-conflict period;
- proactively seek redress for past and current abuses;
- provide expertise and information for proposed legislative and institutional reforms.

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Amnesty International reports on Iraq
2003

Iraq: People come first – Protect human rights during the current unrest: Amnesty International’s 10-point appeal

(MDE 14/093/2003)

Iraq: Responsibilities of the occupying powers

(MDE 14/089/2003)

Iraq: Briefing by Amnesty International to the Security Council on Iraq

(MDE 14/079/2003)

Iraq: Looting, lawlessness and humanitarian consequences

(MDE 14/085/2003)

Iraq: Ensuring justice for human rights abuses

(MDE 14/080/2003)

Iraq: Civilians under fire

(MDE 14/071/2003)

Iraq: In the shadow of war – backlash against human rights

(MDE 14/057/2003)

Iraq: Respecting international humanitarian law – background information

(MDE 14/041/2003)

Iraq: Refugees and displaced persons – protection first

(MDE 14/038/2003)

Iraq: Open letter from AI Secretary General, Irene Khan, to President George Bush, Prime Minister Tony Blair, Prime Minister José Maria Aznar and President Saddam Hussain

(MDE 14/027/2003)

Iraq: The need to deploy human rights monitors

(MDE 14/012/2003)

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[photo caption] Gharnata School in al-Hartha, Basra. ©AI

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You can make a difference

Help Amnesty International to ensure that the human rights of the Iraqi people come first. With your support we can seek justice for past abuses, work for improved security – helping people feel safer in their lives today – and promote a human rights agenda for the future of Iraq.

- Please join Amnesty International’s campaign to promote justice and security in Iraq.
- Please write to the Ministry of Foreign Affairs in your government, calling for it to press those with authority in Iraq to protect the human rights of Iraqi people.
- Please call on your country’s ambassadors to the United Nations to support the deployment of human rights monitors in Iraq.
- Please join Amnesty International and add your voice to ours.

Contact us

If you would like to know more about Amnesty International and our worldwide campaign on human rights in Iraq, please contact your local Amnesty International Section at the address in the box below.

If no address is shown, please write to:
Iraq crisis team, Amnesty International
International Secretariat
Peter Benenson House
1 Easton Street, London WC1X 0DW
United Kingdom

Please send me information about Amnesty International

Please send me information about the
campaign for human rights in Iraq

(please tick box)

Name.....

Address.....

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Visit www.amnesty.org to find out more about Amnesty International and to take part in our campaigns.

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