



January 2008

country summary

Iraq

Human rights conditions in Iraq deteriorated for much of 2007 with sectarian violence swelling the ranks of Iraq's displaced to some 4.4 million, half of them outside the country. Attacks on civilians by various insurgent and militia groups continued, including the single deadliest attack since the war began, targeting Iraq's Yazidi minority and resulting in the deaths of almost 500 civilians in August.

Iraq's government executed former President Saddam Hussein in late December 2006 and his one-time intelligence chief Barzan al-Tikriti two weeks later following deeply flawed trials. The manner of the executions further inflamed minority Sunni apprehensions about the Shia majority government.

The sectarian cleansing of Baghdad by both Sunni and Shia groups proceeded despite a major US troop deployment aimed in part at stopping it. US military operations continued against Shia and Sunni insurgents throughout the country, leading to an unknown number of civilian casualties.

The US and Iraqi security offensive was accompanied by alliances between the military and Sunni tribal and insurgent factions in Anbar province and Baghdad, some of which had begun fighting al Qaeda in Mesopotamia.

During the course of the year, Iraq's government grew more fragmented and dysfunctional. Legislation on oil revenue, one index of the chances of a cohesive national government, languished in a paralyzed parliament. Defections from the government left its political and sectarian base even narrower, and made the prospect of national political reconciliation seem distant.

The US and Iraqi security offensive in Baghdad led to a sharp increase in the numbers of detainees. Iraqi detention facilities strained to accommodate them, and the justice system often foundered in reviewing their cases, leading to a backlog in Iraqi detention centers where reports of physical abuse and torture were common. The US military said in October its detainee population had grown

by about two-thirds from the year before, to about 25,000. Some detainees have spent years in US custody without charge or trial.

Government and the Political Process

In January 2007, Prime Minister Nouri al-Maliki outlined a drive to pacify Baghdad in which operations against Sunni insurgents would be coupled with disarming of Shia militias. The Bush administration pledged to send more than 20,000 troops to Baghdad and western Iraq to shore up the security plan, which began in mid-February amid devastating suicide bombings in Baghdad. The cabinet agreed to a draft oil law on February 27 but parliament had not ratified it at this writing. The main Sunni bloc, the Iraqi Accordance Front, quit the government in August, citing failure to release detainees not charged with crimes, disband militias, and grant Sunnis a say in security matters; it was followed by a secularist bloc which withdrew ministers from the government.

Shia cleric and militia leader Muqtada al-Sadr pulled his ministers from the cabinet in April over government reluctance to demand a timetable for US military withdrawal. In September, he pulled his parliamentary bloc out of the governing coalition. Sadr ordered his Jaysh al-Mahdi militia to stand down for six months after bloody August clashes in Karbala with government forces loyal to its main Shia rival, the Supreme Iraqi Islamic Council (SIIC). The Allawi and Sunni al-Tawafuq blocs also left the cabinet. At this writing, Maliki's government—reliant on Kurdish parties and a Shia group hostile to Sadr—clung to power with a slender majority in the 275-seat parliament.

Attacks on Civilians and Displacement

Civilians were once again the targets of attacks by Sunni and Shia armed groups across the country, though the number of such attacks decreased following the US and Iraqi security offensive. Many attacks appeared to be intended to cause the greatest possible civilian casualties and spread fear, notably those occurring in marketplaces, schools, and places of worship. Iraq's government and US military officials blamed Sunni insurgents for waves of car bombings in the capital in early 2007. Bombings in a Shia area of the northern town of Tel Afar in March that killed some 150 people were followed by revenge killings of dozens of Sunnis by Shia policemen. Suicide truck bombings targeting minority Yazidis near the northern town of Sinjar in August killed as many as 500 people, the worst

single attack since 2003. Shia armed groups, including Jaysh al-Mahdi and SIIC's Badr militia, were reported to have carried out numerous abductions and killings in Baghdad and elsewhere.

Sectarian violence spurred large-scale flight: over a million Iraqis were displaced following the February 2006 shrine bombing, according to figures from the International Organization for Migration (IOM), most of them leaving mixed areas for more homogenous ones within the capital and outside Baghdad province. Eighty-nine percent of displaced Iraqis cited their sectarian identity as the source of threats to their safety, the IOM said in its mid-year review. There were signs at this writing, however, that some refugees and IDPs were starting to return.

The situation of Iraqis seeking refuge outside the country was little better: Jordan, which hosts more than 500,000 Iraqi refugees, began turning back most Iraqis arriving by land and air in January 2007. Syria, which hosts some 1.5 million Iraqis, began enforcing strict visa requirements in October that restricted entry to Iraqis entering for specific commercial or educational purposes. Many other countries—notably the United States—have taken very few refugees. In October, the US State Department said 1,608 Iraqi refugees had been admitted for resettlement in fiscal year 2007, with a target of 12,000 for the next fiscal year.

MNF Operations and Contractors

Stepped-up military operations by the US-led Multinational Forces (MNF) during the security offensive led to an increase in civilian casualties. UN officials reported that MNF airstrikes between March and May killed 88 civilians and called for investigations into the deaths.

The killing of at least 17 Iraqi civilians by employees of US-based security firm Blackwater in September focused attention on the impunity with which private contractors operate in Iraq. Iraq's government demanded over \$100 million in compensation for victims' families and called for Blackwater's departure. Non-Iraqi contractors have been exempt from prosecution in Iraqi courts under a 2004 decree by the US occupation authority. A draft law approved by Iraq's government in late October 2007, still not approved at this writing, would end their immunity from prosecution.

Detention and Torture by Iraqi Forces

Reports of widespread torture and other abuse of detainees in detention facilities run by Iraq's defense and interior ministries and police continue to emerge. In October 2007, officials from the United Nations Assistance Mission for Iraq (UNAMI) reported that detainees had been hung by their limbs, subjected to electric shocks, forced to sit on sharp objects, and burned by their jailers. Officials in Iraq's Interior Ministry, which had previously vowed to investigate instances of detainee abuse, disputed the charges.

The number of detainees in Iraqi government custody grew by nearly 4,000 from April through June, according to UNAMI officials. Detainees often had limited access to counsel and faced lengthy delays in review of their cases.

Kurdish officials, responding to Human Rights Watch research documenting torture and denial of due-process rights to detainees in northern Iraq, released some detainees in 2007 and began reviewing cases of others. Conditions for remaining detainees were unchanged at this writing.

US Detention

As of October 2007, the US military was holding about 25,000 people in Iraq, an increase of some 10,000 from a year earlier, according to Major General Douglas Stone, head of detainee operations. Stone estimated the average detention period at 300 days, but noted detainees involved in criminal proceedings had remained in custody for several years. Many security detainees are also sometimes held for years without charge or trial and only limited review.

According to press accounts, US arrests of children allegedly involved in insurgent activities rose from an average of 25 per month to 100 per month in 2007, with over 800 children held at Camp Cropper by mid-September. In August 2007, the US opened Dar al-Hikmah, a non-residential facility intended to provide 600 detainees ages 11-17 with education services pending release or transfer to Iraqi custody. Officials have said children would be subject to the same detention review process as adults, which does not guarantee detainees access to lawyers when presenting their cases.

Accountability for Past Crimes

The Iraqi government executed Saddam Hussein on December 30, 2006, following his conviction by the Iraqi High Tribunal (IHT) for crimes against humanity in Dujail in 1982. The government executed his half-brother and former security chief Barzan al-Tikriti and former chief judge of the Revolutionary Court `Awwad al-Bandar on January 15 after convictions in the same case. Their trials were marred by the failure to disclose key evidence to the defense, government actions that undermined the independence and impartiality of the court, and violations of defendants' right to confront witnesses against them.

Taha Yassin Ramadan was executed in March after the IHT's Appeals Chamber ordered the trial chamber to change his life sentence to death by hanging.

The IHT in June convicted five of Saddam's aides of genocide, war crimes, and crimes against humanity for their actions during the 1988 Anfal campaign, in which Iraqi forces used chemical weapons and killed as many as 100,000 Iraqi Kurds. Three of them were sentenced to death.

Gender-Based Violence

Violence against women and girls in Iraq continues to be a serious problem, with members of insurgent groups and militias, soldiers, and police among the perpetrators. Even in high-profile cases involving police or security forces, prosecutions are rare.

Violence within the family also continues to be a serious issue. In 2007, UNAMI officials recorded 40 alleged "honor" crimes in the Kurdish region alone within a three-month period.

Key International Actors

In June 2007 the UN Security Council re-affirmed the mandate of the MNF for 2007. As of October, the United States had approximately 165,000 troops in Iraq; the United Kingdom, the other principal contributor of foreign forces, planned to halve its troop presence based in southern Iraq to about 2,500 in 2008.

In November 2007 the US and Iraqi governments announced they would negotiate an agreement on bilateral relations, including the status of US forces in

the country in the years to come. Iraq's government said 2008 would be the last year of the United Nations mandate for multinational forces in the country, which had been expanded in 2007 to include political reconciliation, displacement, and human rights protection. The Human Rights Office of the UNAMI monitors, reports on, and follows up on human rights violations as part of a plan aimed at developing Iraqi mechanisms for addressing past and current abuses.