

**IRAQ:
BACKGROUND ON HUMAN RIGHTS CONDITIONS, 1984-1992**

This newsletter contains background information about human rights violations in Iraq, gathered by Middle East Watch in July and August 1992 from victims, eyewitnesses and family members currently living in exile in Syria and Jordan. It serves as a supplement to the Middle East Watch publications "Human Rights in Iraq" (Yale University Press: 1990) and "Endless Torment: The 1991 Uprising in Iraq & its Aftermath" (June 1992).

With a few exceptions, the Iraqis interviewed for this publication left their country in 1991 or early 1992. For most, it was the first time they had been outside Iraq, and thus the first time they could speak freely about abuses that they or their relatives had endured, or that they themselves had witnessed.

The first part of the newsletter examines some of the methods used by the regime's security apparatus to maintain control of Baghdad and southern Iraq after the post-war March 1991 uprisings were crushed. The second section includes detailed testimonies about human rights abuses from 1984 to 1989.

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MAINTAINING CONTROL: 1991-1992

In 1991 and 1992 Saddam Hussein's regime continued to practice its techniques of repression to perpetuate control of the Iraqi population in Baghdad and other cities outside the allied-protected enclave in Kurdistan. There were numerous reports of executions of Ba'ath party officials and members of the security forces by rebels during the abortive uprising of March 1991. Nevertheless, Middle East Watch's fact-finding reveals that the regime's security apparatus probably never lost control of Baghdad and quickly regrouped in other parts of the country.

The February 1991 military defeat by the allied coalition and the attendant massive infrastructure damage from aerial bombardment left the country reeling. In March, the brutal suppression of the Kurdish and Shi'a uprising was coupled with attacks on fleeing civilians. In addition, public dissatisfaction was fueled by the continuing effects of the international trade sanctions and the sky-high cost of basic commodities, with most families unable to purchase food to supplement the minimal rations provided by the government at subsidized prices.

After the uprising was crushed, the Iraqi military carried out almost-continuous operations against anti-government rebels based in the vast southeast marshlands during 1992 and early 1993 at the expense of the indigenous civilian population which suffered from indiscriminate attacks and other violations of humanitarian law. Elsewhere, Middle East Watch found that the regime's mechanisms of control during 1991 and 1992 included: house-to-house searches; arbitrary arrests often in large numbers; surveillance; harassment and questioning of family members; detention of targeted individuals, such as those returning to Iraq pursuant to amnesties, at unknown locations; and the continued use of torture prior to and during interrogation. Security forces' use of live ammunition against a large crowd of unarmed demonstrators in a Baghdad neighborhood in March 1991 was an early sign of the regime's determination to keep the restive population in the capital under firm control after Iraq's defeat in the war, at a time when violent unrest was spreading throughout the country. Military force was used in much greater measure elsewhere to put down uprisings, but the capital was particularly sensitive for the regime.

By the accounts of Iraqi exiles, prior to the start of the allied military attack in January 1991 there was simmering resentment in Baghdad against Saddam Hussein. Many Iraqis expected that the war with the allied coalition would finish the regime. "Before the land war started, people in Baghdad were saying that they hoped the war would last a long time, even if fire took their children, because they wanted Saddam Hussein gone," a middle-aged worker who lived in the city told Middle East Watch. "After the defeat, people hated the fact that Saddam was still there. It really hit home when the soldiers started coming back with their dirty, torn clothes. People were asking why it all had happened." The returning soldiers themselves were embittered.

The popular resentment in the capital did not go unnoticed by the authorities. While the uprisings were raging in northern and southern Iraq in March 1991, "the government used all the security forces in Baghdad -- it was a real show of force to intimidate the people," one resident of the capital told Middle East Watch.

Security Forces Open Fire on Baghdad Demonstration

According to an account provided by Saleh, a worker and underground political activist who lived in Baghdad, a call went out by word of mouth for a demonstration on March 15 or 16 (Saleh was unable to remember the exact date) at 10:00 am in Meraidi Market in the Shouarda area of al-Thawra, a low-income quarter of the capital with over one million Shi'a residents.¹ "We thought this was the beginning of our *intifada* (popular uprising)," he said, "but the government knew about it and they were ready." Middle East Watch has not been able to confirm Saleh's account with other eyewitnesses.

Saleh estimated that about 5,000 demonstrators -- almost all of them unarmed -- came to the designated location, shouting slogans. The main slogan was "Down with Saddam with help from God," a twist on one of Saddam's slogans, "Victory with help from God." Saleh said that armed security forces and party loyalists opened fire on the crowd without warning, killing approximately thirty people and wounding tens more in the first minutes.²

Security-force vehicles in nearby alleys, with machine guns mounted on top, began the barrage. The distance between these vehicles and the demonstrators was approximately thirty meters. "After the shooting started, people began to run, merchants were shutting down their shops, the dead were left on the street...no one dared remove them. The bodies stayed there for three or four days," Saleh reported.

In the aftermath, al-Thawra was surrounded by security forces for one week, and house-to-house searches were conducted. Children as young as twelve years old and men as old as forty were detained in arrest sweeps. Saleh said that many thousands were arrested: "People were taken in military trucks, security- forces cars, even in ambulances. It happened very quickly. They just came in and rounded up people," Saleh said. He believed that the detainees were taken to Radwaniyya, a large prison formerly used as a prisoner-of-war camp, west of Baghdad.³

After the assault on al-Thawra, other areas of Baghdad were surrounded by security forces. Residents were questioned, homes were searched for suspects and weapons. There were additional arrests. A thirty-seven-year-old artist who lived in the capital described these operations:

¹Saleh said that the demonstration was planned by underground groups in Baghdad. "Our plan was to start the action in al-Thawra because it is a very crowded quarter, not because it is a Shi'a quarter. It was selected because of the concentration of population," he told MEW. Saleh, who said he had been active for years in an underground political organization in Baghdad, left Iraq for Syria in May 1991. His wife and four children -- one of whom serves in the army -- remain in Iraq.

² According to the Damascus-based Committee for the Defense of Human Rights in Iraq, the estimate of 5,000 demonstrators is accurate and some 600 to 700 people were killed or injured by security forces. The Committee reported to Middle East Watch in January 1993 that some Popular Army groups and the Emergency Forces (Quwwat al-Tawari') put down the demonstration.

³ Saleh said that Radwaniyya is used by the Istikhbarat al-Askariyya (Military Intelligence), one of Iraq's security agencies. "It is an underground prison," according to Saleh. "Above ground are normal security police buildings, gardens, and arms-storage facilities." Other Iraqi sources give different descriptions of Radiwariyya, but all concur that because of its size the camp was used as the principal detention center for persons arrested during and after the 1991 uprisings.

The city was divided into sectors. One at a time, each sector would be surrounded by military forces. House-to-house searches started, using security police, Ba'athi organizations, individuals from Tikrit, all the forces the regime had. No one knew which sector would be targeted next. Those arrested were taken to the headquarters of General Security (Amn al-Ameh) or branch offices.

Arrests of Family Members

Security forces attempted to track down targeted individuals, including military deserters, returnees from Iran, and those with previous political arrest records. Middle East Watch collected information indicating that family members -- typically brothers -- were arrested and detained if the person sought could not be found. (This is a long-standing abuse in Iraq; see below, for additional information.)

Khalid, a thirty-five-year-old engineer who had held a sensitive position in a Republican Guard unit, was sought by Military Intelligence after he deserted in January 1991. When he could not be located, his younger brother was arrested in Baghdad. Khalid told Middle East Watch that four months after Iraq invaded Kuwait, he was reactivated for military duty.⁴ He was placed with a special Baghdad-based unit of the Republican Guard, assigned to the same mapping tasks he had performed during the Iran-Iraq war. "I worked for them for less than one month," he said. "One day, during a one-hour break, I managed to escape over a fence. I went to my father's house in Baghdad and then to an aunt's house in southern Iraq. Most of my family, except my sister, came with me because they were afraid of the consequences of my desertion." Their fear was well-placed. "People from Military Intelligence visited my father's house, looking for me. They told my sister that if they found me they would shoot me because I had military secrets and I had escaped with my weapon."

Khalid joined the abortive uprising in Najaf, and then hid at relatives' homes in southern Iraq and Baghdad. His brother was not so fortunate. "In April 1991, police in Saddam Hussein's secret army⁵ came to my father's house and arrested my younger brother. No one knows where he was taken."⁶

According to one account, the families of prisoners released pursuant to 1991 presidential

⁴ Khalid graduated from the University of Baghdad in 1979 and was drafted into the Iraqi Army in August 1980. He told Middle East Watch that he was forced to serve continuously until February 1989, working in a sensitive map-making unit.

⁵ Known in Arabic as Jihaz al-Himaya al-khas or Special Protection Apparatus. See Isam al-Khafaji, "State Terror and the Degradation of Politics in Iraq," *Middle East Report*, May-June 1992, p. 16. It is believed to be "Saddam Hussein's personal secret police, run out of the president's office." Middle East Watch, *Human Rights in Iraq*, p. 18.

⁶ Khalid managed to leave Iraq for Jordan in June 1991. He said that in August 1991, the Amman office of the United Nations High Commissioner for Refugees rejected his application for refugee status. He lives in dire poverty in Amman, with no prospect for work, uncertain about his future, and worried about the fate of his brother.

amnesties were required to sign a document guaranteeing the good behavior of their relatives. If the released prisoner ran afoul of the authorities, the family would be held responsible. Nabil, a thirty-two-year-old political prisoner from Baghdad who was serving a life sentence at Abu Ghraib prison, in Baghdad, told Middle East Watch that he was released in December 1991, pursuant to an amnesty. He said that eighty other men⁷ were released with him: "They read off a list of names and told us to prepare ourselves. No one asked any questions," Nabil said that they were put in vehicles and moved to the Rashid army base in Baghdad. From there, the men were taken to "a prison in an isolated place" and held for a day. "Our families were summoned and told to sign papers, guaranteeing that we would not commit any crimes," Nabil told Middle East Watch. He briefly saw his brother, who said that he had signed the document.

Nabil then was moved in an army vehicle with about thirty-five other men to Tikrit, where he was forced to join a regular army unit. He managed to escape, and fled Iraq on a forged passport on January 14, 1992. At the beginning of February, he later learned, his brother received a note to report to the security office in his district of Baghdad. There, he was told that he would be detained unless Nabil -- listed as an army deserter -- turned himself in to the authorities. (See pp. 13-14 for a case of hostage-taking of relatives in 1986.)

Informers

Despite deep discontent with the regime and the upheaval during the war and the uprisings, Iraqis continued to supply information -- and misinformation -- about neighbors and acquaintances to security forces.

Adnan, a twenty-eight-year-old physician from Baghdad, attested to the smooth functioning of the security apparatus in the capital by late 1991 and early 1992. He had fled with his family to the region of Iraq temporarily controlled by U.S. forces in April 1991, then spent time in Rafah refugee camp in Saudi Arabia, before returning voluntarily to Iraq in December 1991. "When I got back to Baghdad, I went into hiding so I could have some time to assess the situation. I learned that the security officers responsible for our area had been asking about the whereabouts of members of my family." The questioning was prompted by a report from the owner of the building where Adnan's family rented a store. The owner wanted to regain the lease to the store and informed local security officials -- wrongly -- that Adnan's brothers had deserted from the army and were members of the outlawed Da'wa party.⁸

⁷ Altogether, several hundred prisoners were released in the December 1991 amnesty. The list of eighty Nabil refers to may have been only those from his wing of the large Abu Ghraib prison. Middle East Watch interview with former Abu Ghaib prisoners, Tehran, February 1993.

⁸ Al-Da'wa al-Islamiyya (the Islamic Call), formed in 1968, was an outgrowth of a political grouping, The Association of Najaf Ulama, formed in 1958 by leading Islamic scholars in Najaf. According to two Iraq scholars, "al-Daw'a and the other Shi'i movements began to cause the Ba'th considerable alarm by the early 1970s, when a separate branch of the security services was created to deal specifically with potential Shi'a opposition groups...[Beginning in late 1978, the Ba'ath Party] launched a ferocious campaign against al-Da'wa and its leaders. Large numbers of those suspected of being members of the organisation were arrested, and actual membership was made punishable by death." Marion Farouk-Sluglett and Peter Sluglett, *Iraq Since 1958: From Revolution to Dictatorship*, KPI Ltd., London and New York: 1987, pp. 195-200.

One Najaf resident who fought in the March uprising told Middle East Watch that Iraq's network of informers was perhaps stronger after the uprising than it had been before:

The number of collaborators has expanded greatly. People are reporting information to the security forces for one simple reason: out of fear for their own lives. By collaborating, they think they are protecting themselves and their families.

He noted that some participants in the uprising had cameras and took photographs during the revolt. He said that some of them were collaborators, and others later became collaborators, providing information to protect themselves. "When I was fighting, I kept my face covered, like the Palestinians," he said.

Detention and Interrogation of Political Suspects in Baghdad

Most political and rebel suspects being held for interrogation were apparently transferred to Baghdad soon after arrest during this period. Bassem, a teacher born in 1952, gave Middle East Watch testimony about his interrogation and torture: first by the army in Nasiriyya in southern Iraq, and then by security forces in Baghdad.⁹ Of particular interest in his account are the details about conditions of detention at one makeshift holding facility in Baghdad and the brutal methods of treatment and interrogation used there.

Bassem had been a combatant in the uprising, leading a ten-person irregular rebel group in Nasiriyya in southern Iraq. On the thirteenth day of the uprising, on or about March 13, his small unit clashed with the army in a one-hour battle: "Eight of my colleagues were killed. There were only two of us left and our ammunition ran out. We tried to withdraw to a nearby pasture on the Euphrates River, crawling on our bellies. We threw our weapons in the water but were immediately caught by soldiers who were led by a staff brigadier," he told Middle East Watch.

The soldiers began to beat both men with gun butts. Bassem sustained two broken ribs, and a broken nose and hand. They were then dragged 500 meters to the main road, where five other captured rebels were being held. "They handcuffed us behind our backs. We were put in a pit and the soldiers were ordered to prepare to shoot. Just then, a motorcade came by on the main road, and Ali Hassan al-Majid¹⁰ got out of one of the cars. Majid said: "Don't kill them. Take them for interrogation so we can make use of them."¹¹

⁹ Bassem left Iraq in April 1991 and is now living in exile in Syria, where he was interviewed in August 1992. He told Middle East Watch that he had been active for years in an underground secular political organization, which he preferred not to identify.

¹⁰ Al-Majid, the cousin of President Saddam Hussein, currently Iraq's Defense Minister, was appointed Interior Minister on March 23, 1991.

¹¹ Other captured fighters had been summarily executed by the army. After the military regained control of Najaf, "I saw fighters who had run out of ammunition taken by soldiers and tied alive to poles or tanks. Then they were

The seven rebels were moved to a nearby army barracks, where they were beaten and interrogated for about sixteen hours by a group of ten soldiers and three officers with the rank of major. "They used sticks wrapped with electric cables. They wanted to know about other participants in the intifada -- the names of those who were with us, the kinds of weapons we had, and the location of other armed groups," Bassem said. He eventually lost consciousness. When he awoke, he found himself in a bus with over forty other men. "We were kept in that bus for thirty-two hours and then we were taken to Baghdad."

The detainees were brought to a security forces' building in the Abu Ghraib complex. "They put us in grain storehouses. There were too many people taken and there was no space. There were about 1,200 to 1,500 of us in halls about 15x4 meters in size. We had to sleep on the ground, touching back to back and feet to feet. They used mass torture daily, beginning at 7:00 am," Bassem charged.

The detainees' daily regimen was divided into three segments: use of the toilets, distribution of water, and distribution of bread. To secure these basic needs, detainees were forced to endure a system of organized brutality. Use of the toilets was permitted only once daily, from 7:00 am until 10:30 am:

To get to the toilets, we had to walk down the middle of two rows of soldiers who faced one another. There were five soldiers in each row. They beat us with plastic pipes as we walked between them. We had to return the same way, and we were beaten again.

The same procedure was used for the detainees to obtain the single drink of water they were allotted per day. Water was available from 10:30 am to 2:00 pm, but could only be obtained by walking through the row of soldiers. After drinking, the detainees were forced to return through the line of soldiers for additional beating. From 2:00 to 8:00 pm, the procedure was again repeated to secure the daily allotment of one piece of bread. Bassem said that the soldiers changed shifts every eight hours. He endured this regimen for thirteen days. Medical care was not provided to those who were ill or injured. "Saddam Kamel (head of Special Protection Apparatus) visited every day, for five minutes," Bassem recalled. Bassem managed to speak briefly with him. He told Kamel that he was a supporter of the regime, although he had no documents to support his claim of someone else's identity.

On March 28 at 7:00 am, Bassem was blindfolded, handcuffed behind his back, and moved to another location. He was beaten violently and tortured with electric shocks in two different ways. Wires were tied in a ring around two of his fingers and then placed in what he believed was an electrical outlet, producing a sustained current. "They repeated this procedure, using different fingers on one hand." (For one month after his release, he was unable to use his hand because it was grossly swollen from the shocks.) Electricity also was applied to sensitive parts of his body, including his armpits, using "a machine that sounded like a telephone and produced a discontinuous current." During this ordeal, Bassem was asked no questions. "It lasted maybe for a half-hour...it was hard to keep track of the time." He finally lost

shot," a student in his late twenties, now living in Syria, told Middle East Watch. In the Mathannah area, between Najaf and Karbala, he witnessed ten men shot at close range, from three meters away or less: "Their hands were tied behind their backs. The soldiers fired and blew their heads off, then shot about thirty bullets each into their bodies." For additional information about summary executions by both sides during the uprising, *see* Middle East Watch, "Endless Torment."

consciousness.

"When I revived, they asked my name. I gave the false name. They continued to torture me, for about three hours, to get me to reveal my real name." He was asked questions about his profession and place of work, about his politics, about the *intifada*.¹² "I pretended to be a Ba'athi. I was counting on the fact that lines of communication were disrupted and that they had no time or ability to check out my story," Bassem said. He again lost consciousness.

His calculated risk worked. "At about 4:00 pm, I woke up, hearing someone calling my false name. They brought me to a garden, removed my blindfold and uncuffed my hands. They carried me to the front door of the building, where a bus was parked. Saddam Kamel was standing there, and he asked me again if I was a regime supporter. He told the bus driver to take me wherever I wanted. There were about forty other men inside the bus who also had been released," Bassem said.

Bassem estimated that approximately 50,000 people had been rounded up in these post-uprising arrests, and that many of them were brought to Baghdad and detained.¹³ He told Middle East Watch that most of the detainees held with him were removed in groups of ten for interrogation and torture by one officer and five soldiers in all-day sessions that typically lasted from 7:00 am to 4:00 pm. He said that some detainees died in detention, and that those suspected of involvement in the uprising were moved to other locations:

In the thirteen days that I was there, I heard that a lot of prisoners had died under torture. I personally saw two men being brought out dead. The dead were taken away in municipal sanitation trucks. If you made the mistake of giving yourself away, you were interrogated again. If you could hold up, you were released...Those who were suspected of participating in the intifada were taken away to unknown locations.

* * *

TESTIMONY FROM SURVIVORS: 1984-1989

Torture and Mistreatment In Abu Ghraib Prison

¹² Iraqis adopted the Arabic word first used by Palestinians to describe their revolt against Israeli occupation, for the 1991 uprisings in Iraq.

¹³ The Iraqi government reported that security forces had arrested 15,105 people for participating in the post-war uprisings (Interim Report on the Situation of Human Rights in Iraq prepared by Special Rapporteur Max van der Stoel, U.N. General Assembly, A/46/647, Nov. 13, 1991). The U.S. State Department reported that mass arrests "were a common Iraqi tactic in repressing the popular uprising in March and April [1991]." The State Department noted, for example, that "thousands" were arrested in southern cities, and that similar campaigns were carried out in the north, with over 5,000 men arrested in the city of Kirkuk in March 1991. [*Country Reports on Human Rights Practices for 1991*, U.S. Department of State, February 1992, p. 1421] According to the Committee for the Defense of Human Rights in Iraq, Radwaniyya prison held 30,000 people who had been arrested in the Thawra section of Baghdad during the March 1991 uprising.

Nabil, a shopkeeper from Najaf who is now in his thirties, told Middle East Watch that his brother Issam was arrested in 1984. The family heard nothing until 1989, when a member of one of the security forces visited their house and said that Issam had been executed. The family never received his body. Nabil participated in the March 1991 uprising in Najaf, and found his brother's file at the secret police headquarters after the building fell into rebel hands. He told Middle East Watch that the file indicated that Issam had died under torture in 1985 -- four years before the family was told of his death by execution.

Nabil said he also learned from documents found in the building about the existence of a secret cemetery located approximately ten kilometers from Abu Ghraib prison: "This is where they have buried some of those who died from torture or who were executed." The cemetery, described in the documents as *maqbara ma'dumi al-dawla* (cemetery for those killed by the state), has graves marked only with numbers. Security offices maintain files of those buried in the cemetery, containing a photograph and the corresponding number of the grave at the cemetery. Nabil claims that his brother is buried in this cemetery, based on information retrieved from the security office in Najaf.

Abdallah, a member of the Ba'ath Party whose loyalty became suspect, provided Middle East Watch with still-vivid personal memories from his four years of imprisonment at Abu Ghraib in the 1980's, where he was held naked the entire time and frequently tortured.

The second day of his imprisonment, the men were forced to walk between two rows of five guards each, to receive their containers of food. While walking to get the food, they were beaten by the guards with plastic telephone cables. They had to return to their cells the same way, so that a walk to get breakfast resulted in twenty lashes. "It wasn't that bad going to get the food," Abdallah said, "but coming back the food was spilled when we were beaten." The same procedure was used when the men went to the bathroom.

The third day, the torture began. "We were removed from our cells and beaten with plastic pipes. This surprised us, because we were asked no questions. Possibly it was being done to break our morale," Abdallah speculated. The torture escalated to sixteen sessions daily. The treatment was organized and systematic. Abdallah was held alone in a 3x2-meter room that opened onto a corridor. Sometimes he was not permitted to move inside the cell, even after he was beaten.

"You also had to obey the guards' orders, such as to stand on one foot. If not, there was more torture. If they told you to sit, and you were found standing, you were beaten." When he was ordered to sit, he had to face a wall, not the door, with his knees touching the wall but his forehead never resting on the wall. If he changed this position, he would be beaten.

"You were not allowed to go to sleep until they yelled, 'Sleep, you bastards.' This treatment continued day and night. After the beatings, I was forced to march in place. We were not allowed to speak, shout or cough. Coughing meant more torture. If there was a cough, the guards would come and ask who coughed. The person who coughed was supposed to say 'I did, master.' If no one admitted coughing, all of us would be beaten."

"We were allowed to go to the toilet three times a day, then they reduced the toilet to once a day for only one minute. I went for four years without a shower or a wash," Abdallah said. He also learned to cope

with the deprivation and the hunger that accompanied his detention:

I taught myself to drink a minimum amount of water because there was no place to urinate. They used wooden sticks to beat us and sometimes the sticks would break. I found a piece of a stick, covered with blood, and managed to bring it back to my room. I ate it for three days. A person who is hungry can eat anything. Pieces of our bodies started falling off from the beatings and our skin was so dry that it began to fall off. I ate pieces of my own body.

No one, not Pushkin, not Mahfouz, can describe what happened to us. It is impossible to describe what living this day to day was like. I was totally naked the entire time. Half of the original group [of about thirty men] died. It was a slow type of continuous physical and psychological torture. Sometimes, it seemed that orders came to kill one of us, and he would be beaten to death.

Summary Trials and Executions of Political Prisoners

Summary political trials have frequently resulted in executions. Political suspects brought for judgment before so-called courts stressed the bizarre nature of the proceedings, using words such as "a play" or "a theater" to describe their trials. Based on information gathered by Middle East Watch, the most notable characteristics of political trials in Iraq are their brevity and utter lack of due process.

A former resident of Basra said that he was arrested in 1987, when he was thirty-two years old. He was taken to a local office of the General Security Directorate (Mudiriyat al-Amn al-Ameh), accused of speaking against the President, and then brought before the Revolutionary Court.¹⁴ The session lasted about ten minutes. "There was no lawyer and no prosecutor, only three judges, the president of the court and two others, with a stack of papers in front of them," he said. (He was found guilty and sentenced to execution; after twenty days, he was informed that the sentence had been reduced to life imprisonment. He was released from Abu Ghraib prison in August 1990 under a presidential amnesty.)

A hotel worker who had not been involved in politics, but whose younger brother was a suspected member of the Da'wa party, told Middle East Watch of his June 1987 trial, when he was twenty-six years old:

There were forty-five of us, all charged with "membership in a party that is against the revolution." We were brought before a court that was composed of three men in military uniforms. The whole proceeding took a little over a half-hour. It was not like an ordinary court. The only thing the judges said was execution or imprisonment. There were no lawyers, no prosecutors. It was not possible to speak.

¹⁴ This court was established pursuant to Law. No. 85 of 1969. It was abolished by a decision of the Revolution Command Council, chaired by Saddam Hussein, on May 20, 1991. The decision to abolish the court reportedly went into effect the same day. Baghdad INA, May 20, 1991, as reported in Foreign Broadcast Information Service, *Near East and South Asia Daily Report*, May 21, 1991, p. 8.

The sentences appeared to be absolutely arbitrary, the hotel worker told Middle East Watch. He said that fifteen or sixteen of the accused were sentenced to death, including his brother. His brother had been so badly tortured that "he couldn't even move his head to one side." Some defendants were sentenced to five years' imprisonment. There were two women in the group, and he remembered that one of them received a fifteen-year sentence. He was sentenced to life imprisonment and confiscation of his property. He never saw his brother again. After the trial, they were both held in Abu Ghraib prison but in different sections. Six months later, prison officials informed him that his brother had been executed.

The most detailed testimony about a political trial was provided to Middle East Watch by Hisham. At his request, some of the details of his case, such as the nature of the accusation and the date of the trial, have been omitted to protect his identity. After a perfunctory interrogation, Hisham was brought with a group of other accused to a "court" in Baghdad:

The trial was held in a small room that did not look like a court, and the judges were not acting like judges. Some of them were standing, some had their backs to us. There were no papers, no documents from the interrogation.

They always bring people in groups. We stood by the door. Some of us had to strain to see inside the room. Our hands were not tied, but there were armed guards behind us. We were dressed in pajamas. Only my pajamas were clean. The others were wearing torn pajamas, stained with blood. I saw injuries on their arms, chests, thighs...clear marks of beating. Some were unable to stand on their own. When their names were called, the guards had to pull them up to show their faces to the court.

The session for Hisham's group lasted five minutes. The president of the court read the names of the accused and asked only two questions. First, they were asked to state if they were innocent or guilty; all replied that they were innocent. Second, they were asked if they had anything to add to the testimony they had provided during interrogation. No one said a word. After this perfunctory session, the guards were ordered to remove the accused to individual cells. Other accused were brought to the court in small groups, until all of them had entered their pleas. The entire proceeding took less than one hour.

That afternoon, Hisham was pulled out of his cell, blindfolded and forced to stand against a wall, with his face touching the wall:

There were people beside me. They told us to remove our blindfolds, which were plastic. We were told to keep facing the wall and not to move. I could only see to my left and my right. I didn't know what was happening behind my back. I heard heavy things being moved. I heard the sounds of weapons being handled. I thought that we were going to be killed. After a while, they told us to turn around. We were in a corridor. The same members of the court were sitting at a table in front of us. Over twenty armed guards surrounded us.

The members of the court stood, and began to read the names, the charges and the verdict. "They started with the names of those who were sentenced to death. I was very happy that I was not named. The rest of us received sentences of one to fifteen years in prison. My sentence was ten years."

Arbitrary Arrest, Detention and Torture

Dr. Ali Yasser, a Shi'a physician from Basra, told Middle East Watch the story of his arrest in March 1986. Dr. Yasser was taken from the university where he was teaching by two officers from the security forces. They told him that they needed to talk to him for only five minutes. He was transported to the headquarters of the General Security Directorate in Basra and blindfolded. "Then I was brought to a room. There were about ten people around me. I felt as if all of them wanted to take a piece of me," he remembered. He described the approach taken by his interrogators:

They began by saying I should tell them what I did. You're surprised. What mistake have you committed? You don't know. If you ask, they start to beat you. You may say something that they don't want to hear. There are never any details. They told me that I must talk or they would cut me into pieces right there in the room. They accused me of insulting the President. I told them that I had no cause to do this and that I knew the penalty. Why would I do such a thing? They told me that they had reports about me -- that I had insulted the President and that I did not like the regime.

Dr. Yasser denied that he had insulted Saddam Hussein, but admitted that he believed the regime tried to portray Iran "in a false light." He also told them that he felt badly because his brother had been taken for military service. "This is not enough," he was told. "You've said other things." Dr. Yasser was held in detention for six and a half months. He then was brought before a court, and convicted of insulting the President.

Jawad, a hotel worker who is now thirty-two years old, told of his arrest at his home in Baghdad in July 1986 by a group of security officers who were looking for his youngest brother, then twenty-four, who was religious and suspected of membership in the Da'wa party. "I had nothing to do with politics," he told Middle East Watch, "I worked with tourists in the hotel." After a thorough search of the house, Jawad was detained, along with his mother, father, two women cousins in their twenties, and another brother, nineteen years old.

They were all taken to the security office in Kerbala. The women, and his brother and father, were then transferred to Kerbala prison. Jawad was held at the security office for ten days, until his brother surrendered. He was held in a tiny cell measuring one meter square, and forced to stay in a crouch position for six to eight hours daily. He was blindfolded when he was brought for interrogation:

They told me to say everything that I knew. I asked what I did, what they wanted. All they said was that I knew things they needed to know. They wanted me to confess that my brother belonged to the Da'wa party.¹⁵

¹⁵ Jawad told Middle East Watch that he later learned that the members of about seventy families -- over 400 people -- from Najaf, Kerbala and Qadimiyya had been arrested in July 1986 round-ups. "They were tortured to force confessions about relatives," he said.

He received strong blows to the head, was beaten with a hose, and given electric shocks. He was forced to sign a blank sheet of paper. "The left side of my body became paralyzed from the beatings. After that, they handcuffed me behind my back and hanged me from a wall."

After his brother turned himself in to the authorities, Jawad's detention continued. He was held with his brother for one year in Kerbala prison. He was then brought, handcuffed and blindfolded, to a dark underground cell elsewhere, where he was held for one year. In June 1987, Jawad was transferred to a court. The judge sentenced him to life imprisonment, and said that all his property would be confiscated. He was held in a small underground cell with about twenty other men for over two years. "When the Iran-Iraq war ended, we were brought up from underground," Jawad said. He was released pursuant to an amnesty at the end of the war. His brother was executed on December 13, 1987.

Interrogation, Torture and Execution of Members of the Military

The following two accounts indicate that the methods of torture practiced by Military Intelligence are similar to those used by other branches of the security forces. Conditions of detention for members of the military appear to be as bad as those for political suspects.

Jassem told Middle East Watch of his arrest in June 1987, when he was thirty-two years old. He was taken from his military unit in Kurdistan and moved to Military Intelligence headquarters in the Qadimiyya section of Baghdad. There, he was blindfolded and handcuffed behind his back.

"They removed all my clothes and started to beat me -- this was my reception," he said. He was placed in a large room with about one hundred other men and his blindfold was removed. The other detainees gave him something to wear.¹⁶ On the fourth day of his detention, Jassem was blindfolded and taken to the investigation office. Behind the interrogator, he felt the presence of someone else, someone large. He was beaten with sticks, electric-shocked, and -- handcuffed behind his back -- suspended from a hook on the ceiling (a pulley was used to hoist him up).

They asked me questions and beat me on all parts of my body except my head. If my answers were not enough, they used electricity. They beat me with an electric stick, then attached wires to sensitive places and shocked me. My body felt dry, dead...it was difficult to speak. They asked me about my life history since childhood.

Jassem was accused of three offenses: spreading information about military activities to the

¹⁶ **Jassem said that the room in which he was held was very crowded, with only forty to fifty centimeters of space for each detainee. The men were given one small hard piece of brown bread daily. There were no windows in the room; only a tiny bit of light came in through the roof. Three to four small bowls containing "something that looked like rice" were provided twice daily for all 100 men to share. A small can in the corner of the room served as a toilet. The detainees were allowed to leave the room only once a day, twenty at a time; only one minute was allowed for all twenty men to use the toilet. "It was a very dirty place," Jassem remembered. When the detainees left the toilet, soldiers would hose them down, and the men "would scramble for the water." Then they had to stand for a count, and finally were returned to their room.**

political opposition; speaking critically to fellow soldiers about the use of chemical weapons in Kurdistan;¹⁷ and destroying military communications to benefit the internal opposition. After three to four hours of interrogation and torture, he signed a confession that he had attempted to organize men in his unit against the use of chemical weapons.

After he confessed, he was taken to a smaller room. There were about twenty-seven other men in the room but they were prohibited from speaking to one another. Jassem said that all of these men had been sentenced to death by "a special court," and were subsequently executed. Jassem was moved to various detention centers before being brought before a military court in Kirkuk.¹⁸ His "trial" was a two-minute proceeding before four officers, with no lawyer present. The sentence was life imprisonment.¹⁹

A former high-ranking military officer in the Iraqi army told Middle East Watch about his arrest, detention and torture in 1989 on political charges.²⁰ "At ten at night, I was at home with my wife and children, dressed in my pajamas. There was a knock at the door," he said. "My youngest son opened the door and five men entered. One of them told me to change into my military uniform. Another one told them not to worry, that I was just going to be asked some questions."

"They put me in a Land Cruiser and, after driving one kilometer, they handed me special black glasses. When I put them on, I was unable even to see to the sides. We drove for two to three hours." The officer was taken into an office and brought to a room. He was told to undress completely and remove his watch and jewelry. "I was given a dirty, torn *jalabiyya* (a long gown worn by men in the Arab world) to wear. Then I was blindfolded and taken away, barefoot, to a cell that measured one meter by about a half-meter. It was raining. I knew nothing." After an hour, he was thrown one woolen blanket. He asked for water but it was denied.

He remained in the small cell the next day, without food or water. No one came. That night, he suffered a severe cramp in his lower back, near his kidney. Another day passed. The officer shouted to the guards for food and water; he was told that nothing was allowed until after his interrogation. The next day, at about ten in the morning, he was blindfolded and brought to a room:

¹⁷ Middle East Watch has recorded many examples of the use of chemical weapons against civilian targets in Kurdistan during 1987. See *Genocide in Iraq: The Anfal Campaign Against the Kurds* (July 1993).

¹⁸ He was held for fourteen days in this room in Military Intelligence headquarters, transferred to the military prison in Rashid camp, then moved to Kirkuk prison, then to a special military prison in Rania for fourteen days, and finally to Rania general prison for three months.

¹⁹ After his trial, Jassem was moved to the general prison in Rania for two months and then to Abu Ghraib prison. He was released in October 1989 under an amnesty and – surprisingly, considering his conviction – forced back into military service until August 1990. He said that he was called up for military service again before the allied assault on Iraq began in January 1991 but did not report to his unit. He managed to secure forged identity papers and a passport, and left Iraq on these documents in February 1992.

²⁰ Middle East Watch is withholding additional details about the charges to protect the identity of the witness.

I was totally exhausted. I asked for a chair. They told me to sit on the floor. I was asked my name, rank and age. I replied in a low voice, and then received a strong blow on the back of the head. "Speak in a louder voice!" someone said. This was followed by a kick. "Speak in a louder voice, and say sir!"

He was questioned about other officers whom he knew, about information he might have about them, about things they told him.

They said I should tell them everything I knew or I would be tortured very badly. I could hear screams from other rooms. But I had nothing for them. A voice said: "Take him away. Prepare him and bring him back. Why didn't you bring him prepared?"

Still blindfolded, he was brought to another room and his feet were bound together. For thirty minutes, the officer was beaten on the soles of his feet, kicked and suffered blows to the neck. Then he was taken back to the first room. "How are you now?" a voice asked. He was told to talk, and then kicked. He swore to them that he knew nothing.

He was brought back to his cell and held there for two more days. A meal of soup was provided once a day, and he was allowed to use a bathroom. He was transferred to a hall that was crowded with about sixty men, both soldiers and Kurdish civilians. The hall had one long window covered with bars. "It was here that I found out I was in the Fifth Department of Military Intelligence in Qadimiyya, on the Tigris River in Baghdad."²¹ He was held there briefly, then moved to a military prison in the capital.

²¹ **Military Intelligence is "responsible for detecting `enemy' infiltration in the armed forces. Since military service is compulsory for all male adults, this agency too is sanctioned to target virtually all of the regime's domestic opponents. [It] has almost unlimited authority in Iraqi Kurdistan under the pretext of combating *al-mukharribin* [saboteurs]." al-Khafaji, p. 16.**

The officer told Middle East Watch that while he was held in Qadimiyya he became acquainted with a Kurdish university student who was majoring in literature. The student's hobby had been reading spy novels. He had written a story that was similar to Agatha Christie's "Murder on the Orient Express" and had submitted it for publication. "He was arrested and accused of being a CIA spy. He was tortured very badly -- his fingernails were pulled out. He was in the hall with us for twenty-one days, and we tried to take care of him. One day he was taken away and we never saw him again."

Summary Battlefield Executions of Military Officers

"Saddam Hussein uses two types of practices with military officers -- money and terror," Yousef, a former high-ranking Iraqi military officer, told Middle East Watch. The officer said that Saddam "buys loyalty with large cash payments, cars, farms and salary bonuses." But the officer also provided eyewitness testimony about summary executions, imposed to enforce battlefield discipline.

"During the Iran-Iraq war, we would receive orders from Baghdad to attack certain locations. An order would come on a piece of paper or by telephone, instructing us to attack a specific place at a specific time. We knew the attack would fail. But if we didn't carry out the order, there would be executions. Many officers were executed for not obeying orders," Yousef recalled.

In June 1982, Yousef was an eyewitness to the battlefield summary executions of Field Marshal Salah al-Khadi and Staff Brigadier Assad Jawad Sheitneh:

They were given an order to attack, without enough time to scout enemy positions and with insufficient forces to carry out the attack. They asked for more time. This was denied, and they refused to carry out the order. They were executed in front of their officers and soldiers.²²

Yousef witnessed the summary execution of Staff Col. Wafa el-Ameedi, from Babil, in front of officers and soldiers in Azmar, near Suleimaniyya, in July 1986. The colonel was executed for refusing to carry out an order that would have unduly endangered his men. "I saw four other incidents like these," he told Middle East Watch. Yousef said that the orders from Baghdad ran contrary to officers' training in military tactics. "Principles of war give rights to officers to evaluate and plan. We were taught that prior to an attack, we must scout and gather information about enemy forces. An attack should not begin until there is evaluation and a plan. These officers were executed for practicing what they were taught."

He noted, too, that the summary executions violated Iraqi military law: "If an officer refuses to carry out an order, he should be replaced by another officer and then brought before a military tribunal on charges of disobeying orders. His innocence or guilt is a decision for the court. Execution by firing squad is a punishment if the court decides that all circumstances were favorable but the officer did not attack because of collaboration with the enemy."

Brigadier Muaffaq Muhammed Ali was detained and executed for expressing his opinion about a military operation in the Fao peninsula -- the scene of some of the war's heaviest fighting -- in February 1986. "After the Iranians were approaching Basra in al-Memlahah, there was an order to attack. Troops had been brought from the north and were immediately thrown into battle -- they were either killed or captured -- it was a massacre," Yousef noted. "The brigadier was watching this, and remarked that it was a slaughter." That night, he was taken away by Military Intelligence. We learned this from his guards and

²²A ten-man firing squad was brought for each execution. After the shooting, an officer would fire a "mercy bullet," and then the body was examined by a doctor. Ten soldiers were taken from each unit, led by an officer, to witness the executions.

messengers. We later learned that he had been executed." Yousef said that the execution was announced in a secret communique with limited circulation. He remembered the text: "The execution has been carried out of the criminal Muaffaq Muhammed Ali because of his mutiny against military orders. To be seen only by commanders of divisions and groups." The communique was signed by Saddam Hussein as Commander-in-Chief of the Iraqi Armed Forces. Yousef said that similar communiqués were sometimes signed by Deputy Commander Adnan Khairallah Talfah (Iraq's then-Defense Minister and Saddam Hussein's brother-in-law, who was killed in a helicopter crash in 1989).

Asked how other eyewitnesses to these executions reacted, Yousef replied, "We would whisper about it, but only if we knew one another very, very well. Sometimes we would not even speak, but use sign language to communicate. The Iraqi officer does not tell secrets, not even to his wife. We fear exposure, reprisals. Immediately we would be accused of exposing military secrets. The communiqués announcing executions always stated that the information was a military secret."

A former Iraqi military officer told Middle East Watch that the families of executed officers were instructed not to speak about their relatives' deaths. He added that mourning was not permitted, and that bodies typically were sent from the morgue at night to be buried by the military in the presence of the immediate family.

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This newsletter was written by Virginia N. Sherry, associate director of Middle East Watch. Sabrina Swamy, an intern with Middle East Watch, provided research assistance. The document was edited by Andrew Whitley, executive director of Middle East Watch and Cynthia Brown, a consultant to Human Rights Watch.

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Middle East Watch was created in 1989 to monitor human rights practices in the Middle East and North Africa and to promote respect for internationally recognized standards. The chair of Middle East Watch is Gary Sick, the vice chairs are Lisa Anderson and Bruce Rabb. Andrew Whitley is the executive director; Eric Goldstein is the research director; Virginia N. Sherry and Aziz Abu-Hamad are associate directors; Suzanne Howard is the associate.

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