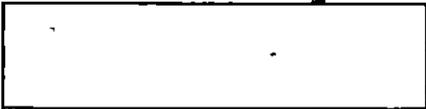


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22 January 2003

Iraq: A Sustained Pattern of Civilian Repression (U)

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**Iraq: A Sustained Pattern of Civilian
Repression (U)**

Summary (U)

Iraq has been a police state since July 1968, when Saddam Husayn and his collaborators seized power in the name of the Ba'th Party. Saddam's regime regularly perpetrates human rights abuses against various sectors of the population through execution, torture, extra-judicial detention, rape, forced displacement, disappearances, and mass murder. Saddam ruthlessly eliminates anyone he considers a threat to his hold on power—ethnic, tribal, or opposition figures; respected military officers; or religious leaders with a stand or popular following.

Ethnic groups, particularly the Kurds and Shias, have felt Saddam's wrath repeatedly over the past 20 years. The regime continues to engage in ethnic cleansing campaigns—including "Arabizing" the north in an effort to reclaim oil-rich lands and by draining the southern marshes—to crush domestic dissent and deny opponents a safehaven.

- During the Anfal campaign in 1987-88, it is estimated between 50,000 and 100,000 Kurds were murdered—including 5,000 Kurds during the gassing of the city of Halabja in northern Iraq. An official Iraqi document from the period—signed by Ali Hassan al-Majid, the overseer of Iraqi policy in Kurdistan—ordered the execution of all persons between the ages of 15 and 70 captured in villages inside areas that the government had declared prohibited zones.
- Although Shia Arabs make up more than half of Iraq's population, they are a suspect majority dominated politically and economically by the Sunni minority. Baghdad for decades has conducted a campaign of murder, summary executions, and arrests against Shia religious leaders and their students. In addition, Shia holy sites have been desecrated and security agents reportedly are stationed at all the major Shia mosques and shrines to search, harass, and arrest worshippers.

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**Iraq: A Sustained Pattern of
Civilian Repression (U)**

Decades of Human Rights Violations (U)

Iraq has been a police state since July 1968, when Saddam Husayn and his collaborators seized power in the name of the Ba'th Party. Saddam's system of building his personal power and suppressing dissent is built on a reinforcing framework of internal security organizations, secret intelligence services, the Ba'th Party security apparatus, and additional layers of military and militia. His regime regularly perpetrates human rights abuses against sectors of the population through execution, torture, extra-judicial detention, rape, forced displacement, disappearances, and mass murder.

- This judgment is based on a wide variety of classified and unclassified information that consistently indicates widespread repression of Iraqi citizens by Saddam's regime. Much of the information on human rights abuses comes from opposition sources, and some of these reports remain unconfirmed, in large part because Iraq has refused to permit human rights monitors or other observers. [REDACTED]

According to the UN Special Rapporteur for Human Rights, Mavromatis, Iraqi citizens "live in a climate of fear." Those who have found it impossible to conform or to disguise their disagreement with the regime are either dead, in prison, or have fled Iraq. Political power lies exclusively in a repressive one-party apparatus dominated by Saddam and members of his extended family. The regime severely restricts freedoms of speech, the press, assembly, association, religion, and movement. It discriminates against religious minorities and ethnic groups, outlaws opposition political organizations, and reserves the right to override any court decision. The regime

routinely violates UN Security Council Resolution 688, adopted in 1991, which demands that Iraq end repression of civilians and allow international monitoring of humanitarian conditions. In 1993, the International Commission of Jurists deplored Iraq's regard for "the most important right, namely the right to life."

- Saddam ordered the use of chemical weapons and mass executions against Iraq's Kurdish population in 1987 and in 1991 he directed the bloody suppression of Kurdish and Shia uprisings in northern and southern Iraq, claiming between 30,000 and 60,000 lives.
- Former UN Special Rapporteur for Human Rights, Van der Stoep—who in his 1998 report named the regime "one of the most ruthless dictatorships the world has seen since the end of the Second World War"—was barred entry into Iraq since 1992; the regime permitted the current UN Special Rapporteur to briefly visit Iraq in February 2002. (U)

Fear of Saddam Silences Many Victims (U)

Reporting on human rights issues is virtually nonexistent inside Iraq, where the news media is government-operated and tightly controlled, and opposition to the regime is met with the most severe punishment.

- Free public discussion of political issues has been effectively banned since the Ba'th Party coup in 1968. A decree issued in April 1986 authorizing life imprisonment or death for insulting the

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president of the Republic or any of the top institutions of state further constrained dissent.

- Since 1981, all but a favored few Iraqi citizens live under a de facto ban on emigration and travel outside their country. Exceptions have been granted only for a limited number of officials traveling abroad on government missions or officially authorized private business, graduate students whose study abroad is officially authorized, persons authorized to go abroad for medical treatment, and Muslims for pilgrimage to Mecca.

- Iraqi émigrés who seek to expose the regime's human rights abuses live in fear of violence at the hands of Iraq's overseas security operatives. Many émigrés hesitate to testify even anonymously about abuses that they have suffered or witnessed for fear of discovery and retribution against themselves or their families. [redacted]

Continuous Repression of Political Dissidents (U)

Since the 1970s, Saddam has routinely tortured and executed political prisoners. [redacted]

[redacted] Iraq's security services implement a variety of torture techniques, including branding, electric shocks to the genitals and other areas, pulling out fingernails, burning with hot irons and blowtorches, dripping acid on the skin, breaking limbs, denying food and water, extended solitary confinement in dark and extremely small compartments, rape, and threats to rape or otherwise harm family members and relatives, according to multiple sources.

- A "prison cleansing campaign" at Abu Ghurayb and Radwaniyah prisons began in 1997 following a visit by Qusay, Saddam's second son and then head of the Special Security Organization; multiple sources reported the execution of more than 1,500 people in the first year of the campaign.

[redacted] torture techniques routinely

used on persons arrested for political crimes, including beatings, electrical shocks to the ears, striking the soles of feet with truncheons, threats to rape a family member in sight of the prisoner, and burns from scalding water. [redacted]

- Some suspects who survived torture reportedly were killed with tea laced with strychnine sulfate. [redacted]

[redacted] that Iraqi security officials systematically use rape as a tool to intimidate, torture, and elicit confessions from female and male prisoners and their female relatives and children. This practice has reportedly become a "routine repression technique" of the Iraqi security services against numerous political prisoners, members of repressed minorities, opposition elements, and regime officials suspected of disloyalty. Human rights organizations and opposition groups continue to receive reports of women who suffered from severe psychological trauma after being raped while in custody.

- The UN Special Rapporteur for Human Rights in Iraq received information in early 2002 that guards at the Abu Ghurayb prison sexually abuse female relatives of inmates in exchange for allowing visits to the inmates or for other favors.

[redacted] claims that Saddam, Qusay, and IIS Technical Department Head Brigadier-General Mijris Al-Tikriti have tried over the years to deter leadership challenges by blackmailing hundreds of Iraqi military officers, party officials, and ministers by threatening to release secret videos of their wives or daughters who had been kidnapped and raped by Technical Department officers.

- The IIS even uses the threat of rape to discipline its personnel, alternating it with torture and death threats against relatives to ensure the loyalty of its officers and recruit foreign-educated cadres.

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~~TOP SECRET~~Inhumane Punishment (U)

Beginning in June 1994, Saddam issued a series of decrees that established severe penalties—such as amputation, mutilation, and branding—as punishment for criminal offenses, according to Iraqi press reports. Although the regime claimed that the extra measures were required to combat crime, they were practiced mainly on political dissenters, according to opposition reports. UN Security Council Resolution 688 and Article 5 of the Universal Declaration on Human Rights of 1948—to which Iraq is a signatory—prohibit such cruel, inhuman, or degrading treatment. Although international outcry over these decrees forced Iraq to repeal several of them, the UN Special Rapporteur continues to receive reports that Iraq still uses such punishments on suspected criminals.

- Iraqi Law 59 in July 1994 requires that first time offenders convicted of automobile theft have their hand cut off, and if the crime is repeated, the offenders' foot is amputated at the ankle.
- Iraqi Law 92 in July 1994 ordered life imprisonment or amputation of the right hand for persons convicted of forging government documents.
- Iraqi Law 115 in August 1994 called for cutting off the ear of army deserters, persons who evade the military draft, and anyone who shelters an evader or deserter. A repeat offense was to be punished with amputation of the other ear. Anyone punished with ear amputation was also to have an "X" branded on the forehead. (U)

Saudi Arabia and other Gulf states impose similar measures against their populations for suspected criminal offenses. (U)

Although widespread use of rape to interrogate and terrorize occurred during the Anfal Campaign against the Kurds in 1987-1989, claims of systematic rapes—

open sources—jumped after Iraq invaded Kuwait in 1990.

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the seven women who are among the 605 Kuwaiti POWs still unaccounted for by Iraq were repeatedly raped by Iraqi personnel prior to their disappearance.

- The 1991 UN Human Rights report on Kuwait and a European non-Governmental Organization treating Kuwaiti torture victims estimated that Iraq detained and tortured 10,000-to-15,000 Kuwaitis during the Gulf war, while 1,000 women were raped—some as young as nine.

Victimizing the Kurds (U)

In the latter years of the Iran-Iraq war, Baghdad responded to a sharp upsurge in combined Iranian-Kurdish peshmerga operations against Iraqi military and economic targets by conducting a scorched-earth policy throughout Iraqi Kurdistan, using wide-scale, brutish methods, according to multiple classified and unclassified sources. The campaign was characterized by gross violations of human rights, including mass summary executions, disappearances, arbitrary jailing and warehousing, forced displacement, and the destruction of some 2,000 villages, including schools, mosques, farms, and power stations, according to UN reports. An estimated 50,000 to 100,000 Kurds were murdered.

- Official Iraqi documents from the 1987-1988 period that were captured and publicly released by Human Rights Watch confirm the transfers. One document—signed by Ali Hassan al-Majid, the overseer of Iraqi policy in Kurdistan—ordered the execution of persons between the ages of 15 and 70 captured in villages inside areas that the government had declared prohibited zones.
- Barzan al-Tikriti, Saddam's half-brother and then head of Iraq's delegation to the Human Rights Commission in Geneva, personally supervised the roundup of 8,000 Kurds who were never seen again, according to press reports.

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- Regular army units razed villages throughout northern Iraq. [redacted] Reporting [redacted] from journalists who toured northern Iraq in September 1988, corroborated the widespread destruction of villages. [redacted]

According to human rights reports, the Kurds were subject to the most widespread attack of chemical weapons ever used against a civilian population when Baghdad in 1988 used them against the northern Iraq town of Halabja, causing an estimated 5,000 deaths. The chemical agents used were a "cocktail" of mustard gas and nerve gases. The chemicals to which the people were exposed affected their respiratory tracts, central nervous systems, skin, and eyes. The gases also contaminated food and water.

- More than 40 villages in northern Iraq were subject to chemical weapons attacks in 1988, resulting in the death of several thousand Kurds, according to Human Rights Watch.
- The 1925 Geneva Protocol, to which Iraq is a signatory, outlaws the use of chemical weapons.
- The frequency of infertility, congenital malformations, and cancers are at least three to four times more common in the people of Halabja—more than 10 years after the attack—than in people from cities in the same region who were not exposed to the chemical weapons, according to Dr. Christine Gosden, a British medical specialist who inspected Halabja. [redacted]

The 1991 Kurdish uprising at the end of the Gulf war led to the resumption of regime abuses against the Kurds:

- Iraqi authorities [redacted] issued instructions [redacted] granting permission to military security authorities to detain and execute anyone between the ages of 15 and 70 in designated areas. [redacted]

- Saddam in August 1991 ordered the summary execution of any Kurd in Kirkuk carrying a weapon. [redacted] The executions were to be carried out by the special security unit of the Directorate of General Security.

- Kurdish refugees in early 1991 provided detailed information that government security and intelligence operatives assassinated suspected rebels in towns inside Iraq and also Kurdish refugee camps in Turkey. [redacted]

Regime repression against the Kurds escalated again in August 1996 when Iraqi Army and Republican Guard forces seized the city of Arbil from the Patriotic Union of Kurdistan (PUK). [redacted]

[redacted] suggest the Iraqi forces used overwhelming firepower indiscriminately, leveled entire villages, and killed as many as 500 civilians.

- [redacted] open press reports describe mass executions during the attack on Arbil. The same reports say Iraqi soldiers raided Kurdish government offices, conducted interrogations, and hung, beat, and imprisoned an undetermined number of Kurds.

[redacted] village on the PUK front line was completely destroyed and other villages suffered massive damage from Iraqi artillery. [redacted]

A Marginalized Shia Majority (U)

Shia Arabs—about 60-65 percent of Iraq's population—have long been a repressed majority. The end of the Gulf war sparked a popular uprising in Shia-dominated southern Iraq that the regime rapidly and brutally suppressed with artillery, mortars, armor, and helicopters against civilian areas; summary executions of suspected insurgents; indiscriminate firing against Shia shrines; and possibly the use of napalm against fleeing civilians.

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- Estimates of total civilian casualties during the uprising ranged from 30,000 to 100,000, according to [redacted] Arabic press reporting [redacted]
- Iraqi refugees reported numerous claims of the regime's systematic killing of suspected insurgents, including the random execution of about 400 young males per day in Al Hillah during the first five days of the uprising and the live burial of about 50 handcuffed civilians in An Najaf on 19 March 1991.
- Iraqi helicopters were directed to attack all moving civilian vehicles in Karbala on 11 March 1991 and struck targets "near large crowds of people" in An Najaf on 8 March 1991 [redacted]

The regime has since employed a system of repression and incentives to control the Shia population and forestall organized political opposition.

- The regime pays tribal leaders to report on insurgents and has threatened to withhold rations and destroy villages if they do not comply, [redacted]
- Baghdad's control over food resources gives it another lever to control the population, which relies on the rations for survival. Many marsh inhabitants fear reprisal from Baghdad and probably do not register for the ration card to avoid government attention to their presence there.
- The assassinations of Shia clerics Ayatollah al-Sadr in February 1999, Ayatollah Borujerdi in April 1998, Ayatollah Gharavi in June 1998, and Sayed Muhammad Taki al-Khoi in July 1994 were aimed at silencing dissent and suppressing opposition, according to the UN Special Rapporteur's report. [redacted]

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Regime Marsh Draining Campaign (U)

Since the Gulf war, satellite imagery, refugee and dissident reports, and environmentalists indicate that Iraqi forces have drained and burned most of Iraq's southern marshes in a clear attempt to better control the Shia Muslim Arabs living there. During and after the Shia uprising in the south, many regime opponents, army deserters, and civilians fled to the Al 'Amarah and Hawr al Hammar marshes, long used as a safehaven from government forces. Baghdad responded with large-scale water diversion projects—including the construction of an east-west dam and a north-south canal, which cut off the major water supply to the Al 'Amarah marsh—removing the cover and concealment hiding the insurgents and destroying the habitat and culture of Iraq's ancient Marsh Arab community.

- Today, nearly all of Iraq's Marsh Arabs are displaced—tens of thousands still survive the regime's systematic destruction, bulldozing, and artillery bombardments—while thousands were secretly executed by Iraqi forces, including women and children, according to press reports based on eyewitness accounts.
- By May 2001, more than 90 percent of the Al 'Amarah and the Hawr al Hammar marshes were dry according to the UN Environmental Program. The water-based economy has collapsed in the region, and reduced water levels and water stagnation have nearly eliminated this important food-producing area.
- According to press reports, the regime also destroyed wells and dumped sewage brought from nearby cities into the marshes, killing fish and contaminating the waters. (U)

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Unrest and repression in the south increased again in early 1999 following the assassination of Grand Ayatollah Muhammad Sadiq al-Sadr—the highest Shia authority in Iraq and a strong critic of the government—in An Najaf. [redacted]

[redacted] Baghdad's response as the most brutal in recent memory, with the regime arresting large numbers of Shias and shooting suspected leaders and their families. [redacted]

• Security forces arrested Islamic leaders for not conducting prayers in accordance with regime guidelines and for criticizing the government in their sermons, provoking skirmishes with mosque congregations and resulting in many deaths, according to [redacted] press reports.

• [redacted] Baghdad razed approximately 270 buildings and dwellings as collective punishment against three villages suspected of sympathy with the uprising.

• Security forces continue to discourage congregations from attending prayers and in some instances have fired on and arrested crowds of worshippers, according to [redacted] press reports. Group prayers and Friday services have been banned in several areas. [redacted]

Ethnic Cleansing Initiatives (U)

Baghdad has forcibly displaced or killed large numbers of Iraqis as part of its strategy for crushing domestic dissent. According to estimates by the US Committee for Refugees, approximately 900,000 citizens are internally displaced throughout Iraq, with the greatest concentration in the northern governorates. Iraq has resettled large numbers of Kurds and encouraged Arabs from other parts of Iraq to move north to take their place. The regime's near-term aim is to bolster its control over local oil resources and improve security, but the effort also serves to weaken the Kurds' cultural and ethnic identity.

• Baghdad during 2000 continued to forcibly transfer Kurds out of oil-producing regions and replace them with loyal Sunni Arabs from other parts of Iraq, according to [redacted]

[redacted] Kurdish and London-based Arabic press. The regime transferred more than 300 Kurdish and Turkoman families from villages in the north to other parts of Iraq.

• [redacted] in June 2000, Fedayeen Saddam forces attacked Kurdish homes in two governorates and forced the occupants to sign documents declaring that they were Arabs.

[redacted] The Kurds were detained in facilities run by the Iraqi Olympic Committee, headed by Saddam's eldest son Uday, and some were executed on Uday's order. [redacted]

Iraq's policy of forced relocation during the Anfal Campaign led to the resettlement of an estimated 1.5 million Kurds. [redacted]

The internally displaced persons were relocated to government complexes in the north, cities in the south, or camps along the Saudi Arabia border.

[redacted] Iraq solicited construction firms to sign major building contracts available as a result of the resettlement of a "minority group" from northern Iraq for security reasons. [redacted]

• The regime issued an order to security and intelligence services in September 1987 to identify and relocate any Kurd with family ties to individuals convicted of opposition activities.

[redacted] Males in this category between the ages of 12 to 50 years old were to be sent to a special prison [redacted]

[redacted] that Kurdish inmates, some as young as 13, were executed daily at Abu Ghurayb prison near Baghdad.

• During the final days of the Iran-Iraq war, government forces assaulted the northern civilian population, systematically razing villages and killing noncombatants. Iraqi officials cleared at least 150,000 inhabitants from territory along the

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Iranian border—creating a no man's land—to stop Kurdish or Iranian cross-border movement, according to imagery and the report of the Kurds' 1996 Minority Rights Group International.

- Since the Shia uprising in 1991, more than 100 Shia clerics in Iraq have disappeared, according to Amnesty International and other human rights organizations. (U)

Regime security services also have transferred Shias to remote areas of Iraq in retaliation for suspected dissident activity. The restrictions placed on Shia property ownership in Baghdad in 2000 suggest that the regime has a plan to decrease the number of potentially troublesome Shias in the capital.

Iraq continues to ignore the more than 15,000 cases conveyed to it in 1994 and 1995 by the UN Working Group on Enforcement of Involuntary Disappearances, as well as virtually all other requests from the Governments of Kuwait and Saudi Arabia on the whereabouts of those missing since the 1990-91 occupation of Kuwait. (U)

- The regime has uprooted roughly 4,000 Shia families from Baghdad and sent them to southern and western Iraq in reprisal for urban disturbances in 1999.

Relocations A Decades-Long Phenomenon (U)

Baghdad has typically expelled or relocated restive groups in anticipation of—or in retaliation for—opposition activity:

that Iraqi security forces destroyed 160 homes in the southern village of Al Masha.

- In November 1998, Fedayeen Saddam forces raided the predominantly Shia section of Baghdad and arrested people on charges of belonging to a banned Shia resistance party.

- Following the Algiers Accord with Iran in 1975, Baghdad moved to quell Kurdish dissidence by forcibly relocating 250,000 to 300,000 Kurds to southern Iraq, according to academics. The regime also razed many Kurdish villages along the Iranian border or repopulated them with Arabs, according to Kurdish reporting.

A campaign of arrests was also conducted in Shia areas in southern Iraq.

- The establishment of Islamic government in Tehran in 1979 generated a wave of Shia unrest that Baghdad countered by expelling 40,000 Shia to Iran in early 1980, according to academics. (U)

Disappearances at the Hand of the Regime (U)

Saddam has used regional developments as political cover for repressing its own population:

Iraq leads the world in forced disappearances, with tens of thousands of people reported missing in the past few years, according to the UN Commission on Human Rights in March 1998.

- The UN Special Rapporteur estimates that the total number of Kurds who disappeared during the Anfal campaign may number in the tens of thousands. Human Rights Watch estimates the total to be between 70,000 and 150,000 and Amnesty International puts it at more than 100,000.

- In 1971, Baghdad expelled about 100,000 Shia Arabs and Shia Kurds to Iran after Tehran occupied three Persian Gulf islands belonging to the United Arab Emirates, according to academics. (U)

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