

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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### Annual reports

Events of 2010

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The Misuse of Dialogue and Cooperation with Rights Abusers

Protecting Students, Teachers, and Schools from Attack

The Changing Media Landscape and NGOs

Human rights conditions in Iraq remain extremely poor, especially for journalists, detainees, displaced persons, religious and ethnic minorities, women and girls, and persons with disabilities. The United States officially ended its seven-year combat operations in August 2010, reducing the number of troops to about 49,700.

On March 7, 2010, millions of Iraqis from every part of the country braved mortar shells and rockets to vote in the national legislative election. In a blow to the election's credibility, the Supreme National Commission for Accountability and Justice disqualified more than 500 candidates because of alleged Ba'ath Party links, including several prominent politicians who were expected to do well. Incumbent Prime Minister Nuri al-Maliki, whose State of Law Coalition won 89 of the 325 seats, remained in office pending the formation of a new government, while Ayad Allawi's al-Iraqiya list won 91. The Iraqi National Alliance, a Shia coalition formed by the Islamic Supreme Council of Iraq and the followers of Muqtada al-Sadr, won 70 seats and the Kurdish parties obtained 57. Overall, the election results reflected sectarian divisions.

In November 2010 Iraq's political parties agreed to form a new coalition government eight months after parliamentary elections. The deadlock had created a political vacuum that allowed armed groups to reassert themselves in some areas.

Repeated attacks by armed groups targeted civilians, exploiting the political stalemate and Sunni Arab discontent. Violence killed and injured hundreds of civilians each month, in one of the worst periods, more than 500 people died in August alone. Assaults targeted government buildings and officials, checkpoints, embassies, hotels, factories, markets, and mosques, as well as people gathered for religious pilgrimages, weddings, and funerals, mainly in Shia areas. Violent attacks have caused civilians to flee, creating internally displaced persons and refugees across borders.

Some refugees who had fled to Syria, Jordan, and Lebanon faced economic pressure and difficulties maintaining legal status abroad and returned home to Iraq. The Iraqi government has no adequate plan for the return of Iraqis who have been displaced internally or those who have fled to neighboring countries. Thousands of displaced persons within Iraq reside in squatter settlements without access to basic necessities such as clean water, electricity, and sanitation. Many are widows with few employment prospects. Their desperate situation has contributed to an increase in sex trafficking and forced prostitution.

The ongoing attacks, along with an abundance of abandoned landmines and cluster munitions, have created a disproportionately high number of persons with physical and mental disabilities, many of whom have not received support for rehabilitation and re-integration into the community.

Reports continued of widespread torture and other abuse of detainees in the custody of the defense and interior ministries and police. Government-run detention facilities struggled to accommodate almost 30,000 detainees, and serious delays in judicial review

exacerbated overcrowding; some detainees have spent years in custody without charge or trial. The situation worsened in 2010 as the US military transferred most of its remaining prison sites and detainees to Iraqi custody. On July 15, US forces handed over their last prison, Camp Cropper, which housed about 1,700 detainees. US forces retained control over about 200 prisoners, including some former members of Saddam Hussein's government.

In April Human Rights Watch interviewed 42 detainees who had been tortured over a period of months by security forces at a secret prison in the old Muthanna airport in western Baghdad. The facility held about 430 detainees who had no access to their families or lawyers. The prisoners said security forces personnel kicked, whipped, and beat them, asphyxiated them, gave them electric shocks, burned them with cigarettes, and pulled out their fingernails and teeth. They said that interrogators sodomized some detainees with sticks and pistol barrels. Some young men said they were forced to perform oral sex on interrogators and guards, and that interrogators forced detainees to sexually molest one another. As of November government officials had not prosecuted any officials responsible.

Violence against women and girls continued to be a serious problem across Iraq. Women's rights activists said they remain at risk of attack from extremists who have also targeted female politicians, civil servants, and journalists. "Honor" crimes and domestic abuse remain a threat to women and girls, who also remain vulnerable to trafficking for sexual exploitation and forced prostitution due to insecurity, displacement, financial hardship, social disintegration, and the dissolution of rule of law and state authority.

Female genital mutilation is practiced mainly in Kurdish areas of northern Iraq. In November the Ministry of Health completed a statistical study on the prevalence of FGM and the data suggests that 41 percent of Kurdish girls and women have undergone this procedure. On July 6, 2010, the High Committee for Issuing Fatwas at the Kurdistan Islamic Scholars Union - the highest Muslim authority in Iraqi Kurdistan to issue religious pronouncements and rulings - issued a religious edict that said Islam does not prescribe the practice, but stopped short of calling for an outright ban. At this writing the women's rights committee of the Kurdistan parliament had finalized a draft law on family violence, including provisions on FGM, and the Ministry of Health announced plans to disseminate information on the practice's negative health consequences. But the government has not yet banned FGM or created a comprehensive plan to eradicate it.

In 2010 Iraq remained one of the most dangerous countries in the world to work as a journalist. Extremists and unknown assailants continue to kill media workers and bomb their bureaus. On July 26, a suicide car bomber detonated his vehicle in front of the Al Arabiya satellite television station, killing six and destroying the Baghdad bureau. The Islamic State of Iraq, an armed umbrella group associated with al Qaeda in Mesopotamia, later claimed responsibility for this attack on the "corrupt" channel. In September unknown assailants assassinated two television presenters and injured another in separate incidents in Baghdad and Mosul. On March 12, gunmen opened fire in Baghdad on the car of Mu'aid al-Lami, head of the Iraqi Journalists' Syndicate, killing his driver.

Journalists in Iraq also contended with emboldened Iraqi and Kurdish security forces and their respective *image-conscious* central and regional governments. On May 4, assailants abducted, tortured, and killed Sardasht Osman, a 23-year-old freelance journalist and student in Arbil. Friends, family, and other journalists believed Osman died because he wrote critical articles about the Kurdistan region's two governing parties, their leaders, and the ingrained patronage system. Security forces attached to government institutions and political parties harassed, intimidated, threatened, arrested, and physically assaulted journalists. Senior politicians sued publications and journalists for unflattering articles.

Iraq's Communications and Media Commission enforced new restrictions ahead of the March 7 parliamentary elections, ostensibly to silence broadcasters who encouraged sectarian violence, but the regulations encroached unduly on media freedoms. At this writing two pieces of legislation, the Access to Information Law and the Journalists' Protection Law, remain stalled in the Iraqi parliament.

After thousands of Iraqis took to the streets in June to protest the government's inability to provide sufficient electricity and other basic services, the authorities cracked down on demonstrations. On June 25 the Interior Ministry issued onerous regulations about public protests, and the Prime Minister's Office apparently issued a secret order the following day instructing the interior minister to refuse permits for demonstrations about power shortages. In the months that followed the government refused to authorize numerous requests for public demonstrations, with no explanation. Authorities arrested and intimidated organizers and protesters, and policing actions led to deaths and injuries. The clampdown created a climate of fear among demonstrators.

Armed groups continued to persecute ethnic and religious minorities with impunity. In the three weeks leading up to the March 7 national elections, assailants killed 10 Christians in the city of Mosul in attacks that appeared politically motivated. The violence prompted 4,300 Christians to flee to the Nineveh Plains, a disputed area in northern Iraq that is culturally, ethnically, and religiously diverse. Iraqi and Kurdish government officials condemned the attacks and the government of Iraq established an investigative committee, but as of October no perpetrators had been identified or arrested.

On October 31, gunmen identifying themselves as members of the Islamic State of Iraq attacked a church in Baghdad, taking more than a hundred hostages. Two priests and 44 worshippers were killed when Iraqi forces stormed the building.

Minorities remained in a precarious position as the Arab-dominated central government and the Kurdistan regional government struggled over control of disputed territories running across northern Iraq from the Iranian to the Syrian borders. Leaders of minority communities complained that Kurdish security forces engaged in arbitrary detentions, intimidation, and in some cases low-level violence, against those who challenged Kurdish control of the disputed territories. In other parts of Iraq, minorities have not received sufficient government protection from targeted violence, threats, and intimidation. Perpetrators are rarely identified, investigated, or punished.

An agreement between the US and Iraq in 2008 calls for a complete US withdrawal-including non-combat military forces-from Iraq by the end of 2011. As of September 2010 the United States had about 49,700 troops in the country, down from 160,000 to 170,000 at the height of the 2007 "surge."

In October Wikileaks released thousands of documents, mostly authored by low-ranking US officers in the field between 2004 and 2009, revealing many previously unreported instances in which US soldiers killed civilians, and the torture of detainees by their Iraqi captors.

The UN Human Rights Council reviewed Iraq under its Universal Periodic Review mechanism in February 2010. The government

accepted most of the recommendations but rejected abolishing the death penalty.

In August the UN Security Council voted to extend the mandate of the UN Assistance Mission for Iraq (UNAMI) for another year. The UNAMI Human Rights Office monitors human rights violations as part of a plan aimed at developing Iraqi mechanisms for addressing past and current abuses.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

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