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Iraq: One year after the war the human rights situation remains critical

One year after the war on Iraq was launched, the promise of improved human rights for Iraqi citizens remains far from realized, concludes a new report by Amnesty International.

Twelve months on from the invasion of Iraq by the US-led coalition, the Iraqi people still suffer from serious human rights violations. The past year has seen scores of unarmed people killed due to excessive or unnecessary use of lethal force by Coalition forces during public demonstrations, at check points and in house raids. Thousands of people have been detained, often under harsh conditions, and subjected to prolonged and often unacknowledged detention. Many have been tortured or ill-treated and some have died in custody.

Iraq: One year on provides information gathered by Amnesty International during a number of visits to Iraq, both in the immediate aftermath of the conflict and throughout the following year. The report highlights the everyday violence and insecurity with which the Iraqi people are faced.

"Violence is endemic, whether in the form of attacks by armed groups or abuses by the occupying forces. Millions of people have suffered the consequences of destroyed or looted infrastructure, mass unemployment and uncertainty about their future. There is little or no confidence that all those responsible for human rights abuses, both past and present, will be brought to justice.

"After a year of war, lawlessness, spiralling violence and economic hardship, Iraqis face an uncertain future. For the next year to be better than the last, the occupying forces, Iraqi political and religious leaders and the international community must make a real commitment to protecting and promoting human rights in Iraq," Amnesty International said.

A year after the war began Iraqi civilians are still being killed every day. Over 10,000 Iraqi civilians are estimated to have been killed since 18 March 2003 as a direct result of the military intervention in Iraq, either during the war or during the subsequent occupation. The figure is an estimate as the authorities are unwilling or unable to catalogue killings. "We don't have the capacity to track all civilian casualties," US Brigadier General Mark Kimmitt told Reuters in February.

Scores of civilians have been killed apparently as a result of excessive use of force by US troops, or have been shot dead in disputed circumstances. For example, US soldiers have shot and killed scores

of Iraqi demonstrators in several incidents, including seven in Mosul on 15 April 2003, at least 15 in Falluja on 29 April and two outside the Republican Palace in Baghdad on 18 June.

In November 2003 the US military said it had paid out US \$1.5 million to Iraqi civilians to settle claims by victims or relatives of victims for personal injury, death or damage to property. Some of the 10,402 claims reportedly filed concerned incidents in which US soldiers had shot dead or seriously wounded Iraqi civilians with no apparent cause. Beyond such payments, however, there has been little recourse for the families of the dead and injured. No US soldier has been prosecuted for illegally killing an Iraqi civilian. Iraqi courts, because of an order issued by the US-led authority in Baghdad in June 2003, are forbidden from hearing cases against US soldiers or any other foreign troops or foreign officials in Iraq. In effect, US soldiers are operating with total impunity.

Amnesty International has repeatedly called for all killings of civilians by Coalition Forces to be thoroughly, independently and impartially investigated and for perpetrators of unlawful killings to be brought to justice. To date, no independent investigations are known to have been carried out.

Iraqi civilians have also faced danger in the form of attacks, apparently carried out by armed groups, that have been a growing feature of life in Iraq since the occupation began. The attacks have targeted the US military, Iraqi security personnel, Iraqi-controlled police stations, religious leaders and buildings, media workers, non-governmental organizations and UN agencies. They have resulted in the deaths of at least hundreds of civilians. To the extent that these bombings are part of a widespread or systematic attack on the civilian population of Iraq in furtherance of an organization's policy, they would constitute crimes against humanity.

Amnesty International has called on armed groups to end the policy of attacking civilians and members of international humanitarian agencies. It has also called on those responsible for such crimes to be brought to justice and tried according to international human rights standards.

Ever since the war began, Amnesty International has been receiving reports of Iraqis who have been taken into detention by Coalition Forces and whose rights have been violated. Some have been held without charge for months. A number of detainees have been tortured and ill-treated. Virtually none has had prompt access to a lawyer, their family or judicial review of their detention.

The CPA acknowledges holding around 8,500 detainees. However, one Iraqi human rights organization put the number of detainees at 15,000. The majority of those held are considered to be "security detainees", people involved or suspected of involvement in anti-Coalition activities.

Many detainees have alleged they were tortured and ill-treated by US and UK troops during interrogation. Methods reported often include beatings; prolonged sleep deprivation; prolonged restraint in painful positions, sometimes combined with exposure to loud music; prolonged hooding; and exposure to bright lights. Virtually none of the allegations of torture or ill-treatment has been adequately investigated.

The lack of law and order continues to be a major concern in many areas of Iraq. Amnesty International delegates witnessed first-hand the devastating impact the lawlessness was having on the lives of ordinary Iraqis, whether it be looting, revenge killings, kidnappings or violence against women.

"Ensuring justice is fundamental for the countless victims of human rights violations in Iraq. Iraqis have suffered decades of grave violations by their government as well as abuses committed during the course of several conflicts, including the recent war and its aftermath.

"Fundamental changes to Iraq's legal, judicial and penal systems are needed. Human rights must be at the centre of all efforts to rebuild and reconstruct Iraq. A failure to fully protect human rights in the process of change would be a betrayal of the Iraqi people, who have suffered so much in the past," Amnesty International said.

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