

Iraq

Looting, lawlessness and humanitarian consequences

Widespread looting and arson. Lawlessness and reprisal attacks. Water shortages and power cuts. Overwhelmed and ransacked hospitals. Disorder hampering humanitarian relief agencies. This is the grim reality facing millions of Iraqi civilians in areas newly under the control of US/UK forces. As one Iraqi told a *BBC* reporter on 10 April, “No authority now. No law now. No anything. Thieves anywhere.”

US and UK authorities were repeatedly warned before the conflict by Amnesty International and others that there was a grave risk of widespread disorder, humanitarian crisis and human rights abuses, including revenge attacks, once the Iraqi government’s authority was removed. Now that US/UK forces are occupying substantial parts of Iraq, they must live up to their specific responsibilities under international human rights and humanitarian law to protect the rights of Iraqi people.

Referring to the scenes of looting, the Secretary-General of the United Nations, Kofi Annan is reported to have said: “*Obviously law and order must be a major concern...I think the (Security) Council has also reaffirmed that the Hague Regulation and the Geneva Conventions [on the duties of occupying powers] apply to this conflict and that the coalition has the responsibility for the welfare of the people in this area. And I am sure that will be respected*”.

Amnesty International calls on the occupying forces to:

- take urgent measures to enforce law and order in areas under their control, specifically by preventing acts of pillage, destruction and violence to people;
- ensure the provision of food, water and medical supplies to people living in areas under their control;
- maintain medical and hospital services, public health and hygiene.

Looting, lawlessness and reprisal attacks

As US and UK tanks have swept into the centre of major Iraqi cities in recent days, numerous observers on the ground have reported on the chaos and lawlessness that have filled the political vacuum created. Beginning in Basra on 7 April, followed by Baghdad on 9 April and Kirkuk the following day, crowds of desperate people have

taken to the streets, looting, burning and destroying government offices and, more ominously, institutions vital to their future, including schools, universities and hospitals. In most cases, the occupying forces have stood by, apparently unwilling or unprepared to take on policing functions.

Amnesty International is deeply concerned that the violence, if unchecked, may spread to reprisal attacks against people, as was seen so widely in 1991 during the uprisings that followed the last Gulf War. Among those at risk are members of the Ba'ath Party and the Republican Guard, along with their families, and people targeted on the basis of their ethnic or religious identity. The climate may also encourage settling of scores among various groups for political reasons, as appears to have been the case of the killing on 10 April of the leading Shi'a cleric Abd al-Majid al-Khoei (see below).

Amnesty International is also concerned about the removal and destruction of Iraqi government official documents by looters. Such documents can serve as important evidence in the future for any proceedings to bring alleged perpetrators of human rights violations to justice, and would help the new authorities in Iraq to run the country.

Basra

From almost the moment UK forces took control of the centre of Iraq's second largest city on 7 April, the people sensed the vacuum of authority and so began three days of looting and lawlessness.

Ministry buildings, the university, government offices and homes of leading Ba'ath members were ransacked. *AFP* reported that the Oil Ministry, the national electricity company, the central bank and other government offices were stormed by people, who carried off their loot by foot, on donkeys, and in cars. The World Food Programme and UNICEF reported looting at food warehouses as well as schools and government facilities. Shops, offices and the Sheraton Hotel were reportedly ransacked.

Several reports indicate that UK forces at first did little or nothing to combat the disorder. According to *AFP*, UK troops were at the university campus hours before it was gutted, but stood by passively watching the mayhem.

UK military officials spoke of their reluctance to adopt a policing role. They were reported as saying that they saw looting as "a venting of anti-Saddam anger".

Muayad Jumah Lefta, a doctor at Basra's main hospital, itself reportedly targeted by looters, told a *BBC* journalist on 10 April that he was angry with the UK forces for failing to provide security. He said, "We're getting patients who were hurt in the looting, stabbed by their neighbours, hit by bullets in squabbles between members of the Ba'ath Party and their rivals... The British are responsible for this."

By 10 April UK forces were reportedly taking initial steps to restore order. However, aid agencies continued to say they would not enter Basra until they received assurances about their safety.

Baghdad

A similar pattern has been witnessed in the capital. As soon as US tanks rolled into the centre, the looting began and revenge was sought on the symbols and offices of Saddam Hussein's regime. According to an *AP* report on 10 April, tens of thousands of people roamed the city looking for buildings to raid. The crowds carried off televisions, furniture, office equipment, cars and anything else they could move.

Among the places looted, according to *AFP*, were the mansions belonging to Deputy Prime Minister Tariq Aziz, Saddam Hussein's son Uday and daughter Halah, and army generals in the Jadria and High Babel districts, as well as the offices of the Interior and Irrigation Ministries. *AP* reported looting of stores, government installations, the Transport Ministry, the Air Force officers' club, the Olympic hospital and state laboratories. *Al-Jazeera* reported the ransacking of the German Embassy and the French Cultural Centre. Other newspapers reported the looting of the Oil Ministry, the Slovakian Embassy and the UNICEF headquarters.

Independent journalist Robert Fisk, reporting on events in Baghdad on 10 April, described traffic jams of looters, the denuding of virtually every government ministry, attempts to grab the grain so vital for the city's bread supply – and all the while US sat back, witnessing the pillage but doing nothing.

In Saddam City, the poor, densely populated and predominantly Shi'a suburb of Baghdad, people broke into shops and homes to steal furniture and other goods. Some residents reportedly set up roadblocks to confiscate the loot.

In several areas, buildings were set on fire by the crowds. According to *AP*, parts of the Ministries of Interior and Education and the office block of Saddam Hussein's son Uday were burned, while the Ministry of Transport building and the Iraqi Olympic Committee headquarters were gutted by fire.

The unwillingness of US troops to maintain law and order was reflected by Colonel John Toolan, a US marine commander. Standing amid the debris of the ransacked UN weapons inspectors' compound, he told a *Guardian* reporter on 9 April: "It looks like some looting going on over there. Maybe people are seizing the chance to exploit the lack of public security."

Many of the abandoned weapons and ammunition – including guns and guided missiles – that litter the city were also reportedly looted, possibly for use in future looting or in revenge attacks. *AFP* was told by a US Group Sergeant on 8 April that civilians had grabbed weapons from an army base in Baghdad.

The International Committee of the Red Cross (ICRC) said it was concerned that the looting was further hampering attempts to deliver humanitarian assistance. UNICEF's representative to Iraq, Carel de Rooey, expressed similar fears when he told a press conference on 9 April: "What is terribly worrying about the looting, chaos and breakdown of order is that the systems we counted on may completely collapse."

Amnesty International is also concerned that such a climate of lawlessness and disorder will facilitate reprisal attacks. On 7 April members of the Ba'ath Party in Basra were reportedly attacked, according to *AFP*. The news agency said that earlier that day UK soldiers had allowed local people to loot the local Ba'ath headquarters.

On 9 April, Peter Kessler of the UN High Commissioner for Refugees (UNHCR) warned that lawlessness in Iraq could trigger a population displacement and "revenge attacks among certain parts of Iraqi society", *AFP* reported.

On 10 April a senior Shi'a religious leader, Abd al-Majid al-Khoei was stabbed to death at Imam 'Ali mosque in al-Najaf. Two others were killed: Maher al-Yassiri an aide of al-Khoei, and Hayder al-Rafi'i, another religious leader in al-Najaf. Abd al-Majid al-Khoei had arrived in al-Najaf a few days earlier from the UK, where he had been living.

Late on 9 April US Central Command reportedly said its troops would try to re-establish order in Baghdad.

Kirkuk

On 10 April, soon after US and Kurdish *peshmerga* forces entered Kirkuk in northern Iraq, residents reportedly looted and destroyed the headquarters of the ruling Ba'ath

Party, carried away air conditioners and equipment, and set fire to government offices. Unconfirmed reports suggested there had been violence directed at people, possibly involving reprisal killings.

Mounting humanitarian concerns

Millions of people in Iraq face grave dangers to their health, with many hospitals unable to cope with the number of war casualties and sick, and indications that serious water-spread diseases such as cholera are on the rise owing to the scarcity in some areas of clean water. Humanitarian agencies have reported that access to healthcare and medicines is increasingly difficult as medical stocks run low and disorder in the streets prevents the movement of health workers and ambulances.

“With the breakdown of law and order in Iraq, the situation now is extremely critical,” said David Wilmhurst of the UN Humanitarian Coordinator for Iraq (UNHCR) on 9 April. “The longer the situation remains out of control, the more difficult it will be to start humanitarian relief operations.”

Aid agencies have long warned that Iraq’s 23 million people were in poor shape after years of sanctions, and that the provision of humanitarian aid during and after the conflict must be a high priority. By 10 April, the humanitarian situation was dire in some of the areas controlled by US/UK forces.

On 6 April UN relief agencies warned that a health crisis faced the five million inhabitants of Baghdad, with hospitals overwhelmed and infrastructure devastated. World Health Organisation (WHO) and ICRC officials confirmed that the capital’s hospitals were struggling to cope. The ICRC reported that some areas of Baghdad had no water at all. A UNICEF official said they were particularly worried about the impact on Baghdad’s children, almost half the city’s population. UNICEF also said that 100,000 children in Basra were threatened with serious illness because the water treatment plant had stopped functioning.

The same day the ICRC reported that emergency services were not being provided by the hospital in Umm Qasr and patients could not travel safely to Basra for treatment. It also said that the water situation in Umm Qasr remained a concern, and that there was no fuel available for pumps.

On 7 April WHO officials warned that Iraq was facing an outbreak of cholera and other infectious diseases as clean drinking water was scarce. On 8 April an ICRC

spokeswoman told a news briefing that hospitals had reached their limit and that the main surgical hospitals and water treatment plants were relying solely on back-up generators. She described it as “an untenable situation”.

On 8 April the ICRC reported that in Saddam City, the flow of tap water was cut by half, and that lack of water and electricity supplies had badly affected Saddam Medical Centre. It reported acute water shortages in Kerbala, al-Najaf and Basra. The UK’s Department for International Development said that it understood there were water shortages in other parts of central Iraq, including Abu Ghraib, Mahmudiya, al-Hilla and al-Anbar. In al-Nasiriya, residents were reportedly out on the streets searching for water. The ICRC said it was maintaining some water supplies to hospitals and areas in particular need.

By 9 April the ICRC was describing the humanitarian situation in Baghdad as “critical”, particularly as health, power and water workers could not reach their workplaces safely, and many medical centres lacked water and electricity. One of the only international aid organizations working in Baghdad, it said it was temporarily suspending its humanitarian work in the capital because of the “chaotic and unpredictable” atmosphere. The previous day a Canadian ICRC worker had been killed when his car was hit in crossfire in Baghdad.

On 10 April the ICRC resumed work in the capital but reported that al-Kindi hospital in Baghdad had been ransacked and that street violence and looting had forced the closure of others. US troops called in when looters stole two ambulances and medicines from the hospital replied that they had no orders to intervene, reported *AFP*. WHO officials said they were “extremely concerned that the apparent lack of law and order in Baghdad will have a very serious impact on health and healthcare in the Iraqi capital.”

The inability of ambulances and other vehicles to move freely in the capital was highlighted on 10 April by an *AFP* photographer, who reported that around 20 bodies, including those of children, were still strewn on the road between al-Dora and the airport, days after they were killed. The road is controlled by US forces.

In Basra, electricity had reportedly been restored to most of the city by 9 April, after many days without power, although damaged and polluted water distribution canals still needed repairs, UK military officials told the *Independent*.

In southern Iraq, the flow of humanitarian aid continued to be hampered by fears that Umm Qasr port was unsafe, the *BBC* reported on 8 April. The report said that only two UK ships carrying aid had docked so far.

ICRC spokesman Mu'een Kassis warned on 9 April, "The war may start at a point and end at another, but the humanitarian impact could last for many years to come."

Recommendations to the occupying powers

Amnesty International urges the US/UK forces to live up to their responsibilities under international humanitarian law as occupying powers. These include the duty to restore and maintain public order and safety (Article 43 of the Hague Regulations). Any use of force that may be required should comply with international human rights and humanitarian law, including the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

In areas under their control, the occupying forces should urgently take measures to enforce law and order, specifically by preventing acts of looting and pillage, including of official Iraqi government documents, destruction and violence towards people. While recognizing that the UK/US military forces are not a policing force, Amnesty International urges them to do everything in their power to maintain law and order within the requirements of international human rights and humanitarian laws. Troops with the appropriate training and in adequate numbers must be deployed as a matter of urgency to ensure such functions.

Amnesty International reminds the occupying powers that they are obliged to ensure, if necessary, the provision of food and medical supplies to the inhabitants of the occupied territories (Article 55 of the Fourth Geneva Convention).

The Fourth Geneva Convention further states that the occupying power has the duty "of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territories". The occupying powers should also ensure the availability of necessary supplies so that hospitals and medical services can work properly.