

↓ Iraq

Population: 25,900,000 **Political Rights:** 7

GNI/capita: \$1,090 **Civil Liberties:** 5

Life Expectancy: 60 **Status:** Not Free

Religious Groups: Muslim (97 percent) [Shi'a Muslim (60-65 percent), Sunni Muslim (32-37 percent)], Christian or other (3 percent)

Ethnic Groups: Arab (75-80 percent), Kurd (15-20 percent), other [including Turkmen and Assyrian] (5 percent)

Capital: Baghdad

Trend Arrow: Iraq received a downward trend arrow due to an increase in violence and a lack of general security.

Ten-Year Ratings Timeline (Political Rights, Civil Liberties, Status)

1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,7NF	7,5NF	7,5NF



Overview:

Iraq's transition from an authoritarian past to a democratic future progressed significantly in 2004, but an escalating campaign of extremist violence severely hampered reconstruction efforts and obstructed preparations for nationwide elections. While Iraqis faced relatively few government restrictions on civil liberties, thousands were brutally massacred by Islamist terrorists for practicing their religion, exercising their right to work, or expressing their political beliefs.

The modern state of Iraq, consisting of three former Ottoman provinces, was established after World War I as a British-administered League of Nations mandate. Britain installed a constitutional monarchy in which Sunni Arabs came to dominate most political and administrative posts at the expense of Kurds and Shiite Arabs. Sunni political dominance in Iraq, which formally gained independence in 1932, continued after the monarchy was overthrown in a 1958 military coup. Following a succession of weak leftist regimes, the pan-Arab Baath (Renaissance) party seized power in 1968. The Baathist regime's de facto strongman, Saddam Hussein, formally assumed the presidency in 1979.

Hussein brutally suppressed all political opposition and sought to establish Iraq as a regional superpower by invading Iran in 1980. During the eight-year war, his regime used chemical weapons against both Iranian troops and rebellious Iraqi Kurds. Iraqi troops invaded Kuwait in 1990 and were ousted the following year by a U.S.-led coalition. After the war, the UN Security Council imposed economic sanctions on Iraq, pending the destruction of its weapons of mass destruction. Because of Iraq's refusal to fully cooperate with UN weapons inspectors, however, the sanctions remained in place for over a decade.

Following the withdrawal of Iraqi military forces and administrative personnel from northern Iraq and the establishment of a U.S.-enforced no-fly zone north of the 36th parallel in 1991, most of the three northern provinces of Erbil, Duhok, and Suleimaniyah came under the control of Massoud Barzani's Kurdistan Democratic

Party (KDP) and Jalal Talabani's Patriotic Union of Kurdistan (PUK). Northern Iraq experienced rapid development during the 1990s. With their 13 percent share of Iraqi revenue from the UN oil-for-food program, and customs duties from Iraqi-Turkish trade, the Kurdish authorities built schools, roads, hospitals, and sewage systems and engaged in other development projects. Anxious to win international support for long-term Kurdish self-governance, both the KDP and the PUK allowed a flourishing of political and civil liberties not seen elsewhere in the Arab world.

In the aftermath of the September 11, 2001, attacks on the United States, U.S. president George W. Bush designated Iraq's weapons of mass destruction a salient threat to American national security and committed his administration to engineering Hussein's ouster. In March 2003, a U.S.-led military coalition invaded Iraq, captured Baghdad within three weeks, and established a Coalition Provisional Authority (CPA) to run the country temporarily. In July, after extensive and often contentious negotiations with leading Iraqi political and religious leaders, the CPA appointed a 25-member Iraqi Governing Council (IGC) and granted it limited law-making authority.

The initial euphoria felt by many Iraqis in the immediate aftermath of the regime's collapse was quickly tempered by the security vacuum, widespread looting, and acute electricity and water shortages that followed. Unemployment soared as a result of the CPA's dismissal of Baath party loyalist from government posts, which left around 35,000 civil servants out of work, and the disbanding of Iraq's 400,000-man army.

While Iraq's interim governing bodies reflected the country's confessional and ethnic demography, Sunnis viewed the diminution of their political supremacy with trepidation. Exploiting these fears, loose networks of former regime officials and foreign Islamist militants organized an insurgency in the "Sunni triangle" (the triangular region, bounded by Baghdad, Ramadi, and Tikrit, in which the bulk of Iraqi Sunnis live) that rapidly gained strength in 2003—coalition combat fatalities rose from 7 in May to 94 in November. Several prominent Iraqi political and religious leaders who supported the U.S.-led occupation were assassinated during the year, while outbreaks of violence between Kurds and Turkmen occurred in and around the northern city of Kirkuk.

Iraq's political transition progressed substantially in 2004. In March, the IGC adopted a Transitional Administrative Law (TAL) to serve as the country's interim constitution. In June, the CPA and the IGC transferred authority to an Iraqi Interim Government (IIG), formed after weeks of UN-mediated negotiations among the main (noninsurgent) political groups. The IIG received widespread diplomatic recognition abroad. In November, the world's leading industrial nations agreed to cancel 80 percent of Iraq's nearly \$39 billion foreign debt.

In spite of Saddam Hussein's capture in December 2003, the insurgency escalated dramatically in 2004. With financial backing from exiled former Baathist regime elements in Syria and Syrian-occupied Lebanon, radical foreign and Iraqi Islamist groups carried out a sophisticated, multipronged campaign of deadly terrorist attacks. Thousands of security personnel, civilian government employees, and other Iraqi citizens viewed as collaborators were killed or injured during the year (the number of police officers killed since the fall of Baghdad surpassed 1,500 in late 2004), while hundreds of Iraqi Shiite and Kurdish civilians were massacred in suicide bombings aimed at inflaming ethnosectarian hatred. In an effort to frighten away non-

Iraqis with expertise needed for the country's reconstruction, terrorists abducted scores of humanitarian aid workers, civilian contractors, and other foreigners; dozens were executed, some in gruesome videos distributed on the Internet.

The insurgency hampered the ability of coalition and Iraqi security forces to combat ordinary crime (kidnappings for ransom by organized criminal syndicates became a daily occurrence in 2004) and quell an uprising launched by radical Shiite cleric Muqtada al-Sadr in April, which continued intermittently until a truce was reached in August. The insurgency also slowed progress in many critical areas of Iraq's reconstruction. By the latter half of 2004, an estimated one-fifth of all reconstruction funds flowing into Iraq was being used to provide security for foreign contractors—a diversion of billions of dollars from other projects. Throughout the year, oil production remained well below its pre-March 2003 level as a result of insurgents' sabotage of the petroleum infrastructure, while essential public services, such as power and water, were repeatedly disrupted in most areas of the country. Unemployment remained, by most estimates, well over 50 percent; nearly two-thirds of Iraqi families were dependent on food rations.

Residents of northern Iraq, where Kurdish militia forces (*peshmerga*) were allowed to maintain security much as they had since the early 1990s, were spared most of these tribulations. With a few exceptions—most notably the simultaneous terrorist bombings of KDP and PUK headquarters on February 1 that left 56 people dead—Kurdish areas remained secure and experienced few shortages.

In early November, coalition and Iraqi forces launched a major military operation against radical Islamist forces, capturing Falluja after days of bloody fighting that reduced much of the city to rubble. Islamist forces quickly regrouped and counter-attacked elsewhere, particularly Mosul. In an effort to derail the January 2005 elections, Islamist insurgents attacked election workers, obstructing voter registration in many areas of the Sunni triangle, while threatening to murder those who venture to the polls. With most Sunni political and religious leaders calling for a boycott (some very reluctantly), prospects for the formation of a transitional government viewed as legitimate by all main ethnic and religious groups appeared limited.

Estimates of the total number of Iraqi civilians killed between March 2003 and the end of 2004 vary widely. The Web site Iraqbodycount.org, which compiles media-reported casualties in Iraq, put the number at roughly 17,000, while a British medical journal, *Lancet*, estimated the number to be 100,000.

Political Rights and Civil Liberties:

Iraqis cannot change their government democratically. The IIG (Iraqi Interim Government) is unelected and, in light of its heavy dependence on U.S. financial and military support, is fully sovereign in name only. UN-mediated negotiations among political groups supporting the American-led occupation led to the appointment of Iyad Allawi, a Shiite, as IIG prime minister in June 2004; Ghazi al-Yawar, a Sunni, assumed the largely ceremonial post of president.

The 100-member Interim National Council (INC), an unelected body established in August 2004 and representing the country's main pro-government political groups, does not have legislative powers, but can veto cabinet decisions and appointments and override executive orders with a two-thirds majority. The IIG will govern the country until the formation of an Iraqi Transitional Government (ITG) after elections

are held for the 275-seat Transitional National Assembly (TNA) in January 2005. The ITG is expected to draft a permanent constitution and hold elections for a permanent government by the end of 2005.

Although the Baath Party is banned, political parties representing a wide range of viewpoints are allowed to organize and campaign freely.

Corruption is rampant in transitional government institutions. An October 2004 report by the UN International Advisory and Monitoring Board highlighted numerous irregularities in expenditures, such as lack of competitive bidding for lucrative contracts, that facilitate corruption. Iraq was ranked 129 out of 146 countries surveyed in Transparency International's 2004 Corruption Perceptions Index.

Freedom of expression in Iraq is generally respected by the authorities. Around a dozen private television stations had been established by year's end. Although most are affiliated with particular religious or political groups, the first privately owned nonpartisan station, Al-Sharqiya, was launched in March 2004; a second, Nahrain TV, was established a few months later (but had not begun broadcasting by year's end). Major Arab satellite stations are easily accessible in Iraq, as roughly one-third of Iraqi families own a satellite dish. More than 130 print publications established since the fall of Saddam Hussein were allowed to operate without significant government interference. Internet access remained limited to roughly one-tenth of 1 percent of the population.

CPA Order 14 (June 2003) prohibited media organizations from publishing or broadcasting material that incites violence or civil disorder. In March, the CPA accused *Al-Hawza*, a weekly newspaper controlled by Muqtada al-Sadr, of publishing false information intended to incite attacks against coalition forces and suspended the paper for 60 days. In July, the IIG created a Higher Media Commission with the authority to sanction media outlets for similar infractions. In August, the IIG accused the Qatar-based Al-Jazeera satellite channel of inciting violence and banned it from working in the country for 30 days; in September, the ban was extended indefinitely.

Iraq remained the most dangerous country in the world for journalists. In 2004, according to the Committee to Protect Journalists, 15 Iraqi and foreign journalists, as well as 16 media workers (drivers, bodyguards, and translators—all but one Iraqi), were deliberately killed by extremist groups. In addition, five journalists died while covering live combat, while three journalists and one media worker were killed near checkpoints by coalition forces because of mistaken identity. Many of these latter nine deaths could probably have been avoided had more adequate safeguards (for example, improved military communication regarding the presence of journalists in conflict areas) been in place. In addition, 22 journalists were abducted during the year by insurgent groups or for ransom by professional kidnappers.

Many journalists and media workers were detained, most of them briefly, by coalition forces and Iraqi police in 2004. Three Iraqi employees of Reuters news agency who were detained in January later claimed to have been subjected to sexual abuse by U.S. soldiers. In August, Iraqi police ordered all journalists not embedded with coalition forces battling Sadr's militia in Najaf to leave the city and briefly detained 60 who ignored the order.

The TAL designates Islam as the state religion and "a source of legislation" in Iraq, while guaranteeing freedom of religious belief and practice. With the lifting of

Baathist-era controls over religious institutions, mosques and churches in Iraq operate with virtually no formal government oversight. Religious and ethnic groups in Iraq were represented in the IIG and civil service in rough proportion to their demographic strength.

Iraqi Christians were targeted by Islamist terrorist groups in 2004. Between August and November, 12 churches were bombed in Baghdad and Mosul; at least 15 people were killed. Roughly 5 percent of Iraq's 900,000-strong Christian community had left the country by year's end. Hundreds of Shiites were also killed in terrorist attacks by suspected Sunni Islamist operatives. In November, a prominent Sunni cleric was assassinated.

Baathist-era restrictions on academic freedom were abolished in 2003, and faculties at most universities are allowed to elect administrators. However, university professors are frequently targeted by extremist groups. According to the Iraqi Ministry of Human Rights, at least 80 professors were killed during the year.

Freedom of assembly and association are recognized by the TAL and were generally respected in practice. Domestic and international human rights groups were able to operate without restrictions, though security constraints limited their activities in many areas of the country. Peaceful demonstrations occurred frequently during the year without interference from coalition forces or the Iraqi government, except when they were in violation of curfews.

The TAL guarantees the right to "form and join unions" and to "strike peaceably in accordance with the law." While Iraq's 1987 labor law has remained in force, technically prohibiting unionization in the public sector—where the vast majority of Iraqi workers are employed—union activity has flourished in nearly all industries since 2003 and strikes have not been uncommon. In December 2003, coalition forces raided the headquarters of the newly established Iraqi Federation of Trade Unions and arrested eight union officials, but all were quickly released without charge (faulty intelligence was reportedly to blame). In early 2004, the CPA increased wages for workers in power plants and oil production facilities after they threatened to strike.

The TAL provides for an independent judiciary, but in practice judges come under immense political pressure. In 2003, a Judicial Review Committee was established to screen judges and prosecutors for past links to the Baath party, involvement in human rights violations, and corruption, and to appoint replacements. The head of Iraq's Central Criminal Court, Zuhair al-Maliki, who had launched investigations into alleged corruption and abuse of power by several senior officials in the IIG, was dismissed in October 2004.

Iraq's newly amended Criminal Procedure Code stipulates that suspects cannot be held more than 24 hours without an examining magistrate's ruling of sufficient evidence. However, lengthy pre-arraignment detention was common. According to the U.S. State Department's 2004 human rights country report, "coerced confessions and interrogation continued to be the favored method of investigation by police." Most criminal trials are summary; a majority of cases examined by Human Rights Watch monitors lasted less than thirty minutes.

Thousands of people suspected of security offenses were detained without charge by coalition troops during the year. In April, the American media published photographs of U.S. soldiers subjecting detainees at Abu Ghraib prison to various forms of physical and sexual abuse or torture. The following month, Pentagon offi-

cials acknowledged that 32 detainees had died while in U.S. custody. Two of the deaths were classified as unjustifiable homicides, and several others remained under investigation.

The National Security Order passed by the IIG in July enables the prime minister to declare martial law for a 60-day period (renewable every 30 days with the endorsement of the president and both vice presidents) in areas of the country where violence against citizens poses a “danger of grave proportions.” Under martial law, the government can restrict freedom of movement and assembly, detain suspects and search homes without warrants, and impose curfews. On the eve of the November military offensive in Falluja, the government announced a 60-day state of emergency in the city and the nearby town of Ramadi and imposed nighttime curfews on several other cities.

The Iraq Special Tribunal (IST) was created in 2003 to try former officials of the Baathist regime. The IST statute does not explicitly prohibit confessions extracted by torture or require that guilt be proven beyond a reasonable doubt. More than 90 “high value detainees” awaiting trial before the IST were in detention at an undisclosed U.S. military facility in late 2004; only 12, including Saddam Hussein, had been formally arraigned.

Iraq’s Baathist-era Personal Status Law remains in force and guarantees equal rights for women, as does the TAL. In December 2003, the IGC issued a decree to repeal the Personal Status Law and impose Sharia (Islamic law) restrictions on women’s rights in matters such as divorce and inheritance, but the decision was reversed under pressure from the United States and secular Iraqi political groups. The TAL guarantees Iraqi women at least 25 percent of the seats in the January 2005 elections. There were six female ministers in the IIG.

Public security for Iraqi women remained a major problem in 2004. Women who hold jobs, attend university, or go out in public unveiled were frequently harassed by radical Islamist groups (both Sunni and Shiite). In March, an American women’s rights coordinator for the CPA, Fern Holland, and her Iraqi assistant, Salwa Oumashi, were murdered. In November, women’s rights activist Nisreen Mustafa al-Burawari was killed, along with her secretary, bodyguard, and driver.
