

Iraq Democracy Watch's report on the Armed Forces' Violations of Freedoms and Rights in Iraq

Monitoring the performance of the security forces shows that members, in their various appellations, are generally not bound by the most basic rules of conduct, especially in their relation with citizens. Any observer of the Iraqi situation can see human rights violations embodied in the daily conduct of the security forces, beginning with random weaponry fire. This behavior has become a widespread occurrence despite repeated declarations by security officials (starting with the minister) prohibiting such conduct—a dangerous indication of the lack of discipline and compliance, even with orders issued directly by officials. The question is what will the outcome be when the rules of conduct and human rights laws are not even considered among these individuals to start with! Other related behavior is the phenomenon of random weapons fire, including pointing weapons in a provocative and humiliating manner, sometimes at people's chests, without regard for age or gender.

The lack of discipline is reflected in the uniforms of members of the security forces as well as the equipment they carry. There is not one specified uniform, as is the case with other security forces in the world. This is not considered a superficial point, as it reflects the nature of the organization governing the work of these persons firstly, in contrast to the ambiguous situation often indicated, especially with the many types of uniforms in terms of design and colors. Often, the connection of troops wearing such uniforms with the security forces is rejected. The matter seems intentional, as the former minister announced decisions standardizing the uniforms and titles of these security forces more than once, but none of this is seen on the ground. This is connected to the ambiguous situation with police uniforms and the existence of large numbers of militants wearing civilian clothing while driving cars belonging to the Interior Ministry and undertaking activities at the core of security work. Perhaps the clearest example of that is their heavy presence at points surrounding the Green Zone, especially during days when there are meetings of the Cabinet or Council of Representatives.

The issues mentioned above are tied to many aspects of these security forces' contempt toward others, whether civilians or official employees. As but one example, these forces have beat and directly insulted many doctors who were transporting or treating their wounded colleagues, especially in Yarmuk hospital, where many disturbances occurred against the backdrop of an attack on doctors by police officers. The matter reached the point where police prevented citizens from entering these hospitals, despite the critical nature of some of their cases, which required immediate treatment. They likewise prevented doctors from treating some emergency cases before they had first treated their police colleagues.

Among the main observations with regards to the security forces' performance is what may be called violent practices, whether during their searches of vehicles or individuals or their regulation of movement while positioned at road blocks, which sometimes see excessive use of force, either against citizens or cars (such as incidences of damage to vehicles), whereby many citizens are subject to blatant theft or extortion supported by the

unrestricted authority enjoyed by security officers in the wake of the said ambiguous situation. Perhaps the most glaring example of the lack of a clear philosophy underlying the Iraqi security forces is what we see on television programs in terms of blatant violations of human rights, especially during interrogations. Apart from the professionalism or non-professionalism of the methods of interrogation, the basis upon which it is conducted is the assumption that the accused is a criminal even before any judicial ruling has been issued verifying the crime. Further, the mere presentation is a blatant violation of the rights of the accused, and if we follow the press summaries offered by the security forces, we notice the entrenchment of those violations. The majority of those summaries talk about the arrest of “terrorists”, and this judgment is unsound according to human rights rules, which assume the suspect innocent until proven guilty.

The main observation about the performance of the security forces during raids and detentions is that they usually occur in a manner in no way in keeping with the most rudimentary of human rights. Rather, they are conducted in a humiliating and violent manner infused with the exercise of all kinds of violence, ranging from verbal to physical, usually accompanied by unjustified violence toward personal property along with its destruction and ruin—frequently with theft of money and jewelry, especially given that searches usually occur according to the American framework, in which family members are isolated in a room and the search is conducted without accompaniment by a family member. This is in violation of the text of the operations rules incumbent upon the security forces, and it occurs systematically rather than being linked to individuals.

As for detentions, they usually occur in a random fashion, without “arrest and procurement” orders issued by an examining magistrate and without specifying the authority making the arrest or the place of detention, as stipulated by law. This constitutes a burden for detainees’ families in identifying the detaining authority or its location. Detention sites are also overcrowded, exceeding their holding capacities to the extent that many detainees have no place to sit, never mind sleep. This constitutes a burden even for the detaining authority in providing appropriate necessities for this number of detainees as regards food, beverages, beds, etc.—especially given that the security authorities usually do not comply with the law requiring them to hand over detainees to the Ministry of Justice, which is legally responsible for them, within 48 hours.

Systematic torture of suspects comprises a major part of the security forces’ efforts to extract information or force detainees to confess to crimes they did not commit. It constitutes a blatant violation of all international laws and charters, which prohibit torture of all kinds—psychological and physical. The majority of the time, those harmed through these acts are denied effective and responsible arraignment, for there is a nearly systematic policy at the Interior Ministry helping to entrench the phenomenon of escaping punishment. It does not even permit recording such grievances, never mind following up on and investigating them.

The most dangerous phenomenon seen in describing the Iraqi security forces is the semi-confirmed suspicions of involvement between the security forces and armed militias,

where it is even possible to speak of integrated authorities, in which the two can not be easily disentangled. This is one aspect of the ambiguity alluded to at the beginning of this report. Repetition of incidents in areas considered under control according to security terminology, and in a manner nearly identical in terms of form and equipment, cannot be thought of as a mere security breach.

Indeed, large groups of militants wearing the uniform of security forces and with Interior Ministry gear, cars, and equipment have operated freely during times of curfew, all indications that some security apparatuses are involved in the systematic detentions and assassinations, whether for party or sectarian reasons.

The matter is not limited to Baghdad, which has become accustomed to such incidents. Rather, it spread to other regions of Iraq, and lastly to Basra.

As for the statements of denial issued at the highest security levels, they are unable to convince one that the security apparatuses are removed from or innocent of all of this.

Contributing to the increase and entrenchment of all the above phenomena is the existence of what may be called “political cover for these practices”, whether through repeated statements rejecting infringement on the security apparatuses because that impedes performance of their duties or by covering up many of their practices by not conducting serious investigations to discern the truth in many incidents or about suspicions based on facts. The Interior Ministry has yet to issue published results of any investigations conducted by the investigatory committees it announced forming. Perhaps the most prominent example is what transpired at the Jadria prison camp, where the American ambassador accused the prime ministry of not publishing the investigation results, even though the ministry obtained the full results without explaining why the American forces did not publish the results of this investigation. The matter reflects collusion between the political authorities active in Iraq and the American forces to hide the facts, as well as the lack of transparency and the denial of access to information, considered a blatant violation of relevant international charters.

Iraq Democracy Watch
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