

The Study of Human Rights Situation in Iraq During Saddam Hussein Era

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Abstract

Human rights are one of the most important issues in Contemporary International Law, that there is a great sensitiveness for the implementation of them. In many countries, some institutes & committees have been considered to follow up the issue or even a ministry as the ministry of human rights has been established. The present paper was discussed the human rights violations in Iraq on Saddam Hussein's behalf, the current ruler and so, followed the response of the question that "how had been the situation of human rights during the governorship of Saddam Hussein in Iraq?". The research method was descriptive-analytic. The method of collection is documentary & library information and the methods of analyzing information are describing, analyzing, and also using documents. The results of this study showed that some human rights violation cases have been seen in the government of Saddam Hussein in Iraq such as the pillage of state, forced displacement of Feyli Kurds from Iraq & the killing of them, killing women and children, abduction of women and children, the involvement of people in different wars, lack of social participation of women, economic sanctions, the use of chemical weapons.

Keywords: Iraq, Saddam Hussein, human rights, war, torture, chemical weapons

1. Introduction

Human rights violations in Iraq have numbers of influences on the people of this country which is considerable. The matter of human rights & governments' supports of thoughts of scientists, politicians, and various pro-democratic groups, were minded since long times ago as in every period of human history some efforts & activities were carried out to spread it out. In this regard, various declarations, covenants, and treaties were compiled also fundamental steps have been taken through establishments of organizations & formation of global conferences to let the purposes of human rights come true. Now, human rights are one of the most important issues in Contemporary International Law, that there is a great sensitiveness for the implementation of them. In many countries, some institutes & committees have been considered to follow up the issue or even a ministry as the ministry of human rights has been established. In order to, this study focused on the human rights violations in Iraq on Saddam Hussein's behalf, the current ruler and try to respond to these questions:

- 1) How was the human rights behavior of Saddam Hussein's government towards Shiites & Kurds?
- 2) How did the dictatorial government of Saddam commit the most human rights violations towards Shiites & Kurds?

2. Methodology

The research method is descriptive-analytic. The method of collection is documentary & library information. The tools for collecting information are, primarily, books, databases, reports & conferences. Also, the internet resources & sites were used if necessary. It is hoped that the collected materials will be used by the scholars in the field of human rights & its violations in Iraq. The methods of analyzing information are describing, analyzing, and also using documents. On one hand the method type is descriptive (for explaining the components, elements, history, conventions, and human rights organizations) and on the other hand it is analytic (due to explaining the reasons & studying the appearance of Saddam's dictatorship, human rights violation, the crimes committed in Iraq, violation of human rights conventions, and resolution of the United Nations).

3. Geography of Iraq Country

Iraq officially the Republic of Iraq (Arabic....., Kurdish..... is a country in Western Asia. The country is bordered by Turkey to the northeast, Iran to the north, Jordan, Syria, & Saudi Arabia to the east, Kuwait & Gulf to the west. Iraq's port name Umm Qasr & Faw are adjoining Persian Gulf. Comprising a land area of 438317 km. The capital is Baghdad, the government is Democracy & Arabic is the majority language; also Kurdish is spoken in the Kurdish area. The Dinar is the currency of Iraq. The main source of income in Iraq is dominated by the oil sector as Iraq is one of the important members of OPEC. 12 % of lands in Iraq are arable lands, its elevation above sea level is 300 meters, and the heat in the month of August reaches to 47 degrees above zero. December through April the country receive up to 100-180 mm of its annual rainfall (Fredrink, 1963, P. 495).

With many ups & downs, World War I ended in 1918 & causes many international territorial changes, that perhaps the most important consequence was the breakup of the great empires (Parsaa Doost, 2007).

4. Iraq and World Wars

Covering up the action of its high penetration & interferences in the weak countries' internal affairs, the UK imposed the political project of mandate on the League of Nations & passed it in Article 22 of the covenant of the League of Nations (Hisham, 1962, PP. 256-257). However, according to the treaty (San Remo) Iraq came under UK's mandate.

The people revolt against British in 1920, and began a war against the British with the least facilities. The revolution called "Thawra al-Eshreen", "twenty Revolution" (Joyce, 1994).

The riot lead to British government revised its policies (Ahmadi, 1998). Finally, during the conference in Cairo in March 1921 the general policy of England was found & the next policy of England in the Middle East was designed (Bigdelli, 1989). At the conference, Amir Faisal was selected to take over the throne. After independence, Iraq observed different political changes for governing the country since 1921. Since then the Parliamentary Monarchy system had arisen in Iraq. The monarchy continued till 1958, 39 ministries were created that the ministries have been existed from 37 years ago; three kings had governed the country during the periods.

According the agreements, the first constitution was passed in March 1925 whereby the Parliamentary Monarchy government was formed in Iraq (Flory, 2005).

In 1950s, the emergence of Republic Revolutionary movements under the shadow of Middle East countries, made the strong reflects in Iraq. Thus, the extent of irregularities, protests, and outcries arose; meanwhile the role of the military was outstanding. The uprising eventually led to a military coup in 1958, headed by Abdul Karim Qassim & Arif against the Iraq government, and finally overthrew the monarchy and created a new era in the history of Iraq.

In 1979, the 11th year of getting power of Ba'ath Party was celebrated, the president Al-Bakr resigned & Saddam Hussein took the power.

5. Some Human Rights Violations Cases

In 1980, the Ba'ath regime's security forces stormed the Feyli villages, dislodged them from their houses, and plundered their properties. The Ba'athists separated Feyli's Men & boys from women & girls, drove them to the places that had never found any news of them.

The Ba'ath regime's crimes of forced displacement of Feyli Kurds of Iraq & the killing of them in 80s were announced Genocide by The High Criminal Court of Iraq [8]. According to Kurd Press, the Iraq prime minister, Nouri Al-Maleki, in a conference of killing of Feyli Kurds by the former Iraq's regime said: "22 thousand innocent Feyli Kurd, became the victims of Ba'ath regime's policies. Killing of Feyli Kurds was announced genocide by Iraq's national parliament.

In 1982, a failed assassination attempt on Saddam Husain was occurred in Dujail, a town located at 40 Km from Baghdad. More than 160 people, including several children were sentenced & hanged in reciprocity by the security forces, also about 1500 of the townspeople were sent to prison to be tortured. The townspeople were fined to 1000 square Km of their farm be demolished and up to 10 years later, no one allowed to plant again. One of Saddam's main crime was the Dujail incident that causes him to be executed for ordering that inhumane crimes.

In one of his important operations, Saddam kidnapped about 8 thousand of Barzani clan, many of them women & children, and never had them the opportunity to return back.

The largest & most tragic of Saddam's operation against the Kurds was Anfal campaign, that began in 1989 &

lasted until 1989 and it officially conducted in 1988.

The operation was conducted from 1988 to 1989, during which exceeded 100/000 Kurds of Iraq (182/000 people, including 80/000 Barzani & several tens of thousands Germiyani) were massacred by the forces of the Ba'ath regime, who took orders directly from Saddam Hussein (Naami, 2008).

According to confirmed statistics, seven-month Anfal operation, from February to September 1988, that had conducted only in the province of Kirkuk, Diyala, Nineveh, and Saladin, more than 3000 villages were destroyed, and exceeded 182000 defenseless people were massacred by the army & security forces, telecommunication forces, and intelligence. In this regard, the cities of Halabja, Tvyla, Khormal, Sayyid Sadigh, Pynjvin, Qalat Diza, Sang Sar, Jvarta, Qlachvian, and Mavht all have been destroyed & desolated. Using chemical weapons & slaughter in Halabja was occurred in the Anfal operation (McDowall, 2004, P. 504).

Over the past 20 years, because of Saddam's invasion & warmongering policies, the people of Iraq became the victims of 4 wars. Attack to Iran & 8 years of war, to attack & occupy of Kuwait, The U.S.A. attack to Iraq (45 days war of Persian Gulf), and occupation of Iraq by the United States, that ultimately led to the collapse of Saddam's regime. The status of women in Iraq from 1980 until the occupation of Iraq is studied in this part. According to the Union of Iraqi's women, the status of women in the part of social jobs began to decrease in 80s, and it completely changed from the beginning of Persian Gulf war. Many men were killed in war; the massacres & mass executions by Saddam, added day-to-day on number of discovered women. It has been reported that 50 % of women in Iraq are in charge of managing the economy of a family. Economic sanctions & the war in Iraq put lots of pressure on women & children. Leilaa Mohammadi, the head of the Organization for Women's liberation in Iraq, on 13 November of 2003 stated that the unemployment rate in Iraq reached to 60 to 70%, that's the highest rate of unemployment belongs to 6 million unemployment Iraqi women. Many women have been forced to do inferior works. Due to Saddam's policies during the war, some laws changed. The changes occurred in the fields of labor laws, Judicial Justice, and private laws, including restrictions & prohibitions of women's employment outside the home, freedom of movement, and education at higher levels, that ultimately make the women's social participation pale. The economic sanctions constituted during 1991 to 2003 had a very negative impact on the status of women & children. The poverty leads to illiteracy among women & girls, as it is said that about 75% of Iraqi women are illiterate & the literate ones are in high levels of education. The approximate population of Iraqi women is between 15 to 16 million people. The women who had fought against Saddam's regime, were either tortured & executed in Saddam's prisons or have been disappeared, even their families have been teased. A number of expert & educated Iraqi women escaped to the neighboring countries or sought asylum to western countries and kept on their struggles in the forms of women's, political or Human Rights organizations. By reducing the indicators of hygiene because of the effects of war, sanction, using chemical weapons by Saddam Hussein, and also using the depleted uranium shells to the amount of (14 thousand & 254 tones of uranium pellets in bombing of 1991) by the U.S. forces, the Iraqi women especially suffered from physical & mental illness such as cancer, anemia, night blindness, and malnutrition, especially in southern regions (Poorhojjat, 2004).

The statics of abortion, the birth of preterm babies, defective babies, and giving birth to dead babies had risen dramatically due to the lack of medical & health cares for mothers during the pregnancy. According to the Health Minister of Iraq's transitional council, of 108 per 1000 newborn babies and 131 out of every 1000 children under 5 years old die, and 65% of Iraqi women give birth without professionals present. Economic sanctions caused the death of more than 500/000 children in Iraq and of every 1000 births, 370 of mothers die in childbirth. This figure is 21 in the world. The quarter of the infants suffered pernicious anemia. Psychological & mental diseases such as depression, anxiety, schizophrenia and similar diseases have spread among women & girls (Fredrink, 1963, P. 495).

Using chemical weapons by Iraq in cities inhabited by Kurds & Halabja is occurred while the country was one of the 120 countries that signed the Geneva Protocol on prohibition of using Toxin & asphyxiating weapons, and Bacteriologic compounds. The use of chemical weapons is expressly prohibited by the 1925 Geneva Protocol that have been re-adopted based on the statement (21b) 2161 of the UN. According to the protocol, as using Toxin & asphyxiating weapons or similar things, and also other materials or the operations similar to that are truly hated by the public opinions of the civilized world, the signatory states announced that the contracting states will accept & recognize the ban of using asphyxiating gases and poisonous materials like them in accordance with this declaration and they also undertake that the foregoing prohibition consists of germ warfare and commit themselves to observe the above signified for germ warfare too (Hisham, 1962, PP. 256-257).

However, according to the professor Aubin Hendrix, head of the Toxicology Laboratory of the hospital of the

Ghent University (Flanders, in the North West portion of Belgium) Iraq use 3 different gases in Halabja. He emphasized that Iraqi forces dropped bombs on Halabja with Mustard gas (Apyryt), nerve gas (Tabun, Sarin, or Suman), and finally with Cyanogen. These three types of weapons were used separately, but in a short interval so for making one-very toxic cocktail. The evidence suggested that the dangerous hydrogen cyanide compounds more than all & parallel to that, the mustard gas, Lyvizyt & Tabun gas were used for bombing of the town by Saddam Hussein. The military use of the gas leads to blister making and the suffering death of it. The Lyvizyt is similar to mustard gas, it leads to invasion of human tissues & in pure liquid state causes blindness in people. Its internal effects which are seven times heavier than the air, can lead to a rapid destruction of lungs & blood poisoning, breathing it in 10 minutes will lead to suffocating & death. During the 8 years of the Imposed War against Iran, the Ba'ath regime was protected by the U.S., European countries, and even the United Nations & had used chemical weapons against Iran. Despite the severity & vastness of Halabja's chemical disaster, two weeks later, a very small group, including a doctor & a diplomat were sent to the region, the group leave there without visiting Halabja, and on 5 May, 1988 in a 25-pages report confirmed the large-scale use of chemical weapons in Halabja (Ochsenwald, 2004, P. 768).

Iraq's parliament officially recognized the chemical attack on Halabja in 1988 by the Ba'ath regime as "genocide".

6. Conclusion

Religions, civilizations, and different cultures of past play important role in the field of Human rights protection. The respect for Human Rights can be observed in the charter of Great Cyrus after his conquest of Babylone in 539 BC. Respect for the religious beliefs of others, the abolition of slavery, and freedom of career choice are the most important rights of the individuals, which is pointed in mentioned document.

But whereas extensive supports in the area of human rights, it has been seen some of human rights violations cases in the governorship of Saddam Hussein in Iraq, such as the pillage of state, forced displacement of Feyli Kurds from Iraq & the killing of them, killing women and children, abduction of women and children, the involvement of people in different wars, lack of social participation of women, economic sanctions, the use of chemical weapons.

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