

*The Iraqi Commission for Human Rights*  
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**اللجنة العراقية لحقوق الإنسان**

**Reviewing the United States of America**

**Report to the Human Rights Council**

**The Ninth session of the Universal Periodic Review**

**United Nations-Geneva-November 2010**

## Reviewing the United States of America

# Report to the Human Rights Council The Ninth session of the Universal Periodic Report

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**SUMMARY:** As the Occupation of Iraq is approaching its eighth years (2010), the grave violations especially the mass murder of Iraqi civilians is not questioned, but normalised in Western conscience. The United States reached the stage where he is able to make its own figure of Iraqi deaths, with no remorse or sadness. It also managed to find several pretexts to justify this mass killing. We often hear event at UN level that it is the terrorists groups, Al-Qaeda, the Militias but no accusations to the 134.000 American troops and 114,000 private contractors, as if they are there for a humanitarian mission not to KILL....KILL<sup>1</sup>. The war was not the result of "wrong intelligence"; the war was an illegal act of aggression, and a premeditated mass murder. 'Democracy' is used as a tool to manipulate the public and justify war crimes and crimes against humanity. By its acts of aggression against Iraq the USA violated its obligation under the UN charter, during the war and occupation, the USA violated the 1907 Hague convention, the four Geneva conventions and its two protocols. These violations must be clearly reflected during this review.

While the military and most corporate media would like us to believe that from now on no US soldiers will step foot in Iraqi cities, US military patrols in them are ongoing and will continue. The SOFA is a sieve, and the number of US military personnel in Iraq is remaining largely intact for now. Add to the 134,000 US soldiers almost the exact number of military contractors (132,610 and increasing), 36,061 of which, according to a recent Department of Defense report, are US citizens.

1. The conduct and motivation of the American occupation authorities were suspect right from the start, when they encouraged the organized theft of public properties; left weapon dumps unguarded; dissolved the Iraqi army and replaced it with militias whose agendas are incompatible with the collective interests of the Iraqi people; and when it introduced sectarian and racial quotas in political life, paving the way for serious sectarian and racial conflict that has been exploited by some political groups for their own exclusive ends. **Thus,**

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<sup>1</sup> - See, **KILL KILL Confessions of a Marine**, <http://www.nouvelobs.com/articles/p2138/a284490.html>, See also, US Soldiers Celebrating Killing Iraqi Civilians (April, 2010) <http://vodpod.com/watch/1608107-us-soldiers-celebrating-killing-iraqi-civilians-apparently-aol-video>

**the USA violates its responsibilities under international law as the occupying power toward Iraq and the Iraqi people.**

2. Since the invasion; "Iraqis have been living in fear, poverty, oppression and a lack of freedom ... The occupation troops have resorted to excessive force, indiscriminate killing and collective punishment of the population. They have besieged entire towns, storming into them, instilling fear and horror among residents and destroying their homes. The indiscriminate and savage aerial and ground bombardments – with chemical bombs, fire bombs (fuel-air bombs), napalm and other non-conventional weapons (WMD) – of population centres continue the destruction of the country and the killing innocent of Iraqis *en mass*. In addition, the U.S. and other governments are secretly sponsoring the killings of prominent Iraqi politicians, intellectuals, academics, religious leaders and trade union leaders, including leaders of the Oil Workers Union using U.S.-British trained [death squads and criminals](#). The aim is to incite civil strife and destroy the unity of Iraq to serve U.S. strategy.

3. The most reliable estimate of Iraqi deaths was reported in 2006 by the British medical journal *the Lancet* it said "In Iraq, as with other conflicts, civilians bear the consequences of warfare. ... We estimate that almost **655 000 people— 2.5% of the population in the study area—have died in Iraq**. Although such death rates might be common in times of war, the combination of a long duration and tens of millions of people affected has made this **the deadliest international conflict of the 21st century**, and should be of grave concern to everyone." **It also estimated that 85 per cent of all violent deaths are by "coalition forces" and that many of these are due to U.S. aerial bombardments. The majority of the victims were innocent women and children.** However, *the Lancet* study was deliberately ignored or dismissed by the U.S.-British corporate mass media. In fact the study is now censored by mainstream media because it shows a mass murder. The media and Western elites roles have always been to selectively describe crimes allegedly – never proven – committed by the regime of Saddam Hussein as "mass murder", while dismissing crimes committed by Western powers. In 2008 the British group OBR updated the figure of the Lancet; it estimated that at least 1.300.000 Iraqis have died since 2003. The USA must hold accountable for all its action in Iraq that led to this catastrophic results.

4. In the period up to March 2007 more than 2000 leading professionals and intellectuals had already been killed and thousands more had fled the country. Many of these people would have been members of the Baath party and their murders are very likely to be part of the policy of de-Baathification, which, insofar as it exists, has not targeted CIA collaborators, but will undoubtedly have included those seen as potential opponents of the new state. In passing, it is worth noting that while thousands of former teachers have been sacked, thousands more are being recruited from outside Iraq, presumably because they are either cheaper to employ (denied by the Iraqi government) or because they are more malleable to the new educational regime, which works closely with the World Bank and provides lucrative contracts to the Washington-based Creative Associates Inc. **Iraq's 30,000 new teachers have received just five days' training and must teach**

**religion and a history that portrays Iraq's occupiers as saviours, rather than the former 'anti-Western propaganda' that might have served Iraqis better.** Other victims of the death squads may be communists, the commentator Juan Cole noting that the Communist Party is so alarmed by the course of events that it is considering going underground; though he does not spell out the events that would force the party into hiding, they are not difficult to surmise.

5. Iraqis have been humiliated and stripped of their basic human rights; they have been subjected to brutal and ghastly forms of torture, as the infamous Abu Ghraib prison case and the British troops' abuse of detainees in Basra have shown". **The USA Administration committed war crimes and crime against humanity for its grave, wide spread and systematic use of torture against the Iraqi detainees.**

6. Surveys reveal that acute malnutrition among Iraqi children had almost doubled since before the war, jumping from 4 per cent to almost 8 per cent. The survey adds that; "Acute malnutrition sets in very fast and is strong indicator of the overall health of children". The general health of Iraqi children, the elderly and pregnant women in particular has declined because of continue deteriorating of the living conditions. Since the invasion until this year (2010), Iraq still lack of access to potable water, food, adequate electricity supply, hospital care, and a sharp decline in Iraqis purchasing power due to the 70 per cent unemployment. **These are clear violations by the United States to the basic and fundamental rights of the whole population in Iraq.**

7. From early days of the occupation of Iraq, one of the most pressing concerns for Iraqis-besides ending the occupation and a desperate need for security-has been basic infrastructure. The average home in Iraq today, over seven and a half years into the occupation, operates on less than six hours of electricity per day (**March 2010**). "A water shortage described as the most critical since the earliest days of Iraq's civilization is threatening to leave up to 2 million people in the south of the country without electricity and almost as many without drinking water," the **Guardian (8/26/09)** reported; waterborne diseases and dysentery are rampant. The ongoing lack of power and clean drinking water has even led Iraqis to take to the streets in Baghdad (**AP, 10/11/09**), chanting, "No water, no electricity in the country of oil and the two rivers."

8. Devastation wrought by the occupation, coupled with rampant corruption among the Western contractors awarded the contracts to rebuild Iraq's demolished infrastructure, are to blame (International Herald Tribune, 7/6/09). Ali Ghalib Baban, Iraq's minister of planning, said late last year (International Herald Tribune, 11/21/09) that the billions of dollars the U.S. has spent on so-called reconstruction contracts in Iraq has had no discernible impact. "Maybe they spent it," he said, "but Iraq doesn't feel it."

9. For Iraqis who remain in the country, another critical story is cancer. The U.S. and British militaries used more than 1,700 tons of depleted uranium in

Iraq in the 2003 invasion (**Jane's Defence News**, 4/2/04)-on top of 320 tons used in the 1991 Gulf War (**Inter Press Service**, 3/25/03). Literally every local person I've ever spoken with in Iraq during my nine months of reporting there knows someone who either suffers from or has died of cancer. The real hazard for Iraqis these days is cancer. Cancer is spreading like wildfire in Iraq. Thousands of infants are being born with deformities. Doctors say they are struggling to cope with the rise of cancer and birth defects, especially in cities subjected to heavy American and British bombardment."

10. in Fallujah, which bore the brunt of two massive U.S. military operations in 2004, as many as 25 percent of newborn infants have serious physical abnormalities (**BBC, April, 2010**). Cancer rates in Babil, an area south of Baghdad, have risen from 500 cases in 2004 to more than 9,000 in 2009. Babies born to U.S. veterans of the 1991 war are showing birth defects very similar to affected Iraqi babies (**Sunday Herald**), and many U.S. soldiers are now referring to Gulf War Syndrome 2, alleging they have developed cancer because of exposure to depleted uranium in Iraq.

11. As regard women rights, the situation continues to be challenging for women within Iraq since the American occupation. With the new law has come the new lawlessness. In its recent report (**12-03-2010**)<sup>2</sup> from inside Iraq, IPS quoted several Iraqi women activists "The U.S. occupation has decided to let go of women's rights," Yanar Mohammed who campaigns for women's rights in Iraq says. "Political Islamic groups have taken southern Iraq, are fully in power there, and are using the financial support of Iran to recruit troops and allies. The financial and political support from Iran is why the Iraqis in the south accept this, not because the Iraqi people want Islamic law." Yanar Mohammed believes the constitution neither protects women nor ensures their basic rights. She blames the United States for abdicating its responsibility to help develop a pluralistic democracy in Iraq. Nora Hamaid, 30, a graduate from Baghdad University, has now given up the career she dreamt of. "I completed my studies before the invaders arrived because there was good security and I could freely go to university," Now, she says she cannot even move around freely, and worries for her children every day. The situation for Iraq's women reflects the overall situation: everyone is affected by lack of security and lack of infrastructure. Maha Sabria, professor of political science at Al-Nahrain University in Baghdad tells IPS that "The violation of women's rights was part of the violation of the rights of all Iraqis." But, she said, "Women bear a double burden under occupation because we have lost a lot of freedom because of it. There is 25 percent representation for women in parliament, but Sabria says "these women from party lists stand up to defend their party in the parliament, not for women's rights." For women in Iraq, the invasion is not over. "More men are now under the weight of detention, so now women bear the entire burden of the family and are obliged to provide full support to the families and children. At the same time women do not have freedom of movement because

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<sup>2</sup> - Dahr Jamail and Abdu Rahman, **How the US Occupation of Iraq Destroy and Undermine Women's Rights**, by IPS News - 2010-03-12  
<http://www.globalresearch.ca/index.php?context=va&aid=18134>

of the deteriorated security conditions and because of abductions of women and children by criminal gangs." Women, she says, are also now under pressure to marry young in family hope that a husband will bring security. Sabria tells IPS that the abduction of women "did not exist prior to the occupation. We find that women lost their right to learn and their right to a free and normal life, so Iraqi women are struggling with oppression and denial of all their rights, more than ever before." "The real ruler in Iraq now is the rule of old traditions and tribal, backward laws," Sabria says. "The biggest problem is that more women in Iraq are unaware of their rights because of the backwardness and ignorance prevailing in Iraqi society today." Many women have fled Iraq because their husband was arbitrarily arrested by occupation forces or government security personnel, says Sabria. The United States is still the main responsible for the eroding of women rights in Iraq.

12. Illegitimacy of the status quo in Iraq is further questioned by the bitter and tragic inhumane fruits of the status quo. What elections as indicator of democracy could any objective observer perceive in a country where the U.S. military adventure has left around five million children orphans, one million child laborers, street vendors or beggars, and three million women widows. At least there are three million Iraqi refugees abroad; the U.N. has estimated that there were about 2 million Iraqi refugees in neighboring Jordan and Syria, and some 2.6 million people displaced within Iraq, in addition to millions of unemployed Iraqis -- all constituting more than half of the 27 – million population. The state infrastructure is still not rehabilitated, the central government could not secure its own safety, let alone the safety of the population, in the capital Baghdad, let alone the rest of the country, without the presence of about 134 thousand mainly U.S. troops and around 114 thousand foreign mercenaries, dubbed as security contractors, and where the basic services like water and power are either totally broken down or partially operational, and basics like fuel are in short supply in a country floating on the largest oil reserves in the world, second only to Saudi Arabia.

13. In conclusion, and after all the grave violations which the United States has committed in Iraq, there were no weapons of mass destruction (WMD) found in Iraq, and Iraqis have never posed a threat to the American people. It wasn't because of faulty intelligence, as the Bush-media spin suggests. The war instigated with clear conscious of the truth. The UN declared the war on Iraq an "illegal" act of aggression in violations of UN Charter. The invasion of Iraq is rightly described by Noble laureate, Harold Pinter, as: "An act of blatant state terrorism, demonstrating absolute contempt for the concept of international law".

14. It is legally argued by attorney Michael Ratner, the former director of the Centre for Constitutional Rights, and past president of the National Lawyer's Guild that: "the [UN Charter](#) requires that international disputes be settled by peaceful means so that international peace, security and justice are not endangered; it also requires that force shall not be used in any manner that is inconsistent with the purposes of the UN and [Article 33](#) requires that parties to a dispute shall first of all seek a solution by negotiation, inquiry, mediation, conciliation, arbitration judicial settlement, resort to regional agencies, or other

peaceful means". Force can not be used based on assumption and bogus intelligence. It follows, that there is an overwhelming *prima facie* evidence to indict all those responsible for invading and occupying Iraq with war crimes and crime against humanity.

15. **To conclude:** All United Nations' member states are under obligation to demand the independent investigation of all the above-mentioned grave, systematic and wide spread violations committed by the United States against Iraq as a nation and as a people. The United States must acknowledge its full responsibility in accordance with international laws of all these violations. Justice to Iraqi people must prevail to end their suffering under this brutal occupation.

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