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U.S. Department of State

Iraq Report on Human Rights Practices for 1997

Released by the Bureau of Democracy, Human Rights, and Labor, January 30, 1998.

IRAQ *

Political power in Iraq lies exclusively in a repressive one-party apparatus dominated by Saddam Hussein and members of his extended family. The provisional Constitution of 1968 stipulates that the Arab Ba'ath Socialist Party (ABSP) governs Iraq through the Revolutionary Command Council (RCC), which exercises both executive and legislative authority. President Saddam Hussein, who is also Prime Minister, Chairman of the RCC, and Secretary General of the Regional Command of the ABSP, wields decisive power. Saddam Hussein and his regime continued to refer to an October 1995, nondemocratic "referendum" on his presidency in which he received 99.96 percent of the vote. This "referendum" included neither secret ballots nor opposing candidates, and many credible reports indicated that voters feared possible reprisal for a negative vote.

Ethnically and linguistically, the Iraqi population includes Arabs, Kurds, Turkomen, Assyrians, Yazidis, and Armenians. Historically, the religious mix is likewise varied: Shi'a and Sunni Muslims (both Arab and Kurdish), Christians (including Chaldeans and Assyrians), and Jews (most of whom have emigrated). Ethnic divisions have resulted in civil uprisings in recent years, especially in the north and the south. The Government has reacted against those who revolt with extreme repression. The judiciary is not independent, and the President can override any court decision.

The Government's security apparatus includes militias attached to the President, the Ba'ath Party, and the Interior Ministry. The security forces play a central role in maintaining the environment of intimidation and fear on which government power rests. Security forces committed widespread, serious, and systematic human rights abuses.

The Government owns all major industries and controls most of the highly centralized economy, which is based largely on oil production. The economy was damaged by the Gulf War, and Iraq has been subjected to United Nations sanctions since its 1990 invasion of Kuwait. As a result, the economy has been stagnant. Sanctions ban all exports, except for oil sales under U.N.

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The United States does not have diplomatic representation in Iraq. This report draws to a large extent on non-U.S. Government sources.

Security Council Resolution (UNSCR) 986, and allow imports only of food, medicine, and other humanitarian goods for essential civilian needs. The Government's failure to comply with U.N. Security Council resolutions has resulted in the maintenance of the sanctions. In December 1996, after a nearly a year and a half of obstruction and delay, the Government began to implement UNSCR 986. A significant part of the UNSCR 986 "oil for food" program was delayed during 1997 because the Government refused to pump oil for extended periods. The Government interfered with the international community's provision of humanitarian assistance to the Iraqi people routinely by placing a higher priority on importing industrial items than on food and medicine, diverting goods to benefit the regime, and restricting the work of U.N. personnel and relief workers. U.N. and European Union observers attribute the country's poor economic conditions to the Government's actions, not to the sanctions regime.

Human rights abuse remained difficult to document because the Government's efforts to conceal the facts, including its persistent refusal to permit visits by human rights monitors and continued restrictions designed to prevent dissent. Max Van der Stoep, the Special Rapporteur for Iraq of the U.N. Commission on Human Rights, based reports on interviews with recent emigres from Iraq and other sources, and opposition groups with contacts still in Iraq published reports.

There was no improvement in the Government's extremely poor human rights record. Citizens do not have the right to change their government. The Government continued to summarily execute perceived political opponents, and reports of such summary executions increased significantly during the year. More than 2,000 killings were reported. Several dozen of these reported executions followed specific allegations of coup attempts in February and August. However, reports suggest that far more people were executed merely because of their association with an opposition group or in an effort to clear out of the prisons anyone with a sentence of 15 to 20 years or more. The Government continued to kill and torture persons accused of economic crimes, military desertion, and a variety of other charges. Prison conditions are poor. The authorities routinely used arbitrary arrest and detention. The judiciary is not independent, and the President can override any court decision, and the Government continues to deny citizens the right to due process. The Government continues to deny citizens the right to privacy. The Government made use of civilians, including small children, as "human shields." The U.N. Special Rapporteur for Iraq confirmed in his November report that freedom of speech, the press, ass