

The Invasion and Occupation of Iraq:

18 Years of Terror and Destruction



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Hannah Mulhern and Razan al-Shammari

GICJ

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Introduction

18 years have passed since the invasion of Iraq by American and British forces. For just shy of two decades, Iraq have experienced widespread devastation and destruction in the wake of coalition invasion and the occupation that followed it.

This devastation has taken many forms; torture, enforced disappearances, and extrajudicial killings have all caused massive human losses, and masses of internally displaced persons. The damage caused by the invasion and the occupation have also resulted in far reaching and pervasive health issues, which are still visible today. Further, a sectarian quota system, or 'Muhasasa', was introduced by the occupying power, which was fundamental to the country's instability. The imposed system resulted in government policies which promoted violent sectarianism and consequently contributed to the worsening political and social situation in Iraq. This continues to pose major threats to democracy in present day Iraq, where a climate of impunity has given space to the militias to expand their grasp of control.

There is no doubt that the invasion and occupation have left Iraq in a vulnerable and precarious state. The consequences will be discussed in more depth in the sections to follow.

Consequences of the Invasion and Occupation

Torture and Ill-treatment

For 18 years, since the brutal US invasion and occupation of Iraq, Iraqi civilians have been subjected to the most hideous crimes. Young men and women were brutally tortured and humiliated. The well-known Abu Ghraib prison, near Baghdad, became the main place for the detention of Iraqis, in which savage acts of physical and mental abuse were carried out.



The vicious crimes are shown in many images, which were later published, showing Iraqi detainees suffering abuse at the hands of U.S soldiers while they stood smiling in front of the cameras. These pictures, despite their harshness, do not tell the whole story. These victims are still, at present, relaying their horrifying experiences and demanding justice. The sheer scale of the torture and abuse has not been reflected, as only a small number of soldiers in junior military ranks received short prison sentences for their brutal human rights violations.



In the post-occupation years, Iraq has witnessed an increase in victims being subjected to torture and ill-treatment, with total impunity. Grave human rights violations in Abu Ghraib prison still continue today as the corrupt government is failing to hold the perpetrators accountable. Moreover, the militias in Iraq has established secret detention centres, in which arrests and enforced disappearances are mainly based on sectarian grounds, with the worst methods of torture practiced in them.

The Cruel Effects on Women

Prior to 2003, women in Iraq enjoyed progressive rights compared to other states in the region and achieved sizable progress in political, economic and educational spheres. By the late 1970s, it was estimated that women made up about 60 percent of the Iraqi civil service. However, the erosion of these rights, whilst beginning to become apparent during the severe sanctions in the 1990s, were further exacerbated by the US invasion. With the destruction of infrastructure, extreme economic downturn, plummeting school attendance rates, and a changing political dynamic, women were left in a very vulnerable and precarious situation.

The most shocking violations against women's rights occurred during the occupation, where women were taken hostage, raped, tortured and abused. US forces were known to enter homes without permission during search operations and rape women in front of their families. On one particular occasion Steven Green, a serving US soldier in Iraq, entered the home of an Iraqi family along with other service men, and gang raped a 14-year-old girl; later murdering her, her parents, and her 6-year-old sister. Women were also at risk of being taken hostage, imprisoned, and held to ransom in order to gain information from male relatives. Also, women held in prisons, without trial, were often systematically subjected to severe sexual violence and degrading treatment. This brutal and sadistic behaviour goes far beyond isolated cases, undoubtedly leaving many women both psychologically and physically scarred.

Detrimental Effects to Education

The Iraqi education system, in itself, has also been retrogressing since 2003. In 2019, when Iraq first published its Voluntary National Review, there was information of a deteriorating school environment, overcrowding, damaged infrastructure, and major gender disparity in the literacy rate of females when compared to males.

Prior to wars and occupation, Iraq had a history marked with incredible literacy achievements and an education system which was widely considered the best in West Asia. However, the effects since 2003 have caused a serious decline in the quality of education, teaching, and learning conditions at all levels. This has stemmed from, among other things, a lack of resources, politicization of the educational system, migration and internal displacement of teachers and students, security threats and corruption, all of which have been exacerbated due

to the US invasion.¹ Structural damage to schools poses massive problems, and it has been reported that over 4600 schools have been looted and over 6690 need to be completely repaired, with an urgent need to build many new schools.²

In 2007, the Iraq Household Socio-Economic Survey indicated that school enrollment rates had dropped compared to past rates, and that the main reason for non-enrollment was a lack of interest from parents and children, attributed to poor job prospects for educated youth.³ Within these figures, we see a sharp decline in literacy, with a 4% drop among that section of the population. Third level institutions were, and still are, crippled by the dislocation of citizens. As UNESCO confirmed in 2003, Iraq's institutions, and in particular their scientific and technological departments, were rivaling international standards. However, in the 2 years following the invasion, the UN found that 84% of Iraq's higher education institutions had been damaged.⁴

The long-lasting upheaval and destruction following the invasion has left behind a government system that is failing to provide for, and enable, its population to access education. This is visible in Iraq's proposed budget for 2021 where, in comparison to militia funding, the education system receives \$1 billion (US dollars) less. Education is immensely important within development and growth as a country and it is devastating to compare Iraq's decline due to the aftermath of the invasion from where it once ranked as amongst the best education system in West Asia.



Image by : Ali Dab Dab

¹ Iraqi Alliance for education

² <<https://www.campaignforeducation.org/docs/HLPF/Iraq%20Spotlight%20Report%202019.pdf>>, p. 1.

³ *Ibid*, p. 5.

⁴ M.Najeeb Shafiq, School enrollment in Iraq during the US-led invasion: A statistical analysis, International Journal of Educational Development, Volume 33, p. 130.

⁵ Ghali Hassan, The Destruction of Iraq's Educational System under US Occupation, Global Research, May 11, 2005

Health and Environmental Impacts

Following the invasion of Iraq, oil infrastructure, and in particular pipelines, were targeted regularly resulting in devastating spills. Industrial facilities were also targeted, with many looted causing toxic materials to be released. According to a UN Environment Programme (UNEP) report from 2005, there were many areas in the region surrounding Baghdad that had been damaged in 2003 and posed a serious risk to human health. One such site was the Al Qadissiya metal plating facility. This had been bombed, looted, and subsequently demolished in an uncontrolled manner. The site caused several tonnes of highly hazardous, high purity, cyanide compounds to be dispersed across a large area of the site which is accessible to the public.⁵ This example alone shows that all people of Iraq have been faced with health and environmental hazards, preventing them from being safe in many areas.

Coalition forces also used weapons containing white phosphorus and depleted uranium. Despite repeated denials, military officials from the US did admit to using banned incendiary weapons, with WikiLeaks further confirming that the US deployed nearly 3000 chemical weapons during the Iraq War.⁶ According to Customary International Humanitarian Law, there is a “prohibition of weapons, means or methods of warfare of a nature that cause superfluous injury or unnecessary suffering, which have indiscriminate effects or which cause widespread, long-term and severe damage to the natural environment”.⁷ As we are all too aware, respect for any form of international law was not a visible trademark in the 2003 war. Nonetheless, the disregard for the laws of conflict and the use of weapons has caused serious long-term damages to human health in Iraq. An example of this was seen in examinations of births in the Al Basrah Maternity Hospital, where it was found that in comparing deaths in 1994/1995 to 2003, there was a 17% in congenital birth defects. A similar reality exists in Fallujah, a city attacked by coalition forces in 2004 and again in 2007, which is documented to have people with higher chromosomal aberration percentage than those living in other regions.⁸

⁵ UNEP, Assessment of Environmental “Hot Spots” in Iraq, 2005, p. 11.

⁶ Noor-ul-Ain Khawaja, Human Rights Violations Under US Occupation in Iraq: An Analysis, Pakistan Horizon Vol. 65, No. 3 (July 2012), p.60

⁷ ICRC, IHL Database, Rule 70. Weapons of Nature to cause Superfluous Injury or Unnecessary Suffering.

⁸ Ahmed Majeed Al- Shammari, Environmental pollution associated with conflicts in Iraq and related health problems, De Gryter, 2016.

Mental Health Issues

The violence witnessed, the sheer destruction of infrastructure, and the massive death toll left no Iraqi person unaffected. At the time of writing this report, there has been an estimated 185,593 - 208,667 civilian deaths as a result of violence, since 2003.⁹ This does not include serious injuries, and does not give us a full picture of all those affected as a result, i.e. family members or friends, witnesses, or even perpetrators involved in these acts of violence.

Mental health services were virtually non-existent in anticipation of the 2003 invasion as health services were redirected to deal with mass casualties. After the invasion, there was chaos as hospitals were attacked and looted. Al-Rashad psychiatric hospital was among them.

When researchers spoke to adolescents and children in Baghdad, Mosul and Dohuk they found that between 14% to 36%, depending on the location, showed symptoms of post-traumatic stress disorder (PTSD).¹⁰ On top of this, it had been found that anxiety and depression were even more prevalent among the population than PTSD, as citizens lived in constant fear of indiscriminate attacks, losing loved ones, or living without adequate infrastructure, access to water and electricity, etc.¹¹



⁹ Iraq body count 2003-2021, Database, < <https://www.iraqbodycount.org/database/>> last accessed 13 march.

¹⁰ MSF, 'Healing Iraqis- The challenges of providing Mental Health Care in Iraq', p.2.

¹¹ Numan S ali, Mental health and Human Rights under War conditions: Lessons from Iraq, <https://www.nds-fluerat.org/wp-content/uploads/2007/10/vortrag_themenabend_irak_englisch.pdf>, last accessed 12 march.

Damage to Cultural Sites and Artefacts

The Iraq Museum was looted in the early days of the invasion, from approximately April 8th - 16th, 2003, when US tanks pushed into Baghdad and forced museum staff to flee. According to the Geneva Convention and Customary International Humanitarian Law, destruction of cultural and historical monuments and works of art is prohibited. Even though museum officials requested that US troops safeguard the museum, no action was taken until the 16th, at which point artifacts, ancient objects, paintings and records were taken.

During the invasion, much of the country's ties to the past, their archives, their libraries and cultural heritage were destroyed. Documents dating back to Babylonian and Assyrian civilisations were wiped out, with evidence of its renowned literary history now all but a memory.¹² Whilst culture may seem like an odd consideration in the midst of all other atrocities, it is an extremely important element in regaining national identity and bringing change to a region.

Sectarian Divisions

Prior to 2003, Muslims, of all sects, and Christians had been living alongside one another peacefully. Even during various national crises in the last 1400 years, where state institutions were non-existent, there is no evidence of damage or looting to Christian or Jewish religious buildings, or any event that sparked Christians to depart from cities for any reason. In Mosul, for example, the Muslim society welcomed Christians from neighbouring villages to protect them inside city walls during Iran's Nader Shah's attack in 1743. In essence, there was tolerance, and there were no difficulties with coexistence.

The principle that came to dominate Iraq post-2003, the Muhasasa, was, for the most part, developed in the 1990's. However, this principle returned to favour when the US was considering their principal visions for Iraq. These visions were, nevertheless, based upon assertions that were not in line with reality. Whilst Iraq had been previously undivided along ethnic and religious lines, the U.S had perceived quite the opposite. They played a major part

¹² Arthi Sathandar, *Rebuilding Baghdad, in Memory, Voice, and Identity: Muslim Women's Writing from across the Middle East*

in the sectarianization of the country's political field, and rather than working alongside divisions previously existing, they instead created them.

This strengthened a system that was based upon partitioning elected officials, voters, and resources along ethno-sectarian lines. This had an immeasurable, trickle-down impact on society and communities and gradually transformed national identities into fragmented sectarian ones. This has caused intensified destabilisation in the country. Alongside this, new elected officials, elected along ethno-sectarian lines, have increasingly become, or continue to remain, connected with certain militia groups. These militia groups have continued to grow in size and strength, which has caused a great deal of tension, and cause grave and cruel legal violations. This is yet another instance where US forces have falsely assumed a problem and have overtaken and destroyed a system that once existed with no difficulty, transforming it into their own project and disrupting the balance of society on the basis of religion.

The Rise of ISIL

The emergence of the so-called Islamic State in Iraq and the Levant (ISIL) in 2014, has largely been a result of the U.S invasion in 2003, as the adoption of destructive policies left the country in turmoil. The former Iraqi Prime Minister, Nuri al-Maliki, has also played a destructive role, feeding the system with sectarian rhetoric. As a result of a weak and corrupt state, Iraq offered a fertile ground for armed groups and terrorist organisations like ISIL to emerge.

The takeover of the city of Mosul by ISIL was an expected event in light of the corrupt government of al-Maliki, which resulted in the loss of many civilian lives, and the displacement of many between 2014 and 2016. While horrendous crimes have been committed by ISIL, the government and its al-Hashd al-Shaabi militia have committed grave violations of international human rights law and international humanitarian law against civilians under the pretext of fighting the terrorist organisation.

Rise of Militia in Iraq

Many have commented on the conduct of the occupation, which undoubtedly bred powerful grievances and insurgencies that may not have come to fruition had the occupiers acted differently.

Whilst terrorist organisations such as the Islamic State of Iraq and the Levant (ISIL) pose a threat to peace and security in Iraq, in most cases the real barrier to stability comes in the form

of Militia groups. These Militia groups are extremely well resourced, have garnered support from sizable sections of the public, and are represented within national governmental institutions. These militias were allowed to thrive in a post-occupation setting where, under the pretext of fighting ISIS, they gained a stronger foothold by providing 'unofficial security'. In need of support, Grand Ayatollah al-Sistani issued a fatwa for men to join popular mobilisation forces to fight for their country. However, now legitimised, these groups operate using illegal methods, whilst at the same time weakening the government's influence and further fueling sectarian tensions. This has caused considerable issues in the Republic of Iraq, as these militias, in attempting to retain control, show complete disregard for human rights and fundamental freedoms. Alongside fending off terrorist groups, they also actively participate in systematic and widespread targeting of activists and human rights defenders.



Image by: Ali Dab-Dab

Forced Displacement

The US invasion of Iraq in 2003 resulted in major demographic changes. Forced displacement, in which involuntary or coerced movements of a people takes place in order to drive them away from their home or governorate of origin, has been occurring rampantly throughout the State. Iraq has witnessed systematic operations carried out in various cities, resulting in the forced

displacement of particular ethno-religious groups. Post-2003, thousands of Sunnis fled from Shiite areas to predominantly Sunni areas, to avoid the ethnic cleansing which is still taking place in several cities in Iraq today. The forced displacement in Iraq is recognised as part of a plan to facilitate the division of the country into racial and ethnic entities, and thus weaken the Iraqi national unity.

The rise of internally displaced persons (IDPs) who are entitled to the protection of the state, but have yet to receive anything from the Iraqi governments, has been but one of the results. Between 2014 and 2017, nearly six million people were internally displaced due to the struggle against ISIL. Many people lost their civil documentation in the damage and destruction that occurred, and have thus been denied basic services such as health care and education. Moreover, many of the returnees did not receive compensation for their destroyed homes and have thus remained internally displaced.

The aftermath of the invasion

October Revolution

In the years following the invasion and occupation of Iraq, citizens found themselves in an ensuing endless cycle of poverty, injustice, and discrimination. In a country ravaged by war, this instability was exacerbated by government corruption and inaction. There was mass discontent with levels of unemployment, the perpetuation of sectarian discrimination, citizen's inability to access civil rights, and an erosion of the State's institutions.

On the first day of October 2019, thousands of downtrodden Iraqis, of all sects, gathered on their local streets to voice their rejection to the marginalisation felt since 2003. Sentiments of dissatisfaction permeated through all regions of Iraq, and people were propelled to protest for change, demand a new government and truly democratic political system, and command an end to ethnic discrimination.



Image by: Ali Dab- Dab

Due to the COVID-19 pandemic, the demonstrations have seen a reduction in person turnout and thus varied in intensity over the past year and a half. The demonstrations have taken many forms, from sit-ins to civil disobedience, which have been met with excessive force by both security forces and militias. This includes instances of enforced disappearances, attempted abductions, extrajudicial killings, restrictions to freedom of assembly, restrictions to freedom of speech, violations to the right to a fair trial, and instances of torture and other forms of ill treatment. Over 800 persons have been killed since the beginning of the protests where excessive force is used against unarmed protestors, or activists are monitored and then arbitrarily killed in efforts to silence the movement. Also, there are many who have been forcibly disappeared, where well known activists have been earmarked prior to the disappearance itself. Most of these acts are attributed to ‘unknown groups’; however, it is well known that militia groups in Iraq are gaining a stronger foothold and exerting control over many areas. When the United Nations Assistance Mission for Iraq (UNAMI) conducted research into enforced disappearances in Iraq, they found that in certain circumstances, those who regained their liberty, had positively identified perpetrators as being members of the PMF,

a militia group.¹³ Al-Sadr militia have also been involved in attacks and killings, both during demonstrations and following demonstrations.



Image by: Ali Dab-Dab

Whilst the protests pushed Abdul Mahdi's government to resign, Mustafa al-Kadhimi as the new Prime Minister has also failed to act as promised in ensuring the restoration of rule of law and accountability in the state. These demonstrations epitomise the pent-up frustrations felt by many Iraqi's, where the threat of losing their lives during these demonstrations pales in significance when compared to the prospect of continuing to live in dire circumstances. It also illustrates a complete lack of rule of law in the country, as hundreds of international human rights violations and crimes under national law continue to go unaccounted for. These hardships faced by the Iraqi people are due to the state that U.S. forces left Iraq in the aftermath of the invasion. Nearly two decades later and the effects are becoming magnified by frustrated citizens tired of living in a constant state of distress and fear.

¹³ UNAMI, Demonstrations in Iraq: 3rd update, 23 May 2020, p. 6

What was the Real Intention Behind the Invasion?

Many studies have been carried out discussing the real intention behind the invasion, and it is important to note which narrative was favoured by the American armed forces. Firstly, the well-known, and often cited, justification was based on the claim that Iraq had allegedly developed weapons of mass destruction (WMD), which posed a danger to the State and the rest of the world. The second dominant narrative was based on the “War on Terror”, which was based off the idea that Iraq had close connections with al-Qaeda terrorist organization, and thus intervention was necessary to protect the rest of the world. Devastatingly, these narratives were used, and continue to be used, to justify the intervention in Iraq. Despite being far from legitimate, as neither WMD nor terrorist connections could be found, nonetheless, the coalition proceeded.

Since then, other studies have tried to discuss the real intentions behind the invasion, with one such finding prevailing: coalition forces, despite vehemently denying it, wanted complete control over Iraqi oil. Several people who have previously served in high positions have since confirmed this accusation.

The former U.S Defence Secretary, Charles Timothy Hagel, or as he is informally known, ‘Chuck’ Hagel, spoke at a conference in September 2007. In response to a question about America’s intentions for entering Iraq, he clearly stated that it was because of oil. This was also confirmed by the former US Chair of the Federal Reserve, Alan Greenspan. In his memoirs issued on September 17, 2007, he wrote that the Iraq war was largely for oil.¹⁴ In October that same year, John Abizaid, the US Army general and former U.S Central Command (CENTCOM) commander for the military operations in Iraq, said that the invasion was indeed related to oil, and that it could not be denied.¹⁵

Moreover, going back to 1997, a U.S. foreign policy organization was created called the Project for the New American Century (PNAC). This group had a preoccupation with Iraq and spent

¹⁴ Bricker, Leaver, Shamoo, Foreign Policy in Focus, “The Costs of War for Oil” available:

https://fpif.org/the_costs_of_war_for_oil/ last accessed 10 March 2021

¹⁵ Antonia Juhasz, CNN, “Why The War in Iraq Was Fought for Big Oil”, available:

<https://edition.cnn.com/2013/03/19/opinion/iraq-war-oil-juhasz/index.html> last accessed 10 March 2021

an inordinate amount of time recommending action against Iraq, under the guise of National Security priorities. The potential to mine for oil and rich natural resources would surely explain the group's motivations. Its founding document was signed by 25 people, ten of whom worked in the Bush administration, including the former Vice President Dick Cheney, and former Secretary of Defence Donald Rumsfeld.

In 2016, *The Independent*, published a story showing evidence that Elizabeth Symons, the former UK Minister of State for Trade and Investment in the government of Tony Blair, had met, on October 31, 2002 with officials from BP and Shell and informed them of the government's intention to secure a share for them, and other British oil companies in the Iraqi oil and gas fields, when Iraq was occupied.¹⁶



Iraq, at the time of the invasion, had the fifth largest oil reserves in the entire world. In addition, the cost of extracting the oil from the ground is among the cheapest in the world. As such, the Iraqi oil was valuable and attracted many international oil companies. This, undoubtedly, was a factor for consideration before the invasion.

¹⁶ Paul Bignell, *The Independent*, "Secret memos expose link between oil firms and invasion of Iraq" available: <https://www.independent.co.uk/news/uk/politics/secret-memos-expose-link-between-oil-firms-and-invasion-iraq-2269610.html> last accessed 10 March

In the post-occupation phase, the US drafted several laws expanding their control over the oil fields, including a law called "The Iraqi Hydrocarbon Law" which was submitted to the Iraqi Council of Representatives in May 2007. This law allowed foreign oil companies to have full access to Iraqi oil and total control of its profits. The law was also concerned with dividing Iraqi oil fields among foreign companies. However, this law was rejected after causing chaos inside the country.

These oil companies continued their work according to their terms, and since Iraq did not benefit much from these, it reflected a continued occupation of the country. Moreover, these international companies only hired workers from abroad. As such, the Iraqi Labour force, dependent on oil as its primary economic source, was deeply affected by this.

Conclusion

The people of Iraq continue to demand justice for all the crimes committed against them since 2003. Geneva International Centre for Justice is unrelentingly appalled at the overall lack of accountability that has followed the invasion of Iraq. Over the years, we have called for many methods of justice to be initiated, in the hope that Iraq can, one day, heal from the wounds of occupation.

18 years since the invasion, yet still, no official apology was been made, no restitution or compensation for the dilapidated State has been delivered, and no international legal tribunal has been created. As outlined above, both the human and economic cost has been profound. There is no doubt that this remains as important as ever that justice can be obtained for the Iraqi people, to recognise their plight whilst also ensuring those responsible for orchestrating the invasion are found culpable.



Geneva International Centre *for* Justice
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Postal address:
P.O. Box: GICJ 598 CH-1214
Vernier, Geneva – Switzerland.



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