

2014-01-21

Fråga-svar

Irak. Livvakter i Saddam Husseins regim

Fråga

Vilken hotbild finns för tidigare livvakter i Saddam Husseins regim, bl.a. för Saddams familj och Tariq Aziz, i dagens Irak?

Svar

AFP (2013):

“Ministers on Sunday approved a draft amendment that would allow Baath branch chiefs, or firqa-level members, to rejoin the civil service, and would provide for pension payments for many members of the Fedayeen Saddam, a paramilitary organisation loyal to the now-ousted dictator.

It would also put a time limit on the law, ensuring that only names blacklisted by the end of 2013 would be restricted from public life.”

Asharq Al-Awsat (2013):

“In an interview with Asharq Al-Awsat, Sudani confirmed, “De-Baathification law has not restricted everyone, high ranking officers have returned to the ministries of defense and interior because they cannot be held accountable for simply carrying out previous orders”. He added, “Many of them are affiliated to the Baath party, although they no longer adhere to its ideology.”

New Zealand: Refugee Status Appeals Authority (2010)

Sid.1

“INTRODUCTION[2]

The appellant claims to have a well-founded fear of being persecuted in Iraq on account of his former Ba’ath Party membership in the rank of Naseer Mutakadim, and due to his father’s position as Branch Member of the al-Amed Organisation for the Ba’ath Party in City A. He fears persecution at the hands of members of the Mahdi Army – a Shi’a militia group in Iraq, the police who collaborate with them, and the Iraqi Government that is infiltrated by militias.”

Sid. 2

“Ba’ath Party membership[8]

The appellant’s father was a prominent member of the Ba’ath Party in City A. He joined the Party sometime between 1982 and 1985. He was known in the area as al-Hizbi, meaning ‘the man of the party’. There were two chief organisations for the Party in City A: the Al-Samed Organisation and the Imam Ali Organisation. His father held the rank of Branch Member and Colleague, and was responsible for the Al-Samed Organisation in City A. This organisation was composed of three branches that included the Al-Ekhtaf, Al-Lawahad and Al-Huria branches. Under his father’s leadership, the organisation was responsible for arresting military deserters, collecting donations, and recruiting for Ba’ath Party paramilitary groups such as the Al-Quds Army and Fedayeen Saddam in their suburb.”---

Sid. 3

“Detention and mistreatment of appellant and family members[11]

After the fall of Baghdad in 2003, the appellant and his family closed the family business and remained at home. They considered leaving Iraq but his father’s health would not permit this and, in any event, it was difficult to move on the street for security reasons.[12] At this time, the Mahdi Army, a militia loyal to Moqtada al-Sadr, began operations in City A, targeting former Ba’ath Party members. Other Shi’a militia (such as the Badr Brigades aligned to the Supreme Council for the Islamic Revolution in Iraq (“SCIRI”) entered Iraq from Syria and Iran. These groups also abducted and killed former members of the Ba’ath Party, particularly those who carried out security and police functions.”---

” [14] They were transported, blindfolded, to a store and upon arrival the appellant and DD were separated from their father. Once detained inside the store, the appellant and DD were beaten again. Their blindfolds were removed and they were asked about their father’s relationship to the Al-Quds Army, Fedayeen Saddam, and the Ba’ath Party. They were asked for the names of members of these armies. They both responded that this was their father’s business and that they had no knowledge about this.”---

Sid. 14

“[65] There is clear evidence that persons associated with the Mahdi Army have detained and ill-treated the appellant, along with his father and brother. The appellant was questioned about his father’s relationship to the Al-Quds Army, Fedayeen Saddam, and asked for names of former members of the Ba’ath Party. He was subjected to both mental and physical torture.”

Sid. 15

“[71] The Mahdi Army is active throughout the Central and Southern Governorates in Iraq. While the Mahdi Army does not appear to have a notable presence in the Northern Governorates, the Authority finds that there is a real danger the appellant would not obtain practical, safe and legal access there.”

Human Rights Watch (2008):

“Iraq’s parliament on January 12, 2008 approved the Accountability and Justice Law, which replaces the de-Ba’athification procedures initiated in 2003 under the US-led Coalition Provisional Authority (CPA) to root the Ba’ath Party out of Iraq’s government and public institutions. ... The new law allows for appeal of de-Ba’athification rulings and acknowledges the importance of individual responsibility...”

“Key provisions of the law establish a Supreme National Commission for Accountability and Justice in charge of implementing regulations on access to civil sector employment and pensions for former Ba’ath Party members. The law allows party members at the level of *"udw firqa," a mid-level rank barred from state employment under the earlier de-Ba’athification measures, to return to public employment, and extends pensions to more of those dismissed from the civil service. It would also pension off all functionaries of Ba’ath-era security agencies now working as state employees, and bar members of the Fedayeen Saddam, a Ba’ath-era paramilitary group, from pensions altogether. Further, the law stipulates that anyone found to have committed crimes against the Iraqi people or stolen public funds would lose the right to reinstatement or a pension.*”

UN High Commissioner for Refugees (2007)

Sid. 100

“Persons affiliated or associated with the former Government in Iraq, through membership in the Ba’ath Party or as a result of their functions or profession, have been the subject of attacks since the early days of the regime change and continue to face serious risk of

human rights violations. The degree to which these persons are at risk depends on several factors, such as the extent of association with the Ba'athist ideology and the human rights violations committed during that era, the rank or position previously held, and whether or not the person is known to have been involved in political activities. Senior level of affiliation or rank within the Ba'ath Party or the country's political or security system may be a determining factor regarding who is targeted. Low-ranking officials have, however, also been killed or otherwise attacked because their activities were well-known 506 at neighbourhood level, e.g. they were involved in policing activities, the search for army deserters or the recruitment for paramilitary armed groups such as *Jaish Al-Quds* (The Jerusalem Army), the *Fedayeen Saddam* (Saddam's "Men of Sacrifice") and the *Ashbal Saddam* (Saddam's Lion Cubs). In addition, a number of low-level bureaucrats such as teachers and professors have been killed.507 Some bodies that were found were clearly identified (with notes on them) as Ba'ath Party members.508"

United Kingdom: Court of Appeal (England and Wales) (2007):

[sid. 3]

"4. The adjudicator then reviewed the objective in-country material. He made extensive reference to the then current CIPU report. At para 13, he referred to the fact that there were more than 2 million members and sympathisers of the Ba'ath party. Most members joined for pragmatic reasons. It was more or less obligatory for advancement in education, the professions etc. At para 14, the adjudicator said:

"The CIPU report goes on to say at paragraph 6.115 that with Ba'ath Party membership a prerequisite for advancement in many fields in Saddam Hussein's Iraq, ordinary membership did not of itself imply support for the party's policies. Sources told the 2003 UK Danish fact finding mission that Iraqis differentiated between those who joined the party because it was necessary for them to get jobs, and others such as members of the security services who committed crimes against them. Only those former Ba'ath members who were known to have abused their position were being targeted for reprisals; these would mostly be former members of the intelligence services, the security services of Fedayeen Saddam, but according to one source, even in those categories only individuals known to have committed abuses would be targeted. This could, however, mean that relatively low ranking Ba'ath Party members could be at risk because they had operated at street level and were therefore known to the victims or their victims' families or associates."

The Christian Science Monitor (2005):

“With the paint still drying on the walls of the newly constructed Baghdad courthouse, the Iraqi Special Tribunal is counting down to T-day, when it places the alleged perpetrators of the world's most gruesome crimes on trial in front of television cameras for the world to witness”

“First case to come up

The first to sit in the dock is likely to be Ali Hassan al-Majid, known as "Chemical Ali," for the role he played in the chemical weapons attacks that killed as many as 100,000 Kurds in northern Iraq in 1988. Then, Barzan Ibrahim al-Hassan al-Tikriti, commander of the Special Republican Guard as well as director of the Mukhabarat, the notorious intelligence service, is expected to be tried for torturing and murdering thousands of people.”

Denna sammanställning av information/länkar är baserad på informationssökningar gjorda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende. Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden. Refererade dokument bör läsas i sitt sammanhang.

Källförteckning

(länkar hämtade 2014-01-21)

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