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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL,
ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
INCLUDING THE RIGHT TO DEVELOPMENT**

Joint written statement* submitted by the International Youth and Student Movement for the United Nations (ISMUN), a non-governmental organization in general consultative status, the Union of Arab Jurists, the International Organization for the Elimination of All forms of Racial Discrimination (EAFORD), the General Arab Women Federation, North-South XXI, the Women's International League for Peace and Freedom (WILPF), the Arab Lawyers Union, the Indian Movement (TUPAJ AMARU), the General Federation of Iraqi Women (GFIW), the United Towns Agency for the North-South Cooperation, the International Association of Democratic Lawyers, International Educational Development - Humanitarian Law Project, the Women International Democratic Federation (WIDF), the Association of Humanitarian Lawyers, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2009]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Food, Water and Housing situation in Iraq*

The right to have a standard of living adequate for the health and well-being of any individual and his family, including food, housing and access to potable water, is a fundamental right endorsed in a wide range of laws and conventions.¹ Because of the U.S invasion of 2003 and the occupation, Iraqis are denied this right. According to a number of UN and NGO's report, the infrastructures of Iraq have been particularly targeted by the U.S forces, inflicting several damages to the subsistence farming as well as to the warehouse. The U.S forces destroyed deliberately the wastewater treatment plant depriving the Iraqis from clean water. Moreover, thousands of houses have been destroyed, throwing millions of Iraqis having nowhere to go on the road. Despite of all these circumstances, the Human Rights Council has never discussed this issue and its direct effect on the enjoyment of basic human rights, nor has the Special Rapporteurs brought it to the attention of the Council, in accordance with their mandates, although there are a lot of UN and NGOs reports exposing the alarming picture of this most important issue.

Prior to the war, many UN and NGO's report were warning that a new war on Iraq will led to the total collapse of the infrastructure of the country. The U.S army intentionally targeted the agricultural system of Iraq, and the electrical grid which is essential for the treatment and distribution of the water.² It appears now clear that, at that time, the U.S government was intending to defeat not only the previous regime but also the entire Iraqi society with the aims of asserting a future control on the country. Before the 2003 invasion, although the infrastructures and housing conditions in Iraq were not at the level they were before the 1991 War but they were in any case able to meet most of the needs of the population. Electricity and running water were normal features of all Iraqi villages in rural areas. Mud huts in remote places were rapidly being replaced by brick dwellings. Major cities like Mosul, Basra, and especially Baghdad has most of the amenities of modern living.³

The articles 14 and seq. of the Fourth Part of the Second Protocol of the Geneva Convention explicitly states that it is "prohibited to attack, destroy, remove or render useless for that purpose, objects indispensable to the survival of the civilian population such as food-stuffs, agricultural areas for the production of food-stuffs, crops, livestock, drinking water installations and supplies and irrigation works".⁴ The occupation troops didn't respect any of these rules. The agricultural system in Iraq has in fact been totally destroyed by the bombings. During a food supply and nutrition assessment mission to Iraq, the FAO stated that the war has affected sowing of summer cereal crops, industrial crops (cotton, sunflower seeds) and seriously reduced national capacity to produce fertilizer.⁵ The irrigation system has been destroyed as well as the warehouses and the grain silos. The total destruction of the fuel depots leaved Iraqi farmers without fuel to harvest the crops.⁶ The U.S forces of invasion also bombed cattle feeds lots, poultry farms, fertilizer warehouses and pesticide factories like the Al-Suwaira factory. U.S Forces deliberately attacked and destructed many farms inflicting serious damages to the agricultural sector and depriving Iraqi's people from access to food. Under the pretext of "establishing peace" in Iraq, U,S troops

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of occupation have cut down precious date trees –often the life-sustaining source of many Iraqi villages, burned and razed crops, agricultural yields and fields, drained swamps, and burned grassy knolls. An incredible policy of collective punishment has been followed against the farmers of Iraq who saw their farm and plantations totally razed to the ground. Many date palm and fruit tree plantations were reported to have been totally destroyed like in Al-Jabour, Al-Yousefeyya, Al-Mahmoudeyya, Al-Lateefeyya and Dhuluaya.⁷

Another violation of the international laws and conventions by the U.S troops of coalition is the intentionally targeting of the whole infrastructure of Iraq which has led to one of the greatest disasters of all the time, resulting in major contamination of the soil and the water. The United Environment Program estimates that hundreds of sites are contaminated.⁸ Major damages were inflicted to the water and sanitation system. The bombing of Basra high voltage lines lead to the total interruption of the water pumping station of Al Qaed which was supplying 60% of Basrah population with fresh water. People were forced to drink garden water which is not safe and lead to many cases of various diseases.⁹ The ICRC reported that the same things happened in Najaf, Dhi Qar, Al Zubayr, Safwan and in Nassiriya the water treatment plant was unable to work because of shortage in the chemical product used to clean the water.¹⁰ The bombing of Al-Doura power plant station (April 2003) resulted in a serious shortage of fresh water in Baghdad.¹¹

The World Bank point out, in its report (January 2009), to the fact that although 81.3% of individuals live in dwellings connected to public water networks—ranging from 98.3% in Baghdad to just 45.6% in rural areas only 12.5% of persons whose dwelling is connected to the public network report that their supply of water is stable. 29.2% report daily interruptions; 17.6 percent report weak water supply; and 16.4% report interruptions more than once a week (Table 2-19). In rural areas, 26.1% of households use rivers and creeks; 9.5% use tanker trucks; 8.2% use open wells; and 4.7% use public taps.¹²

The destruction of the Iraqi State by the U.S Forces led to a situation of general insecurity throughout the country allowing bandits and thieves to loot several industrial sites resulting in an increase of the contamination level of the air, soil and water which was already very high because of the U.S destructive bombings. In the case of the Al Mishraq sulphur complex, it caused a catastrophic sulphur fire resulting in the destruction of a 300,000 m³ stockpile, regional air pollution, crop destruction and several deaths. Another example is given by the looting of the Al Suwaira pesticides warehouse resulted in the theft (and assumed uncontrolled use) of over 70 tones of obsolete pesticides.

The collapse of the Iraqi State due to the invasion and occupation of Iraq also led to a catastrophically situation of destruction and damage to a large portion of the housing sector, particularly in and around Baghdad. There is about 450'000 family homeless because of the houses destruction.¹³ According to the World Bank people suffer from environmentally adverse conditions in their housing as follows: Stagnant water (56.4%), insects and rodents (49.9%), excess humidity (39.0%), nearby open sewage outlets (36.3%), nearby garbage and dirt (36.1%), security risks (30.7%), insufficient light (28.2%), foul odors (28.2%), dust (28.1%), noise (22.0%), insufficient ventilation (15.1%), and smoke and gases (13.8%).¹⁴

Iraq, which has witnessed the birth of the agriculture thousands year ago is now incapable of feeding its population because of the huge damages inflicted by the U.S troops of occupation to its environment and agricultural system. The Oil-for-Food program has been another instrument of destruction of the Iraqi society. By prohibiting the purchase of local foods, many farmers stopped their jobs and left their plantation to be the prey of the desert. This system creates food

dependency in Iraq and has been severely criticized by the International Community and led to the resignations of two high-level UN officials in charge of this program because of their disgust of what was happening to the Iraqi population. Although this program has now been terminated, the UN and the World Bank estimated that, at least 60 percent of Iraqi civilians, or 15.8 million people, "completely depend" on the monthly basket of such items as flour, tea, cooking oil and soap distributed under the rationing system. The UN's Food and Agriculture Organization (FAO) and World Food Program (WFP) go further, estimating in a joint report on September 23 that "approximately 80 percent of the Iraqi population would become vulnerable to food insecurity if the current food rations were no longer accessible."¹⁵ While the population are still dependant on the ration, the government appointed by the U.S have announced his intention to reduce the food ration. This will lead to a catastrophically situation as most of Iraqis are in need of these rations. More than three years on, Oxfam International estimates that just 60 percent of Iraqis are still able to pick up their ration, compared with 96 percent in 2004.¹⁶ The latest survey done by the World Bank in 2007 indicated that only 58.1 of the population received its ration of rice.¹⁷

The most dangerous consequence of the U.S invasion of Iraq is the laws enacted by the occupying power related to the agriculture. It aims to reduce Iraqi biodiversity by allowing the U.S agricultural company of patenting the Iraqi seeds with the aims of dominating food production in Iraq. When the seeds will be patented the Iraqi farmer will have no choice but to buy the seeds manufactured by the U.S enterprises. This will lead to monoculture, extensive use of chemical product and increasing risk of disease. The broader U.S. plan seems to be to incorporate Iraqi agriculture into the web of U.S. agribusiness, with Iraq growing a few high-yield cash crops for export to the U.S instead of growing basic crops to feed the Iraqi people. Subsequently, state-run food companies will be privatized, farm subsidies will be eliminated, and food prices will increase, all in keeping with the same U.S. agenda world-wide. Driving Iraqi farmers into a privatized free market will destroy small family farms in Iraq.

The catastrophic situation of the Food, Water and Housing System in Iraq in particular and the human rights situation in general is a challenge to the entire human rights community and all Untied Nations' bodies. We urge the Council, and the High Commissioner for Human Rights to seriously examine this situation as one of the extremely urgent issues that need to be on the HRC's programme of work. As a first step, the Council can make an important contribution by asking the Special Rappoerteurs on the right to Food and Housing to investigate this situation and report back to the Council. The Council should study the human rights situation in Iraq in its entirety by re-institute the position of a Special Rapporteur on Iraq, which was dismissed after the invasion in 2003.

¹ - Universal Declaration of Human Rights:Article 25

- International Covenant on Economic, Social and Cultural Rights, Article 11, Article 2.2

- International Covenant on Civil and Political Rights : Article 6, Article 1.2

- Food Aid Convention, 1999: Article I

- Universal Declaration on the Eradication of Hunger and Malnutrition, 1974

- World Declaration on Nutrition, 1992

- Declaration on the Right to Development: Article 8

- Rome Declaration on World Food Security, 1996

- Plan of Action of the World Food Summit, 1996

- Declaration of the World Food Summit: five years later, 2002

- Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security Vienna Declaration and Programme of Action

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- General Assembly Resolution 51/171, 1996 - Food and sustainable agricultural development
 - Geneva Convention (III) relative to the Treatment of Prisoners of War
 - Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War
 - Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)
 - Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II)
- ² “The impact of a US war on Iraq’s civilian infrastructure”, World Socialist Web Site, 4 Nov. 2002, <http://www.wsws.org/articles/2002/nov2002/iraq-n04.shtml>
- ³ IRAQ – HOUSING, <HTTP://WWW.NATIONSENCYCLOPEDIA.COM/ASIA-AND-OCEANIA/IRAQ-HOUSING.HTML>
- ⁴ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977, <http://www.icrc.org/ihl.nsf/7c4d08d9b287a42141256739003e636b/d67c3971bcff1c10c125641e0052b545>
- ⁵ SPECIAL REPORT, FAO/WFP CROP, FOOD SUPPLY AND NUTRITION ASSESSMENT MISSION TO IRAQ, 23 September 2003, <ftp://ftp.fao.org/docrep/fao/005/J0465e/J0465e00.pdf>
- ⁶ “THE RAT IN THE GRAIN DAN AMSTUTZ AND THE LOOTING OF IRAQI AGRICULTURE”, *COUNTERPUNCH*, 4 JULY 2003, <HTTP://WWW.COUNTERPUNCH.ORG/STCLAIR07042003.HTML>
- ⁷ Second Periodical Report of Monitoring Net of Human Rights in Iraq, Nov. 2005; “US Soldiers Bulldoze Farmers’ Crops: Americans accused of brutal ‘punishment’ tactics against villagers”, *The Independent*, 12 Oct. 2003, <http://www.commondreams.org/headlines03/1012-01.htm> ; “US Troops Continue to Destroy Iraqi Flora, Crops”, *IslamOnline*, 10 Oct. 2003, http://www.islamonline.net/English/In_Depth/Iraq_Aftermath/2003/10/article_13.shtml
- ⁸ UNEP, Assessment of Environmental “Hot Spot” in Iraq, 2005, http://postconflict.unep.ch/publications/Iraq_ESA.pdf
- ⁹ “Special Report: Water Under Siege In Iraq. US/UK Military Forces Risk Committing War Crimes by Depriving Civilians of Safe Water”, *The Center for Economic and Social Rights*, April 2003
- ¹⁰ ICRC, *Daily Bulletin*, 2 April 2003.
- ¹¹ ICRC, “The medical system of Baghdad totally disrupted by insecurity and looting”, 12 April 2003
- ¹² Iraq Household Socio-Economic Survey, *The World Bank*, 2007.
- ¹³ “IRAQ: Housing problems increase as conflict hits hearth and home”, *IRIN*, 4 Aug. 2005, <http://www.irinnews.org/report.aspx?reportid=25341>
- ¹⁴ Iraq Household Socio-Economic Survey, *The World Bank*, 2007.
- ¹⁵ “Iraqi Food Security in Hands of Occupying Powers”, Middle East Report Online, 2 Dec. 2003, <http://www.merip.org/mero/mero120203.html>
- ¹⁶ *Ibid.*
- ¹⁷ Iraq Household Socio-Economic Survey, *The World Bank*, 2007.
