

HUMAN RIGHTS WATCH

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His Excellency Prime Minister Hayder al-Abadi

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Your Excellency:

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We write requesting your response to a number of incidents involving the Iraqi security forces participating in the Hashd al-Shaabi operation that Human Rights Watch observed in October 2014. We are concerned that these activities may constitute violations of international human rights law and the laws of war.

As is our standard practice during armed conflicts, Human Rights Watch is monitoring the conduct of all parties to the fighting in Iraq, including Islamic State (ISIS), central Iraqi government forces and allied militias, and the forces of the Kurdistan Regional Government (KRG).

During our mission in October we looked into activities by the Hashd al-Shaabi forces and other armed groups in the southern area of Kirkuk and eastern area of Salah al-Din provinces. These areas were directly affected by the fighting against ISIS's assault on Amerli before its defeat at the end of August. We visited locations under Peshmerga control and locations under control of other armed groups naming themselves, variously, Kita'ib Hezbollah, Saraya al-Khorasani, Asa'ib Ahl al-Haqq, and the Badr Brigades. They remain in control of these areas at this writing.

We also examined a number of videos purporting to show Hashd al-Shaabi forces and other armed groups attacking civilian objects such as homes, and looting and destroying homes and businesses, including by setting fire to them. We also conducted extensive satellite research documenting the destruction of 30 villages (listed below), including the dates and methods of destruction. We outline our findings and questions below.

We intend to publish our preliminary findings from this mission in the near future. Any comments received by March 9, 2015 will be reflected in a summary of our findings published alongside our report. Please direct all responses to Joe Stork, deputy director of Human Rights Watch's Middle East division, at storkj@hrw.org, +1202 299 4925.

Human Rights Watch appreciates the warm reception and cooperation that we receive from Iraqi authorities during our missions to the country and look forward to a deepening of this cooperation going forward. We recognize the humanitarian and military challenges that your government faces at this time. We look forward to continuing discussions with your government on ways to maintain security while upholding human rights.

Please do not hesitate to contact us should you have further questions.

Sincerely Yours,

Joe Stork
Deputy Director, Middle East and North Africa

Human Rights Watch

Cc: Interior Minister Mohammed Ghabban
Hashd al-Shaabi President Abdul Mehdi al-Mohandis
Commander of Diyala Operations Hadi al-Ameri

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Preliminary findings and questions, Human Rights Watch mission to Iraq, October 2014

Preliminary Findings:

1. Approximately 6,000 government and pro-government fighters, including members of several militias, police, army forces, special forces, and paramilitary volunteers in the Hashd al-Shaabi (Popular Front), began a ground offensive to clear the areas surrounding Amerli of ISIS forces on September 1, 2014, one day after coalition US and Iraqi airstrikes had driven ISIS forces away from the town. These fighters were in many cases also supported by Peshmerga.
2. After September 1, pro-government militias and volunteer fighters associated with the Hashd al-Shaabi as well as Iraqi security forces raided Sunni villages and neighborhoods around Amerli in Salah al-Din and Kirkuk provinces. Many were villages that ISIS had passed through and in some cases used as bases for their attack on Amerli. During the raids, militiamen and Hashd al-Shaabi fighters looted properties left behind by civilians who fled fighting during the onslaught on Amerli; burned homes and businesses of the villages' Sunni residents; used explosives to destroy individual buildings and entire villages; and abducted fighting-age men.
3. Human Rights Watch received reports that militias had destroyed homes and ransacked homes, businesses, mosques and public buildings 47 villages. The militias included the Badr Brigades, Asa'ib Ahl al-Haqq, Kita'ib Hezbollah, and Saraya Tala'a al-Khorasani, and that they destroyed numerous villages between the towns of al-Khales, in southern Diyala province, and Amerli, about 50 kilometers to the north in Salah al-Din province. Through satellite imagery analysis Human Rights Watch confirmed the destruction of 30 out of 35 villages examined in a 500 kilometer radius area around of Amerli.
4. On the basis of field visits, interviews with more than 30 witnesses, and analysis of photographs and satellite imagery, Human Rights Watch found that an area that included 35 villages and towns showed extensive destruction caused by fire, explosives and earth moving equipment. The evidence showed that most of the damage occurred starting in early September and continuing well into November.

Using satellite imagery, Human Rights Watch identified over 3,150 destroyed buildings in 30 towns and villages, 2,290 likely destroyed by fire and 870 likely demolished with heavy machinery and the uncontrolled detonation of high explosives. This destruction was distinct from damages resulting from air strikes and heavy artillery and mortar fire prior to ISIS's retreat from Amerli. Human Rights Watch separately identified and controlled for this earlier damage using the satellite imagery. Human Rights Watch's field research together with the satellite imagery analysis indicates that militias engaged in deliberate attacks on civilian objects and destruction of property after the retreat of ISIS and the end of active fighting in the area.

5. Satellite imagery corroborated witness accounts that in many cases Iraqi government forces and militias targeted the same villages and towns where in many cases Iraqi forces and militias, supported by coalition airstrikes, had fought ISIS in the weeks before they lifted ISIS's siege of Amerli on September 1. Satellite imagery showed that the majority of the damage they inflicted on these towns and villages after the siege was lifted resulted from arson and building demolition.
6. Witnesses told Human Rights Watch they saw militias looting towns and villages around Amerli after the offensive against ISIS ended and immediately preceding militia destruction of homes in the town. They described watching as militiamen took items of value – such as refrigerators, televisions, clothing and even electrical wiring – out of homes before setting the houses on fire.
7. In the villages of Bir al-Dahab and Habash, Human Rights Watch identified in satellite imagery the heavy smoke plumes of building fires, likely from arson attacks in progress on the morning of September 17.
8. Human Rights Watch documented 11 instances of militias abducting men who had returned to their homes to collect belongings after fleeing the fighting. Residents told Human Rights Watch that the number of men who disappeared in the area after the Amerli operations is at least in the dozens.

Questions for the Iraqi government:

1. *What are the Iraqi government's responses to these findings?*
2. *Which of the incidents outlined above are the Iraqi authorities investigating, and what has been the outcome of these investigations, including any corrective or disciplinary actions in any cases where wrongdoing was found? Which authorities are conducting the investigations?*
3. *Have the Iraqi authorities received any complaints or reports of mistreatment of civilians or civilian objects? What actions have the authorities taken in response?*