

Crimes against Humanity in Iraq, Indiscriminate Killings of Civilians: Open Letter to Members of the European Parliament

On the occasion of the meeting on Iraq in the European Parliament on July 16th 2014

By [BRussells Tribunal](#)

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In-depth Report: [IRAQ REPORT](#)

The EU has moral and legal obligations towards Iraq after several of its member states ignored the warnings of the anti-war voices not to attack the country in 2003.

The failure to protect the ordinary citizens of Iraq, the deliberate harm inflicted on certain communities as well as the gross human rights violations being committed by the Iraqi government's forces on a daily basis with total impunity have been met with silence. According to Human Rights Watch 255 Sunni prisoners were murdered mainly by militia supporting prison guards in the last four weeks. All detainees must be protected immediately!

The reality of the situation is bleak: Prime Minister Maliki has built an authoritarian state where ruthless paramilitary groups such as Assaib Ahel Al Haq have more military weight than the regular army. These sectarian militias are given a free hand to terrorise communities, to commit kidnapping, to torture and to carry out extra judicial killings with impunity. The militias have been carrying out sectarian cleansing in Baghdad against the Sunnis, as reported by the media and NGOs. It is Maliki's policies of discrimination, repression and exclusion that also bears responsibility for the increase of acts of terrorism by sectarian groups like ISIS. Neither Maliki nor his allies are really fighting terrorism but rather are using them as a pretext for their policies. These attempts are doomed to failure and have only alienated and terrorised even more communities.. Only the Iraqi people, united in defence of their nation, can defeat terrorism.

There are tens of other armed groups and militias - some of them linked to the Prime Minister's Office - that are involved in indiscriminate killings and are responsible for creating a sectarian bloodbath in Iraq. The national, non-sectarian forces leading the uprising against Maliki have strongly condemned, as we do, all terrorist actions.

The use of air strikes allegedly in order to fight terrorism is also a failed strategy. This policy has led to the indiscriminate killing of thousands of innocent civilians and the destruction of their homes. The US occupation tried it and the subsequent Green Zone governments of Iraq also tried it. Even as all observers agree that the solution in Iraq is not a military one, the US, Iran and others rush to aid Maliki with weapons and personnel. This strategy acts as a hatching machine for hatred and resentment as a result of the wholesale criminalisation of

communities. We urge you therefore to speak up against the bombing of Iraqi villages, towns and cities.

One of the main reasons for the peaceful protests that began in Fallujah, Anbar, Tikrit, Mosul and other places in December 2012 was the news that women, arrested arbitrarily in lieu of their men folk, were being tortured and raped in detention. The peaceful protesters had well documented, clear demands starting with the release of all female detainees, the cancelling of article 4 of the Terrorism Law which is often used as a pretext for arbitrary arrests/torture and rape (see HRW report No One is Safe), the repeal the de-baathification decree introduced by Paul Bremer, and an end to all sectarian/ethnic discrimination and the rejection of partition of the country. The government met the peaceful protests with bombs and even massacres, including the assassination of unarmed and injured protesters.

We call for :

- 1) the immediate ban on the flow of arms to Maliki's government.**
- 2) a halt all airstrikes and military operations in Iraqi towns and cities.**
- 3) the creation of safe corridors to deliver aid and humanitarian supplies to the civilians in areas of conflict.**
- 4) an end to all measures of collective punishments such as the cutting off of water/electricity/withholding food stuffs and payment of salaries.**
- 5) the protection of prisoners, the release all detainees not charged or tried and the end to all forms of arbitrary arrests, maltreatment and torture.**
- 6) the undertaking of immediate measures to protect civilians (especially the displaced) and the safeguarding of their human rights.**
- 7) the establishment of a new, non-sectarian government that rejects the imposed political process and constitution imposed by the occupation. Only such a government can guarantee Iraq's borders and security.**
- 8) the encouragement and active support from the EU, respecting the UN Security Council resolution to defend the unity and territorial integrity of Iraq, for immediate negotiations to establish such a government.**

Through these measures the EU can assume its moral and legal responsibility to the people of Iraq.

International Anti-Occupation Network and the BRussels Tribunal – July 14, 2014

Notes:

(1)“The jihadi surge is the tragic, violent outcome of steadily deteriorating political dynamics. Instead of a rash military intervention and unconditional support for the Iraqi government, pressure is needed to reverse sectarian polarisation and a disastrous record of governance.” International Crisis Group <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq.aspx>

(2)“.. the Obama administration has announced several waves of troop movement into the region and into Iraq specifically. As of last week, the announced number heading for Iraq now totals 770”
How Nearly 800 U.S. Troops Spent Their Fourth Of July In Iraq

<http://thinkprogress.org/world/2014/07/06/3456225/iraq-american-troops/>

(3) "Two battalions of the Quds Forces, which is the overseas branch of the Iranian Revolutionary Guard, moved to Iraq on Wednesday, the Wall Street Journal reported. There they worked jointly with Iraqi troops to retake control of 85 percent of Tikrit, security forces from both countries told the Journal. " RT: US airstrikes to support Iranian Revolutionary Guard's offensive in Iraq?

<http://rt.com/usa/165612-us-iran-allies-iraq-insurgency/> Foreign combat aircraft pour into Iraq

<http://www.janes.com/article/40398/foreign-combat-aircraft-pour-into-iraq#.U7v-xcl9YRA.twitter>

(4) Toby Dodge Iraq from war to New Authoritarianism

<https://www.youtube.com/watch?v=3tydPC1L7kU> "Years of ethnic cleansing have changed the sectarian balance of Baghdad strongly in favour of Shia"

<http://www.ft.com/cms/s/0/fd522be2-fdff-11e3-bd0e-00144feab7de.html#axzz363X8Ykyn> FT:City on edge as Baghdad residents await Isis attack [#collectivepunishment](#) article in English [#Maliki](#) army burn orchards and kill sheep <http://tinyurl.com/mqqvubw>

(5) <https://www.youtube.com/watch?v=oPgniPHvEc4> Torture session in Mousel Iraq: Government Blocking Residents Fleeing Fighting

<http://www.hrw.org/news/2014/05/03/iraq-government-blocking-residents-fleeing-fighting> collective punishment: Iraqi government decided NOT to pay Salaries in 'hot areas' not under its control

<http://tinyurl.com/o747gss>

50 sunni detainees in Baquba/at least 7 in Mousel/46 in Tel Afar ([Amnesty report](#)) have been killed by the Maliki forces before withdrawing.

<http://www.hrw.org/news/2014/07/11/iraq-campaign-mass-murders-sunni-prisoners>

69 Sunni detainees executed

<http://www.reuters.com/article/2014/06/27/us-iraq-security-idUSKBN0F20S720140627>

(6) Though it received little global attention, unrest in Fallujah, a primarily Sunni city, began in late 2012 with protests against the hardline policies of Nouri al-Maliki, the Shiite prime minister. Like many residents, Wardi sees the military campaign, which began in January, as retribution. "This started under the banner of fighting terrorists but changed to attacking the city," she said. "It's punishment for the people." "They describe government artillery fire raining down on the city, targeting even the hospital, as Human Rights Watch documented in May. Army helicopters have also used barrel bombs — crude and inexact explosives that level surrounding homes along with intended targets when they fall from the sky. "They're completely indiscriminate — if not actively targeting Sunni civilians," Erin Evers, the Human Rights Watch researcher in Iraq, said of the government's military campaign in Fallujah and elsewhere in Anbar, such as the city of Ramadi, which has seen a similar cycle of protests and violence." Shades Of Syria: Fears Maliki Will Follow The Assad Model In Iraq.

<http://www.buzzfeed.com/mikegiglio/shades-of-syria-fears-that-maliki-will-follow-the-assad-mode> Call

on UN Security Council, U.S. and EU to prevent the bombardment of civilians in Iraq Struan Stevenson President, European Iraqi Freedom Association (EIFA)

<http://iraq4allnews.dk/irak/index.php/news1532.html>

(7) "Maliki never appointed a permanent, parliament-confirmed interior minister, nor a defense minister, nor an intelligence chief. Instead, he took the positions for himself." "In short, Maliki's one-man, one-Dawa-party Iraq looks a lot like [Saddam]Hussein's one-man, one-Baath Party Iraq. But at least Hussein helped contain a strategic American enemy: Iran. And Washington didn't spend \$1 trillion propping him up. There is not much "democracy" left if one man and one party with close

links to Iran control the judiciary, police, army, intelligence services, oil revenue, treasury and the central bank. Under these circumstances, renewed ethno-sectarian civil war in Iraq was not a possibility. It was a certainty” – Why we stuck with Maliki — and lost Iraq

http://www.washingtonpost.com/opinions/why-we-stuck-with-maliki-and-lost-iraq/2014/07/03/0dd6a8a4-f7ec-11e3-a606-946fd632f9f1_story.html

(8)The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials state that security forces in policing situations shall “apply non-violent means before resorting to the use of force and

firearms.<http://www.hrw.org/news/2014/01/03/iraq-investigate-violence-protest-camp> Iraq: Investigate Violence at Protest Camp Fighting Erupts in Anbar Province After Security Forces, Protesters Clash.

Frustrated with living in fear and in constant violation of their rights, the people of Iraq took to the streets to demand that their basic human rights be respected. Their action took the form of peaceful demonstrations, which began on 25 December 2012 in Al-Anbar province. Since then, the demonstrations have grown in geography, expanding to cities throughout the country, and in number with hundreds of thousands of participants. The protests first called for the release of female detainees who are subjected to inhumane treatment, but now encompass a range of demands including the immediate release of fellow protestors; the abolition of anti-terrorist laws; the cessation of house raids without legal warrant and the end of financial, administrative and legal corruption. GICJ requests that an independent international investigation mission be dispatched to Iraq

http://www.gicj.org/index.php?option=com_content&task=view&id=290&Itemid=41&mylang=english&redir=1

“The main reason for the fall of the city of Mosul – the second largest city in Iraq – is that the Maliki government did not respond to the demands of the citizen protestors who demonstrated in Mosul, Anbar, Salahuddin, Diyala and Hawija over a year ago and so the citizens did not support the Iraqi army. The policy of the Iraqi government headed by Nouri al-Maliki has been totally sectarian in the way it has operated in the Iraqi provinces. The government has almost totally excluded representatives of the Sunni population from the sovereign ministries, or left them with no real authority. Even the new Iraqi army was formed on this basis. The Iraqi army unfortunately does not support a doctrine of loyalty to the homeland (or an Iraq that is inclusive of all people); instead it is loyal to the Madhhab or Shia doctrine. It deals with citizens according to their religious sect. The armed forces have attacked people in the cities of Mosul, Anbar, Salahuddin, Diyala and Hawija. They have carried out arrests, torture and extortion. There have also been many cases of rape by members of the army, both outside and inside prisons.”

<http://www.iraqicivilsociety.org/archives/3235>

(9) <http://www.hrw.org/reports/2014/02/06/no-one-safe>

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