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## Iraq: US-Trained Forces Linked to Mosul War Crimes

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An <u>Iraqi</u> army division trained by the United States government allegedly executed several dozen prisoners in Mosul's Old City, Human Rights Watch said today. Two international observers detailed the summary killings of four people by the Iraqi army's 16th Division in mid-July 2017, and saw evidence that the unit had executed many more people, including a boy.

The US government should suspend all assistance and support to the 16th Division pending Iraq's full investigation of the allegations and appropriate prosecutions, Human Rights Watch said. Under the "Leahy Law," the US is prohibited from providing military assistance to any unit of foreign security forces if there is credible evidence that the unit has committed gross violations of human rights and no "effective measures" are being taken to bring those responsible to justice.

"The US government should make sure it is no longer providing assistance to the Iraqi unit responsible for this spate of executions but also suspend any plans for future assistance until these atrocities have been properly investigated," said <a href="Sarah Leah Whitson">Sarah Leah Whitson</a>, Middle East director at Human Rights Watch. "Given the widespread abuses by Iraqi forces and the government's abysmal record on accountability, the US should take a hard look at its involvement with Iraqi forces."

Two international observers independently told Human Rights Watch that on a day in mid-July at about 10 a.m. in Mosul's Old City, they saw a group of Iraqi soldiers who identified themselves as members of the 16th Division lead four naked men down an alleyway, after which they heard multiple gunshots. The observers said other soldiers standing in the street told them that the four men were Islamic State (also known as ISIS) fighters.

The observers said that they had been in the area throughout the morning and witnessed no fighting or gunfire in the area. One said they saw the soldiers beat the four men with their rifle butts before leading them away. They said they photographed the incident but a commander later took their camera and deleted the pictures, then ushered them into a nearby building. While they were inside, they heard gunshots. An officer then came in and told the observer to leave the area.

One of the observers said that as they were leaving the area, they saw through the doorway of a damaged house about 20 meters down the street the bodies of a number of naked men lying in the doorway. They said one of the dead men was lying with his hands behind his back and appeared to have been handcuffed, and there was a rope around his legs. The observer returned the next day and photographed three naked bodies and a mattress that appeared to cover additional bodies that they had seen the previous day, and shared the photo with Human Rights Watch.

The observer said the damaged building was adjacent to a building used by the 16th Division as a base in the area. Both observers said that the only Iraqi armed forces they saw while they were in the area were from the 16th Division.

US Defense Department officials <u>have said</u> that they trained and provided support to the Iraqi 16th <u>Division</u>. In November 2015, Maj. Michael Hamilton, an officer of the 82nd Airborne Division, which took a lead in training Iraqi units, told Breaking Defense, an online defense magazine, that, "The 16th Division...was a new unit when we first came in country" and that the 82nd Airborne guided them from "rudimentary training" all the way through operations in Ramadi. He added that, "they were probably the most successful Iraqi army unit participating in that <u>operation</u>." Human Rights Watch was not able to confirm whether US training and support is ongoing.

The Iraqi 16th Division has been implicated in other extrajudicial executions. On the same day they saw the four men being led away, both observers saw a body lying on the rubble near the division's base that appeared to be of a boy about 14. Photos of the body, which Human Rights Watch examined, seem to show a deceased male wearing only underwear, with a gunshot wound to his head and his hands bound by a plastic zip tie. A soldier from the 16th Division told one observer that his fellow soldiers had recently executed the boy because he had been an ISIS fighter.

The next day, two 16th Division soldiers escorted one observer through an area of rubble along the Tigris River and showed the observer the severed head of what the soldiers said was an American female ISIS sniper whom they had decapitated. It was not clear whether they decapitated her alive or after her death. The soldiers then led the observer to a nearby area and showed the observer at least 25 bodies lying on mounds of rubble, and bragged that these were ISIS fighters whom they and their fellow soldiers had executed.

The observer shared photos of the severed head and the bodies with Human Rights Watch. A third international observer showed Human Rights Watch video footage that appeared to have been taken at the same time as the still photos of the line of bodies.

One of the observers said they saw several bulldozers in the area running over and burying bodies under rubble. The soldiers told them they were aiming to block the exits of any underground tunnels where ISIS fighters might still be hiding.

Throughout the military operation to retake Mosul, Human Rights Watch has documented Iraqi forces <u>detaining and holding</u> at least 1,200 men and boys in inhumane conditions without charge, and in some cases <u>torturing</u> and <u>executing</u> them under the guise of screening them for ISIS-affiliation. In the final weeks of the Mosul operation, Human Rights Watch has <u>reported</u> on executions of suspected ISIS affiliates in and around Mosul's Old City, including the <u>discovery</u> of a mass execution site.

Under the "Leahy Law," the US government is required to suspend assistance to the 16th Division until the Iraqi government takes three steps, which are often known as "remediation components": impartial and thorough investigations; impartial and thorough prosecutions or administrative actions, as appropriate; and proportional sentencing or comparable administrative actions.

Despite <u>acknowledging</u> that Iraqi forces committed violations of the laws of war during the Mosul operation and promising to punish those responsible, Iraqi Prime Minister Haider al-Abadi has yet to demonstrate that Iraqi authorities have held any soldiers accountable for executing, torturing, and abusing civilians or captured fighters.

Iraqi criminal justice authorities should investigate all alleged crimes, including unlawful killings and mutilation of corpses, by any party in the conflict in a prompt, transparent, and effective manner, up to the highest levels of responsibility. Those found criminally responsible should be appropriately prosecuted. Extrajudicial executions and torture during an armed conflict are war crimes. Despoiling dead bodies and other outrages on personal dignity are violations of the laws of armed conflict and may amount to war crimes.

"The US military should find out why a force that it trained and supported is committing ghastly war crimes," Whitson said. "US taxpayer dollars should be helping to curtail abuses, not enable them."

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