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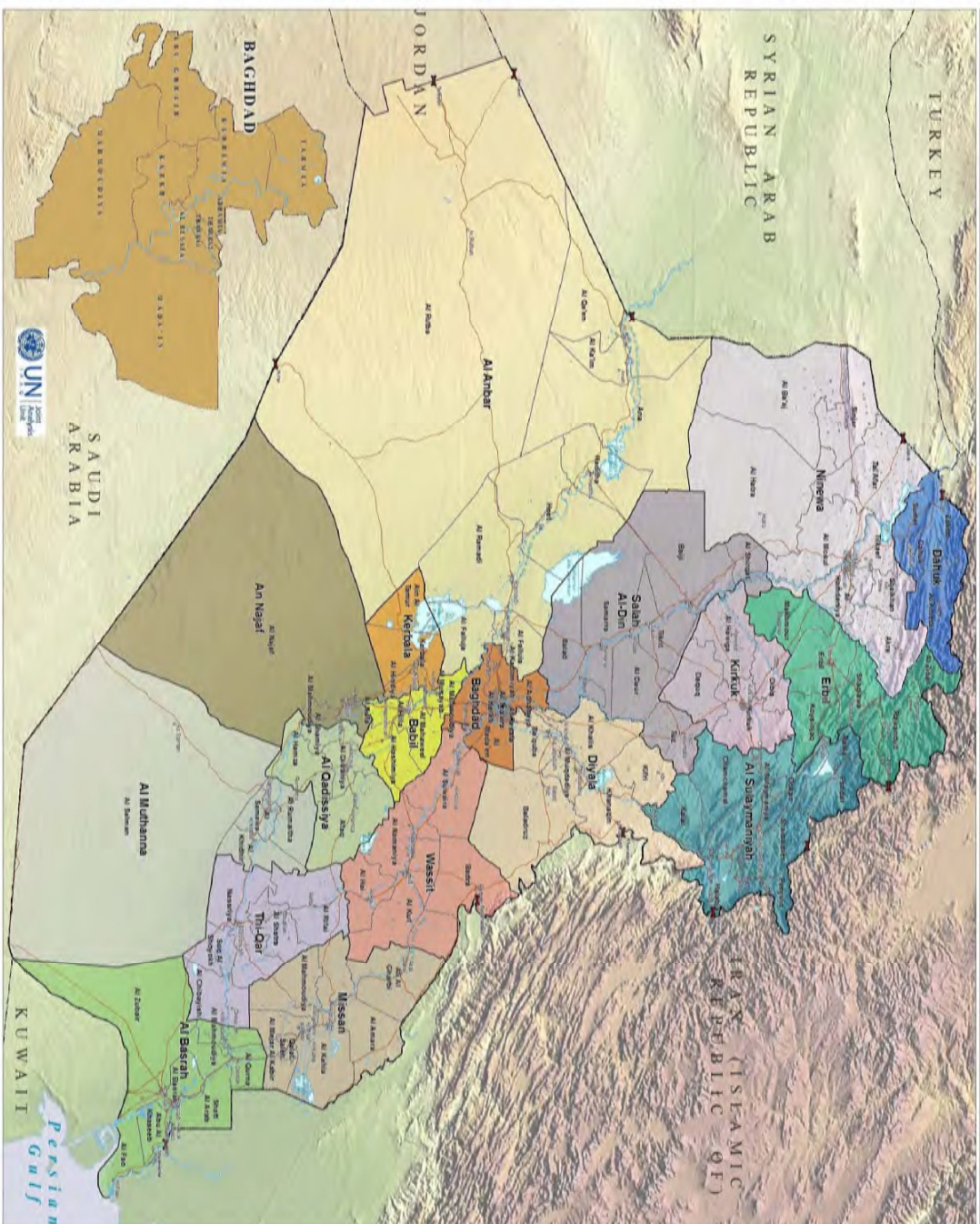


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Report on the Protection of Civilians in the Non International Armed Conflict in Iraq: 5 June – 5 July 2014

IRAQ - District Map

July 2014



Legend

Land Use

Barthelme

Transportation

Primary roads

Demographics

Capital

Gov Capital

Major City

Boundaries

Border Country

International Boundary

Governor's Boundary

Direct Boundary

Coastline

Hydrology

Lakes and waterways

Major rivers

Land subject to inundation

Threatened Boundary

Extension map

Coastline and Lake

Oil and Gas Reservoirs

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Summary

The non-international armed conflict that commenced in Iraq in Anbar governorate in January 2014 and has since spread to other areas of the country since the beginning of June has inflicted untold hardship and suffering on the civilian population with large-scale killings, injuries, and destruction and damage of livelihoods and property. The minimum number of civilians killed in the first six months of 2014 is 5,576, with at least 11,665 wounded. Since the beginning of June 2014, a minimum of 1,531 civilians have been killed and 1,763 have been wounded, and some 1.2 million people have been internally displaced as a result of the violence – including over 600,000 since the beginning of June alone¹.

As of 5 July, the cities of Mosul, Tikrit, Tal Afar, Beiji, Quayyara, Sinjar, Suleiman Bek, Rashad, Hawijah, Riyadh, Fallujah, and Saqlawiyah, remained under full or partial control of armed opposition groups, with fighting ranging across parts of Anbar, Ninewa, Salah id-Din, Kirkuk and Diyala governorates.

Ensuring that protection and the basic humanitarian needs of civilians who remain in areas affected by conflict or have been displaced because of it, is of critical importance. There are serious concerns for the protection and welfare of members of vulnerable groups, particularly women, female-headed households, children, people with disabilities, the elderly, and members of diverse minority groups (ethnic, cultural or religious).

International law requires that both the State and armed groups take all measures to minimise the impact of violence on civilians, respect the principles of distinction and proportionality when carrying out armed operations, and take steps to ensure the safety and protection of civilians by enabling them to leave areas affected by violence in safety and dignity, and to access basic humanitarian assistance at all times. Parties to the conflict must also take steps to ensure the protection and care of the most vulnerable among the civilian population, and are required to prevent violations and abuses from taking place. The Government of Iraq is required to hold alleged perpetrators of serious violations to account, in particular violations amounting to war crimes or crimes against humanity.

While this report endeavours to be as comprehensive as possible, limitations imposed by the deteriorating security situation in Iraq has limited the capacity of UNAMI to undertake direct monitoring and verification activities in many instances. Unverified incidents have not been reported.

Since the escalation of the conflict at the beginning of June, UNAMI has documented a range of violations of IHL and violations and abuses of IHRL that, in some instances, may amount to war crimes and crimes against humanity. In particular, UNAMI has documented systematic and egregious violations perpetrated by the Islamic State of Iraq and the Levant (ISIL) and associated armed groups against civilians, including instances of direct, deliberate targeting of civilians in the conduct of armed operations; disregard of the principles of distinction or proportionality in the context of armed operations; killings and executions of civilians, captured Iraq Security Forces (ISF) personnel, and persons associated with the Government of Iraq; sexual violence and rape against women and girls; kidnappings; targeted assassinations/killings of political, community and religious figures; killings, abductions and other violations of members of ethnic, religious and other minorities; killing and physical violence against children; forced recruitment of children; wanton destruction of civilian property; robbery of civilian property; targeting and destruction of civilian objects and infrastructure (including hospitals and schools); attacks on protected installations (such as attacks on dams); and attacks on places of cultural significance and places of religious worship.

¹ Wherever possible, UNAMI sought to cross-check the information contained in this report directly with witnesses and primary sources, or via two or more independent sources. Where circumstances, such as the security situation or other constraints did not allow this, it is indicated in the text. When different sources agreed on an incident but differed on casualty figures, for example, UNAMI used the most credible figures.

UNAMI has also documented violations committed by the ISF and affiliated forces – including summary executions/extrajudicial killings of prisoners and detainees, which may constitute a war crime and, on occasion, lack of adherence to the principle of distinction and proportionality or failures to take necessary precautions to protect civilians in carrying out military operations.

The United Nations in Iraq has responded to the armed conflict and the resulting humanitarian crisis through coordination mechanisms, including the United Nations Humanitarian Country Team (HCT) made up of representatives of the key United Nations humanitarian agencies, funds and programmes and the United Nations Assistance Mission for Iraq (UNAMI). The United Nations assesses humanitarian needs of civilians affected by the conflict and assists the Government of Iraq, civil society organisations and international partners to implement programmes and activities to ensure that basic humanitarian assistance is provided to those in need, with a particular focus on the protection and care of vulnerable groups.

UNAMI and UNCT have been coordinating monitoring, analysis, and reporting activities on the humanitarian situation in Iraq as it develops. The Human Rights Office of UNAMI has been monitoring and reporting on the human rights situation within the country. Furthermore, the United Nations Secretary General, the United Nations High Commissioner for Human Rights, the Special Representative of the Secretary-General for Iraq and the senior United Nations officials, have called for the respect for principles of IHL and IHRL by all parties to the conflict, and for the protection of civilians; the facilitation and the provision of humanitarian assistance; and the promotion of peaceful mechanisms and political processes for resolving the crisis and bringing the violence to an end.

Introduction

This report on the protection of civilians in the non-international armed conflict in Iraq is published by the Human Rights Office of the United Nations Assistance Mission in Iraq (UNAMI) in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) under their respective mandates.²

The report presents a summary of reports received concerning violations of international human rights and humanitarian law, as well as of human rights concerns, arising from the continued armed conflict in Iraq currently being fought between ISF and affiliated militia groups and ISIL³ and associated armed groups. The report covers the recent serious escalation of armed violence [in particular] from 5 June to 5 July 2014.

The information contained in this report is based on testimony obtained directly from witnesses or victims of violations and abuses wherever possible. Information was also obtained from a variety of other sources, government officials and institutions, local and international media, local non-governmental organisations (NGOs), civil society actors, human rights defenders, tribal leaders, religious leaders, political figures, and United Nations entities operating in Iraq. UNAMI conducted interviews with internally displaced persons (IDPs) currently in Erbil and Dohuk.⁴ All sources and the information they provided, were analysed for their reliability and credibility. Unless specifically stated, all reports of violations and abuses contained in this report have been verified or cross-checked by a number of independent, credible sources.

² In resolution 1770 of 10 August 2006, the UN Security Council, at paragraph 2(c) specifically requested the UNAMI to “promote the protection of human rights and judicial and legal reform in order to strengthen the rule of law in Iraq;...” UNAMI’s mandate was extended in the same terms for 2013/2014 by Security Council resolution 2110 of 24 July 2013. In accordance with its mandate, UNAMI Human Rights Office conducts a range of activities aimed at promoting the protection of civilians in armed conflict, including undertaking independent and impartial monitoring of, and reporting on, armed violence and its impact on civilians and violations of international humanitarian law and international human rights law.

³ ISIL grew out of a number of Islamist extremist insurgency and terrorist groups, most importantly ‘al-Qa’eda in Iraq’ (“AQ-I”); it was known formerly as the Islamic State of Iraq (“ISI”), and also as the Islamic State of Iraq and Syria (“ISIS”). ISIL root organisation (AQ-I) was established on 15 October 2006, originally as an umbrella organization composed of and supported by a variety of insurgency groups operating in Iraq, including its predecessor, the *Mujahideen Shura Council*, al-Qa’eda, *Jeish al-Fatiheen*, *Jund al-Sahaba*, *Katbiyan Ansar Al-Tawhid wal Sunnah*, *Jeish al-Taiifa al-Mansoura*, and other Sunni based groups. Its field of operations were originally in the Iraqi governorates of Baghdad, al-Anbar, Diyala, Kirkuk, Salah id-Din, Ninawa, and parts of Babil and Wasit, etc. ISIL is led by Abu Bakr Al-Baghdadi, who is believed to have been born in Samarra in Iraq. He emerged as the leader of AQ-I in 2010, succeeding the founder of *Jamaat al-Tawhid wa al-Jihad* Abu Musab al-Zarqawi. ISIL claims to have fighters from the UK, France, Germany and other European countries, as well as the US, the Caucasus, as well as a large number of Arab and Islamic countries. ISIL operated largely independently from other Islamist radical terrorist and insurgent groups, most importantly *Jabhat al-Nusra* (al-Nusra Front), which is the official al-Qa’eda affiliate. The organisation was believed to have received substantial financial support from wealthy individuals from the Gulf and Saudi Arabia, but its coffers have been considerably swelled by its seizure of oil fields in eastern Syria and Iraq and the reserves of the Iraqi Central Bank held in Mosul when the city fell to ISIL and its associated groups on 10 June 2014. ISIL is on the al-Qa’eda Sanction List of the Security Council in resolutions 1267 of 1999, and 1989 of 2011 which imposes financial sanctions, arms embargo and a travel ban on its members.

⁴ As of 3 July, UNAMI had conducted 150 interviews with IDPs in areas where they have concentrated, including: Khazir camp, al-Hamdaniya; Gwer, Makhmur; Erbil; Avapiroz Camp, al-Sheikhan; Garmawa camp, near Dohuk city; al-Qosh and Salih Agha in Sulaymaniyah. Interviews were conducted with families and individuals, including women, members of minorities and children, as well as members of ISF who have sought safety in the Kurdistan Region. UNAMI has also interviewed six detainees in the Asayish detention facility in Erbil to get information on specific cases of human rights violations.

Background

The origins of the current conflict in Iraq are longstanding and complex.⁵ Civilian demonstrations and sit-ins had been taking place across most Sunni dominated areas of Iraq since the end of 2012 – particularly in the governorates of Ninewa, Anbar, Salah id-Din and Kirkuk, and including towns such as Mosul, Ramadi, Fallujah, Tikrit, and Hawijah. Protesters cited a range of grievances, among which were the perceived exclusion of Sunni Iraqis from political processes, their targeting by the Government security forces under the Counter Terrorism Law no. 13 of 2004, the mistreatment of female detainees, failures by the Government to respect due process and fair trial standards, and lack of development and limited access to basic services in areas of the country where Sunni constitute the majority of the population.

At various times during 2013, the Government of Iraq attempted to end the demonstrations at times through ad hoc negotiations with demonstrators' representatives, or by military action. For instance, on 23 April 2013, ISF violently ended a sit-in demonstration in the town of Hawijah in Kirkuk Governorate after negotiations and an ultimatum had reportedly failed to end the demonstration, on its assertion that 'terrorists' had infiltrated among the protestors. Based on the findings of its investigations, UNAMI concluded that as a result of the Government's actions, a minimum number of 44 civilians (including two minors aged 14 and 17) and one Iraqi Army soldier were killed and another 110 civilians (including nine minors aged between 15 and 17) were wounded. The Government also moved to end demonstrations in other areas, including in Mosul and more broadly in Ninewa and Salah id-Din governorates.

Simultaneously and throughout this same period, Iraq was confronted with a revived insurgency mounted by al-Qa'eda affiliated groups, including ISIL, which had been significantly bolstered in terms of weapons, money and manpower from its involvement in the conflict in Syria. Despite the fact that extremist Islamist insurgent and terrorist groups were, and remain, unpopular among most of Iraq's population (including among the Iraqi Sunni community), ISIL in particular steadily increased its scope of operations in Iraq throughout 2013, pursuing its stated ambition of establishing an Islamic Caliphate across Syria and Iraq. During the year, ISIL and associated groups significantly increased their operations and activities in areas of Anbar governorate adjacent the border with Syria, simultaneously intensifying their activities into Ninewa, Salah id-Din, Kirkuk, Diyala and Baghdad governorates. In Anbar, in particular, ISIL concentrated its efforts to control key routes between Syria and Iraq.

On 29 December, ISF moved to arrest Ali al-Alwani, the brother of Ahmed al-Alwani, a leading Sunni politician and member of the Council of Representatives, from his home in Ramadi on alleged terrorism-related charges. During the violence that ensued, a number of the politician's household were killed, including his brother, and he himself was arrested. The Government then announced that it was moving to end the sit-in demonstrations in the cities of Ramadi and Fallujah that had been ongoing since December 2012. This, and the arrest of al-Alwani, sparked a hostile reaction among the population in both cities, which were then infiltrated by ISIL and other associated armed groups, who moved quickly to exploit the situation.

In the first two weeks of January 2014, ISIL fighters encircled Ramadi, attacked the neighbouring areas of Sawfiya, Albu Obeid, Albu Bali, and Albu Farraj, and were able to gain control of areas within Fallujah (located some 69 kilometres west of Baghdad), seizing partial control of the main road to Baghdad, with clashes being reported on the western outskirts of Baghdad in the area of Abu Ghraib.

In Fallujah, ISIL was able to enter the city with little or no resistance on 30 December, seizing key administrative buildings and raising its black flag over the Governorate Office. On 31 December, these areas were retaken by the Iraqi Army. Armed residents groups then negotiated with ISIL for its

⁵ The following background outlines the main events that have taken place between the end of December 2013 and 5 July 2014. It does not purport to be a comprehensive description or analysis of those events or its root causes.

peaceful withdrawal from those areas in the city it had taken. In response, ISIL repositioned its main forces to the south to Nuaimiya, to the southeast to Amiriyat al-Fallujah, and to the northeast to Saqlawiya. Additionally, a coalition of former army officers, tribal leaders and religious leaders established the Military Council of Tribal Revolutionaries in Fallujah (*al-Majlis al-Askari li-Thuwwar al-Asha'ir fi-Fallujah*) to govern the city. The Military Council includes members of the *Kitaab Thawra al-'Ashrayn* (1920 Revolution Brigade),⁶ *Jaysh Rijal al-Tariqa al-Naqshbandia* (Naqshbandi Order or “JRTN”),⁷ and *al-Jaysh al-Islami fi-l-Iraq* (Islamic Army of Iraq or “IAI”).⁸ In Hit (located on the Euphrates river north-east of Ramadi) and Haditha the dominant tribes reformed their *Sahwa* and sided with the Government against ISIL, thereby preventing ISIL from gaining a foothold in those towns.

At the end of February 2014, a Government proposal to end the crisis, including an offer of amnesty and integration into the state's security forces for those among the tribes, *sahwa* and former army officers who fought against ISIL and compensation for damage or destruction of property, failed.

In April 2014, ISIL and associated armed groups expanded their operations in other areas of Anbar governorate, attacking the dam on the Euphrates river at Nuaimiya south of Fallujah and blocking its access gates, unleashing flood water that inundated large areas of Anbar as far as Abu Ghraib and prompting further displacement of civilians and damage or destruction of property and infrastructure.

On 5 June, ISIL and associated armed groups launched a string of attacks across several fronts in a bid to seize areas and buildings in the governorates of Salah id-Din, Ninewa, and Diyala.

On 6 June, major clashes between ISIL and ISF were reported in Mosul, the capital of Ninewa governorate and Iraq's second largest city, seizing some US\$450 million from Mosul's central bank and other military hardware abandoned by ISF as it fled the city. By 10 June, ISIL had full control of Mosul (the area situated on the west/right bank of the Tigris river), its airport, military bases and government buildings. The fighting sparked a mass exodus of civilians from the city, with reports of as many as 500,000 people fleeing in just one or two days.

Also from 8 June, ISIL and associated armed groups had advanced east of Mosul seizing other areas of Salah id-Din and Kirkuk governorates, including the towns of Zab Kasarbasi, Hawijah, Riyadh, and Abbasi to the west of Kirkuk and the towns of Rashad and Yankaja to the south.

On 11 June, the insurgents seized Tikrit in Salah id-Din governorate and entered the town of Baiji (north of Tikrit on the Tigris river), where Iraq's largest oil refinery is located. ISIL managed to take

⁶ The 1920 Revolution Brigade is a Sunni militia group operating in Iraq that is composed mostly of former Iraqi Army soldiers that had been disbanded by the US Forces in 2003. Its aim is for an ‘independent Iraqi State on an Islamic basis’. Its name refers to a nationalist uprising against the British in 1920. It is believed to be anti-ISIL and anti-al-Qa’eda with Ba’athist and Islamic tendencies more along the lines of the *al-ikhwaan* (Muslim Brotherhood).

⁷ The JRTN is the main front for Ba’athist insurgents and remnants of the former regime of Saddam Hussein. The leader of the group is Saddam Hussein's former right-hand man, Izzat Ibrahim al-Douri. The JRTN espouses a combination of Ba’athist Party ideology and Naqshbandi Sufi Islam, while utilizing the language of *jihad* so as to bolster its religious legitimacy. The JRTN has established a number of front groups of Ba’athists, unified as the “General Military Council for Iraq's Revolutionaries” (“GMC”). While it is known to be working with and supporting ISIL, the JRTN does not mention ISIL by name – and there are significant ideological differences between the two groups.

⁸ The IAI, despite its title, is not salafist but is an Islamic organization with a nationalist Iraq agenda that, while predominantly Sunni, also has a small number of Shi’a supporters. It was founded in 2003 following the US and Coalition forces invasion and occupation of Iraq with the aim of freeing Iraq from foreign forces and influences. The organization, led by Ishmail Jboury, is anti al-Qa’eda and on occasion has attacked that organization and its associates in Iraq and in Syria. In 2011 following the withdrawal of US forces from Iraq, the group announced it was demobilizing to form an activist group called the Sunni Popular Movement (or *Hirak*), which is opposed to the Government led by Nouri al-Maliki. The group reactivated its militia in the fighting in northern Iraq from early June, but is mainly operating in Salah id-Din and Diyala governorates. The group has announced that once the Government of Nouri al-Maliki falls it will attack and destroy al-Qa’eda, ISIL and other affiliates.

control of Baiji itself but failed to take the oil refinery in the face of resistance from the refinery's guards and the arrival of reinforcements from the Iraqi Army's 4th Division.

On 12 June, Kurdish security forces (*Peshmerga*) took control of Kirkuk in order to protect civilians and to prevent essential infrastructure from being seized by ISIL after ISF abandoned the city. On 21-22 June, ISIL or associated armed groups took control of three towns in Anbar governorate: al-Qa'im on the border crossing with Syria, Rawa, and Anah (located on the Euphrates river north of Hit on the route to the Syrian border). This was followed on 23 June with insurgents seizing the town of Tal Afar in Ninewa governorate⁹ and its airport (which reportedly had been under attack by the Naqshbandi Front/JRTN since at least 15 June), along with the al-Waleed border crossing with Syria.

Between 25 and 29 June, the Government launched a counter-offensive to try to retake Tikrit. Shi'a militias also started to mobilise, with Grand Ayatollah Ali al-Sistani again urging Iraqis to volunteer to join the ISF to defend the country against ISIL and its associated armed groups.

On 29 June, ISIL spokesperson Abu Mohammed al-Adnani, announced the formation of an Islamic Caliphate via an audio statement posted online, at the same time rebranding ISIL simply as "the Islamic State"/*al-Dawla al-Islamiyya*. A few days later, on 1 July, ISIL leader Abu Bakr al-Baghdadi called on Muslims worldwide to obey him as the Caliph, and to come to the new "Caliphate" to defend it. At time of writing conflict is ongoing through parts of Anbar, Ninewa, Salah id-Din, Kirkuk and Diyala governorates, with terrorist attacks and other instance of violence continuing to take place in Baghdad and elsewhere.

Legal framework on the Protection of Civilians in Non-International Armed Conflict

The Government of Iraq has an obligation to ensure law and order throughout its territory. In doing so, it must abide by the international treaties it has ratified, as well as customary international law that is binding on it. This duty is explicitly recognised in the Constitution of Iraq¹⁰ at Article 8.

There is a non-international armed conflict on-going in Iraq. Parties to this conflict are comprised of the Government of Iraq and ISF (Iraqi Army and police) and other forces affiliated with the Government, fighting against a variety of armed and terrorist groups, including those operating along largely sectarian lines, most notably ISIL, *Jama'at Ansar al-Islam* ("JAI"),¹¹ the Naqshbandi Order/JRTN, *Jaysh al-Mujahidiin* ("JAM"),¹² the Islamic Army of Iraq/IAI, *Saraya al-Madina al-Munawara*,¹³ and the 1920 Revolution Brigade. Some of these armed groups fighting against the

⁹ Tal Afar is located 50 kilometres west of Mosul and some 60 km from the Iraqi border with Syria. The town has a majority Turkmen population.

¹⁰ Available online <www.uniraq.org/documents/iraqi_constitution.pdf> accessed 21 January 2011.

¹¹ JAI is an Islamic extremist group which is struggling to establish a Sunni Caliphate in Iraq. The group is opposed to ISIL's claim that it represents a state, as opposed to simply being a group, and during 2013 it was known to have been fighting against ISIL. The group is based primarily in Ninewa (Mosul), Kirkuk and Salah id-Din. The group claims to be influential in Fallujah and to be involved in Tikrit – although there are reports that ISIL members have been targeting and killing members of JAI, particularly in Mosul.

¹² The JAM is predominantly Sunni-based armed militia, which similar to the IAI, has an Islamic Iraqi nationalist agenda. The group is strictly opposed to al-Qa'eda in Iraq and ISIL, promoting *Shari'a* law but not *takfiri* practices. The group is a founding member of the *Jihad and Reform Front*, which also includes the IAI and reportedly the 1920 Revolution Brigade, although this has not been confirmed.

¹³ "The Honored City's Brigades" is a Sunni based militia that emerged in early 2004 that was opposed to the US forces in Iraq. Its main objective is the establishment of a Sunni Caliphate. The group operates 'independently' and is not officially aligned with any front or umbrella group. Following the withdrawal of US Forces in 2011, the group allegedly focused on training fighters and operations in Syria and parts of Iraq. From early 2014 the group has been fighting with ISIL and other groups against the Government of Iraq, although its activities appear to be confined largely to Anbar governorate and the areas around Ramadi and Fallujah.

Government are also involved in armed conflict among themselves or are overtly hostile to each other.

Iraq is a State party to the Geneva Conventions 1949¹⁴ and to the Additional Protocol I of 1977, but it has not acceded to the Additional Protocol II of 1977¹⁵ or the Statute of the International Criminal Court.¹⁶

Article 3 common to the four Geneva Conventions of 1949 establishes the minimum standards that all parties involved in a non-international armed conflict should observe concerning the treatment and protection of civilians, those no longer actively participating in the hostilities, and civilian objects.¹⁷ Common article 3 protects civilians through the explicit prohibition of violence to life and person (in particular murder, mutilation, cruel treatment or torture) taking of hostages, outrages upon personal dignity (in particular humiliating or degrading treatment) and the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all judicial guarantees which are generally recognised as indispensable. These acts are prohibited at any time and in any place whatsoever. Additionally, a number of norms contained in the Geneva Conventions of 1949 and Additional Protocols I and II of 1977, have reached the status of customary international law, meaning that they are binding on all parties involved in armed conflicts, international or non-international, even if the State has not acceded to the relevant convention.¹⁸

Among the most important of these principles are those of distinction (the civilian population as such, as well as individual civilians, shall not be the object of attack), proportionality (an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the direct military objective anticipated is prohibited) and the requirement to take all necessary precautions in carrying out attacks (civilians shall enjoy general protection against the dangers arising from military operations). In the conduct of armed operations, “constant care shall be taken to spare the civilian population, civilians and civilian objects” and all feasible precautions must be taken with the “view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects.” Serious violations of treaty and customary international humanitarian law may constitute war crimes.¹⁹

¹⁴ Geneva Convention (I) for the Amelioration of the Condition of Wounded and Sick in Armed Forces in the Field, opened for signature 12 August 1949, (entered into force on 21 October 1950) 75 UNTS 31 (“Geneva Convention I”); Geneva Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, opened for signature 12 August 1949, (entered into force on 21 October 1950) 75 UNTS 85 (“Geneva Convention II”); Geneva Convention (III) Relative to the Treatment of Prisoners of War, opened for signature 12 August 1949, (entered into force on 21 October 1950) 75 UNTS 135 (“Geneva Convention III”); Geneva Convention (IV) Relative to the Protection of Civilian Persons in Time of War, opened for signature 12 August 1949, (entered into force on 21 October 1950) 75 UNTS 248 (“Geneva Convention IV”).

¹⁵ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, opened for signature on 8 June 1977, 1125 UNTS 3 (“API”); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts, opened for signature on 8 June 1977, 1125 UNTS 609 (“APII”).

¹⁶ Rome Statute of the International Criminal Court, A/CONF.183/9, Adoption: 17 July 1998 (entered into force on 01 July 2002)

¹⁷ Uhler et al., *The Geneva Conventions of 12 August 1949 - Commentary: IV Geneva Convention Relative to the Protection of Civilian Persons in Time of War*, p.35.

¹⁸ ICRC, *Customary International Humanitarian Law*, ed. Jean-Marie Henckaerts and Louise Doswald-Beck (CUP/ICRC, Cambridge 2005)

¹⁹ Customary international law applicable in both international and non-international armed conflicts defines war crimes as serious violations of international humanitarian law for which there is individual criminal responsibility: see Gary D. Solis, *The Law of Armed Conflict: International Humanitarian Law in War* (Cambridge University Press 2010) pp. 301–303. See also article 8 (2) (c) (i) of the Elements of Crime, Rome Statute of the International Criminal Court. War crimes include serious violations of the laws and customs of war applicable in non-international armed conflicts (based primarily on Article 3 common to the four Geneva Conventions of 1949, their Additional Protocol II of 1977, the 1999 Optional Protocol to the 1954 Hague

Under international law binding on Iraq (and as stated in the Outcome Document of the 2005 Global Summit²⁰), States have the responsibility to protect their populations from crimes against humanity, war crimes and other international crimes, irrespective of whether they are Parties to the Statute of the International Criminal Court. This responsibility entails the prevention of such crimes, including their incitement, through appropriate means.

It should be noted that irrespective of the requirements of IHL, nothing precludes the State from prosecuting persons who illegally participate in hostilities under domestic criminal law once they cease to participate actively or are captured.

IHRL, whether treaties to which the State of Iraq is a party or which form part of customary international law also continue to apply during non-international armed conflict,²¹ including in relation to the conduct of counter insurgency/counter terrorism operations and in relation to civilians who are not taking, or who have ceased to take, an active part in the hostilities. Iraq is a party to the International Covenant on Civil and Political Rights (ICCPR)²², which requires it to respect, provide and protect the rights pronounced therein without discrimination to all persons within its territory and subject to its jurisdiction. Iraq is also a Party, *inter alia*, to the International Covenant on Economic, Social and Cultural Rights (ICESCR)²³; the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)²⁴; the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)²⁵; the Convention on the Rights of the Child (CRC)²⁶, including the Optional Protocols to the CRC²⁷; and the International Convention for the Protection of All Persons from Enforced Disappearance.²⁸ Iraq ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), by Law No. 30 of 2008, published in the Official Gazette, issue 4129 of 13 July 2009.

IHRL imposes direct responsibility on the State in whose territory and under whose jurisdiction violations take place. Iraq has the obligation to ensure that action is taken so that violations are prevented and not repeated, to punish perpetrators and to ensure an adequate remedy is provided to the victims. While non-State actors, including armed groups, cannot formally become parties to international human rights treaties, non-State actors such as ISIL and associated armed groups, which exercise *de facto* control over some areas, are increasingly considered to be bound by international human rights obligations in relation to all people within those areas.²⁹ In any case, committing certain acts, such as murder, torture, rape and sexual slavery, enforced disappearance, as part of a widespread

Convention for the Protection of Cultural Property in the Event of Armed Conflict, the 1989 Convention on the Rights of the Child, the 1994 Convention on the Safety of United Nations and Associated Personnel, the Statutes of the International Criminal Tribunals for Rwanda and the former Yugoslavia, and the Statute of the Special Court for Sierra Leone). See War Crimes under the Rome Statute of the International Criminal Court and their source in International Humanitarian Law Comparative Table, ICRC Advisory Service on International Humanitarian Law.

²⁰ United Nations General Assembly resolution A/60/1 of 24 October 2005, available online <<http://www.un.org/womenwatch/ods/A-RES-60-1-E.pdf>>

²¹ International Court of Justice, *DRC v. Uganda*, para. 216.

²² 16 December 1966, 999 UNTS 171; Iraq signed 1969, ratified by Law 193 of 1970, published in the Official Gazette, Issue 1926 of 7 October 1970, entered into force on 23 March 1976. Iraq has not signed the first optional protocol giving the right to individual petition to the Human Rights Committee nor has it signed the second optional protocol aimed at the elimination of the death penalty.

²³ Signed 1969, and ratified by Law no. 193 of 1970, published in the Official Gazette, issue 1926 of 7 October 1970, entered into force on 3 January 1976.

²⁴ Signed 1969, ratified 1970, entered into force on 12 February 1970.

²⁵ Acceded 1986, entered into force on 12 September 1986.

²⁶ Acceded 1994, entered into force on 15 July 1994.

²⁷ Ratified by Law no. 23 of 2007.

²⁸ Ratified 23 November 2010.

²⁹ International Legal Protection of Human Rights in Armed Conflict, OHCHR, 2011, at 24-27

or systematic attack directed against any civilian population, with knowledge of the attack, would constitute a crime against humanity and would give rise to individual criminal responsibility.³⁰

Given the prevailing security conditions and the nature of the conflict in many parts of the country, UNAMI recognizes the difficulties faced by the Government of Iraq in its efforts to restore law and order. Law enforcement personnel are under attack by armed groups, which also carry out attacks through suicide/IED bombings, abductions and targeted killings and assassinations, and regularly fail to properly distinguish between civilians and military objects in the conduct of their operations. Despite this, nothing permits any dilution of the duty of Iraq to comply with its obligations under applicable international human rights standards, IHL, the Constitution of Iraq, or Iraqi domestic law.

Impact of the conflict on civilians

Prior to the recent deterioration of the security situation, a sustained upsurge in violent terrorist acts, had been taking a very heavy toll of civilian lives across the country. The impact of such rapid escalation contributed to a further increase in the death toll of civilians. It also generated further injuries, physical suffering, destruction of property and livelihoods and serious impairment of access to basic, life-sustaining services. The intensifying armed violence and continuous acts of terrorism have impacted severely on Iraqi children, women and civilian men both directly and indirectly, and driven over one million civilians from their homes. The fear of violence has severely impaired civilians' freedom of movement, for example, causing many to restrict their activities outside homes or neighbourhoods and affects their ability to access workplaces and basic services, including food, water, education and health care.

The welfare, safety and protection of vulnerable groups who remain in areas affected by armed conflict or who have been displaced by it – particularly women, children, women-headed households, elderly people, people with disabilities, and members of minority ethnic, cultural and religious groups – are of grave concern.

Conflict-related death and injuries of civilians

According to UNAMI monitoring, a minimum 4,410 civilians were killed and 7,517 others wounded throughout Iraq (excluding Anbar governorate)³¹ as a result of armed conflict and acts of terrorism between 1 January and 30 June 2014.³² Of these, a total of 1,531 civilians were killed and 1,763

³⁰ A crime against humanity involves the commission of certain acts, such as murder, torture, rape, sexual slavery, persecution and other inhumane acts. The types of conduct amounting to inhumane acts largely overlap with those recognized as constituting gross human rights violations. The inhumane acts most relevant for present purposes are: extermination; murder; persecution on ethnic grounds; torture; imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law; rape and gender-based persecution; enforced disappearance of persons; other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health. The inhumane acts listed above do not amount to crimes against humanity if they constitute isolated or sporadic events. Instead, they must form part of a larger attack against a civilian population. This attack must be either widespread or systematic. An attack is widespread if it involves "massive, frequent, large scale action, carried out collectively with considerable seriousness and directed against a multiplicity of victims." *Tadic* ICTY T.Ch. II 07.05.1997, para. 468; *Kunarac* ICTY T.Ch. II 22.02.2001, para. 429. The Rome Statute of the International Criminal Court, article 7(2)(a), also requires that the attack must be directed against a civilian population and be pursuant to, or in furtherance of, a state or organizational policy. A systematic attack requires "organized action, following a regular pattern, on the basis of a common policy and involves substantial public or private resources... there must exist some form of preconceived plan or policy": *Akayesu* ICTR T. Ch.I, 02.09.1998 para. 580.

³¹ Because of lack of direct access to a range of sources in Anbar governorate, casualty figures for the governorate are not collected and verified by UNAMI but are provided by official sources. As they have not been verified according to the methodology employed by UNAMI, these figures are listed separately.

³² Wherever possible, UNAMI sought to verify the information contained in this report directly with eye-witnesses and primary sources, or via at least two independent sources. There were circumstances whereby the security situation in Iraq or other constraint did not allow this, as indicated in the text. When different sources agreed on an incident but differed on casualty figures for example, UNAMI used the most credible figure.

wounded during the month of June alone, largely linked to the upsurge in conflict from the beginning of the month in the governorates of Anbar, Mosul, Salah id-Din, Diyala and Kirkuk. June thus saw the highest number of civilians killed since 2008, when UNAMI began to keep a systematic count of civilian casualties in Iraq.

According to medical sources in Anbar governorate, a further 1,166 civilians were killed and 4,149 wounded during the same time period: of these 591 were killed and 2,040 were wounded in Ramadi; 546 were killed and 2,013 were wounded in Fallujah; and 29 were killed and 96 were wounded in al-Qa'im.³³

This brings the minimum number of Iraqi civilians killed for the first half of 2014 to 5,576 with at least 11,665 wounded.

Conflict-related displacement of civilians

As of 5 July, an estimated 1.2 million people had been internally displaced.³⁴ In Anbar governorate, approximately 550,000 people have been displaced around Ramadi and Fallujah by the conflict since January. Since the fall of Mosul in early June an estimated 650,000 more people have been displaced.³⁵ Of these, approximately 375,354 individuals (62,559 families) have been displaced from Ninewa and Salah id-Din governorates (200,628 individuals or 33,438 families (53 per cent) from Ninewa governorate; 149,280 individuals or 24,880 families (40 per cent) from Salah id-Din governorate), with the remainder coming from other governorates.

Approximately 7,000 families from Salah ad-Din, Diyala and Ninewa governorates have sought refuge in Kirkuk, most are housed in temporary accommodation or with local host families. Many have limited financial resources to support themselves and have limited access to humanitarian assistance. A further 10,000 displaced families have sought refuge in Sinjar town after being displaced by the conflict in and around Tal Afar in Ninewa governorate. The general condition of these families is reportedly dire given that the delivery of humanitarian assistance has been hindered by on-going violence and insecurity in and around the area. IDPs from Diyala, Salah id-Din and other areas also continue to arrive in Khanaqin in Diyala Governorate – with approximately 4,000 families estimated to have sought protection there – most of whom are residing with relatives or in rental houses. A number of them are also located in three camp-like settlements areas in Bahari Taza, Alyawa and the sports Stadium.³⁶

While the majority of IDPs have found shelter in their host communities, or are renting accommodation or staying in hotels, a significant number have been sheltered in public buildings, including mosques and schools. Many of these have little or no access to basic services or essential humanitarian supplies.³⁷

The Kurdistan Region Government (KRG) established two IDP camps to cater for those fleeing the conflict to the Kurdistan Region – the Gamawa IDP camp in Shekhan District, which is housing 172 families, and the Khazir Transit Camp, which hosts 550 families.³⁸ In north of Erbil, the recently

³³ Figures for Anbar may well be under-reported. Owing to the security circumstances, UNAMI has not been able to verify this information systematically.

³⁴ There are in addition 225,475 Syrian refugees in Iraq. All figures are cited from OCHA, *Iraq IDP Crisis: Situation Report No. 1* (as of 4 July 2014).

³⁵ In the days immediately following the attack on Mosul on 6 June, it is estimated that some 500,000 individuals had fled Mosul fearing for their safety. An IOM rapid assessment and response team confirmed this estimation. Of the 500,000, according to authorities in the Kurdistan Region 100,000 individuals had entered Erbil and 200,000 individuals had entered Dohuk. The remainder had relocated to Baghdad or other areas of Iraq. Additionally, it was reported that approximately 25,000 individuals had been displaced within Mosul city.

³⁶ OCHA, *Iraq IDP Crisis: Situation Report No. 1* (as of 4 July 2014)

³⁷ *ibid.*

³⁸ These figures are as at 4 July 2014 – the situation is entirely fluid with more families and individuals arriving on a daily basis while some have been relocated or left these camps.

opened Baharka Transit Camp sheltering a few families, whose basic humanitarian items, including food and other necessities, remains acute.³⁹

In areas under the control or influence of ISIL and associated armed groups, there are reports of shortages in basic life-sustaining items, including food, water, shelter, fuel, electricity, and limited access to medical care. Due to on-going violence and its effects on communication and transport routes, the delivery of urgently needed humanitarian assistance to civilians stuck in areas affected by conflict or displaced within those areas, remains difficult, particularly within areas of Anbar, Babil, Diyala, Salah id-Din, Kirkuk and Ninewa governorates.

Provision of humanitarian assistance to those displaced, including essential items such as food, water, healthcare and shelter, and provision of life sustaining support to those who remain in areas affected by conflict or who have been displaced by it, particularly of vulnerable groups, remains of paramount critical importance.

Violations committed by ISIL and associated armed groups

ISIL has previously been accused of committing gross human rights violations, including crimes against humanity.⁴⁰ During the current campaign of violence that commenced in January 2014 in Anbar governorate and later extended into other governorates in early June, ISIL and associated armed groups have carried out operations targeting ISF personnel and installations. However, they have also carried out many of these attacks in a systematic manner heedless of the impact on civilians, or have systematically targeted civilians and civilian infrastructure with the intention of killing and wounding as many civilians as possible. Targets have included markets, restaurants, shops, cafés, playgrounds, schools, places of worship and other public spaces where civilians gather in large numbers. ISIL and associated armed groups have also continued to target systematically civilians using a range of improvised explosive device (IEDs), and to perpetrate targeted assassinations (community, political, and religious leaders, government employees, education professionals, health workers, etc.), sexual assault, rape and other forms of sexual violence against women and girls, forced recruitment of children, kidnappings, executions, robberies, attacks on installations with the potential of unleashing dangerous forces, and the wanton destruction or plundering of places of worship or of cultural or historical significance.

The deliberate or indiscriminate targeting of civilians in a systematic manner, the use of civilians as shields, hindering civilians from access to humanitarian assistance or areas of safety, as well as any other acts mentioned above, constitute serious violations of IHL, IHRL, and the laws of Iraq and may amount to war crimes and crimes against humanity. Unless specifically stated, UNAMI has verified the following violations of IHL and IHRL perpetrated by ISIL or associated armed groups:

Execution/killing of civilians⁴¹/detainees/prisoners /hors de combat soldiers⁴²

On 11 June, 17 civilians who worked for the police were executed on Street 60, close to the airport in southern Mosul, Ninewa. On the same day a civilian court employee was executed in the Dawasa area (the central area) of Mosul. Another 12 unarmed men, who were believed to have been serving with ISF or the Iraqi police, were executed in Dawasa area, Ninewa.

³⁹ *ibid.*

⁴⁰ In March 2014, the Commission of Inquiry for Syria accused ISIL of committing crimes against humanity in the northern Syrian provinces of Raqqa.

⁴¹ In this report, where the status of a deceased individual as a civilian or a member of the State security forces or as a fighter from ISIL or associated armed groups, the victims is presumed to have been a civilian.

⁴² In this report, the term ‘prisoner’ is used to denote persons who have been formally convicted of a criminal offence by a properly constituted court under the Iraq’s criminal laws and are being held in prisons as part of the sentence. The term ‘detainee’ refers to persons who have been detained and are awaiting trial but have not been formally convicted or to people who have been arrested or otherwise detained, including persons detained by ISIL and other associated armed groups.

On 10 June and subsequently, UNAMI received credible reports that ISIL had established checkpoints in and around Mosul in Ninewa and were specifically targeting and executing former soldiers and police from the Jboury tribe, which they view as being associated with the Government.

UNAMI received reports that on 10 June when ISIL stormed Badush prison in Mosul, Ninewa, a number of Shi'a prisoners were executed.⁴³ On 22 June, the Minister of Human Rights issued a press statement claiming that ISIL had killed 480 Shi'a prisoners from Badush prison. UNAMI also received a report from a person claiming to be a survivor of this incident and who described in detail the alleged massacre in which he alleged that almost 400 male prisoners were killed. On 1 July, during its regular monitoring of detention facilities run by Asayish in Erbil, UNAMI met a number of former prisoners from Badush prison who had turned themselves in to the Asayish, of whom 13 claimed to be survivors of the massacre. UNAMI was able to interview six of these men. They each described the location where the executions were carried out (a valley not far from the prison), and how Sunni and Shi'a detainees were separated following which, the Shi'a prisoners were lined up and executed. They added that some detainees were able to flee and others survived by pretending to be dead under the bodies of other detainees. They said that they did not know whether the bodies were removed from the site, but they claimed that ISIL set the grass and surrounding bush on fire. The Basra office of the Ministry of Human Rights also stated to the media that more than 480 Shi'a detainees had been executed in Badush prison, since the families of 300 of them were from Basra. Confirmation by UNAMI of this incident is ongoing.

On 11 June, it was alleged that ISIL executed 30 captured policemen in Tikrit, Salah id-Din in front of civilians.⁴⁴

On 12 June, in the predominately Sunni Arab sub-district of Al Duloeyah (southern part of Salah id-Din, close to Balad), ISIL announced its intention to execute government soldiers and police. Tribal elders sought to negotiate with the ISIL leaders who had taken over the city. The ISIL leaders asked for the community to turn over soldiers and police officers from the area so that they could be executed. The tribal leaders refused and launched a counter-offensive to reclaim the city, which was accomplished within two hours.⁴⁵

On 11 or 12 June, ISIL carried out the executions of ISF members who been captured after leaving their posts in Camp Speicher in Salah id-Din. Photographs and film footage of the victims and the executions were uploaded on social media. The photos showed seven ditches (may be less from different angles) in which approximately 20-50 men (many with hands tied behind their backs) had been laid face down and who were then systematically executed. CNN, BBC, New York Times and several other major international media outlets carried the story. Within 24 hours the most offensive photos and film footage had been removed from the internet. The Iraqi army's chief spokesperson, Qassim al-Moussawi, stated that the photos were authentic and that an examination of the photos showed that about 170 soldiers were killed.

On 11 June, it was reported that ISIL executed 10 ISF members (police and army) near Riyadh and Rashad sub-districts (south of Kirkuk) while they were trying to reach their homes after leaving their military positions. This report is yet to be confirmed by another source.

It was reported that on 12 June, ISIL executed Mr. Muhammad Al-Mansuri, Imam of the Grand Mosque in Mosul, Ninewa for refusing to join the insurgents. According to several reports received,

⁴³ Badush prison held both convicted prisoners and (separately) detainees awaiting trial. Given this, UNAMI refers to 'prisoners' in reporting this incident, although the exact status of the victims as 'prisoners' or 'detainees' is unknown.

⁴⁴ There is no information whether these policemen were engaged in the hostilities or were conducting civilian policing duties. Irrespective of their status as civilians or engaged as part of the States security forces in the conduct of hostilities, the execution/killing of detainees constitutes a serious breach of IHL (a war crime) and of IHL.

⁴⁵ Currently the city is controlled by the tribal leaders, including some members of the security forces. ISIL reportedly has fled.

12 Imams from the al-Isra Mosque in Mosul would have been executed on 14 June for failing to take an oath of allegiance to ISIL.

IDPS fleeing violence in and around Tuz Khormatu told UNAMI that on 18 June, 17 Shi'a civilians (15 men, one woman and one girl) were abducted by ISIL from Pirwajli village (near to the border with Salah id-Din governorate) and their bodies were later found by ISF. Medical sources confirmed the casualties.

It was reported on 20 June that ISF recovered 45 unidentified bodies from the banks of the Tigris. Their status as civilians or members of a group involved in the current conflict has not yet been determined and the perpetrators remain unknown. It is suspected, however, that the victims might have been ISF soldiers captured in Tikrit.

On 21 June, it was reported that the Tikrit morgue received the remains of 84 males. Some were dressed partly in uniform and the remainder in civilian clothes. Claims were received that an attempt had been made to burn some of the bodies. UNAMI believes that these remains may be of the soldiers who were executed by ISIL near Tikrit in Salah id-Din on either 11 or 12 June.

It was reported on 30 June that the bodies of 20 unidentified males were found in the al-Hiramat, Musheirfat and Maqbarrat areas of Mosul, Ninewa. Reports further referred to knife wounds on the corpses.

The general morgue in Mosul reported receiving nine unidentified corpses on 3 July; on 4 July, two unidentified bodies were found in Hermat, west of Mosul, Ninewa.

Several videos have appeared on the internet, allegedly produced by ISIL that show the abduction and killing of Iraqi civilians. In one video an Iraqi policeman appears to be beheaded in his own home, while in another man was executed by the side of a road. The place of these executions has not been identified.

Rape/sexual assault

UNAMI received reports of the suicides of four women who were allegedly raped by members of ISIL in Mosul, Ninewa.⁴⁶

The Iraqi High Commission for Human Rights (IHCHR) reported to UNAMI on 17 June that it had documented 11 incidents of rape by ISIL of women in the al-Tahreer area of Mosul based on witnesses' reports from inside Mosul, Ninewa. At time of writing, UNAMI was not able to verify these allegations and requested information to be provided by IHCHR to assist in the verification.

Kidnapping

On 9 June, ISIL or associated armed groups seized 32 Turkish truck drivers and also kidnapped employees of the Turkish consulate in Mosul, Ninewa. On 3 July, the Turkish Ministry of Foreign Affairs announced the release of all truck drivers. On 4 July, five members of the protection personnel of the Turkish Consulate in Mosul were released as a result of the efforts of the Turkish Ministry of Foreign Affairs, which has been in contact with local tribes under the control of ISIL. The remaining personnel of the Consulate remained in captivity.

On 10 June 16 Georgian civilian contractors working for an Iraqi communications company were kidnapped in Mosul, Ninewa, but they were subsequently released without harm on 12 June.

On 12 June, a freelance journalist accompanying *Peshmerga* forces was captured in a clash between *Peshmerga* and fighters southwest of Kirkuk. The journalist was injured and taken into custody by ISIL and has received medical treatment. He was able to speak to family members. Negotiations are

⁴⁶ This has also been reported as four women committing suicide when their families were requested to marry them under *jihad al-nikah*, or Sexual Jihad to ISIL fighters, whereby women are temporarily married to Jihadist fighters to provide sexual services.

underway for his release. On 1 July, UNAMI learned that he remains in the custody of ISIL in Hawijah but is reported to be in good condition.

It was reported that on 15 June, ISIL had established checkpoints around Balad and Samarra in Salah id-Din and that Shi'a men were being arrested.. This remains unconfirmed by UNAMI. The number and fate of those allegedly arrested remains unknown as of 5 July.

The Ministry of Foreign Affairs of India reported on 18 June that 40 Indian nationals working for an Iraqi construction company operating near Mosul, Ninewa have been kidnapped. A Ministry spokesperson stated that no demand for ransom was received and there was no contact with the alleged kidnappers, who were not identified.

It was reported that on 19 June, Iraqi police in Kirkuk received 44 foreign workers - Turkish, Nepalese, Bangaldeshi, and Turkmenistani - working for a Turkish company in Tikrit and who had been captured near al-Door district (north of Tikrit). The workers were returned with the assistance of Arab tribal leaders who assisted in negotiation between ISIL and ISF. They were reported to be in good condition.

On 29 June, while searching for high-ranking members of ISF, ISIL reportedly kidnapped the brother of a colonel and five of his family members in Salah id-Din governorate and took them to an unknown location. Similar cases have been reported to have taken place by ISIL and associated armed groups maintaining a wanted list of ISF members and carrying out kidnappings and interrogations in order to locate them.

A journalist and his son were kidnapped in the morning of 4 July after ISIL stormed his house in the Wadi Hajar area of western Mosul, Ninewa. UNAMI also learned beginning of July that another journalist, of Egyptian nationality and living in Iraq, and his son were kidnapped by ISIL last week. UNAMI has not been able to ascertain whether both victims were targeted for reasons connected with their profession.

On 5 July, the leader of the Obaid tribe was abducted near Sus village, south of Kirkuk. The Obaid tribe had refused to pay homage to ISIL after the armed group gained control of areas in south of Kirkuk province. This report is yet to be confirmed by another source.

Reprisals

On 10 June, it was reported that former prisoners from Badush prison in Mosul, who had been freed and armed by ISIL, were searching for those they believed to have been responsible for their incarceration in order to carry out reprisals. Subsequently, former prisoners reportedly went to Tikrit where they captured and killed seven former police officers who had worked in the prison.

Targeting of civilians/distinction/proportionality/failure to take necessary precautions

On 17 June, it was reported that ISIL attacked Bashir village, south of Kirkuk, killing two civilians (a woman and a child) and injuring six more civilians.

It was reported on 24 June that ISIL and associated armed groups are searching for former members of the ISF, or those who worked with it, whose names, ages and records were reportedly on a database of individuals wanted by ISIK. Civilians who had been abducted by ISIL on 22 June reported that they were taken to the former Presidential Palace and interrogated there for several hours before being released. Additionally, on 24 June several former ISF soldiers stated that they had been interrogated in the same location and were released after it was determined that their names were not present on any list of wanted persons.

On 25 June, a suicide bomber targeted civilians in a public market in northern Kirkuk city., killing three civilians, and injuring 15.

On 25 June, an IED was detonated in a public market in the Mahmoudiya area of southern Baghdad. When first responders attended the scene, a suicide bomber detonated his explosives. 12 civilians were killed and 46 others wounded.

On 26 June a suicide bomber detonated his explosives in the Bab Duwara area of Kadhimiya, Baghdad killing 22 civilians and injuring 44.

Attacks on civilian objects/infrastructure (including places of cultural heritage or places of religious significance)

On 9 June, a suicide attack using a tanker truck equipped with explosives detonated on the area of Najjar in Mosul. According to medical services, the explosion resulted in severe damage to the Ibn Sina Hospital, as well as damaging the al-Batool Hospital, the morgue and the cancer treatment center. Reports indicate that the Ibn Sina Hospital currently has only two units functioning—the pediatrics and dialysis unit. Reports indicated that although staffing levels were described as 30-50 percent, there were no shortages of medicines.

ISIL and associated armed groups were also reported to have destroyed homes belonging to members of the Council of Representatives who had fled the city, including the house of the Governor of Mosul's father, Atheel al-Nujaifi.

UNAMI received confirmation that on 16 June, some days after taking over the city, ISIL destroyed the tomb of Ibn Al-Athir (also called “the Girl's tomb”) in the Singar area of western Mosul.

On 18 June, 12 civilians were injured when rockets fired by ISIL landed in the vicinity of the Ali al-Hadi Shrine in Samarra in Salah id-Din. There was no damage reported to the Shrine. On 30 June, the area adjacent to the Imam al-Askari Shrine in Samarra was hit by mortar rounds although the Shrine itself did not suffer any damage. Reports were received that one civilian was killed and between 14 and 23 were injured. Further information is being sought so as to determine the exact number of casualties.

On 20 June, Reuters reported that militant Sunni Islamists were destroying symbols of Iraq's cultural heritage, including the statue of Abu Tammam.⁴⁷ On 21 June, sources that had been physically present on the site reported to UNAMI that the statue of Abu Tammam was still in place. However, on 22 June reports were received that the statue had indeed been removed. UNAMI is awaiting photos to confirm. Reports were also received of the removal of the Virgin Mary statue from atop the al-Tahira Christian Church. This has been confirmed by photos and also by representatives of the Christian community.

It was alleged that on 2 July, ISIL took control of the Nabi Yunus Sunni mosque in eastern Mosul, ousting the Imam and preventing worshippers from praying in it.

On the morning of 4 July, ISIL allegedly blew up the Sunni shrine of Imam Sultan bin Asim Abdullah ibn Umar ibn al-Khattab in the Makhmour district, southeast of Mosul city. The explosion resulted in the wounding of one of those in charge of the shrine. On 5 July, ISIL posted on social media images of Sunni and Shi'a shrines allegedly destroyed and/or blown up. According to its claims, the Tomb of Sheikh Fathi and the shrine of Sufi Sheikh Ahmed Rifai were destroyed. UNAMI has yet to confirm the reported destruction of the Jawad and Qaddo Husseinayah in Tal Afar and the Al-Quba Husseinayah in Mosul.

Denial of basic rights and freedoms

Residents and other reliable sources in Mosul reported on 10 June that *Shari'a* law (*takfiri*) has been implemented in parts of Mosul controlled by ISIL, restricting rights to freedom of movement, assembly among other rights.

UNAMI received reports on 12 June that in al-Alam, northwest of Tikrit in Salah id-Din, the ISIL appointed mayor announced the imposition of *Shari'a* law, including the establishment of religious courts to punish those who do not comply or who are declared as apostates. The mayor requested citizens to come forward with complaints regarding mistreatment by those ISF who are currently in ISIL custody in the town so they may be tried and executed.

⁴⁷ See <http://www.reuters.com/article/2014/06/20/uk-iraq-security-shrines-idUSKBN0EV1JF20140620>

It was reported on 13 June that ISIL issued a document entitled “*Watheqat al Madina*” setting out the rules and regulations applicable to all persons living in Ninewa governorate, and covering all aspects of life from food to movement, employment, and religious observance. The document authorizes the execution of any persons failing to abide by the rules, destroying religious sites of other schools of thoughts or religions, and restricting severely women’s right to freedom of movement among other preoccupying regulations

Violations committed by the Government of Iraq security forces and affiliated forces

Civilian casualties/targeting detainees/ prisoners/ proportionality/distinction/failure to take necessary precautions

There are reports that ISF forces’ shelling of civilian areas of Mosul during the fighting on 6 and 8 June, resulted in a large number of civilian casualties—with claims of up to 30 civilians killed. UNAMI is yet to confirm the number of civilian casualties.

It was reported that on 10 June prior to the ISF’s abandonment of the Military Operations Headquarters in the Hay al-Danadan area of Mosul, members of ISF threw a grenade into a cell containing an unknown number of detainees (witnesses present were not able to confirm the number, nor the status of the detainees). According to a witness, ISF participated in the killing of detainees at Ninewa Operations Command. Eleven detainees were killed and fourteen others injured

On 12 June, it was reported that four Iraqi Army soldiers were traveling in a civilian vehicle from Baiji to Duloeyah, followed by two civilian vehicles traveling separately containing nine persons (including three women). While traveling on the main road, the cars reportedly encountered a checkpoint run by fighters from the Shi’a militia Asayib Al Haq (AAH), which had been establishing similar checkpoints in the area to capture and execute ISF and Iraqi police officers who they believed had fled their posts, or any individuals coming from a Sunni area. It was reported that the militia opened fire on the vehicles, killing 12 persons. One soldier escaped. Tribal leaders from Duloeyah recovered the bodies for burial.

Witnesses reported that ISF carried out executions of between 45-75 young Sunni men as ISF withdrew from al-Muqdadiya area of Diyala governorate on 13 June. Several reported that they witnessed a number of bodies near the prison compound being removed by ISF or Shi’a militias (could not identify which). UNAMI has yet to confirm this report.

It was reported on 15 June, that on 14 June, 31 detainees were executed at the al-Qalaa police station in Tal Afar by ISF when fleeing their posts shortly before the approach of ISIL. Reports state that 36 detainees were ordered to leave their cells by one officer and three policemen who then proceeded to open fire. Five detainees are believed to have survived. A picture of a number of deceased men described as having been killed in the police station later appeared online. UNAMI received later reports from witnesses who alleged that in fact up to 50 prisoners had been killed. Witnesses also stated that the remains of the murdered men were transferred to Mosul by ambulance.

It was reported on 16 June, that the bodies of three Sunni men allegedly kidnapped on 12 June by AAH were found in the Saydiya area of Baghdad.

It was reported that between late evening of 16 June and early morning of 17 June there was an attempt by ISIL to storm the al-Wahda police station in the Qatoon area of Diyala. The ISIL attack was repelled. After the attack, it is reported that members of AAH entered the station and executed 48 detainees, all Sunni, who had been detained recently mostly for terrorism offences. Whether ISF participated in the killings or failed to prevent it remains to be determined. The Ministry of Interior has not yet responded to UNAMI requests for additional information.

It was reported on 21 June that a woman was killed and five persons injured, including a female child, during the ISF shelling of the village of al-Duloeyah in Salah id-Din governorate. The shelling involved artillery and helicopters.

It was reported that on 24 June, Syrian military aircraft reportedly bombed suspected ISIL targets in Iraq close to al-Qa'im and also in ar-Rutba. Reports from al-Qa'im claim that 40 civilians were killed and 93 injured, and from ar-Rutba 17 civilians were killed and 45 were injured. UNAMI is yet to confirm the number of civilian casualties.

Reports were received that ISF air strikes in areas near the Baiji refinery carried out on 24 and 25 June resulted in the killing of at least 25 civilians and the wounding of 40. Initial reports are that the air strikes were carried out by rotary wing aircraft and not fixed wing. The type of munitions used is not yet known. Later on 30 June, reports were received that ISF air strikes in Baiji resulted in the killing of six civilians and the injuring of 13 others. On 24 and 25 June ISF air strikes in the same area killed at least 25 civilians and injured 40 others.

On 25 June, an air strike reportedly carried out by Syrian air force jets bombed suspected ISIL sites in al-Baaj district of Ninewa governorate. Four civilians were reported killed, including one child, and seven others injured, including one child. Iraqi Government officials initially claimed that attacks in the area were carried out by United States (US)' drones, which was denied by the US Government.

On 27 June, ISF helicopters fired upon buildings of the Tikrit University Hospital. One civilian was killed and four were wounded. It is not known if the attack was intentional.

On 30 June, ISF air strikes in al-Sharqat, north of Tikrit has allegedly killed several civilians. The Salah id-Din Operations Command stated to the media that the attack was intended to target a gathering of ISIL in the Mayor's office, a number of reports indicated that civilians had also been killed and injured as a result of the air strike. UNAMI is yet to confirm the number of civilian casualties. On 1 July, ISF-fighter planes bombed three areas of Mosul. In Ghabat, north Mosul, a missile ignited a fire in the area. When the Civil Defense rushed to the area to try to extinguish the fire, another missile targeted the area, killing a member of the Civil Defense and injuring another. Two civilians were killed and one injured in another attack that struck an appliance store in Khalid Bin Walid Street, central Mosul. The third attack in Lagash area, central Mosul, did not reportedly cause any casualties.

Reports were received that on 4 July, ISF air strikes in al-Awja (where) wounded 12 civilians and in Sharqat (where) killed five more.

On 4 July, ISF air strikes in Hawijah killed five civilians and wounded ten more.

On 3 July, ISF shelled with artillery some neighbourhoods of Fallujah, killing nine civilians and wounding 23.

Reports were received that ISF were not allowing civilians to depart Mosul before they themselves fled on 9 June. Additional reports indicate that ISF fired shots above the heads of civilians approaching the checkpoints to force them back in the city.

On 4 July, according to multiple sources, the Kirkuk local security authorities refused citizens of different districts, sub-districts and villages, within the Kirkuk governorate permission from entering Kirkuk city for security reasons. Citizens, whose identity cards referred to areas currently controlled by ISIL, such as Hawijah, Riyath, Abbasi, and Rashad, were prohibited from entering the city. The authorities have also banned trading and selling goods, especially food items and fuel to civilians from mentioned areas.

Attacks on civilian objects/infrastructure (including places of cultural heritage or places of religious significance)

On 21 June, nine IDP families from Jalula reported that their homes had been burned by Shi'a militiamen in revenge for their families allegedly being sympathizers of ISIL.

Arbitrary arrest/detention/kidnapping

Sources in al-Zubair and Abu Khaseeb (Sunni areas of Basra) told UNAMI that the authorities had arrested large numbers of people since the crisis in the north began. Some of those arrested were

released within a day and some were held for longer. The perception amongst the Sunni community is that authorities are arresting people for no other reason than the fact they are Sunni.⁴⁸

On 23 June, armed men reportedly raided houses in a Sunni area of Fao district in Basra governorate and abducted 14 young men from their homes. The men were blindfolded, forced into vehicles and taken to an unknown location, where they were ill-treated while being questioned about their attitude to ISIL. All were released after two days and some of them left Iraq. In the last week of June, at least 18 Sunni families sold their property and left central Basra and Fao, Abu Khaseeb and al-Zubair districts, as a result of direct and indirect threats. This has yet to be confirmed by a second source.

Implementation of judicial capital punishments

On 3 July, after almost three months of no executions, the Ministry of Justice resumed implementing the death penalty and executed four Iraqi men, all of whom had been convicted of terrorism. The total number of executions carried out by the Ministry of Justice in 2014 had reached 56 by 5 July. All those executed were male and nearly all of whom had been convicted of offences under the Anti-Terrorism Law no. 13 of 2005.

Armed violence

It was reported that four civilians were injured in clashes in Karbala on 1 and 2 July between ISF and followers of the Shi'a cleric Mahmoud al-Sarkhi. Reports were received that seven members of the ISF were killed and 35 injured, while 50 militants loyal to the cleric were killed and 300 arrested. The casualties and the number of persons arrested have not been verified. It is alleged that ISF went to arrest the cleric after his supporters blocked roads and manned checkpoints around his neighborhood in Karbala. Other clashes between followers of the cleric and the police took place in different areas of Qadissiya governorate, killing 14 policemen.

Violations and abuses committed by unknown perpetrators

Illegal checkpoints

It was reported from 15 June that illegal checkpoints had been established in several districts in Baghdad, including Karrada, Hurriya and central Baghdad. Sources in predominantly Shi'a neighborhoods report that they were witnessing vehicle convoys of well-armed Shi'a militiamen parading through their neighborhoods several times a day. It was also reported that the availability of basic foodstuffs and necessities has become scarce, and that prices have doubled. Gasoline remained available.

Execution/killings

On 15 June, fisherman in southern Tikrit, Salah id-Din found the bodies of five unidentified men in a river. Each man had been shot in the back of the head. The perpetrators remain unknown.

It was reported that on 16 June, Iraq police found the bodies of four men in the Bnouk area of Baghdad. A;; man had been shot in the back of his head. The police found four other men killed in the same manner the area of Baladiyat on the same day.

It was reported that on 18 June, Iraqi police found the bodies of four men in the Abu Dsheer district of Baghdad. All four men had been shot in the back of the head.

On 19 June, Omayya Naji Jubara, an unofficial advisor to the Governor of Salah al-Din was reportedly killed in the fighting between ISIL and ISF. Although the incident has been widely reported in the media, UNAMI has yet to confirm its veracity.

⁴⁸ UNAMI has been in contact with numerous sources within the Sunni communities of the main two districts where Sunnis live in Basra (al-Zubair and Abu Khaseeb) and can report that no Sunnis have been killed or suffered physical violence since the crisis began. UNAMI has also contacted Sunni communities in the other three governorates but has not received any reports of killings or persecution.

It was reported that on 19 June, Iraqi police in the Abu Dsheer district of Baghdad found the bodies of four men with gunshot wounds. On 21 June in Zafaraniyah, the bodies of two men were also found with shot in the back of the head.

On 23 June Iraqi police found the remains of three men, one each in Husseiniyah (north Baghdad, majority Shi'a), al-Mashtal (northeast Baghdad, majority Shi'a with Christians), and the Canal Street area (northeast Baghdad, majority Shi'a with Sunni and Christian areas). All three men died of gunshot wounds.

On 24 June Iraqi police found three groups of remains of men who had died from gunshot wounds to the head. A group of four was found in al-Shaab (northeast Baghdad, majority Shia), a group of three in al-Aamel (southeast Baghdad, majority Shi'a), and two in al-Madain (southeast Baghdad, majority Sunni).

On 25 June Iraqi police found the remains of one man in the Shula area (northwest Baghdad, primarily Shi'a area).

On 23 June, a convoy of prisoners from Hilla Jail was reportedly attacked while being transferred south to the al-Hashimiya area. It was reported that some 72 prisoners were killed. Contradictory versions of events have been received regarding who was responsible for the killings. One version states that ISIL knew of the transfer and attacked to free the prisoners, while another (reported by the New York Times quoting four security sources) is that ISF accompanying the convoy executed the prisoners as retaliation for the killing of ISF soldiers in Tikrit the week before. Families of the victims demonstrated outside the Babil Hospital demanding the return of the remains of their relatives. Neither version of events, nor the number of prisoners killed, has been verified by UNAMI at the time of writing.

On 26 June it was reported that the bodies of two men were found in southern Kirkuk city. Both men had died from gunshot wounds and were found with their hands bound and blindfolded.

On 1 July the remains of two men were found in al-Shura district, south Mosul. One of the men had been blindfolded and handcuffed before being executed by gunshots to the head and chest.

On 1 July Iraqi police found the remains of one man in the Bayaa area (southwest of Baghdad, majority Shi'a area).

On 1 July Iraqi police found the remains of four men who had died of gunshot wounds to the head. Two were found in Hurriya (north Baghdad, majority Shi'a) and two in Sadr City (east Baghdad, majority Shi'a area).

On 3 July, unverified reports indicate that 12 bodies (including those of 5 women and 2 children) with gunshot wounds were found on a road southwest of Tikrit, in Salah id-Din.

On 5 June Iraqi police found the remains of two men, who died of gunshot wounds to the head, in Yousufiya (southwest Baghdad, majority Sunni area). UNAMI learned that they were technicians employed with Yousufiya Electricity, and that both were Sunni.

Inter-sectarian violence

On 17 June it was reported that small clashes had broken out between Sunni and Shi'a groups in the neighborhoods of Shoula and Ghazaliyah. The former is predominantly Shi'a and the latter Sunni. No information was available regarding civilian casualties. UNAMI is following up for additional information.

Kidnapping

It was reported that during the evening of 19 June, a Sunni Imam was abducted by unknown gunmen in Baghdad. In the same evening, two Sunni men were abducted in Zayouna district in Baghdad. On 21 June, it was reported that another three men had been abducted by armed men in the Zayouna area of Baghdad.

Targeting of civilians/distinction

On 15 June, it was reported that several mortar rounds impacted a residential area in the city. Five civilians were killed and 35 wounded. No information on the perpetrators is available.

On 18 June, it was reported that fighting between ISF and ISIL over control of three villages in the Amerli area in the southern part of Tuz Khurmatu district in Salah id-Din resulted in the deaths of 20 civilians. It was also reported that civilians in this area fled towards Kurdish *Peshmerga* controlled areas for safety.

It was reported on 22 June, that nine male members of the same family, including a fifteen-year-old boy, were killed during the fighting in the Ayadiya area of Tal Afar district. The remains were transported to Mosul.

On 23 June, unknown gunmen stormed a house in the Tarmiyah (completely Sunni district) of Baghdad and killed six members of a family, including the parents, three children and one woman.

On 1 July, unknown gunmen stormed a house in the Rahmaniya district (central Baghdad, majority Shi'a area), killing a man and his wife and injuring their child.

On 4 July, unidentified gunmen stormed a house in the al-Madain (mixed Sunni/ Shi'a area) district of Baghdad and killed six members of a family, including a woman and two children. Reports indicate that it was a Sunni family.

On 5 July, one vehicle rigged with explosives was detonated near a restaurant in Bradhe'iya area and another one in Istiqlal Street in central Basra killing altogether five and wounding 10.

Effect of conflict on vulnerable groups

As noted, of particular concern is the situation of groups at risk—including women, women-headed households, children, people with disabilities, elderly persons, and members of minority cultural, religious and ethnic groups – in areas affected by the conflict.

UNAMI has grave fears for the safety and well-being of members of these groups who may be trapped in areas affected by conflict and who may not be able to leave those areas or may face increased difficulties in accessing basic humanitarian assistance. Unfortunately, UNAMI has not been able to obtain credible, concrete information on the violations committed against many of these vulnerable groups within areas affected by conflict.

Attacks on minority groups

Members of Iraq's diverse religious, cultural and ethnic minority groups have come under direct attack by ISIL and associated armed groups – particularly non Sunni populations. Thousands of members of minority groups have been displaced from the places of residence in Anbar, Ninewa, Diyala, Salah id-Din and Kirkuk governorates faced with persecution and direct targeting by ISIL and associated armed groups. The imposition of misinterpretations of *Shari'a* law (particularly *takfiri*) by ISIL and associated armed groups within areas under their control does not bode well for the respect and protection of the rights of members of minority groups within those areas. Many of the minority groups could face dire consequences given ISIL's past attitude and behavior concerning members of non-Sunni religious groups or those not conforming to their strict interpretation of Islam.

While the following reports are not comprehensive, they are indicative of the violations experienced by members of minority groups in areas affected by conflict or under the control of ISIL and associated armed groups.

Attacks on the Shabak community

On 6 June, five civilians were killed and 42 wounded when two suicide bombers targeted a Shabak village in Eastern Mosul.

Information was received from Shabak IDPs from Mosul that on 13 June two members of the Shabak community were arrested and executed by ISIL. They also claimed that their community was being targeted.

On 19 June, three male Shabak civilians were abducted by ISIL in the Jazeer area of Mosul. On the following day, the bodies of two of the men were found. The remains of the third man were found on 21 June. Reports state that the bodies of the men all bore signs of torture.

On 21 June, two brothers (Shabak) were abducted from Bazwaya village in Mosul district by ISIL. Additionally, in the same village four more male members of the Shabak community were abducted by ISIL on 23 June. The current whereabouts and status of the six men is not known.

On 23 June UNAMI received allegations that members of the Shabak community abducted by ISIL were being referred to Shari'a courts in Mosul to be judged as apostates. No information was available regarding the outcome. These reports have not been verified.

On 27 June three male Shabak civilians were kidnapped by ISIL when it attacked the village of Tubruk Zeyara. On the next day, the bodies of the three men were found on the main road through the village.

On 2 July, ISIL entered the Omar Khan village in the Nimrod area of southern Mosul district and went door to door looking for persons on a list of Shi'a Shabaks who had worked with ISF. ISIL kidnapped around 40 members of the Shabak community and at least one Turkman Shi'a, stole cattle and vehicles, damaged the Ahmed Idrees mosque (Shi'a) and set fire to the Imam Abbas shrine (Shi'a). On 3 July, ISIL went back to the village and blew up what remained of the shrine. Reports were also received that the majority of the residents of the village fled to the Ninewa plains.

Attacks on the Turkmen community

On 21 June, NGOs reported to UNAMI that ISIL had abducted 25 Turkmen from al-Shamsayad village in Hamdani district. Their whereabouts and current status are unknown. This has yet to be verified.

On 24 June a Turkmen was kidnapped in Kirkuk. No information on the perpetrators is available.

On 24 June, it was reported that ISIL attacked the majority Turkmen villages of al-Qubba and Shrekhan and abducted 50-60 males. ISIL subsequently released twenty of the men as they were Turkmen Sunni and took the remaining men to an unknown location. Additionally, it was reported that ISIL had destroyed two shrines in Shrekhan village. Another report was also received that 25 civilians were killed during the attack.

On 24 June, two prominent Turkmen community leaders were assassinated in Kirkuk city. Mr. Muneer al-Qafili, the chairman of the Kirkuk City Council was killed when gunmen opened fire on his vehicle. Mr. Fatih Mahmood Shaker, a member of the Tribal Elders and Council of Turkmen was also killed when unknown men entered his house and stabbed him to death.

Attacks on the Yezidi community

On 20 June, ISIL kidnapped three male members of the Yezidi community from the Baashiqqa area of Mosul. Two of the men were released on 29 June after they had been brought before a *Shari'a* court. The third man was released on 2 July after having been referred to the same court. No further information is available at the moment on the functioning of these courts and none of the three men have agreed to describe their experiences to UNAMI. Additionally, several Yezidi families whose members have been taken by ISIL reported to UNAMI that they received demands for ransom to be paid to release their relatives otherwise they would be killed. In one case, the amount demanded for release was US\$50,000.

On 28 June, it was reported that ISIL kidnapped 24 Yezidi civilians from Sinjar, west of Mosul. This report has not been verified.

Attacks on the Christian community

UNAMI received reports that on 10 June a Christian church in the al-Wahda neighbourhood of Mosul had been burnt down by ISIL, and it was reported that a number of other churches within the city were looted.

Reliable sources stated that there had been no burning of other churches by ISIL in areas under its control. Reports suggest that one church had been damaged previously due to fighting but it had not been set alight. However, sources from the Christian community within Mosul claim that looting of the homes of some Christians who had fled had occurred.

It was reported on 30 June that ISIL took control of the Chaldean Catholic Church in the al-Shurta area of northern Mosul to use as a base and planted their flag atop the church. On 30 June, ISIL took over the Syriac Orthodox Church in the same area of the city.

It was reported that on 28 June, two nuns and three orphans (a boy and two girls) left al-Qosh sub-district toward their church in the Khazraj area of western Mosul. They did not arrive at their destination and all attempts to contact them have failed. Media reports have stated that ISIL is suspected of kidnapping them, but this has not been verified.

Children

Children have been disproportionately affected by the current conflict. In all conflict-affected areas, child casualties due to indiscriminate or systematic attacks by armed groups and by Government shelling on populated areas have been on the rise. Credible information on recruitment and use of children as soldiers was also received and the United Nations has started documenting cases despite the sensitivity of the information and fears of families. Children are recruited by armed opposition groups, including ISIL and associated armed groups, and used as informants, for manning checkpoints and in some cases as suicide bombers. On the other hand, children are also increasingly being recruited by militias from all sides, including those supported by the Government. These recruitments happen in all conflict affected areas, as well as in Baghdad. Witnesses, including United Nations staff members, have spotted children used by various armed groups and militias fighting in the country, mostly for manning checkpoints. Witnesses have reported seeing armed children wearing uniforms or parts of uniforms.

UNAMI has received credible information that children between the age of 13 and 18 years were ‘voluntarily’ joining fighting forces on both sides and in all areas affected by the conflict (particularly in Mosul, Fallujah, Ramadi, Tikrit, Samarra and Baghdad). The general allegation was confirmed by reliable sources and IDPs from Mosul, but could not be confirmed with specific cases at this stage. Children were spotted in the Hurriya area of Baghdad patrolling with militia convoys. Information was also received that unidentified armed groups have been abducting boys aged 13 to 18 years in conflict areas, stating that it is the duty of all men (sic) to perform *jihad*. Due to the sensitivity of this information, verification of these incidents remains pending.

There are also growing concerns about access for children to basic services, including medical assistance, with hospitals being damaged by the conflict or not accessible due to security. Access to education will also be a concern when classes resume. Significant gaps remain in the access to education for IDP children. Large numbers of children have been out of school because they must work to support their families, lack proper documentation to register in their area of displacement, cannot afford school supplies, schools are too far away to attend, and/or the schools lack the capacity to take in additional students. For some young girls, cultural reasons as opposed to financial underpin their families’ wish that they not continue schooling.

Women

In addition to the attacks on women mentioned above, including allegations of rape by ISIS fighters, women face specific vulnerabilities in the current crisis. The imposition by ISIL of its particular interpretation of *Shari’a* law in areas under its control does not bode well for the

respect and protections of the rights and security of women. Single women and female heads of households are particularly vulnerable to threats of sexual and other forms of physical violence, killing, and impaired access to already limited humanitarian assistance.

Lack of economic security for IDPs has a disproportionate impact on women and girls. Economic insecurity at the household level continues to contribute to domestic violence and sexual exploitation, as women and girls may be forced to resort to exploitative measures such as forced and early marriage, survival sex or establishing sexual relationships with those in power. Living in extremely overcrowded conditions also continues to give rise to protection concerns including harassment and all forms of exploitation. Finally, there are concerns about alleged restrictions at checkpoints to enter the Kurdistan Autonomous Region for women and girls unaccompanied by males that are preventing or hindering them accessing safety.

Conclusions and Recommendations

The conflict in Iraq is exacting a terrible toll on civilians. Everyday scores of Iraqi men, women and children are being displaced from their homes by the violence, or are suffering the direct effects of the violence through deaths, injuries, destruction of livelihoods and essential civilian infrastructure. The conflict has led to over 1.2 million internally displaced Iraqis, and to a high number of civilian casualties. Subjected to violence and abuse, with no safe places, refugees and displaced persons often live in under-resourced camps in deplorable conditions. Providing effective physical and appropriate material support to the displaced is a continuing challenge. The combined effect of insecurity, inadequate resources, weak government capacity, and constraints from the prevailing political situation, has created a crisis of displacement.

UNAMI is concerned about the extreme vulnerability of civilians caught in the cross-fire or targeted in direct, systematic attacks carried out by terrorist and armed groups, or trapped in areas under ISIL control, in particular vulnerable groups, minorities, women, children, persons with disabilities and the elderly. Humanitarian access and safety of humanitarian personnel remains a serious concern with the unpredictable nature of ISIL and associated armed groups creating an unstable environment that hinders access and the delivery of humanitarian assistance to civilians in need. Such insecurity also compromises the ability of civilian populations to access essential services, such as healthcare and education. Reports indicate that medical doctors and nurses have fled areas directly affected by conflict, including Mosul, Tal Afar, Tikrit and other areas, fearing reprisals by armed groups. This has further severely limited the delivery of health services for civilians in need.

All parties to the conflict appear to be committing violations of international law that could give rise to individual criminal responsibility. In particular indiscriminate and systematic attacks by ISIL and associated armed groups against civilians may amount to war crimes and crimes against humanity. Also the ISF and affiliated forces have reportedly committed extrajudicial killings, and at times to have carried out military operations without due respect for the principles of proportionality, distinction and the obligation to take all necessary precautions to protect civilians from the effects of violence, which may also amount to war crimes.

As a matter of urgency, UNAMI recommends the following:

1. All parties to the on-going armed conflict must strictly comply with applicable international humanitarian law and human rights law. They must take all feasible precautions to spare civilians from the effects of hostilities, to respect, protect and meet the basic needs of civilian populations.
2. All acts of violence or abuses committed against civilians in violation of applicable international humanitarian law and human rights law must cease immediately.
3. The Government of Iraq is under an obligation to investigate effectively, promptly, thoroughly and impartially any alleged violations of international human rights law or international humanitarian law, and where appropriate, prosecute those who are responsible for such acts (particularly if such acts amount to international crimes). Furthermore, violations of international human rights law and international humanitarian law give rise to a right of victims to an effective remedy, which includes

the right to equal and effective access to justice and adequate, effective and prompt reparation for the harm suffered.

4. The international community, including the Human Rights Council, should remain engaged in closely following the situation with a view to ensuring that perpetrators of gross violations of human rights law or serious violations of international humanitarian law are held accountable.

5. In carrying out armed operations, all parties to the conflict must exercise utmost restraint to ensure that civilians are protected from violence.

6. All parties to the armed conflict and other relevant actors must refrain from, and take the necessary measures to prevent and respond to, the displacement of the civilian population.

7. All parties must ensure that civilians are protected, that they have unhindered access to medical facilities and humanitarian assistance, and that they are able to safely and with dignity leave areas affected by violence.

8. All parties must agree to and facilitate relief operations that are humanitarian and impartial in character and to allow and facilitate rapid and unimpeded passage of relief consignments, equipment and personnel. They should also respect and protect humanitarian workers and facilities.

9. Iraqi political leaders must use every opportunity and urgently achieve a substantial and effective resolution of the crisis. An inclusive solution must be found that allows for those displaced by the fighting to safely and in dignity to return to their homes. Political leaders must also work towards national reconciliation, accountability, including equal treatment and representation for all communities within political processes.

10. Fighters should be discouraged from becoming involved in the Syrian conflict. This must include increased efforts to restrict the movement of weapons and civilian fighters across the Iraqi-Syrian border.

END

REPORT ON THE PROTECTION OF CIVILIANS DURING THE NON INTERNATIONAL ARMED CONFLICT IN IRAQ: 5 JUNE TO 5 JULY 2014

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Baghdad Iraq

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