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AT ANY COST

THE CIVILIAN CATASTROPHE IN WEST MOSUL, IRAQ

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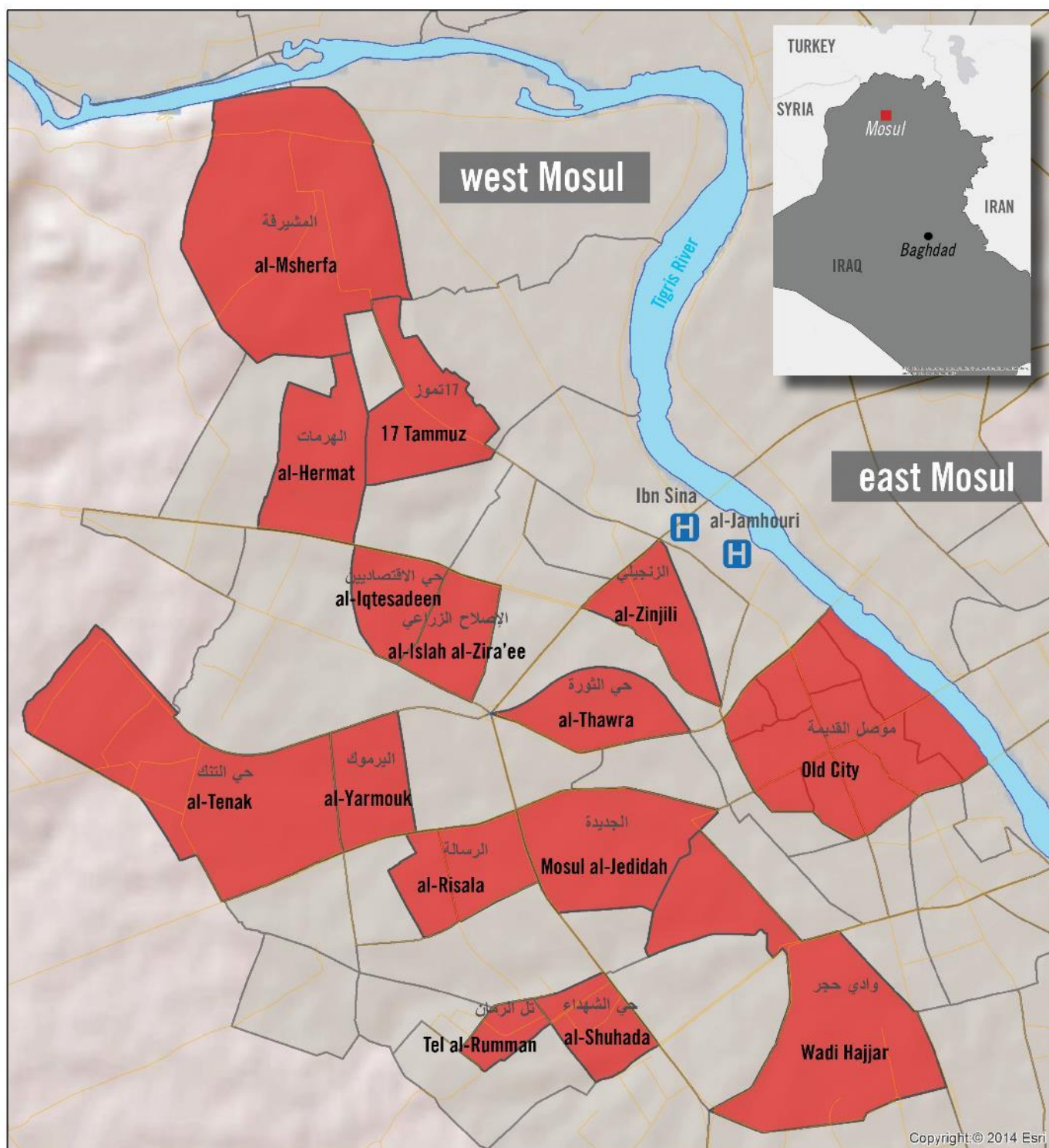
Cover photo: *Civilians fleeing from Mosul, Iraq in March 2017* © Amnesty International

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- Neighbourhoods referenced in the report
- H Selected hospitals
- Major roads

Data sources:
 OCHA/UN-Habitat
 Wikimapia
 OCHA Iraq



EXECUTIVE SUMMARY

“Our city is in ruins. They have treated us like we are absolutely nothing.”

Ayman, west Mosul resident

The battle for west Mosul has caused a civilian catastrophe. Civilians have been ruthlessly exploited by the armed group calling itself the Islamic State (IS), which has systematically moved them into zones of conflict, used them as human shields and prevented them from escaping to safety. They have also been subjected to relentless and unlawful attacks by Iraqi government forces and members of the US-led coalition. Residents of west Mosul count themselves lucky if they escape with their lives.

In March and May 2017, Amnesty International visited northern Iraq to research violations of international humanitarian law and human rights abuses by all sides to the conflict in west Mosul. In visits to west and east Mosul, as well as to several camps in Ninewa and Erbil governorates hosting people who had fled the fighting, Amnesty International interviewed 151 west Mosul residents. All of these residents were civilians; 44 were women, 105 were men, and two were under the age of 18. Amnesty International also interviewed doctors and other medical workers, international and national humanitarian workers, journalists, military and arms experts and United Nations officials.

On 21 and 22 June 2017, Amnesty International communicated the key findings detailed in this report in two letters: one addressed to Iraqi Minister of Defence Irfan al-Hayali and the other addressed to US Secretary of Defense James Mattis. No responses had been received as of 1 July 2017, when this report was finalized.

Based on its research, which covers events from January to mid-May 2017, Amnesty International concludes that IS committed serious violations of international humanitarian law, including war crimes. Iraqi government and US-led coalition forces appear to have committed repeated violations of international humanitarian law, some of which may amount to war crimes.

VIOLATIONS COMMITTED BY IS

During the battle for west Mosul, IS has flagrantly violated fundamental rules of international humanitarian law, including by deliberately putting civilians in harm's way to shield their fighters and impede the advance of Iraqi and coalition forces. Beginning in October 2016, IS rounded up thousands of civilians in contested villages and neighbourhoods and forced them to move directly into zones of conflict in west Mosul. This systematic campaign of forced displacement allowed IS to use an ever-greater number of civilians as human shields as their territory contracted. The armed group then prevented civilians from evacuating, in some cases trapping them inside their homes by welding their doors shut or by rigging the entrances with booby traps. IS also summarily killed hundreds, if not thousands, of men, women and children as they attempted to flee and hanged their bodies in public areas. According to west Mosul resident “Hasan”: “We did not have

any options. If you stayed, you would die in your house from the fighting. If you tried to run away, they would catch you and kill you, and hang your body from the electricity pylon as a warning. Four of my neighbours were caught trying to escape, and I saw them hanging... They were left for days.”

Consequently, as IS lost territory during the course of the battle for west Mosul, the areas it still controlled became increasingly crowded with civilians. In interviews with Amnesty International, Mosul residents regularly described sheltering in homes with relatives or neighbours in groups of between 15 and 100 people. IS also regularly denied medical care to civilians and prevented their access to the stockpiles of food its fighters had gathered. Civilians under IS control were left with only one chance of escape: directly through the front lines of the battle. West Mosul residents described desperate flights from their homes to areas controlled by Iraqi forces, doing all they could to avoid the air strikes, mortars, artillery attacks and gunfire that surrounded them.

VIOLATIONS COMMITTED BY PRO-GOVERNMENT FORCES

IS tactics and violations created particular challenges for pro-government forces in terms of civilian protection in west Mosul. Iraqi government and US-led coalition forces failed to adequately adapt their tactics to these challenges – as required by international humanitarian law – with disastrous consequences for civilians. Starting in January 2017, Iraqi government and US-led coalition forces (referred to in this report collectively as pro-government forces) carried out a series of unlawful attacks in west Mosul. Pro-government forces relied heavily upon explosive weapons with wide area effects such as IRAMs (Improvised Rocket Assisted Munitions). With their crude targeting abilities, these weapons wreaked havoc in densely populated west Mosul, where large groups of civilians were trapped in homes or makeshift shelters. Even in attacks that seem to have struck their intended military target, the use of unsuitable weapons or failure to take other necessary precautions resulted in needless loss of civilian lives and in some cases appears to have constituted disproportionate attacks. “Faisal” from al-Msherfa, expressed outrage with pro-government forces’ tactics: “Did they [pro-government forces] try to hit IS targets? IS was with you, in your house.”

The true death toll of the west Mosul battle may never be known. Firmly attributing responsibility for attacks has proved challenging for monitoring groups tracking civilian casualties in west Mosul. However, according to Airwars, one such monitoring group, between 19 February and 19 June 2017, attacks launched by Iraqi and coalition forces may have caused the deaths of as many as 5,805 civilians. Even this figure may be an underestimate, as it has been difficult for monitors to record deaths and injuries due to the intensity of the fighting and the fact that IS has banned the use of mobile phones in areas under its control. For this report, Amnesty International investigated and documented 45 attacks in west Mosul that it had reasonable grounds to attribute to Iraqi government or US-led coalition forces. These 45 attacks alone killed at least 426 civilians and injured more than 100.

Pro-government forces failed to take feasible precautions to protect civilians during the battle for west Mosul. They did air-drop leaflets into IS-controlled areas of the city instructing civilians to stay away from IS. Yet these warnings were so difficult to heed that they were ridiculed by west Mosul residents. People had no control over where IS moved. Instead, they were often held hostage in their own homes or neighbourhoods. Moreover, IS threatened to kill those who read or even picked up these leaflets.

If military planners were unaware of the likely civilian toll of the west Mosul operation before it began, it would have become evident after the first weeks of the operation. It was pro-government soldiers, after all, who assisted in countless front-line rescues, digging bodies out of collapsed buildings, separating the injured from the dead and arranging the transport of thousands to medical facilities nearby. Despite this, pro-government forces failed to adequately adapt their tactics in order to effectively protect civilians. They continued to rely upon imprecise, explosive weapons, ignoring the ever-growing toll of civilian death and injuries. In such a densely populated urban environment, military planners should have taken extra care in targeting and their choice of weapons to ensure that attacks were not unlawful.

RECOMMENDATIONS

In west Mosul, as IS escalated its campaign of abhorrent violations against civilians, pro-government forces failed to adequately protect civilians, carrying out attacks that appear to have been disproportionate or indiscriminate, killing and injuring thousands of civilians and destroying homes and infrastructure.

Amnesty International calls on IS to end the practice of using civilians as human shields and to stop forcibly moving civilians into the battlefield and preventing their evacuation. Amnesty International calls on pro-government forces to cease the use of explosive weapons with wide area effects – including artillery, mortars and IRAMs – in densely populated areas, in accordance with international humanitarian law which prohibits indiscriminate and disproportionate attacks and requires parties to a conflict to take all feasible precautions to minimize harm to civilians. Pro-government forces must do all they can to ensure the safe evacuation of civilians from the city. Members of the US-led coalition and the Iraqi government must conduct independent and transparent investigations where there is credible information that violations of international humanitarian law have taken place, prosecute those reasonably suspected of responsibility for war crimes in fair trials, and ensure that victims of violations and their families receive full reparation.

2. METHODOLOGY

This report is based on field research in northern Iraq carried out between 14 and 19 March 2017 and between 2 and 16 May 2017. It covers events in west Mosul from January to mid-May 2017. Amnesty International conducted research in west and east Mosul and in camps hosting people who had fled violence in Mosul after February 2017. These camps, located in Ninewa and Erbil governorates and between 22km and 69km away from Mosul, included Chamkour, Jedaa, Haj Ali, Hamam al-Alil and Hasan Shami.

Three Amnesty International researchers interviewed a total of 151 west Mosul residents for this report. All of these residents were civilians; 44 were women, 105 were men, and two were under the age of 18. Interviews were carried out on a one-to-one basis when possible and otherwise in small groups. Camp or local authorities were not present during interviews. Amnesty International sought out interviewees who had left west Mosul after February 2017. Within this pool it carried out interviews based on random selection. The majority of interviews were conducted in Arabic, with some conducted in English or using English-Arabic translation.

Amnesty International interviewed seven doctors and other medical workers at three medical centres, including a field clinic in west Mosul, a field hospital in Ninewa governorate and a hospital in Erbil, in the Kurdistan Region of Iraq (KR-I). Amnesty International also interviewed international and national humanitarian workers, journalists, military and arms experts and United Nations officials operating in and around Mosul.

Amnesty International reviewed reports from UN agencies, international NGOs, local monitoring groups and the media. Amnesty International also reviewed statements from the Iraqi government and the US-led coalition on the Mosul operation, including documents and oral statements made by government spokespeople. To corroborate the specific attacks and broader patterns documented in this report, the organization examined and analysed satellite imagery as well as photo and video material. Some of this photo and video material was provided to the organization on a confidential basis by sources within the humanitarian community and the UN and some was publicly available. Amnesty International also sought to verify all available audiovisual material uploaded onto open source media that captured events described in this report. Very little audiovisual material was available, however, because IS banned the possession of mobile phones in Mosul.

Most of the interviewees in this report are referred to by their first name only, following requests by the interviewees. Several asked for their names to be withheld completely, either to protect their own safety or the safety of their family members. In these cases, Amnesty International has included their testimonies but their names have been changed. These names appear in quotation marks. To preserve the anonymity of the witnesses, the locations of the interviews are generally not specified.

Iraqi government forces were assisted in their efforts to re-establish government control in Mosul by an international coalition led by the USA. In Mosul, it is extremely difficult for monitors to attribute individual actions to different elements within the Iraqi forces and the US-led coalition. For ease of reference, this report therefore uses the term “pro-government forces” to refer to the various branches of the Iraqi armed forces and security forces and the multiple forces representing the US-led international coalition that were involved in the fighting.

On 21 and 22 June 2017, Amnesty International communicated the key findings detailed in this report in two letters: one addressed to Iraqi Minister of Defence Irfan al-Hayali and the other addressed to US Secretary of Defense James Mattis. No responses had been received as of 1 July 2017, when this report was finalized.

3. BACKGROUND

3.1 LEAD-UP TO THE WEST MOSUL OPERATION

The military operation by pro-government forces¹ to retake the city of Mosul and its surrounding areas from the control of IS, dubbed operation *Qadimun Ya Nainawa* (We Are Coming, Ninewa), was announced on 16 October 2016.² Peshmerga forces of the Kurdistan Regional Government swept through the countryside from north-east of the city, retaking control of at least nine villages by 18 October 2016.³ Iraqi government forces advanced from south-east of the city, first recapturing outer areas like Gogjali on 2 November 2016, before the Ninth Division of the Iraqi army entered the city through al-Intisar neighbourhood on 3 November 2016.⁴ On 24 January 2017, Prime Minister Haider al-Abadi pronounced east Mosul as fully recaptured from the control of IS.⁵

On 19 February 2017, the military operation to retake west Mosul commenced.⁶ While Peshmerga forces maintained control in areas like Sheikhan and Sinjar, located north-west of Mosul in Ninewa governorate, they did not participate in the recapture of west Mosul.⁷ Pro-government forces recaptured areas south of west Mosul such as Albusaif on 20 February and eventually entered the city on 24 February 2017 through Mosul airport.⁸

¹ This report uses the term “pro-government forces” to refer to the various branches of the Iraqi armed forces and security forces and forces representing the US-led international coalition. Members of the coalition active in the Mosul battle include, in addition to the USA, Australia, Belgium, Canada, Denmark, France, the Netherlands and the United Kingdom. For a full list of coalition members, see Operation Inherent Resolve, ‘About us: Coalition’, 2017, www.inherentresolve.mil/About-Us/Coalition/

² Office of the Prime Minister, *Prime Minister and Commander-in-Chief of the Armed Forces Dr. Haider Al-Abadi announces the launch of the liberation of Mosul* (in Arabic), 16 October 2016, bit.ly/2sX7efd

³ Kurdistan Regional Government of Iraq Representation in the United States, *Peshmerga liberate nine villages in first day of Mosul operation*, 18 October 2016, www.krg.us/press-releases/press-releases-english/peshmerga-liberate-nine-villages-in-first-day-of-mosul-operation/

⁴ War Media Cell, ‘Commander of the We Are Coming, Ninewa operations Lieutenant General Abdel-Ameer Rasheed Yarallah: Counter-Terrorism Service units take control of the area of Gogjali and Mosul TV station after inflicting loss of life and equipment on the enemy and are continuing to advance’ (in Arabic), 1 November 2016, bit.ly/2r4O6GR; Kurdistan24, ‘Iraqi forces storm al-Intisar neighbourhood in east Mosul’ (in Arabic), 3 November 2016, bit.ly/2r4PRDN

⁵ Office of the Prime Minister, *The Council of Ministers holds its regular session chaired by Prime Minister Dr. Haider Abadi* (in Arabic), 24 January 2017, bit.ly/2tQTyE; AlSumaria News, ‘Abadi announces complete liberation of east Mosul and calls for speeding up recapture of the west’ (in Arabic), 24 January 2017, bit.ly/2qVKUj

⁶ UN Office for the Coordination of Humanitarian Affairs, *Flash Update #4: Mosul Humanitarian Response*, 19 February 2017, <http://reliefweb.int/report/iraq/ocha-iraq-flash-update-4-mosul-humanitarian-response-19-february-2017-enarku>

⁷ Kurdistan24, ‘Peshmerga will not participate in western Mosul operation: Ministry’, 22 February 2017, www.kurdistan24.net/en/news/2cb07c92-5349-43da-828a-e6cc08271c70/Peshmerga-will-not-participate-in-western-Mosul-operation--Ministry

⁸ War Media Cell / Joint Operations Command (in Arabic), 20 February 2017, bit.ly/2sRBdks; BBC News, ‘Iraqi forces enter IS-held neighbourhood in west Mosul’, 24 February 2017, bbc.in/2sRkEFI

3.2 THE WEST MOSUL OPERATION

IS TACTICS

Civilians who lived under IS control in Mosul described the armed group as an agile and mobile “ghost force”. IS constructed a network of tunnels and passageways between houses and apartment buildings, and they moved between military positions by foot, on motorbikes and in civilian cars. This enabled fighters to move quickly into advantageous fighting positions – often on the roofs of houses – before escaping just as quickly underground or into another house. Many west Mosul residents spoke about how IS tactics varied based on the particular layout and architectural character of each neighbourhood. For instance, residents of neighbourhoods such as Wadi Hajjar and Tel al-Rumman reported that IS fighters would move between houses through holes they had made in the walls, while residents of Mosul’s Old City said that IS primarily moved underground in their neighbourhood, as most of the houses had cellars that IS had linked via tunnels.

TACTICS OF PRO-GOVERNMENT FORCES

The operation to recapture west Mosul from IS, which officially began on 19 February 2017, saw a marked change of tactics by pro-government forces from those used in east Mosul from October 2016 to January 2017.⁹ Air strikes carried out in east Mosul were generally against pre-selected targets and not in support of front-line fighting. Under the orders of Iraqi Prime Minister Haider al-Abadi, the elite Counter-Terrorism Service (CTS) troops spearheading the east Mosul operation were expected to fight their way into IS-controlled neighbourhoods without reliance on close air support.¹⁰ The CTS paid a heavy price for this tactic; estimates of CTS casualties, including deaths and injuries, in east Mosul range from 4,000 to 6,000 of a total fighting force of 8,000 troops, meaning the CTS was depleted by between 50% and 75%.¹¹

The use of artillery, mortars and particularly IRAMs (Improvised Rocket Assisted Munitions) did not feature as heavily in east Mosul as it did in the west Mosul operation. During the east Mosul operation, aerially deployed ordnance was largely limited to precision-guided munitions fired from fixed-wing aircraft.¹² During the west Mosul operation, pro-government forces used an array of air-to-surface ordnance, including missiles, air-dropped bombs and cannon shells fired from fixed-wing planes and missiles, rockets, cannon shells and machine-gun ammunition fired from attack helicopters. They also used surface-to-surface ordnance such as projectiles launched from rocket artillery, cannons, howitzers and BM-21 “Grad” multiple rocket launchers, as well as mortars and IRAMs. Pro-government troops used some of these resources prior to entering IS-controlled neighbourhoods to reduce the level of resistance they would encounter. CTS troops were permitted to call in air strikes by members of the US-led coalition in response to front-line challenges.

⁹ Although the west Mosul operation officially began on 19 February 2017, preparatory strikes were carried out in January 2017.

¹⁰ Interview with a confidential source with links to Iraqi and coalition forces on 13 May 2017.

¹¹ Interviews with confidential sources from within the humanitarian community, the UN and the diplomatic community on 15 February, 3 May, 5 May, 13 May and 12 June 2017.

¹² Interviews with confidential sources from within the humanitarian community, the UN and the diplomatic community on 15 February, 3 May, 5 May, 13 May and 12 June 2017.

WEAPON ACCURACY

Coalition warplanes

US-led coalition warplanes include gunship aircraft, armed drones, fighter aircraft and bomber aircraft. They are fitted with infrared sensors allowing the aircrew to see the ground during the day and night. They employ guided munitions – rockets, missiles and bombs – which direct themselves to their target. They use either laser-guided weapons with a “circular error probable” of about 1m, or GPS-guided bombs, with a “circular error probable” of about 10m.¹³ The 500lb general purpose bombs used by the coalition in Mosul contain about 90kg of high explosive and are lethal within a radius of 230m.

Mortars and howitzers

Pro-government forces fired mortar and howitzer projectiles in west Mosul. IS also used mortars extensively but its use of howitzers was much more limited. Both mortars and howitzers are typically unguided. They are manually aimed by adjusting the elevation (up-down) and the deflection (left-right) of the gun. To take account of their lower level of accuracy, mortar crews often adjust their fire to “walk” projectiles closer and closer to their intended targets by means of trial and error. Mortars generally range from 60mm to 120mm in diameter and deliver explosive warheads to targets 100m to 7,000m away. Howitzers are generally larger, either 105mm or 155mm in diameter. They deliver explosive warheads to engage targets between several hundred metres and 40,000m away.

The accuracy of such unguided projectiles tends to degrade with range. For example, when firing at targets 15km away, a 155mm howitzer has a “circular error probable” of 95m, but when firing at targets 30km away the “circular error probable” increases to 275m. When a typical 155mm high explosive projectile detonates, it is lethal up to 40m away.¹⁴

Rocket artillery

The US-led coalition uses GPS-guided M31 GMLRS (Guided Multiple Launch Rocket System) rockets that can engage targets between 15,000m and 70,000m away. Iraqi forces use a makeshift weapon known as an IRAM (Improvised Rocket Assisted Munition), which is unguided and considered inherently indiscriminate, as well as unguided 122mm “Grad” rockets, which engage targets between 1,500m and 20,000m away.

The M31 GMLRS rocket is accurate to within 10m of its intended target. With a warhead containing 90kg of high explosive, the M31 is lethal within 230m of impact.

A typical 122mm “Grad” rocket is not nearly so accurate. When fired at a target 20km away, a “Grad” rocket could fall anywhere in a space 600m long and 320m wide centred around the intended point of impact. When a full salvo of 40 “Grad” rockets are fired, they create a lethal area 600m long and 600m wide.¹⁵

Improvised explosive devices

IS relied heavily upon improvised explosive devices (IEDs) in Mosul. The home-made nature of these devices means the amount and quality of explosive they contain is variable, from a few kilograms to several hundred kilograms in size, containing everything from reliable military-grade high explosives to poor quality fertilizer mixtures. It is impossible to estimate their lethal blast radius without knowing their size and composition. IEDs are often packed with fragmentation elements, such as nails or ball bearings to increase their anti-personnel effect. The forms they took also varied widely and included small improvised land mines, booby-trapped doors and houses, cars and trucks rigged with explosives and detonated by their drivers, and small remote-control quadcopter drones dropping munitions from the sky. The types of IEDs used by IS in Mosul should never be used in civilian areas.

¹³ The “circular error probable” refers to the accuracy of a weapon, expressed as a circle of a given radius in which approximately half of the munitions will land inside and half will land outside of it.

¹⁴ The Geneva International Centre for Humanitarian Demining, *Explosive weapon effects: Final report*, February 2017, www.gichd.org/fileadmin/GICHD-resources/rec-documents/Explosive_weapon_effects_web.pdf

¹⁵ The Geneva International Centre for Humanitarian Demining, *Explosive weapon effects: Final report*, February 2017, www.gichd.org/fileadmin/GICHD-resources/rec-documents/Explosive_weapon_effects_web.pdf

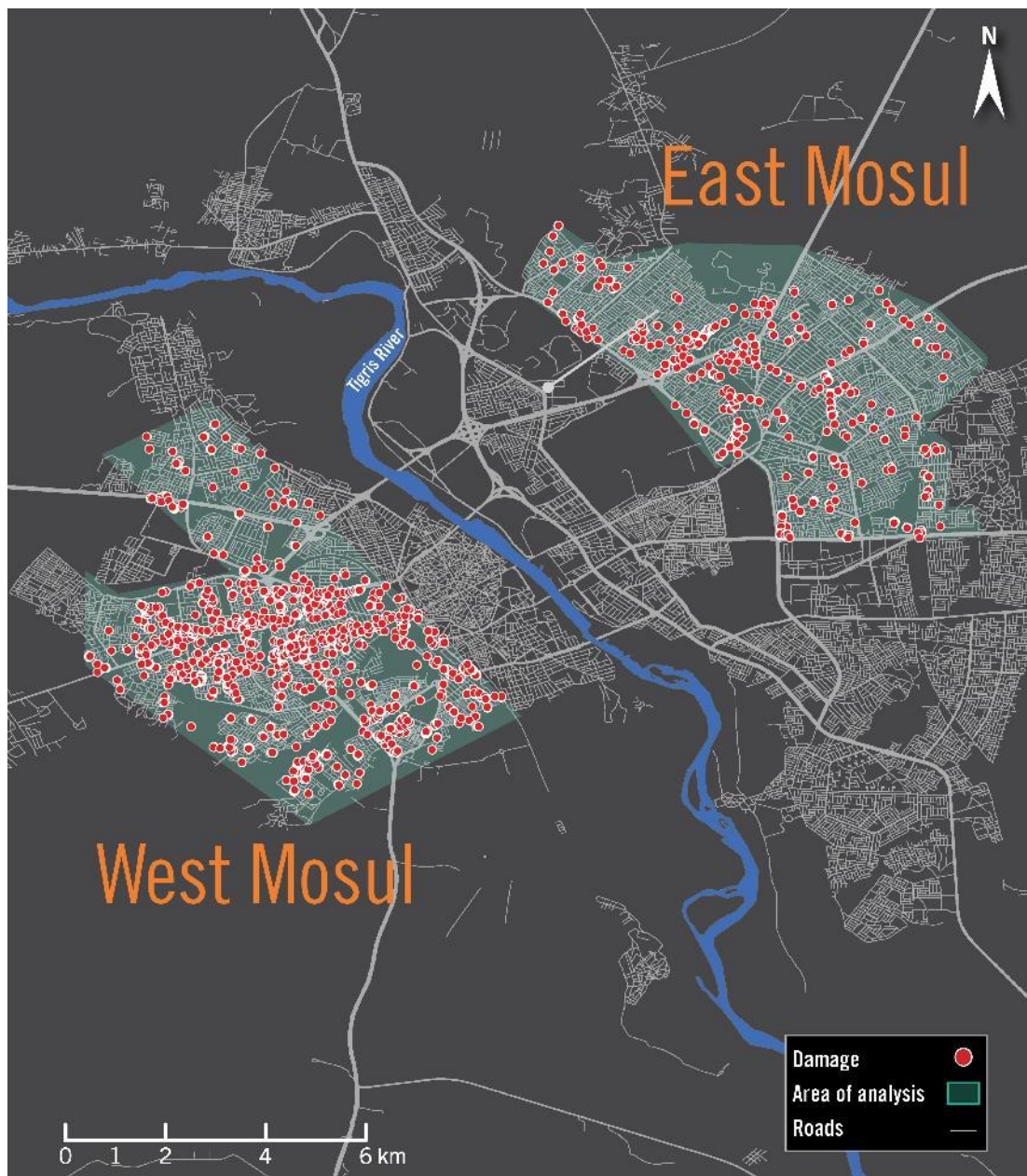
The biggest factor affecting the tactical change from east to west Mosul appears to have been lack of available manpower. The best trained and equipped fighting force available for urban warfare in Mosul were Iraqi Special Operations Forces (ISOP) I and II. They are part of a wider formation of Counter-Terrorism Service (CTS) forces, other elements of which were not involved in the operation.¹⁶ According to sources with links to the Iraqi government, members of this mixed, multi-confessional force received one year of training prior to deployment. Having been so severely depleted by unexpected levels of IS resistance in east Mosul, the Iraqi military had to rely on other fighting forces in its rush to retake west Mosul in the first half of 2017. CTS remnants were joined by Federal Police, as well as Emergency Response Division troops and forces from the 9th and 16th brigades of the regular Iraqi army. US and French Special Operations Forces are also believed to have assisted on the ground.¹⁷ Each force was assigned separate geographic battle spaces, as well as areas to hold once the fighting was finished. Much of the shortfall was made up by the Federal Police, whose members are believed to have received between two and six weeks of pre-deployment training. Topography, or the physical difference between east and west Mosul, is also likely to have affected tactics in the west. West Mosul is a smaller physical area than east Mosul, but it contains the Old City with its tightly packed houses and other densely populated neighbourhoods, which are home to poorer sectors of the population.

Another factor distinguishing the west Mosul operation from that in the east of the city was that in west Mosul IS fighters had fewer possibilities to escape. During the battle for east Mosul from October 2016 to January 2017, many IS fighters are believed to have escaped east Mosul, preferring to avoid a final stand there. Although Iraqi security forces cordoned off escape routes to the east with support from Peshmerga forces of the Kurdistan Regional Government and the Popular Mobilization Units, Iraqi state-supported militias, fleeing fighters were able to access west Mosul, where they joined preparations for the forthcoming battle. Western escape routes were restricted in October 2016, although some IS fighters managed to reach Tel Afar, which lies around 65km north-west of Mosul and remained an IS stronghold. Escape routes were cut off fully by early 2017, when the west Mosul operation began in earnest.¹⁸ The only option left for IS fighters wishing to avoid combat was blending in with civilians leaving the city and taking their chances at government screening centres designed to weed them out. Many of them therefore opted to stay and fight.

¹⁶ Interviews with confidential sources from within the humanitarian community, the UN and the diplomatic community on 15 February, 3 May, 5 May, 13 May and 12 June 2017.

¹⁷ Interviews with confidential sources from within the humanitarian community, the UN and the diplomatic community on 15 February, 3 May, 5 May, 13 May and 12 June 2017.

¹⁸ Interviews with confidential sources from within the humanitarian community, the UN and the diplomatic community on 15 February, 3 May, 5 May, 13 May and 12 June 2017.



Imagery was used to analyse the damage caused during the Battle for Mosul. In east Mosul, imagery from 21 October 2016 and 19 January 2017 was compared over 27 square kilometres. In west Mosul, imagery from 19 January 2017 and 15 April 2017 was compared over 29 square kilometres. With the assault to recapture west Mosul still in progress, the damage recorded to date far exceeds the damage seen in east Mosul. The map below illustrates the areas analysed and recorded damage over the respective timeframes. © Baseline Data: OpenStreetMaps

4. VIOLATIONS BY IS

“We did not have any options. If you stayed, you would die in your house from the fighting. If you tried to run away, they would catch you and kill you, and hang your body from the electricity pylon as a warning.”

“Hasan” from al-Hermat, west Mosul¹⁹

4.1 SUMMARY

During the battle for west Mosul, IS committed serious human rights abuses and violations of international humanitarian law, some of which constitute war crimes. In several instances, IS has turned the imperative, under international humanitarian law, to protect civilians on its head, ruthlessly and unlawfully exploiting civilian immunity from attack in an attempt to shield its own forces.

In October 2016, IS began rounding up civilians and forcing them to move directly into the zone of combat. Since then, IS has carried out a systematic campaign of forced displacement, moving thousands of civilians from contested villages or neighbourhoods into areas they still controlled. IS has then used these civilians and others already living in IS-controlled areas as human shields. The armed group also prevented these civilians from evacuating to safety, trapping them in their homes by welding their doors shut, rigging booby traps at exits, or summarily killing those attempting to escape.

Consequently, as IS lost territory during the course of the battle, IS-controlled areas became increasingly crowded with civilians. Mosul residents routinely described to Amnesty International how they sheltered in homes with relatives or neighbours in groups of between 15 and 100 people.

Effectively held captive by IS, many civilians had only one option to escape: directly through the front lines of the battle. Dozens of civilians told Amnesty International that they attempted to flee at exactly the point when the front line of the battle reached their neighbourhood or street. They described desperate flights from their homes to pro-government forces' positions, waving white flags or pieces of fabric, yelling the words “civilians” or “families” and doing whatever they could to avoid the air strikes, mortars, artillery attacks and gunfire that surrounded them.

¹⁹ Interview with “Hasan” (real name withheld) on 14 May 2017.

Residents told Amnesty International that IS regularly denied medical care to civilians – including both routine care and urgent care necessary to treat their injuries after ground or air attacks. Residents also reported that IS fighters had either confiscated their food or prevented them from accessing the food the armed group had stockpiled.

They expressed outrage at the way they had been treated by IS. They deplored how IS had provided for the safety and welfare of its own fighters while forcing civilians onto the battlefield. Not only was IS subjecting civilians to horrific living conditions and barring their access to medical care and food, it was preventing thousands of families from escaping the fighting. The armed group summarily killed men, women and children whose only “crime” was to try to make it out of Mosul alive.

4.2 FORCED DISPLACEMENT AND HUMAN SHIELDING

IS has systematically moved civilians into the conflict in west Mosul, forcing civilians to stay in its territory as it contracted. In some cases, IS fighters directed the movement of civilians in buses, cars or by foot, even instructing young men to carry elderly and disabled relatives. In other cases, civilians moved themselves, believing they had no other option but to stay in IS-controlled territory after witnessing summary killings or seeing the bodies of those killed by IS for having tried to escape.

Starting in October 2016, IS moved civilians from many of the villages surrounding the city into west Mosul.²⁰ Displaced people interviewed by Amnesty International explained how IS rounded up thousands of civilians from these villages. For instance, “Adib”,²¹ a 42-year-old man, described his family’s experience:

We are from Mousa al-Harran, a village 15km south of Mosul. IS pushed us from our village into west Mosul in December 2016. IS said that we had to leave our houses. We heard that some people tried to escape, but they threatened us with death if we did that... So we went with them into Wadi Hajjar, in west Mosul. Around 500 families were displaced from our village. They moved us in buses. We moved in cycles, so one group would leave, and then the bus would take the next group.²²

“Abu Haider”²³ described how he and his family were moved from Tel Arbeed, a small village south of Mosul, into west Mosul in October 2016. He said that IS used civilian cars to transport him, his wife and his two children from Tel Arbeed into Wadi Hajjar neighbourhood in west Mosul. He reported that IS moved 100 other families – roughly 1,500 people – from his village into the city. “[IS] said you must leave, or you will be killed,” he explained. “We were brought as human shields. They brought us to stand between them and the missiles. All of this happened just before the operation for west Mosul started... When the Iraqi forces went forward, IS fell back, and they took most of the civilians with them.”²⁴

As the battle for west Mosul continued and IS’s territory further diminished after February 2017, the armed group forced civilians to move from contested areas of the city to areas the armed group still controlled. Dozens of west Mosul residents told Amnesty International that they were forced to move further into IS-controlled territory when the fighting approached their neighbourhoods. For instance, “Mohsen”,²⁵ a farmer from Hamam al-Alil, described how he was forced to move from his village and then to three separate neighbourhoods in west Mosul as the front line of the battle moved back:

IS forced us to move with them... In November 2016, they forced me to move from Hamam al-Alil, where we had our cattle and our sheep, to Wadi Hajjar, where we stayed for two months. Then they

²⁰ According to displaced people interviewed by Amnesty International, these villages included Mousa al-Harran, Tel Arbeed, al-Jiran, Bakheera, Zummar and Hamam al-Alil. A staff member of an international humanitarian organization specialized in protection for displaced persons confirmed that the organization was told by civilians living in villages near Mosul that they had been displaced by IS into west Mosul. Email correspondence on 29 May 2017.

²¹ Real name withheld.

²² Interview with “Adib” on 4 May 2017.

²³ Real name withheld.

²⁴ Interview with “Abu Haider” on 4 May 2017.

²⁵ Real name withheld.

*forced us to walk to Tel al-Rumman, where we spent two days, and then on to al-Msherfa, where we were until we left three days ago.*²⁶

West Mosul residents reported that when they arrived in a new area of the city, they usually gathered together in their relatives' or neighbours' homes. Those without relatives would search for empty houses, seek refuge with strangers or find accommodation in makeshift shelters or public buildings such as schools.

EVICTED FROM HOMES

West Mosul residents also reported that they were displaced from their homes so that IS could use them as military bases or lodging for fighters. For instance, Ahmed, a 41-year-old man who lived in the area of Zummar before he was displaced into al-Hermat, west Mosul, told Amnesty International: "A few weeks ago, IS came to our house and told us we had to go to another house. They told us they would use our house whenever they wanted to. Our family is 13 people including me... We had to leave our house in the middle of the night."²⁷

Several residents told Amnesty International that IS had forced them or their neighbours to leave their homes so that fighters could rig them with improvised explosive devices. For instance, "Faisal",²⁸ a 36-year-old man, told Amnesty International that just before IS lost control of al-Islah al-Zirae neighbourhood, the armed group planted improvised explosive devices inside all the homes near the front line and ordered the civilians living in these homes to move further into IS-controlled territory. "They ordered people from their homes along Aswaq [Markets] Street and they rigged the homes with explosives, since they would be the first homes the Counter-Terrorism Service came to," he said. "Some of the evicted people came to stay with us at my family's home."²⁹

4.3 SUMMARY KILLINGS AND PREVENTION OF EVACUATION

IS routinely prevented the evacuation of civilians from west Mosul. In some cases IS used explosive devices to trap them in their homes or welded their doors shut. In other cases the armed group threatened or summarily killed those who attempted to flee.

ENTRAPMENT IN HOMES OR NEIGHBOURHOODS

Several residents told Amnesty International that IS had placed explosive devices on their streets or in their neighbourhoods, which prevented them from evacuating. For instance, "Hasan",³⁰ a 42-year-old man from al-Hermat, said:

*[IS] placed explosive booby traps at both ends of the street, so that nobody could leave. They put the explosives under the ground, in tea kettles, so that you didn't know where you could step. You couldn't see them. You could only see that there were wires sticking out [of the ground], so people on our street could not leave. They think all of the people with them should die if they try to escape, so they placed these traps.*³¹

Mosul residents also told Amnesty International that IS had trapped them inside their homes. "Mohsen" shared his experience of this:

In al-Msherfa, we were in the basement of our house the last 10 days... There were 15 of us, including both my uncles and their families... When the Iraqi forces came, the mortars and

²⁶ Interview with "Mohsen" on 10 May 2017.

²⁷ Interview with Ahmed on 8 May 2017.

²⁸ Real name withheld.

²⁹ Interview on with "Faisal" on 14 May 2017.

³⁰ Real name withheld.

³¹ Interview with "Hasan" on 14 May 2017.

*missiles came with them. We tried to run, but IS wouldn't let us go. They welded the front door of our house shut... They came to us in a pick-up truck, with a generator in the back, and then they welded shut the gap between the two doors... They did this to our door, and even worse, they did it to another house in our neighbourhood where hundreds of people were staying.*³²

“Hussein”,³³ a 47-year-old man from al-Hermat, told Amnesty International that IS had planted an explosive device in his home to prevent him and his family from fleeing:

*In the end IS came to the house where we were hiding. They warned us not to go to the Iraqi forces and forbade us from leaving the area. They booby-trapped the house so that we couldn't leave... The explosives were in a large box and they were connected to a very thin wire. IS strung the wire across the door of the room we were in to prevent us from leaving. We were trapped in the room, as we were afraid of setting off the explosives. What IS did not know was that the owner of the house had a pair of scissors. We were afraid to cut the wire in case IS came back but the following day, when we heard the Iraqi forces advance, we cut the wire, escaped from the house and went to them.*³⁴

SUMMARY KILLINGS, DIRECT ATTACKS AND DEATH THREATS

Dozens of residents told Amnesty International that they had either witnessed summary killings or seen the corpses of civilians who had attempted to escape IS-controlled areas of the city.³⁵ “Abeer”,³⁶ a 20-year-old woman from al-Msherfa, west Mosul, shared a typical experience: “They told us that when the Iraqi forces came, we were not allowed to escape. If we tried to run away, they would break our legs so we would never walk again. They said, ‘Nobody will escape alive.’”³⁷

“Hasan”,³⁸ a 42-year-old man from al-Hermat, told Amnesty International:

*We did not have any options. If you stayed, you would die in your house from the fighting. If you tried to run away, they would catch you and kill you, and hang your body from the electricity pylon as a warning. Four of my neighbours were caught trying to escape, and I saw them hanging from the electricity pylon. They were left for days, just hanging there. They would hang between 15 and 50 people from the pylons.*³⁹

“Hazem”,⁴⁰ a 42-year-old man from al-Tenak neighbourhood, described to Amnesty International the threats he faced from IS. “At the beginning April [2017], an IS fighter walked around all of our neighbourhood and the market, and yelled, ‘I am Abu Sulaiman Tikriti and, if anyone tries to escape, I will kill him myself.’ When we heard this, we knew that we might never make it out alive,” he said. Regardless of the threat, Hazem attempted to escape that night with several of his neighbours, but was shot in the leg by an IS sniper and then took shelter in an abandoned house. An hour later, he decided to return to his house and, in the course of doing so, came across the corpses of around 75 people who had also tried to escape that night. “They were my neighbours and others who stayed in my neighbourhood... They were just there on side of the road, in the outskirts of al-Tenak neighbourhood, in the Silo area,” he told Amnesty International.⁴¹

³² Interview with “Mohsen” on 10 May 2017.

³³ Real name withheld.

³⁴ Interview with “Hussein” on 10 May 2017.

³⁵ On 8 June 2017, the UN Office of the High Commissioner for Human Rights (OHCHR) stated that it had received credible reports indicating that IS had killed 231 civilians attempting to flee west Mosul between 26 May and 8 June, including at least 204 between 1 and 3 June 2017. See OHCHR, *Mosul: UN receives reports of mass killings of fleeing civilians by ISIL*, 8 June 2017, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21701&LangID=E

³⁶ Real name withheld.

³⁷ Interview with “Abeer” on 12 May 2017.

³⁸ Real name withheld.

³⁹ Interview with “Hasan” on 14 May 2017.

⁴⁰ Real name withheld.

⁴¹ Amnesty International was told about a similar incident in al-Hermat. “Ibrahim” (real name withheld) reported that he saw the corpse of his nephew, along with 70-75 other men who had tried to escape their neighbourhood. “I saw [my nephew’s] body. They’d shot him in the back of the head... They were all men and they’d all been shot in the same way. He and the others had gone to try to [flee to] the Iraqi forces and IS had intercepted them. They left because we didn’t have food or water in al-Hermat,” he said. Interview with “Ibrahim” on 10 May 2017.

Just as Hazem described above, many residents told Amnesty International that they or others were directly targeted by IS fighters during their attempts to evacuate from IS-controlled territory. Mohamed, a 30-year-old man from Mosul's Old City, told Amnesty International about two deaths he witnessed during his escape from al-Thawra neighbourhood, where he sheltered during the west Mosul battle:

During our escape, an IS sniper shot the people behind me. The man they shot and killed was a top, UK-educated doctor... between 50 and 55 years of age. He was escaping with his son who was either 19 or 20 years old. The son ran back to his father to try to save him and he too was shot. I went to try to save him but he was shot through the neck. There was blood everywhere.⁴²

Several residents also told Amnesty International that IS had embedded spies and informants among the civilian population whose job was to identify and punish those who were considering fleeing. "Hasan",⁴³ a 42-year-old man from al-Hermat, explained: "[IS] would disguise themselves as civilians... and they would ask you where you were going. If you said you were trying to escape, they would kill you. These spies were everywhere – in the streets and in the market."⁴⁴ "Israa",⁴⁵ a 25-year-old woman from al-Msherfa, west Mosul, added: "When you leave to escape, you have to keep it a secret from everyone. You don't know which of your neighbours to trust, and there was so much fear. There was one man who was planning to escape with his family, and IS found out. They caught him and slit his throat in front of his family."⁴⁶

None of the Mosul residents interviewed by Amnesty International evacuated with the consent of IS. Israa once believed she was given permission to escape by an IS fighter, but in the end she was turned back. She described the incident to Amnesty International:

I had tried to escape four separate times – twice with my family, and twice just with my two kids. In the middle of April [2017]... an IS fighter caught me just as I was crossing over, into the trench at the front line. I was in al-Islah al-Ziraa. The trench was full of water, and it was very muddy. He said that I could go, and I made it into the trench. The water was up to my chest, and I was carrying my two children, trying to keep them above the water. Then the IS fighter started shooting at me, and told me to come back. I came back full of mud and soaked. He laughed and said that was my punishment for trying to escape.⁴⁷

Several residents told Amnesty International that, in order to avoid being forced by IS to relocate with them as the group lost territory, they would hide from the armed group. For instance, "Motasem",⁴⁸ a 20-year-old man from al-Msherfa, told Amnesty International:

There were 17 people in our house including five children, staying in al-Msherfa... We were hiding from IS, because we were afraid they would force us to move to another neighbourhood. We weren't using the water because it would have flowed out, and then IS would have known we were there. The hardest thing was keeping the children quiet – we were trying to keep them entertained, to provide anything they wanted. We had nothing to give them, so this was really difficult.⁴⁹

"Hasan" described a similar experience: "In the house, there were 25 people – my wife, mum, nieces, nephews. We were from eight different families. We were hiding from IS so that we could escape when the Iraqi forces came, so when the kids cried, we would put our hands over their mouths," he said.⁵⁰

"Hikmat",⁵¹ a 69-year-old man from al-Hermat, described the extra precautions his family took during their escape from IS-held territory:

After 10 days, the area was empty, and we said we should leave that day or the next – so finally we decided to leave. There was no sound in the neighbourhood, so we asked a nurse in our area to

⁴² Interview with Mohamed on 10 May 2017.

⁴³ Real name withheld.

⁴⁴ Interview with "Hasan" on 14 May 2017.

⁴⁵ Real name withheld.

⁴⁶ Interview with "Israa" on 12 May 2017.

⁴⁷ Interview with "Israa" on 12 May 2017.

⁴⁸ Real name withheld.

⁴⁹ Interview with "Motasem" on 14 May 2017.

⁵⁰ Interview with "Hasan" on 14 May 2017.

⁵¹ Real name withheld.

*give us cough syrup for the kids, so that they wouldn't make any noise and draw attention to us. If they had just yelled out "mum" or "dad", IS would have shot us.*⁵²

4.4 CONSEQUENCES OF FORCED DISPLACEMENT, HUMAN SHIELDING AND PREVENTION OF EVACUATION

ESCAPE THROUGH THE FRONT LINES

Many west Mosul residents interviewed by Amnesty International reported that, because IS had prevented them from evacuating, they felt they had no other option but to attempt to escape IS-held territory directly through the front lines of the battle.⁵³ These residents told Amnesty International that they made their escape attempts not when the fighting had subsided, but instead when it reached its peak.

"Abdallah",⁵⁴ a 22-year-old man from al-Tenak neighbourhood, described his family's escape from their home in March 2017.

We were planning to escape, but we couldn't take a decision until we knew how close the Iraqi forces were. On 29 March [2017], the bombing was non-stop, so we knew they were coming. Around 4pm, the number of explosions increased... We were under the stairway on the ground floor of the house... We heard a car bomb explode nearby. A truck was moving down the street, and we knew to expect a big explosion from that. Then the truck exploded 50m from our house... After 50 minutes, another car bomb exploded, and the fighting between the two sides was right in front of us... A third car bomb exploded, and an air strike targeted our neighbour's house, which was the highest in the neighbourhood. Another two houses behind us were hit a few minutes later.

*It was a terrible moment. We didn't know what to do, and whether we should leave or stay in the house. Finally, we decided it was better to leave – better to leave than to let the roof fall on our heads. Our group of 11 ran out, and a family sheltering nearby also ran out at the same time... When we left the house, everyone just had to take care of themselves. We were running – running as fast as we could. IS fighters were shooting at the Iraqi forces, and at us. I saw one woman who was killed by the snipers... Probably it was a short distance, but because of the fear, it felt so long. Finally we reached the Counter-Terrorism Service, but everything was chaos. We had got messages from other families who had crossed to the Iraqi forces, and so we knew what to do: we sat down in the middle of the street, and we put our hands up and yelled, "We are families, we are civilians!" They yelled back that we shouldn't come any closer. Then they finally yelled for us to approach.*⁵⁵

Mohamed, a 30-year-old man who sheltered in al-Thawra neighbourhood, shared a similar account:

*We slept in the school for 15 nights. During this time the fighting around the school got stronger... We waited for the battle to intensify so that both sides would be so busy shooting at each other they would not notice us. Eventually I put my head through the door and led my family out one by one. We crept along hiding behind one house then another. The other families in the school did the same and followed us. We headed for the front line of the Iraqi forces. As we approached it, we put our hands in the air, waved our white flag and shouted, "Civilians, civilians!"*⁵⁶

"Israa" told Amnesty International that west Mosul residents had gathered in neighbourhoods near the front line. "The families were gathering together in each other's homes so that they could escape together. They would come from nearby neighbourhoods, like 17 Tammuz [neighbourhood]... When the people heard that the front line was coming to them, they ran to it. There was no other way to escape."⁵⁷

⁵² Interview with "Hikmat" on 14 May 2017.

⁵³ Some west Mosul residents told Amnesty International that civilians had only one other option apart from trying to escape through the front lines, which was to shelter in their homes and wait to be rescued by Iraqi forces after their neighbourhoods were retaken.

⁵⁴ Real name withheld.

⁵⁵ Interview with "Abdallah" on 5 May 2017.

⁵⁶ Interview with Mohamed on 10 May 2017.

⁵⁷ Interview with "Israa" on 12 May 2017.

POPULATION DENSITY

Before the battle for the western side of the city began, west Mosul was already densely populated with civilians.⁵⁸ According to residents, homes and shelters became increasingly packed with large groups of civilians as the conflict raged on. Factors contributing to this trend included: IS moving civilians into the conflict zone, which meant that, for every neighbourhood lost to pro-government forces, thousands more civilians would be crowded into the territory IS still controlled; IS preventing civilians from escaping; and IS regularly evicting civilians from their homes. Additionally, many civilians moved themselves to areas near the front lines of the battle, as this was often their only route toward safety.

As a result of the above, large groups of between 15 and 100 civilians often sheltered together in a single home or makeshift shelter in IS-controlled areas in west Mosul. As Alaa, a 32-year-old man from al-Hermat, explained, “So often in al-Hermat, there would be five or six families in one house.”⁵⁹ Musab, a 35-year-old man who took shelter in al-Thawra neighbourhood before he evacuated, gave a similar account:

*Everyone was going to their relatives’ houses at that time [April 2017]. Relatives and families were helping each other. In my uncle’s house, we were all relatives. There were 104 of us in the house – nine families in total. We were all in hiding in the house, because, if IS saw us, they would take us to another area – wherever the fight was – so that we could shield them. They needed us to protect them.*⁶⁰

According to “Mahmoud”,⁶¹ a 43-year-old painter from al-Msherfa:

*Al-Msherfa was full of people. There were many, many more people in the neighbourhood than there normally would be. They had come from all over, from 17 Tammuz, from al-Hermat, from al-Najjar, from al-Zinjili. In our house there were 75 people. There are usually no more than 10. All the houses were like that... The people in our house were our friends but we would receive those who weren’t friends of family as well, if they didn’t know anyone in the area. The worst thing about having all these people was the hunger; there wasn’t enough food to go around.*⁶²

Sermat, a 30-year-old man from west Mosul, added: “An IS fighter told us that he wished they had used the human shields on the eastern side [of Mosul] too, because it was working very well on the western side.”⁶³

4.5 DENIAL OF MEDICAL CARE, FOOD AND WATER

DENIAL OF MEDICAL CARE

According to west Mosul residents, IS routinely denied medical care to civilians. This denial of care escalated after the beginning of the west Mosul battle in February 2017. Civilians reported being denied both routine care and urgent care when they or their family members were injured as a result of ground or air attacks. According to “Mazen”, a 30-year-old man from al-Hermat: “They took over the hospitals, and they didn’t treat us any more. If there is a sick or wounded person, they might give you water if you are lucky.”⁶⁴ “Israa” described her experience: “My niece had swelling in her liver because of malnutrition. We took her to the hospital, and IS said there was no treatment for her. They said it didn’t matter if she lived or died.”⁶⁵

⁵⁸ See UN Habitat, *City profile of Mosul, Iraq: Multi-sector assessment of a city under siege*, October 2016, reliefweb.int/sites/reliefweb.int/files/resources/UN-Habitat_MosulCityProfile_V5.pdf; UN Office for the Coordination of Humanitarian Affairs, *Mosul humanitarian crisis*, 4 April 2017, reliefweb.int/report/iraq/mosul-humanitarian-crisis-4-april-2017

⁵⁹ Interview with Alaa on 8 May 2017.

⁶⁰ Interview with Musab on 10 May 2017.

⁶¹ Real name withheld.

⁶² Interview with “Mahmoud” on 10 May 2017.

⁶³ Interview with Sermat on 10 May 2017.

⁶⁴ Interview with “Mazen” on 14 May 2017.

⁶⁵ Interview with “Israa” 12 May 2017.

“Malek”,⁶⁶ a car mechanic from al-Tenak neighbourhood, was injured in a mortar attack in April 2017. He told Amnesty International: “My family put me in a car and drove me to al-Jamhuri hospital in west Mosul. There were two doctors still at the hospital but they said the hospital was only for IS. They sent me home.”⁶⁷ His father added, “After he was turned away from the hospital, I did my best to treat him at home. The only thing I had was Dettol [a brand of antiseptic disinfectant].”⁶⁸

“Faisal”, a 36-year-old man from al-Msherfa, described his experience after he was shot in the leg by an IS sniper:

There were no ambulances so someone went to fetch an old iron wheelbarrow. They put me in a wheelbarrow and took me to al-Jamhuri hospital. The hospital was under IS control. I arrived... and a man asked me, “Are you a brother [a fellow IS member]?” When I said I was not they refused to treat me. They left me there for around one hour. Then someone else came who was not IS. He told them, “This man’s going to die.” A doctor came and told me that my leg was broken. He put half a plaster cast on me then they left me on the floor of the hospital.”⁶⁹

DENIAL OF FOOD AND WATER

Civilians in west Mosul have faced acute shortages of food and water. These shortages have led to starvation, malnutrition, dehydration and other diseases and illness.⁷⁰

According to several residents, IS was at least partially responsible for these shortages, as it routinely prevented civilians from accessing the food and water they had stockpiled. “Laila”,⁷¹ a 35-year-old woman from Mosul’s Old City, explained: “We took water from the rain, and the IS fighters said we didn’t even deserve this. IS was going around the houses – they were free to choose any house, and to have a lunch and take a rest. They would usually bring their own lunch, because we didn’t have any food.”⁷²

Several residents told Amnesty International that IS had confiscated the little food they had. Ali, a fruit and vegetable seller from al-Hermat, shared his experience of this: “There was water only for IS and their families. The situation was so awful... The IS used to steal from our houses. They would take our flour, sugar and rice. They said to us, ‘You are the common people – you are with the Iraqi army.’”⁷³

IS’s denial and confiscation of food and water only compounded the atrocious conditions faced by civilians. According to residents, in the rare cases when food was available for purchase, it was prohibitively expensive. For example, in April 2017, 1kg of tea cost the equivalent of US\$43, a can of vegetable oil cost US\$20 and a small bag of dates cost US\$42.⁷⁴ Musab, a man who was sheltering in al-Thawra neighbourhood before he evacuated, told Amnesty International:

We had some money, but there was nothing to buy. We would give the money to one of the boys in the house, and he would come back with empty hands and tell us he couldn’t find any food to buy, in the whole neighbourhood. We would put wheat in water and eat it, just to stay alive.”⁷⁵

Some residents reported that they survived on unground spelt (a type of wheat) and grass during their final days in west Mosul, with all supplies cut off as the final battle for their neighbourhoods approached. Musab’s

⁶⁶ Real name withheld.

⁶⁷ Interview with “Malek” on 8 May 2017.

⁶⁸ Interview on 8 May 2017.

⁶⁹ Interview with “Faisal” on 14 May 2017.

⁷⁰ See World Food Programme, *WFP concerned about malnutrition among hungry families fleeing Iraq’s western Mosul*, 30 May 2017, www.wfp.org/news/news-release/wfp-concerned-about-malnutrition-among-hungry-families-fleeing-iraqs-western-mosul; UN High Commissioner for Refugees, *Hunger and violence drive residents to flee west Mosul*, 7 March 2017, www.unhcr.org/news/latest/2017/3/58be97ec4/hunger-violence-drive-residents-flee-west-mosul.html

⁷¹ Real name withheld.

⁷² Interview with “Laila” on 14 May 2017.

⁷³ Interview with Ali on 14 May 2017.

⁷⁴ Interviews with west Mosul residents on 10 and 14 May 2017.

⁷⁵ Interview with Musab on 10 May 2017.

brother Sermat added, “Before IS took control, I weighed 76kg. Under IS, I became 52kg. One of our neighbours committed suicide because he couldn’t provide for his family.”⁷⁶

EXPLOITATION OF MEDICAL PROTECTION

Several residents told Amnesty International that, during the battle, IS fighters took up residence in al-Jamhuri hospital in west Mosul. Ayman, a service worker in al-Jamhuri hospital, reported, “I saw IS very often – many of the foreign fighters stayed in the hospital, with their families. They stayed there because it was safer there, because they knew it wouldn’t be targeted by the air strikes.”⁷⁷ In addition, residents reported that IS fighters were living in the Ibn Sina hospital in al-Shifa.

⁷⁶ Interview with Sermat on 10 May 2017.

⁷⁷ Interviews with Ayman on 5 May 2017.

5. VIOLATIONS BY PRO-GOVERNMENT FORCES

“The strikes targeted the IS snipers. A strike would destroy an entire house of two storeys. They shelled during night and day. They hit so many houses. They’d hit one house and also destroy the two houses on either side. They killed a huge number of people.”

Mohamed from al-Tenak neighbourhood, west Mosul⁷⁸

5.1 SUMMARY

During the operation to retake west Mosul from IS, pro-government forces appear to have committed repeated violations of international humanitarian law, some of which may amount to war crimes. As outlined above, IS systematically displaced civilians into combat zones, used civilians as human shields and prevented civilians from evacuating. Pro-government forces failed to adapt to the environment these violations created, with large groups of civilians crowded into homes and makeshift shelters. Instead, pro-government forces launched barrages of indiscriminate or disproportionate attacks using explosive weapons unsuitable for such a densely populated urban area. The operation by pro-government forces to retake west Mosul has taken a terrible toll on civilians.

The true death toll of the west Mosul battle may never be known. Firmly attributing responsibility for attacks has proved challenging for monitoring groups tracking civilian casualties in west Mosul. However, according to Airwars, one such monitoring group, between 19 February and 19 June 2017, attacks launched by Iraqi and coalition forces may have caused the deaths of as many as 5,805 civilians. Even this figure may be an underestimate, as it has been difficult for monitors to record deaths and injuries due to the intensity of the fighting and the fact that IS has banned the use of mobile phones in areas under its control. On 2 June 2017, US Central Command stated that at least 484 civilians had been killed in both Iraq and Syria as a

⁷⁸ Interview with Mohamed on 18 March 2017.

result of coalition air strikes since the beginning of Operation Inherent Resolve in June 2014.⁷⁹ For this report, Amnesty International investigated and documented 45 attacks in west Mosul that it had reasonable grounds to attribute to Iraqi government or US-led coalition forces. These 45 attacks alone killed at least 426 civilians and injured more than 100.

Pro-government forces' reliance upon explosive weapons with wide area effects, especially when delivered by systems with crude targeting capabilities like IRAMs, made launching discriminate attacks in a densely populated urban environment virtually impossible. IRAMs are inherently indiscriminate, and their use in a densely populated area such as west Mosul invariably violates international humanitarian law. Elements within pro-government forces also relied heavily on mortars, the accuracy of which depends upon the skill level of the operating troops, but which in any event are not appropriate for use in the vicinity of concentrations of civilians.⁸⁰ Delays in the targeting processes and IS mobility among civilians presented a particular problem; in many cases pro-government forces hit targets after IS fighters had left the location. Often the only people there when pro-government forces' weapons exploded were civilians who had been forbidden from moving.

Even in those attacks examined in this report in which pro-government forces appear to have struck their intended military target, their use of unsuitable weapons or failure to take other necessary precautions resulted in needless loss of civilian lives and in some cases appears to have constituted disproportionate attacks. The deadliest pro-government attack was the 17 March attack in Mosul al-Jadida neighbourhood in which at least 105 civilians were killed by an air strike that targeted two IS snipers.⁸¹ This attack was exceptional only in the sense that it had such a high civilian death toll and the fact that – due to its high profile – the US military investigated the incident and disclosed its findings. Similar failures have led to scores of civilians being killed in west Mosul. Pro-government forces' reliance upon explosive weapons with wide area effects against targets in heavily populated civilian areas and failure to take account of the presence of civilians left a trail of deaths, injuries and destruction across west Mosul.

Pro-government forces also failed to take effective precautions to protect civilians when launching attacks. Most people from west Mosul received some kind of warning prior to bombardments, usually in the form of leaflets dropped from planes before shelling began. People were instructed to stay at home, conserve food and stay away from IS. The warnings were ineffective, as staying away from IS was not possible for west Mosul residents. Although pro-government forces were aware of the extent of civilian death and injury, they failed to amend tactics significantly in order to reduce the toll.

While not diminishing these broader concerns, Amnesty International acknowledges that some interviewees had positive accounts about the way they were treated by individual soldiers belonging to pro-government forces. Some west Mosul residents appeared genuinely thankful to pro-government forces, particularly the CTS, and praised the fact that they had attempted to spare them from violence during the heat of battle. In the words of one interviewee from al-Thawra neighbourhood:

The same day, the Iraqi forces came to al-Thawra neighbourhood. When the army was on the next block, we ran to them. We put a white T-shirt in the air. The Iraqi forces fighter was a distance

⁷⁹ US Central Command, *Combined Joint Task Force - Operation Inherent Resolve monthly civilian casualty Report*, June 2017, www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/1201013/combined-joint-task-force-operation-inherent-resolve-monthly-civilian-casualty

Taken together, Amnesty International's estimate of 426 civilians killed as a result of 45 Iraqi and coalition attacks and Airwars' estimate of 5,805 civilians killed during only four months of the battle for west Mosul suggest that the US Central Command has significantly underestimated the number of civilian casualties caused by coalition forces, notwithstanding the fact that Central Command is accounting only for civilian deaths caused by coalition air strikes.

⁸⁰ Amnesty International has repeatedly called for mortars not to be used in the vicinity of concentrations of civilians over the last 10 years, notably in the context of conflicts in Côte d'Ivoire, Gaza, Iraq, Libya, Somalia, Syria, Ukraine and Yemen. The International Committee of the Red Cross (ICRC) also considers mortars to be in the category of explosive weapons that should not be used in populated areas: "In recent and ongoing hostilities, artillery, mortars, air-delivered general purpose bombs, rockets and multiple launch rocket systems, among other explosive weapons, have taken a terrible toll on civilians, causing death, injury, disability and trauma. The use of such weapons in populated areas – where there is a strong likelihood of indiscriminate effects due to their imprecision or large blast and fragmentation range – is unacceptable." ICRC, *ICRC alarmed over unacceptable use of explosive weapons in urban areas*, 13 October 2014, www.icrc.org/en/document/explosive-weapons-in-urban-area

⁸¹ Operation Inherent Resolve, *Executive summary of the investigation of the alleged civilian casualty incident in the al Jadidah district, Mosul*, 25 May 2017, www.inherentresolve.mil/News/News-Releases/Article/1193707/executive-summary-of-the-investigation-of-the-alleged-civilian-casualty-incident/

away from us, and he was giving us signals on whether we could cross the street. He signalled in the air with his hand: “five, four, three, two, one” – and then we ran. When we reached him, he had to sit down. He was good with us, and gave us water.⁸²

Interviewees also told Amnesty International that individual soldiers often showed kindness and respect to them once areas had been retaken or they had managed to cross frontlines. This behaviour was usually attributed to members of the CTS.

The following sections analyse pro-government attacks during the west Mosul operation that appear to have violated international humanitarian law, including the prohibitions of indiscriminate and disproportionate attacks, as well as failure to take necessary precautions in planning and executing attacks. Amnesty International has chosen specific attacks as emblematic examples of wider patterns. With two exceptions, the examples chosen are not mass casualty incidents which attracted media attention.⁸³ Instead, they are representative of the more mundane, everyday reality of the west Mosul operation and its daily toll upon civilian life and limb.

“GRADS” AND IRAMS

Pro-government forces have used two different types of artillery rockets in west Mosul: “Grad” multiple rocket launchers (“Grads”) and Improvised Rocket Assisted Munitions (IRAMs).

“Grads”

The 122mm “Grad” is a vehicle-mounted multiple-launch rocket system. Designed by the Soviet Union in the 1960s, this unguided artillery rocket is currently manufactured in several countries and is one of the most common area weapons in use around the world. A “Grad” vehicle carries 40 rockets, all of which can be fired in under 30 seconds. “Grads” can be used to hit targets located 1,500m to 20,000m away. “Grad” warheads contain around 18kg of high explosives, and produce fragmentation which is potentially lethal within a 180m radius. “Grad” rockets are not designed for precision fire at specific targets. Instead they are used for “saturation fire”, where a large area is flooded with many rockets impacting and exploding. By design, “Grads” are indiscriminate weapons and they must never be used in the vicinity of civilians.

IRAMs

Improvised Rocket Assisted Munitions (IRAMs) are crude, locally made and unguided artillery rocket-type weapons that combine military-grade ordnance with makeshift or homemade components. Unlike “Grad” rockets, which have a modest sized warhead and a long range, IRAMs have massive warheads and can only fly short distances. At 90kg to 140kg, IRAM warheads are five times larger than “Grads” and are potentially lethal within a 245m radius. IRAMs typically are fitted with makeshift nose fuzes that often fail, so many of these rockets remain on the battlefield as hazardous duds. IRAMs are wildly inaccurate, unreliable, and indiscriminate weapons whose use should be prohibited. At a minimum they must never be used near civilians.

⁸² Interview with “Saed” (real name withheld) on 10 May 2017.

⁸³ These exceptions are the 17 March incident in Mosul al-Jadida and the 20 February attack on Khaled Ibn al-Waleed mosque in Wadi Hajjar, which are analysed below.



Image © CNES 2017, Distribution AIRBUS US

5.2 INDISCRIMINATE, DISPROPORTIONATE AND OTHER UNLAWFUL ATTACKS

Amnesty International investigated and documented 45 attacks in west Mosul which appeared indiscriminate or disproportionate or otherwise unlawful and which it had reasonable grounds to attribute to Iraqi government or US-led coalition forces. Sometimes the weapons that appeared to have been used provided an indication as to who was responsible. Attacks by warplanes, helicopters, cannons, howitzers, "Grad" multiple rocket launchers and IRAMs, for example, could only have been carried out by Iraqi government or coalition forces as IS did not have access to this weaponry during the west Mosul operation. As both sides were using mortars, these attacks were more difficult to attribute. In respect of many attacks, Amnesty International could not be certain which weapon system was used, but was able to base attribution on the position of front lines and the likely targets for attacks.

The 45 attacks documented by Amnesty International for this report killed at least 426 civilians and injured more than 100. The 45 attacks occurred in neighbourhoods across west Mosul, namely al-Abar, al-Hermat, al-Islah al-Zirae, al-Manour, Mosul al-Jadida, al-Msherfa, al-Risala, al-Shifa, al-Shuhada, Tel Kheima, Tel al-Rumman, al-Tenak, al-Thawra and Wadi al-Hajjar, as well as Qita al-Mrabba, an area which lies outside the city.

This section of the report contains descriptions and analysis of nine of these 45 attacks.

ATTACKS IN WHICH LIKELY TARGETS WERE NOT STRUCK

Amnesty International has documented a pattern of attacks in which pro-government forces appear not to have struck their intended military targets, instead killing and injuring civilians and destroying or damaging civilian objects. In some cases, the deaths and injuries appear to have resulted from a choice of weapons that were inappropriate for the circumstances or failure to take necessary precautions to verify the target was a military objective. The following four illustrative cases all appear to have been indiscriminate attacks or, in the case of two of them, direct attacks on civilian objects.

AL-RISALA NEIGHBOURHOOD, EARLY-MID MARCH 2017

Witnesses told Amnesty International that in early-mid March (they could not be certain of the exact date), a warplane hit two houses in al-Risala neighbourhood, near al-Hamdilullah mosque. “Karim”,⁸⁴ a local resident, described being at home at 11am on the day in question, sheltering from shelling in the back room of his house. He heard an explosion nearby that was followed around 15 minutes later by a second one.

I later found out that the first explosion had hit a house on a street behind mine, perhaps 100m away. It was an old house and it collapsed completely. Six people were killed, all civilians. They were a simple family. Abdel Rahman was the owner and head of the family. He worked as a grave digger. He was killed along with his wife and their four children. The children were aged four, five, six and seven.

I didn't go to the scene of the first explosion but I ran to the scene of the second one. This one destroyed a house on my street, less than 100m down. I didn't see the victims' bodies; they were buried in the rubble and we didn't manage to dig them out. It was a rented house and the owner lived nearby. He had come to see the damage and was in the street shouting. He told us that three people had been living there and they had all been killed. They were ordinary civilians, two women and one man.⁸⁵

According to other witnesses, there had been an IS checkpoint on the corner of the street, around 25m from Abdel Rahman's house. The IS position was usually manned by three fighters, who according to the witnesses, were all killed in the attack. After the first strike, IS fighters were seen running from the neighbourhood. One witness saw two IS fighters running along his street, where the second explosion happened. They had run past the house that was destroyed in the second explosion 10 minutes before it was struck. They were not killed or injured in the explosion, as they had left the area by the time it happened.

Amnesty International cannot be sure whether the delivery system for these explosions was a warplane, as some of the witnesses assumed, or another weapon system.⁸⁶ Whatever delivery system was used, the incident illustrates the toll on civilians of using explosive weapons with wide area effects in west Mosul. Six civilians were killed in the first strike, which appears to have been aimed at an IS target that was stationary at the time of attack. The target for the second strike is less clear, although witnesses told Amnesty International they believe it was an attempt to hit mobile IS targets as they ran through the neighbourhood. Three civilians and no IS fighters were killed in the second strike. Based on the information available, the method of attack pro-government forces employed appears to have been indiscriminate.

⁸⁴ Real name withheld.

⁸⁵ Interview with “Karim” on 8 May 2017.

⁸⁶ According to the Combined Joint Task Force of Operation Inherent Resolve, on 26 and 27 February 2017 the US-led coalition launched five air strikes near Mosul which “engaged four ISIS tactical units and an ISIS staging area; [and] destroyed seven mortar systems”. Airwars, *Military reports – February 2017*, airwars.org/daily-reports-feb17/

Amnesty International cannot confirm whether these strikes are related to this incident.



In al-Resala, west Mosul, images show the area around the possible al-Hamdilullah Mosque. Two areas, highlighted with yellow boxes, appear destroyed in imagery from 15 April 2017. Image: © 2017 DigitalGlobe, Inc.

STREET 20, AL-TENAK NEIGHBOURHOOD, AROUND 20 MARCH 2017

Amnesty International interviewed witnesses about an explosion in al-Tenak neighbourhood on 20 March which they attributed to an air strike. The explosion caused two houses to collapse just off Street 20, killing 11 civilians. Witnesses told Amnesty International that the target was an IS flatbed truck with a mounted machine-gun, which had been parked outside the houses that were struck. It had driven off and moved to another area at least 40 minutes before the attack. One of the witnesses, a local resident called “Imad”,⁸⁷ went to the scene of the explosion. He told Amnesty International:

I know the people killed in those houses. They were simple people. They were working in construction. A painter decorator was killed in one house with his three children and his

⁸⁷ Real name withheld.

grandmother. In the other house a carpenter was killed along with his 30-year-old wife and their four children. All the children killed were between three and eight years old.⁸⁸

This was not the only strike in the area targeting the IS vehicle, according to people displaced from the area. The vehicle had been moving around the neighbourhood for around 20 days during the period between 5 and 30 March 2017. Pro-government forces kept trying to hit it as it moved around, carrying out at least seven strikes on the neighbourhood and killing many more civilians – men, women and children. They told Amnesty International that pro-government forces did not succeed in hitting the truck.

Amnesty International was not able to verify whether the delivery system used in this series of attacks was a warplane or whether the same type of weapon was used in each attack.⁸⁹ Whatever the weapons used in this case, it appears to be part of a pattern of attacks by pro-government forces using explosive weapons with wide area effects to try to strike highly mobile targets in densely populated areas of west Mosul. Such reckless tactics repeatedly claimed civilian lives and destroyed homes and civilian infrastructure. Based upon the information available, this attack appears to have been indiscriminate.

⁸⁸ Interview with “Imad” on 5 May 2017.

⁸⁹ According to the UK Ministry of Defence, on 20 March 2017 British forces carried out air strikes which “bombed a strong-point in the west of the city, and... struck two Daesh positions, including one from which heavy machine-gun fire was being directed at the Iraqis.” Airwars, *Military reports – March 2017*, airwars.org/daily-reports-mar17
Amnesty International cannot confirm whether these strikes are related to this incident.



Major damage is visible in the al-Tenak neighbourhood near Souq Ma'esh between 19 January 2017 and 15 April 2017. Areas with significant damage are highlighted with yellow boxes. Image: © 2017 DigitalGlobe, Inc.

AL-THAWRA NEIGHBOURHOOD, 20 APRIL 2017

According to “Mustafa”,⁹⁰ a young father displaced to al-Thawra neighbourhood from elsewhere in west Mosul, at around 8.30am on 20 April, an IS fighter entered the house where he had taken shelter in al-Thawra neighbourhood via a hole in the wall. IS had made holes in the walls of adjoining houses so they could enter and exit at will and without being seen from above. The IS fighter walked through the house and exited into the street via the main gate. An hour later, at around 9.30am, there was a strike on the house. Mustafa told Amnesty International:

I was sitting in the back room of the house, the one furthest away from the street. I was smoking a cigarette and drinking a cup of tea with some cake. My sister came into the room and I moved over

⁹⁰ Real name withheld.

*and told her to come and sit next to me. She sat down next to me and at that moment the explosion happened. I don't know for sure that it was a strike from a plane but that's what our neighbours told us. Perhaps they knew from the sound.*⁹¹

The house was near the Palestinian school. It had two-storeys, with two downstairs rooms and one upstairs room. Due to heavy population concentration in areas under IS control, there were 104 people in the house at the time, attempting to huddle for safety in the corners of rooms. Two people were killed, including Mustafa's 27-year-old nephew, who was pulled out of the rubble, taken to an IS-run hospital and left to bleed to death after hospital personnel told the family there were no doctors available to treat him. Almost everyone in the house was injured in some way, some severely, including a 40-year-old man who suffered spinal injuries that left him paralysed.⁹²

The likely intended target of the attack had left the house one hour before the strike occurred, leaving only civilians as victims. Another witness, "Khaled",⁹³ from al-Hermat, described the situation:

*IS used our houses. If there were planes in the sky they'd come in through the front door. Otherwise they'd use the openings [the holes IS made in people's houses to be able to come and go unnoticed by drones in the sky]. They'd enter a house, go up to the roof and shoot at the helicopters or in the direction of Iraqi forces' positions. Then they'd leave. Fifteen minutes later the house would be hit. But we knew their [pro-government forces'] behaviour. As soon as IS left the house after shooting we'd collect our families and go as quickly as we could to another house. We'd run through the openings just like IS does and into someone else's house.*⁹⁴

Based upon the information available, this attack appears to be either a direct attack on a civilian object or an attack which should have been cancelled because the intended target was no longer present. A strike in which there was such a failure to take feasible precautions could amount to an indiscriminate attack.

⁹¹ Interview with "Mustafa" on 10 May 2017.

⁹² According to the Combined Joint Task Force of Operation Inherent Resolve, on 20 April 2017 the US-led coalition launched six strikes near Mosul which "engaged seven ISIS tactical units, destroyed 11 rocket-propelled grenade systems, seven fighting positions, six VBIEDs, five mortar systems, three VBIED facilities, a weapons cache, a medium machine gun and an ISIS staging area". *Airwars, Military reports – April 2017*, airwars.org/daily-reports-apr17/

Amnesty International cannot confirm whether these strikes are related to this incident.

⁹³ Real name withheld.

⁹⁴ Interview with "Khaled" on 12 May 2017.



Between 00 April 2017 and 28 May 2017, imagery shows al-Tharwa neighbourhood around a building likely to be the Palestine School. Damage and collapsed buildings – highlighted with yellow boxes – are visible in three locations near the possible school. Image: © 2017 DigitalGlobe, Inc.

AL-MSHERFA NEIGHBOURHOOD, 4 MAY 2017

Amnesty International interviewed two witnesses to an attack in al-Msherfa on 4 May. At around 4pm they heard an explosion they described as “a dull thumping sound” amid shelling and other explosions. They were unable to go directly to the scene of the explosion, as IS was attempting to fight off the advance by pro-government forces. Only once the fighting died down at around 7pm were they able to go to the scene. The house that had been hit was around 30m from the witnesses’ house, between Street 30 and the al-Rahman mosque. One of the witnesses described the scene as follows:

I went with my dad. The house had been flattened. There had been two families in the house: a total of 14 people. We pulled three survivors out of the rubble and two dead people. The father of one of the families was Dalal. He was a 50 to 55-year-old electrician and was married to Adala.

Their 13-year-old son, Ishaq, was killed and so was his 15-year-old son, Hashem. Adala survived and so did Dalal and Rihab, their 16-year-old daughter. We pulled Dalal and Adala out of the rubble. When the Iraqi forces came they managed to pull Rihab out. I think they are in an Erbil hospital.

I didn't know the other family in the house so well but the father was called Mohamed. He was between 30 and 35 years of age and worked as a builder. He was killed, along with his wife and six of their seven children. The only one that survived was 10-year-old Waleed. One of the bodies that we pulled out was Shahed, Mohamed's 14-year-old daughter.⁹⁵

According to witnesses there were usually IS fighters in the area near the house that was destroyed. The witnesses had not been outside after the fighting intensified but there were usually four or five groups of two or more IS fighters in the neighbourhood. They were never in one place; they moved around the neighbourhood carrying guns and mortars. Witnesses do not believe that the attack killed any IS fighters; nine of the 14 civilians in the house were killed. Whatever weapons system was used, this incident demonstrates the deadly toll of the use of explosive weapons with wide area effects in densely populated west Mosul.⁹⁶ Although Amnesty International was unable to establish the exact target for this attack, the information available suggests that no legitimate target was struck. This attack appears to have been indiscriminate or a direct attack on a civilian object.

ATTACKS IN WHICH LIKELY TARGETS WERE STRUCK

Amnesty International has documented a pattern of attacks in which pro-government forces appear to have struck their intended military targets, but did not do what was required to minimize harm to civilians, killing scores of civilians, injuring others and destroying and damaging civilian objects. The following five examples are possible disproportionate attacks and emblematic of wider patterns.

AL-SHUHADA NEIGHBOURHOOD, 13 JANUARY 2017

On 13 January at around 8.15am, explosions destroyed nine dwellings in al-Shuhada neighbourhood. "Kamel"⁹⁷ and "Hashem",⁹⁸ two 26-year-old men from the area, described what they believe was a helicopter strike, which destroyed Kamel's uncle's house. They said the helicopter fired three times, with each rocket it launched destroying three single-room dwellings. Nine dwellings were destroyed in total. "Hashem"⁹⁹ described the attack as follows:

I was close by at my mother's house. We were eating breakfast. At 8.15am and without warning the first rocket struck the homes, followed by two others. Each came from a different direction. It was all over in five or 10 minutes. After the last rocket landed we ran down to the scene. We were scared but we're Arabs and if there are dead people we must go down to them. We dug the bodies out. We pulled them out of the rubble. They were torn apart. Heads and arms had been severed. The target was a well-known IS commander called Harbi Abdel Gadir. He was killed, along with almost everyone else in the homes: more than 40 people. All the women and children were killed. There were only three survivors, Mohamed, Asher and Salman. They were taken to an IS-run hospital.¹⁰⁰

⁹⁵ Interview with "Ibn Mohamed" (real name withheld) on 10 May 2017.

⁹⁶ According to the Combined Joint Task Force of Operation Inherent Resolve, on 4 May 2017 the US-led coalition launched seven strikes near Mosul which "engaged seven ISIS tactical units and a sniper team; destroyed nine mortar systems, nine fighting positions, two heavy machine guns, two tactical vehicles, [and] two ISIS-held buildings." Airwars, *Military reports – May 2017*, airwars.org/daily-reports-may17 Amnesty International cannot confirm whether these strikes are related to the incident.

⁹⁷ Real name withheld.

⁹⁸ Real name withheld.

⁹⁹ Real name withheld.

¹⁰⁰ Interview with "Hashem" on 4 May 2017.

According to the witnesses, this strike killed one IS target at a cost of 40 civilian lives.¹⁰¹ Based upon the information available, this attack should be investigated as a possible disproportionate attack.



Before the major assault on west Mosul began, an area in al-Shuhada neighbourhood shows signs of damage and destruction in imagery from 19 January 2017. Structures appear collapsed with other damage probable in the vicinity since there is such a high density of buildings in the area. Image: © 2017 DigitalGlobe, Inc.

KHALED IBN AL-WALEED MOSQUE, ON OR AROUND 20 FEBRUARY 2017

An attack struck Khaled Ibn al-Waleed mosque, in Wadi Hajjar, at close to 3pm on or around 20 February (witnesses could not be sure of the exact date). The mosque is in the middle of a residential neighbourhood near Sawas Roundabout. “Hadi”,¹⁰² a witness from the area, told Amnesty International that 60-70 people were praying inside the mosque. The mosque was hit by up to five rockets, causing the roof to collapse and destroying two nearby houses. A second round of strikes were carried out a few minutes after the first. Hadi attributed the damage to an air strike, having heard aircraft in the sky.¹⁰³

I was 500m away from the mosque, and I heard the planes come and the sounds of the rockets. I went directly to the site, and I started dragging people out of the rubble. I pulled out at least 30 people, and we sent them to al-Jamhuri hospital. We had some ambulances, but mostly we were using small trucks. Everyone was shouting, and crying. I heard two of them under the rubble, moaning, and I found them. Then I found three more who were dead. Then I found one who was almost dead. I saw one, who was dead, stuck in the rubble up to his waist. Dozens were injured. I don't know how many died, but I saw at least four dead with my own eyes.¹⁰⁴

According to Hadi, at the time of the strike a car belonging to the Hesba police (religious police) of IS was parked outside the mosque. The car was painted in the distinctive black and white colours of IS and easily recognizable. He said that some IS fighters – no more than one or two of them – were praying inside. The

¹⁰¹ According to the Combined Joint Task Force of Operation Inherent Resolve, on 13 January 2017, the coalition launched four strikes near Mosul which “engaged an ISIL tactical unit; destroyed four fighting positions, two heavy machine guns, two watercraft, an ISIL headquarters building, a VBIED; and damaged eight supply routes”. Airwars, *Military reports – January 2017*, airwars.org/daily-reports-jan17/ Amnesty International cannot confirm whether these strikes are related to this incident.

¹⁰² Real name withheld.

¹⁰³ According to the Combined Joint Task Force of Operation Inherent Resolve, on 20 February 2017 the coalition launched six strikes near Mosul which, “engaged two ISIS tactical units; destroyed 11 mortar systems, three ISIS headquarters, three ISIS-held buildings, two anti-air artillery systems, two tactical vehicles, two supply caches, a front-end loader, a fighting position, a weapons facility, a VBIED and an IED”. Airwars, *Military reports – February 2017*, airwars.org/daily-reports-feb17/ Amnesty International cannot confirm whether these strikes are related to this incident.

¹⁰⁴ Interview with “Hadi” on 4 May 2017.

strike appears to have been an attempt to target the IS vehicle and the fighters inside the mosque.¹⁰⁵ Although Amnesty International cannot be sure how many IS fighters were impacted by the attack, the high civilian death toll and the nature of the objects that were struck raises the likelihood that it was a disproportionate attack.

MOSUL AL-JADIDA, 17 MARCH 2017

Air strikes by the US-led coalition killed at least 105 people in buildings in Mosul al-Jadida on 17 March. Independent sources who were in Mosul al-Jadida at the time told Amnesty International that a series of air strikes were carried out from 8am until 5pm on the day in question. One source returned to the site in the days that followed and visited a collapsed building from which 70 dead bodies had been retrieved.¹⁰⁶ Another source in Mosul al-Jadida at the time spoke in more general terms, telling Amnesty International: “If there was one IS fighter in a house they’d hit it and they’d kill at least 50 civilians... at least 50.”¹⁰⁷ Sources told Amnesty International that the air strikes had been called in by Iraqi Special Operation II (Counter-Terrorism Service) commandos who were struggling to advance into Mosul al-Jadida as their access was impeded by IS snipers. They requested the air strikes to clear the snipers and allow them to push forward.

On 25 May 2017 the US Department of Defense released the “Executive Summary of the Investigation of the Alleged Civilian Casualty Incident in the Al Jadidah District, Mosul”, in which it accepted that the deaths were caused by air strikes from a US plane and had targeted two IS snipers on the roof of the building.¹⁰⁸ According to the statement, the air strikes were carried out in support of a CTS operation and the munition deployed was a GPS-guided GBU-38 bomb. The US investigation also found that the impact of the air strike was exacerbated by the fact that the bomb had set off explosives planted by IS, causing secondary explosions and leading to the building’s collapse.¹⁰⁹ Amnesty International has not been able to verify whether secondary explosions occurred. Whether or not there were secondary explosions, Amnesty International is concerned that the GBU-38 was an excessively large bomb to use against a target of this nature. Even if the planners could not have anticipated the secondary explosions, it should have been clear that the choice of a 500-pound bomb, containing the equivalent of 190 pounds of TNT, to strike two snipers on a building full of civilians was likely to cause harm to civilians that would be excessive in relation to the military advantage, and therefore it would be a disproportionate attack.

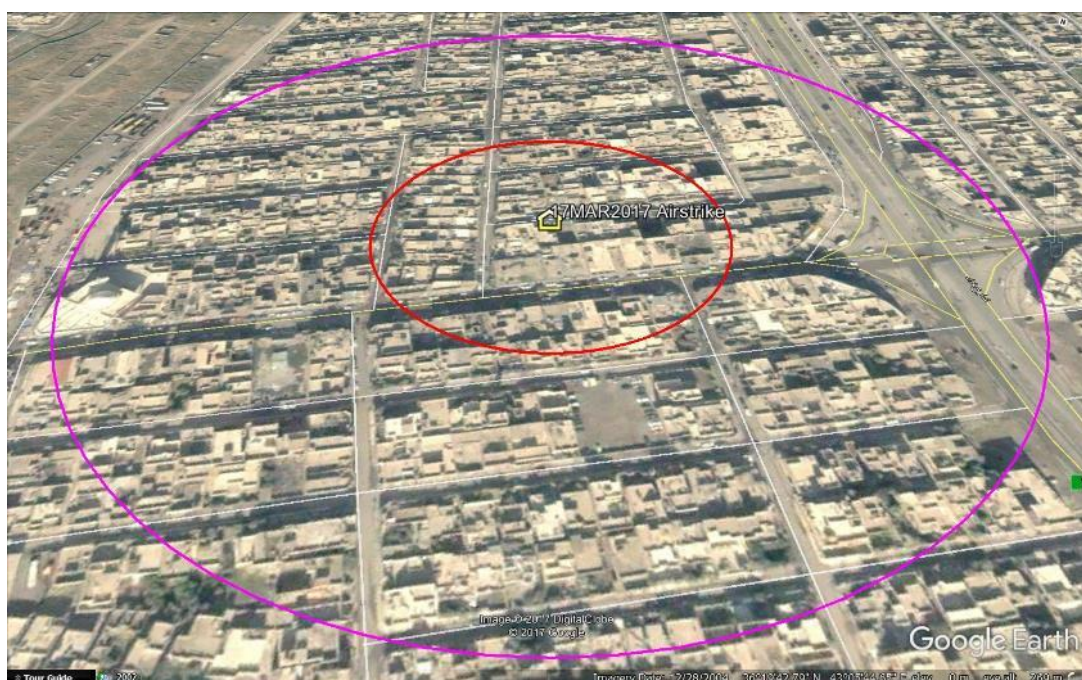
¹⁰⁵ According to a source quoted in international media, 43 civilians were killed by the strike on the mosque. See Voice of America, ‘Street turned to rubble shows cost of fight for Iraq’s Mosul’, 12 April 2017, www.voanews.com/a/street-rubble-cost-fight-mosul-iraq-islamic-state/3807375.html

¹⁰⁶ Interview with a confidential source on 13 May 2017.

¹⁰⁷ Interview with “Kamel” on 4 May 2017.

¹⁰⁸ Operation Inherent Resolve, *Executive summary of the investigation of the alleged civilian casualty incident in the Al Jadidah district, Mosul*, 25 May 2017, www.inherentresolve.mil/News/News-Releases/Article/1193707/executive-summary-of-the-investigation-of-the-alleged-civilian-casualty-incident/

¹⁰⁹ Operation Inherent Resolve, *Executive summary of the investigation of the alleged civilian casualty incident in the Al Jadidah district, Mosul*, 25 May 2017.



This image depicts the location of the 17 March 2017 air strike on al-Jadida neighbourhood, which used a GBU-38 bomb. The red ring on the image marks an area of 102m radius, in which overpressure from a GBU-38 would be hazardous to people outdoors. The purple ring marks an area of 245m radius, in which the fragmentation from a GBU-38 would be hazardous to people outdoors. © GoogleEarthPro

AL-ISLAH AL-ZIRAE, MID-APRIL

In mid-April presumed air strikes destroyed a house on al-Islah al-Zirae Street, next to a local landmark known as the Mahmoud water well and not far from Yarmouk Roundabout. Amnesty International interviewed “Ali”,¹¹⁰ a witness who was living in a house 100m away in the same street. He described the attack:

At around 5pm we heard a whizzing, whistling sound and then a huge explosion that knocked us sideways. This was followed by a second explosion after about two minutes. I waited until the following morning before going to the scene. The entire house had been destroyed. The bodies were still buried. I asked the neighbours what had happened and they said that IS had been inside the house before the strike. The brother of the family had not been at home at the time. He survived but he lost his entire family. Fifteen civilians were killed in that house.¹¹¹

The witness did not know exactly how many IS fighters had been inside the house when it was destroyed. From other interviews, Amnesty International is aware that IS fighters would roam neighbourhoods and enter civilian houses at will. They would usually travel in pairs, presumably in order to reduce the chance that a single strike would kill many fighters. This strike killed 15 civilians and raises proportionality concerns. Although Amnesty International cannot confirm how many IS fighters were impacted, established patterns of IS behaviour would suggest that the number was small. This, coupled with the high cost to civilian life, raises the possibility that this attack was disproportionate.

STREET 20, AL-TENAK NEIGHBOURHOOD, 19 OR 20 APRIL

Amnesty International interviewed witnesses to an attack on a civilian house on Street 20 in al-Tenak neighbourhood on either 19 or 20 April 2017. One of the witnesses was “Mohamed”,¹¹² the house owner.

¹¹⁰ Real name withheld.

¹¹¹ Interview with “Ali” on 14 May 2017.

¹¹² Real name withheld.

He had escaped from the area the night before. He learned on the telephone the following day that IS had taken over the house he had abandoned and that, as a result, it had become the target of air strikes. The air strikes destroyed the house containing the IS fighters. It also destroyed an adjoining house with a family inside. The houses were struck three times; two strikes occurred in quick succession and a third was carried out a short time later while rescue efforts were ongoing. Amnesty International also spoke to two other witnesses, one of whom “Hamza” described going to the scene:

We were still in al-Tenak neighbourhood. The two homes were adjoining each other. After the second bombing, my son Mohamed went to the scene and tried to pull the bodies out of the rubble. One of the occupants, Mohamed Diab, was only buried from the waist down. My son Mohamed put his arms under Mohamed Diab's armpits and tried to pull him free. They succeeded and Mohamed Diab survived. He was the only survivor from the house. While my son and the other civil defence lads were trying to dig out the others the plane came around again and struck again [for a third time]. It killed one of the [civil defence] lads.¹¹³

The first two strikes killed the IS fighters but they also killed the entire family living next door. The third strike killed one of the first responders. Amnesty International is concerned that the choice of munitions in this attack resulted in the destruction of a house full of civilians, as well as the decision to launch a third strike, once the houses had already been destroyed.¹¹⁴ Based upon available information, there are reasons to suspect that the first two strikes may have been disproportionate. The third strike raises the possibility that rescuers and the injured may have been deliberately targeted.

5.3 FAILURE TO TAKE PRECAUTIONS IN ATTACK

EFFECTIVE WARNINGS

Parties to the armed conflict in west Mosul, including pro-government forces, were under an obligation to take precautions in attack, in order to protect civilians. This includes providing effective advance warning of attacks that may affect the civilian population. The majority of people displaced from west Mosul and interviewed by Amnesty International had received some kind of warning prior to bombardments. The warnings were made by television and radio in the weeks and months leading up to the operation. Usually, around two weeks before shelling commenced in a particular neighbourhood, planes would drop leaflets for people to read. Amnesty International spoke to people from the following neighbourhoods who had seen or were aware of the leaflets: al-Hermat, Mosul al-Jadida, al-Msherfa, al-Risala, al-Shuhada, al-Tenak, al-Thawra, Wadi Hajjar, al-Yarmouk and al-Zinjili. Amnesty International also interviewed people from villages outside west Mosul, all of whom had seen or were aware of leaflets dropped in their neighbourhoods before the shelling began.

Some of the warnings were intended for IS, instructing them to put down their weapons. Those intended for civilians typically informed them that pro-government forces were going to rescue them from IS. They instructed people not to leave their homes, making sure their children were always at home, to stay away from doors and windows and to conserve food and water. Warnings also told people to stay away from IS fighters and positions. Some people reported receiving leaflets telling them to make sure their children were always at home and to hang children's clothing on the roofs in order to distinguish their homes from IS houses (see below).

For a warning to be effective, it has to be suited to the environment, specific and practical. Warnings on television and radio did not reach a wide audience because IS prohibited TV and radio, although a few people kept clandestine sets. Leaflets reached more people, despite IS threatening to kill anyone they caught reading them. According to 43-year-old “Abu Omran”¹¹⁵ from al-Zinjili neighbourhood: “There were flyers, and they said to stay away from IS fighters and IS checkpoints. But if they found out that you had read the

¹¹³ Interview with “Hamza” on 8 May 2017.

¹¹⁴ According to the Combined Joint Task Force of Operation Inherent Resolve, on 19 April 2017 the coalition launched seven strikes near Mosul which “engaged four ISIS tactical units and destroyed five VBIEDs, five front-end loaders, four mortar systems, a medium machine gun and a VBIED factory”. Airwars, *Military reports – April 2017*, airwars.org/daily-reports-apr17/ Amnesty International cannot confirm whether these strikes are related to this incident.

¹¹⁵ Real name withheld.

flyer, they would kill you without hesitation.”¹¹⁶ Another interviewee, 32-year-old Samah from al-Hermat, explained: “We would try to follow the situation to find out what was happening, all behind the backs of IS. There were flyers dropped in our neighbourhood, but IS would execute anyone with a flyer in their hands.”¹¹⁷

The message on the leaflets took little account of the realities of living under IS. Staying away from IS was not a possibility for west Mosul residents. According to witnesses, IS would enter people’s homes at will and stay as long as they pleased. Sometimes they entered via the front door; often they used custom-made holes in the walls of houses allowing them free access. As one west Mosul resident explained:

*They were walking from house to house, and saying which houses were selected to make the food. They would give them the supplies and tell them, “At this time, you must be sure to have the food ready.” That way, they could stop by to eat during the fighting, and pick up the food.*¹¹⁸

At least some of the leaflets dropped instructed people to hang children’s clothes on the roofs of their houses to show that they were civilian houses with children inside. Despite this, Amnesty International spoke to people whose houses had been bombed, despite having children’s clothes on the roof. One al-Tenak resident, “Yazen”,¹¹⁹ whose house was bombed on 15 April 2017 while he was at home with his wife and children told Amnesty International:

*The Iraqi forces had told us to stay in our houses. IS were in a house across the street from us. Someone must have informed the Iraqi forces. I had hung my children’s clothes on the roof of our home so that the Iraqi forces would know that it was a family home, not an IS home. The children’s clothes were on the roof when the rocket landed on my house.*¹²⁰

Other interviewees believed that different pro-government forces had different approaches to warnings and precautions in attack. “Hadi”¹²¹ from al-Hermat told Amnesty International:

*IS always hid in amongst families because the US planes wouldn’t strike houses if they saw clothes on the roofs. Instead the Iraqi helicopters would come and they didn’t make that distinction. They [pro-government forces] would also use artillery, which would usually hit 15 minutes after IS had fired from a position. We knew to run as soon as they fired as the house would be hit.*¹²²

One interviewee, 26-year-old “Kamel”¹²³ from Mosul al-Jadida, seemed to capture collective sentiment about the value of the warnings as effective precautions in attack as follows: “Leaflets were dropped continuously beforehand with warnings telling people to stay at home but these were useless. Make sure you write that down. The. Warnings. Were. Useless.”¹²⁴

CHANGING TACTICS

Effective precautions in attack also require adapting tactics to changing circumstances to ensure attacks are not indiscriminate or disproportionate. Medics have been overwhelmed by the increase in civilian casualties arriving at medical centres from west Mosul. Exact numbers are unclear, but the nature of injuries suffered by west Mosul civilians indicate the price civilians are paying for pro-government forces’ persistent reliance on inappropriate means and methods of warfare.

Health professionals have noted that patients arriving from east Mosul displayed fewer complex wounds and instead usually displayed relatively straightforward trauma wounds, including single fractures and penetrating injuries caused by gunshots or fragmentation from explosive weapons. Patients from west Mosul, on the other hand, more often displayed blast-related injuries and compound fractures, including multiple penetrating injuries and polytraumas. Health professionals have observed a particular increase in numbers

¹¹⁶ Interview with “Abu Omran” on 5 May 2017.

¹¹⁷ Interview with Samah on 8 May 2017.

¹¹⁸ Interview with “Abeer” on 12 May 2017.

¹¹⁹ Real name withheld.

¹²⁰ Interview with “Yazan” (real name withheld) on 8 May 2017.

¹²¹ Real name withheld.

¹²² Interview with “Hadi” on 12 May 2017.

¹²³ Real name withheld.

¹²⁴ Interview with “Kamel” on 4 May 2017.

of crush injuries and burns, a phenomenon associated with the use of powerful explosive weapons in civilian areas. Surgical operations for patients arriving from west Mosul have tended to require more time and be more complex than for those arriving from the east of the city.¹²⁵

The injuries and deaths are attributable to two factors: IS preventing civilians from leaving areas of military operations in order to use them as human shields and pro-government forces relying on explosive munitions with wide area effects. It is inconceivable that pro-government forces were unaware of IS tactics and the concentration of civilians in areas coming under attack. It is also inconceivable that pro-government forces were unaware of the terrible cost to civilians of using overhead explosive ordnance in these areas, especially as the conflict progressed and the hospitals and health centres filled up with patients suffering blast and crush injuries. The same pro-government forces pulled injured civilians out of the rubble and transported them to hospitals in their thousands.¹²⁶

On only one occasion during the period under review does it appear that pro-government forces did change tactics in west Mosul: the US-led coalition temporarily halted air strikes in response to the 17 March bombing in Mosul al-Jadida and reportedly reconsidered tactics. Amnesty International has been informed that a decision was made to lighten payloads as a result of the attack, although the Pentagon statement released on 25 May 2017 made no mention of this.¹²⁷ Otherwise, Amnesty International found no evidence that tactics had been changed, as pro-government forces continued their reliance on artillery, mortars and IRAMs, all of which are less precise than air strikes using precision-guided munitions and are likely to have killed and injured far more people.

¹²⁵ Interview with sources working within the humanitarian response for Mosul on 15 May 2017 and email correspondence with them on 28 May 2017.

¹²⁶ While exact figures are not available, sources working within the humanitarian response for Mosul indicated that they received many thousands of injured civilians from west Mosul since the beginning of the operation. Interview with health professionals on 15 May 2017 and email correspondence with them on 28 May 2017.

¹²⁷ Interview with a confidential source linked to Iraqi and coalition forces on 12 June 2017.

6. INTERNATIONAL HUMANITARIAN LAW AND WAR CRIMES

International humanitarian law, or the laws of war, sets out rules that legally bind all parties to armed conflict, whether state armed forces or non-state armed groups. These rules aim to minimize human suffering, and offer particular protection to civilians and those who are not directly participating in hostilities. Iraq is a state party to the four Geneva Conventions of 1949 and their Additional Protocol of 1977 relating to the Protection of Victims of International Armed Conflicts (Protocol I).

The rules of customary international humanitarian law¹²⁸, including all those cited in this report, are legally binding on all parties to the non-international armed conflict in Iraq, namely members of the US-led coalition, Iraqi armed forces and security forces, government-backed militias and IS. States have an obligation to investigate alleged violations of the laws of war, to bring to justice those responsible for war crimes, and to ensure reparation for the victims of violations.

6.1 THE RULES OF INTERNATIONAL HUMANITARIAN LAW DISTINCTION AND PROPORTIONALITY

A fundamental rule of international humanitarian law is that parties to any conflict must at all times “distinguish between civilians and combatants”, especially in that “attacks may only be directed against combatants” and “must not be directed against civilians”.¹²⁹ A similar rule requires parties to distinguish between “civilian objects” and “military objectives”. These rules are part of the fundamental principle of distinction.

For the purposes of distinction, anyone who is not a member of the armed forces of a party to the conflict is a civilian, and the civilian population comprises all persons who are not combatants.¹³⁰ Civilians are protected against attack unless and for such time as they take a direct part in hostilities.¹³¹

Civilian objects are all objects (that is, buildings, structures, places, and other physical property or environments) which are not “military objectives”, and military objectives are “limited to those objects which by their nature, location, purpose or use make an effective contribution to military action and whose partial or total destruction, capture or neutralisation, in the circumstances ruling at the time, offers a definite military

¹²⁸ For an authoritative list of these rules see International Committee of the Red Cross (ICRC), *Customary International Humanitarian Law: Volume 1: Rules*, J-M Henckaerts and L Doswald-Beck, eds, 2005 (hereinafter: ICRC, *Customary IHL Study*).

¹²⁹ ICRC, *Customary IHL Study*, Rule 1. See also Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), Article 48, and Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), Article 12(2).

¹³⁰ ICRC, *Customary IHL Study*, Rule 5; see also Protocol I, Article 50.

¹³¹ ICRC, *Customary IHL Study*, Rule 6; see also Protocol I, Article 51(3); Protocol II, Article 13(3).

advantage”.¹³² Civilian objects are protected against attack, unless and for such time as they become military objectives because all of the criteria for a military objective just described become temporarily fulfilled.¹³³ In cases of doubt whether an object that is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling, or a school, is being used for military purposes, it is to be presumed not to be so used.¹³⁴

Intentionally directing attacks against civilians not taking direct part in hostilities or against civilian objects is a war crime.¹³⁵ The principle of distinction also includes a specific rule that “acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited”.¹³⁶

The corollary of the rule of distinction is that “indiscriminate attacks are prohibited”.¹³⁷ Indiscriminate attacks are those that are of a nature to strike military objectives and civilians or civilian objects without distinction, either because the attack is not directed at a specific military objective, or because it employs a method or means of combat that cannot be directed at a specific military objective or has effects that cannot be limited as required by international humanitarian law.¹³⁸

International humanitarian law also prohibits disproportionate attacks, which are those “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 concrete and direct military advantage anticipated”.¹³⁹ Intentionally launching an indiscriminate attack resulting in death or injury to civilians, or a disproportionate attack (that is, knowing that the attack will cause excessive incidental civilian loss, injury or damage) constitutes a war crime.¹⁴⁰

In addition to benefiting from the protection accorded civilians and civilian objects, certain persons and objects are afforded special protection under international humanitarian law. Medical personnel and medical transports must be respected and protected in all circumstances.¹⁴¹ Humanitarian relief personnel and humanitarian relief objects must be respected and protected.¹⁴² And “special care must be taken in military operations to avoid damage to buildings dedicated to religion, art, science, education or charitable purposes and historic monuments unless they are military objectives”.¹⁴³

PRECAUTIONS

The protection of the civilian population and civilian objects is further underpinned by the requirement that all parties to a conflict take precautions in attack. In the conduct of military operations, then, “constant care must be taken to spare the civilian population, civilians and civilian objects”; “all feasible precautions” must be taken to avoid and minimize incidental loss of civilian life, injury to civilians and damage to civilian objects.¹⁴⁴ The parties must choose means and methods of warfare with a view to avoiding, and in any event to minimizing, incidental loss of civilian life, injury to civilians and damage to civilian objects.¹⁴⁵ Everything feasible must be done to verify that targets are military objectives, to assess the proportionality of attacks, and to halt attacks if it becomes apparent they are wrongly directed or disproportionate.¹⁴⁶ Where circumstances permit, parties must give effective advance warning of attacks which may affect the civilian population.¹⁴⁷

Parties must choose appropriate means and methods of attack when military targets are located within residential areas. This requirement rules out the use of certain types of weapons and tactics. The use of means of combat (such as using imprecise explosive weapons on targets located in densely populated

¹³² ICRC, *Customary IHL Study*, Rules 8 and 9; Protocol I, Article 52.

¹³³ ICRC, *Customary IHL Study*, Rule 10.

¹³⁴ Protocol I, Article 52(3). See also ICRC, *Customary IHL Study*, pp. 34-36.

¹³⁵ ICRC, *Customary IHL Study*, Rule 156, pp. 591,593,595-598. See also Rome Statute of the International Criminal Court, Articles 8(2)(b)(i) and (ii) and 8(2)(e)(i)(ii)(iv) and (xii). See also discussion in ICRC, *Customary IHL Study*, p. 27.

¹³⁶ ICRC, *Customary IHL Study*, Rule 2; see also Protocol I, Article 51(2) and Protocol II, Article 12(2).

¹³⁷ ICRC, *Customary IHL Study*, Rule 11; Protocol I, Article 51(4).

¹³⁸ ICRC, *Customary IHL Study*, Rule 12; Protocol I, Article 51(4)(a).

¹³⁹ ICRC, *Customary IHL Study*, Rule 14; Protocol I, Articles 51(5)(b) and 57.

¹⁴⁰ ICRC, *Customary IHL Study*, Rule 156, pp. 599-601.

¹⁴¹ ICRC, *Customary IHL Study*, Rules 26 and 29.

¹⁴² ICRC, *Customary IHL Study*, Rules 31 and 32.

¹⁴³ ICRC, *Customary IHL Study*, Rule 38.

¹⁴⁴ ICRC, *Customary IHL Study*, Rule 15. See also Protocol II, Article 13(1).

¹⁴⁵ ICRC, *Customary IHL Study*, Rule 17.

¹⁴⁶ ICRC, *Customary IHL Study*, Rules 16-19.

¹⁴⁷ ICRC, *Customary IHL Study*, Rule 20.

civilian areas) that cannot be directed at a specific military objective may result in indiscriminate attacks and is prohibited. The use of mortars, artillery, and improvised rockets in populated civilian neighbourhoods of west Mosul – even if intended to target military objectives – violates this prohibition. Choosing methods of attack that do not minimize the risk to civilians (for example, attacking objectives at times when many civilians are most likely to be present) also violate international humanitarian law.

Attacks by both government forces and armed groups that are carried out in the knowledge that they will cause massive civilian casualties and destruction of civilian objects violate the prohibition on indiscriminate attacks and can constitute war crimes.

Warring parties have obligations to take precautions to protect civilians and civilian objects under their control against the effects of attacks by the adversary. As with precautions in attack, these rules are particularly important when fighting is taking place in areas with large numbers of civilians. Each party to the conflict must, to the extent feasible, avoid locating military objectives within or near densely populated areas.¹⁴⁸

However, Article 50(3) of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), states: “The presence within the civilian population of individuals who do not come within the definition of civilians does not deprive the population of its civilian character.” The fact that military checkpoints, bases or military equipment may be located within civilian areas does not in any way negate the obligation of pro-government forces’ and IS with respect to civilians, including the principle of distinction, the prohibition on indiscriminate and disproportionate attacks, and the precautions detailed above.

FUNDAMENTAL GUARANTEES AND THE PROHIBITION OF USING HUMAN SHIELDS

International humanitarian law also provides fundamental guarantees for civilians as well as fighters or combatants who are captured, injured or otherwise rendered unable to fight (*hors de combat*). Between them, Common Article 3 of the 1949 Geneva Conventions and customary international humanitarian law include the following rules: murder is prohibited; humane treatment is required; discrimination in application of the protections of international humanitarian law is prohibited; torture, cruel or inhuman treatment and outrages on personal dignity (particularly humiliating and degrading treatment) are prohibited, as are enforced disappearances, the taking of hostages, and arbitrary detention. No one may be convicted or sentenced except pursuant to a fair trial affording all essential judicial guarantees. Collective punishments are also prohibited.¹⁴⁹ Depending on the particular rule in question, many or all acts that violate these rules will constitute war crimes.¹⁵⁰

As documented in this report, the conduct of IS towards civilians under its control flagrantly violated fundamental guarantees of international humanitarian law. Civilians were summarily killed if they tried to flee from IS-controlled areas. And they were routinely used to try to shield IS fighters and military assets from attack. This type of tactic, known as using human shields is strictly prohibited and a war crime.¹⁵¹ It perverts a fundamental principle of international humanitarian law – distinction – intentionally placing civilians at greater risk in order to protect military assets or, failing that, to exploit the vulnerability of civilians for propaganda purposes. In order to ensure its supply of civilians to use as shields, IS forcibly moved civilians from areas that were about to fall into the hands of pro-government forces to IS-controlled areas that were coming under attack. This also violated the prohibition on displacing civilians except for their own security or for imperative military reasons.¹⁵²

¹⁴⁸ ICRC, *Customary IHL Study*, Rule 23; see also Protocol I, Article 58(b).

¹⁴⁹ ICRC, *Customary IHL Study*, Rules 87-105.

¹⁵⁰ ICRC, *Customary IHL Study*, Rule 156.

¹⁵¹ Article 28 of Geneva Convention IV provides that “[t]he presence of a protected person may not be used to render certain points or areas immune from military operations.” Article 51(7) of Protocol I specifies: “[T]he presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.” See also ICRC, *Customary IHL Study*, Rule 97 and 156.

¹⁵² ICRC, *Customary IHL Study*, Rule 129; and Rome Statute of the International Criminal Court, Article 8(2)(e)(viii), characterizing unjustified forced displacement of civilians as a war crime, www.icccpi.int/nr/rdonlyres/ea9aef77-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf

Of course, the fact that IS has been using civilians as human shields does not relieve pro-government forces of their duty to comply with international humanitarian law, including the absolute prohibition on directly attacking civilians.

6.2 WAR CRIMES

Serious violations of international humanitarian law are war crimes. Some of the crimes that are relevant to the violations documented in this report include: making the civilian population or individual civilians not directly participating in hostilities the object of attack; ordering the displacement of civilians for reasons related to the conflict and not required for the security of the civilians involved or imperative military necessity; making civilian objects the object of attack; launching an indiscriminate attack resulting in death or injury to civilians, or an attack in the knowledge that it will cause excessive incidental civilian loss, injury or damage; and using human shields.¹⁵³

Under international humanitarian law, individuals are criminally responsible for war crimes they commit.¹⁵⁴ Military commanders and civilian superiors are criminally responsible for war crimes committed by their subordinates if they ordered such acts or if they knew, or had reason to know, such crimes were about to be committed or were being committed and did not take the necessary measures to prevent their commission, or to punish persons responsible for crimes that had already been committed.¹⁵⁵

All states have the right to vest universal jurisdiction in their national courts over war crimes committed in other states.¹⁵⁶ They must investigate war crimes over which they have jurisdiction and, if appropriate, prosecute the suspects.¹⁵⁷

¹⁵³ For a list and explanation of war crimes in non-international armed conflict, see ICRC, *Customary IHL Study*, Rule 156.

¹⁵⁴ ICRC, *Customary IHL Study*, Rule 151.

¹⁵⁵ ICRC, *Customary IHL Study*, Rules 152 and 153.

¹⁵⁶ ICRC, *Customary IHL Study*, Rule 157.

¹⁵⁷ ICRC, *Customary IHL Study*, Rule 158.

7. CONCLUSION AND RECOMMENDATIONS

IS committed egregious violations of international humanitarian law and human rights abuses before and during the battle for west Mosul. The group forced civilians to move into the conflict zone, used them as human shields and prevented their evacuation. IS has also imposed appalling conditions on the civilians in their territory, barred their access to medical care and adequate food, and summarily killed those who attempted to escape.

IS's treatment of civilians is horrifying, and its tactics posed significant difficulty for pro-government forces in west Mosul. Yet IS's use of human shields does not lessen the burden upon pro-government forces to select lawful targets and to strike them in a way that is not indiscriminate or disproportionate. In this densely populated urban environment, military planners should have taken extra care in targeting and their choice of weapons to ensure that attacks were not unlawful. Instead, Amnesty International identified a pattern of attacks carried out by pro-government forces that indicate the commission of repeated violations of international humanitarian law, some of which may amount to war crimes. These attacks had disastrous consequences for civilians in west Mosul.

Many Mosul residents expressed to Amnesty International grave concerns about the future of Mosul and Iraq. According to Musab, "This war will guarantee there will be fighting again."¹⁵⁸ "Hashem" added: "There is zero chance of a future here in Iraq. There is no point in rebuilding anything as it will all be destroyed again... The cheapest thing in Iraq is a human being."¹⁵⁹ When asked to describe the situation in Iraq, "Hussein" said, "It is a circle of violence that never ends."¹⁶⁰ Their fears are well founded: if pro-government forces fail to protect civilians in Mosul, there is a real risk that this battle will form one more chapter in a seemingly endless cycle of devastating conflict and atrocities in Iraq. Iraqi forces and members of the US-led coalition must ensure that the fight against IS – not only in the fight for Mosul, but in other battles in Iraq and in Syria – is fought in a way that is consistent with international law and standards. Civilians trapped by conflict and abused by IS must be treated with the dignity and humanity they deserve.

¹⁵⁸ Interview with Musab on 10 May 2017.

¹⁵⁹ Interview with "Hashem" on 5 May 2017.

¹⁶⁰ Interview with "Hussein" on 5 May 2017.

In the light of the findings in this report, Amnesty International is making a number of recommendations to the parties to the conflict in Mosul, as well as to other key actors that have an influence on the situation there.

IRAQI AUTHORITIES AND MEMBER STATES OF THE US-LED COALITION

Amnesty International makes the following recommendations to the Iraqi authorities and member states of the US-led coalition supporting Iraqi forces:

- Fully comply with the rules of international humanitarian law in the planning and execution of air strikes and other attacks, including by cancelling attacks that risk being indiscriminate, disproportionate or otherwise unlawful.
- Consistent with the prohibition on indiscriminate attacks, end the use of explosive weapons with wide area effects, such as artillery and mortars, in the vicinity of populated civilian areas.
- Cease the use of inherently indiscriminate weapons, such as IRAMs, which are impossible to precisely target at military objectives or to use lawfully in populated civilian areas.
- Assume the presence of civilians in every structure when engaging IS fighters, given the likelihood of IS using civilians as human shields and adjust tactics to take civilian presence into account.
- Take all feasible precautions to minimize harm to civilians, including giving effective advance warnings of impending attacks to the civilian population in the concerned areas, including, when possible, by providing advice to civilians on specific evacuation routes that should be taken.
- Take all feasible measures to ensure that civilians can evacuate from west Mosul in a safe manner.
 - In active conflict zones, establish safe passageways for civilians so they can safely flee.
 - Formulate and disseminate a co-ordinated plan for civilian evacuation, including the delivery of food, water and shelter to civilians as quickly as possible.

Amnesty International makes the following additional recommendations to the Iraqi authorities:

- At the highest level of government, publicly acknowledge the scale and gravity of the loss of civilian lives during the military operation to retake Mosul from the control of IS.
- Provide prompt and full reparation to victims and families of victims of violations, including compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition.
 - Establish an independent commission tasked with ensuring that any instances where there is credible information that violations of international humanitarian law have taken place are independently and impartially investigated and made public.
 - Conduct a full assessment of damage to civilian property, injury to civilians, loss of civilian life and impact upon livelihoods as a result of the Mosul operation.
 - Allocate and provide adequate budgetary resources and ensure that all legislative and regulatory measures are in place to provide reparations to victims.
 - Where there is admissible evidence that an individual is responsible for war crimes, ensure they are prosecuted in a fair trial without recourse to the death penalty.
 - Establish a national compensation programme by which civilians can obtain reparations for civilian harm resulting from coalition and Iraqi government strikes.
- Continue to provide security, shelter and services to those displaced by the conflict until such a time that they can safely return to their homes and support themselves. Ensure that these services are of the highest quality.
 - Ensure that all areas of Mosul affected by the conflict have been cleared of unexploded ordnance and improvised explosive devices before encouraging people to return to them. Provide all returning civilians, especially children, with education about the dangers of unexploded ordnance.
 - To this end, seek and facilitate international co-operation and assistance to ensure faster delivery.

- Accede to the Rome Statute of the International Criminal Court and issue a declaration accepting the International Criminal Court's jurisdiction since 1 July 2002.
- Accede to the Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II).

Amnesty International makes the following additional recommendations to the member states of the US-led coalition:

- Publicly acknowledge the scale and gravity of the loss of civilian lives during the military operation to retake Mosul from the control of IS.
- In co-ordination with the Iraqi authorities, provide prompt and full reparation to victims and families of victims of violations, including compensation, restitution, rehabilitation, satisfaction and guarantees of non-repetition.
 - Create a mechanism by which civilians can obtain compensation for harm, destruction and damage resulting from coalition and Iraqi government strikes. Ensure that information on how to access the mechanism is widely publicized throughout the operating theatre.
 - Support the development of an Iraqi national compensation programme.
- Accede to the Rome Statute of the International Criminal Court, if they are not already a state party to it, and issue a declaration accepting the International Criminal Court's jurisdiction since 1 July 2002.
- If they are not already a state party, accede to the Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) and to the Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol I)

Given US policy on “pre- and post-strike measures to address civilian casualties in U.S. operations involving the use of force”, as set out in Executive Order 13732, signed by the US President on 1 July 2016,¹⁶¹ Amnesty International also calls on the US government to take the following measures in accordance with the order:

- Conduct a review of the effectiveness of existing civilian casualty prevention and mitigation processes, including of warning systems and methods for adjusting tactics and choices of weapons in response to IS practices.
- Disclose to the public greater information regarding existing mechanisms designed to minimize civilian harm, including trainings and collateral damage mitigation processes.
- Engage with coalition partners to share and learn best practices for reducing the likelihood of, and responding to, civilian casualties, including through appropriate training and assistance.

THE ARMED GROUP CALLING ITSELF THE ISLAMIC STATE

While it has not been able to engage directly with the armed group calling itself the Islamic State, Amnesty International appeals to the group to take the following actions:

- Immediately cease the forced displacement of civilians into conflict zones and the use of human shields. Allow and facilitate the evacuation of civilians wishing to flee the conflict.
- Ensure civilians have access to medical care and adequate food and drinkable water, including by facilitating the provision of impartial humanitarian relief.
- Immediately halt the use of hospitals and other protected objects as lodging for fighters.
- End the use of inherently indiscriminate weapons such as improvised explosive weapons including booby traps.
- In accordance with international humanitarian law, take all feasible measures to relocate military installations, fighters and equipment from civilian areas.

¹⁶¹ US Federal Register, Presidential documents, Executive Order 13732, 1 July 2016, www.gpo.gov/fdsys/pkg/FR-2016-07-07/pdf/2016-16295.pdf

UN ASSISTANCE MISSION FOR IRAQ (UNAMI)

Acknowledging its ongoing efforts to promote the protection of human rights and judicial and legal reform to strengthen the rule of law in Iraq, Amnesty International makes the following recommendations to the UN Assistance Mission for Iraq (UNAMI):

- Ensure that civilian deaths and injuries as a result of the conduct of hostilities by all parties to the Mosul operation and other conflicts in Iraq are monitored, documented and brought to public attention in a timely fashion.
- Assist the Iraqi authorities in the establishment and running of an investigative commission into events in Mosul for accountability and reparation purposes.
- Monitor the workings of the investigative commission including appointments and transparency and report publicly on issues of concern.

THE INTERNATIONAL COMMUNITY

Amnesty International makes the following recommendations to states providing military assistance or transferring military equipment to the Iraqi government:

- Before any sale or transfer of weapons, munitions or other military equipment or technology is made, undertake a rigorous assessment of the likelihood that any transfer under consideration would be used by the intended recipients, or by others through diversion, to commit or facilitate serious violations of international human rights or international humanitarian law.
- Adopt a preventive approach and apply concrete, enforceable, transparent and verifiable mechanisms to mitigate and remove the substantial risk of the arms being used directly by the intended recipients, or through diversion, to commit or facilitate serious violations of international human rights law or international humanitarian law.
- Where they have not already done so, accede to the global Arms Trade Treaty, which contains provisions to stop arms transfers where there is an overriding risk they could be used for serious violations of international human rights or humanitarian law and prevent diversion.

Amnesty International makes the following additional recommendations to all governments:

- Acknowledge and condemn the violations that have been committed against civilians by all parties to the conflict in west Mosul.
- As a matter of urgency, increase funding for humanitarian assistance to civilians who have fled the fighting in Mosul to meet their basic needs and allow for better preparation for further mass displacement from Mosul and surrounding areas.
- Ensure that internally displaced persons undergoing security screening are kept in humane conditions, meeting international standards, and have facilities to enable them to communicate with their families and have access to free legal representation.

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AT ANY COST

THE CIVILIAN CATASTROPHE IN WEST MOSUL, IRAQ

During the battle for west Mosul, the armed group calling itself the Islamic State (IS) systematically moved civilians into the fighting, used them as human shields, summarily killed them and prevented them from fleeing to safety. Consequently, as IS lost territory, the areas remaining under its control became increasingly crowded with civilians. Iraqi government and US-led coalition forces subjected these areas to relentless attacks using explosive weapons with wide area effects. These attacks wreaked havoc, killing and injuring thousands of trapped civilians.

Amnesty International's research shows that IS committed serious violations of international humanitarian law, including war crimes. Iraqi and coalition forces appear to have repeatedly carried out indiscriminate, disproportionate or otherwise unlawful attacks, some of which may amount to war crimes.

Amnesty International calls on Iraqi and coalition forces to immediately end the use of explosive weapons with wide area effects in densely populated areas. Members of the US-led coalition and the Iraqi government must conduct effective investigations into allegations of violations of international humanitarian law and ensure that victims and their families receive full reparation. The only way to prevent another cycle of violence and violations in Iraq is to ensure civilians are protected and treated with dignity.