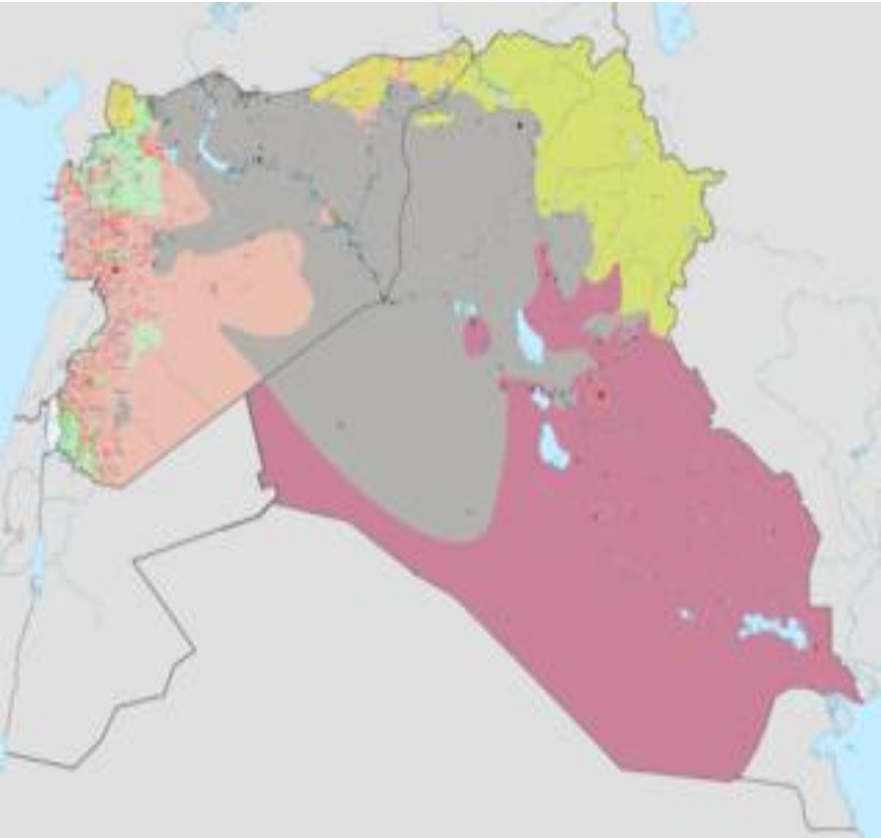




HUMAN RIGHTS Office of the
High Commissioner for Human
Rights



UNITED NATIONS Assistance
Mission for Iraq (UNAMI)
Human Rights Office



Report on the Protection of Civilians
in Armed Conflict in Iraq:
11 September – 10 December 2014

“Armed conflict and acts of terrorism continue to claim a terrible toll on Iraqi men women and children. The Government of Iraq, together with the international community, must do all they can to care for the victims of this violence, to restore law and order to the country, to protect those living in areas under the control of ISIL and affiliated groups, and ensure that all those responsible for committing human rights violations and abuses are held to account according to law.”

– Mr. Nickolay Mladenov

UN Special Representative of the Secretary-General in Iraq, 15 December, Baghdad

“Accountability is of paramount importance to address past and prevent future violations of international law. The Iraqi Government should consider accession to the Rome Statute of the International Criminal Court, and as an immediate step, consider accepting the exercise of the International Criminal Court’s jurisdiction with respect to the specific situation facing the country pursuant to Article 12(3) of the Rome Statute”.

- Mr. Zeid Ra'ad Al Hussein

High Commissioner for Human Rights, 15 December, Geneva

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Summary

This report is published jointly by the United Nations Assistance Mission for Iraq (UNAMI) and the Office of the United Nations High Commissioner for Human Rights (OHCHR). It covers the period from 11 September to 10 December 2014 (“the reporting period”) and follows on from UNAMI/OHCHR first and second reports on the protection of civilians in relation to the ongoing non-international armed conflict in Iraq as well as acts of terrorism committed in other areas of Iraq, covering the periods from 5 June to 5 July 2014 (released 18 August 2014) and 6 July to 10 September 2014 (released on 26 September 2014).

Six months since the so called Islamic State in Iraq and the Levant (ISIL) seized the city of Mosul and instigated the current crisis, the acts of terrorism and the ongoing armed conflict between the Iraqi Security Forces (ISF) and affiliated forces, on the one hand, and ISIL and associated armed groups on the other, continue to take a heavy toll on civilians. The conflict continues to be characterized by widespread acts of violence and gross violations and abuses of human rights of an increasingly sectarian nature. In large areas of the country, violence has led to a deterioration of the rule of law and impunity for those perpetrating violations and abuses.

From the beginning of January until 10 December 2014, at least 33,368 civilians casualties have resulted from the ongoing violence, including at least 11,602 killed and 21,766 wounded. In the period between 1 June and 10 December 2014, when the conflict spread from Anbar to other areas of Iraq, UNAMI/OHCHR recorded at least 20,252 civilian casualties, including at least 7,801 killed, and 12,451 wounded.

Owing to increasing limitations on UNAMI/OHCHR capacity to verify reports of civilian casualties, the figures cited should be regarded as absolute minimums. The actual number of civilian victims of the violence could be much higher. The number of civilians who have died from the secondary effects of violence, such as lack of access to basic food, water or medicine, after fleeing their homes or who remained trapped in areas under ISIL control or in areas of conflict, remains unknown. Children, pregnant women, persons with disabilities and elderly people have been particularly vulnerable.

As of 10 December 2014, it was estimated that more than two million persons have been displaced within Iraq, comprising some 334,011 families. Over 945,000 individuals are displaced in the Kurdistan Region of Iraq (KR-I), while over 900,000 were spread throughout other governorates, including Anbar, Baghdad, Diyala, Kirkuk, Ninewa, and Salah al-Din, with smaller numbers in Karbala, Babil, Najaf, Muthanna, Thi-Qar and Basra. Areas under the control of ISIL and associated armed groups or in areas characterized by violence remain difficult to access for the provision of humanitarian assistance. Large numbers of civilians remained trapped or displaced in areas under the control of ISIL and their security and access to humanitarian assistance remained of primary concern. With the onset of winter, it has become even more critical to ensure that the basic humanitarian needs of all those displaced or affected by the violence are met.

UNAMI/OHCHR continued to receive reports of serious violations of international humanitarian law and gross human rights violations and abuses perpetrated by ISIL, with an apparent systematic and widespread character. These include attacks directly targeting civilians and civilian infrastructure, executions and other targeted killings of civilians, abductions, rape and other forms of sexual and gender based violence perpetrated against women and children, slavery and trafficking of women and children, forced recruitment of children, destruction or desecration of places of religious or cultural significance, wanton destruction and looting of property, and denial of fundamental freedoms.

In particular, members of Iraq’s diverse ethnic and religious communities, including Turkmen, Shabaks, Christians, Yezidi, Sabaeans, Kaka’e, Faili Kurds, Shi’ite Arab, and others have been intentionally and systematically targeted by ISIL and associated armed groups and subjected to gross

human rights abuses, in what appears as a deliberate policy aimed at destroying, suppressing or expelling these communities permanently from areas under their control. ISIL also murdered captured members of the Iraqi security forces and those suspected of being associated with the Government. They have also systematically targeted all persons they suspect of potential disloyalty to their cause, including religious, community and tribal leaders, subjecting them to executions and killings, destruction of their property, and other crimes.

UNAMI/OHCHR notes that many of the violations and abuses perpetrated by ISIL may amount to war crimes, crimes against humanity and possibly genocide.

In addition, UNAMI/OHCHR continued to receive reports of violations of international humanitarian law and international human rights law committed by ISF and affiliated armed groups. These include failures to abide by the principles of distinction and proportionality required by international humanitarian law in the conduct of military operations, in which case may amount to war crimes. UNAMI/OHCHR continued to receive reports that some armed groups affiliated to or supporting the Government also perpetrated targeted killings, including of captured fighters from ISIL and its associated armed groups, abductions of civilians, and other abuses. UNAMI/OHCHR has also received some reports of mistreatment of Sunni Arabs in areas liberated from ISIL control by ISF.

UNAMI/OHCHR continued to receive a large number of reports of incidents where it has not been possible to identify the perpetrators of the violations and abuses committed, despite circumstantial indications (such as location of the violation or identity of the victims or targets) that may strongly suggest responsibility. These include acts of terrorism, such as targeted killings and kidnappings, inter-sectarian violence, and the use of Improvised Explosive Devices (IEDs), Vehicle-Borne Improvised Explosive Devices (VBIEDs) and suicide bombers targeting civilians or civilian infrastructure.

International law requires that all parties to the armed conflict respect the applicable principles of international humanitarian law, including the principles of distinction and proportionality, when carrying out armed operations and that they take all feasible precautions to avoid, and in any event to minimize, the impact of violence on civilians. They must also take steps to ensure the safety and protection of civilians by enabling them to leave areas affected by violence in safety and dignity, and to access basic humanitarian assistance at all times. Parties to the conflict must also take steps to ensure the protection and care of the most vulnerable among the civilian population, and are required to prevent violations and abuses. Nothing in international law bestows immunity from prosecution on non-State actors participating in a non-international armed conflict or for any crimes or violations they may commit. The Government of Iraq is required to hold alleged perpetrators of serious violations or abuses of international and national law to account, in particular those that amount to international crimes, including war crimes, crimes against humanity and genocide, irrespective of who those perpetrators may be. The Government of Iraq must also ensure that all armed groups engaged in hostilities in support of its forces, including the peoples' mobilization forces, comply with relevant international and national laws in the conduct of their operations against ISIL and associated armed groups, including protecting civilians from the effects of violence and ensuring their access to humanitarian assistance.

Introduction

This report on the protection of civilians in the armed conflict in Iraq is published by the Human Rights Office of UNAMI in cooperation with OHCHR, under their respective mandates.¹

This report presents a summary of incidents received and verified by UNAMI/OHCHR involving violations of international human rights and humanitarian law, as well as other human rights concerns, arising from acts of terrorism and the non-international armed conflict between ISF and affiliated armed groups and ISIL.² The report covers the period from 11 September to 10 December 2014.

Methodology

The information contained in this report, where possible, is based on testimonies obtained directly from the victims, survivors or witnesses of gross violations and abuses of international human rights law and/or serious violations of international humanitarian law. In particular, UNAMI/OHCHR continued to conduct interviews with internally displaced persons in KR-I, the Kirkuk and Diyala governorates and other areas of Iraq.³ Information was also obtained from a variety of sources, including government and non-government agencies and organisations, as well as United Nations entities.⁴ Unless specifically stated, all information presented in this report has been cross-checked or verified using independent, credible and reliable sources.

The security situation in Iraq has negatively impacted UNAMI/OHCHR capacity to undertake direct monitoring and verification of incidents in many parts of the country. In particular, UNAMI/OHCHR continued to encounter difficulties in verifying incidents in certain areas controlled by ISIL or Shi'a and other militias where clashes have driven out most civilians, where there is active fighting, and/or because sources are reluctant to speak to UNAMI due to threats, intimidations and the fear of

¹ In resolution 1770 of 10 August 2006, the United Nations Security Council, at paragraph 2(c) specifically requested UNAMI to "promote the protection of human rights and judicial and legal reform in order to strengthen the rule of law in Iraq;..." UNAMI mandate was extended in the same terms for 2014/2015 by Security Council resolution 2169 of 30 July 2014. In accordance with its mandate, UNAMI Human Rights Office conducts a range of activities aimed at promoting the protection of civilians in armed conflict, including undertaking independent and impartial monitoring of, and reporting on, armed violence and its impact on civilians and violations of international humanitarian law and international human rights law.

² Please refer to background on ISIL in previous UNAMI/OCHR first and second reports on the protection of civilians in relation to acts of terrorism and the ongoing non-international armed conflict in Iraq, covering the periods from 5 June to 5 July 2014 (released 18 August 2014) and 6 July to 10 September 2014 (released on 26 September 2014), available online at http://www.ohchr.org/Documents/Countries/IQ/UNAMI_OHCHR_POC%20Report_FINAL_18July2014A.pdf and http://www.ohchr.org/Documents/Countries/IQ/UNAMI_OHCHR_POC_Report_FINAL_6July_10September2014.pdf

³ As of 4 December, UNAMI had conducted 587 interviews with IDPs in areas where they have concentrated, including: Khazir (Al-Hamdaniya); Erbil city, 11th Azar Quarter in the Kasnazan Compound, Baharka, Gwer, Makhmur, Dolob (Erbil); Dohuk city, Avapiroz, Garmawa, Shariya, Yezidi Castle, Shamel, Khanake Camp, Polytechnic Institute, Zakho and surrounding areas; Khanke; Bajet Kandala IDP camp (Dohuk); Sulaymaniyah city, Kalar, Raniya and Qalat Diza (Sulaymaniyah); Khanaqin (Diyala). UNAMI/OHCHR has also interviewed 36 detainees in the detention facility of the Kurdish Intelligence (Asayish) in Erbil to get information on specific cases of human rights violations.

⁴ These include government officials and institutions, local and international media, local non-governmental organizations (NGOs), civil society actors, human rights defenders, tribal leaders, religious leaders, political figures, and United Nations entities operating in Iraq.

reprisals. The lack of direct access and problems identifying credible sources have compounded the challenge of documenting and verifying incidents and, in particular, casualties arising from those incidents. As a result, casualty figures cited in this report should be regarded as absolute minimums.

Background⁵

In the context of the ongoing armed conflict and acts of terrorism affecting large areas of the country, on 8 September, the new Iraqi Prime Minister, Haider al-Abadi, announced the formation of a national unity government. The Council of Representatives also approved al-Abadi's proposed ministerial programme that included a number of reforms aimed at tackling issues such as corruption, the restructuring of the armed forces, marginalisation and human rights violations. As part of this ministerial programme, on 9 September the Council of Ministers established a reconstruction fund to rebuild areas damaged by the conflict and military operations. Furthermore, the Council of Ministers agreed to compensate and facilitate the return of displaced persons to their homes and to prepare a national action plan to assist them.

On 13 September, the Prime Minister announced the halting of shelling and airstrikes by ISF against civilian-populated areas and reiterated his commitment to the protection of civilians. The announcement was widely welcomed across the political spectrum. At the International Conference on Peace and Security in Iraq, held in Paris on 15 September, the President and the Minister for Foreign Affairs of Iraq thanked the international community for its support in the fight against terrorism and urged the continuation of military assistance, including in the form of airstrikes and military training and equipment. The same day, the influential Shi'a cleric, Muqtadr al-Sadr, issued a statement warning against the deployment of international ground troops in Iraq. The next day, thousands of people demonstrated in Baghdad in support of al-Sadr's stance. On 19 September, during a sermon, Grand Ayatollah Ali al-Sistani welcomed the international coalition against ISIL but, urged Iraq's political leadership to maintain the country's sovereignty.

Meanwhile, throughout September and October armed conflict and terrorism continued in many parts of the country, with ISIL maintaining its grip on areas it had seized prior to September. Air operations conducted by the international coalition and supported by the Iraqi security forces managed to contain ISIL or to push it from some areas it had occupied. On 25 October, Kurdish Peshmerga forces and Iraqi government forces made further gains against ISIL in Ninewa, recapturing the town of Zummar and several nearby villages after heavy coalition air strikes against ISIL.⁶ Around 25 October, the Iraqi army and Shi'a militias retook the key town of Jurf al-Sakhr, which had fallen to ISIL in July. On the same day, the Iraqi army managed to regain control of four villages on the road between Baghdad and Kirkuk.⁷ On 7 November an airstrike targeting ISIL's leadership was carried out on a site in Mosul. There were unconfirmed reports that ISIL leader, the self-proclaimed 'caliph' Abu Bakr al-Baghdadi, was wounded. This was followed on 8 November by another airstrike near the al-Qaim border that also targeted ISIL leaders.

On 8 November the United States Government announced that 1,500 additional troops would be deployed to Iraq to join the 1,600 military advisers assisting the country's army.⁸ On 12 November

⁵ For background prior to September 2014, see UNAMI/OHCHR first and second reports on the protection of civilians in relation to acts of terrorism and the ongoing non-international armed conflict in Iraq, covering the periods from 5 June to 5 July 2014 (released 18 August 2014) and 6 July to 10 September 2014 (released on 26 September 2014).

⁶ See online <<http://www.theguardian.com/world/2014/oct/25/isis-kurds-iraqi-army-recapture-zumar-baghdad>> accessed 10 November 2014

⁷ See online <<http://www.telegraph.co.uk/news/worldnews/islamic-state/11188930/Iraqi-army-seizes-town-south-of-Baghdad-to-halt-Isil.html>> accessed 10 Nov 2014> accessed 10 December 2014.

⁸ See online <<http://www.bbc.com/news/world-middle-east-29969989>> accessed 9 November 2014; 'US to send 1,500 more troops to Iraq' <<http://www.bbc.com/news/world-us-canada-29961084>> accessed 10 December 2014.

the Iraqi Prime Minister dismissed the Iraqi Army Chief of Staff and 26 commanders in a reform of the ISF leadership.⁹

Meanwhile during the first half of November, the Iraqi army attempted to recapture territory from ISIL around Baiji in Salah al-Din governorate. On 14 November, ISF drove ISIL from Baiji town¹⁰ and on 18 November, ISF expelled ISIL from areas surrounding the Baiji oil refinery, Iraq's largest, effectively ending the siege of the refinery that had been ongoing since June 2014.¹¹ On 21 and 22 November ISIL launched an offensive aimed at taking Ramadi so as to complete their 'liberation' of Anbar governorate, however the offensive failed. Clashes for control of the town were ongoing in December. Almost simultaneously, ISF backed by militias and KR-I *Peshmerga*, carried out an offensive on Jalawla and Saadiya in Diyala governorate, which had been under ISIL's control since August. Government forces had reportedly retaken these areas by 25 November.¹²

In December, conflict was ongoing through parts of Anbar, Ninewa, Salah al-Din, Kirkuk and Diyala governorates. The Iraqi security forces continue to make gains in many areas. Other terrorist attacks and instances of violence continued to take place in Baghdad and other areas of the country, not directly affected by the recent armed conflict.

Legal Framework

The international legal framework applicable to the non-international armed conflict in Iraq comprises international humanitarian law (IHL) and international human rights law (IHRL).

International law requires that all parties to the conflict in Iraq (including State actors and non-State armed groups) respect the applicable principles of distinction and proportionality when conducting armed operations, take all feasible precautions to avoid, and in any event to minimise, the impact of violence on civilians, and take steps to ensure the safety and protection of civilians by enabling them to leave areas affected by violence in safety and dignity, and to facilitate their access to basic humanitarian assistance at all times. Parties to the conflict must also take steps to ensure the protection and care of the most vulnerable among the civilian population, and are required to prevent violations and abuses from taking place.

Nothing in international law bestows immunity from prosecution on non-State actors participating in a non-international armed conflict or for any crimes or violations they may commit. The Government of Iraq is required to hold alleged perpetrators of violations or abuses of international and national law to account, in particular those that constitute international crimes, including war crimes, crimes against humanity, and genocide, irrespective of who the perpetrators may be. The Government of Iraq must also ensure that all armed groups engaged in hostilities in support of its forces, including the 'People' Mobilization Units,¹³ comply with relevant international and national laws in the

⁹ See online <<http://www.dailymail.co.uk/wires/reuters/article-2767078/Iraq-PM-Abadi-retires-two-generals-Islamic-State-conquests.html>> accessed 27 November 2014.

¹⁰ See online <<http://www.bbc.com/news/world-middle-east-30052714>> accessed 15 November 2014.

¹¹ See online <<http://www.bbc.com/news/world-middle-east-30103392>> accessed 19 November 2014.

¹² See online <<http://www.aljazeera.com/news/middleeast/2014/11/iraqi-forces-reclaim-two-key-towns-from-isil-2014112473823153415.html>> accessed 25 Nov 2014.

¹³ The al-Hashid al-Sha'bi or People's Mobilization Units. Following the seizure of territories by ISIL on 5 June and the following days, and the collapse of the Iraq Security Forces in those areas, Grand Ayatollah Ali al-Sistani called on Iraqis to defend Iraq from ISIL. Sistani's statement was made by his representative in Karbala, Abdu al-Mahdi al-Karbali. During his June 13 Friday sermon, Karbali stated that "the threats posed obligate the volunteering of those who are capable of carrying arms to defend the homeland and it is a duty on [them]." Karbali also expressed support to the Iraqi Security Forces stating that it was the duty of all Iraqi citizens, not just Shi'a to join the armed forces to protect the country. Ayatollah Bashir al-Najafi, another member of Iraq's clerical establishment, also issued a statement calling on Iraqis to join ISF. On 30 September 2014, the Cabinet passed a resolution calling on Prime Minister al-Abadi to ensure the provision of the al-Hashid al-Sha'bi with weapons, logistics, training and salaries. Despite the mobilisation, many Shi'a militias continue

conduct of their operations against ISIL and associated armed groups, including doing their utmost to ensure the protection of civilians from the effects of violence and their access to humanitarian assistance¹⁴.

Impact of the conflict on civilians

Civilian casualties

From the beginning of January until 10 December 2014, at least 11,602 civilians were killed and 21,766 others were wounded. In the period between 1 June and 10 December 2014, when the conflict spread from Anbar to other areas of the country, UNAMI/OHCHR recorded at least 20,252 civilian casualties, including at least 7,801 killed and 12,451 wounded.¹⁵ Owing to increasing limitations on UNAMI/OHCHR capacity to verify reports of civilian casualties, these figures should be regarded as absolute minimums. The actual number of civilian casualties could be much higher.

Additionally, the number of civilians who have died from the secondary effects of violence, such as lack of access to basic food, water or medicine, after fleeing their homes or who remained trapped in areas under ISIL control or in areas of conflict is unknown. Children, pregnant women, persons with disabilities, and elderly people remain particularly vulnerable.

Conflict-related displacement of civilians

As of 10 December 2014, over two million persons have been displaced within Iraq; comprising some 334,011 families.¹⁶ The KR-I continued to host the largest number of Internally Displaced People (IDPs) with an estimated 946,266 individuals, or 47 per cent of the total IDP population within Iraq, spread across the three Kurdish governorates of Dohuk, Erbil and Sulaymaniya. There were an estimated 904,170 individuals, 45 per cent of the total number of IDPs in the central region, including the governorates of Anbar, Baghdad, Diyala, Kirkuk, Ninewa, and Salah al-Din, and 153,630 individuals, or 8 per cent of the IDP population, in the governorates of southern Iraq.¹⁷ The governorates with the highest number of people who have fled their homes continued to be Ninewa with 943,962 individuals displaced, and Anbar with 540,732 individuals displaced.¹⁸ In a recent wave of displacement from the sub-district of al-Alam in Salah al-Din, at least 6,300 individuals sought refuge in the neighboring Kirkuk governorate and Samarra district.¹⁹ Ongoing clashes continue to trigger new movement of IDPs.

From early September 2014, continued fighting between the KR-I's *Peshmerga* and ISIL and associated armed groups, largely around the area of the Mosul Dam and districts such as Tal Afar,

to operate largely independently of the Government in areas where conflict with ISIL is taking place and the relationship between the Hashid and the militias is often not clear.

¹⁴ For an overview of international law binding on Iraq and other parties to the armed conflict ongoing in the country, see section 'Legal framework on the Protection of Civilians in Non-International Armed Conflict', Report on the Protection of Civilians in the Armed Conflict in Iraq: 5 June to 5 July 2014 (UNAMI/OHCHR July 2014). 'Legal framework on the Protection of Civilians in Non-International Armed Conflict', in Report on the Protection of Civilians in the Armed Conflict in Iraq: 5 June to 5 July 2014, (UNAMI/OHCHR July 2014), online <http://uniraq.org/index.php?option=com_k2&view=item&task=download&id=499_d31007c69700e48cf0446cfaf85c3e48&Itemid=608&lang=en>.

¹⁵ Monthly civilian casualty figures in this report consist of civilians and civilian police, and include civilian casualties from Anbar. As UNAMI does not have access to Anbar, the statistics for civilian casualties in the governorate have been provided by local medical sources

¹⁶ IOM DTM Dashboard 1 January to 24 November 2014. IDPs have fled in four distinct waves since the beginning of the armed conflict in January 2004: 24% fled between January and June, another 24% during June and July, 42% in August, and 11% since September.. IOM DISPLACEMENT TRACKING MATRIX | DTM, Round IX December 2014.

¹⁷ IOM DISPLACEMENT TRACKING MATRIX | DTM, Round IX December 2014.

¹⁸ IOM DISPLACEMENT TRACKING MATRIX | DTM, Round IX December 2014.

¹⁹ IOM DISPLACEMENT TRACKING MATRIX | DTM, Round IX December 2014.

resulted in small-scale displacements, particularly of Sunni Arabs. ISIL continued to launch attacks on Yezidi fighters and *Peshmerga* in the Sinjar Mountain during October and November, impacting the estimated 10,000 civilians who had chosen to remain there after August.

Since late September the weather in Iraq, particularly in the northern governorates, rapidly changed with the onset of winter. This seasonal change arrived at a time when many IDP families were stilling living outside in the open, in unfinished structures, schools or public buildings, as well as in camps that were not yet fully operational. The United Nations and its humanitarian partners began a countrywide winterization response, which at the time of writing was ongoing. The authorities of several host governorates prioritized the relocation of IDPs from schools to camps to enable schools to re-open for the new academic year. At the beginning of November, OCHA identified 600,000 IDPs in need of immediate winterization assistance.²⁰

The Kurdistan Regional Government (KRG) and the United Nations have been facing a serious funding shortfall for the humanitarian response.²¹ IDPs in some areas have reported being in urgent need of blankets, heaters, food, and other non-food items. In some camps, IDPs reported that food supplies were running low and they were forced to buy provisions. This has created frustrations among many IDPs, which, on 30 November resulted in a demonstration at the Shariya IDP camp in the Dohuk governorate.

Kirkuk governorate continued to host increasing numbers of IDPs after ongoing clashes between ISF, *Peshmerga* and ISIL in the area, and to receive influxes from other conflict areas, as of late September. However due to security concerns, few humanitarian actors have an established presence in Kirkuk to support those displaced.²² At the beginning of December, there were approximately 180,000 individuals (30,500 families) in Kirkuk. IDPs in the Kirkuk governorate have been suffering from dire living conditions and poor access to basic services, including water and sanitation. The humanitarian response in Salah al-Din, Kirkuk and Diyala is limited due to military activity. During the reporting period, the governorate of Diyala witnessed an increase of 4,434 individuals in the area of Ba'quba as clashes persisted and people continued to move within the governorate in search of safer areas.²³ Restrictions on the movements of IDPs have impacted their ability to seek protection in third governorates, thus enlarging the proportion of intra-governorate displacement, for example: in Kirkuk by 23 percent (51,630 individuals); and in Anbar by 17 per cent (38,226 individuals).²⁴

Humanitarian access to those displaced due to ongoing military operations²⁵ in Anbar governorate remains extremely limited and the humanitarian situation is dire. All road access has been cut off following the destruction by ISIL of the only bridge that permitted limited supplies into the governorate, which has resulted in a scarcity of food and fuel supplies. In early December, the Anbar Provincial Council announced the air delivery of 180 tons of food from the central Government to the besieged city of Haditha, following instructions from Prime Minister al-Abadi.²⁶

UNAMI/OHCHR received reports from the southern governorates, where there are smaller concentrations of IDPs that access to basic services by IDPs and strains on the limited resources of host communities remained of concern. The United Nations, in partnership with the Government of Iraq, is working to ensure that the needs of these IDPs are met.

²⁰ Winterization in Iraq – Briefing Paper – 3 November, OCHA.

²¹ Iraq CRISIS Situation Report No. 23 (29 November – 5 December), OCHA.

²² Iraq CRISIS Situation Report No. 23 (29 November – 5 December), OCHA.

²³ IOM DISPLACEMENT TRACKING MATRIX | DTM, Round IX December 2014.

²⁴ IOM DISPLACEMENT TRACKING MATRIX | DTM, Round IX December 2014.

²⁵ Iraq CRISIS Situation Report No. 23 (29 November – 5 December), OCHA.

²⁶ 'Crisis Situation Update', ICODHA, 4 December 2014.

Violations and abuses committed by ISIL

ISIL has continued to commit systematic and widespread violations and abuses of international human rights law and international humanitarian law in its areas of control. These may in amount some instances to war crimes, crimes against humanity, and possibly genocide. It has continued to target for abduction and killing of former members of ISF, public figures, persons perceived to be associated with the Government, as well as individuals whom it regards as posing a threat to its authority. ISIL has systematically carried out executions, targeted killings and enforced disappearances of community, political, and religious leaders, as well as journalists, doctors and other professionals who failed to submit to or who questioned their authority. Female community and political leaders have been particularly targeted. UNAMI has recorded at least 165 executions during the reporting period that have been carried out following sentences passed by the so-called “courts” in ISIL-controlled areas. ISIL has also continued to murder captured Iraqi security force personnel.

Members of diverse ethnic and religious communities, including Turkmen, Shabak, Christians, Yezidi, Sabaeans, Kaka’e, Fali Kurds, Shi’a Arabs, and others, continued to suffer from a range of violations at the hands of ISIL and those associated with them, including executions and other targeted killings, abductions, rape and other forms of sexual and gender based violence perpetrated against women and children, slavery and trafficking of women and children, forced recruitment of children, destruction or desecration of places of religious or cultural significance, wanton destruction and looting of property, and denial of fundamental freedoms.

ISIL targeting of these communities appears to be part of a systematic policy aimed at destroying, suppressing or expelling these communities permanently from areas under its control.²⁷

During the reporting period, direct OHCHR/UNAMI contact with some women and children in ISIL captivity has waned and largely ceased; however, some of the women and children who had been abducted by ISIL managed to escape and made their way into KR-I, where they have been interviewed by UNAMI/OHCHR. Many of these women confirmed that they, and often their teenage children, had been abducted by ISIL and had been subjected to sexual slavery, trafficking, and other forms of sexual and physical abuse.

UNAMI/OHCHR continued to receive reports that children as young as 14 have been forcibly recruited by ISIL, and children have been observed patrolling and manning checkpoints inside ISIL-occupied Mosul, in Ninewa governorate. ISIL has also imposed its own education curricula in areas under its control, which reject all subjects and teaching of theories not in accordance with its *takfiri* doctrines.

ISIL targeting of Sunni Arabs perceived to be supportive of the Government increased, particularly during November when it abducted and executed approximately 400 members of the Abu Nimr tribe in Anbar governorate. Attacks, killings, and abductions were also perpetrated against members of the Sunni Arab community in Ninewa and Salah al-Din governorates.

In the conduct of its military operations, ISIL has shown no regard for the protection of civilians or for civilian objects. UNAMI/OHCHR received reports indicating the deliberate and indiscriminate nature of ISIL attacks on civilians, particularly terrorist acts committed in civilian areas, which appeared to directly target civilians.

²⁷ For instance, see ISIL ‘monthly magazine’ *Dabaq* issue no.4, published online through its “official broadcaster” Al-Hayat. There it explains the ‘religious foundations’ of its policies on slavery, sexual abuse of persons who have been enslaved, and religious and ethnic communities that do not conform to its *takfiri* doctrines; available online < <https://onedrive.live.com/embed?cid=9298938FA40B3061&resid=9298938FA40B3061%21159&authkey=ACC3lxuBJDJ57ZE&em=2> > last accessed 10 December 2014.

Killings and abductions

ISIL and associated armed groups continued to carry out a range of executions and targeted killings in areas under its control and in those areas affected by conflict, particularly in Anbar, Diyala, Kirkuk, Ninewa, and Salah al-Din governorates. Targets included former members of ISF, members of the police, officials of the Government of Iraq or parliament, members and former members of the largely Sunni pro-government *Sahwa*,²⁸ Sunni religious and tribal leaders, and, increasingly, professionals such as journalists, lawyers, doctors, and other civilians.

Similarly, ISIL continued to carry out abductions, targeting members and former members of ISF and traditional tribal, religious and community leaders. Most of the cases that UNAMI/OHCHR was able to document took place in the Kirkuk, Salah al-Din and Ninewa governorates. On 29 October, ISIL released several ISF members who had been taken from their homes five days earlier after they 'repented' in Salah al-Din.²⁹

Thousands of men, women and children from the Yezidi and other ethnic and religious groups were still being held by ISIL in Ninewa governorate since their abduction in August. A number of men, women and children survived and fled to KR-I. UNAMI was able to interview some of them who recounted how they had been moved multiple times by ISIL after their initial abduction, sold into slavery, and subjected to sexual and other forms of abuse (see below).

Killings of members of ISF and the Police, and those associated with them

The pattern of execution, and other forms of killings of members of the military and police and those associated with security forces continued, particularly in the Kirkuk and Salah al-Din governorates.

UNAMI/OHCHR was able to confirm in November that in late August, the bodies of six federal police personnel were found by ISF and accompanying militias buried in a valley in the Hawi al-Udhaim area, in Diyala governorate.

On 12 September ISIL killed a police officer and several others in al-Jumasah village, Shirqat district, Salah al-Din. The police officer was accused by ISIL of leaking information to ISF. He was killed along with ten relatives during clashes with ISIL when they tried to capture him. On 21 September, clashes erupted in Dabaj village, in the Daquq district, when ISIL attempted to detain two members of the *Sahwa* militia. Two men were killed in the fighting and three others detained by ISIL, who were subsequently executed by gunfire.

On 29 September, seven beheaded bodies were found on the road from Kirkuk to Baiji and Tikrit, in al-Hajal area, near Riyadh sub district, in the Kirkuk governorate. Five victims were allegedly members of the Iraqi police and *Sahwa*. Since 13 September, ISIL established illegal checkpoints and carried out abductions in al-Rashad area, looking in particular for members of the Iraqi police and *Sahwa*.

On 10 October, ISIL executed four persons including a former member of the Iraqi army and a police cadet, at the entrance of a fuel station, in the main market of Zab sub-district, Kirkuk. The other two executed were from Ziwiya village, in Salah al-Din. They had been abducted during clashes between ISIL and Ziwiya's residents that took place sometime after 10 June.

²⁸ *Sahwa* is Arabic for "Awakening". This movement was a coalition between predominately Sunni tribes initially funded by the US government as an ad hoc security force at the community level. It has been largely dissolved, as former governments refused to integrate many of them into security forces.

²⁹ Enforced disappearances are a violation of customary international humanitarian law applicable to all parties to a non-international armed conflict. See rule 98, Customary HL. <https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule98> (Last Accessed 7 Dec 2014.) Enforced disappearances violate a range of human rights and are particularly cruel human rights violation for the family members who often have not received any news about their relatives and loved ones.

On 20 October, the former commander for Badoush prison, who had previously served as the director of the Nimrud sub-district police station, was killed along with his son during a two-hour clash with ISIL fighters who stormed his house in al-Aleel, 35 km south of Mosul. On 23 October, ISIL publicly executed the commander of the Fourth Regiment of the Ninewa police in Qasim Al-Khayat Square, west of Mosul, who was abducted by ISIL from his house in Shoura sub-district of southern Mosul the week before.

On 11 November, ISIL abducted a police officer at the southern entrance to Fallujah city and executed him on 13 November. ISIL hanged his body on the Jordanian bridge to prevent it from being taken down.

On 20 November, ISIL publicly executed two males in the Zab sub-district of Kirkuk for allegedly providing information to ISF.

On 30 November, ISIL executed three elders of the al-Jabour tribe (Sunni Arab tribe) who were living in Mosul city by shooting them in the head outside the Ninewa governorate Office in Mosul. The bodies were handed over to the forensic department in Mosul. Sources reported that they were executed due to their alleged cooperation with the Iraqi Government.

Reports were received that, in the evening of 7 December, ISIL executed 12 members of the *al-Hashid al-Sha'bi* near Balad district in southern Tikrit in Salah al-Din governorate.

It was reported in the local media that in the morning of 10 December, an individual driving a vehicle rigged with explosives targeted fighters of *al-Hashid al-Sha'bi* in Dijla sub-district north of Samarra district south of Tikrit in Salah al-Din governorate leading to the death of nine of them and the injury of eight others, in addition to wounding 10 civilians.

Abductions of members of ISF and the Police, and those associated with them

In Kirkuk, Salah al-Din and Ninewa governorates, ISIL continued to abduct individuals perceived as being in opposition to its ideology or rule, particularly members/former members of ISF and tribal, community and religious leaders suspected of allying with the Government.

In late September, ISIL abducted around 150 former Sunni Arab members of the Iraqi army and Police, mainly in Qayrawan and Ba'aj areas in the Ninewa governorate. On 17 October, ISIL abducted five former Iraqi army officers in Haj Ali village, Qayyara sub-district, Ninewa governorate, and took them to an unknown destination. ISIL allegedly abducted the officers because they distributed leaflets inciting people to fight against ISIL.

On 21 September, ISIL allegedly abducted seven members of the Iraqi Security Forces and *Sahwa* at a checkpoint near al-Riyadh sub district in Hawija district, in Kirkuk and from the Beiji Oil Refinery where a government employee was also abducted.

Around 7 October, ISIL abducted a local council member from his house and two policemen in Zab sub-district, Kirkuk.

On 8 November, ISIL abducted 10 former Iraqi army officers in Shirqat, Salah al-Din.

Reports were received that on 26 November, ISIL abducted the director of Police Criminal Evidences Department from his house in Khasm village in Shirqat district (north of Tikrit) and took him to an unknown destination.

Reports were received that on 2 December ISIL abducted three former Iraqi police officers from their houses in Baaja village in Shirqat district (north of Tikrit) and took them to unknown location.

Killing of community and religious leaders and other civilians

Civilians continued to be targeted and killed by ISIL during the reporting period. UNAMI/OHCHR also learned of mass killings that were likely carried out by ISIL, confirmed by the discovery of mass graves by government forces in a number of locations.

A cameraman and three of his relatives, who were abducted by ISIL on 7 September, in Samarra, Salah al-Din governorate, were executed by ISIL on 11 October, south of Tikrit. The wife reportedly asked ISIL for the bodies but was told that, according to Islamic rules as a widow she had to stay at home for a prescribed period of time or otherwise face being stoned to death.

On 20 October, the Spokesperson of the Iraqi Ministry of Defense announced that the Iraqi army found a three month-old mass grave near Fallujah, in the Anbar governorate, which contained the remains of 19 civilians who had reportedly been executed by ISIL. All those killed were believed to have been between 17-18 years of age.

On 15 November, ISIL abducted two university professors in Mosul city. Later, on an unknown date, ISIL delivered the bodies of the two professors to their families. Two mass graves containing at least 200 bodies were found in the sub-district of Jalawla, in Diyala governorate on 3 December by *Peshmerga* forces. One grave was discovered in the Kobashi area and the other inside 'Cobra Camp', the Iraqi army military base that had been occupied by ISIL from approximately 10 June until 25 November when the *Peshmerga* forces regained control. The bodies are believed to be those of civilians and ISF members.

It was reported in the local media that on 3 December, local residents found a mass grave in Qayyarah south of Mosul, which included 40 bodies of individuals who had sustained gunshot wounds to the head. Reportedly, the local residents transferred the bodies to the Forensic Medicine Department in Mosul. UNAMI/OHCHR could not verify this report and is seeking more information.

It was reported that on 7 December, two mass graves were found in Athba and Hlayla villages south of Mosul. Reportedly, the two graves contain the remains of hundreds of civilians and members of ISF who were reportedly executed by ISIL in last June. On 6 December, ISIL seized the village of Khanuga, demolished eight houses, executed one civilian, injured another and abducted 50 civilians from their houses. Reportedly, ISIL released 20 of the abducted civilians later. ISIL claimed that residents had attacked ISIL militants and killed one of them.

Abductions of community and religious leaders and other civilians

During the reporting period, ISIL continued to abduct civilians, including religious and community leaders, and professionals (including journalists).

UNAMI/OHCHR learned in early September that on 7 August, ISIL gunmen abducted 11 civilians from Samra village, north of Tikrit, in Salah al-Din, for supposedly colluding and providing information on ISIL to Iraqi Security Forces.

On 7 September, a journalist was abducted in Samarra. At the time of writing his whereabouts were still unknown.

In early November, ISIL abducted a number of journalists and media personnel working for the Sama Mosul TV channel, which until ISIL seizure of the city, was owned by the Governor of Mosul. According to sources, ISIL suspected them of passing information to the Ninewa al-Ghad TV, also owned by the Governor, and broadcasting from Erbil.

On 14 November, ISIL abducted 27 leaders from the Sunni Arab tribes of al-Hamdan, Albu Faraj, al-Hadeedy and al- Jihesh who were living in Shoura and Qayyara sub-districts, south of Mosul city, and took them to an unknown destination, reportedly because they had been cooperating with the Iraqi army.

In early September, UNAMI learnt that a Sunni Imam, who had been abducted by ISIL from al-Imam al-A'tham College in Mosul on 6 August was released. It was widely reported that the 49 Turkish consular staff (46 Turks and three Iraqis) who had been abducted by ISIL from the Consulate-General in Mosul on 9 June were released on 20 September.

During Eid al-Adha, ISIL freed a number of those abducted in previous months in an attempt to show benevolence toward the communities it was controlling. The number reported by the media was approximately 250, the majority of whom were reportedly former ISF members who had 'repented'. However, local sources contacted could only verify 8 abductees freed in Daquq and another three freed in Zab sub-district in Kirkuk.

Executions following illegal/irregular/unlawful courts

In Mosul, Ninewa governorate, ISIL has established at least 14 so-called 'courts'. They have passed death sentences resulting in public executions, usually by shooting. These are often carried out at times of the day that will ensure a large number of the public will witness them. Sometimes, information only comes to light on those who have been abducted or "arrested" by ISIL following their execution. Due to challenges in attaining information from ISIL-held areas, it is often difficult for UNAMI/OHCHR to ascertain the reasons of the executions— although it appears to be linked to violations of ISIL *takfiri* doctrines.

On 9 September, ISIL executed two women in Mosul. No information was available on the reasons for the executions. On 22 September, ISIL publicly executed a well-known lawyer and human rights activist outside of the former governorate building in the Dawasa area of Mosul. The ISIL self-appointed 'court' accused the lawyer of apostasy because she had denounced the bombing of the Shrine of the Prophet Younis and some mosques and historical shrines in a posting on her Facebook page on 15 September which she described as "*barbaric bombing and destroying of mosques and shrines in Mosul*". She was executed five days after she was seized from her home by ISIL on 17 September. Her body, which witnesses alleged bore signs of torture, was handed over to her family for burial by ISIL, which prohibited the family from holding a funeral for her.

On 1 October, ISIL publicly executed the Deputy Attorney General of Mosul Court of Appeal by shooting her in the head, after an ISIL self-appointed court sentenced her to death. On 9 October, ISIL abducted and publicly executed a woman in Mosul. The reasons for these killings are unknown.

ISIL publicly executed two former female parliamentary candidates in Mosul on 23 November following death sentences passed by an ISIL self-appointed court. The women had reportedly 'repented' before the 'court' but their 'repentance' was not accepted. One had been detained at an ISIL checkpoint while travelling to Kirkuk and the other had been taken from her home.

Local media have reported that at least 16 doctors in the Ninewa governorate were executed by ISIL after being detained, in one instance for reportedly refusing to treat its wounded fighters. UNAMI/OHCHR was unable to verify a number of these reports at the time of writing, but the high number of similar incidents reported raises serious concern about an emerging pattern of deliberate attacks on doctors and other professionals who are perceived by ISIL to be questioning their authority or legitimacy.

Conduct of Operations: Attacks against civilians and destruction of civilian infrastructure

In their conduct of military operations, ISIL deliberately targets civilians and civilian objects or carries out attacks that are of an indiscriminate nature or heedless of their effects on civilians. ISIL also deliberately bases its fighters among civilians or in civilian areas so as to shield its fighters from attack or to ensure civilian casualties in the event of attack. Deliberately targeting civilians and civilian infrastructure, carrying out attacks heedless of the effects on civilians, and basing forces among civilians and civilian infrastructure constitute serious violations of applicable international humanitarian law and can constitute war crimes.

In late October, a 'regulation' issued by ISIL setting out its strategy in this phase of the conflict was circulated on the internet. It advocated the planting of IEDs wherever possible; burying, burning or throwing into rivers the bodies of killed ISIL fighters; the transfer of all financial assets to Ninewa;

the use of civilians as human shields and the execution of those who resist; and, a warning to observe closely new recruits, who could be spies. UNAMI/OHCHR was unable to determine the authenticity of the document, although similar tactics and modes of operation have been confirmed from other ISIL websites and sources and from eyewitness accounts.

Most of the shelling by ISIL took place in the Diyala and Salah al-Din governorates in central Iraq where it was engaged in ongoing fighting with ISF. On 24 September, ISIL shelling wounded three civilians in the Dhuluiya area of Salah al-Din. Also in the governorate, ISIL continued its pattern of punitive demolitions of houses and property of members/former members of the security forces, *Sahwa* tribal leaders and former Government officials. On 26 September, ISIL blew up two houses in Yathrib sub-district belonging to a Provincial Council member and a local Court official.

On 2 November ISIL attacked the predominately Sunni al-Jbouri tribe in al-Alam sub-district, north of Tikrit, and seized around 250 male members of the tribe. Following the attack and the seizure of the men, ISIL began systematically destroying civilian homes with improvised explosive devices (IEDs). According to sources, ISIL blew up 22 houses belonging to the al-Jubara family, the local leaders from the al-Jbouri tribe.

Members of the al-Jbouri tribe were also targeted in Dhuluiya sub-district, where clashes with ISIL have been ongoing since mid-June. The town of Dhuluiya, in the sub-district of the same name, is inhabited largely by Sunni Arabs, predominantly from the al-Jbouri tribe, who have fiercely resisted ISIL. On 8 September, ISIL carried out a complex attack with five explosive-laden Humvee vehicles, four of which detonated, and a boat rigged with explosives that targeted a pontoon bridge, which had been laid across the Tigris River by the Iraqi army, in an attempt to isolate the town from supplies. Heavy clashes followed the attack that reportedly lasted for several hours. At least 19 civilians (including three children) were killed and at least 120 wounded.

Other clashes are routinely reported to have taken place around the town since then, including air strikes carried out by the Iraqi Air force and shelling carried out by both sides. It was reported by local sources that on 14 September, ISIL shelled Dhuluiya, wounding civilians who reported choking, dizziness and vomiting; the sources alleged that this had been caused by chlorine gas contained in the shells. According to reports from a reliable source, there were three attacks that day, at approximately 15:00, 18:30 and 23:30. The first two attacks involved shelling, after which a chlorine-like odor was reportedly detected by tribal fighters in the area. Witnesses reported to UNAMI/OHCHR that they could not specifically verify the origin of the gas or smell. The third attack occurred near the river where nearby witnesses described seeing canisters in empty boats that were pushed toward the Dhuluiya side of the riverbank and then detonated. In total, around 25 people were treated locally, and more than 20 were sent to Balad Hospital for further treatment. Victims of the attack, which reportedly included tribal fighters as well as women and children, were all released within two days. Symptoms reported by those treated included respiratory problems, an abundance of saliva, coughing, heavy nausea and vomiting, as well as shivers and blueness in the limbs and lips. UNAMI/OHCHR has not been able to conclusively prove that chemicals were used in the attack.

On 24 September, shelling reportedly by ISIL in the al-Jubor area of Dhuluiya sub-district injured three civilians. On 29 September, at around 02:00, ISIL again attacked Dhuluiya sub-district, allegedly burning sulfur and chlorine with old tires close to the city. Due to the direction of the wind, it was reported that a few people were affected by the fumes. Sources in Dhuluiya reported smelling sulfur and chlorine. The local hospital received three civilians affected by the fumes, who were released later the same day.

ISIL allegedly detonated 49 houses belonging to key government officials in Mosul between 17 and 18 September. On 22 October, ISIL confiscated the belongings from the house of the brother of an Iraqi Parliamentarian in Mosul al-Jadeeda, an area west of Mosul, before blowing it up.

An explosion on the evening of 4 December caused civilian casualties in Kirkuk when an individual wearing an explosive vest targeted a café in the Shoorij district of the city, which is a predominately Kurdish area. The attack reportedly caused the death of 15 civilians and wounded 30 others. UNAMI/OHCHR was unable to confirm the number of casualties at the time of writing. ISIL publicly claimed responsibility for the attack.

On 17 September, ISIL shelling in three different areas of the al-Khalis district of Diyala governorate killed and wounded civilians. On 12 October, a triple suicide attack in Qara Tapa sub-district, in the Diyala governorate, killed and wounded scores of civilians. ISIL publicly claimed responsibility for the attack.

Baghdad and other areas of the country continued to suffer from terrorist attacks - however, the perpetrators of many of these attacks remain unknown. ISIL claimed an attack on 3 November targeting Ashura pilgrims, announcing online that a suicide bomber had carried out the attack, driving a vehicle laden with explosives into Tunis, northern Baghdad, which is a largely Shi'a-inhabited area. Six civilians were killed and at least 13 were wounded.

Destruction or damage to places of religious and cultural significance

ISIL and associated armed groups continued to attack and wantonly destroy places of religious and cultural significance, including Sunni and Shi'a mosques and shrines, in addition to Christian sites that do not conform to its Islamic *takfiri* doctrines.

On 23 October, ISIL used IEDs to detonate two holy shrines in al-Dor district, in the Salah al-Din governorate. The demolitions included the mosque and shrine of Imam Mohammed Dorri, a Shi'a holy site, and the Sunni-affiliated shrine of Salih Noaimi. No casualties were reported. On 26 October, two more shrines were destroyed by ISIL: the shrine of Sheikh Mohammed Jakiri, known as a Sufi holy site, in the Jilam sub-district, south of Samarra, and the shrine of Sheikh Hasan (believed to be Sunni) in the north of Dhuluiya sub-district. No casualties were reported in the incidents.

On 25 October, ISIL blew up the Amardan Yezidi shrine in Sinjar Mountain, west of Mosul, wounding four civilians. In Mosul, on 24 November, ISIL blew up a Christian monastery. It was the first total destruction of a Christian religious building by ISIL since it took over large parts of Ninewa in June.

On 25 November, ISIL reportedly destroyed the Sheikh Ismaeel Sunni shrine in Shbecha village, Daquq area in the Kirkuk governorate.

Rights of Women/gender-based violence including sexual violence

ISIL continues to perpetrate gross violations of the rights of women, subjecting women and children (both male and female) to sexual and gender-based violence (SGBV), particularly those from diverse religious and ethnic communities, particularly the Yezidi, who have been abducted by ISIL since August. Women also face severe restrictions on other rights, including freedom of movement, and face severe penalties, including lashings and execution, for transgressions of ISIL rules.

As previously noted, ISIL has been targeting women community and political leaders, subjecting them to abduction, torture and murder. As previously mentioned, in Mosul a number of female political leaders have been executed, including a prominent human rights activist and at least two female parliamentary candidates and a candidate for the Provincial Council elections.

ISIL has applied strict codes of behaviour on women and girls in areas under its control: when leaving their homes must be fully covered and accompanied by a male relative; certain occupations have

been prohibited for women, and girls' education has been curtailed or limited to only those topics deemed acceptable to ISIL.³⁰

Concerning the fate of the thousands of women and children abducted by ISIL since August, UNAMI/OHCHR has received an increasing number of reports from September onwards of women and children managing to escape from ISIL and making their way to KR-I or other areas of safety. UNAMI/OHCHR has conducted a large number of interviews with these women, who confirmed that they were detained, sometimes in large groups numbering in the hundreds, or in smaller groups or as individuals; that they were moved a number of times, including in some instances to Syria; that they were held in a variety of locations including former schools, public buildings, hotels, citadels and prisons; and that many were forcibly married to ISIL fighters or were sold as slaves in auctions, and were subjected to sexual and gender based violence.

One Yezidi woman interviewed by UNAMI/OHCHR stated that 25 members of her family had been abducted by ISIL, including her brother and his daughter, as they fled towards Sinjar mountain in early August. Seventeen members of another woman's family were abducted by ISIL from the al-Jazeera complex, south of Sinjar town. One man from Tal Qasab village, in Sinjar district, has managed to escape ISIL attacks, said that his family, including his father and brother, had been abducted. He told UNAMI that ISIL divided those men and women who had been forcibly converted and placed them in different houses in villages that had been abandoned in Tal Afar.

Two young women interviewed by UNAMI/OHCHR alleged they had been raped by ISIL members or fighters associated with the armed group. One woman described how she was raped in Mosul and that she heard the screams of girls who had been taken from the main hall where she and other women were being kept, to a small adjacent room. She recounted how she saw an ISIL man point a gun at a young girl who had been resisting. After Mosul, they were taken to a school in Tal Afar where there were reportedly more than 100 small children. The second girl said she was raped in a hall where she was being detained with other women in Mosul after her abduction by ISIL. She said the guards raped her three times a day for three days. According to her account, she also saw an eight or nine-year old girl being raped openly in the hall. ISIL then moved her and other women and girls to an abandoned school in Tal Afar.

UNAMI/OHCHR received reports from sources in al-Shirqat and Hawija districts, respectively in the governorates of Salah al-Din and Kirkuk, that ISIL had transferred an undetermined number of women into ISIL-controlled communities in these governorates. Sources confirmed that these were women abducted from Ninewa who had been allotted as 'gifts' to ISIL members. Approximately 12 women were seen by witnesses in Salman, Sidera, Jimela and Etha villages in al-Shirqat district. Additionally, in Hawija, a woman was reportedly presented to the community as the new concubine of an ISIL 'emir'. The women were all believed to be Yezidi, as some witnesses overheard them speaking a Kurdish dialect, which is not common in these areas. These women were seen being taken to the homes of ISIL leaders and other members.

In early November, a Yezidi girl who had managed to escape from ISIL told UNAMI/OHCHR that she had been kept in Raqqa, Syria, with other girls. On 7 November a group of 17 women and 34 children, all Yezidi who had been abducted by ISIL on 3 August in Sinjar, managed to escape and flee to Sinjar Mountain from Tal Afar district where ISIL had detained them. The group finally made their

³⁰ ISIL has published a code of behavior as well as 'justifications' based in their extremist interpretations of Shari'a law concerning the treatment of women, of members of diverse religious and ethnic communities, slavery, sexual abuse of captives, etc. See ISIL monthly magazine Dabaq issue no.4, published online through its "official broadcaster" Al-Hayat. There it explains the 'religious foundations' of its policies on slavery, sexual abuse of persons who have been enslaved, and religious and ethnic communities that do not conform to its *takfiri* doctrines; available online < <https://onedrive.live.com/embed?cid=9298938FA40B3061&resid=9298938FA40B3061%21159&authkey=ACC3lxuBJDJ57ZE&em=2> > last accessed 10 December 2014.

way to Dohuk governorate in KR-I. UNAMI/OHCHR interviewed three of the women in Zahko who described how they had been abducted. ISIL had confiscated their IDs, money and gold. The men were separated from the women and children, and all were loaded onto trucks and initially taken to different places in and around Mosul. A 55 year-old woman described how she was moved three times to halls in Mosul and a school in Tal Afar, asked to convert, and told that she and other captured women would be moved to Anbar to be used as human shields against air strikes. A young woman recounted how she was taken to a school in Tal Afar and then allotted to an ISIL emir from Mosul as his slave. The women and children recounted how they had managed to escape with the assistance of Yezidi forces operating from Sinjar Mountain.

UNAMI/OHCHR also received accounts from women who had escaped from ISIL describing how they had been assisted by local Arab Sunni who had bought them from ISIL and then released them immediately afterwards, or had hidden them in safe places before arranging for their transportation to KR-I. On 3 September, during a field mission to Zahko, in the Dohuk governorate, UNAMI interviewed one woman who had been abducted by ISIL, but stated that she had been sold along with her two children to a Sunni Arab man in Mosul. He immediately took her and her children to Kirkuk city, from where she made her way into KR-I.

Denial of fundamental human rights and freedoms

As mentioned earlier in this report, ISIL systematically enforced 'rules and codes of conduct' on civilians in the areas it controls in breach of a range of fundamental human rights and freedoms guaranteed by international and Iraqi law, including the right to life, right to a fair trial, and freedoms of religious belief, expression and opinion, assembly, association and movement.

ISIL self-appointed 'courts' systematically imposed harsh penalties, including death, on those perceived to have transgressed its 'rules' (see above). Severe penalties, including corporal punishments, were also imposed for minor acts: 30 lashes and jail for smoking, 80 lashes for drinking, and the severing of hands or cross amputations for stealing. Music and CD stores have been banned. Sources stated that street hawkers in Mosul city have been forced to pay 100,000 IQD as a religious tax to conduct their business. Restrictions on the rights of women to move freely are mentioned above.

Female students from the age of 10 are forced to cover their faces and hands when going to school or college. Schools are prohibited from teaching subjects that are not in accordance with ISIL's *takfiri* doctrines. Some university professors and students boycotted the academic year from the beginning of October, as the Iraqi Government rejected the curriculum and the validity of the exams held in Mosul. ISIL threatened to seize belongings of professors and teachers if they would not return to work. It has also prevented the movement of students from areas under its control to Kirkuk and other places to sit exams in schools or universities.

While civilians appear to be free to move within the confines of Mosul, ISIL imposes a bail system on those wishing to leave, guaranteeing that they will return within a set time limit, otherwise face forfeiture of their properties. The restriction on freedom of movement is purportedly aimed at preventing people from joining the resistance movement established by the Governor of Mosul to fight ISIL.

Attacks against ethnic and religious communities

As noted above, ISIL continues to subject members of diverse ethnic and religious communities to widespread and systematic violations in a policy that is apparently aimed at permanently suppressing, expelling or destroying these communities within areas of its control.

Attacks against Christians

UNAMI/OHCHR continued to receive reports of attacks on Christians in areas under the control of ISIL, although many of these have not been verified. On 15 September, ISIL freed 12 Christians

reportedly taking them from Mosul to the border of Kirkuk governorate, where officials and relatives were awaiting them. All of them had been trapped in Bartilla sub-district in the Ninewa governorate since the beginning of August.

Attacks against Kurds

It was reported by local media that on 21 September, ISIL fighters executed four civilians in the district of Saadiya, 70 km northeast of Baqubah, in the Diyala governorate, who were reportedly Kurds. Saadiya is now under the control of ISF-affiliated forces. UNAMI/OHCHR was unable to verify this report at time of writing.

Attacks against Shabak

UNAMI/OHCHR received reports that members of the Shabak community continue to be directly targeted by ISIL through killings and abductions. In September, displaced members of the Shi'a Shabak community reported they had been subjected to abductions and harsh interrogations by ISIL who were searching for members of ISF and those affiliated with them, either Shi'a or Sunni. It was reported in the local media that on 9 December, ISIL destroyed several houses of Shabak in Mosul. According to a quoted security source in the local media, ISIL used bulldozers to destroy the Shabak houses in the districts of Kokajli and Bazwaya areas in eastern Mosul.

Attacks against Shi'a

ISIL continues to target Shi'a for abduction and execution – particularly members of ISF and persons perceived to be associated with the Government of Iraq. UNAMI/OHCHR continued to receive reports that captured Shi'a members of ISF were summarily killed by ISIL. For instance, on 11 September, ISIL claimed responsibility for an attack with a vehicle laden with explosives in the northern part of Karbala city that wounded eight civilians. On the same date, ISIL claimed responsibility for a vehicle laden with explosives that was detonated near the office of the Independent High Electoral Commission in al-Ameer area, eastern Najaf, killing one civilian and wounding four more. On 17 September, ISIL shelling in three different areas of al-Khalis district killed two civilians and wounded 17 more. ISIL also claimed responsibility for an attack on Shafta village (a Shi'a village) east of Baquba on 9 October. A small truck laden with explosives was detonated in the village killing 10 civilians (including five women, two children and a police officer), and wounding six more (including two women and one child). Similarly on 19 October ISIL claimed responsibility for an attack by an individual wearing an explosive vest outside a Shi'a mosque in Harthiya in eastern Baghdad, where people were attending a funeral. At least 15 civilians were killed and at least 24 wounded. On 16 November, approximately 35 bodies of men believed to have been Shi'a Arabs were found north of Hilla. According to sources, the bodies were found in an area that until recently had been under ISIL control in Jurf al-Sakhr close to al-Mussayab. On 3 December, Peshmerga forces discovered two mass graves in the sub-district of Jalawla. According to sources, one of the graves was discovered in Kobashi area, while the other was located inside the 'Cobra Camp' Iraqi army military base, which had been occupied by ISIL from approximately 10 June until 25 November, when Peshmerga forces regained control. The number of bodies in the Cobra Camp grave is thought to be at least 170, while the Kobashi grave reportedly contains at least 30 bodies. All of the bodies are reportedly male. The graves are believed to contain both civilians and ISF.

Attacks against Turkmen

UNAMI/OHCHR received reports that members of the Turkmen community continued to be targeted by ISIL. In early September, a member of the Turkmen community originally from Kirkuk was killed in Mosul. The family received his body from the Kirkuk Forensics on 8 September. On 15 November, ISIL reportedly publicly executed a Turkmen who was a former candidate in the Provincial Council election held in June 2013. She had been abducted from her home in Mosul in mid-October and was allegedly sentenced to death by an ISIL self-appointed court.

Attacks against Yazidi

Members of the Yazidi community continue to be subject to human rights violations and abuses by ISIL. During September and October UNAMI/OHCHR was able to interview several survivors and witnesses of two massacres carried out by ISIL in August after they had fled to KR-I. Approximately 400 males were killed in a mass killing of members of the Yazidi community on the outskirts of Kocho village, south of Sinjar city in the Ninewa governorate, on 15 August. One Yazidi man interviewed by UNAMI/OHCHR in Dohuk on 29 September stated that ISIL gathered villagers in the school and then took the males in batches to a nearby farm and executed them by gunfire. He pretended to be dead and was later able to flee the area; after some days he reached KR-I. The details of his account were corroborated by a number of other witnesses interviewed by UNAMI in different locations. Another mass killing of approximately 67 male members of the Yazidi community was perpetrated by ISIL in the village of Qiniyeh in Sinjar district in mid-August. Several survivors of the incident managed to flee to Syria and then to KR-I where UNAMI/OHCHR interviewed them.

Thousands of Yazidi men, women and children and members of other minority ethnic and religious communities abducted by ISIL since August, remain in ISIL captivity, although some managed to escape and make their way into KR-I. On 7 September, an undetermined number of women who had been abducted by ISIL escaped and managed to reach Mount Sinjar. On 8 September, a man and three children also reached Sinjar; and on the evening of 9 September, another 20 (including eight women and eight children) were able to reach the mountains after escaping from Kasr al-Mihrab village, in Tal Afar district. Kasr al-Mihrab was previously a Shi'a-inhabited Turkmen village, where ISIL has forcibly settled the Yazidi who had been forcibly converted to Islam. It was reported that 27 Yazidi escaped from the village, but seven were later recaptured and believed to have been killed.

From late October onwards, UNAMI received reports that ISIL was moving some of the captured Yazidi families to Syria by bus. These families had been abducted in Sinjar and had been housed in villages in Tal Afar district after they had been forcibly converted to Islam.

Reports were received confirming that in early October, ISIL destroyed around 20 Yazidi houses in Sikeneya village (south of Mount Sinjar) including part of the town's cemeteries. Reportedly, in December, ISIL demolished houses in Kocho village after transferring the remaining families to different locations in Raqqa in Syria and Tal Afar city in Ninewa governorate.

Attacks against Sunni

There was a marked increase in attacks on Sunni Arabs perceived to be disloyal to ISIL, including killings, threats and abductions of tribal members and religious leaders, in particular in the Anbar governorate.

On 11 September, ISIL abducted eight Sunni Arabs in Mosul and took them to an unknown location. UNAMI/OHCHR received reports in September that ISIL had issued a fatwa ordering the 'elimination' of the al-Zergoius tribe, which is a Sunni Arab tribe in the Diyala governorate, allegedly because ISIL views them as 'apostates' for their collaboration with ISF.

From October to mid-November, ISIL conducted a series of mass executions of members of the Albu Nimr tribe in Anbar governorate. According to sources, the number of members of the tribe executed by ISIL could possibly be over 400, including children and women. Reportedly more than 200 bodies were found in mass graves in Ramadi and Hit areas. On 13 November, ISIL reportedly attacked members of the tribe near Tharthar Lake, abducting 16 of them and taking them to Shtyah area, where they were executed. A woman and two children were reportedly among those executed. According to tribal sources, the members of the tribe were executed because their relatives were members of the *Sahwa* militia in Hit. Reports were also received that dozens of members of the tribe have been abducted by ISIL; their fate and whereabouts remain unknown. On 16 November, five members of the tribe were publicly executed in Zuwiya area, Hit district.

Forced recruitment and use of children

UNAMI/OHCHR continued to receive reports that children as young as 14-year old were being forcibly recruited by ISIL. It is also reported that some children were used for suicide missions in Diyala and the Salah al-Din governorates. Some parents reported that their children disappeared to be later located at ISIL bases. Some parents reported that their children refused to return home, expressing that they were going to fight 'jihad' for the Caliph.

In Mosul city, young boys have been used for patrolling and manning ISIL checkpoints.

Sources in Erbil in KR-I have also confirmed that recruitment of Kurdish children for the purpose of being sent to fight in Syria against ISIL has resumed. Other sources point to the fact that Kurdish boys have been recruited by ISIL for their activities in Iraq, but this could not be confirmed at the time of writing.

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

Air strikes and shelling

During the reporting period UNAMI/OHCHR continued to receive reports alleging civilian casualties attributed to airstrikes and shelling by Government security forces and those supporting them – that at times appear to have been carried out against civilian targets or heedless of the disproportionate effects of those operations on civilians, in which case it would amount to war crimes. Hundreds of civilians were reportedly killed (including at least 3 children) from airstrikes and shelling during the reporting period. However, in many cases, UNAMI/OHCHR has not been able to verify these reports nor the number of civilian casualties that may have caused. On 13 September, Prime Minister al-Abadi released a statement that he had ordered the Iraqi Air Force to suspend bombardment in civilian areas, including those controlled by ISIL, and expressed his commitment to protect civilians.³¹ The statement was ostensibly in response to increasing concerns regarding civilian casualties stemming from airstrikes and shelling by Government forces.

ISF, and coalition forces³² assisting the Government of Iraq, are bound to respect applicable humanitarian law in the conduct of military operations.³³ These norms include the principles of distinction and proportionality, and the requirement to take all reasonable precautions to avoid and minimize incidental loss of civilian life, injury to civilians, and damage to civilian objects. UNAMI/OHCHR notes one confirmed case (and there have been a few other similar reports cited in local media), where the Iraqi Air Force dropped leaflets from the Ministry of Defense advising civilians to evacuate areas occupied by ISIL that may be potential targets in military operations.³⁴ As noted above, ISIL continues to deliberately position itself in civilian areas and within civilian infrastructure, such as schools and hospitals, either to use the presence of civilians to shield their forces from attack or to cause civilian casualties in the event of attack.

Salah al-Din governorate reported the highest number of civilian casualties due to airstrikes, with allegedly 67 civilians killed during the reporting period. Subsequent to ISIL complex attack on the

³¹ See online: <<http://www.reuters.com/article/2014/09/13/us-iraq-crisis-idUSKBN0H80LO20140913>> accessed 6 December 2014.

³² Since the 8 August 2014 advent of US-led coalition airstrikes in support of the Iraqi Government against the advance of ISIL, it is not always immediately clear to sources on the ground consulted for incident verification from what force an airstrike originated.

³³ Please refer to the previous section on Legal Framework on the protection of civilians in armed conflict.

³⁴ UNAMI/OHCHR received reports of this happening in Mosul on 2 September. Media sources have also reported on leaflets being dropped in Tikrit, Baiji, al-Alam and areas in Muqadiya.

sub-district of Dhuluiya on 8 September, ISF began a series of airstrikes in defense of the area. Several aerial bombardments of the area during the remainder of September allegedly resulted in the deaths of at least 11 civilians, and the injury of two others. On 8 October, ISF shelling on Tikrit reportedly killed at least 14 civilians. On 9 and 10 November, shelling allegedly by ISF in al-Alam sub-district, including in a market area, reportedly killed at least seven civilians and wounded 14 more.

On 14 October, in the Kahrabaa area of Baiji district, an air strike reportedly hit two houses, killing 18 persons, most allegedly civilians. On 17 October, an airstrike in the Albo-Tuama area of Salah al-Din was alleged to have killed five people from one family, including one woman and three children. On 21 October, a building collapsed in the central part of Baiji district after it was targeted in an airstrike. According to one source, a second air strike killed at least five people and wounded at least 10 others who had gone to the site to retrieve those killed and injured by the first strike.

On 29 November, an airstrike allegedly targeted a vehicle in Yathrib sub-district, killing one civilian, with a second strike targeting a house where a family had allegedly gathered for a funeral. It was reported that at least 15 civilians (including four children) were killed and another 25 were injured in the attack. Local sources have reported that a predominately Sunni Arab area of Yathrib sub-district has been under regular attack by ISF and government-affiliated forces from Balad Air Base (formerly the al-Bakr Air Base) over the past several months. Approximately 15-20 villages have been affected, with the most severe impact on al-Jami'ya area, where it is alleged that almost half of the 600 homes were destroyed by shelling. Number of casualties could not be verified due to lack of access to the affected area. Residents have claimed that they are under threat of being shot if they entered their fields for agricultural purposes. It is alleged that the main actor conducting military operations in the area is the *Asa'ib Ahl al-Haq* (AAH).³⁵

Sources in Ninewa also alleged that the governorate had experienced a high number of air attacks during the reporting period. On the morning of 10 September, an air strike allegedly hit al-Majmoua area, north of Mosul, reportedly killing 11 civilians. In the afternoon of the same day, two additional air strikes in al-Shurta and Ba'aj areas allegedly killed at least seven civilians and wounded three more. Air strikes carried out on 17 October north of Mosul allegedly killed at least 26 civilians. It was further reported that on 7 November, two air strikes killed 10 civilians, including two children in Qayyara district.

UNAMI/OHCHR received several reports of air strikes in Anbar governorate, but due to the security situation was not able to verify these incidents or the casualties that are alleged to have resulted. On 6 October, an air strike allegedly hit civilian buildings in Heet, killing at least 18 civilians (including three women and eight children), with an undetermined number of wounded. Other sources, however, reported that the target of the air strike was ISIL, and that the three civilian houses had been hit with resulting civilian casualties in subsequent shelling of the area. It was also alleged that on 4 November, an air strike hit a market in al-Qaim, western Anbar, killing at least five civilians and wounding at least 27 more. Four days later on 8 November, another strike reportedly killed at least 13 civilians in the same area.

Sources in Fallujah General Hospital reported that 144 bodies (including 18 children) had been received during September, 398 (including 26 children) during October, and 294 bodies (including 8 children) during November. Sources in the hospital alleged that most of these casualties had resulted from shelling carried out by the Iraqi army and associated forces. UNAMI/OHCHR was not able to verify these figures.

Airstrikes were also reported from Kirkuk and Diyala governorates. On 18 September, in Diyala province, five mortar rounds reportedly impacted Dhubab village, killing three civilians and injuring

³⁵ "League of the Righteous," a Shi'a extremist splinter group of the Mahdi Militia, is thought to be the country's largest militia/armed group.

seven others. According to a security source, the mortar rounds had been fired mistakenly by ISF and a militia. An airstrike on 19 November in Qara Tapa allegedly killed four civilians and wounded 15 more in an area where a large number of displaced persons from Jalawla had reportedly taken refuge.

According to applicable rules of international humanitarian law, civilian infrastructure remains immune from attack, unless and for such time as they are used by a party to the conflict for military objectives. UNAMI/OHCHR has received reports that ISIL and associated armed groups have deliberately positioned themselves in civilian buildings, including hospitals, in order to conduct operations and in an attempt to shield themselves from attack. On 6 September an airstrike reportedly struck Hawija hospital in Kirkuk governorate, killing two women and five children hospitalized in the children's ward and wounding two medical staff. As a result of the attack, the pediatric and neonatal intensive care unit was temporarily closed. On 13 September, an airstrike reportedly hit a storage shed containing oxygen cylinders in al-Salam Hospital, eastern Mosul, killing one worker and wounding six. UNAMI/OHCHR received unverified reports that on the evening of 29 October several rockets were fired on Fallujah General Hospital by the Iraqi army and associated armed forces, wounding one staff member and causing material damage to hospital equipment and infrastructure. On 22 November and 4 December, ISF and associated forces once again allegedly shelled Fallujah General Hospital. No casualties were reported, but the shelling allegedly resulted in material damage to the infrastructure, including the dialysis unit. On 5 November, an airstrike is alleged to have hit a gathering of people near a hospital in al-Qaim, western Anbar, killing three and wounding 14 others.³⁶

Extrajudicial and summary executions

On 28 October the Council of Ministers approved a decree regularizing the Popular Mobilization Units to fight against ISIL. A number of reports, however, indicated a number of armed groups fighting against ISIL operate outside of Government control.

Militias and other armed groups are active in several governorates, particularly in Diyala and Salah al-Din, where allegations of human rights abuses have been received by UNAMI/OHCHR, including summary executions and abductions. However, UNAMI/OHCHR has had difficulties verifying many of these reports, given that they come from areas where conflict is taking place. Some reports could only be verified much later through those who have fled their homes and communities to areas accessible to UNAMI/OHCHR. For instance, on 9 August militia members reportedly abducted a Sunni student and a police officer from nearby the student's home in Tuz. The family initially made inquiries about their son's disappearance at a local militia office; however the militia denied any knowledge of the incident. The police officer was reportedly released later the same day. On the evening of 9 August, the family received phone calls from unknown persons using their son's mobile phone who made demands in return for his release. Attempts by local officials, including the mayor, to mediate the release of the student were unsuccessful. On 11 August, the family received a call informing them that their son had been executed. Since that time, the family reported that they had received sporadic phone calls from their son's abductors demanding a ransom to release his remains to them.

In the days and weeks after ISIL's siege of Amerli was broken at the end of August, ISF and associated armed groups regained control of several areas within Tuz district. In the first two weeks of September a number of people were executed and/or disappeared allegedly during militia attacks. Reportedly, two elderly women (age 70 and 75) from Maftool village, whose health did not permit them to leave with their families, were killed when the militias entered the area. One 11-

³⁶ Due to the security circumstances in Anbar Province, UNAMI/OHCHR was not able to verify casualty numbers there. Please see previous section on Methodology.

year-old child was allegedly killed and a 10 year old abducted while tending to their animals in Laqoum village. Four men, including one teenager, were also reportedly taken from different militia-controlled villages in Tuz district and executed. An online video has appeared purportedly showing the beheading of the teenager, who was 16 –year- old. UNAMI/HRO could not verify the authenticity of the video.

On 11 November, members of People’s Mobilisation Units reportedly raided the Grathool area of Yathrib sub-district, allegedly abducting 94 males of the Grathool tribe (including minors) and burning homes. The attack reportedly took place over a few days. A number of those abducted were reportedly taken to Balad while others were detained in Diyala. According to sources, 46 persons were released after a few days claiming that they had been subjected to ill-treatment while they were detained. Fourteen bodies (including three children) were later discovered in a small trench near the village a few days after the abduction. The bodies of the victims all reportedly bore gunshot wounds to the head and chest. The fate of the remaining 33 missing abductees remains unknown. The incident was allegedly in retaliation for an IED attack on the People’s Mobilisation Units that killed four members of the group. UNAMI/OHCHR is continuing to seek additional information.

Diyala governorate also reported a number of summary executions during the reporting period, with similar challenges in verifying information. On 3 December, ISF assisted by members of a militia³⁷ reportedly arrested a 60 year-old man in Saadiya for allegedly being an ISIL leader, despite the fact his community claimed that he was well-known to have been suffering from mental illness. According to sources, the man was previously an Officer in the Iraqi army who was taken prisoner by Iranian forces in the 1980s. He was reportedly executed on 4 December. A video published online shows the man’s arrest, as well as photos of his body subsequent to execution. UNAMI/OHCHR has not been able to authenticate either the pictures or the video and is seeking additional information concerning this incident.

In another case in Diyala, on 17 November a civilian was arrested in Kanaan sub-district, allegedly without a warrant and without any charges against him. The man, from a prominent family in the sub-district, was arrested because of a conflict between his family and a police officer. The man died after two days in detention. His body was delivered to his family on 19 November and according to sources bore marks of torture.

Abductions and kidnappings

UNAMI/OHCHR continued to receive reports of abductions carried out by armed groups affiliated to, aligned with, or supporting government forces.

On 25 September, People’s Mobilisation Units abducted a boy and a young man, both members of the Sunni community, in a village in Tuz district, Salah al-Din. The whereabouts of the two abductees were unknown at time of writing. During the period of 9-18 November, around 25 individuals were reported to have been abducted from Sha’ab (eastern Baghdad) by militias. The abductors were reported to have used ‘government-like’ vehicles. Some families reported that they had received ransom demands, but in some cases the abductees were killed despite the ransom being paid.

UNAMI/OHCHR received a high number of reports of abductions, mostly of Sunni community members, purportedly carried out by a militia in Diyala governorate. On 28 October a Sunni taxi driver was abducted by militia in Baquba and found dead the following day. In another incident at the end of October, an elderly Sunni man was abducted in a public market in front of several bystanders. The assailants reportedly drove a 4x4 vehicle with no license plate number. He was allegedly freed after the payment of a USD 20,000 ransom. Other abductions have reportedly taken place in areas around Baquba, including Abu Saida, Hwedir and Khirnat. There were also reports

³⁷ AAH is the most active militia in Saadiya.

of abductions in other areas of Diyala, such as Buhriz and Saadiya. On 10 November, Prime Minister al-Abadi met with a delegation from Diyala, including members of the Council of Representatives from the Governorate, the Governorate Council, the Governor, tribal leaders, and others,³⁸ who raised the situation in Diyala, particularly with regard to abductions of members of the Sunni community. The Prime Minister reiterated to the delegation that he had given strict orders to ISF to deal firmly with armed groups committing violations, including abductions, and stressed that those who commit these acts should be punished, adding that civilians should not be permitted to carry weapons unless authorized by the authorities.

UNAMI/OHCHR also continued to receive reports from Basra of abductions believed to stem from the activities of militias active in the area. On 9 September, a Kurdish businesswoman was abducted in central Basra. On 20 October, the Chief of Police in Baghdad announced that the police had facilitated her release. Media reports, however, indicated that the woman escaped from a house in Baghdad where she had been taken. Some media coverage attributed the abduction to the AAH, although there was no evidence corroborating this allegation. UNAMI/OHCHR confirmed the businesswoman's escape with officials and other sources, but these sources were reluctant to attribute responsibility for the abduction.

On 8 October, three members of the Sunni community were abducted in and around Basra in public places during daylight hours, in front of witnesses, and in one case in close proximity to police checkpoints. Two of the victims were later released, but expressed reluctance to comment on their experience for fear of retaliation. Media and local sources alleged that militias had carried out the abductions. In response to the incidents, in a 14 October press conference the Governor of Basra and his security chiefs claimed that the abductions were criminally motivated and announced the creation of a "High Security Committee to Follow Up on Abduction Incidents." Security chiefs announced that officers would be assigned to the committee to investigate abduction cases and to take steps to prevent further incidents. At time of writing, the fate of the third abductee remained unknown. Subsequent to the Governor's establishment of the High Security Committee, four brothers were abducted from their house in Abu al-Khaseeb district by unidentified gunmen. According to community sources, the gunmen arrived using a four-vehicle convoy in the early hours of 14 November and claimed that they were from the Office of the Prime Minister. Community sources stated that a militia group that suspected the brothers to be supporters or sympathizers of ISIL was responsible for the abduction. Sources later confirmed that all four brothers were freed without payment of a ransom.

Destruction of civilian infrastructure or property

UNAMI/OHCHR received reports of armed groups affiliated with or supporting ISF deliberately destroying civilian infrastructure. Following the end of clashes between ISF and ISL on 23 November in Saadiya and Jalawla in Diyala governorate, it was reported that militia forces in the area began to ransack and destroy civilian property, including homes and businesses. According to sources, the expressed intention of the militia was to punish those who were suspected of colluding with ISIL. Pictures and video of the destruction were subsequently posted on social media websites, but UNAMI/OHCHR could not verify their authenticity. According to a source from the area, on 24, 25 and 26 November, at least four Sunni mosques in Saadiya and five in Jalawla, were destroyed by militias. Again, UNAMI/OHCHR have not been able to verify these reports.

Torture and excessive use of force

ISF and affiliated armed groups are also alleged to have used excessive force against the population and to have subjected them to threats and intimidation.

³⁸ See online <<https://www.facebook.com/pages/Haider-Al-Abadi/204803838632>> accessed 11 November 2014.

Around 5 October, militias established temporary checkpoints in the Udham area of Diyala governorate on the main road between Baghdad and Kirkuk. Sources stated that in at least two cases, militia members were reported as asking travelers about their sectarian affiliation and harassing, threatening and abusing those who were not Shi'a.

On 11 October, after an attack using a vehicle laden with explosives in Shula, northern Baghdad, which caused several police casualties, officers from Baghdad police went to a hospital in Kadhimiya where their wounded colleagues had been taken and attempted to enter operating theatres and wards to check on their condition. Tension mounted between the staff and the police when staff attempted to prevent them from entering, whereupon a number of staff reported that the police assaulted them. Since then, it has been reported that the AAH has established an armed presence in the hospital.

As security tensions have mounted, checkpoints have also become flashpoints for tension, harassment and excessive force. In one incident reported to UNAMI/OHCHR, on 1 September a group of students from Hawija district were initially blocked from accessing a military checkpoint on their way to Kirkuk to sit their final exams. Allegedly, as the students entered, three soldiers and one officer began to beat them. One student fell to the ground and was reportedly stepped on and beaten by a *Peshmerga* soldier with the butt of his weapon. The student initially received medical treatment and was released, but later fainted. He returned to the Hawija Hospital where he was found to be exhibiting signs of internal cranial hemorrhaging, and sent to Kirkuk Hospital for further treatment. Once again at the same checkpoint the student was stopped for almost three hours before being permitted to pass. Finally reaching Kirkuk Hospital, he underwent emergency surgery. Due to his injuries and delayed treatment the student reportedly fell into a coma and died on 5 September.

In late November, UNAMI/OHCHR learned from multiple sources about the death of a lawyer, apparently from torture, that had occurred on 28 June. The lawyer was allegedly arrested under Article 4 of Anti-terrorism Law number 13 of 2005. Reportedly, the victim was detained in a detention center at Baghdad International Airport, where he underwent torture during interrogation to force him to confess to terrorism-related crimes. An investigative judge then ordered "deeper investigation" due to the accused refusal to confess following the first round of interrogations. The victim was subjected to further torture and died on 28 June in custody. UNAMI/OHCHR has obtained photographs of the deceased that appear to show marks and injuries consistent with the claims that he was subjected to torture prior to his death.

Violations and abuses committed by unidentified perpetrators

UNAMI/OHCHR received a significant number of reports of human rights violations and abuses that were verified as having taken place, but for which there was no conclusive information as to who was responsible. In several instances circumstantial factors suggested responsibility, however these factors were not always sufficient to warrant firm attribution of responsibility. In a significant number of cases, the identity and other information about the victims were also not determined.

Assassinations/killings

Assassinations and killings, including targeting of specific groups, were recorded in large numbers across the country. A significant number of bodies, many of which were unidentified continued to be recovered daily during the reporting period. Reports of unidentified bodies were received from Salah al-Din, Ninewa, Kirkuk, Diyala, Baghdad, Basra and Babil. Recovered bodies frequently exhibited gunshot wounds, mostly to the head, and were sometimes found blindfolded and/or with their hands and/or feet tied. Some also exhibited signs of ill treatment or torture. During the reporting period, UNAMI/OHCHR was able to verify reports of 206 unidentified bodies, however UNAMI/OHCHR was not able to verify a large number of other reports.

Baghdad continued to be most afflicted with killings by unknown perpetrators, with reports that the Medical Legal Institute in the capital receives on some days between 18 and 23 unidentified bodies; an increase from mid-July reports when it had been receiving around 15 unidentified bodies per day. UNAMI/OHCHR received reports of 124 incidents of unidentified bodies in Baghdad during the reporting period. On 3 October, police found the remains of 14 men who had died from gunshot wounds in Mashtal, Baladiyat, Sadr City, Sha'ab, Tarmiya and al-Utaifiya areas of the city. On 14 November 16 bodies were found in Husseiniyah. According to sources, the bodies allegedly belonged to members of a local militia. On 30 November, police found the remains of three bodies in the districts of E'lam and Saidiya. The body of a male was found in E'lam (southern Baghdad) – the victim had been shot. The bodies of two women were found in Saydiya (western Baghdad). Both had been stabbed.

On 1 December, the police found the remains of two males who had died from gunshot wounds: one in the district of Ubaidi (eastern Baghdad) and the other in Fadhiliyah (eastern Baghdad). On 4 December, the police found the remains of one male bearing marks of torture and stab-wounds in Sadr district (east Baghdad). The police found the remains of another two males who had sustained gunshot wounds: one in Sh'ab district (northeast of Baghdad) and one in Ur (eastern Baghdad). Additionally, the police found the remains of a male who had died from gunshot wounds in Zafaraniyah (southern Baghdad).

While less frequent than the capital, unidentified bodies have been found in other governorates throughout the country. On 30 September, five bodies were found in the Tigris River in Dour District, Salah al-Din. All the bodies were significantly decomposed, making identification difficult. In Kirkuk on 28 October, security forces found the remains of a young man in the Hay al-Askari area. On 29 October, two bodies were found in the Shireen Dam area, near Laylan city, Kirkuk. They had been handcuffed and bore gunshot wounds to the head and body. On 30 October, security forces found the body of a male, who had died from gunshot wounds to the head, in the Turkishkan area of Laylan sub-district.

On 29 September, unknown men removed a hand-tied man from the trunk of a car and shot him twice in the head in the al-Resaleh area of Basra city center. According to sources, the victim had been abducted from elsewhere and brought to al-Resaleh where his killing took place. On 13 November, police found the remains of a man identified to have been from Anbar governorate, bearing signs of torture, in Kameet in northern Maysan governorate.

A number of assassination attempts were also recorded during the reporting period against local leaders and other civilians. On 9 September in Kirkuk, there was a failed assassination attempt on a leader of the Arab community, during which he was seriously wounded. The victim is Head of Islamic and Qur'an Studies at the Kirkuk Education College in Kirkuk University, and was a candidate with the Karama political list in the April general election, within the Coalition of Arabs of Kirkuk. On 12 October, a member of the Diyala Governorate Council survived an assassination attempt near Qara Tapa sub-district when two roadside IEDs targeted his convoy. On 9 November reports were received that police in Iskandariya found the bodies of a Babil Governorate Council member abducted in July, and a Babil judge abducted in August. According to local sources, both victims had been critics of the previous Government.

In other noted cases, on 7 September gunmen attacked a truck carrying IDPs in the Abu Saida area of Diyala, killing at least one and wounding at least two. On 11 September, four members of a family were killed in their house by unknown gunmen in al-Suwaira district, Babil. On 10 October, gunmen riding a taxi opened fire on an Iraqi police patrol south of Kirkuk city, wounding two policemen, a woman and a child. On 29 October, unknown gunmen shot dead a member of the Sunni community in front of his blacksmith shop near the al-Shaheed Taha mosque in Abu al-Khaseeb district, Basra governorate. The victim was attacked while coming from the mosque after morning prayers. On 22

November, gunmen shot at a minibus between Gusaiba and Baquba, killing a woman and wounding another woman and a child.

Bombings of civilians and civilian infrastructure

Explosions either directly targeting civilians or conducted irrespective of their presence, took place across the entire country. These attacks occurred in and around restaurants and cafes, public parks, market places, public transport, places of worship, public buildings and security check points. IEDs were employed in a variety of formats, including body-borne IEDs (BBIEDs), vehicle-borne IEDs (VBIEDs) and suicide vehicle-borne IEDs (SVBIEDs). Attacks impacted and targeted civilians of all sects and ethnicities, in neighborhoods across Iraq that were both homogenous and mixed.

Baghdad saw the highest volume of attacks. During the reporting period, there were 258 IED attacks in the city. On 18 September, an unspecified IED targeted al-Adala prison in Kadhimiya district (northern Baghdad), reportedly killing at least 24 persons and wounding 90 others. A series of explosions continued through the city over a three day period between 18-20 September, with four VBIEDs and two IEDs killing at least 24 and wounding another 96 in Tobchi, Iskan, Karrada, Mahmoudiya, Yousufiya and Taji districts.

Another wave of explosions struck a few days later between 22 and 24 September, when the city was hit by six IEDs and two VBIEDs in predominately Shi'a parts of the city. At least 18 people were killed and another 80 wounded. On 1 October, two IEDs were detonated in Awairij (southern Baghdad), one in Baya'a (southwestern Baghdad) and one in Diyala Bridge (southeastern Baghdad), killing at least seven civilians and wounding 34 more. On the same evening a VBIED struck New Baghdad (eastern Baghdad) killing at least 13 and wounding 47 more. On 11 October during a series of three VBIED attacks, one striking the Jekok area of Kadhimiya (northern Baghdad) killed at least 30 civilians and wounded at least 60 more. During this period, Kadhimiya was targeted three times within four days, including with another VBIED that killed at least 21 civilians and wounded 52 more.

The city also saw several attacks on mosques during times of worship. On 19 October an attack by an individual wearing an explosive vest outside a Shi'a mosque in Harthiya (eastern Baghdad) killed at least 15 civilians and wounded 24 more, who were reportedly attending a funeral. On 20 October, another individual wearing a BBIED targeted worshippers leaving after noon prayers in Sinak (central Baghdad), killing two civilians and wounding eight more. A series of attacks also targeted pilgrims in Baghdad en route to and from Karbala to celebrate the religious holiday of Ashura between 2 and 5 November.

On 29 November, five IED attacks occurred in the districts of Baya'a, Sha'ab, Sheikh Omar, al-Amin and Mada'in. One IED was detonated in the morning in Baya'a (southwestern Baghdad) killing one civilian and injuring five others. Another IED was detonated inside a bus in Sha'ab (northeastern Baghdad) leading to the death of two civilians and the injury of six others. One IED was detonated in the morning in Sheikh Omar (central Baghdad) claiming the life of one civilian and injuring seven others. An IED detonated in al-Amin (east Baghdad) killing one civilian and injuring eight others. Another IED detonated in Mada'in (southern Baghdad) injuring two civilians.

On 1 December, three IED attacks occurred in the districts of Ur, Al-Amil and Nahrawan. One IED was detonated on a restaurant in Ur district (eastern Baghdad) leading to the death of one civilian and injuries to nine others. A second IED was detonated on a super market in al-Amil (southwestern Baghdad) leading to the death of one civilian and the injury of eight others. A third IED was detonated on a play hall in Nahrawan (southeastern Baghdad), killing three civilians and injuring eight others. On 2 December, three IED attacks hit different districts in Baghdad. On the morning, one IED was detonated in Doura (southern Baghdad) killing two civilians and injuring seven others. In the evening an IED was detonated inside a bus in Bab al-Sham, an industrial area (northeastern Baghdad) leading to the death of three civilians and the injury of six others. In the evening, one IED detonated inside a café in al-Amin (eastern Baghdad) killing one civilian and injuring six others.

On 3 December, five IED attacks hit different districts in Baghdad. One IED was detonated in the industrial area in Taji district (northern Baghdad) killing two civilians and injuring six others. An IED detonated in a public restaurant in Habibiyah district (east of Baghdad) killing three civilians and injuring 10 others. One IED detonated in Iskan district (northwestern Baghdad) killing two civilians and injuring five. An IED detonated in a wholesale grocery market in Amiriya district (western Baghdad) leading to the killing of two civilians and the injury of eight others. Another IED was placed under a minibus in Nahda district (eastern Baghdad, majority Shi'as) killing one civilian and injuring five others.

On the evening of 4 December, two vehicles rigged with explosives were detonated in Sadr city (east Baghdad): the first detonated in Oula Suq leading to the killing of nine civilians and the injury of 28 others while the second was detonated near Orozdi Traffic Lights, killing 12 persons and injuring 41.

On 8 December, seven IED attacks hit different districts in Baghdad. In the morning, one IED targeted a bakery in Furat (western Baghdad) causing the death of two civilians and the injury of five others. In the morning, one IED targeted civilians in a bazaar in Ur (eastern Baghdad) causing the death of one civilian and the injury of eight others. In the morning, one under vehicle IED killed a university professor in Suliakh (north Baghdad). At noon, one IED targeted civilians in a bazaar in Arab Jbour in Doura (southern Baghdad) causing the death of one civilian and the injury of two others. In the evening, one IED targeted civilians in a bazaar in Sadr city (east Baghdad) causing the death of one civilian and the injury of two others. In the evening, one IED was detonated in Sha'ab (northeastern Baghdad) causing the injury of five civilians. In the evening, one IED targeted pilgrims in Yousufiya (southern Baghdad) causing the death of two civilians and the injury of eight others.

The ethnically mixed area of Tuz district in Salah al-Din faced a series of attacks, often by undetermined perpetrators. Security of the district is currently under the control of militias and Peshmerga forces, although the district remains under the authority and jurisdiction of Baghdad. On the evening of 16 September, two improvised explosive devices detonated in Tuz killing at least one civilian and wounding nine more. On 27 September, an improvised explosive device was detonated in a popular playground in the Tin quarter of Tuz district while youth from displaced Sunni Arab families were playing football. The blast killed two and wounded 10 others (including three children). On 27 October, a motorcycle IED was detonated in the Mala Sifir market in the centre of Tuz district killing two civilians (a woman and a female child), wounding at least 20 others. On 28 October, an attack using a roadside IED in an area of Tuz inhabited mainly by Shi'a Turkmen struck a small civilian bus, killing one civilian and injuring 17 others. Reports were received that on 1 December, an IED detonated on the main road in Askari sub-district of Tuz district (east of Tikrit) resulting in the killing of four civilians and the injury of 11 others. Reportedly, three among the injured were Kurds from Tuz and the rest were Sunni Arab IDPs who had moved to Tuz district following the events of June.

In other parts of Salah al-Din, on 11 October, two attacks with vehicles laden with explosives killed and wounded at least 32 civilians (no breakdown available) in Tikrit. On the evening of 30 October, an attack using an improvised explosive device (IED) in a market in Baiji killed three civilians and wounded five more.

Kirkuk also continued to see sporadic explosions both within the city and province, the majority of which no one claimed responsibility for. On 19 September, an attack with a VBIED in northern Kirkuk killed 10 civilians and wounded 20 more. On 1 October, an attack with a motorcycle rigged with explosives in Hasar village, Shwan sub-district, killed two civilians and wounded 11 more. On 13 October, an attack targeting a police patrol by a motorcycle laden with explosives in Qadissiya area, Kirkuk city, killed one police officer, wounding six officers and nine civilians.

On 9 October, a small truck laden with explosives was detonated in Shafta village, east of Baquba city in Diyala, killing 10 civilians (including two children) and a police officer, and wounding six more (including one child). Another attack occurred the same day with explosives stuck under a civilian vehicle in Baquba killing at least seven civilians and wounding five more. Around noon on 20

October, four attacks with VBIEDs hit different areas of Karbala, including twice in Bab Touarij, killing at least nine civilians and wounding 39 more. Smaller attacks were also reported in Wasit, Najaf, Ninewa and Qadissiya during the reporting period.

Abductions and kidnappings

A number of abductions and kidnappings were also reported to UNAMI/OHCHR, wherein the identity of the perpetrators is unknown or uncertain.

Reports were received that on 2 November a convoy containing some vehicles with police logos and government license plates entered Baladruz sub-district in Diyala, and arrested 15 Sunni male civilians. On the same day, local police denied having any information or knowledge about the arrests when family members inquired about the status of the detainees. Reportedly two days later, the families of those abducted began to receive phone calls from unknown persons demanding ransom in return for the release of the abductees. The amounts demanded reportedly ranged from 5,000 USD to 50,000 USD. On 14 November, two members of the Sunni community were abducted in Khan Bani Saad sub-district, Diyala. On 15 November, two members of the Sunni community were abducted in Baquba city centre.

On 13 November, a Sunni doctor was abducted outside Medical City, where he works, in al-Tib (central Baghdad). On 23 November, two chief engineers from the Ninewa Water Department (NWD) were abducted in Baghdad by unknown assailants. The two engineers were in Baghdad on a mission to discuss salary issues concerning employees of NWD with the Ministry of Municipalities and Public Works.

Basra has also experienced a significant number of abductions by unknown perpetrators. On 11 September, four masked gunmen abducted a doctor from al-Qurna district, north of Basra. On 13 September, doctors working in private clinics in al-Qurna district reportedly suspended their work and held a demonstration to condemn the abduction and what they claim are similar attacks against doctors. In the evening of the same day, the doctor was released after tribal elders allegedly appealed to the abductors. No ransom was reportedly paid to secure the doctor's release.

On 11 September, three gunmen in military uniforms abducted the Deputy Dean of Shatt al-Arab College, near al-Fayha Hospital in Basra city center. The Police Chief in Basra announced to the media that on 13 September, his forces raided a safe house located in the marshlands, north of Basra, and rescued the victim. No ransom was allegedly paid to the abductors, who avoided capture. On 1 November, seven masked gunmen abducted a 50-year old male member of the Sunni community from his house in Abu al-Khaseeb district, Basra. His abductors used a white pick-up type vehicle without registration number and took him to an unknown destination.

Conclusions and Recommendations

Six months after the onset of the current conflict in Iraq, its impact on Iraqi civilians has been extensive and severe. Scores of Iraqi men, women and children continue to be displaced from their homes by the violence, or directly suffer from acts of violence and terrorism; including death, injury, and abduction, having their livelihoods and essential civilian infrastructure destroyed, and families torn apart.

The conflict has led to over 2.1 million internally displaced Iraqis, and to a high number of civilian casualties. Subjected to violence and abuse, refugees and displaced persons often live in under-resourced locations in poor conditions. Providing effective physical and appropriate material support to the displaced is a continuing challenge, particularly given the onset of winter. The combined effect of insecurity, poverty, inadequate resources, weak government capacity, and the prevailing political situation, has aggravated conditions of displacement.

UNAMI/OHCHR is concerned about the extreme vulnerability of civilians caught in areas of conflict or targeted in direct, systematic attacks carried out by terrorist and armed groups, or trapped in areas under ISIL control, in particular vulnerable groups, including members of diverse ethnic and religious groups, women, children, persons with disabilities, and the elderly. Sexual and gender based violence is of extreme concern. Humanitarian access and safety of humanitarian personnel remains a serious concern with the unpredictable and violent nature of ISIL and associated armed groups creating an unstable environment that hinders access and the delivery of humanitarian assistance to civilians in need. Such insecurity also compromises the ability of civilian populations to access essential services, such as healthcare, shelter, essential services, and education.

The direct targeting of civilians for violations and abuses, particularly of members of diverse ethnic and religious communities, and indiscriminate attacks by ISIL and associated armed groups against civilians may amount to war crimes, crimes against humanity and possibly genocide.

ISF and affiliated forces have also carried out military operations that at times appeared to violate the principles of distinction and proportionality, and the obligation to take necessary precautions to protect civilians from the effects of violence, which may have amounted to war crimes. Furthermore, armed groups associated with ISF have carried out kidnappings and targeted killings.

As a matter of urgency, UNAMI/OHCHR recommends the following:

1. All acts of violence or abuse committed against civilians in violation of applicable international humanitarian law and human rights law must cease immediately. The international community, including the United Nations Security Council and the Human Rights Council, should continue to closely follow the situation with a view to ensuring that perpetrators of gross violations and abuses of human rights and serious violations of international humanitarian law are held accountable.
2. All parties to the ongoing armed conflict must strictly comply with applicable obligations under international humanitarian law and human rights law. Parties must take all feasible precautions to spare civilians from the effects of hostilities, and take all necessary measures to respect, protect and meet the basic needs of the civilian population.
3. In carrying out armed operations, all parties to the conflict must take all necessary precautions to ensure that civilians are protected from the effects of violence and to minimize the human suffering caused by the conflict, in line with the basic principles of international humanitarian law.
4. All parties to the armed conflict and other relevant actors must refrain from, and take the necessary measures to prevent and respond to, the displacement of the civilian population including by allowing safe passage and providing safety guarantees for humanitarian actors to reach displaced populations and populations affected by the conflict. .
5. All parties must ensure that civilians are protected, that they have unhindered access to medical facilities and humanitarian assistance, and that they are able to safely and with dignity leave areas affected by violence, seek refuge and not be forcibly returned to conflict affected regions.
6. All parties must agree to and facilitate relief operations that are humanitarian and impartial in character and to allow and facilitate rapid and unimpeded passage of relief consignments, equipment and personnel. They should also respect and protect humanitarian workers and facilities.
7. Iraqi political leaders should use every opportunity and urgently achieve a substantial and effective resolution of the crisis by restoring government control and the rule of law over areas seized by ISIL.
8. The Government of Iraq is under an obligation to investigate effectively, promptly, thoroughly and impartially any allegations of violations or abuses of international human rights law and

serious violations of international humanitarian law, and where appropriate, prosecute those who are responsible for such acts (particularly if such acts amount to international crimes). Furthermore, such violations and abuses give rise to a right of victims to an effective remedy, which includes the right to equal and effective access to justice and adequate, effective and prompt reparation for the harm suffered.

9. The Iraqi Government should consider accession to the Rome Statute of the International Criminal Court, and as an immediate step, consider accepting the exercise of the International Criminal Court's jurisdiction with respect to the specific situation facing the country pursuant to Article 12(3) of the Rome Statute.
10. The Government of Iraq must implement inclusive social, political and economic reforms aimed at ensuring social peace through reconciliation.

END

