



Human Rights Now

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Human Rights Now Urges All Parties to Protect Civilians and Children in Fallujah from Harm and Provide Safe Passage out of the City

1. Harms to Civilians and Children in Fallujah

Human Rights Now (HRN) expresses grave concern over the risks to and deaths of civilians and children inside Fallujah, Iraq, due to the recent conflict, and urges all parties to protect civilians and children from further harm and ensure their safe passage out of the city.

Early May 23, Iraqi forces began a military operation to clear the group ISIS (also called ISIL) from control of Fallujah which still continues, backed by surrounding Shia-led militias and a US air bombing campaign. The Iraq government sent warnings to civilians to flee or stay inside and raise white flags; however, only several thousand civilians were able to leave and enter displacement camps.¹ An estimated 50,000 people, 20,000 of which are children, remain trapped in the city, caught between ISIS and the invading Iraqi forces and at serious risk of harm.²

There are many reports of ISIS enforcing a curfew and executing anyone they catch attempting to leave their homes or the city, including shootings and 15 civilians being burned to death in May for attempting to flee.³ ISIS holds civilians in the city center to use as “human shields” against Iraq’s forces, according to a representative of the UN Mission to Iraq.⁴ City exits have been filled with bombs and traps to prevent escaping civilians and entering Iraq forces, leaving only the Euphrates River as an exit.⁵ Hundreds of residents have attempted to escape by the river in makeshift boats, and there have been reports of drownings of civilians with a confirmed death toll of at least 18 people, including seven children and three women.⁶ The Norwegian Refugee Council announced in a statement that “an unidentified number of civilians have been shot and killed trying to cross the river.”⁷ For these reasons, of the nearly 18,000

¹ <http://edition.cnn.com/2016/05/31/middleeast/voices-from-falluja/index.html>

² http://www.unicef.org/media/media_91257.html

³ <http://www.businessinsider.com/iraqi-forces-have-stormed-the-city-of-fallujah-2016-5>, <http://www.dw.com/en/un-civilians-trying-to-reach-safety-are-trapped-inside-fallujah/a-19284309> <http://uk.businessinsider.com/isis-burned-15-people-to-death-for-trying-to-leave-fallujah-2016-4>

⁴ <http://www.aljazeera.com/news/2016/06/battle-fallujah-iraqi-troops-die-isis-attacks-160602040503487.html>

⁵ <http://www.news.com.au/world/middle-east/mass-grave-found-near-the-islamic-statecontrolled-city-of-fallujah/news-story/b3cf85ba2283b3eaf88d106c48727a0e>

⁶ <http://www.independent.co.uk/news/world/middle-east/isis-in-fallujah-islamic-state-is-daesh-iraq-forces-close-in-children-drown-a7066551.html>

⁷ <https://www.yahoo.com/news/iraqi-forces-mass-grave-near-fallujah-officials-182302128.html>

civilians that have reached displacement camps since May 23, most are from outside or the outskirts of the city, according to a UNHCR spokesperson; only a “handful” are from inside the city.⁸

As for conditions in the city, according to two UNHCR officers, “The fleeing families were traumatised, distraught and looked pale.”⁹ Peter Hawkins, UNICEF representative in Iraq, warned in a June 1 statement that remaining civilians faced a dire humanitarian situation, calling on all parties to “protect children inside Fallujah” and “provide safe passage to those wishing to leave the city.”¹⁰ He particularly warned that “children face the risk of forced recruitment into the fighting” inside Fallujah and “separation from their families” if they manage to leave.¹¹ The UNHCR chief in Iraq, Bruno Geddo, described the condition of children in Fallujah as “very, very traumatized. They see that their parents are in panic and by the bombing and by this deep seated fear. Children are more deeply affected than adults.”¹²

Conditions for civilians inside the city are dire.¹³ No aid has been able to enter the city since September 2015, and since December 2015 there has been a siege of Fallujah, closing it to supplies altogether, and fighting since May 23 has only closed it further.¹⁴ Residents have reported an absence of medicines and staple food like rice for the last 4-5 months.¹⁵ Fresh food, clean water, and medicine are scarce to non-existent. According to Bruno Geddo, UNHCR’s representative for Iraq, the prices of food, medicine, and fuel have skyrocketed, making them unaffordable to most people.¹⁶ This leaves residents to eat animal feed and rotten dates and drink dirty canal water containing animal carcasses and raising fears of a cholera outbreak, according to aid groups and the UN Mission to Iraq.¹⁷ Doctors have been reported resorting to amputations for serious injuries instead of painkillers due to a lack of anesthetics;¹⁸ and there have been reports of families starving to death due to a lack of food.¹⁹ Even families entering internationally-ran camps face shortages of food, water, and medicine after exiting, as the presence of the Iraq army, PMFs, and active conflict slow entry of humanitarian supplies.²⁰

Civilians in Fallujah are also being killed by the conflict, including by the fighting, bombings, hundreds being enclosed in the city center as “human shields”,²¹ and increasing executions by ISIS, particularly of older boys (many still children) if they refuse to fight for them, leading people to stay inside at all times.²² UNHCR’s last report of civilian casualties inside the city center included seven members of one family on 28 May.²³ More broadly, the UN Mission to Iraq reported at least 867 Iraqi deaths in May, including 468 civilians, and 1,459 injuries, a number which will increase in June with the invasion of Fallujah. Recently,

⁸ www.sbs.com.au/news/article/2016/05/31/uses-human-shields-fallujah-unhcr, Id.

⁹ <http://www.aljazeera.com/news/2016/06/iraqis-drown-fleeing-fallujah-160605082746287.html>

¹⁰ UNICEF, supra, n. 2.

¹¹ Id.

¹² <http://www.dw.com/en/unhcrs-bruno-geddo-in-iraq-fallujah-is-frightening/a-19294514>

¹³ Id.

¹⁴ Al Jazeera, supra, n.9.

¹⁵ CNN, supra, n. 1.

¹⁶ <http://www.aljazeera.com/news/2016/05/fallujah-iraqi-forces-face-tough-isil-resistance-160531130354691.html>

¹⁷ Al Jazeera, supra, n.4. Al Jazeera, supra, n.9. CNN, supra, n. 1.

¹⁸ CNN, supra, n.1.

¹⁹ <http://www.aljazeera.com/news/2016/05/fallujah-iraqi-forces-face-tough-isil-resistance-160531130354691.html>

²⁰ www.nytimes.com/2016/06/07/world/middleeast/iraqis-who-flee-falluja-find-hardship-and-hunger.html

²¹ www.sbs.com.au/news/article/2016/05/31/uses-human-shields-fallujah-unhcr

²² <http://www.theguardian.com/world/2016/may/30/iraqi-forces-enter-fallujah-in-attempt-to-drive-out-islamic-state>

²³ <http://www.un.org/apps/news/story.asp?NewsID=54093#.V1Tlwr6T7nc>

in Saqlawiyah northwest of Fallujah, a mass burial site was discovered containing around 400 bodies of soldiers and civilians executed by ISIS in 2014-2015.²⁴

2. Sectarian Concerns

A complicating factor to the humanitarian situation in Fallujah is the background of sectarianism in the conflict. It is important to not only get civilians and children out of Fallujah, but ensure their safety after exiting and address the underlying issues of sectarian distrust and fear to end the cycle of violence perpetually leading Fallujah to conflict since the 2003 Iraq War and threatening them in the future.

Fallujah and its surrounding areas are largely Sunni and in 2013-14 were the center of discontent and protests against the Shia-led Iraq government. Former Prime Minister Nouri al-Maliki cracked down on the protests with force, facilitating the rise of Sunni ISIS and its control over the city. In the campaign to clear areas of Iraq from ISIS control, Shia “Popular Mobilization Force” militias (PMFs) have played a leading role, and they have been leading operations clearing areas surrounding Fallujah of ISIS and enforcing the siege of the city since December 2015.²⁵ Some PMFs have used violent language in videos calling for an ethnic cleansing of the “cancer” or “tumour” of Sunni in Fallujah.²⁶ They are also known to have committed revenge killings and other abuses against Sunni populations liberated from ISIS.²⁷ Thus, while many Sunni residents in Fallujah are against ISIS, they are also still distrustful of PMFs and the Iraq government.

Sunni civilian residents are particularly concerned about their safety from surrounding PMFs if they leave the city.²⁸ Under US pressure, Iraq Prime Minister Haider al-Abadi promised that PMFs will not enter Fallujah and only stay in outer regions to avoid retaliatory killings. However, there have been reports that PMFs may join the conflict anyway—one PMF leader announced “No one can stop us from going there.”²⁹ And already there are reports that PMFs are detaining over 600 liberated Sunni civilian men for “screening” from surrounding areas such as Saqlawiyah, with those released showing signs of torture and reporting torture and killings by the PMFs.³⁰

In response to allegations of abuses by Iraq security forces and PMFs in the Fallujah operation, on 5 June Iraq Prime Minister Haider al-Abadi ordered the creation of a human rights committee to examine “any violation to the instructions on the protection of civilians” by all forces in the operation, with “strict orders” for prosecutions if abuses occur.³¹ A further statement by Parliament members expressed concern

²⁴ Yahoo, supra, n.7.

²⁵ Guardian, supra, n.22.

²⁶ Id.

²⁷ <http://www.thenational.ae/world/middle-east/why-winning-back-fallujah-will-take-more-than-beating-isis>

²⁸ According to one Fallujah resident, Ibrahim al-Jumaili, “Families in Fallujah are scared because they believe that the Shiite militias are going to enter Fallujah and do reprisal killings, This worries them a lot.” <http://www.wsj.com/articles/iraq-begins-assault-on-islamic-state-in-fallujah-1463956289>, <http://www.npr.org/2016/05/30/479995777/iraqis-again-try-to-take-back-fallujah-from-isis>

²⁹ <http://www.middleeasteye.net/news/sunni-tribal-leader-says-shia-militias-should-liberate-fallujah-and-mosul-not-army-1147210250>

³⁰ FRBIU, www.youtube.com/watch?v=NdXCaePnK64; <http://www.bbc.com/news/world-middle-east-36458954>; <http://dailycaller.com/2016/06/06/experts-worst-fears-seem-to-be-coming-true-in-fallujah/>; <http://www.theaustralian.com.au/news/world/the-times/fallulah-civilians-killed-by-islamic-state-or-tortured-by-shia-militias-news-story/ae144381f20a25240249e5a94e9a271f>; <http://www.live-news24.com/world-news/middle-east/7730/Fallujah-fight-heats-up-Human-rights-violations-increases>.

³¹ <http://www.middleeasteye.net/news/shooting-civilians-who-flee-fallujah-1258022855>

about allegations of violations “carried out by members of the federal police and some volunteers against civilians”³² However, residents are skeptical this can protect them.

Fallujah civilians have also expressed concern that they will be displaced over the longer-term into Shia-controlled areas where they may be at risk into the future. At a deeper level still, there cannot be lasting peace and security in Fallujah until the sectarian tensions are addressed and the cycle of violence, retaliations, and distrust is ended. It is thus critical that the Shia-led Iraq government work to rebuild trust among the Sunni residents of Fallujah to ensure it is never again taken by extremist forces which put its civilians and children at risk.

3. Recommendations

HRN urges all parties in Fallujah to protect civilians and children in Fallujah from further harm, ensure their safe passage out of the city, and ensure their further well-being after their exit. HRN also calls on the Iraq government to enter dialog with Fallujah’s Sunni population to rebuild trust, investigate and prosecute alleged abuses against them, resolve sectarian tensions, and end the cycle of retaliatory violence in Fallujah to ensure lasting peace and security.

³² Id.