

AMNESTY INTERNATIONAL

Public Statement

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Iraq: Fears of serious violations of the rules of war in Falluja

Amnesty International is deeply concerned that the rules of war protecting civilians and combatants have been violated in the current fighting in Falluja. Dozens of civilians have reportedly been killed during the fighting between US and Iraqi forces and insurgents. Amnesty International fears that civilians have been killed, in contravention of international humanitarian law, as a result of failure by parties to the fighting to take necessary precautions to protect non-combatants. The humanitarian situation in the city is said to be precarious.

Twenty Iraqi medical staff and dozens of other civilians were killed when a missile hit a clinic on 9 November, according to reports from a doctor who survived the strike. It is not known whether the missile was fired by the US-led forces or by insurgents. Also on 9 November, according to press reports, a 9-year-old boy reportedly died after being hit in the stomach by shrapnel. His parents were unable to take him to hospital because of the ongoing fighting. He died a few hours later as a result of blood loss and was buried by his parents in their garden because it was too dangerous to go out. One woman and her three daughters were reportedly killed when their house was bombed.

On 11 November a British television programme, Channel Four News, broadcast footage in which a US soldier appeared to have fired one shot in the direction of a wounded insurgent who was off screen. The soldier then walked away and said "he's gone". Under International humanitarian law the US forces have an obligation to protect fighters hors de combat. Amnesty International calls on the US authorities to investigate this incident immediately.

Amnesty International is concerned that US military spokespersons have provided estimates of the number of deaths among insurgents -- said to be in the hundreds -- but not of civilian fatalities or injuries. The organization urges all sides involved in the military confrontation to take every possible precaution to spare civilians.

Insurgents are also reported to have violated rules of international humanitarian law. In one incident, some Iraqis are reported to have come out of a building waving a white flag. When a Marine approached this group, insurgents opened fire on the Marines from different directions. A US military official in Iraq also accused insurgents of storing weapons in mosques and schools. Insurgents were reported as firing from a mosque on 10 November.

All violations of international humanitarian law and human rights law must be investigated and those responsible for unlawful attacks, including deliberate targeting of civilians, indiscriminate and disproportionate attacks, and the killing of injured persons must be brought to justice.

More than 10,000 US marines and 2,000 Iraqi security forces launched, on Monday night, an

attack on Falluja which has been under insurgents' control since April 2004. At least half of Falluja's residents reportedly left the city before the attack. However, according to press reports tens of thousands of civilians are still inside. There are concerns that a humanitarian crisis is looming with acute shortages in food, water, medicine and with no electricity. There are also many wounded people who could not receive medical care because of the fighting. The Iraqi Red Crescent Society stated that it had asked the Iraqi interim government and US forces for permission to deliver relief goods to civilians in Falluja and to send a medical team to the main hospital but had received no response.

In a statement published on 4 November, Amnesty International reminded the United States of America (USA) and the interim Government of Iraq that they are legally bound to observe at all times the rules of all applicable human rights and humanitarian law treaties to which they are states parties, as well as rules of customary international law binding on all states. The organization also urged armed groups in Falluja to respect the legally binding rules of international law.

For more information please see: <http://web.amnesty.org/library/index/engmde140542004>