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Iraq: Urgent action needed to prevent war crimes

Recent reports from Falluja raise serious concerns that grave violations of the laws of war protecting both civilians and combatants who are no longer taking part in hostilities (hors de combat) are taking place. According to the US television network NBC, US Marines left five wounded Iraqi men in a mosque after a battle. The next day, last Saturday, another group of Marines entered the mosque, and an NBC reporter saw one Marine shoot in the head, one of the wounded Iraqi men who was lying on the ground, with no visible weapons near him. The fate of the four other Iraqis is unclear.

US authorities have stated that they have removed from the battlefield one soldier and that they will conduct an investigation into this incident. However, urgent measures must also be taken to prevent any violations Amnesty International said today.

"Unequivocal orders for the proper treatment of unarmed and wounded insurgents must be issued or reinforced to all US and Iraqi military and civilian personnel. US and Iraqi forces should be clear that under international law they have an obligation to protect and provide necessary medical attention to wounded insurgents who are no longer posing a threat, as well as to civilians," said Amnesty International.

"The deliberate shooting of unarmed and wounded fighters who pose no immediate threat is a war crime under international law and there is therefore an obligation on the US authorities to investigate all such reports and to hold perpetrators of such crimes accountable before the law. Such investigations should be open and transparent and the findings should be made public. Any potential witnesses should be protected."

Amnesty International had already called on US authorities to investigate an earlier incident, reported on the UK's Channel Four News, 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".

Amnesty International is also calling on the US and Iraqi forces to ensure that all those wounded in fighting in Falluja, both civilians and fighters, receive prompt and effective medical treatment. In addition, urgent measures must be taken to address the drastic humanitarian situation in the city. There is currently no water, electricity or organised evacuation of the wounded, who have no access to proper healthcare. The Iraqi Red Crescent Society have been able to reach the hospital on the outskirts of the city, but are still not allowed to deliver humanitarian relief or assistance to those in need inside the city. Most of the civilians in the city are reportedly trapped in their homes or hiding places. There is no information of civilian casualties or injuries.

"There are acute humanitarian needs within Falluja. Measures should be taken urgently to allow the Iraqi Red Crescent Society and other humanitarian organizations into the city."

Insurgents are also reported to have violated rules of international humanitarian law: "Commanders and fighters of armed groups in Falluja also have an obligation to respect fundamental rules of international law. Acts such as booby trapping dead bodies are also war crimes," Amnesty International said.

Public Document

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