

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

5 February 2016

Index: MDE 14/3396/2016

### **Iraq: Militia war crimes in Muqdadiya highlight authorities' persistent failures to hold them to account**

The Iraqi authorities must investigate the killings and abduction of Sunni men and the destruction of homes and property of Sunni communities by Shi'a militias in retaliation for bomb attacks against a café in Diyala province, and bring those responsible to justice, Amnesty International said today.

On 11 January, a suicide bomb attack took place in a café owned by a member of the Shi'a community and known to be popular among young people in the al-'Asri neighbourhood of Muqdadiya, Diyala province. There were also media reports that Shi'a militia members were in the vicinity. A few minutes later, a car bomb exploded outside the café as rescuers and the crowd gathered to help. The bomb attacks killed 27 Sunni and Shi'a men and injured 41, according to figures given to Amnesty International by the Head of Muqdadiya City Council, Adnan al-Tamimi.

Local residents immediately assumed that the attacks had been carried out by the group calling itself the Islamic State (IS), infamous for targeting Shi'a communities. IS later claimed responsibility for the blasts.

On the evening of the bomb attacks, and during the following days, armed Shi'a militia members went on the rampage, abducting and killing Sunni men and burning and destroying Sunni mosques, shops and property in various neighbourhoods in Muqdadiya, including al-'Azzi, al-Hurriya, al-'Asri, al-Filisteen, al-'Askari, al-Souq, al-Mo'alimeen, Dour al-Sifr and al-Ahmar and the nearby village of al-Qubba.

The owner of a shop near the attacked café, who was injured in the blast, told Amnesty International that the area was subjected to multiple arson attacks on the evening of 11 January in reaction to the bombings. He said that some security officers came later that evening to see the area and the damage but left without talking to anyone and none of the victims or their families were approached or questioned about what happened.

Other eye witnesses told the organization that some of the abductions and killings of civilian Sunni men and the destruction of Sunni property took place in broad daylight, in some cases in front of the security forces who did not intervene to stop the attacks or apprehend the attackers. They also said militia members were driving police vehicles and using loudspeakers calling on Sunnis to leave the town, and that the words *irhal* (leave) or *matlub damm* (we call for blood/vengeance) were written on Sunni homes. Local residents have told Amnesty International that scores of people were abducted or killed.

Amnesty International has also examined photo and video material, some of which was provided by local residents and some of which was publicly available, crosschecking these sources of information

with witness accounts, media articles, and other reports. The organization has documented a number of cases of abductions and killings of men whose names have been changed for fear of further retaliation against the families.

They include the case of 22-year-old Amer. His brother told Amnesty International researchers:

*“Two cars stopped outside our home late at night on 13 January. Armed men dressed in camouflage and balaclavas entered the house and pushed my mother to the ground. They then took Amer. My family did not see him again that night. The next day, a family friend working at the hospital called and said we have to come to collect Amer’s body that had been found in the street. He had been shot in his right eye and forehead. The militiamen operating in Muqdadiya as Asaib Ahl Al-Haq [a Shi’a militia group] consider all Sunnis in Muqdadiya to be Saddamis [supporters of former Iraqi president Saddam Hussein], and many Sunnis were grabbed in the streets or dragged from their homes and instantly killed. In the first week of the events, militiamen drove around with speakers shouting for Sunni men to come out of their homes. On 13 January, more than 100 men were taken and have not been seen since.”*

In another case, Anas, a 65-year-old shopkeeper and former reservist army officer, was shot dead in front of his house on Friday 15 January. His daughter told Amnesty International:

*“Two masked men accosted him and shot him in the head with two bullets. He died on the spot at 11am. The street was full of people and the police were present but no one intervened to stop the attackers. We pleaded with people to carry him with us but nobody wanted to help; people were too scared. We took him to the hospital and then we buried him on our own as his family. We are now too scared to open the shop again, as we do not want to risk the life of my brother.”*

*“The militias are terrorising the streets, forcing people to leave Muqdadiya. The walls of some houses have the words ‘irhal’ or ‘matlub damm’ written on them. Militias have destroyed mosques and are controlling the streets. The police can do nothing to help. Everybody is scared; we now lock up our houses around mid-afternoon and do not open them to anyone after that.”*

Karim, a 33-year-old father of five children, was abducted in front of his house. His brother told Amnesty International:

*“The bombing happened around sunset when we were all at home. The next day [12 January], we were sitting in front of our house. At around 10am, militiamen dressed in black stepped out of a car and said that whoever talked or lifted up his head would be killed on the spot. They asked for my brother by name and took him. We inquired about him with members of Hashd al-Shaabi [Popular Mobilization Unit, an umbrella group made of Shi’a militias backed and armed by the government in the fight against IS] and with the police but no-one had any news of him. After two hours, at around midday, we received a call from the hospital telling us that someone matching my brother’s description was at the hospital. We found his body with a gunshot wound to the head.”*

*“After the explosion at the café, militias went to Sunni houses and shot the first men to open the door. This happened in four or five cases in nearby neighbourhoods. Abductions and killings are still happening. It is known who is committing these killings but people are too scared to talk. We are too scared to go out and too scared they may come back to our houses and kill us.”*

Sunni journalists who covered the events in Muqdadaya were also targeted. On 12 January, al-Sharqiya television channel reporter, Saif Talal, and cameraman, Hassan al-'Ankabi, were forced out of their car by militiamen at a checkpoint in Abu Sayda area, south-west of Muqdadaya, and shot dead, according to a statement by the television channel. They were on their way to Baquba after having accompanied the Tigris Military Operations Commander, Lieutenant General, Mezher al-'Azzawi in Muqdadaya.

An Iraqi activist, whose name has been withheld for his safety, told Amnesty International that he had documented at least 15 cases of Sunni men who were abducted and killed in the aftermath of the café bombings and a case of the demolition of an entire house by Shi'a militias. He said that more than 100 families are believed to have left the town to nearby areas in fear for their lives. Other residents gave similar accounts to Amnesty International.

The Head of Muqdadaya City Council, Adnan al-Tamimi, a member of the Shi'a community, said that the numbers of people killed had been exaggerated and denied that only Sunni men are specifically targeted by Shi'a militias. He told Amnesty International in a phone call on 29 January that only seven people were killed by "unknown assailants" in the days following the bomb blasts and that media reports about the sectarian violence were exaggerated. He said that the words found on the walls were written by unknown individuals the night following the bomb attacks and appeared on both Sunni and Shi'a homes. When asked for names and details of Shi'a homes that were targeted in this way, he failed to provide any such information to Amnesty International.

Scores of Sunni men from Muqdadaya and surrounding areas are still unaccounted for and are feared dead. On 21 January, a medical source in Muqdadaya reported to the media that some 70 bodies had been left at the city's hospital as families were too scared to go collect them. The source was quoted by media as stating that many of the bodies could not be identified as they had been disfigured as a result of torture or by being burned.

Shi'a militias have also been accused by Sunni residents of destroying at least 12 Sunni mosques in various neighbourhoods of Muqdadaya. According to a report by Fallujah television channel, they also raided the house of the Sunni preacher of al-Qubba village mosque, south-west of Muqdadaya, beat his parents and threw them out of the house, before setting it on fire.

On 15 January, Grand Ayatollah Ali al-Sistani, Iraq's top Shi'a cleric, condemned the IS bombing and the attacks on Diyala Sunni mosques and urged the government to restrain militant groups, including those working alongside the government security forces.

On 17 January, the Diyala Police Command issued a statement that they had apprehended seven individuals linked to the attacks that followed the café bombings and that Muqdadaya had "witnessed a malicious plan to provoke the sectarian strife and disturb the internal stability".

These deliberate and unlawful killings, carried out by members of militias that have effectively become part of the government security forces, appear to be extrajudicial executions, which are crimes under international law. As these summary killings have been carried out in the context of the armed conflict of Iraq they are also serious violations of international humanitarian law and war crimes. The deliberate destruction of homes and civilian property by Shi'a militias may also constitute war crimes. The Iraqi authorities have an obligation to ensure prompt, effective, and impartial investigations into these crimes and to bring the perpetrators to justice in fair trials.

Sunnis in Diyala and other governorates must not be collectively punished for the horrendous crimes committed by IS. Such revenge attacks only fuel sectarian violence and widen the divide between Shi'a, Sunni and other religious and ethnic communities.

This is not the first time that Shi'a militias in Diyala province have carried out summary killings and other serious violations against the Sunni population with impunity. Similar incidents took place in January 2015 when government security forces and allied militias carried out reprisal killings of local Sunnis suspected of supporting IS and burned homes and mosques after they recaptured areas in the province from IS. They [carried out](#) extrajudicial executions of at least 56 Sunni Muslims in Barwana, a village west of Muqdadia, after rounding up local men, ostensibly to check their identities. The victims were shot, mostly while handcuffed and some blindfolded. Following the Barwana massacre, Iraqi Prime Minister, Haider al-Abadi, said he had ordered an official investigation into the attacks. No information about the investigation or its procedures were made public and no one was brought to justice.

The growing power of Shi'a militias since IS took over Mosul, Iraq's second largest city, in June 2014, and their incorporation in the PMU, has led to a state of lawlessness with militia men killing, abducting and committing abuses that amount to war crimes. They continue to do so with total impunity.

The fact that Shi'a militias continue to commit war crimes shows the Iraqi authorities' total failure to take any concrete steps to adequately investigate or prosecute those responsible despite compelling evidence produced by [Amnesty International](#) and other organizations highlighting their abuses in various provinces across the country. Impunity for militias has facilitated further serious violations against Sunni communities and strengthened the rule of lawlessness, in particular in areas recaptured from IS.

The continued targeting of Sunnis led a number of Sunni members of the Iraqi parliament on 25 January to call on the international community to protect the Sunni population from attacks by members of the PMU in Diyala and Salah al-Din, two of the provinces whose Sunni inhabitants are facing retaliation for crimes committed by IS.

While Prime Minister al-Abadi has recognized the PMU as part of the security forces and they receive arms and other support from the state, they continue to operate outside any legal framework. A law on National Guards, meant to organize the security forces and formally integrate the PMU into the security apparatus, is stalled in parliament. Whether or not such a law is passed, the Iraqi authorities have an obligation to immediately take concrete measures to rein in Shi'a militias, end unlawful killings, ensure they adhere to international humanitarian law, and put in place a mechanism to guarantee independent, impartial investigations into allegations of violations they commit, whether acting alongside the Iraqi security force or separately, and to bring those responsible to justice.