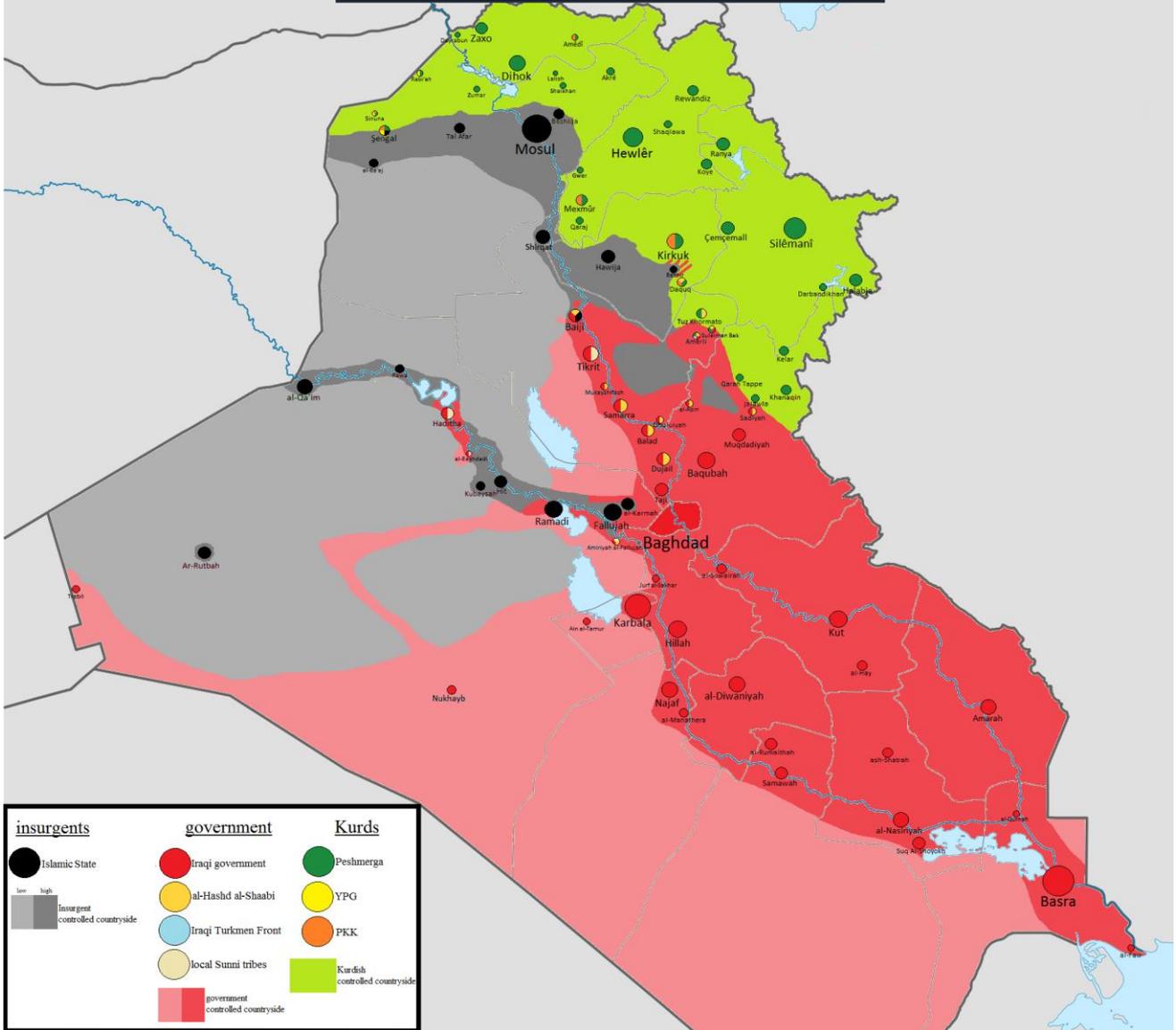


Map of Military Control

02-09-2015



Map from Thomas van Linge

Introduction

When thinking about “terrorism”, one, most surely, immediately associates the term with groups such as al-Qaeda and the fairly “new” Islamic State of Iraq and Syria (ISIS, or ISIL), whose acronym is ever so mentioned on national news channels and newspapers. Whereas these terrorist groups are surely committing heinous crimes against humanity, which deserve as much media coverage as possible, there are numerous other terrorist factions that have emerged in the past few years, whose crimes, in contrast, not only do not get as much international interest, but they are not even classified as terrorist groups.

These factions are militia units, predominantly made of Shi’a voluntary fighters, who commit grave crimes on a purely sectarian basis, targeting especially the Sunni component of society.

The number of abductions, killings and indiscriminate revenge attacks associated with these groups has risen spectacularly since 2014 and has become systematic and widespread. The militias, “often armed and backed by the government of Iraq, continue to operate with varying degrees of cooperation from government forces – ranging from tacit consent to coordinated, or even joint, operations.”¹ With government forces unable or unwilling to ensure the security and protection of the civilian population, militias have been operating with unprecedented freedom and have been able to perpetrate such crimes with impunity.

The role of these militias within the framework of the Iraqi security forces has grown from one of support to, in many ways, one of control.² This is in spite of the fact that the Iraqi Constitution prohibits militias “outside the framework of the armed forces.”³ In 2016, militias are indistinguishable from the armed forces having been incorporated and legitimized as part of them. Even for those militias that operate outside of the armed forces, there have been no efforts on the part of the government to uphold the law prohibiting these groups. This means the problem of militias is therefore twofold: there are the militias who have been absorbed into the security forces committing human rights abuses as well as those independent militias who are doing the same.

These factions have especially grown in size and influence since the onset of the fight against ISIS. In many cases, they take charge of military operations against the terrorist group and increasingly wield more power than official security forces.

Today, there are over a hundred militias operating within Iraq, all of whom exercise the authority of arrest, detention, torture and in many cases summary executions. The largest

¹ *Absolute Impunity, Militia Rule in Iraq*, Amnesty International, October 2014, page 4.

² Office of the United Nations High Commissioner for Human Rights, “Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups”, Human Rights Council, 28th session, Agenda item 2, UN Doc A/HRC/28/18, para 51.

³ “Iraqi Constitution,” The Republic of Iraq Ministry of Interior, Accessed June 3, 2015,

http://www.iraqinationality.gov.iq/attach/iraqi_constitution.pdf&ei=6RVvVfLeHsOvswHntYP4Cw&usg=AFQjCNHfUEjO7Yh7UQTqg9hw-cBvaS0YiA&bvm=bv.94911696,d.bGg. See Section 1, Article 9(b)

and most brutal ones are Mahdi Army, Badr Brigades, Asa'ib Ahl al-Haq and Kata'ib Hizbullah, which we will analyse in a separate section. All available names of militias along with their leaders will be provided in Annex I (page 37-39) of this report.

These armed associations have not only created a highly dangerous environment to live in, but they have also interfered with the public sector. Militia members have in fact been occupying hospitals and clinics, preventing specific individuals or ethnic groups from accessing medical care. Executions in hospitals are also a recurring and increasingly worrying event. In addition, militias systematically interfere with the education system: their leaders and members have been storming university buildings and schools to preach students with sectarian and radical religious speeches. At the same time, professors and teachers have been threatened and intimidated to do the same.

It is clear that the presence of militias in Iraq has not only deeply affected the security and peace of the country, but has also undermined every aspect of Iraqi people's lives. The next sections of the report will explain in details the origin of such criminal groups as well as the extents of the violations and abuses they commit.

In light of the seriousness of the situation in the country, it is imperative that the international community and the United Nations take urgent actions in order to condemn and classify militias as *de facto* terrorist associations, providing the crimes they are committing are just as appalling as those of ISIS and other terrorist groups. This can be considered as the starting point towards forever banning criminal associations as such, because, as it is important to remind, crimes as those described in the following sections of the report, constitute an imminent threat to the peace and stability of the whole world.

Geneva, September 2016

The Rise of Militias

Rise of Militias 2003-2010

The militias' rise to power in Iraq continued following the power vacuum and political chaos brought with the 2003 US-led invasion. Orders 2⁴ and 91⁵ given during the tenure of the **Coalition Provisional Authority (CPA)**, a transitional government put together after the invasion in 2003, had tremendous impact on the current security disarray. Order 2, given on the 23rd of May 2003, dissolved all military, ministries, paramilitaries and other organizations.⁶ After that, the CPA established new security forces, police and army, without adhering and complying with Iraqi military standards and procedures and meeting the compulsory academic requirements that were in place prior 2003. The key problem however remains that the newly formed security forces were comprised primarily of militia members. Those militias were not trained to behave as a rule of law protection unit. Actually, they were trained in an ungovernable environment. This way, they used their authority and power as tools to further their own interests and to take action against all those who they believe representing an opposition or threat to their power. GICJ has documented proof (which has been enclosed to this report at page 35-36) of the process of appointment of militia members in the security forces. In brief, militia leaders would send a list to the Ministry of Interior indicating all the names of the appointed officials, including their ranks and positions. The document shows

The Iraqi Army prior 2003

Prior to the dissolution of the army by the CPA in 2003, the Iraqi military was well structured and complied with rigorous standards. Firstly, it was not politicized. Political commissaries were still attached to major units, but they could not countermand military orders. The literacy rate of Iraqi soldiers was relatively high and quite high compared to other Arab countries; the army was accustomed to being well taken care of with all the equipment and perks it desired. Officers were well trained and confident. The Iraqi army was widely recognized for its high standards whereas today, after the post-2003 reformation, it has become symbol of corruption, dysfunction, as well as immorality.

⁴<http://nsarchive.gwu.edu/NSAEBB/NSAEBB418/docs/9b%20%20Coalition%20Provisional%20Authority%20Order%20No%2020-%208-23-03.pdf>

⁵http://www.iraqcoalition.org/regulations/20040607_CPAORD91_Regulation_of_Armed_Forces_and_Militias_within_Iraq.pdf

⁶Those entities dissolved include: the Ministry of Defence, the Ministry of Information, the Ministry of State for Military Affairs, the Iraqi Intelligence Service, the National Security Bureau, the Directorate of National Security, the Special Security Organization, the Murafaqin and the Himaya al Khasa (Special Guard), the Army, the Airforce, the Navy, the Air Defence Force, the Republican Guard, the Special Republican Guard, the Directorate of Military Intelligence, the Al Quds Force, Emergency Forces, the paramilitaries (Saddam Fedayeen, Ba'ath Party Militia, Friends of Saddam, Saddam's Lion Cubs), the Presidential Secretariat, the Presidential Diwan, the Revolutionary Command Council, the National Assembly, the Youth Organization, National Olympic Committee, and Revolution, Special and National Security Courts.

that such positions were allocated not on a meritocratic basis or upon specific academic and training requirements, but instead in a completely free manner. This, in other words, allowed highly unqualified individuals to take charge of the security of the country.

From that point, the militia behaviour has become intrinsic to the security forces, and the absence of an effective rule of law has resulted in the criminal acts that will be analysed in the following sections.

The immediate result of the creation of this unusual recruitment process was the rise to prominence of the **Mahdi Army**, the armed wing of the **Sadrists** movement, alongside the **Badr Brigades**. The Sadrists arose out of a movement created by **Muhammad Sadiq al-Sadr**, whose son, **Muqtada al-Sadr**, became a symbol of it. During the 2005-2006 civil war, both Badrists and Sadrists attacked Sunni neighbourhoods (including a large number of mosques) and their corresponding militarised squads killed thousands of Sunni civilians. At that time, such event caused a massive exodus of Sunni Iraqis, especially from the capital city, to neighbouring countries (particularly to Syria and Jordan).

Crucially, Badr's advantage in military power and organization allowed them disproportionate share in elections, and many Badr militiamen infiltrated the security services. The Sadrists were considered to be more associated with criminality, and the resulting backlash allowed Prime Minister Nuri al-Maliki to make a name for himself as a nationalist by going to war against them in 2008. Nevertheless, he did not manage to reduce their power.

Badr Brigade

The most powerful of these militias is the **Badr Brigade** (now officially named the Badr Organization) formed in Iran in 1982 to provide an opposition to Iraq, during the Iran-Iraq war. This organization was the armed wing of what is now called the **Islamic Supreme Council of Iraq (ISCI)**, a part of the Daw'ah party, which was previously known as the Supreme Council for Islamic Revolution in Iraq (SCIRI) until it renamed itself in June 2007, seeking to emphasize its Iraqi-nationalist ties. While the Daw'ah party maintained some independence from Iran, the ISCI functioned as an Iranian tool during this period. It is a well-known fact that the Badr Brigade at that time participated in torturing and executing Iraqi prisoners of war, under the tacit support of the Iranian authorities. Following the Iran-Iraq war, the organization continued to operate with the aim of toppling the regime of Saddam Hussein.

The leader of the Badr Organization, al-Amiri, became the political - in addition to the military - leader of the group after the separation from ISCI. With the rise of the Islamic State (IS) in 2014, the Badr Organization maintained a strong military presence in Iraq and, under the orders of al-Amiri, attacked several cities under the pretext of fighting ISIS, alongside other Shi'a militias and the Iraqi Army.

The organization has been loyal to Iran throughout the years and receives its support on a regular basis. In these regards, Al-Amiri has many times collaborated with Qassem Soleimani, the head of the Iranian Revolutionary Guards Quds Force, to carry out multiple deadly attacks.

Sadrist Movement and Mahdi Army⁷

Şadr's rhetoric was allegedly nationalist and anti-American, however, the conduct of his followers turned out to be on the contrary abusive against Iraqi nationals. Although his militia, an ill-coordinated collection of thousands of outlaws, did engage in direct armed clashes with the multinational forces for a very short period of time in April 2004, the facts revealed that it was mainly attacking the civilian population on a sectarian basis, especially in Baghdad. Şadr's critics held, in fact, the Mahdi Army responsible for brutal acts of retribution against Sunnis, including kidnapping, killing, torture, and the destruction of mosques and property.

In the December 2005 elections, members of Şadr's movement stood with other Shi'a parties as part of the **United Iraqi Alliance**, which won a plurality of seats (128 of 275) in the parliament; 32 of which went to the Şadrists. In the formation of the government, Şadr supported **Nuri al-Maliki** of the Da'wah Party to become prime minister, but in April 2007 six Şadrist ministers withdrew from the cabinet after their demands for a timetable for withdrawal of foreign troops remained unrealized.

The Sadrists were part of this shift and they helped to fuel early sectarian tension by encouraging the wholesale dismissal of officials with links, real or perceived, to the previous regime. Disregarding Sunni Arab protests, Sadr's followers worked to accelerate the purges of former members of Saddam's ruling Baath Party in the so-called "de-Baathification process." They have continued to



do so despite the negative impact on Iraqi reconciliation and sectarian relations. Even in the following years, as Sunni grievances resurged in response to Nuri al-Maliki polarizing 2006–2014 premiership, the Sadrist movement has repeatedly **refused to relent on de-Baathification laws**.

Major fighting rocked Iraq in 2006–2008. At the height of the war in late 2006, Sadr's militia organization, which was known as *Jaish al-Mahdi* or the Mahdi Army, waged a cruel war against Sunnis, often resorting to horrific methods to terrorize and demoralize its opposition. Reports

⁷ <http://www.britannica.com/biography/Muqtada-al-Sadr>

abound of Mahdi Army death squads that murdered Sunnis through torture, including with electric drills.

Sadr maintains that some of the more violent attacks were carried out by “splinter elements.” Iranian support for certain elements within the Mahdi Army, in particular Kais al Khazali’s special factions, had undermined Sadr’s control. As early as September 2006, increasingly empowered local militiamen were indeed going rogue. Sadr claimed that those Sadrist responsible for terrorism, murder, and criminal activities during the 2006–2008 civil war were mostly the Khazali-led factions that eventually broke off and became the Iranian-backed militia Asaib Ahl al-Haq (League of the Righteous) that will be described in more details below.

With the rising influence of the **Islamic State of Iraq and Syria** in Sunni Arab areas of Iraq, Sadr has reinstated an active militia force, six years after disbanding the Mahdi Army. While the old name referenced Shi’a millennialism, he now chose to call the armed wing of the Sadrist movement *Saraya al-Salam*, the Peace Companies. In the pretext of fighting ISIS, Saraya al-Salam was also accused of grave human rights violations as well as war crimes.

Asaib Ahl al-Haq (League of the Righteous)

As previously mentioned, this groups split from from Muqtada al-Sadr’s Mahdi Army after 2004 to create his own Khazali network. The group’s leadership (which includes Qais Khazali, Abd al-Hadi al-Darraji (a politician in Muqtada al-Sadr’s Sadr Movement) and Akram al-Kabi), however, reconciled with al-Sadr in mid-2005. In July 2006, Asa’ib Ahl al-Haq was founded and became one of the Special Groups which operated more independently from the rest of the Mahdi Army. It became a completely independent organisation after the Mahdi Army’s disbanding in 2008. In November 2008 when Sadr created Saraya al-Salam to succeed the Mahdi Army, he asked Asa’ib Ahl al-Haq to join, but they declined. The organisation is alleged to receive training and weapons from Iran’s Revolutionary Qud’s Forces as well as Iranian-backed Lebanese group Hezbollah.⁸ Asaib Ahl al-Haq is responsible for some of the most brutal violations occurred in Baghdad and several other cities after 2008.

Since 2014, the group joined the so-called **Popular Mobilization Forces** in the “fight against the Islamic State of Iraq and Syria”.

Kata’ib Hezbollah (Brigades of the Party of God)

The group’s structure is secretive, but Abu Mahdi al-Muhandis is known to be a senior figure in the unit. Al-Muhandis is on the American Designated List of Terrorists for the attack of the American embassy in Kuwait in the ‘80s.

⁸ https://en.wikipedia.org/wiki/Asa%27ib_Ahl_al-Haq

This militia receives training, weapons and funding from the Iranian Quds Force as well as Lebanon-based Hezbollah.

In 2013 Kata'ib Hezbollah and other Iraqi Shi'a militias acknowledged sending fighters to Syria to fight alongside forces loyal to President Bashar al-Assad, against the Sunni rebels seeking to overthrow him in the Syrian Civil War.

In 2014 the group began taking a prominent role in the fight against ISIS in Iraq, supported with air cover by the U.S. Air Force.

This militia, like all others, has been accused of committing some of the most appalling violations against civilians, which amount to war crimes and crimes against humanity.

Abu al-Fadl al-Abbass

The Brigade of Abu al-Fadl al-Abbas is a pro-government Shi'a militant group that originated in Syria in late 2012.

As ISIS made significant gains in Iraq in 2014, its Iraqi members were forced to return home to defend the faltering Shi'a led government in Baghdad, forming the **Abu al-Fadl al-Abbas Forces** in Iraq. The force is affiliated with Sheikh Aws al-Khafaji, who was previously aligned with Muqtada al-Sadr. The group claims an affinity with the similarly named Liwa Abu al-Fadhal al-Abbas group fighting in Syrian Civil War on behalf of the Syrian government. AFA also appears to have deep links to Kataib al-Imam Ali.⁹

There is large evidence that this group is responsible for heinous abuses and human rights violations against the population.

Rise of Militias 2010-2014

The third militia period began in 2010 and revolved around the parliamentary elections. Although al-Maliki's State of Law Coalition (SLC) won a majority in Shi'a areas, the secular, **Iraqiya** coalition won a narrow plurality. al-Maliki turned to Iran for help, and in retrospect this was the beginning of an alliance between al-Maliki and Iran. Although the United States and Iran supported Maliki, only Iran used his re-election to form an enduring alliance.

After the U.S. withdrawal in 2011, al-Maliki's political marginalization of Sunni leaders and sectarian command of the Iraqi Security Forces spurred an anti-government protest movement, primarily in al-Anbar and Salah ad-Din. The protest movements spawned an organized, overt militant opposition to the Iraqi government after the Iraqi Security Forces killed civilians while attempting to clear a protest camp in Hawija in April 2013.

⁹ https://en.wikipedia.org/wiki/Abu_al-Fadl_al-Abbas_Forces

In this period, the militias took advantage of al-Maliki's sectarian policies to gain more power and visibility. The former Prime Minister, instead of condemning their crimes, in fact encouraged their behaviour, hence creating a suitable environment for the organizations to flourish with followers and supporters. This, of course, at the expenses of the population, and in particular of the Sunni component of society, which, during those years, was victim of continuous and systematic mass abuses.

The harsh policies adopted by former Prime Minister fostered the conditions in the country that the newly born terrorist group ISIS took advantage of in order to capture several cities in 2014.

Rise of militias 2014 –today

The Islamic State of Iraq and Syria (ISIS)

The Islamic State of Iraq and Syria (ISIS) is an extremist group which has become a media phenomenon since June 2014 when it took over the city of Mosul and started committing abuses and human rights violations in Iraq as well as in other parts of the world. By a complex process of propaganda, that is mainly possible through the use of social networks, this terrorist group has been able to advertise itself as a religious ideological group and increasingly gain followers both in Iraq and Syria, where it carries out attacks in order to gain territory and enlarge its control.



The birth of ISIS is, once again, to be attributed to the 2003 U.S. led invasion and subsequent occupation of the country. As in the case of the rise of the other militias that we have listed above, the dissolution of the Iraqi army under Paul Bremer and the foreign administration resulted in political instability and the lack of a functioning defence apparatus. In such context, the al Qaeda terrorist organization managed to take advantage of the political chaos and established **al Qaeda in Iraq (AQI)** with the pretext to wage an insurgency against U.S. troops, which resulted in the radicalization of many.

During the occupation, AQI would frequently go back and forth between Syria and Iraq to resupply. With the start of the Syrian civil war, AQI saw an opportunity to establish a presence there. A part of this group split up, headed by a different leader (Abu Bakr al-Baghdadi) and then renamed itself as The Islamic State of Iraq and Syria (ISIS). In early 2014 they started fighting against the opposition groups to al-Assad regime.

The turning point was in June 2014, when ISIS managed to take over the city of Mosul in Iraq, becoming the first rebel group to capture major cities. The severe human rights violations committed in the captured territories amount to war crimes, crimes against humanity and possibly genocide, as stated in the report of the Office of the United Nations High Commissioner for Human Rights pursuant to Human Rights Council Resolution S-22/1 (A/HRC/28/18, para.78)¹⁰.

Al-Hashd al-Sha’abi

On 13th June 2014, in the aftermath of the fall of Mosul, Abd al-Mahdi al-Karbalai, representative of Grand Ayatollah Ali al-Sistani, announced a Fatwa¹¹ of great importance. In his speech, he called on believers to volunteer in the fight against ISIS, which, according to him, constituted a jihad. The language and wording he used, however, were not expressly intended as an encouragement for Shi’a to initiate a war against Sunnis, but rather to be supportive of the state in the fight against terrorism. Nevertheless, the speech proved highly controversial as the religious sermon that preceded it contained clear references to the physical preparation for war under the leadership of “the Imam the Mahdi”, which therefore seemed to be more



¹⁰ Report of the Office of the United Nations High Commissioner for Human Rights on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups* **, Human Rights Council Twenty-eighth session, A/HRC/28/18, (27 March 2015)

¹¹ A fatwā (Arabic: فتوى; plural fatāwā Arabic: فتاوى) in the Islamic faith is the term for the legal opinion or learned interpretation that the Sheikhul Islam, a qualified jurist or mufti, can give on issues pertaining to the Islamic law (<https://en.wikipedia.org/wiki/Fatwa>)

addressed to the Shi'a part of the population. The outcome of the sermon was a stream of volunteers into militias, using the fatwa as a cover for an upsurge that finally led to the garrison state mentality that defines the country today.

Not long after, in light of the substantial flow of volunteers ready to take the arms, former Prime Minister Nuri al-Maliki, on no legal basis, created an umbrella organization for the militias, offering them a stipend of roughly \$750 per month (this money was rarely actually paid). This umbrella organization is known as **al-Hashd al-Shaabi** (abbreviated "Hashd"), or "*Popular Mobilization Forces*" (*PMF*) in English.

The main components of al-Hashd al-Shaabi were already existing militias, such as the Badr Brigade, Asa'ib Ahl Al-Haq, Saraya al Salam, Abul Fadl Al Abbas brigade and the Hezbollah-Iraq branch, that were then joined by hundreds of volunteers. However, various militias that claim to work under al-Hashd al-Shaabi umbrella, act in truth according to their own leadership and rules. Since the establishment of this umbrella organization, it has become evident that there is no central control or authority that can discipline the different militias. Some groups, such as Saraya al Salam, have reported that the brigades "do not take orders"¹² but coordinate with other groups on the battlefield. Despite the declaration by Yusif al-Kilabi, the military spokesperson for al-Hashd al-Shaabi, that there is now a 20-member legal department with 100 liaison officers in the fighting divisions, whose legal advisers had completed training in the laws of war, militias still do their own officer training, including on the laws of war, "at a secret location."

Al-Hashd al-Shaabi militias are responsible of the deadliest attacks in the country and have been accused by many organizations of having committed war crimes and crimes against humanity. The lack of central coordination translates therefore into a lack of accountability, which, in turn, means that those responsible of the crimes cannot be brought to justice, allowing this way the perpetration of them.

Sectarian Tension

The increasingly insecure environment in which Iraqi civilians are finding themselves in today is a result of the sectarian tension that has been promoted by the different pro-government actors analysed above. GICJ, in fact, receives daily reports of abductions by the hands of such groups against civilians on the basis of their sect and ethnicity. The sectarian tension has now reached the highest peak, to the point that the daily life of most Iraqi people is affected.

¹² <https://www.hrw.org/news/2016/05/27/why-accountability-iraqs-militias-matters>

ISIS & Revenge Attacks

In addition to the mass human rights abuses they have been committing in the areas under their control, ISIS fighters carry out frequent bomb attacks in the capital and elsewhere. These attacks are indiscriminate and will affect all those who happen to be in that area. Nevertheless, the government and some religious leaders insist to claim that such attacks are directed only towards the Shi'a component of society, therefore fomenting their sectarian campaigns and alighting the already well-established climate of tension.

The violations committed by the terrorist group have an important consequence over the growth of pro-government militias. Those have in fact especially grown in size and influence with the support of the government, which had encouraged young men to join militias with the pretext of fighting terrorism. This resulted in Shi'a militias taking advantage of the atmosphere of lawlessness and impunity to abduct and kill Sunni men, seemingly in reprisal or revenge for ISIS attacks and at times also to extort money from the families of those they have abducted.

In this context, the occupation of Mosul, the second-largest city in Iraq, by ISIS has constituted another striking proof of the dysfunctional system of governance. The investigation committee put in place by the authorities after the fall of the city released a report in August 2014 that clearly stressed the fact that the armed forces were ordered by Prime Minister al-Maliki to withdraw from the area, which subsequently allowed a much smaller number of ISIS fighters to enter the city and raid it completely undisturbed. What occurred afterwards is very easily imaginable: the killing of civilians followed by a new, dramatic increase in the number and size of militias directly financed by the government¹³.

In order to have a better understanding of the sectarian strategies adopted behind the pretext of fighting ISIS, it is relevant to mention four important episodes among others, that saw pro-government militias as protagonists of the destruction of major cities in Iraq that had been previously captured by the terrorist group: Ramadi, Tikrit, Amerli and Fallujah.

→ The Anbar campaign

In January 2014, Nuri al-Maliki, the former Prime Minister launched a bombing campaign in the Anbar Province, which is largely Sunni, apparently with the intention of driving out jihadists, aka, ISIS. However, the bombs were not just landing on the insurgents – but on civilian targets and neighbourhoods, in particular hospitals and residential areas. Particularly appalling has been the total destruction of the city of Ramadi, where more than six months of extensive military campaign on the city, including devastating US-led coalition air strikes, shattered most infrastructure, levelled many homes and made dozens of

¹³ See more information about the findings of the Inquiry on the fall of Mosul: <http://reliefweb.int/report/iraq/iraq-inquiry-finds-officials-grossly-mismanaged-mosul-crisis>

casualties. A UN assessment found that nearly every building had been damaged or destroyed in frontline areas.¹⁴

The Anbar campaign is just another widening of the endless sectarian conflict. As the bombing went on, it also became apparent that the Iraqi Security Forces (ISF) was simply not up to handling the job of pushing back ISIS. This opened the door to the Shi'a militias.

→ The battles of Tikrit



The first battle of **Tikrit** took place between 26 and 30 June 2014 after the occupation of the city, which had symbolic significance as the hometown of Saddam Hussein, by the Islamic State. The Iraqi government responded to the entrance of the terrorist group on 26 June by launching an air assault

operation to recapture the city. This initial attack was reinforced by a ground assault by the Iraqi forces supported by the al-Hashd al-Shaabi militias on 28 June, which resulted in the complete destruction of the city and villages in the nearby and a large number of deaths and imprisonments. Fighting continued on 29 and 30 June, but the battle was an insurgent victory, with government forces retreating on 30 June. The defeat coincided with ISIS's declaration of a worldwide caliphate on 29 June. In March of the following year, the Iraqi forces, al-Hashd al-Shaabi and the Iran's Qud's Force officers on the ground, receiving assistance from American, British, and French air forces, attempted a second offensive to recapture the ISIS-held city, this time managing to drive out the "jihadists". By 12 April 2015, Iraqi forces declared that Tikrit was finally "free", however, the devastation that this caused to civilians was unimaginable. The government militias attacked indiscriminately civilian buildings, including private houses, shops, public buildings, etc... They looted, burnt, destroyed everything they found on their way as well as killed dozens of civilians on purely sectarian basis, also making a large number of prisoners.

¹⁴ <http://www.aljazeera.com/news/2016/03/destruction-ramadi-worse-iraq-160304182242699.html>

→ The siege of Amerli¹⁵

On 30th August 2014, the Iraqi Army, along with pro-government militias, started a campaign to break the siege that was taking place in **Amerli**, ISIS-held city, following the encouragement of the speaker of Grand Ayatollah Ali al-Sistani, Abdul-Mahdi al-Karabalaï. In this context, Kataib Hezbollah set up an operations room to coordinate the attack with the Iraqi army, the other militia groups, and advisers from the Quds Force.

The day after, with the support of the US Air Force, the offensive troops succeeded in breaking the siege and freeing the villages around it, with the local citizens cheering and celebrating. Nevertheless, following the operations to end the Amerli siege, pro-government militias and volunteer fighters as well as Iraqi security forces raided Sunni villages and neighbourhoods around Amerli, in Salah al-Din and Kirkuk provinces. During the raids, they looted possessions of civilians who fled fighting during the onslaught on Amerli; burned homes and businesses of the Sunni residents' villages; and used explosives and heavy equipment to destroy individual buildings or entire villages. Local residents said many other men of fighting age had gone missing.



→ The “liberation” of Fallujah

On 22nd May 2016 Iraqi Prime Minister, Haider al-Abadi, announced what he has defined as a battle to “liberate Fallujah” from the Islamic State (IS) fighters. Together with the Iraqi army, a number of militia leaders have joined this battle, which officially started that same night. Between these, it was confirmed the participation of al-Hashd al-Shaabi. The armed groups were backed by Iranian military advisors and were receiving air cover by the coalition forces led by the United States of America. Qassem Soleimani, the head of the Iranian Quds Force

¹⁵ https://en.wikipedia.org/wiki/Siege_of_Amirli



visited an operations command in Fallujah for the Popular Mobilization prior to the operation's launch and spoke with militia leaders, including the Badr Organization's, Hadi al-Amiri, Nujaba Movement's, Akram al-Kaabi, and the Popular Mobilization Commission (PMC) deputy chairman and another U.S.-designated terrorist, Abu Mahdi al-Muhandis.

On the first day of the attack (Sunday 22nd May 2016) our Iraqi sources on the ground reported the death of 11 members of one family. During the next day (Monday, 23rd May 2016), Fallujah Teaching Hospital declared to have received the bodies of 10 victims (including five children and three women), as well as 25 wounded (including twelve children and eight women). On Tuesday 24th May 2016, 16 more civilian deaths and more than 40 injured were reported, mostly children and women. While the casualties among civilians were on the rise, the Fallujah Hospital was repeatedly bombed by aerial missiles on Wednesday 25th May 2016 and Thursday 26th May 2016, causing several damages to the building as well as the destruction of essential medical equipment.

Despite the claims of the Prime Minister al-Abadi that the battle to "liberate" Fallujah from the Islamic State would have not become another sectarian clash, the truth on the ground seemed to contradict him. Militias arrived to the entrance of the city carrying signs and slogans of sectarian connotation. In addition, military commanders and leaders of affiliated militias as well as religious leaders accompanying them, openly encouraged their members to "destroy the city and have no mercy towards civilians". The way militia leaders behaved, as well as their public statements, including their various appearances on TV channels, suggested that they were directing the members of their units against the whole population of Fallujah on the basis that all those who remained in the city were, in fact, part

of the Islamic State. Those who managed to escape the conflict were also getting gravely abducted, tortured and many were killed, on such basis.

As of the 2nd to 5th June 2016, our sources reported that during the fighting in Saqlawiya (which is a small city, under the area of Fallujah) more than 1,000 civilians escaped the conflict to the nearest unit, which belongs to al-Hashd al-Shaabi militias. Instead of providing support and assistance to the survivals of the conflict, these people were detained on the claim to allegedly belonging to ISIS, in areas where they had no access to food or water, where they were subjected to torture and other degrading and inhuman treatment, which finally resulted in about 200 deaths. Most of the dead bodies were reported to be burnt or thrown in the Euphrates. Those who managed to be released, roughly 650 persons, carry signs and marks of torture on their bodies, and stated that militias have been practicing all kinds of ill-treatments, including slaughtering them with knives and other weapons, beating them up, as well as verbal and psychological abuse of sectarian connotation. Among them, 150 presented body fractures, such as broken legs and arms, and other 100 persons presented signs of severe burns on their backs and their chests. Many women also reported to have been separated from their families and harassed by the militias.

Mr. Ján Kubiš, Special Representative the Secretary-General and Head of the UN Assistance Mission for Iraq, stated in a briefing¹⁶ of the Security Council held on 15 July 2016 that there are more than 700 Iraqi men and boys who remain missing following the Falluja military operations on 22 May. In his statement he also confirmed that cases of torture and killings, disappearances and other allegations of mistreatment of those detained, committed by elements of the popular mobilization forces and the Iraqi security forces were widely reported. The same data was also confirmed and further described in a statement¹⁷ released by Mr. Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights, on the 5 July 2016.

The consequences of the battle waged against the city are today under everyone's eyes. State-sponsored militias have not "liberated" Fallujah but rather levelled it to the ground. The damage made is unquantifiable and the loss of human lives even more so. As of September 2016, Fallujah is still under military occupation and those who managed to escape the city are prevented from returning home. Not that there is a home to return to, anyway. Most houses have been looted and then burned to the foundation. Businesses and shops suffered the same fate. Little is left among the rubble as a result of a well-organised plan of destruction purely motivated by mere violent sectarianism.

¹⁶ Link to the full press summary: <http://www.un.org/apps/news/story.asp?NewsID=54467#.V9FkAR596UI>

¹⁷ See full statement:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20237&LangID=E#sthash.cqUa7yW.dpuf>

As widely expressed in the above paragraphs, the documented attacks by militias against the population within the framework of fighting ISIS are a cause of serious alarm. As UN High Commissioner for Human Rights Mr. Zeid Ra'ad Al Hussein has put it in the above mentioned statement on the situation in Iraq, militias actions and crimes are in fact “not only abhorrent [...] they are also wholly counterproductive. They give ISIL a propaganda victory, and push people into their arms. They increase the likelihood of a renewed cycle of full-throttle sectarian violence”.¹⁸

Although the principal perpetrators have been members of Shi'a militias, the responsibility of the government for such acts, as a result of their involvement in arming and supporting these militias and the security forces' complicity or acquiescence in these serious abuses, cannot be ignored. At the same time, violations committed directly by government forces have likewise continued unabated.

Enforced Disappearance

Enforced disappearance is a widespread challenge in Iraq since 2003, although the government insists that it is a problem of the past and avoids admitting it is part of an ongoing, widespread and systematic practice conducted by governmental forces and their affiliated militias. Both of these elements continue to carry out campaigns of abduction and arbitrary arrests while the government refuses to acknowledge those who were abducted or arrested.

The evidence collected throughout the years shows that militias' abductions occur mostly under a similar pattern. Most of the abducted are nowadays Sunni young men, between the age of 18 to 50: people belonging to this age group are in fact considered most likely to be joining ISIS or anti-Shi'a groups, due to their optimal physical conditions. Militiamen usually proceed with simply entering their houses, most times wearing official uniforms, or in other cases stopping the victims while they are crossing an “official” checkpoint, or on their way to work, school, etc... Subsequently they kidnap them without explanation or mandate. After the disappearance, it usually follows the request by the abductors of huge ransom from the families of the victims with the threat of killing their loved ones if the money is not provided on an agreed date. If the families manage to find the money (by for instance borrowing it from relatives and friends) and deliver it to the abductors (whose faces almost always are covered in order to hide their identities), it is still highly unlikely their kidnapped relatives will be released. They would in fact find, sometimes days or months later, their dead bodies at a local morgue or just thrown in a ditch on a street side, most typically handcuffed, showing signs of gunshot wounds on the head or on the chest. At the same time, hundreds of disappeared are never found: families do not even get the chance to know if their loved ones are still alive,

¹⁸ UN High Commissioner for Human Rights statement “ibid”.

although in light of the increasingly higher number of similar stories, their hopes to see their relatives and friends again is everyday lower.

In most of the reported cases, it is not surprising to find out that the abducted ones had no link whatsoever with ISIS fighters or Sunni rebel forces, but were only killed for belonging to a different, highly discriminated, sect of society.

This part of the problem is absent from the Iraqi government assessment on enforced disappearances, as well as, program and legislations.

Although the situation witnessed a critical deterioration in the past few years, enforced disappearance is far from being a “new phenomenon”. A UN Human Rights Report released back in January 2007¹⁹ already stressed the gravity of the problem by advising that the situation was notably grave in Baghdad where unidentified bodies killed in execution-style were found in large number daily. The report also stated that “Victims' families are all too often reluctant to claim the bodies from the six Medico-Legal Institutes (MLIs) around the country for fear of reprisals. The deceased’s families are required to obtain permission from the police station which brought the body to the MLI, but many are too afraid and believe that police officers could be responsible for the disappearances and killings [...]”

Today, as a result of the military campaign against ISIS, abductions as described above are even more frequent. Besides the over 600 persons disappeared since the 2016 “liberation of Fallujah” that we described previously, other 300 are still reported as missing from Al Dor, since March 2015, when the militias took control of the city, and over 2200 from Ramadi since April 2015. Iraqi



streets are full of dead, often unidentified bodies, and relatives of the victims have no choice but remaining silent for fear of intimidation and reprisals while, militias, who are the only responsible for such crimes, are protected by a faulty justice system which grant them with immunity.

¹⁹ http://www.ohchr.org/Documents/Countries/jan-to-march2007_engl.pdf

Secret Prisons

Secret prisons continue to be widely used in Iraq. The number of these prisons in the country remains unknown, which makes it difficult to track down those who are detained by Iraqi Security Forces or even pro-government militias. The Ministry of Justice claimed in 2013 that there were 30,000 people in Ministry of Justice and Ministry of Interior detention facilities, but other sources have put that number closer to 50,000. It is, in fact, shocking to know that the number of secret detention centres in Iraq is several times higher than the official one. Credible information collected by GICJ proves that there are more than 420 secret prisons in Iraq. Most of the army, police, and security units have their own secret detention. On top of that, the secret prisons operated by militias must also be taken into account.

What happens in the secret prisons is just another shocking example of the complete lack of a functioning legal system in the country. Militias, and it is again important to reiterate, have no official mandate or official status, but they are nevertheless put in charge of running detention centres, perpetrate inhuman crimes against civilians, always enjoying a perpetual state of impunity.

These facilities are usually used to detain targeted people, mainly those discussed in the previous section, following their arbitrary arrest on the basis of mostly false accusations, which in reality just hide a policy of sectarian discrimination. Detainees of these prisons are subjected to the worst treatments, such as torture, physical and verbal abuse. In most cases, families of the detainees are not even aware that their loved ones are held in those places of detention.

In 2016, it is safe to say that the number of persons detained in secret prisons has increased dramatically, as a consequence of the campaign against ISIS. GICJ wishes to remind that arrested people are in most cases abducted on a purely sectarian basis and strongly believes that Iraqi authorities are fully aware of this. Nevertheless, no formal investigation is started against militias perpetrating these crimes, which are in fact encouraged to continue to arbitrarily arrest civilians and detain them in secret locations.

Torture at the hands of militias

In the detention centres discussed above, being them official or secret, militias routinely use **torture and other forms of cruel and inhuman treatment** for interrogation. As far back as 2005, allegations of torture have been rampant. The November 2005 raid of a jail in the

Jadriya area found that over 100 of the 169 prisoners had been tortured.²⁰ Such practices continued throughout the following years.

Reports from those who were lucky enough to be released from imprisonment indicate that detainees were: beaten with metal pipes, verbally and emotionally abused, electrically burned, deprived of heat in the winter, made to stand barefoot on concrete in the winter, denied water, and mutilated.²¹ In the case of women who were detained, rape and other forms of sexual violence were often used to torture and humiliate in an attempt to garner confessions. Reports indicate that men were also raped with sticks and bottles in an attempt to emasculate them.

A video posted to YouTube on February 7, 2015²² shows the level of depravity with which militias operate. In the video, Iraqi military officers and militia fighters repeatedly beat and verbally abuse a civilian. The man is blindfolded and his arms are bound. The fighters kick him on the ground until he becomes motionless. Others jump on his head and kick him to the point where he begins to cough up blood. Finally, they shoot and kill him.

On 31 May 2015, another video was released showing a militia group hanging and burning a civilian man. The video, which has since been verified as authentic by different sources, shows the militiamen laughing and taunting as the man is burned alive. The attack on the man indicates the growing brutality of the militias and is consistent with other instances where civilians were targeted in clear violation of international law. What is especially alarming is that the Iraqi government is unwilling, unmotivated and likely unable to control the militias, perhaps in part because the crimes of these groups are barely different from those committed by Iraqi Security Forces in prisons across the country.

The above episodes are only two examples that well describe the ferocity of militias. However, disturbing videos as such, showing militias abducting and killing people while directing insults of sectarian connotations against them, are countless and they are becoming increasingly present on the Internet. In 2016 the evidence of severe torture by militias is so well-documented that it is impossible to deny. The brutality, if possible, has also worsened. Many are the videos and the proofs that see militiamen kicking and beating up civilians with arms, sticks, and other weapons. Usually the victims also get verbally abused with sectarian

²⁰ John Burns, "To Halt Abuses, U.S. Will Inspect Jails Run by Iraq," New York Times, December 14, 2005, Accessed June 15, 2015, <http://www.nytimes.com/2005/12/14/world/middleeast/to-halt-abuses-us-will-inspect-jails-run-by-iraq.html>.

²¹Dahr Jamail.

²² <https://www.youtube.com/watch?v=NgDpJh20Jcs&feature=youtu.be>

insults. In many videos, militiamen are seen burning their victims alive. Most of these attacks will end up with the execution of the victims.



These practices remain in absolute violation of Iraq's obligations under the Convention Against Torture. Article 13 states that "each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given." The reality on the ground thus starkly opposes what was intended by the ratification of the convention.

Torture is not confined within the prison walls; militias regularly practice torture on the street of villages and cities all around the country, mostly targeting young men who they claim to be alleged terrorists.

Absolute Destruction

Further to abusing civilians, militias have paid a crucial contribution to the **destruction of the country**. As previously mentioned, it is in fact a common practice for militias to enter villages and cities and proceed to loot, burn, and destroy private properties. Images and videos received by GICJ well show the entity of the damage made: private houses are often burnt to the ground and all belongings, including cars, furniture, etc... destroyed to the point they are no longer usable. The purpose of the militias is to make sure that the families will not be able

to go back to their homes, and hence they destroy them until they become completely inhabitable.

Houses are not the only target of the militias' fury, the armed groups also destroy and loot shops, other public buildings, such as healthcare centres or schools, and even destroy the already little amount of farmland families might own. This of course causes problems that go beyond relocation: people's wellbeing is totally undermined under all possible aspects and their already little resources are permanently damaged.

The targeting of religious buildings, along with the murder of many worshipers and religious leaders, is somewhat systematic and it is used as another tool of intimidation against specific sects of society. Often the attacks happen when people are praying and conducting the usual religious rituals, resulting in even bloodier outcomes.



The ferocity of militias installed a climate of fear within the Iraqi population who live under constant threat of being harassed by different actors and seeing their properties taken away from them without any possibility of resisting or obtaining justice. Internal displacement comes as a result of such crimes: people are forced to flee their homes and lands looking for a more secure environment.

Among other places, the destruction of cities such as Ramadi, Al Dor and Jurf Al Sakhar has been particularly devastating. **Ramadi**, main city in governorate of Al-Anbar has been attacked by the militias along with the Iraqi forces, as previously mentioned, since 2014. However, the most devastating campaign was carried out in January 2016 and lasted for almost 3 months. As a result, Ramadi is today unliveable: schools, hospitals and infrastructures have been permanently damaged. Thousands of houses destroyed, as well as

cars, public buildings and shops. The UN has defined the destruction of Ramadi as “worse than anywhere in Iraq²³”.

The case of **Al Dor** was very similar, although the further controversy lied in the fact that ISIS occupied Al Dor only for a very brief period, and by the time the militias attacked the city in March 2015, the terrorist group had already left. Nevertheless, the city in the province of Şalāḥ ad-Dīn got to the point that what is left today is a pile-up of rubbles. As for other cities, the pattern did not change: militias proceeded to burn, loot and destroy civilian buildings, including public and private ones.

The city of **Jurf Al Sakhar**, now renamed as Jurf Al-Nasr, located 60 kilometers southwest of Baghdad, was a theatre of horrors just like many others in Iraq. The city was said to be occupied by ISIS in 2014. The occupation resulted once again in a harsh campaign led by the Badr Organization in October 2014 with the purpose of reconquering the city. Despite this goal was achieved, the results of the “liberation” were just the same as the ones we have listed in the previous cases: the town is now emptied of its 80,000 residents, and building after building has been destroyed by air strikes, bombings and artillery fire.

Demographical Change

The actions of the militias, as we have discussed throughout the report and noticed in the above reported episodes, occur on a sectarian and ethnic basis, despite being hidden behind the blatant pretext of “fighting terrorism”. They are a clear attempt of carrying out what can be described as a “**demographical change**”. This expression is itself very straightforwardly understandable and it is closely connected to the most heinous of the crimes, that of ethnic cleansing, which, in other words, is the will of one ethnic group to homogenise a due area and “clear it” from another ethnic group, which in most cases constitutes a minority. This is clearly the ultimate purpose of the attacks of the pro-government militias against the Sunni Arab component of society, and it is carried out by regular abductions and killings, that, in turn, result in a high degree of displacement.

²³ <http://www.aljazeera.com/news/2016/03/destruction-ramadi-worse-iraq-160304182242699.html>

Towards demographical change: violent reprisals of peaceful demonstrations

Although displacement started after the 2003 US-led invasion, it has grown dramatically since 2006 by the hands of militias, reaching a first emblematic peak in 2013, when Iraqi armed forces and pro-government militias attacked many places in which peaceful demonstrations were taking place with the demand for the release of arbitrarily detained prisoners, and the call to end the executions. The attack by the governmental forces on the peaceful demonstrators resulted in several massacres around the country.



As an example, it is worth remembering the massacre in Hawija, on 23 April 2013, where militias and armed forces attacked peaceful demonstrators and killed 54 persons and wounded more than 150.

Another striking example of the carnages carried out by militias, is the one that took place in the mosque of Sariya in Baqooba on 17 May 2013, where the militias attacked peaceful demonstrators and people while they were praying. The attack resulted in 42 deaths and 60 wounded.

The most important and dangerous development, though, took place on 30 December 2013, when militias and armed forces raided and attacked demonstrators in the city of Ramadi, where dozens of people were killed and many others wounded.

A further wave of displacement took place since the beginning of 2014, in the province of Al-Anbar, mainly in the cities of Ramadi and Fallujah, and it was followed by another big wave, possibly the biggest so far, which took place in April 2015 when 113'000 people were displaced from the city of Ramadi. The total number of displaced people from the province of Al-Anbar reached at that time 1.4 million, according to the International Organisation for Migration. They accounted for 44% of the total number of displaced people in Iraq of which 52% were women.

As of June 2015, the UNHCR reported²⁴ that the number of displaced people reached 3,962,142, but the number is of course quickly increasing due to the recurrent attacks of militias against the population that are still taking place in many parts of Iraq.

²⁴ For more information on the level of displacement in Iraq, please visit the following web page <http://www.unhcr.org/pages/49e486426.html>

There has not been a big change in the number of IDPs in 2016. As reported²⁵ by OCHA, the over 3 million persons are still reported as internally displaced. This is due to the fact that those who were displaced in the previous years are prevented from returning home as militias have consolidated their presence and control over their cities. In fact, those who attempt to return home are threatened to death. Such actions are most clearly evidence of a criminal policy of demographical change.

Ethnic cleansing in Diyala

Diyala province in Iraq is witnessing an unprecedented increase in the displacement and killings of Sunni Arabs on an ethnic and sectarian basis that has been taking place since the beginning of 2016. GICJ released a report in February 2016 to document the events and the violations taking place in the region on the basis of the countless testimonies it received²⁶.

In addition to mass killings, the evidence derived from the facts on the ground confirm that widespread cases of house demolitions and looting are taking place, along with the burning and desecration of mosques and the humiliation and insulting of imams and preachers. These actions represent a clear policy that aims at deliberately degrading this group's dignity in front of the community and their peers, underlining the fact that what is going on in Diyala undoubtedly constitutes the crime of ethnic cleansing with the clear aim of achieving demographical change.

The authors of this crime are once again militia forces which, as explained throughout the report, are associated with the Iraqi government and backed by it. The province of Diyala is, in fact, controlled by the Badr militia, the Saraya Al Salam militia (formerly Mahdi army militia) and Hezbollah since the departure of ISIS in 2015. Some parts of the province were under ISIS control for a brief period following its entry into Iraq in June 2014, which resulted in many tragedies, horrors and violations. The militias that now control the province have taken advantage of the tense situation to seize control of all its resources, and prevented a large number of citizens, who were forced to leave because they were targeted by ISIS or anti-ISIS forces, from returning to their homes. Most of these citizens are residents of Al-Muqdadiah and the Sinsil Bassin which includes more than 33 villages. Militias and security forces have



²⁵ <http://www.unocha.org/iraq>

²⁶ See GICJ report *IRAQ: Ethnic and Sectarian Cleansing In Diyala*
http://www.gicj.org/index.php?option=com_content&task=view&id=452&Itemid=41

expropriated their villages and homes, took what could be stolen, as well as burned and destroyed much of the remaining farmland.

The Role of Iran

Iran has a long and storied history of international militarism, including for being an internationally recognised "state-sponsor of terrorism" since 1979. It has in fact directly armed, trained, financed and supplied militia groups across the Middle East for decades, in an attempt to expand its power over the region and further its perennial strategic objective of exporting Ayatollah Khomeini's "Islamic revolution".

The role of Iran in Iraq is today crystal clear: the neighbouring state created dozens of sectarian militias, the majority of which have merged under the umbrella of the PMF, as previously mentioned, and imposed its presence in the country for strategical purposes. Iran's involvement in Iraq was particularly evident during the battle waged against Fallujah in May 2016, where a number of Iranian officers provided arms, weapons and military advice to the militias engaged in the conflict.

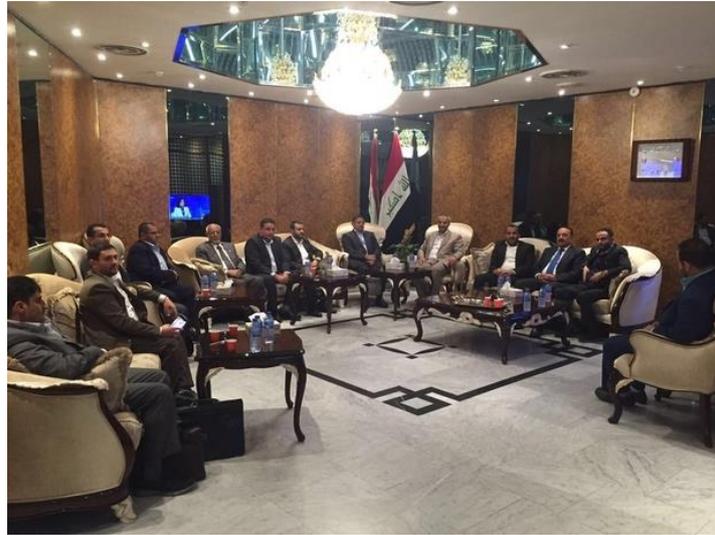
Not long before that, in early 2016, the government of Iran also managed to impose its presence in the Iraqi Province of Diyala, through the establishment of several "cultural offices". Our source confirms that such offices are used to propagate a sectarian ideology, based on hate speeches that deeply affect civil peace and security.

In a context where Iran is increasingly expanding its influence over the region, the announcement by retired General Mohammad Falaki on 18th August 2016 of the establishment of a " **Shi'a Liberation Army**" has raised further international concerns. Supposedly, the army will continue to use foreign fighters to spread sectarian violence, and will do so unabashedly. The SLA would be led by IRGC Quds Force commander Qassem Soleimani in a clear sign that Iran is moving from unofficial use of foreign fighters to a more formal command structure in order to pursue its interference in the neighbouring countries.

Essentially, Iran has formed a force of international mercenaries to fight for the violent domination of an Iranian brand of political Shiism over the entire Muslim world. Its constant involvement in Yemen in support of the Houthi rebels is just one example of this. Without the support of Tehran, the rebel forces would not be able to sustain the war.

Such Iran-promoted formal international militarism is attracting wide consensus among militias fighting in the region and it is becoming an eradicated feature on how interregional relations and alliances are regulated. In these regards, an official visit to Baghdad by a Houthi delegation from Yemen in August 2016 was not out of controversy. The delegation, led by spokesman Mohammed Abdel Salam, met with the Iraqi Foreign Minister Ibrahim al-Jaafari,

Iraqi politicians and leaders in the ruling national coalition, as well as with leaders of militia al-Hashd al-Shaabi, to seek support for their cause (see picture below).



Undoubtedly, the interference of highly motivated foreign fighters into the internal affairs of other states of the region will not only deeply accentuate sectarian tensions, hence affecting the peace and stability of the region itself, but, more generally, it is a danger for the world as a whole.

Since the atrocities committed by Iranian-sponsored militias, in line with their policies of violent sectarianism, are only likely to increase after the “formalization” of the SLA, it is, therefore, priority of the whole international community to immediately prevent this from happening, by holding Iran accountable of all the crimes it has committed beyond national borders.

Perpetual Impunity

The report of the Human Rights Office of UNAMI, issued back in 2005²⁷, was already very explicit, linking the campaign of detentions, torture and extra-judicial executions directly to the Interior Ministry and thus also to the US-led Multi-National Forces, who reorganised the Ministry of Interior and established the Special Police Commandos. John Pace, the former Chief of the Human Rights Office of UNAMI who left Baghdad in January 2006, told U.K. newspaper The Independent on 26 February 2006 that up to three-quarters of the corpses stacked in the city's mortuary show evidence of gunshot wounds to the head or injuries caused by drill-bits or burning cigarettes. Much of the killing, he said, was carried out by Shi'a Muslim militia groups under the control of the Ministry of the Interior.

²⁷ http://www.ohchr.org/Documents/Countries/Sep-Oct05_en.pdf

Nothing was done by the Ministry of Human Rights (dissolved in 2016) against these violations. On the contrary, it defended the violations by the militias, which is not surprising as the former Minister of Human Rights, Mr. Mohammed Mahdi Al-Bayati, is a militia leader. According to his CV on the ministry's website, he serves as Secretary General of the North (of Iraq) branch in the Badr Brigade.

The problem is that the Ministry of Human Rights did not see that the militias were committing any **human rights violations**; on the contrary, he described these abuses as acts of defending the Iraqi people.

It is therefore evident, how the varied number of actors makes it difficult to discern a chain of command and responsibility for such crimes perpetrated through the Ministry of Interior and Ministry of Justice. Unfortunately, both ministries along with the Ministry of Human Rights helped in actually fostering violence by continuously encouraging militias to have no mercy towards who were claimed to be alleged terrorists, as per paragraph 1, Article 4 of the 2005 Anti-Terrorism Law No.13²⁸.

The support of the government for militia units continued throughout the years and was formalized in May 2006, when Former Prime Minister Nuri al-Maliki, met with senior security advisers and told them that he would form a new security force consisting of three militias to police Baghdad – Asaib Ahl al-Haq, Kita'ib Hezbollah, and the Badr Brigades. During that time, in fact Asaib Ahl al-Haq fighters “took orders” from the militia's military leader Qais al-Khazali, who was ultimately loyal to al-Maliki. These militias took advantage of the government support and they conducted several raids around Baghdad, where many people were killed on the spot and others abducted.

Prime Minister Al-Abadi is not less supportive of militias. On 24th February 2016, he issued Office Order 91, which established the PMF as a parallel security organization to Iran's Islamic



²⁸ The law recites the following: “Anyone who committed, as a main perpetrator or a participant, any of the terrorist acts stated in the second & third articles of this law, shall be sentenced to death. A person who incites, plans, finances, or assists terrorists to commit the crimes stated in this law shall face the same penalty as the main perpetrator”. (Article 2 of the 2005 Anti-Terrorism Law contains a list of 8 sub-articles listing those acts that shall be classified as terrorist, whereas Article 3 contains a list of 5 sub-articles listing those acts which are considered amongst the crimes against State security).

Revolutionary Guard Corps and specified that, as a counterterrorism apparatus, the PMF would directly report to him

Such governmental order will only further the already overwhelming domination of the militia groups over the Iraqi military forces and will more likely worsen the attitude of the members of these groups and lead to even more violations against the civilian population.

By incorporating the PMF into the regular security forces, the de facto immunity granted to the militias so far will be further secured. By officialising the position of al Hashid al Shaabi as an independent military formation, the Order will impede any future criminal proceedings against them.

The corruption of the legal system, its politicisation, its inadequacy and its failure to meet international standards have also been a major contributing factor in fostering impunity in Iraq. In particular, the lack of independence of the judiciary makes it impossible to raise the necessary investigations into such crimes, which, in turn, means that the perpetrators cannot be stopped. In other words, impunity fosters the dysfunctional judicial system, which, in turn, fosters impunity.

In this context, government-backed crimes are only likely to increase further, leaving many people with no choice but resorting to vigilantism in the interest of their own security, as a response to the government-sponsored militia's own defiance and wrongful enforcement of the law.

Conclusion

In July 2014, UNAMI pointed out in its report on the Protection of Civilians in Non International Armed Conflict in Iraq that “there is a non-international armed conflict on-going in Iraq. Parties to this conflict are comprised of the Government of Iraq and ISF (Iraqi Army and police) as well as government affiliated militias, fighting against a variety of armed and terrorist groups”²⁹.

Whereas it is true that the increase in the presence and size of militias is to be linked with an alleged effort to fight terrorist groups, the facts on the ground tell us that the real motifs behind the attacks of pro-government militias against the population are of ethnic and sectarian nature. The crimes committed by these units are not less grave than the crimes committed by the terrorist groups and they may amount to genocide, war crimes and crimes against humanity. Innocent people are getting abused, harassed, kidnapped, detained,

²⁹ *Report on the Protection of Civilians in the Non International Armed Conflict in Iraq: 5 June – 5 July 2014*, submitted by UNITED NATIONS Assistance Mission for Iraq (UNAMI) Human Rights Office and HUMAN RIGHTS Office of the High Commissioner for Human Rights, pg. 4.

tortured and executed and their homes and belongings completely destroyed on a daily basis, to the point that violence has become intrinsic to the Iraqi system.



Through the international support for the “liberation” military campaigns of the Iraqi government, carried out by the Iraqi armed forces and various militias, the international community is somehow legitimising the crimes perpetrated by these actors. It is enough to think that in many EU countries, people

of Iraqi nationality are allowed to go to Iraq to join militias and fight on their side. As a result, civilians are killed and entire villages and cities destroyed, nevertheless such volunteers are able to return back to Europe with no legal procedure taken against them. This is because the idea of joining militias is not linked with the massacres committed by such groups, but only with their blatant claim of fighting terrorism, despite the atrocities and abuses are under everyone’s eyes. In this context of lawlessness, GICJ expects the international community to condemn militias, instead of encouraging and empowering them.

Providing direct and indirect support to these groups (such as for example by arming, training, financing or just simply encouraging them) translates into fostering the murderous intentions of these criminals. The situation is particularly controversial when thinking about the role of United States in providing, in multiple occasions, air cover to militias: the country, as a Permanent Member State of the United Nations Security Council is contravening to the very principles of the United Nations not just by cooperating with the Iraqi authorities and affiliated militias, but also by directly attacking civilians in many areas of Iraq through their destructive bombardments.

Whereas GICJ indeed strongly opposes terrorism, and fervently supports the elimination of this from Iraq, it also believes that this cannot be achieved through the brutal approach of the Iraqi authorities and militias as it has proved detrimental to civilians in the past and has only resulted in the increase of terrorist groups and their brutality. Additionally, it caused the displacement of millions of Iraqis, including the complete destruction of entire cities.

Through its appeals, press releases and statements, GICJ is constantly renewing its calls to alt such violent attacks on the population and to stop leaving militias the duty of fighting terrorism. A new approach should be implemented, in accordance with the strategies of the United Nations for preventing and combating terrorism adopted in September 2006³⁰. It is

³⁰ See more at <https://www.un.org/counterterrorism/ctitf/en>

also worth to take into careful account the Plan of Action³¹ announced by the Secretary-General on 15 January 2016, which stresses in paragraphs 4, 5 and 6 that there is wide international consensus that security-based **counter-terrorism measures** undertaken over the past two decades by the international community to address violent extremism have proved to be ineffective and insufficient. Instead a holistic approach that includes preventive policies and procedures to limit the violence and extremism, in accordance with international standards and consistent with Member States' obligations under international law and international human rights law, is needed (document a/ 70/674, dated 12/24/2015). This is a necessary step that, once implemented, could really help ending terrorism and, at the same time, it would help weaken militias and their influence and possibly stop their deadly operations.

Furthermore, an **independent mission of enquiry** should be established by the international community, in order to investigate into the crimes committed so far and bring those responsible to justice. To these extents, GICJ always recommends the international community not to rely on the Iraqi authorities to carry out such investigations, since the impartiality will, as proven by previous cases, definitely not be guaranteed. Reason for this is that it is clear that the Iraqi authorities are complicit and benefit from these crimes and thus would do whatever is within their power to attempt a cover up.

Moreover, it is a matter of vital importance that the government of Iraq becomes party without delay to the Rome Statute and accepts the jurisdiction of the **International Criminal Court** over the current situation, as per recommended by Mr. Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights, on multiple occasions, as well as by Mr. Ben Emmerson, Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, in his June 2015 report³². Many UN Member States also stressed the urgency for Iraq to join the Court back in the UN Special Session no. 22 held on 1st September 2014. Among them, the European Union and United States.

GICJ also recommends to the United Nations and its relevant bodies to put pressure onto the Iraqi government and all involved parties to put an end to the sectarian discourse that today so often hampers Iraqi politics and religious speeches as well as international media. This can be achieved for example through a **human rights campaign** in favour of the principles of tolerance, unity and anti-discrimination, and that ultimately speak of the Iraqi people as one united population.

³¹ To read the full Plan of Action, please visit the following link:
http://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/674

³² *Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, Ben Emmerson, A/HRC/29/51* (16 June 2015)

Prominent People

Qassem Soleimani: Commander in chief of the Quds force- a branch of the Islamic Republic's Revolutionary Guard Corps that conducts extraterritorial military and clandestine operations. He is a fundamental accomplice of the crimes committed in Iraq, coordinating his actions with Nuri al-Maliki, Hadi al-Amiri and Abu Mahdi al-Muhandis. He acts as tactician and commander of several military operations conducted by Iraqi forces. Numerous pictures and videos of him accompanied by militia men and leaders, or Iraqi regular forces, can be found.



Haider Al-Abadi: been Prime Minister of Iraq since 2014. Despite his promises to improve living conditions and to hold accountable the perpetrators of assassinations, displacement and torture crimes, as well as corrupts, Prime Minister Haider al-Abadi failed to take any concrete measures to implement his promises. Under his reign, militia leaders took the control of the country and of the army and security forces.



Nuri al-Maliki: former Iraqi Prime Minister, during his eight years in power, he directly participated in the commission of war crimes and crimes against humanity against the people of Iraq. Based on purely sectarian grounds, his policy resulted in hundreds of thousands of death through mass executions, tortures, detention in secret prisons and so on.



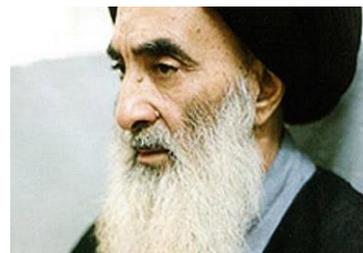
Abu Mahdi al-Muhandis: (Jamal Jafar) he is a former commander in the Badr Organization who was listed by the US government as Specially Designated Global Terrorist in July 2009. The US government described Muhandis, whose real name is Jamal Jaafar Mohammed, as "an advisor to Qassem Soleimani." In addition to leading the Popular Mobilization Committee, Muhandis also is said to direct operations for the Imam Ali Brigades, well as command the Hezbollah Brigades.



Hadi al-Amiri: he is the leader and secretary general of the Badr Organization, an Iranian-sponsored Shi'a militia and political party based in Iraq. Al-Amiri has a history of instigating sectarian violence in Iraq using the most horrific methods. He serves as the leader of Iraq's collective popular mobilization, an umbrella group of Shi'a militias backed by the Iraqi government. He also wields control over Iraq's army and police operations in Diyala province.



Ali al-Husseini al-Sistani: after the death of Khoei, al-Sistani took his place as Grand Ayatollah. Sistani has played an increasingly prominent role in regional religious and political affairs and he has been called the "most influential" figure in post-invasion Iraq. He is also described as the spiritual leader of Iraqi Shi'a Muslims.



Muqtadar al-Sadr: leader of the peace brigades, essentially a new incarnation of the Mahdi army. He is anti-American, and has a history of ethnic cleansing. Iranians have built up numerous sadrist splinter groups to put pressure on the leader. Meanwhile sadr has criticised the actions of Iranian controlled militias and has a more nationalist tone.



Qais Al Khazali: former follower of Moqtada al-Sadr, he was expelled from the Mahdi Army in 2004 for giving "unauthorized orders" and founded Asa'ib Ahl al-Haq (AAH). Since he was released in January 2010, al-Khazali has continued to lead AAH in both its paramilitary and political activities. As AAH seeks to expand its role into Iraq's political sphere, al-Khazali continues his sectarian rhetoric. Days before Iraq's April 30, 2014, parliamentary elections, al-Khazali gave an ominous speech, drenched with "sectarian undertones," at an AAH rally in Baghdad to 10,000 supporters. AAH today fights anti-Assad rebels in Syria as well as ISIS in Iraq.



Mohammed Mahdi Ameen al-Bayati: he is a leading member of the Badr Organization and was Minister of Human Rights from 9 September 2014 to 16 August 2015. During his office, he defended the record of the Iraqi government, denying that they had committed abuses against the Sunni Arab minority and describing the number of human rights violations committed by the Popular Mobilization Forces, Shi'a volunteer militias forced to fight against the Islamic State of Iraq and the Levant, as "tiny". He said the government had "little choice" but to rely on the militias as otherwise ISIL would have taken over the entire country.



Sheikh Aws al-Khafaji: previously aligned with Muqtada al-Sadr, subsequently became the leader of the militia unit known as Abu al-Fadl al-Abbas, operating in Iraq. He is taking part to the battle of Fallujah started on 22nd May 2016 and has encouraged his militias to “erase” the city on sectarian grounds.



Ammar al-Hakim: he is an Iraqi cleric and politician who leads the Islamic Supreme Council of Iraq since 2009. Al-Hakim is notorious for his corruption: after seizing control of the Al Karrada district of Baghdad, he stole government properties as well as other private properties by intimidating families and residents and turned them into his own. In 2015-2016 many protests took place against him. He is also leader of the so-called Shahid Al Mehrab militia which he uses to intimidate and threaten civilians for personal gains.



Bayan Jabr Solagh: (also known as Baqir Jabr al-Zubeidi) he is a former commander of the Badr Brigades who served as the Finance Minister of Iraq in the government of Nuri al-Maliki. He served as Minister of Interior, in charge of the police, in the Iraqi Transitional Government and was Minister of Housing and Reconstruction of the Iraqi Governing Council. He is a senior member of the Shi'a United Iraqi Alliance as well as the Supreme Council for the Islamic Revolution in Iraq (SCIRI). Under Jabr's control the Interior Ministry in 2006 was accused by the United Nations human rights chief in Iraq, of executing and torturing to death hundreds of Iraqis every month.



Hakim Al Zamili: he was deputy Health Minister during the height of the sectarian conflict in Iraq. Whilst he was at the ministry, he was accused of running death squads that used ambulances and hospitals to kidnap and murder Sunni Arabs. He was arrested in February 2007, accusing of funnelling money to private militias. He was also accused of kidnapping in November 2006 another deputy Health Minister, Ammar al-Saffar, from the Shi'a Dawa Party, who had allegedly compiled a dossier of his crimes that he was going to hand over to the Prime Minister. He was cleared of all charges when key witnesses failed to show up after facing alleged intimidation. Zamili is currently the head of Parliament's security and defence committee.



Annex I

- 1) Below a letter dated on 4th May 2006 that shows the appointment of militias in the security forces, according to CPA Order 91 and Order of the Council of Ministers no. 898 (10th August 2005).

Republic Of Iraq
Ministry of Interior
Minister Office

العراق
وزارة الداخلية
مكتب الوزير

No. 2005
Date: 2005

العدد: ٥٠٥/٥٠٥
التاريخ: ٥/٥/٢٠٠٥

مكتب السيد رئيس مجلس الوزراء المحترم

إلى / مكتب السيد رئيس مجلس الوزراء المحترم

م/دمج

السلام عليكم ورحمة الله وبركاته

تحيل إليكم كطلب حزب الله العراق المقدمة إلينا باعتبارنا رئيس لجنة دعم الميليشيات ولنسولهم بهذا القانون وحسب الأمر (٩١) الخاص بدمج الميليشيات في القوات المسلحة وبناء على الأمر الصادر من رئاسة مجلس الوزراء والمرقم ٨٩٨/١٢/١/٢ في ٢٠٠٥/٨/١٠ ترلق لكم قوائم بأسماء الوحدة الأولى من الضباط والمراتب لحزب الله العراق، والتي تمدا بالتسلسل (١) عباس فاخر فالح البهائلي وتنتهي بالتسلسل (٢٥٠) سعدون عبد الستار عبد.

للتفضل بالموافقة على تسولهم حسب استحقاقهم القانوني ومنحهم رتبهم حسب خط خدمتهم في حزب الله العراق.

مع فائق الشكر والتقدير ...

المرفقات:
١- قائمة بأسماء الضباط والمراتب

بالتوقيع
بالتوقيع
بالتوقيع

بالترتيب الزبدي
رئيس لجنة دعم الميليشيات
وزير الداخلية

الاصول القانونية
بالتوقيع

بالتوقيع

The letter includes the first 39 individuals -out of 250- appointed in the first list sent by Hezbollah- Iraq to the Ministry of Interior.

ميسان	رائد	اعدادية الصناعة	١٩٦٧	عبدالله فخر الفتح البهائلي	١
ميسان	مقدم	اعدادية	١٩٦٨	جاسم زهير موسى الجمالي	٢
ميسان	رائد	اعدادية	١٩٧٤	شلال هادي عباس عطية	٣
ميسان	رائد	معهد فني	١٩٥٥	طه اسماعيل فالح البهائلي	٤
ميسان	عقيد	بكالوريوس علوم عسكري	١٩٧٠	لقمة فاخر حاتم الصكر	٥
ميسان	عقيد	معهد ادارة	١٩٦٣	مهدي عبد الحسين محسن السوادني	٦
ميسان	عقيد	اعدادية الصناعة	١٩٦٨	محمد جمعة محمد اللامي	٧
ميسان	عقيد	اعدادية	١٩٦٨	محمد نعمة مطياب	٨
ميسان	ملازم اول	متوسطة	١٩٥٦	خضير جاسم حسين البهائلي	٩
ميسان	نقيب	ابتدائية	١٩٧٣	كاظم شنون فزيح الضاحي	١٠
ميسان	رائد	اعدادية	١٩٧٠	طه رashed لخصي البهائلي	١١
ميسان	عميد	بكالوريوس قانون	١٩٧٥	خزعل دهلين مهدي	١٢
ميسان	رائد	معهد فنون	١٩٧٧	مشتاق سوادني طاهر الصبيحاني	١٣
ميسان	عقيد	اعدادية	١٩٦٢	عبد زهير موسى محمد الجمالي	١٤
ميسان	عقيد	اعدادية	١٩٧٣	عبد الحسين والسي هاشم الفرجي	١٥
ميسان	عقيد	اعدادية	١٩٧٢	سالم ارفيف جاسم البهائلي	١٦
ميسان	رائد	متوسطة	١٩٧٣	علي عودة عليوي الزيداي	١٧
ميسان	عقيد	اعدادية	١٩٧٢	كريمة محسن حاتم الربيعي	١٨
ميسان	مقدم	متوسطة	١٩٦٦	جاسم شعوب عزيز الزيداي	١٩
ميسان	ملازم اول	اعدادية صناعة	١٩٧١	رحيم مهدي جعفر الفاضلي	٢٠
ميسان	عميد	بكالوريوس عربي	١٩٦٨	حسن زهير جاسم البهائلي	٢١
ميسان	مقدم	ابتدائية	١٩٦٠	عطية عبد التميم الفرطوسي	٢٢
ميسان	رائد	متوسطة	١٩٦٥	رحيم سلمان عرار الزيداي	٢٣
ميسان	مقدم	معهد فني	١٩٧٨	عدنان صبار تميم العائلي	٢٤
ميسان	مقدم	اعدادية	١٩٧٢	محمد راضي لازم المائلي	٢٥
ميسان	رائد	اعدادية	١٩٧٤	عبد الحسين لقمة سمدال	٢٦
ميسان	رائد	اعدادية	١٩٧٦	عدنان نجيب مشجل العليوي	٢٧
ميسان	نقيب	اعدادية	١٩٧٤	جاسم زيون جهاز الفرطوسي	٢٨
ميسان	عقيد	متوسطة	١٩٧٥	عدنان وشيخ حسن الغائلي	٢٩
ميسان	رائد	متوسطة	١٩٦٧	تركمان بشارة الغائلي	٣٠
ميسان	ملازم اول	متوسطة	١٩٧٣	محمد خليل عبود الفرطوسي	٣١
ميسان	ملازم اول	متوسطة	١٩٧٧	صالح حسن سلمان السعدني	٣٢
ميسان	مقدم	متوسطة	١٩٧٢	زاهر محمد لفة الزيداي	٣٣
ميسان	رائد	متوسطة	١٩٧٤	ماجد جاسم محمد الغائلي	٣٤
ميسان	ملازم اول	ابتدائية	١٩٧٤	مؤمل كاظم محمد الفرطوسي	٣٥
ميسان	عقيد	بكالوريوس قانون	١٩٦٨	عبد الزهرة حمدان مطشان	٣٦
ميسان	عقيد	اعدادية صناعة	١٩٧٦	كاظم زهير موسى الجمالي	٣٧
ميسان	عقيد	اعدادية صناعة	١٩٦٤	هادي طاهر حسن الباني	٣٨
ميسان	عقيد	اعدادية	١٩٦٩	علي ارجح فريح المريني	٣٩

2) Below a series of links to some of the videos posted by militia members which show the depravity of their violations against civilians as well as some testimonies of those who managed to survive.

- <https://www.youtube.com/watch?v=WjD9dTaDrjE>
- <https://www.youtube.com/watch?v=Ra5RMu2emVA>
- <https://www.youtube.com/watch?v=NNAkRCLIH2M>
- https://www.youtube.com/watch?v=SSIEbviRSRE&list=PLrqHQf_CsJkUOhRSrNm2OL_iORPSmnAne
- https://www.youtube.com/watch?v=Hibv4xvfis0&list=PLrqHQf_CsJkUOhRSrNm2OL_iORPSmnAne&index=10
- https://www.youtube.com/watch?v=bvixlHBKtM&list=PLrqHQf_CsJkUOhRSrNm2OL_iORPSmnAne&index=14
- https://www.youtube.com/watch?v=nl74VV2avjU&list=PLrqHQf_CsJkUOhRSrNm2OL_iORPSmnAne&index=22
- <https://www.youtube.com/watch?v=4keKeGiaKF8>
- <https://www.youtube.com/watch?v=BXJWmmdL1gk>
- <https://www.youtube.com/watch?v=iiCvq6Lmg7w>
- <https://www.youtube.com/watch?v=lid7ED00kig>
- <https://www.youtube.com/watch?v=wwweHn5PoRg>
- https://www.youtube.com/watch?v=YgeSDxbZZf0&list=PLrqHQf_CsJkUOhRSrNm2OL_iORPSmnAne&index=15
- https://www.youtube.com/watch?v=Y_vZUPQBhXI&list=PLrqHQf_CsJkUOhRSrNm2OL_iORPSmnAne&index=16
- https://www.youtube.com/watch?v=vkxGPuHqsCM&list=PLrqHQf_CsJkUOhRSrNm2OL_iORPSmnAne&index=17

3) Below a list of the names of a number of militia groups existing in Iraq along with their leaders.

Name of the Militia	Leader
<i>Asaib Ahl al-Haq</i>	Qais al-Khazali
<i>Jaysh al-Mahdi</i>	Moqtada al-Sadr
<i>Faylaq Badr</i>	Hadi al-Amiri
<i>Aal-Bayt Militia</i>	Fadel Al Kaabi
<i>Saraya Al Salam</i>	Moqtada al-Sadr
<i>Shaheed Al-Mahrab</i>	Ammar al-Hakim
<i>Al A'mal al Islami</i>	Abd Alkareem Al Madrass
<i>Al Mu'tamar Al Watani</i>	Ahmad Al Chalabi (Dead)
<i>Hizb Al Dawa</i>	Ibraheem Al Ja'fari
<i>Yad Allah</i>	Ahmad Al Sa'edi
<i>Thar Allah</i>	Waleed Al Hilli
<i>Hizb Al Dawa/Iraq</i>	Abdelkareem Al Enzi

Kataib Al Qassas
Tajamu Al Shabiba Al Islamiya
AalAlbayt World Office
Jam'iyat Aal Albayt
Al Qassas Al'Adel
Husayniat Al Bratha
Hizbullah/ Iraq
Harakat Hizbullah
Ghassl Al 'Ar
Kataib Ashbal Al Sadr
Kataib Thar Al Hussein
Kataib Malek Al Ashtor
Kataib Al Dama Al Zakia
Jaysh Al Mukhtar
Hizb Al Amal Al Islami
Al Haraka Al Mahdia
Al 'Adala
Baqiyat Allah
Lajnat Al Kawthar Li l'adatl'mar Al'otobat
Al Iraqya
Al Tali'a
Al Fath
Saraya Tali'a Al Khurasani
Kata'ib Sayed Al Shuhada
Harakat Hizbullah Al Nujaba
Failaq al Wa'ad Al Sadiq
Liwa'a Ammar Bin Yaser
Liwa'a Asadullah Al Ghalib
Saraya Al Zahra'a
Liwa'a Thulfiqar
Saraya Ansarul Aqeedah
Liwa'a Al Muntadhar
Harakat Al Jihad Wal Bina'a
Saraya Al Difaa' Al Sha'bi
Hizbullah Al Tha'iroon
Kata'eb Al Tayar Al Risali
Saraya Ashuraa'
Kata'eb Malik Al Ashtar
Harakat Mujahidi Al-Ahwar
Liwa'a Ansar Almarjai'a
Jaysh Al-Karar

Abdullah Al Lami
 Muntasar Al Mawssawi
 Fadhil Al Kaabi
 Mussa Al Hassni
 Majed Ali Hussein
 Jalal Al Din Al Saghir
 Kareem Mahood Al Muhamdaw
 Hassan Al Sary
 Jafar Al Raghif
 Mohammed Hussein Al Sadr
 Ali Ghassan Al Shahbandarl
 Jafar 'Abbas
 Muayad Ali Alhakim
 Atta Allah Al Hussein
 Sadek Ali Hussein
 Muhammed Ali Al Khurassani
 Samir Al Sheykh Ali
 Mustafa Al Obadi
 Mansoo Haqiat
 Ali Al Yassiri
 Kadhum Al Sayyed Ali
 Hamid Taghavi
 Abu Mustafa al Shibani
 Sheikh Akram al-Kaabi
 Sheikh Muhammad Hamza al-Tamimi
 Unknown
 Secretary General Abdullah al-Shaban
 Mumtaz al Haidari
 Hussein al Timimi
 Sheikh Jalal al-Din al-Saghir
 Daghir al Mosawi
 Unknown
 Hassan al Sari
 Rahman al Jazaa'ri
 Adnan Irmayedh al Shahmani
 Kadhum al Jabiri
 Ja'far Abbass al Mosawi
 Kadhim al-Batat
 Hameed al-Yasiri
 Ra'ad Awad al-Tamimi

Saraya Aljihad
Kata'ib al-Ghadab
Kata'ib Soulat Al-Abbas
Kata'ib al-Shaheed al-Awal
Kata'ib al-Qiyam al-Husseini
Kata'ib Ansar al-Hujja
Kata'ib al-Imam al-Gha'ib
Liwa al-Imam Muhammad al-Jawad
Kata'ib al-Imam al-Hussein
Kata'ib Adifa'a al-Muqaddas
Kata'ib Hizbuallah
Liwa Fityan Bani Hasheem
Hizbu'allah al-Akhyar
Kata'ib Ansar al-Aqeeda
Liwa Al-Adiyat
Kata'ib al-Aqila Zainab
Liwa al-Mukhtar
Kata'ib Dir' al-Wilaya
Liwa al-shabab al-Risali
Jaysh al-Mukhtar
Firqat Al-Abbas Al-Qitaliya
Kata'ib jund al-Imam
Firqat al-Imam ali Al-Qitaliya
Kata'ib Ahl al-Iraq
Liwa Ali al-Akbar

Liwa al-Imam al-Qa'im
Saraya Ansar al-Aqeeda
Kata'ib al-Youm al-Maw'ud
Anti-Terrorism Association Militia

Ammar al-Hakim
Abd al-Karim al-Anizi
Ala' Abu Saiba'
Sayyid Ali al-Mousawi
Muhammad Khafaji
Muhammad al-Kinani
Abu Dhir al-Fiqar
Abu Janan al-Basri (Mehdi Saleh Abd al-Wahid)
Shibl Al Zaidi
Abu Assad Allah al-Aboudi
Ja'far Al Ganimi
Hamid al-'Araji
Unknown
Jalal al-Din al-Saghir
Abu Jihad al-Tamimi
Aamer al-Mousawi
Dagher al-Mousawi
Ra'ed al-Haydari
Unknown
Wathiq Al Batat
Maytham Zaidi
Sheikh Hayder Gharawi
'Abu Ja'afar' Ahmed al-Asadi
Majid Al Timimi
Affiliated with the Imam Hussein shrine in
Karbala
'Sheikh Talib al-Alayawi'
Hazem Al-Ajraji and Al-Samaysem
Affiliating itself with Muqtada al-Sadr
Muawafaq Al-Rubaie

Annex II: Beyond Destruction

Below some of the pictures sent to GICJ showing the destruction of private houses and properties at the hands of militias.







Glossary

<i>Abu al-Fadl al-Abbass</i>	It is a Shi'a militia operating in Iraq, formed following the June 2014 during ISIL advances. The force is affiliated with Sheikh Aws al-Khafaji, who was previously aligned with Muqtada al-Sadr.
<i>Al-Hashd Al-Shaabi</i>	Also known as Popular Mobilization Forces (PMF), it is an Iraqi state-sponsored umbrella organization composed of some 40 militias, which are mainly Shi'a Muslim groups. The People's Mobilization was formed for deployment against the Islamic State of Iraq and Syria and it is responsible for the major mass killing and abductions across the country.
<i>Asa'ib Ahl Al-Haq</i>	Asaib Ahl al-Haq (AAH) splintered from the nationalist Islamist Sadrist movement in 2004 and became Iran's proxy during the previous civil war. The group is currently fighting against the Islamic State of Iraq and Syria as part of the Popular Mobilization Forces.
<i>Ba'ath Party</i>	Political party founded in Syria on 7 April 1947 by Michel Aflaq, Salah al-Din al-Bitar and associates of Zaki al-Arsuzi. The party espoused Ba'athism, which is an ideology that calls for unification of the Arab world into a single state. Its motto, "Unity, Liberty, Socialism", refers to Arab unity, and freedom from non-Arab control and interference.
<i>Badr Organization</i>	Previously named Badr Brigade, it was founded in Iran in 1982. Its long-time leader, Hadi al-Ameri, is viewed as the political godfather of the Popular Mobilization Forces, or Hashd (<i>al-hashd al-shaabi</i>);
<i>Coalition Provisional Authority (CPA)</i>	The CPA was established as a transitional government of Iraq following the invasion of the country on 19 March 2003 by the US-led Coalition Forces aiming to oust the government of Saddam Hussein. Citing United Nations Security Council Resolution 1483 (2003), and the laws of war, the CPA vested itself with executive, legislative, and judicial authority over the Iraqi government from the period of the CPA's inception on 21 April 2003, until its dissolution on 28 June 2004
<i>Dawa Party Islamic Revolutionary Guard Corps' (IRGC)</i>	It was founded after the Iranian revolution on 5 May 1979, and, according to the Iranian constitution, is intended to protect the country's Islamic system by preventing foreign interference as well as coups by the military or "deviant movements".

<i>Islamic State of Iraq and Syria (ISIS)</i>	Also known as Islamic State of Iraq and the Levant or as Daesh for the Arabic speaking countries, it is a terrorist group that follows a certain jihadist Islamic fundamentalist, apocalyptic Wahhabi doctrine of Sunni Islam. The group first began referring to itself as the Islamic State in June 2014, when it first began to proclaim itself to be a worldwide caliphate and named Abu Bakr al-Baghdadi as its caliph. As a caliphate, it claims religious, political and military authority over all Muslims worldwide.
<i>Islamic Supreme Council of Iraq (ISCI or SIIC)</i>	Previously known as the Supreme Council for the Islamic Revolution in Iraq (SCIRI), it is an Iraqi Shi'a Islamist Iraqi political party. It was established in Iran in the 1980s and today its political support comes from Iraq's Shi'a Muslim community.
<i>Kata'ib Hizbollah</i>	It is a smaller group with a reputation for quality operations, headed by a man known as Abu Mahdi al-Muhandis, came to prominence in 2007 for attacks against American and coalition forces.
<i>Kata'ib Jund al-Imam</i>	'The Imam's Soldiers' Battalions' is a Shia militia group in Iraq and is led by Ahmed al Asadi. The group is part of Al-Hashad al-Shaabi. KJI's ideological association is with Iran's Islamic Republic founder Ayatollah Khomeini.
<i>Mahdi Army</i>	Armed wing of the Sadrist movement, it rose to prominence alongside the Badr Brigades in the post-2003 years.
<i>Qud's Forces</i>	It is a special forces unit of Iran's Revolutionary Guards, responsible for their extraterritorial operations. The Quds Force reports directly to the Supreme Leader of Iran, Ali Khamenei. Its commander is Major General Qassem Soleimani.
<i>Sadrism Movement</i>	It arose out of a movement created by Muhammad Sadiq al-Sadr, whose son, Muqtada al-Sadr, became the symbol of the movement. During the 2005-2006 civil war, both Badrists and Sadrists fought Sunni militants, while death squads killed thousands of Sunni civilians.
<i>Shi'a Liberation Army Sunni Triangle</i>	Anbar, Salah al-Din and Ninewah.
<i>The General Military Council for Iraqi Revolutionaries</i>	Emerging as one of the most powerful Iraqi armed opposition organizations in this rebel offensive is al-Majlis al-Askari al-Amm li-Thuwar al-Iraq (GMCIR – General Military Council for Iraqi Revolutionaries) and its affiliated tribal militias, organized as al-Majlis al-Askari li-Thuwar al-

	<p>Asha'ir al-Iraq (Military Council of Iraqi Tribal Revolutionaries). GMCIR members state that the organization has existed since the summer of 2013 and announced its existence in January 2014 in order to respond militarily against Iraqi Security Forces for firing on Sunni demonstrators in Anbar governorate.</p> <p>Ideologically, the GMCIR is staunchly anti- Nuri al-Maliki and anti-Iranian. It opposes the significant role played by Iranian Revolutionary Guard Corps (IRGC)-organized militias such as Asa'ib Ahl al-Haq and Kata'ib Hezbollah in the Iraqi security forces. They estimate that there are 75,000 fighters affiliated with the GMCIR, mostly concentrated in Anbar, Salah al-Din and Ninewah governorates.</p>
<p><i>The Iraqi National Movement</i></p>	<p>More commonly known as the al-Iraqiya List, it was an Iraqi political coalition formed to contest the 2010 parliamentary election. The party included both Shi'a leaders (like Allawi) and Sunni leaders (like al-Mutlaq and al-Hashimi) and claimed to be secular and non-sectarian.</p>
<p><i>United Iraqi Alliance</i></p>	<p>It is an Iraqi electoral coalition that contested the Iraqi legislative election, 2010. The Alliance is mainly composed of Shi'a Islamist parties. The alliance was created by the Supreme Council for Islamic Revolution in Iraq (the at the time largest Shi'a party) to contest in the January 2005 and December 2005 when it included all Iraq's major Shi'a parties. The United Iraqi Alliance won both those of elections however later fell apart after several major parties (most notably the Sadr Movement) left the alliance due to disputes with Prime Minister Nuri al-Maliki and the Supreme Council.</p>

Geneva International Centre *for* Justice

Independent, non-profit, non-governmental organization

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GICJ's mission is to improve lives by tackling violations and all forms of violence and degrading or inhumane treatment through the strengthening of respect for human rights; reinforcing the independence of lawyers and judiciaries; consolidating the principles of equity and non-discrimination; ensuring rule of law is upheld; promoting a culture of awareness on human rights; and combating impunity.

Work on Iraq

GICJ has been tackling issues of justice and accountability pertaining to Iraq since it was established. GICJ maintains a partnership with various NGOs, lawyers and a vast civil society network within Iraq. Through these channels, GICJ is able to receive documentation and evidences of human rights violations and abuses as they occur in Iraq. GICJ continues to bring this information to the attention of relevant UN bodies in order to gain justice for all victims.

