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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Joint written statement* submitted by the International
Organization for the Elimination of All Forms of Racial
Discrimination (EAFORD), Arab Organization for Human
Rights, Indian Movement "Tupaj Amaru", International-
Lawyers.Org, non-governmental organizations in special
consultative status, International Educational Development,
Inc., World Peace Council, non-governmental organizations
on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[14 February 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Civilians in Conflict Human Rights Violations in the “War on Terror”*

Introduction

Since the US Coalition embarked on a “War on Terror” in 2001, civilians in the Middle East have become the side casualties of merciless and indiscriminate attacks targeting terrorist strongholds. Now, they are being caught from all sides - by ISIL, militias, armed opposition groups and even their own governments, who are conducting air strikes that are causing a multitude of civilian deaths and rendering citizens unable to conduct their everyday lives.

We, NGOs signatories to this joint statement, wish to affirm that although terrorism is a serious challenge to any society and should be dealt with proactively, “the fight against terrorism” is never a justification for serious and widespread human rights violations - of any kind.

Iraq

When the US-led Coalition invaded Iraq in 2003, fighting terrorism was one of the announced goals. The Coalition then proceeded to attack Iraq with a huge military campaign, resulting in the deaths of thousands of civilians, and the destruction of the country’s infrastructure. Yet they did not eliminate terrorism nor organisations such as al-Qaeda. On the contrary, we are now witnessing the emergence of an even more criminal terrorist group - ISIL.

Since the onset of ISIL in Iraq in January 2014, violent conflict has spread across much of the region, as government forces attempt to retake lost territory. As a result, over 3.1 million civilians have been driven from their homes, with over 10 million needing humanitarian assistance. These innocent civilians are suffering staggering abuse. In the areas held by ISIL, they are subjected to mass acts of violence every day - including the murder, abduction and torture of scores of people. Then, in attempts to “liberate” the territories taken by ISIL, the Iraqi government is perpetuating the suffering of its citizens: firstly, by creating a multitude of civilian casualties¹ during indiscriminate airstrikes on residential areas, and secondly, by increasingly relying on the militias known as “al Hashd al Shaabi” to fight ISIL on the ground. This group is composed of a number of Iranian sponsored Shi’a militias - who are responsible for some of the worst sectarian violence and bloodshed in Iraq - particularly targeting the Sunni population.

In one such government “liberation” battle, in Fallujah 2016, the militia occupied the city, reduced it to nothing more than dust and rubble, and exposed the trapped civilians to the gravest human rights violations possible - just for belonging to the “wrong” sect. In fact, the reality shows that in every “liberated” Iraqi city, including Tikrit and Amerli, the militias looted, burnt and destroyed private and public buildings, including schools, hospitals and infrastructures - in a clear strategy to cause forced displacement, and prevent civilians from returning to their homes. As such, the conduct of the government and their allied forces raises concern that little, if any, consideration is being given to the protection of the civilian population.

As from October 2016 and throughout the first two months of 2017, the abuse which civilians are being exposed to has once again been demonstrated in the government’s “liberation” battle for Iraq’s second largest city, Mosul. This battle has brought a new wave of human rights violations that have proved devastating for both the city itself, and the civilians who inhabit it. Those who are unable to flee the city face a dire humanitarian situation. ISIL has indiscriminately attacked civilian areas with mortar rounds and explosives, shot at fleeing residents and used tens of thousands of civilians as “human shields.” In addition to these terrorists, the inhabitants must also deal with the extremely violent

¹Between 1 January 2014 to the end of October 2015, the UN recorded at least 55,047 recorded civilian casualties in Iraq, with 18,802 killed and 36,245 wounded. These figures are likely to be much higher, as many deaths cannot be independently verified and therefore included in these figures. Also, these figures do not include those killed as a result of the secondary effects of conflict, including shortages of food, water and medicine.

attitude of the regular Iraqi forces and the al-Hashd al-Shaabi militias, as well as frequent airstrikes on residential areas - which are failing to defeat the highly dynamic ISIL fighters - and instead, are causing the death, harm, and displacement of innocent civilians.

Further to this, the Iraqi government has not developed a comprehensive strategy to allow civilians to flee the city and get humanitarian aid. As of January 2017, there are an estimated 750,000 civilians trapped in western Mosul. As a result of the conflict, these civilians are at serious risk of harm, and from 17 October - 25 January 2017, a total of 3,426 casualties were reported in the West Emergency Hospital in the city of Erbil, Iraq.² This crisis is being made even more dire by the limited access to health services in this area, framed by inadequate medical personnel, equipment or medicine to treat those who are injured. A targeted and concerted effort is needed to prevent a mass-scale humanitarian crisis.

Syria

The Syrian Arab Republic has become a theatre of heinous human rights violations, as a result of the tireless fighting between government-led coalitions against terrorist and opposition groups.

ISIL and Jabhat al-Nusra are the main terrorist threats operating in the area, and both have committed horrific crimes and subjected civilians to torture, arbitrary detention, mass killing and inhuman treatment – thus provoking a strong reaction among national and international forces. However, the lack of concerted efforts and unified strategies to defeat these terrorist groups has worsened the already chaotic situation on the ground. Overlapping interests and diverse targets have overly affected the populations living in besieged areas, and often, civilians are the main victims of government-led air strikes on ISIL targets.

So far, the war on terror in Syria has not proven to be different from past failed attempts to defeat terrorist groups in the region. From 2001 – the year in which George Bush proclaimed the “war on terror” – Western-led military campaigns have provoked political turmoil and killed thousands of civilians in the targeted countries, while, at the same time, enabled the strengthening and the emergence of terrorist groups. Yet despite the acknowledged link between the global war on terror and the surge of violent extremism, world leaders have failed to modify their strategies - with the recent siege of Aleppo being one of the most appalling examples of this disorganised and non-prioritised war on terror.

During 2016, the number of deaths in Syria increased dramatically, with all parties to the conflict accused of committing “crimes against humanity.” The entire population now faces an unprecedented state of emergency.

Airstrikes, torture, fighting, bombings, and gunshots are killing and wounding people on a daily basis, and the need for well-functioning health care facilities is stronger than ever. Despite this, hospitals and medical workers in opposition-controlled areas have repeatedly been struck,³ and humanitarian aid cannot access hard-to-reach areas. This has left millions of people inside the country in urgent need of medical care.

Sieges, anti-terrorist campaigns, and denial of humanitarian access are causing thousands of deaths: government and opposition forces are holding civilians hostage, and humanitarian convoys are either attacked or denied entrance. International supplies can only be delivered following the approval of the government, and some areas remain off limits. In besieged or hard-to-reach zones, hundreds of thousands of civilians remain without food and basic supplies. Besides being condemned to starvation and deprived of basic medical care, they are continuously subjected to bombing and shelling.

Those who manage to escape are forced to leave all their belongings behind, and embark on dangerous journeys to reach Europe or to seek refuge in neighbouring countries. Refugees and internally displaced people are extremely vulnerable to exploitation, and often end up trapped in schemes designed to deceive and force them in sex or labour

² WHO Special Situation Report Mosul Crisis, Iraq Issue No 4: (22 - 28 January 2017)

³ According to the UN, between 2011 and 2015, over 697 medical workers were killed, and in 2016 alone, 198 attacks were carried out against medical facilities – causing 366 deaths and 468 injuries <http://www.who.int/emergencies/attacks-on-health-care/en/>

trafficking. The anti-terrorist campaigns are affecting civilians just as much as terrorist acts: the incessant fighting among the two opposed forces has caused 4.8 million Syrians to migrate, and forcibly displaced 6.3 million civilians, who remain trapped in their own country.

The Syrian tragedy demonstrates the horrifying reality of the modern war on terror: media and news agencies have shown disturbing images of children trapped under the bricks of their homes, and of men and women killed or maimed by airstrikes and barrel bombs. Yet, the international community has failed, again, to halt the conflict, and to allow innocent civilians to escape the brutality of the endless fighting. This is another sad example of the real implications of the war on terror: where the dramatic failures in Iraq and Afghanistan have not been sufficient to stop international and government-led coalitions to target civilian-inhabited areas, and to agree on common strategies to defy violent extremism.

Recommendations:

We, NGOs Signatories to this statement recommend to the United Nations and its relevant bodies to:

- Exert the necessary pressure on Member States to ensure the respect of fundamental human rights and rule of law while countering terrorism and violent extremism
- Call on Member States to promote a unified strategy to combat and prevent the surge of terrorism, while setting up special measures to protect civilians and allow them to flee besieged and targeted areas
- Condemn all violent acts affecting civilians perpetrated by Member States, militias and armed groups within the framework of the war on terror

Geneva International Centre for Justice (GICJ), The Arab Lawyers Association- UK, The Brussels Tribunal, The Iraqi Commission for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), General Federation of Iraqi Women (GFIW), Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty- CEOSI, Organisation for Justice & Democracy in Iraq (OJDI), Women Will Association (WWA), Alliance to Renew Co-operation among Humankind, The Iraqi Centre for Human Rights, The Perdana Global Peace Foundation, The International League of Iraqi Academics (ILIA), Women Solidarity for an Independent and Unified Iraq, Organization for Widows and Orphans (OWO), International Anti-Occupation Network (IAON), Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, NGO(s) without consultative status, also share the views expressed in this statement.