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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 (IAFORD), Arab Organization for Human
Rights, 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.

[18 August 2017]

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

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Mosul: Destruction not Liberation*

On 16 October 2016, the Iraqi government together with an international US-led Coalition (hereinafter the Coalition) launched a military campaign to liberate the city of Mosul from the so-called Islamic State (ISIS) in Iraq and in the Syrian Arab Republic. The campaign ended on 10 July 2017 and was declared a victory over ISIS by Iraqi Prime Minister, Haider al-Abadi. However, due to heavy indiscriminate bombing and airstrikes the campaign resulted in the total destruction of Mosul leaving thousands of dead and many more injured as well as over a million displaced. Additionally, post-conflict effects are yet to be felt and the prospects and length are extremely worrying considering the mishandling of the campaign by the Iraqi government.

Destruction of Mosul

The campaign led to an almost total destruction of infrastructure, which consisted of four electrical plants, five major bridges, six water purifying systems, electrical lines, the city's airport and railway station, and 120 miles of roads that are critical to transportation. Additionally, nine out of ten hospitals were brought to the ground as well as 76 health and medical facilities, 400 educational institutions, 63 places of worship, and over 48,000 homes. Of the establishments, 29 hotels, 212 oil refineries, and 250 factories and industries were demolished. Moreover, numerous cultural and historical sites including famous landmarks such as the Nabi Yunus Mosque and the Grande Al Nuri Mosque and an old bridge were desecrated by the fighting of the warring parties. It should be noted that deliberate destruction of cultural heritage sites constitutes a war crime as laid out in the 1954 Hague Convention and its Protocols.

Of the city's 54 districts 15 were 'heavily damaged', 23 'moderately damaged', and 16 'lightly damaged' according to the UN. The airstrikes and bombardments were also carried out on heavily populated areas such as residential neighbourhoods, civilian property, and architecture affecting over a million civilians. Such targeting, scale, and duration of bombardment, is against international law and international humanitarian law (IHL). The Ministry of Planning of Iraq has already provided statistics that estimate the cost to restore the destroyed infrastructure to be approximately 50 billion dollars¹. However, it is highly unlikely whether the Iraqi government is prepared and willing to deliver and put any serious efforts into re-building the city.

Humanitarian Situation

In the immediate aftermath of the heavy fighting out of 1.4 million population 839,118 individuals, were displaced according to the International Organization for Migration (IOM)². However, we believe the number is over a million as many were not registered. Additionally, of those displaced approximately 700,000 are in desperate need of support as they have lost everything and many are minorities, women, and children who need special protection as they are targeted by rogue groups. Tragically, at the time of the announcement by PM al-Abadi thousands remained buried under the rubble.

Many civilians who were forced to leave during the campaign were in desperate need of medical attention as the Iraqi government failed in its duty to protect innocent civilians and even failed to provide safe exit routes. Instead, they were forced to trek unsafe kilometres-long routes over rubble in search for safety in scorching temperatures of 47-degree Celsius heat and the sick and elderly were prohibited from taking rests. Moreover, almost everyone, including boys and especially women, were and still are subjected to screenings under the suspicion that they side with or have relatives associated with ISIS³. Those who remained in the city during the fighting were nonetheless in a precarious situation as significant damages were done to the water works system in Mosul city.

¹ <https://alshahidwitness.com/cost-destruction-mosul-estimated-50-billion-dollars/>

² <https://www.iom.int/news/un-migration-agency-over-830000-remain-displaced-outside-mosul>

³ <http://newsinfo.inquirer.net/911378/tensions-rise-between-iraqi-forces-and-civilians-in-mosul>

Aside from physical injuries many, especially the young, suffer from psychological trauma as a result of the conflict between the two warring parties. In some cases, the trauma can cause lifelong damage or can be on-set later in life. In addition to accessing limited supplies there are on-going security threats that exacerbate the public health issues.

Post- “liberation-campaign”

On July 10 when Iraqi PM al-Abadi claimed victory over ISIS the media only captured the few people cheering and feeling victorious whereas a majority of the people in Mosul were in a morose state and still sensed a persisting threat of violence. Many are also aware that unexploded ordinance such as mines from the warring parties linger behind. Additionally, pro-government militias who are not trained in international law or IHL continue to commit violations while rounding up suspects many of whom are innocent. Sentiments and on the ground reports have been made that the Iraqi government accuses most if not all citizens of Mosul of siding with ISIS and can even take action if they suspect a relative has associations with ISIS. The false accusations and off-base suspicions have led to indiscriminate detention, torture, and even deaths.

Iraq is one of the most corrupt countries in the world. Hence there is a substantial overall distrust in the government that has been widely expressed particularly after the ‘liberation-campaign’ as they are to oversee the reconstruction of the damage caused. Immediately after the campaign, information from the people in Mosul surfaced concerning the population’s fear of the battling attempts by the militia and other groups to gain control of the city for their own future endeavours that may lead to an escalation in Sectarian violence.

Therefore, additional and external measures should be taken to assist relevant bodies in giving adequate redress to the innocent victims and casualties who survived the “liberation” campaign and proper restoration of necessary infrastructure and homes should promptly be put in place and use. The UN itself should take the leading role in the reconstruction of the country.

Post-campaign protection and security needs to be taken seriously as civilians who still seek refuge are being taken advantage of; where boys and women are heavily searched and the elderly and sick are not given necessary medical attention⁴. An assessment of the most urgent needs for civilians is needed and medical items and medicines need to be in good supply and secured as there is a short supply of it under security threats putting remote or inaccessible areas in further peril.

During the campaign, numerous horrific and illegal activities such as enforced disappearances separated many families; thus, re-unification for families must be a priority. Thousands of children and young adults became victims of, or witnessed grave atrocities, and therefore, require psycho-social support. Traumatic events not only have long-lasting effects but some of these effects can be offset later in life. Lastly, the needs and services for people in vulnerable situations has to be addressed.

Accountability

Throughout all the military campaigns a large number of atrocities were documented by the UN and several NGOs yet no one has been held liable for the crimes and violations against international law and IHL committed by the Coalition, the Iraqi governmental forces and its al-Hasd al-Sha’bi militias. Numerous on the ground reports including footage (images and video) have surfaced and have been distributed. However, no accounts of justice and accountability were taken on the part of top officials. Rather, the Iraqi government either denies the atrocities or denies any association with the perpetrators.

On 11th of July, the High Commissioner for Human Rights, Mr. Zeid Ra’ad al-Hussein said, “I urge the Iraqi Government to prioritise advancing accountability and also repeat my call for the Government of Iraq to become a party to the Statute of the International Criminal Court (ICC)”. The means to achieve stability and justice is paramount and must first be in place. It is highly doubtful though that the Iraqi government is capable of achieving this on its own and hence requires external assistance.

⁴ Civilian protection must also be given to people on the outskirts and areas beyond Mosul as they remain under the control of ISIS.

Immediate steps and necessary measures must be taken towards the establishment of an International body that has the power and means to fully investigate and prosecute all perpetrators of war crimes and crimes against humanity which happened during this and other campaigns. Proper, adequate, and immediate redress to the victims and survivors of the ‘liberation-campaign’ must be ensured, and the costs and resources to rebuild and heal the city should be suitably allocated.

Recommendations

It is unfortunate that the UN is not taking the necessary steps and efforts to bring about justice for the innocent victims but is instead engaging in politics. These actions are contradictory to the spirit of the Charter of the United Nations.

In light of this we recommend the Council to,

- *Establish* an international court tasked with the prosecution of all perpetrators of international crimes in Iraq,
- *Pressure* the relevant parties to ensure adequate and prompt redress and restoration to the innocent victims and casualties who survived the “liberation” campaign,
- *Take all necessary steps to ensure* security and re-unification of separated families,
- *Set up* a short and long-term fund for UNHCR in Iraq and local projects geared to restoring and re-developing Mosul,
- *Provide* psycho-social support to victims and survivors.

*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association-UK, Just Atonement Inc (JAI), The Brussels Tribunal, Euro-Mediterranean Human Rights Monitor, Association of Humanitarian Lawyers (AHL), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), Alliance to Renew Co-operation among Humankind, General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), The Iraqi Centre for Human Rights, International Anti-Occupation Network (IAON), NGOs without consultative status, also share the views expressed in this statement.