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“Iraq: Policy for a Country Divided”



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Mr. Chairman, Ranking Member McGovern, members of the Lantos Commission, thank you for inviting me to testify this afternoon. It is a great pleasure to be here.

Per your request, I would like to share some insights from my experience and research in Iraq. I will describe some of the abuses that I have documented in my work as Human Rights Watch's Iraq researcher, specifically abuses of women under the control of the extremist group Islamic State (known as ISIS). I will also discuss widespread violations of international human rights and humanitarian law that pro-government militias, Iraqi security forces, and volunteer fighters are carrying out in Iraq, without which a discussion about ISIS's atrocities would be glaringly incomplete.

Finally, I offer some recommendations for U.S. foreign policy in Iraq moving forward, including how U.S. foreign policy can influence the actions of non-state armed groups.

ISIS

Human Rights Watch has been documenting ISIS-related abuses in Iraq since August 2013. I personally have been working on the ground in Iraq to document human rights abuses with Human Rights Watch since September 2012. I spend the majority of my time in Baghdad, but regularly travel to areas around Baghdad and other provinces.

We have not traveled to ISIS-held territory because of security concerns but we have conducted extensive interviews with persons who have fled the armed group, as well as by phone with many who still living in areas under ISIS control.

By now, ISIS's extraordinary brutality is well known. Their campaign of killings is remarkably gruesome—they promote their atrocities via social media, and employ an overt strategy of cruelty to sow fear and subdue populations under their control.

ISIS preys on Shia and Sunnis, Muslims and religious minorities, alike. ISIS especially targets vulnerable communities such as the Chaldo-Assyrian Christians, Shia Shabaks, Shia Turkmen, and Yezidis. ISIS labels them as crusaders, heretics, and devil-worshipers and threatens them with death if they don't convert to Islam. Last June, August, and October, our team traveled to Dohuk in Northern Iraq to interview Yezidi women, girls, and men who had recently escaped ISIS captivity. They described harrowing tales of cramped detention, abuse, forced conversion, and forced marriage.

In January and February 2014, Human Rights Watch interviewed 11 Yezidi women and 9 girls, aged between 12 and late 60s, all of whom had escaped ISIS captivity between August 2014 and January 2015. They told us ISIS fighters had raped five of the women and three of the girls — two as young as 12 — and sexually assaulted another woman. One of the women who was raped also witnessed an ISIS fighter raping her friend. Nine of the women and girls said that ISIS fighters also beat them. ISIS has publicly said that it is religiously permissible to enslave Yezidi women and girls. The U.S. should make clear that its support to Yezidis will continue. There are likely thousands of women and children who remain in captivity. ISIS's offensive and the fight against ISIS in Iraq has led to a massive displacement crisis. Countrywide, there are now more than 2 million displaced Iraqis, some

from Iraq's civil war, some from ISIS fighting, and some from government and militia attacks. Many of the displaced are Sunni families fleeing violence, including in areas recently "cleared" of ISIS that are less accessible and virtually invisible to the international community.

Militias and other pro-government fighters

ISIS didn't come from nowhere. In fact, they had been gaining strength for quite some time. The rapid territorial gains ISIS made this summer were largely enabled by the discontent that resulted from government policies under former Prime Minister al-Maliki that fed a cycle of sectarian violence through exclusion, discrimination, and serious human rights crimes. That point leads me to a discussion of some of the other non-state armed groups and government fighters who helped fuel ISIS's rise.

In October I traveled to Kirkuk and Salah al-Din provinces to document alleged abuses by Shia militias in the ground fight against ISIS. My colleague and I had heard numerous anecdotes about government-backed militias ransacking Sunni villages after the US and coalition airstrikes helped rout ISIS from Amerli, a predominately Shia town under ISIS siege for almost two months. What we learned confirmed a devastating pattern of arson, destruction, and displacement by various militias. Several persons displaced from their homes by militias told me they were "no more afraid of Daesh" — the Arabic acronym for ISIS — than they were of the Shia militias and Iraqi government forces.

Our findings concerning militia depredations around Amerli after the ISIS siege reflect what we found elsewhere in Iraq as the government has scaled up its counterterrorism campaign: Shia militias are being used to punish Sunnis because of their sect. These militias also led the campaign against ISIS in Kirkuk, Salah al-Din, and Diyala, and now are taking on ISIS in Tikrit.

As reports of abuses by security forces and pro-government militias multiply, both Iraq's methods and US policy toward Iraq are coming under increased scrutiny. Iraqi security forces and pro-government militias have been responsible for human rights and laws of war abuses for years, along with largely Sunni armed groups opposed to the post-2003 new order. Human Rights Watch, along with other organizations and media outlets, has published copious documentation of these abuses. For the first time, the U.S. is publicly voicing concerns about militia abuses. Iraq's Prime Minister, Hayder al-Abadi, appears to be trying to convey the message that these abuses will not be tolerated. Whether the Iraqi or the U.S. authorities will follow through with implementing measures that address these concerns is unclear.

An ABC news report last week, on March 11, documented atrocities by Iraqi security forces and militias in their fight against ISIS. Human Rights Watch, working with ABC, reviewed the horrific compilation in its entirety before the report was aired. The videos showed graphic evidence of government forces committing torture, summarily executing civilians, including children, and even beheading captives.

Human Rights Watch has similarly documented the pattern of abusive conduct by Iraqi forces during the fight against ISIS and its predecessor group, Al-Qaeda in Iraq. Late last year, we documented serious abuses by Iraqi security forces and Shia militias and other fighters assisting them after they forced ISIS to retreat in areas around Baghdad, Hilla and Diyala. Militias and security forces carried out summary executions of Sunni prisoners en masse in Anbar, Diyala and Ninewa provinces. They also destroyed numerous villages, displacing thousands of residents and kidnapping civilians, apparently for the purpose of removing Sunnis from those areas.

The overt and brutal nature of ISIS' violence, actively promoted by its leader, has created a powerful tool for recruitment, particularly among those who are already vulnerable and disenfranchised. In response, a critical part of combating the pull towards extremism is to make sure that after ISIS is gone, people are not afraid to return to their homes, and still have something to which they can return. Right now, however, this is not often

the case, which makes the prognosis for legitimate progress, including when it comes to adherence to the rule of law, seem all the more impossible.

Recommendations

Military operations do not constitute a sufficient long-term strategy to protect Iraqis from ISIS or similar groups. The crisis in Iraq may involve sustained engagement by the U.S. and other Iraqi allies for years to come. What follows are some near-term steps Human Rights Watch recommends that would help ensure Iraqis are not only protected from atrocities by ISIS, but from serious abuses by militias and government security forces.

First, until the Iraqi government can show that it can control security forces and dismantle abusive militias, there is no guarantee US aid is not actually helping fuel abuses. The U.S. should require the Iraqi government take immediate and measurable steps to end widespread war crimes by security forces and pro-government militias before providing further military assistance. This should include requiring documentation that key political reform benchmarks have been met, including an end to the use of counter-terrorism legislation to detain political opposition figures.

Second, it will be important to ensure that all Iraq security assistance language in relevant Fiscal Year 2016 appropriations and authorization bills includes benchmarks that address violations by all militias operating alongside Iraqi security forces, including reinsertion of end-user agreement language (with no waiver) for weapons transfers and unambiguous human rights vetting language (also known as the "Leahy Law").

Third, Congress should press the administration to develop clear policy guidance on how diplomats and military officials can support Iraqis to promote accountability. One key element would be ensuring that the US Embassy in Baghdad has sufficient financial, technical, and personnel support to undertake robust human rights vetting for all US military aid and security assistance. This should include visits by the ambassador, defense attaché, and political counselor to assess training effectiveness, including on international human rights and humanitarian law.

Fourth, authorities in Baghdad and Iraq's international allies, the U.S. chief among them, need to put in place a clear post-conflict policy and begin the arduous process of reconstruction that these areas and the remaining inhabitants so desperately need. Right now, planning has begun, but there are no guarantees that former residents will be allowed to return to their homes; nor is there a clear plan to confront sectarian violence. If the government leaves it up to security and militia forces and commanders who have been implicated in atrocities to decide who can and who cannot live in these areas, it will only increase the human misery and division in Iraq.

Finally, members of Congress should press the administration to robustly support extension of the current mandate of UN HRC investigative mission to Iraq and ensure it includes laws of war and human rights violations by all sides, not only by ISIS and associated groups.

Conclusion

Mr. Chairman, Ranking Member McGovern, the grim reality is that ISIS is going to be around for the foreseeable future, as long as conditions that have enabled it to thrive are not addressed. There is a need to shift gears and reflect on how the U.S. can do a better job protecting civilians and that ensuring U.S. military operations and assistance do not inadvertently strengthen ISIS's appeal to marginalized Sunnis. Otherwise, far too many people in Iraq will continue living in brutal conditions, under constant threat from a wide range of abusive actors, and without sufficient support to meet their most basic human needs.

Thank you for convening this important hearing. I'm happy to take your questions.