

New Facts Emerge About the 2006 Al-Ishaqi Massacre. Investigation Must Be Reopened

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The Al-Ishaqi incident refers to the reported mass murder of Iraqi civilians committed by US forces in Al-Ishaqi in 15 March 2006. After the incident, US troops rounded up and deliberately shot 11 people, including five children and four women, before blowing up their house.



the March 2006 Al-Ishaqi Massacre. 11 Iraqi civilians assassinated in cold blood by American Forces

As if he sees them for the first time, Ibrahim Harat, a former Iraqi officer whose leg is amputated, bends over to collect the bullet cases that American soldiers used six and a half years ago in an act of mass killing. In the destroyed house, he lost nine members of his family, among them five children, the youngest of them five months old.

The American Forces have told lie after lie about this mass killing they committed in the night of 15 April 2006, when the house of Faez Harat, a 28 years old primary school teacher,

was raided. US Forces have claimed that the victims died in a tactical operation during the search for the Kuwaiti citizen Ahmad Abdullah Al-Utaibi, and how they killed another Iraqi armed man named Udai Faris. But the reports of the investigation prove that what really happened was nothing but an arbitrary execution.



The Iraqi armed man, as the Americans claimed, was imprisoned in Camp Bucca Prison, and now he's in one of the government prisons in death row awaiting his execution after his conviction for violent acts. The other man, a Kuwaiti citizen, was handed over by the Americans to the Iraqi authorities in October 2008, and the Iraqi authorities sent him back to his country in the Autumn of 2010, to be put in jail for a previous offence he was accused of. The investigators have documents proving that Al-Utaibi had already been arrested by the American Forces one day before the mass murder.

Nothing remains from the house of Faez, which was raided by the American Forces on 15 March 2006, only the wall where the victims were executed remains, and hundreds of bullet cases. In the corners of the ruins, some burnt papers remain from the last English exam Faez had taken from his students in Al-Ishaqi Area, 100 km north of Baghdad.

Contrary to the lies mentioned in the reports submitted by the American Forces, the morgue reports and the copies obtained from Tikrit General Hospital to where the corpses were taken after the massacre, confirmed that the victims died as a result of shot wounds from very close range in their heads and chests. Additional proof can also be read in the reports of the local investigation committees and the tens of eyewitnesses in the Al-Safa Village. All of them assured that the victims, who were taken from their house after an hour of this attack, were all handcuffed, and their mouths were tied.

A U.S. diplomatic cable made public by WikiLeaks in August 2011 provided evidence that U.S. troops executed at least 10 Iraqi civilians, including a woman in her 70s and a 5-month-old infant, then called in an airstrike to destroy the evidence, during this controversial 2006 incident in the central Iraqi town of Al-Ishaqi. This cable brought the case back to the surface. The cable contained questions from Philip Alston, UN Special Rapporteur of extrajudicial and arbitrary executions, to the American Ministry of Defense on 27 March 2006 about the incident, which had angered local Iraqi officials, who demanded some kind of action from their government. U.S. officials denied at the time that anything inappropriate had occurred, although the house was raided, 11 persons handcuffed, among them four women and five children, and all of them executed, before an air raid destroyed the whole house.



The cable notes that "at least 10 persons, namely Mr. Faiz Hratt Khalaf, (aged 28), his wife Sumay'ya Abdul Razzaq Khuthar (aged 24), their three children Hawra'a (aged 5) Aisha (aged 3) and Husam (5 months old), Faiz's mother Ms. Turkiya Majeed Ali (aged 74), Faiz's sister (name unknown), Faiz's nieces Asma'a Yousif Ma'arouf (aged 5 years old), and Usama Yousif Ma'arouf (aged 3 years), and a visiting relative Ms. Iqtisad Hameed Mehdi (aged 23) were killed during the raid."

The Terror Night Details

The massacre started as Ibrahim Harat, the eldest brother of Faez remembers, when some Chinook helicopters started to roam the village, and landed in the area to raid the houses. Ibrahim lives not so far from Faez house, almost 75 meters away, so he was able to watch from the window what happened. The moon was full that night, and the helicopters directed their lights towards the house, so everyone could see clearly how the soldiers were shooting at the house for more than 15 minutes, before they started to raid it through the front and back doors. Then they continued the shooting inside the house for more than 20 minutes, before leaving. The last attack was accomplished by the Chinook helicopters, which destroyed the whole house with six rockets, one after another.

Until today, no one knows what really happened in Faez' house. And later, when the American soldiers raided Ibrahim's house, he ran after them to know what happened to his mother and Faez' family, but the answer was a hard kick that threw him on the ground, and his artificial leg rolled a few meters away from him.



Looking for The Victims

Eesa Harat, another brother of Faez, remembers that there were six American soldiers who raided his house that night, and took him along with his family members to the garden of the house, forcing them to lie down with their faces on the ground, so he and some of his neighbours couldn't see what happened in Faez' house, they could only hear the continuous shooting and the noise of the Chinook helicopters roaming the area. The whole raiding operation (attacking Faez house, raiding the other houses, and leaving) lasted almost two hours, as Eesa remembers. When everything was over, everyone ran towards Faez house, calling for the residents, but no one answered.

Ubaid Harat, another brother who was an officer in the army before 2003, said that it was not so hard to find the victims, because they were all gathered in the only room that wasn't destroyed, and they were covered with blankets.

Faez' brothers and many other witnesses in the village said that all the victims were handcuffed behind their backs, except the infant, Baby Husam, who was handcuffed with his hands on the chest.

Natiq Jawad Al-Mamoori, a Military Affairs Expert and a retired Brigadier-General, said that handcuffed children after raids of this kind indicates that there was someone in the family who was being interrogated and being threatened that they would kill or torture the baby in

case he / she wouldn't cooperate. The interrogated person is usually either the mother or the father of the child.

What Al-Mamoori said was fully consistent with the confessions of ex-American soldier Jesse Macbeth, in the spring of 2008. Jesse said that the American soldiers used horrible methods to interrogate people during house raids. Some soldiers would threaten to kill the youngest child in front of his / her parents to force them to confess things, and then they would keep on killing other children whenever it was deemed necessary to get more information. The American soldiers didn't kill Ibrahim because they noticed he was a handicapped person. The US Forces that raided his house were trying to scare the inhabitants of the houses next to Faez' house, and in the meantime, the other Forces would be able to carry out their executions.



Faez had never joined an armed group, although in his area (Al-Ishaqi) there were Al-Qaeda members and other armed groups. The President of the Hammurabi Human Rights Organisation was shocked when he arrived at the crime scene, noticing that a lot of evidence was destroyed after the execution of the family members, because the villagers had taken off the handcuffs, and had laid the corpses on the ground to prepare the bodies for burial.

Dr. Abdulrahman Al-Mashhadani said that the conservative traditions of the heads of tribes in the area who gathered after the massacre, prevented the members of his organisation to take photos of the corpses of the women whose mouths were violently tied with their own headscarves. Al-Mashhadani added that a video had been shot while the bodies were taken to the morgue and that the interrogator has a copy. The men were trying to prevent the photographer from taking photos to some of the bodies, saying that these were corpses of women.

The Morgue Reports

The morgue reports in Tikrit stated that most of the victims got bullet holes in their heads and chests, while other victims had bullet wounds all over their bodies. None of the bodies had traces of gunpowder. This is proof that they didn't use any kind of weapon, as a forensic expert has declared. This evidence proves that the American Forces lied when they said that the family had shot the soldiers from inside the house. That was the justification the American Army gave for their massacre.



The Results of the American Investigation

The investigation found, on 2 June 2006 (a few days before they killed Al-Zarqawi, leader of Al-Qaeda in Iraq) that US military personnel had followed the proper procedures and rules of engagement, and that they had done nothing wrong. The American Forces Spokesman, William B. Caldwell stated that they opened an investigation the next day after the Al-Ishaqi massacre, and they found that the American Forces had implemented the correct military procedures. Immediately after the incident, Iraqi police accused the US troops of rounding up and deliberately shooting 11 people, including five children and four women, before blowing up their house. A US military spokesman at the time responded that it was "highly unlikely that the allegations were true". US authorities said they were involved in a firefight after a tip-off that an al-Qaeda cell leader, Ahmad Abdallah Muhammad Na'is al-Utaibi, was visiting the house and that they killed another one named Udai Faris. Caldwell confessed that the investigation confirmed the death of 4 to 13 persons during the operation.

Caldwell added that the Kuwaiti Al-Utaibi was a leader of Al-Qaeda, and that Udai Faris -also named Abu Ahmad- was an Iraqi who was responsible for making explosives and recruiting civilians for the insurgency. Caldwell told the same standard story about this massacre that the American Forces always used: "after the American Forces reached the house, they faced continuous shooting from inside. This required air force support, implementing tactical

operations inside the targeted house where they found the body of Udai Faris with three other bodies of civilians.” Caldwell also mentioned that the investigating officer thought that nine other persons had also died as a result of the operation, but that it was hard to specify how many dead bodies there were under the rubble of the collapsed house.

Caldwell finished his “story” saying that it was defamatory to accuse the American Army of raiding the house, killing in cold blood an innocent family living in peace and destroying the house with helicopters to hide the crime.



Caldwell’s statement contradicted the original report from the Joint Coordination Center, which said U.S. forces entered the house while it was still standing. That first report noted: "The American forces gathered the family members in one room and executed 11 persons, including five children, four women and two men. Then they bombed the house, burned three vehicles and killed their animals." The report was signed by Col. Fadhil Muhammed Khalaf, who was described in the document as the assistant chief of the Joint Coordination Center.

According to Caldwell’s story, four persons were killed: Abu Ahmad, and a woman and two children, in addition to nine other persons, which means that the total number of the victims would be 13. But there was another contradiction in the juggling with the numbers. No one was able to differentiate between 4 corpses (the first statement), and 13 corpses (as stated in the second statement - Caldwell’s) or 11 corpses that were taken from Faez house (according to the report by Al-Ishaqi Police). All this confirmed that the Americans were hiding something about that massacre, including the real number of victims.

There’s a question that the Americans never answered in none of their statements; how could Al-Utaibi have stayed alive after all the shooting outside the house, which lasted for 15 minutes? And then a continuous shooting for about 20 minutes inside the house? How did he survive while all the persons inside the house, including the five children, were killed? If the American soldiers had the ability of arresting Al-Utaibi without eliminating the whole

family, why did they kill them all, most of them women and children?

The Iraqi Fighter (The Living Dead)

The American Army tried to evade answering that question, although the investigator asked them several times. The American Embassy informed the investigator that they had no further comment. The American Forces alleged that there was an insurgent in Faez' house whose name was Ahmad Abdullah Al-Utaibi, and another Iraqi armed man called Udai Faris. But it came as a big surprise when the investigator could prove that the armed man, whom the American Forces claimed to have killed during the attack, and whose full name was Udai Faris Abdullah Al-Mujammaee – nick named Abu Ahmad, turned out to be alive and kicking. The investigator requested the Iraqi authorities to meet Udai Faris in the prison in Tikrit, but they refused.



Udai Faris became a famous prisoner after his escape from jail with 15 other prisoners in September 2009, all members of an Al-Qaeda group. The escapees were caught, Udai being the last one who got captured, two years after his escape.

After a phone call, arranged through mediators, with Udai's father, he said that his son was arrested by the Americans since 2005, and that he had heard about his death in Faez' house like everyone else. But the father was lying, because he visited him many times in jail after the Al-Ishaqi operation.

In Search of the Kuwaiti “Leader”

Since the American Forces refused to add any further comment regarding Udai Faris, saying that he was either killed as they stated, or he wasn't even in the house because he was already in jail. There is no other witness left but Ahmad Abdullah Al-Utaibi, because the Americans mentioned in their statements that he was in the house when they raided it, and he was arrested then.

The available information about Al-Utaibi indicates that he was 24 years old when the Al-Ishaqi massacre took place. He was arrested in 2005 for his attempt to overthrow the government in Kuwait, with the assistance of the Al-Jazeera Lions Organization, which is part of Al-Qaeda. He was bailed and released in August 2005. He escaped Kuwait after his release, entered Iraq illegally from Syria as a trader of Arab horses. As the American statements indicate, he was arrested while he was in Faez' house in Al-Ishaqi on 15 March 2006.



The investigators could take a simple look at Al-Utaibi's records, through a senior security official, but the investigator preferred not to mention his name or position out of fear for losing his job. Those records indicate that although his arrest required the elimination of a whole family, the American Army released him, and he was submitted to the Iraqi authorities in October 2008. He was supposed to be imprisoned for six years for the accusation of his illegal entrance to Iraq. Moreover, he confessed to the American Forces that he was involved in armed activities of Al-Qaeda. Al-Utaibi spent almost two years in Susa Prison in Suleymaniyah in the north of Iraq, before he was released and transferred to his country in November 2010.

The Secrets of The Night of Al-Utaibi's Arrest

The records related to Al-Utaibi reveal that he entered Iraq from Syria to fight with Al-Qaeda, and that he was arrested on 14 March 2006, and was imprisoned on 15 March 2006. This proves that he was indeed in jail when the Al-Ishaqi massacre happened. Natiq Jawad, a Military Expert, thinks that this information could serve as evidence that Al-Utaibi's name was included in the Al-Ishaqi massacre case on purpose, as a justification for the atrocities the US Forces committed there.

Prohibited Documents

Brigadier-General Muamman Khudur, the Manager of Susa Prison, refused to show the investigator any classified record of Al-Utaibi without a formal approval from the Iraqi Ministry of Justice. Since the end of 2011 until last August, the Ministry of Justice kept on refusing to grant permission to the investigator to have a look at Al-Utaibi files. Even the Supreme Judicial Council refused to show Al-Utaibi's records because, as they claimed "the regular trials procedures should be highly classified, and no one is allowed to reveal them to the public" as mentioned by a Spokesperson of the International Red Cross in Iraq, Abdulsattar Al-beeraqdar, and his assistants in the Amman Office and Al-Sulaimaniyah Office, who all refused to give information regarding the file n° iqz012953, Al-Utaibi file. After numerous calls to the American Embassy, their only answer is: "we have no comment".



The Horror Policy

Abdulrahman Al-Mashhadani, the President of Hammurabi Human Rights Institution explains that the way the American Forces behaved in the Al-Ishaqi massacre is part of the horror policy to scare the civilians in the Iraqi cities and villages, through targeting a house randomly and killing everyone there. The witnesses, among them Faez' brothers, assured that the attack was unprovoked, there was not a single bullet fired from the house before or during the attack. Besides, these US Forces didn't ask anyone from the house to surrender. They killed all the residents in cold blood.

Omar Al-Juboori, a Military Expert, said that the Chinook helicopters which attacked the house are provided with very advanced equipment through which they can know how many people are in the house, whether they were children or adults, in which room they stand, through the infrared. That's why the Forces aimed to eliminate everyone in the house, in order not to leave any eyewitness alive, except the American soldiers.



Between Baghdad and Washington

After recurrent calls made by the investigator with Ali Al-Musawi, the Iraqi Prime Minister Consultant, to comment about the speech of the Spokeswoman of the American Ministry of Defense, regarding the cable about the massacre published by WikiLeaks, the American Spokeswoman declared that this document can never force the American Army to reopen the investigation. Al-Musawi assured that the Iraqi government was ready to open an investigation, according to the information published by WikiLeaks, and that the government would take all the legal procedures to ensure the rights of the victims.

But here's the tricky part. Al-Musawi said that Iraq cannot reopen the investigation unless the Americans cooperate, because the American Army has more details about the case, adding that the Iraqi-American Agreement states that Baghdad has the right to open an investigation in case it's proven that there was an arbitrary execution carried out by the American Forces. Al-Musawi assured that Iraq will never abandon the rights of its citizens, and that they will follow the case until a new investigation is reopened, without giving further details.

Tariq Harb, a Legal Expert, said that the government cannot implement what it promised, because it's not that easy. Starting an investigation in such cases can only be done through diplomatic ways, because the American soldier is immune according to the Iraqi-American Agreement, and cannot have a trial in Baghdad, but in the American courts only.

A senior official in the Iraqi Ministry of Foreign Affairs told the investigator that there are many cases like this one that might be dealt with in the future, according to the Iraqi-American Agreement, but this depends on the evidence that might be discovered in the future. He refused to officialise this statement, because the case is so sensitive.



Other Massacres of The Same Kind

What happened in Al-Ishaqi didn't happen only there. Many massacres happened before and after 15 March 2006 in many cities in Iraq, like the one in Haditha four months before Al-Ishaqi, which took the lives of 24 civilians, among them ten children and women. After a shameful trial, it was proven that the massacre was a case of collective punishment, after a bomb killed an American soldier.

The trial lasted three years, and everyone thought that there would be a harsh judgment against these soldiers because of their criminal behaviour, but it came as a huge shock when the judge of Pendleton Military Court in California sentenced the Marine squad leader, who pleaded guilty for war crimes in connection with the assassination of these 24 Iraqi civilians in Haditha, to a maximum of 90 days in prison and a reduction in pay and rank. But because he pleaded guilty, Staff Sgt. Frank G. Wuterich won't serve any time in the brig. Eight Marines were initially charged. One was acquitted, and six others had their cases dropped.

Those decisions were proof of the negligence of the American judiciary in terms of protecting the Iraqi civilians from assassinations by American soldiers, who apparently have a license to kill. Another atrocity happened when American soldiers in late 2006 killed 32 Iraqi civilians during a similar raid, among them six children and eight women. No one tried to open an investigation, and the American Army issued a statement after the incident, which said that the soldiers followed correct procedures, and that they were shooting back after someone shot at them from inside one of the targeted houses.



It was not so different in the case of Al-Ishaqi, when an American commander, who was close to the area, said he didn't know about an operation in Al-Ishaqi, claiming that the operation was carried out by soldiers who came with helicopters from one of the American military bases in Baghdad.

The American military investigators asked Faez' brothers a few questions for two hours. After that, an American person with a Lebanese accent called them, asking them to drop charges in case they tried to sue the American Army, and in return they would get a good financial compensation. When the brothers refused that offer, no one called them again, and the case was closed.

Philip Alston made the following observation about the Al-Ishaqi incident. "The tragedy," he said, "is that this elaborate system of communications is in place but the (U.N.) Human Rights Council does nothing to follow up when states ignore issues raised with them."

When the Office of the Commissioner of Human Rights looks the other way when crimes against humanity happen under its eyes; when the International Human Rights bodies are impotent and don't make an issue out of war crimes and grave violations of human rights, what is the reason for their existence?

Who will have the guts and the political courage to dig into all these mass killings and other war crimes committed by the American Forces when they occupied and destroyed Iraq? People of conscience need to continue the fight for accountability and justice for Iraq. It's the least they can do. It's the least WE can do.

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