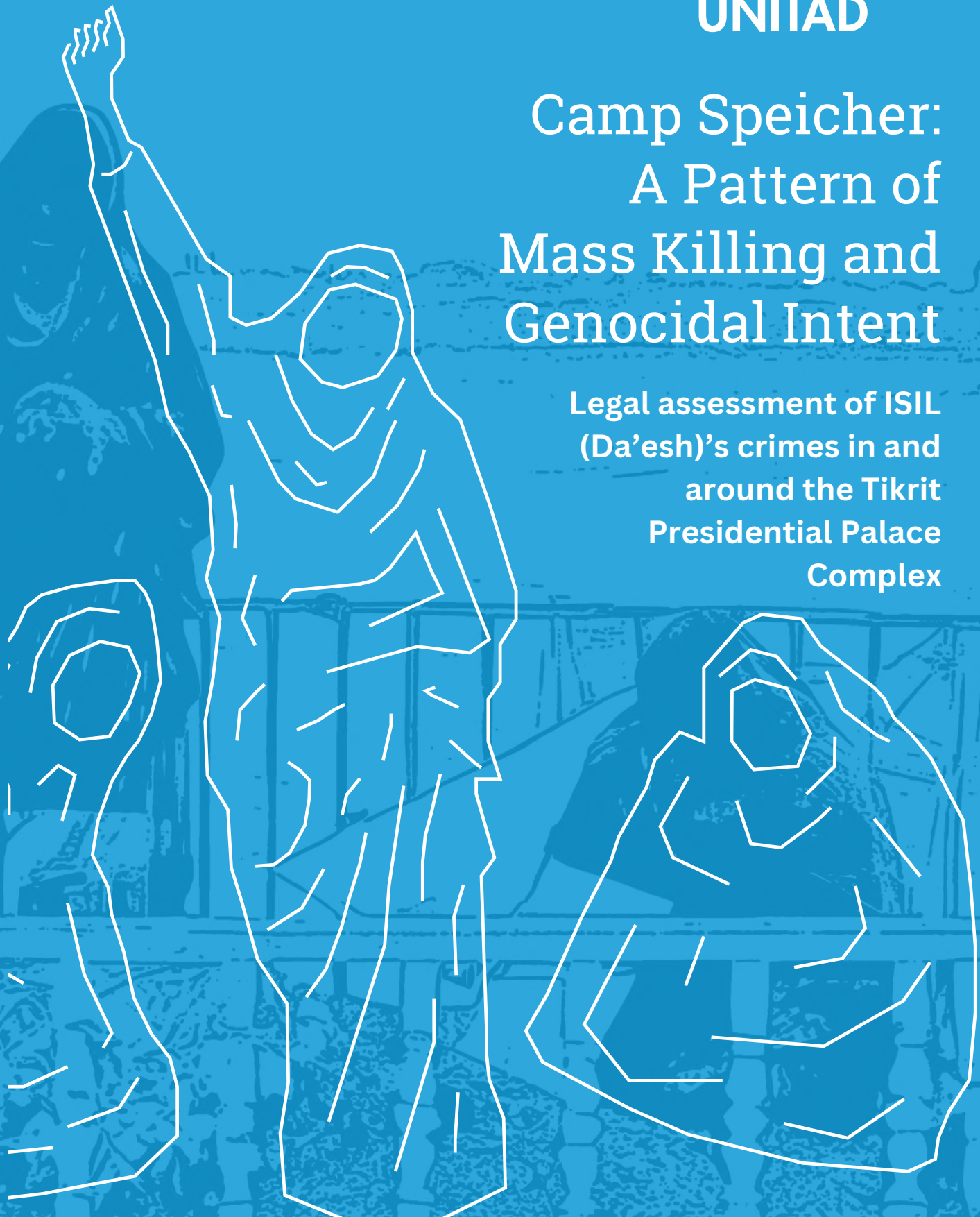




UNITAD

Camp Speicher: A Pattern of Mass Killing and Genocidal Intent

Legal assessment of ISIL
(Da'esh)'s crimes in and
around the Tikrit
Presidential Palace
Complex





United Nations Investigative Team to Promote
Accountability for Crimes Committed by Da'esh/ISIL
فريق التحقيق التابع للأمم المتحدة لتعزيز
المساءلة عن الجرائم المرتكبة من جانب داعش

June 2024

Cover photo: Illustration of the Monument of the Mothers of Speicher Victims-Tikrit for UNITAD

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The Massacre at the Tikrit Presidential Palace Complex
Against Personnel who departed from the Tikrit Air Academy

12-14 June 2014

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We dedicate this report to all the victims and their families who came forward and chose to narrate and relive horrific moments of their life to advance our investigations. We hope that these pages offer a few answers and bring some solace.

EXECUTIVE SUMMARY

1. This report presents factual and preliminary legal findings on the massacre at the Tikrit Presidential Palaces Complex in Salah al-Din province, where some 1700 soldiers, cadets and volunteers, escaping from the Tikrit Air Academy, were killed between 12 and at least 14 June 2014. The report concludes that there are reasonable grounds to believe that the killing operation at the Presidential Palace Complex was undertaken with genocidal intent in the context of an ISIL genocidal policy against Shi'as in Iraq. It also finds that there are reasonable grounds to believe that the same acts amount to crimes against humanity and war crimes.

2. The main factual findings of the report are as follows. The foundations for ISIL were laid in the early 2000s, with the creation of the Jama'at al-Tawhid wa'al-Jihad, renamed later as al-Qaeda in Iraq, and then Islamic State in Iraq. The ideology of al-Qaeda in Iraq departed from the parent organization's prioritization of the "far enemy" (Israel and the US) and focused on the "near enemy", primarily Shi'a Muslims. This focus was maintained throughout the years and served as basis for ISIL's genocidal policy against the Shi'a.

3. Whilst the Islamic State in Iraq experienced a decline in 2010-2011, by early 2012 it was revived under the leadership of Abu Bakr al-Baghdadi, significantly increasing its attacks against governmental and Shi'a targets. During 2012-2013, the group consolidated control over ungoverned areas of Iraq, orchestrated a series of major vehicle-borne improvised explosive device attacks and replenished its ranks through eight prison breaks with hundreds of members. Renamed as the Islamic State of Iraq and Levant in the spring of 2013, the organization gradually exploited sentiments of political and economic marginalization within the Sunni community.

4. Whilst many Sunnis, including those protesting against marginalization, were opposed to violence, some of the protester groups were infiltrated by ISIL, and other groups ended up tolerating or cooperating with ISIL, even though they did not share the organization's views. Public opinion often conflated "tribal revolutionaries" with ISIL or other groups, and ISIL used this, branding itself as "the rebels of Arab tribes".

5. In Tikrit, ISIL's attacks aimed to weaken governmental control, destabilize the city and surrounding areas and strengthen the group's presence. Government personnel and those perceived as opposing ISIL were often attacked with improvised explosive devices and other weapons. In late 2013, these attacks increased in frequency and gravity with house detonations and roadside explosions becoming common occurrences. While there was some sectarian violence prior to 2014, Shi'as were not especially targeted before the buildup of ISIL in Tikrit. In 2013 and the beginning of 2014, however, attacks against Shi'as and Shi'a holy sites increased in Tikrit and neighboring areas. As a result, most Shi'as left, as they were certain that ISIL "would invent a new way of killing [them]".

6. On 10 June 2014, Mosul fell to ISIL. In anticipation of ISIL's advance into Tikrit, local authorities took measures to defend Tikrit. Despite these measures and due to the absence of comprehensive, strategic instructions from the central government, a unified position could not be established, and the province's security system ultimately collapsed. On 11 June 2014, ISIL entered Tikrit, quickly defeating the few remaining security personnel who put up resistance. ISIL fighters released prisoners from Tasfirat and other prisons, ransacked other governmental and civilian buildings in the city, and entered the Presidential Palace Complex, making it its headquarters. Hundreds of police and security officers were apprehended, mistreated and/or killed in Tikrit and surrounding areas that day. At that time, some Tikrit residents welcomed the arrival of ISIL. They saw them as "tribal revolutionaries" who "were going to restore security and meet the demands of people". However, after the residents of Tikrit experienced ISIL's extremist ideologies and violent crimes, support for ISIL disappeared in Tikrit. The aforementioned crimes warrant a separate investigative report on atrocities committed by ISIL during their control of Tikrit, al-Alam and surrounding areas.

7. Before 10 June 2014, several military units were stationed in the Tikrit Air Academy, including units of the 4th Division, Air Force personnel, Counterterrorism forces and the Oil Protection forces. On the evening of 11 June 2014, the forces from the Salah al-Din Operations Command (including 1300 cadets and volunteers in training) also moved to the Tikrit Air Academy. Reports of Mosul's fall and rumors of ISIL fighters advancing towards Tikrit spread chaos throughout the camp. Whilst there is no evidence of any official order for the units to leave the base, it is apparent that senior and lower-ranking officers left their posts and informally advised those in the base to take a fifteen-day leave, change to civilian clothes and leave the base.

8. As a result, on 10-11 June 2014, small groups of men left the base. Those who left on or before 10 June likely returned home safely. However, many who left on 11 June disappeared or were killed. There is insufficient evidence at this juncture about what exactly happened to each of the groups or individuals who left the camp that day. The evidentiary link between the killing or disappearance of these men and ISIL cannot be clearly established at this time. More information is needed to piece together the fate of these persons.

9. On 12 June 2014, the mass exodus from the Tikrit Air Academy began. Whilst the exact number cannot be firmly established at this juncture, it is safe to infer that more than 2500 men left the base that day. The majority, around 1700 captives, ended up in the Presidential Palace Complex and was executed. This was clearly an ISIL operation: it was organized, executed and claimed by ISIL. The Presidential Palace Complex was not, however, the only destination for the captives. Possibly hundreds of other soldiers and cadets ended up in other locations and were never heard from again. It is not known at this point whether these escapees ended up in ISIL's or other hands. There is, however, no evidence that local governmental or security authorities in Tikrit were involved in any of these incidents.

10. The long column of men who left Tikrit Air Academy on 12 June 2014 was intercepted by ISIL at various points along the Baghdad-Mosul highway. The column then marched under the captivity of ISIL; most of those who tried to escape were killed. The column came to a halt at the Qadisiya bus station, where ISIL members took away the IDs, phones, wallets and other personal items of the captives. They were then loaded into trucks and transferred to the Presidential Palace Complex. At each stage of the operation, ISIL members made efforts to separate Sunnis from Shi'as by asking the captives what their faith was, checking their IDs, making them pray or calling their families on the appropriated phones to ask about their faith.

11. On the palace grounds, upon consulting senior ISIL leadership, the ISIL *wali* of Salah al-Din ordered that Sunnis were to be offered repentance while Shi'as were to be killed. ISIL members were deployed to four or five killing zones across the complex. Captives were assembled into groups, marshalled to the execution sites, laid or kneeled on the ground and shot at close range. Bodies were either buried into mass graves in the complex or thrown into the river. Bodies of executed victims that were thrown into the Tigris floated down the river for days afterwards. The exhumed remains of buried victims show that those executed were all male, young (with 97% being 35 or younger) and predominantly in civilian clothing.

12. The killing operation lasted for at least three days with the active involvement of an estimated 100-150 ISIL members. The perpetrators included ISIL fighters from the groups that first entered Tikrit on 11 June, prisoners released by ISIL from Tasfirat and other prisons and local sleeper-cell ISIL members. The killing operation was filmed by ISIL and at least two videos were released later, depicting graphic scenes of mistreatment and execution. One of such videos, entitled "Kill Them Wherever You Find Them", is clearly disseminating ISIL's genocidal policy against the Shi'a.

13. From about 10 June and for three or four days afterwards, many residents from Tikrit, al-Alam and surrounding areas rescued hundreds of soldiers and cadets who were trying to escape from ISIL.

14. The main preliminary legal findings are as follows. From 2004 until at least 2016 (the endpoint of this analysis), ISIL and its predecessors maintained a consistent and uniform genocidal policy against Shi'as of Iraq, as a group, mainly by targeting and killing adult male members of that group. The genocidal policy was built on the following reasoning: Shi'as were seen as a group of faith rejectors (*rafidha* or *rawafidh*) and apostates, who were constantly scheming and conspiring to overpower and kill the Sunnis, destroy Islam and spread conflict and division among the Muslims. They were perceived as the "real danger", the "insurmountable obstacle", the "black crawling". In ISIL's view, there was no option for peace and co-existence in face of such a danger. The only solution was a holy war between faith and unbelief, in which ISIL was to "cut off the head of the *rafidhi* snake", "strike them on the neck", "hit them", "until no *rawafidh* walked on the face of the earth".

15. Based on their statements, acts and conduct, it can be inferred that many of the ISIL members participating in the killing operation at the Presidential Palace Complex were aware of ISIL's genocidal policy and shared the intent to destroy Shi'as of Iraq as a group, by targeting all Shi'a adult males. Their statements made simultaneously and in conjunction with their acts show that they viewed the execution of Shi'a captives at the palace grounds as but one instance of the intended destruction of all the *rawafidh*.

16. In conclusion, there are reasonable grounds to believe that the killing operation at the Presidential Palace Complex may amount to several international crimes, notably genocide, crimes against humanity and war crimes. In particular, there are reasonable grounds to believe that:

- ISIL maintained a genocidal policy against Shi'as of Iraq, mainly by targeting and killing adult male members of that group, and ISIL members participating in the killing operation at Tikrit's Presidential Palace Complex possessed genocidal intent in relation to some 1700 adult Shi'a males executed between 12 and at least 14 June 2014;
- Direct and public incitement to genocide was committed through the filming, editing, publication and dissemination of ISIL video "Kill Them Wherever You Find Them";
- Imprisonment, other inhumane acts, torture, murder, extermination and persecution as crimes against humanity were committed against the captives executed at the Presidential Palace Complex between 12 and at least 14 June 2014;
- Arbitrary detention, cruel treatment, torture and murder as war crimes were committed against the captives executed at the Presidential Palace Complex between 12 and at least 14 June 2014.

17. In order to reach a finding that there are reasonable grounds to believe that the killing operation at the Presidential Palace Complex may amount to genocide, other instances of ISIL killings of adult Shi'a males, within the territory controlled by ISIL, must be corroborated and examined together.

18. The massacre of the soldiers, cadets and volunteers leaving Tikrit Air Academy had a grave and long-lasting impact on their families and the wider community. Their loss, trauma and the resulting harm continue to pervade on a deep individual, intergenerational and collective level. These families assert that finding the truth behind what happened to their loved ones, shedding light on the wrongdoings committed, receiving reparations and achieving recognition for their difficult situation would help them find closure.

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PART I

SCOPE AND METHODOLOGY

1. This report presents factual and preliminary legal findings on the massacre at the Tikrit Presidential Palaces Complex in Salah al-Din province, where some 1700 soldiers, cadets and volunteers, escaping from the Tikrit Air Academy, were killed between 12 and at least 14 June 2014.

2. The findings in this report are made in accordance with the “reasonable grounds to believe” evidentiary threshold. This standard does not apply to every piecemeal assertion contained in this report. Rather, it only applies to the ultimate findings as to the crimes committed and to the individual criminal responsibility of suspected perpetrators of those crimes.

3. The findings are based on evidence collected so far by UNITAD and its counterparts, notably: testimonial evidence (including survivor, eyewitness, expert, overview and perpetrator evidence); audio-visual evidence collected mostly from online open sources; forensic evidence and analysis; documentary evidence; and other open-source information. Factual assessments regarding the historical and political background substantially rely on online open-source information. Factual findings regarding crimes and perpetrators rely on a combination of testimonial, audio-visual, forensic and documentary evidence. To the extent possible, such findings rely on corroborated evidence. Where this was unfeasible, findings are made in the conditional (“may have”).

PART II

HISTORICAL BACKGROUND AND POLITICAL CONTEXT

1. ISIL in Iraq

1.1 Emergence and purpose

4. The Islamic State in Iraq and the Levant (ISIL) is a terrorist organization with worldwide reach.[1]

5. The foundations of ISIL were laid in the early 2000s, when Abu Musab al-Zarqawi established the *Jama'at al-Tawhid wa'al-Jihad* (Jama'), which became a major participant in the Iraqi insurgency against the US occupation. In 2004, after pledging allegiance to Osama bin Laden, the Jama' changed its name to al-Qaeda in Iraq (AQI). Despite the new name, al-Zarqawi departed from al-Qaeda's prioritization of the *far enemy* (Israel and the US) and focused on the *near enemy*. He believed Shi'a Muslims, notably the Twelver Imami Shi'a, derogatorily referred to as Rafidites (either *Rafidha* or *Rawafidh* in Arabic), should become the main target of the operations launched by an al-Qaeda branch in Iraq.

6. After US forces killed al-Zarqawi in 2006, Abu Hamza al-Muhajir and other AQI associates formed the Islamic State of Iraq (ISI) under the leadership of Abu Omar al-Baghdadi. Due to significant losses inflicted by Coalition forces, Iraqi Security Forces (ISF) and local militant groups, including those known as *Sahwa*, ISI declined in strength and influence. In April 2010, al-Muhajir and al-Baghdadi were killed as a result of a US-Iraqi joint operation in Tikrit. In May 2010, Abu Bakr al-Baghdadi became the new leader of ISI. By 2011, ISI was weakened, isolated and no longer posed an existential threat to the Iraqi state. However, starting with early 2012, ISI began to reemerge. This revival was assisted by many factors, including: the withdrawal of US troops from Iraq in December 2011, the escalation and radicalization of the Syrian conflict and the appointment of radicalized military, security and intelligence officers from Saddam Hussein's regime to high-ranking ISI positions. However, starting with early 2012, ISI began to reemerge. This revival was assisted by many factors, including: the withdrawal of US troops from Iraq in December 2011, the escalation and radicalization of the Syrian conflict and the appointment of radicalized military, security and intelligence officers from Saddam Hussein's regime to high-ranking ISI positions.

1.2 Revival, Strategy and Operations

7. January 2012 saw multiple strikes upon Shi'a civilian targets either on holy sites (such as Karbala) or during Shi'a religious holidays. In February 2012, in a speech vilifying Shi'a Islam and the Iraqi government, ISI spokesperson Abu Mohammad al-Adnani announced a campaign against Shi'a and military targets. As a result, attacks against ISF positions increased in the spring of 2012. A massive attack in early June 2012 targeted the Shi'a Endowment Office in Bab al-Muadham in Baghdad and resulted in 215 casualties (26 killed and 190 wounded). In July 2012, Abu Bakr al-Baghdadi announced the launch of the *Breaking the Walls* campaign, aimed at destabilizing the Iraqi government and freeing imprisoned ISI members. The campaign lasted until July 2013. It consisted of a series of major vehicle-borne improvised explosive device (VBIED) attacks against government targets and Shi'a civilians, as well as eight prison breaks. These events showcased not only the technical and operational capacity of ISI, but also its organizational growth and leadership capacity.

1. See for example: UN Security Council Resolutions [S/RES/2170](#) (2014), [S/RES/2253](#) (2015) and [S/RES/2367](#) (2017).

During this time, ISI proved that it could coordinate regular and synchronized VBIED and other attacks in distinct locations by different cells. The eight prison breaks, especially the attacks against the Tikrit prison in September 2012 and the Abu Ghraib prison in July 2013, replenished ISI ranks with hundreds of members, including senior- and mid-level, highly skilled operatives.

8. ISI’s comeback was remarkable given the limited military and training capacities, declined popular support, lack of supportive geography (mountains, valleys or jungles for hideouts) and other weaknesses that it suffered from a few years before. During 2011-2013, ISI also consolidated its presence in ungoverned areas of Iraq, where a security vacuum existed, such as the northern part of Diyala province, the Thar Thar desert area northwest of Baghdad, the Jazirat desert west of Tikrit, the triangle spanning northern Salah al-Din, southern Nineveh and western Kirkuk and the al-Jallam area southeast of Tikrit and northeast of Samarra.

9. Some of these areas had been previously used by AQI as safe havens, others were newly taken by ISI. For instance, when, in the spring of 2012, ISI appointed an *emir* (head) for the al-Jallam area of Salah al-Din in an effort to establish control over that zone, it encountered no resistance from the local population and no confrontation from security forces. At that time, there were no more than 3-4 ISI members in the area; gradually, however, their numbers increased under the new management. The *wali* (governor) of Salah al-Din – who was based from at least early 2012 in another of the ungoverned territories, the Jazirat desert – would come by regularly to oversee the buildup. This also showed that units in these territories were not operating independently; a well-defined structure of senior- and mid-level leadership within each *wilaya* level was put in place. In particular, as in other *wilayas*, ISI activities and operations in Salah al-Din were coordinated through *mafsals* (departments), headed by *emirs* (heads). Distinct departments dealt with matters of security, military, administration, media, economy and Shari’a, among others. The *wali* and the majority of the *emirs* of these departments were highly skilled, battle-hardened ex-prisoners who spent time together in Bucca, Abu Ghraib and other prisons under US and/or Iraqi authority. Most of them were not from Salah al-Din; they were in fact from Baghdad, Mosul, Sulaymaniyah as well as Anbar province (see Figure 1). Other, lower-ranking ISI members came from Mosul and other locations in Nineveh province, Kirkuk countryside, Samarra, Diyala as well as Tikrit, Baiji and surrounding areas.

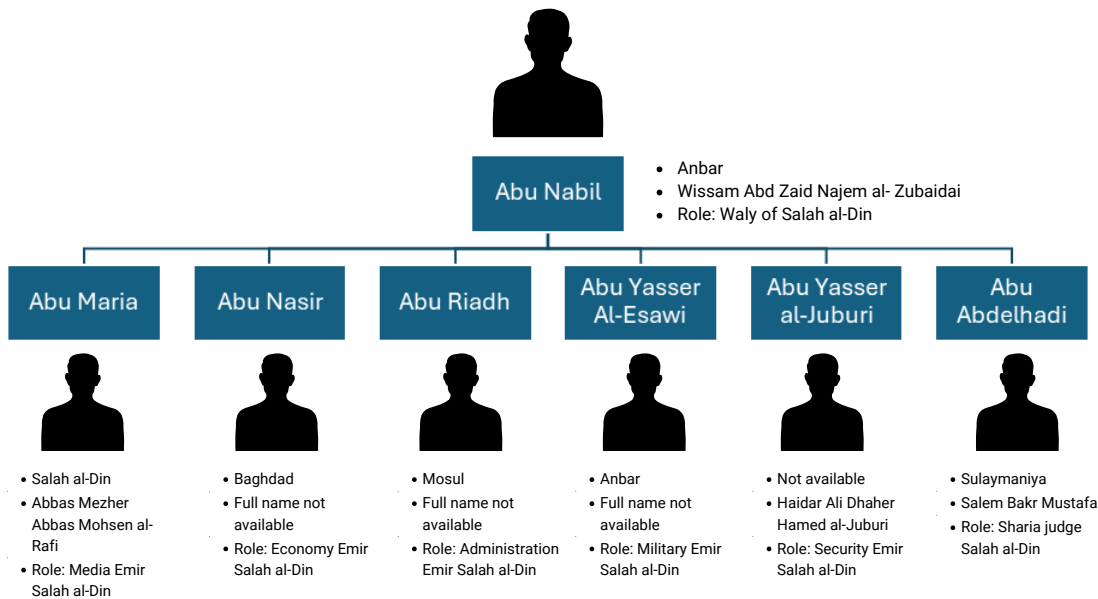


Figure 1 ISIL main functions in Salah al-Din (Sep 2013 - Oct 2014)

10. As said above, during 2012-2013, ISI operations mainly concentrated on attacks against governmental and Shi’a targets. In Salah al-Din, the aim of these attacks was to weaken governmental control by creating distrust in security organs and their capacity to protect, to destabilize Tikrit and the surrounding areas and to strengthen the group’s presence and operational capability in the province.

In 2012, attacks in Tikrit and other Salah al-Din areas took the form of improvised explosive device (IEDs), sticky bomb and silencer gun attacks against government personnel as well as kidnappings of financial targets for ransom. ISI members worked in small detachments comprising around two vehicles and four-five people; they communicated with each other through mobile phones and mid-range radios. They also intercepted the radio communications of Iraqi forces and used such intel to prepare attacks.

11. In April 2013, Abu Bakr al-Baghdadi announced the extension of ISI into Syria and changed the group's name to the Islamic State of Iraq and al-Sham/Levant (ISIL). After the effective conclusion of the *Breaking the Walls* campaign in July 2013, the violence reached levels that Iraq had not seen since 2008. This was also mirrored in Salah al-Din, where, from the second half of 2013, ISIL attacks increased in number and gravity. Burning or detonations of houses and roadside explosions were frequent. ISIL members targeted government checkpoints or convoys and killed the personnel. Cars and weaponry were appropriated. Targeted assassinations against police or security officers seen as opposing the Islamic State or against others seen as affiliated with the government or with Iran also increased. In carrying out these attacks, ISIL used IEDs, VBIEDs, suicide bombers, explosive ordinances and silencer weapons. By the end of 2013 and beginning of 2014, the number of active ISIL members swelled up; in Salah al-Din, several ISIL units were carrying out subversive operations, under the command of the security *emir*, who reported to the *wali* of the province. Known colloquially as *sleeper cells* these units were in fact quite active, but their operations were covert at the time. There were approximately 150 or less ISIL members in the area covering al-Jallam, Samarra, Jazirat Samarra, Tikrit, Jazirat Tikrit, al-Siniya, Jazirat al-Siniya and Baiji.

12. The increase in numbers was partly achieved from the *Breaking the Walls* prison breaks. Another factor that played a role in the bolstering of numbers was ISIL's exploitation of Sunni protests in 2012-2013.

1.3 Exploitation of Sunni protests

13. Iraqi Sunni grievances against what they saw as political and economic marginalization in their own country began long before, with the de-Baathification policies of the Coalition Provisional Authority. The de-Baathification law was abrogated in January 2008 and replaced by the Justice and Accountability Law, which, however, raised similar concerns of disenfranchisement for the Sunni community. In the second half of 2011, ahead of the scheduled withdrawal of US forces, the government stepped up its campaign against suspected ex-Baathists, especially in Baghdad and the Salah al-Din governorate. In October 2011, in a matter of hours, hundreds of people were arrested, and many by special forces, during the night, on charges of attempting to overthrow the government and/or terrorist activities. Simultaneously, the Ministry of Higher Education and Scientific Research announced the removal of more than 100 academics and staff from Tikrit University on suspicion of ties to the Baath party. As a result of these and other actions, in late October 2011, the Salah al-Din Provincial Council declared Salah al-Din as an independent administrative region.

14. The situation took a turn for the worse in December 2012, when security forces stormed the residence of Finance Minister Rafea al-Issawi, a Sunni, arresting several of his security guards and staff members on charges of partaking in terrorist attacks. As a result, protests broke out in Fallujah, the hometown of al-Issawi, and in Ramadi, the capital of Anbar province. Within days, the protests spread to the provinces of Nineveh, Salah al-Din, Kirkuk and Diyala, as well as to the Sunni neighborhoods of Baghdad. The protesters put forward a list of thirteen demands, which reflected their concern that the government was not acting in line with their interests and discriminated against the employees of the former regime and especially against Sunnis.

15. Tribal leaders, clerics, political party representatives and affiliated organizations, disaffected de-Baathified personnel and former anti-US insurgents joined the protests.

Tribal leaders and clerics in Nineveh and Anbar initiated so-called *Friday sit-ins* and *unified Friday prayers*, which became an opportunity for protesters to voice their grievances and demands. These sit-ins and prayers spread to other provinces as well. In Tikrit, unified Friday prayers began to be held in early 2013, at the Great Mosque and at al-Arba'een Shrine. Preachings held at the Great Mosque advocated for violent protests; those at al-Arba'een Shrine were perceived by locals as more moderate. Most Tikrit residents attended at one or the other location.

16. The initially peaceful protests took a violent turn in the first months of 2013. In April 2013, an Iraqi soldier was killed by armed protesters at a checkpoint near the protest camp of Hawija in Kirkuk. The camp housed hundreds of protesters as well as members of the neo-Ba'athist armed group Jaysh Rijal al-Tariqa al-Naqshabandi (JRTN). When the protesters refused to hand over the suspects, government troops raided the camp, killed several dozen protesters and insurgents and wounded over 100 others.

17. This incident led to a sharp increase in violent clashes; both sides radicalized, empowering the more extreme elements among demonstrators. Sunni tribesmen mobilized in Anbar province and elsewhere for what they called a holy war in self-defence. The mobilization of tribal groups, known under the umbrella term of “(tribal) revolutionaries”,^[2] was not an ISIL initiative. The JRTN, tribal military councils and other insurgent opposition groups active at the time were separate organizations, not to be conflated with ISIL. Moreover, many Sunnis, including those protesting against the government, rejected the resort to violence and remained firmly opposed to groups such as ISIL or JRTN.

18. However, the mobilization of “(tribal) revolutionaries” presented a golden opportunity for ISIL. First, ISIL was able to infiltrate some of these groups by exploiting the rifts between tribal chiefs and younger or more secular protest leaders as well as the general sense of exclusion of many marginalized individuals. Second, because ISIL was better equipped militarily than other armed factions and had more experienced commanders, opposition groups tolerated or cooperated with ISIL, even though they did not share ISIL's views on religion or plans for Iraq. Third, the complex quagmire of active armed opposition groups made it even more difficult to attribute attacks against governmental or Shi'a targets to ISIL or others, and public opinion often conflated “tribal revolutionaries” with ISIL or other groups. In fact, ISIL itself claimed to embody “the rebels of Arab tribes”^[3].

19. Between 30 December 2013 and 4 January 2014, ISIL, together with other armed groups, took control of the cities of Ramadi and Fallujah, in Anbar province. From March 2014 onwards, the security situation deteriorated further with ISIL expanding the territory of its attacks. Iraqi security forces were concentrated in and around urban centers leaving the rural areas without much security. An increasing number of terrorist attacks, the strategic takeover of urban centers and the aforementioned political demonstrations and sit-ins made the population as well as the security structure vulnerable to the maneuvers of ISIL. The media may have also inflamed these tensions. In June 2014, the security situation dramatically worsened with ISIL taking control of strategic cities, including Samarra, Mosul and Tikrit, and infrastructure in Iraq's north-western and north-central governorates.

2. Institute for the Study of War, '[Al-Qaeda in Iraq Resurgent: The Breaking The Walls Campaign, Part 1](#)', Middle East Security Report 14 (September 2013), p. 9; Institute for the Study of War, '[Beyond the Islamic State: Iraq's Sunni Insurgency](#)', Middle East Security Report 24 (October 2014), pp. 13-16.).

3. UNITAD, Confidential testimonial evidence.

2. The Fall of Tikrit

2.1 Tikrit – location and demographics

20. Tikrit is located in the governorate of Salah al-Din, in central Iraq, north of Baghdad. In the 2017 census, the population of Salah al-Din was estimated at 1,595,235. In 2014, there were eight districts in Salah al-Din, namely Samarra, Tikrit, Balad, Baiji, Shirqat, al-Dour, al-Fares and Tuz Khurmatu. At that time, the population of the district of Tikrit was estimated at 236,300; the population of the city of Tikrit (Tikrit Center) was approximately 179,500.

21. Historically, the majority of the population of Tikrit city was Sunni, but prior to 2014 around thirty to fifty households were Shi'a, and one family was Christian. During Saddam Hussein's regime, most Shi'a resided in residential complexes constructed in the 1970s-1980s. When the families expanded, however, some moved to other places in Tikrit city, such as Saddam Street and a complex of old houses near the Electrical Department. By 2014, most Shi'as lived in Tikrit city center. In addition, before 2014, many Shi'a students from south Iraq attended Tikrit University and resided in the university campus.

2.2 Tikrit – security situation

22. As said in paragraph 11, from the second half of 2013, ISIL attacks in Salah al-Din increased in number and gravity. The local *sleepers* cells^[4] increased their subversive operations with IED attacks, assassinations, detonations of houses, TV stations and government buildings. Attribution of attacks proved to be very difficult given the covert operations of ISIL units at the time. Tensions and clashes between government forces and protesters groups further worsened the already fragile security situation.

23. While there was some sectarian violence prior to 2014 carried out by terrorist organizations such as AQL, and some families, including Shi'as, left Tikrit as a result, Shi'as were not especially targeted before the buildup of ISIL in Tikrit. In 2013 and the beginning of 2014, however, some Shi'a families left Tikrit as a result of the deteriorating security situation and threats posed by ISIL. In particular, on 17 December 2013, unidentified gunmen fired on a bus carrying Turkmen Shi'a students from Tikrit University. Furthermore, news of attacks against Shi'as residing in nearby areas, such as Tuz Khurmatu, and against Shi'a places of worship made Shi'as in Tikrit fear for their lives. Before the arrival of ISIL in Tikrit, several Shi'a households left Tikrit, as they were certain that ISIL "would invent a new way of killing Shi'as".^[5]

24. To address the deteriorating security situation, in the beginning of 2014, the Salah al-Din Operations Command was created. This was subordinated to the Iraqi army and its commander was Lieutenant General Ali al-Frejji. The Operations Command Center was located in the al-Hamra area, on the right side of the Tikrit-Baiji Road (more than fifteen km from the center of Tikrit), after the intersection of the Tikrit Air Academy Road with the main Baghdad-Mosul highway, and adjacent to the borders of Baiji district.

25. The following units of the Iraqi army were assigned to the Salah al-Din Operations Command: three brigades of the 4th Division and two regiments of the 1st Brigade of the 18th Division. The headquarters of the 4th Division was located close to al-Awja in the south of Tikrit. The three brigades of the 4th Division assigned to the Salah al-Din Operations Command were: the 14th Brigade, the 48th Brigade and the 17th Brigade.

4. See paragraph 11 of this report.

5. UNITAD, Confidential testimonial evidence.

The 14th Brigade was located close to the Baiji refinery. The headquarters of the 48th Brigade was located outside the entrance of the Presidential Palace Complex (PPC). The 48th Brigade consisted of three regiments: one in al-Awja, one in al-Dour and one manning the checkpoints located along the highway and in front of the Tikrit Air Academy. The 17th Brigade was in al-Dujail. The two regiments of the 1st Brigade of the 18th Division were tasked with the protection of oil pipelines and oil installations. This is why they were colloquially known as the Oil Protection Regiment. These regiments were based in the Tikrit Air Academy.

26. The personnel of the Salah al-Din Operations Command also included approximately 1300 new volunteers, some of whom had recently started their training. Volunteers came from regions south of Iraq, such as the Nu'maniya camp in Kut and the Nasiriya region; others came from Taji camp, north of Baghdad or from Najaf and Karbala. Most of them were Shi'a Muslim and were unfamiliar with Tikrit or Salah al-Din. Police officers from the Police Academy were sent to Tikrit to train them. The training began in the spring of 2014 and the cadets were not yet allotted weapons or trained to use them.

27. The Operations Command also comprised the Police Command of Salah al-Din. The highest administrative police authority in Salah al-Din was the Chief of the Provincial Police. The head of District Police reported to him, while the heads of the police stations reported to the head of the District Police. In June 2014, Staff Major General Juma Enad was the Chief of the Provincial Police in Salah al-Din.

28. In the face of growing security concerns, Salah al-Din provincial authorities, the Operations Command, including the Police Command tried to organize a line of defense. Weekly meetings took place at the Governor's office discussing the security situation. Several measures to strengthen defense positions were in the process of being taken: trenches were dug and protective berms were built between Tikrit's al-Diom area and the Jazirat desert; CCTVs were installed in the vicinity of the berms; more watchtowers were to be built on the Baghdad-Mosul highway; more police patrols were planned in Tikrit's al-Qadisiya neighborhood and other areas of the city. Furthermore, on or about 10 June 2014, personnel of the 4th Division established a new official checkpoint between the al-Aqwas checkpoint and the Tikrit University gates (see Figure 6). At the same time, the Police Command transferred all prisoners held in the prison located within the Presidential Palace Complex to Tasfirat prison, as the latter was considered better protected. This was pursuant to the request issued by the Salah al-Din Intelligence Directorate as they had information that the prisoners might escape.

29. Forming a common, strategic position proved, however, impossible, among multiple decision-makers. More information is needed to ascertain why such efforts collapsed; it is apparent, however, that the failure to adopt a unified, strategic stance and the ensuing collapse of the security system were due to, inter alia: lack of coordination among the police and defense institutions and their field units, diffused accountability, lack of decisive leadership as well as a lack of comprehensive, strategic instructions from the central government on how to address the worsening security situation. The instructions that did come from the central government were piecemeal. Two of such instructions came on 10 June 2014. In particular, the central government ordered the Golden Division (see paragraph 51) to protect the Baiji refinery. At the same time, it ordered the transfer of Juma Enad to the Salah al-Din Operations Command Center as deputy to Ali al-Freiji. Hamed al-Names was appointed to replace Juma Enad as the Chief of the Provincial Police. However, al-Names, who had to travel from Erbil to Tikrit, could not assume his responsibilities immediately as the roads were blocked by ISIL in that period. This change of leadership at the most volatile of times accelerated the collapse of any comprehensive defense strategy against ISIL.

30. ISIL attacked Samarra on 5 June 2014. The attacks against Mosul commenced one day after and the city fell to ISIL on 10 June 2014. Around the same time, the Operations Command Center in the al-Hamra area (see paragraph 24) was attacked with mortars, from the direction of Baiji and Siniya. The forces in the base were left without support, food, or water. The attack may have continued until the evening of 11 June 2014.

31. Rumors spread about an impending ISIL attack. On 10-11 June 2014, most police and military personnel, including police patrols and checkpoint personnel, abandoned their positions. They changed to civilian clothes, loaded their weapons in their private vehicles and left the city. There were no orders to abandon positions and a small number of police personnel remained. Some units were, however, instructed to retreat to other bases, but even such retreats were not always conducted in an orderly fashion. For instance, on 10 June 2014, the Police Command informed the Oil Police that the detachments deployed along the oil pipelines may be attacked by ISIL. The headquarters of the Oil Police was in Baiji district. The Oil Police guarded, among others, the oil pipe west of Tikrit Air Academy, which transport oil from Baghdad to the Baiji refinery. The detachment was told to collect and bring their weapons and vehicles to Tikrit. Instead, they retreated leaving all equipment behind.

32. Amidst this chaos and following the advice of the Salah al-Din Provincial Council, on 10 June 2014, the staff of Tikrit University began evacuating its students. By the morning of 11 June 2014, all Shi'a students were evacuated. The students who stayed were from Anbar, Kirkuk, Salah al-Din and Kurdistan. They remained at the university, under the protection of university staff, as they were too afraid to travel on the Baghdad-Mosul highway.

33. In the morning of 11 June 2014, an explosion shook the Baghdad-Mosul highway near the Police Command in Tikrit's center. Around 10:00 hrs. on the same day, locals in the Jazirat Tikrit area, close to the Baghdad-Mosul highway and the silos of Tikrit's seed processing plant, saw a few vehicles carrying black ISIL flags and masked men preparing to head towards Tikrit. Reports of 15-20 armed vehicles advancing from Jazirat and Albu Ajil directions started pouring in. By 13:00 hrs., the Governor's office and other civilian authorities of Tikrit and Salah al-Din, including the Governor and the Provincial Council Chairman, withdrew from Tikrit to Samarra or Kirkuk. News spread that ISIL took over Baiji. The streets in Tikrit became deserted; no police, no vehicles, no civilians were to be seen.

2.3 ISIL entry into Tikrit

34. ISIL entered Tikrit in the early afternoon of 11 June 2014, around 15:00 hrs. They came in two groups: one from al-Diom / Jazirat area and another one from al-Jallam, through Albu Ajil (see Figure 2).

35. The group entering from al-Diom was led by none other than the ISIL *wali* of Salah al-Din, Abu Nabil (see paragraph 124). The group entering from Albu Ajil was led by POL_OK1, the *emir* of al-Jallam (see paragraph 126). The two groups added up to an approximate number of 145-150 fighters. Abu Nabil and POL_OK1 coordinated their movements.

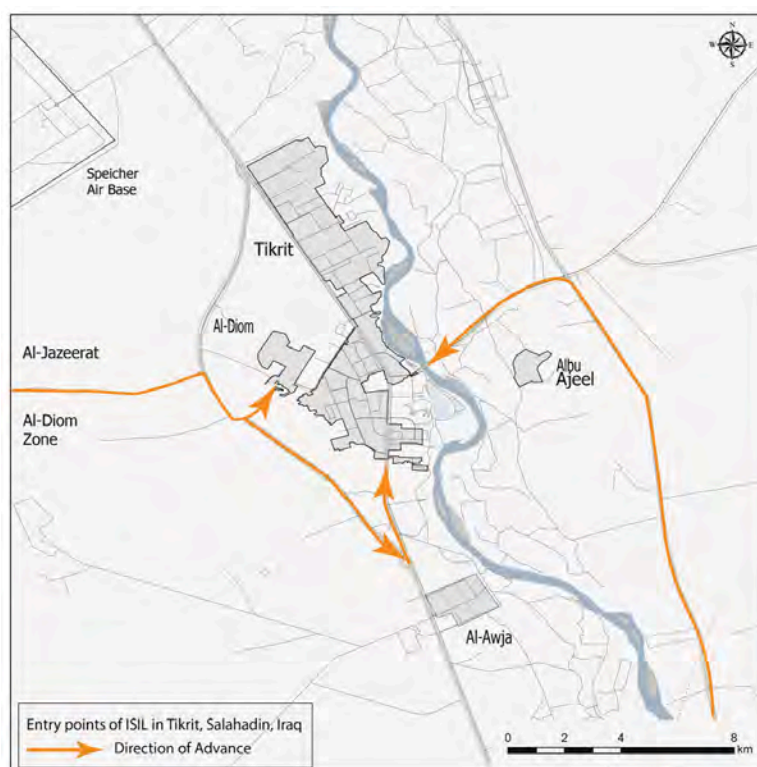


Figure 2 ISIL entry points in Tikrit

36. The group led by Abu Nabil may have used the paved road that runs next to the oil pipeline, on the west side, around seven km from Tikrit. The group took possession of the vehicles and weapons the Oil Police detachments left behind. They encountered no resistance before entering Tikrit, but their movements were intercepted by security detachments deployed in the area, who reported them to their commanders.

Upon entering Tikrit, however, Abu Nabil's group encountered resistance at the al-Diom checkpoint. A handful of Tikrit policemen exchanged fire with the entering ISIL group; they were, however, overpowered and the ISIL fighters passed through, blowing up the checkpoint. Three to five policemen may have died or were seriously injured in the process. After passing through this checkpoint, Abu Nabil's group split into sub-groups, most of which headed towards various areas of the city. One splinter subgroup headed southward and entered Tikrit from al-Awja side. A video filmed on 11 June 2014 at around 15:00-15:30 hrs. shows one of these sub-groups entering al-Zuhor street, with several vehicles, including one Humvee, hoisting a machine gun. Gunshots are heard; the person behind the camera states "Iraqi biggest revolution, Tikrit now"; a small number of locals are seen and heard cheering and shouting "Allahu Akbar"; the street is otherwise empty. A resident of the area saw about seventeen or eighteen ISIL vehicles passing through al-Zuhor that day.



Figure 3 Screenshot and location of Abu Nabil's sub-group entering al-Zuhor

37. The group led by POI_OK1 entered the city on foot. From Albu Ajil, they walked, scouting the area, with their vehicles following behind. After passing the al-Alam roundabout and before reaching the bridge, the group clashed with personnel manning the watchtowers on that road. At the al-Alam bridge checkpoint, the group encountered one military vehicle, but as soon as it opened fire, the vehicle left. On their way into Tikrit, the group saw civilians leaving the area. While they knew that security forces may be hiding among the fleeing civilians, the group chose not to apprehend them at that time. After crossing the bridge, the group headed towards the Police Command, located in Tikrit city center, on the right side of the bridge. When they arrived, they found the building empty. Thereafter, POI_OK1 divided his group and deployed them to al-Zuhor street areas on the west and al-Basha street areas on the east.

38. ISIL subgroups spread throughout the city center, including the "Saddam Hospital" (Salah al-Din Health Department), al-Basha and al-Zuhor streets. A group of ISIL members raided the Tikrit center police station and freed the detainees held there. One or more of subgroups also headed to the al-Qadisiya area. Members of Tikrit *sleeper cells* openly joined the entering subgroups. One prominent member of such cells was POI_NM1, an ISIL security official from Tikrit (see paragraph 127).

39. A subgroup headed by Abu Nabil went to Tasfirat prison. Prisoners knew that ISIL was approaching as some inmates had prior contact with persons outside. By the time Abu Nabil arrived, the guards abandoned the prison. ISIL fighters broke the prison gates open, collected firearms and ammunition, and released the prisoners. ISIL members then burnt down the records, files and the building of the prison. On the same day, with the help of freshly freed prisoners, ISIL attacked and ransacked government buildings, such as the governor's and the mayor's offices, and the old courthouse in Tikrit. Tikrit General Hospital was also taken over by ISIL.

40. In the afternoon of 11 June 2014, personnel of the Salah al-Din Regiments Directorate clashed with ISIL fighters at the roundabout close to the Salah al-Din governorate building; the policemen put up a heavy resistance against ISIL fighters. Despite sustaining severe injuries, they fought on, killing or wounding several ISIL members, and managed to retreat towards the 4th Division's headquarters in al-Awja. Several policemen were killed or wounded in the process. A video filmed in the aftermath of the clash, between 17:30 and 18:15 hrs., shows abandoned military vehicles and bodies lying on the ground near the roundabout.

41. Throughout the day, ISIL fighters killed or apprehended hundreds of police, intelligence and military personnel who were still in the area. ISIL members went to the residence of senior police or security officers, tribal sheikhs and others, searching the house and asking for the whereabouts of these persons. Vehicles of the killed or apprehended personnel were appropriated by ISIL.

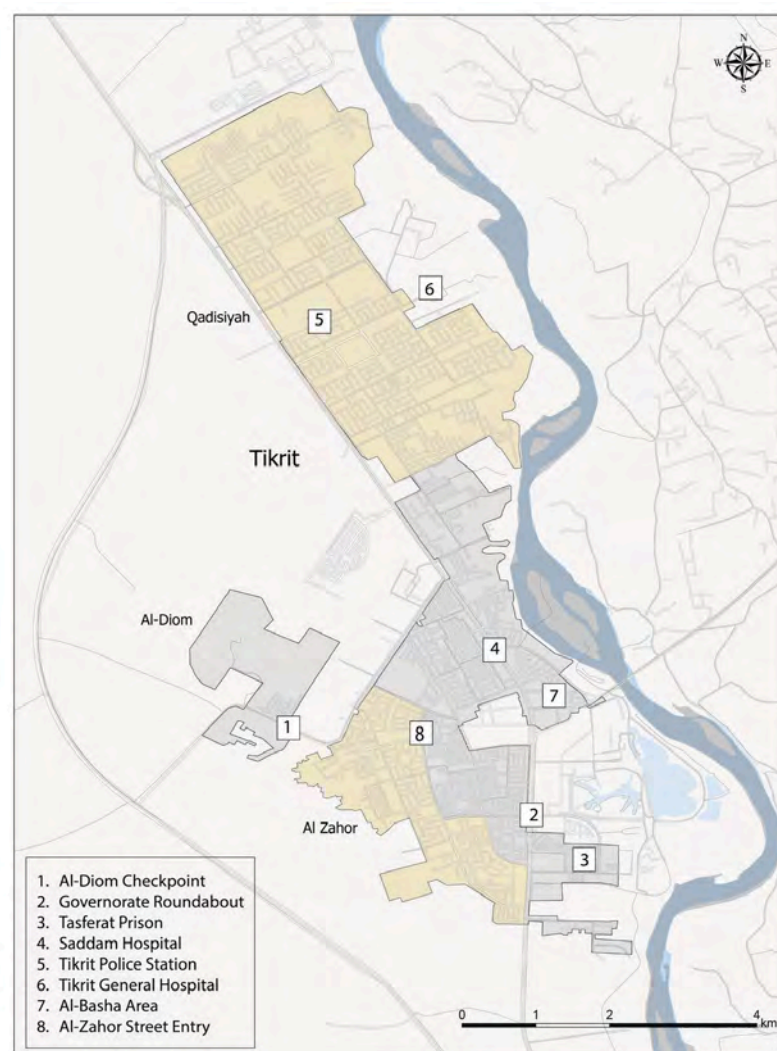


Figure 4 Relevant landmarks in Tikrit

2.4 ISIL takeover of Tikrit

42. Ultimately, the small pockets of security personnel left in the city could not overcome ISIL. Starting with 15:00 hrs., ISIL began setting up checkpoints around the city. Around the same time, a scout group of ISIL fighters headed by Abu Nabil went to the Presidential Palace Complex. Other ISIL groups were told to wait outside, on the al-Alam bridge. The scout group found detainees in the unguarded Crimes Directorate detention center whom they released; otherwise, the complex was deserted. Contrary to some reports, there were no civilian or government officials or staff in the buildings who watched passively the events of those days.

43. Once the place was secured, around 17:00-18:00 hrs., other ISIL groups were instructed by Abu Nabil to enter the Presidential Palace Complex. They entered bringing with themselves dozens of Tikrit policemen, personnel of the Facility Protection Service, colonels and other military personnel, local officials and foreign workers who were apprehended earlier in the day. These detainees were put in the same Crimes Directorate detention center from which others were released earlier. The detention center was in the northern side of the complex. That night, detainees were taken to a palace near the detention center, where they were interrogated and beaten; they were also asked to recite the al-Fātiḥah from the Qur'an. In the early morning hours, they were interrogated and beaten again. Detainees were held under the same conditions for one to five days; some were released, others were executed.

44. On the same evening, 11 June 2014, prisoners freed from the Tasfirat, police stations and Crimes Directorate prisons went to the Presidential Palace Complex and took the pledge of loyalty (ba'ya) before Abu Nabil. Similar pledges of allegiance by freed prisoners may have taken place in al-Qadisiya in the presence of ISIL Shari'a judge Abu Abdelhadi, and at other mosques in Tikrit. Following the pledge, ex-prisoners were promised weapons and were asked to stay in Tikrit in order to accomplish some missions. The next day, ex-prisoners and other ISIL members were divided into groups of seven to ten people and deployed in Tikrit with weapons and vehicles. The Presidential Palace Complex became the headquarters of ISIL in Tikrit; the *Wali*, Abu Nabil, made the Lake Palace, one of the palaces in the southern part of the complex, his office.

45. By evening of 11 June 2014, ISIL had at least five checkpoints set up in the city, and ISIL vehicles were roaming the streets. An announcement through a mosque's loudspeaker informed residents that ISIL had taken over Tikrit.

46. After the evening prayer, concerned about the killings and abductions, some Tikrit residents agreed to meet the next day to discuss how to protect those working in the police and military. Next day, on 12 June 2014, ISIL announced in a mosque and another public gathering that Abu Bakr al-Baghdadi had initiated a general amnesty "only to the Sunni apostates"[6], except for SWAT forces, provided they offer their repentance. This addressed the initial concerns of Tikrit residents.

47. At that time, some residents welcomed the arrival of ISIL. They saw them as "tribal revolutionaries",[7] who were going to restore security and meet the demands of people. ISIL members themselves claimed to be "the rebels of Arab tribes".[8] However, after the residents of Tikrit experienced ISIL's extremist ideologies and violent crimes (such as executions, beatings, lashing, arbitrary detention, destruction of houses, government buildings and religious sites), support for ISIL disappeared in Tikrit. The aforementioned crimes warrant a separate investigative report on atrocities committed by ISIL during their control of Tikrit, al-Alam and surrounding areas.

6. UNITAD, Confidential testimonial evidence.

7. UNITAD, Confidential testimonial evidence.

8. UNITAD, Confidential testimonial evidence.

PART III

THE “SPEICHER MASSACRE”

3. Tikrit Air Academy

48. The Tikrit Air Academy, known as Camp Speicher, is located north of Tikrit, around eleven km west of Tigris River and 170 km north of Baghdad. It is currently named Majed al-Tamimi Airbase. During Saddam Hussein’s regime, it was known as al-Sahra airfield and served as an Air Force training college. In 2003, the airbase was captured by the US and subsequently used for stationing American forces. The base was renamed as Forward Operating Base (FOB) Speicher and then Contingency Operating Base (COB) Speicher, colloquially “Camp Speicher”. At its peak, COB Speicher was the largest American base in northern Iraq, housing as much as 20,000 soldiers and contractors. COB Speicher was gradually handed over to the Iraqi authorities in 2011, within the broader context of the US military withdrawal from Iraq. The camp features sixteen towers, two main runways for take-off and landing of military aircrafts as well as several secondary runways for training. The base extends seven km on each side, amounting to a total area of around 49 square km. It has one main gate as well as four internal closed gates, remaining from the time of the Americans. The Tikrit Air Academy remains today one of the biggest and most fortified military- and airbases in Iraq.

3.1 Presence and movement of units

49. It remains difficult to piece together the exact units and their numbers present at the Tikrit Air Academy in the days preceding the massacre. This is due to several factors, such as the arrival of military units coinciding with the departure of others and the prevailing sense of panic and chaos (see paragraphs 51-56). More evidence is needed to verify the presence of units and personnel, taking into consideration alleged cases of “ghost soldiers” – who joined only on paper, for their salaries to be paid to other personnel.

50. Before 10 June 2014, at least the following units were stationed in the Tikrit Air Academy: (a) the 4th Battalion of the 16th Brigade of the 4th Division and the Commando HQ of the 4th Division; (b) the Air Force Command headquarters and Air Force College personnel; (c) Counter-Terrorism forces belonging to the so-called Golden Division; and (d) two regiments of the 1st Brigade of the 18th Division of the Iraqi army, and the HQ Command of the 18th Division.

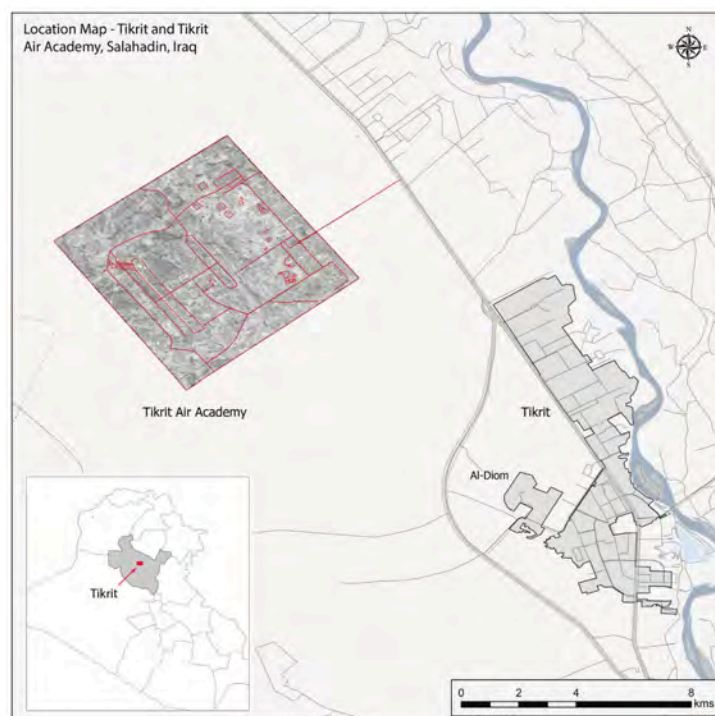


Figure 5 Tikrit Air Academy

51. The 4th Battalion of the 16th Brigade of the 4th Division was an infantry unit belonging to the Iraqi army and its main responsibility was the protection of the base from all directions, including the camp's watchtowers. The Air Force Command and the Air Force College reported directly to the Iraqi air force. Before 10 June 2014, approximately 1365 air force personnel were present at the base. The Counter-Terrorism Regiment, belonging to the so-called Golden Division, was an elite force under the authority of the Iraqi Counter-Terrorism Service (ICTS), which reported directly to the Prime Minister. The Counter-Terrorism Regiment stationed at the airbase in June 2014 was responsible for controlling and protecting the base. As said in paragraph 25, the responsibility of the regiments of the 1st Brigade of the 18th Division (Oil Protection Regiment) was the protection of oil pipelines and oil installations. At the end of May and beginning of June 2014, approximately 150 cadets joined the Oil Protection Regiment in the base and started their training. Upon arrival, they were issued a military uniform, but no weapons, as the weapons training was supposed to start only after fifteen days of preliminary trainings.

52. On the night of 10 June 2014, the Counter-Terrorism forces from Mosul, also belonging to the Golden Division, withdrew from the fallen city to the Tikrit Air Academy.

53. In the afternoon and evening of 11 June 2014, ISIL fighters, in conjunction with other armed groups, attacked the Tikrit Air Academy, but the Golden Division forces stationed at the camp halted ISIL's advance past the main gate.

54. Later in the night of 11 June 2014, other officers who withdrew from Mosul units and the north of Salah al-Din province reached the airbase. During the same night, after sustaining attacks against the Operations Command Center (see paragraph 30), as a last line of defense, Lieutenant General Ali al-Freiji moved the forces of the Salah al-Din Operations Command to the Tikrit Air Academy. They included the 1300 cadets under training.

55. References to "personnel" of the Tikrit Air Academy in the following paragraphs will denote those soldiers, cadets, volunteers and other men who were stationed at the camp during these days and who then proceeded to depart from the camp from 10 June onwards.

3.2 Departure from Tikrit Air Academy

56. At the same time with forces arriving to the Tikrit Air Academy on 10-11 June 2014, other personnel left the base because of the news of Mosul's fall and ISIL's impending arrival to Tikrit. The Air Force Command and all Air Force College personnel had evacuated by 10-11 June 2014. Members of the 4th Battalion of the 16th Brigade of the 4th Division, who were manning the watchtowers, may have also left on the night of 10 June 2014. As regards the other units stationed in the base, it is very difficult to piece together who left when. In any case, there is no evidence of any official order, emanating from division or higher-ranking commanders, for the units under their command to leave the base. It is also highly unlikely that any kind of leave was officially ordered or approved by the same commanders in the face of imminent armed clashes with hostile forces. It is, however, well documented that senior and lower-ranking officers left their posts and informally advised personnel to take a fifteen-day leave, change to civilian clothes and leave the base. These instructions spread throughout the camp like wildfire. In the ensuing panic and chaos, cadets demanded to be given weapons to defend themselves. Some broke into the armory, took hold of weapons and ammunition, and shot in the air to try them out. Many were in touch over the phone with their families and circulated stories of impending takeover of the camp.

57. As a result, a group of 200-300 personnel, unarmed and wearing civilian clothing, left the base around 09:00 hrs. on 11 June 2014. They reached the main road connecting Mosul to Baghdad, and then headed on foot towards Tikrit.

There were no ISIL members present in that area at the time. Another, smaller group, composed of officers and cadets from the Oil Protection Regiment left the base between noon and the afternoon of 11 June 2014, aiming to head towards Baghdad. On the same day, a small number of personnel from the base reached Tikrit University on foot. Others may have left in the afternoon.

58. In the morning of 12 June 2014, around 07:00-08:00 hrs., the mass exodus of the camp's personnel began. While the exact number of those who left Tikrit Air Academy on 12 June 2014 cannot be firmly established at this juncture, it is safe to assume that more than 2500 personnel left the camp on that day. The overwhelming majority were Shi'a, including the newly recruited volunteers. They belonged to the Salah al-Din Operations Command, including the various brigades of the 4th Division, and the Oil Protection Regiment. All units were mixed, and most were unarmed and wearing civilian clothing. Approximately 500 personnel, including 69 officers, remained inside the base.

59. While still inside the camp, members of the Counter-Terrorism Regiment warned the departing personnel not to go outside as they would be killed. Shots were fired in the air and at the ground by Counter-Terrorism forces to stop the departing personnel, but to no avail.

60. Before reaching the main (outer) gate, departing personnel were again warned and scolded by soldiers and officers who remained in the camp. A video captures a large number of individuals walking on a road with concrete barriers and one parked Humvee, which later drives away. This fortified road appears to be inside the perimeters of the Tikrit Air Academy, before the main (outer) gate. It connects the base with the main Baghdad-Mosul highway (see Figure 6). The video was recorded in the morning hours (around 08:30-09:30 hrs.) by two persons, one inside and another on top of what appears to be another military vehicle, parked on the same road. In the video, most walking individuals appear to be wearing civilian clothing and carrying no weapons. At least one of the individuals seen in this video is also identified in two other videos capturing the forced marching and execution of camp personnel by ISIL (see Figure 13). Some individuals appear to be talking on the phone while walking. Another video, filmed from a different angle, appears to depict the same road, with individuals in civilian clothes walking. A shooting range and an electrical tower, both belonging to the Tikrit Air Academy, are visible in the direction in which the individuals are walking. This video also captures verbal exchanges between the walking individuals and military personnel trying to stop them from leaving. Tellingly, the video captures the following dialogue between an officer and one of the walking individuals:

Officer: "Boys, it is very shameful that you leave, come back, it is not safe, they will cut your head off".

Walking individual: "Sir, my family said it is safe to leave the camp and go home, my family would never lie to me".

Officer: "Yes they are lying, it's all lies, do not believe any of this, just misleading media".

4. Interception by ISIL

61. ISIL intercepted the column of departing personnel in three main areas: (a) outside the main gate of the Tikrit Air Academy, in the Saqur neighborhood; (b) between the al-Aqwas checkpoint and the main gate of Tikrit University; and (c) between the Abu Agrab area and Garage Street (Qadisiya Station).

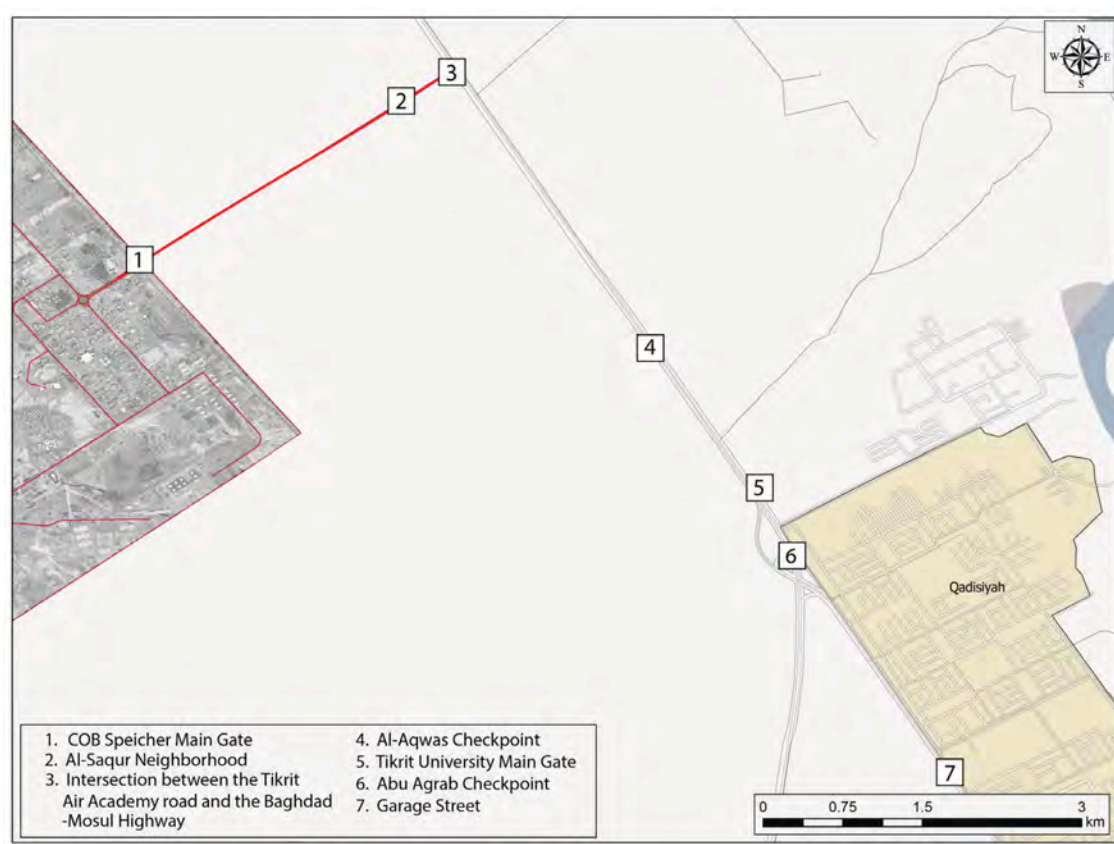


Figure 6 The itinerary of the column of marching men

4.1. Outside the main gate of the Tikrit Air Academy

62. The first segment of personnel leaving the camp on 12 June 2014 encountered armed ISIL members outside the main gate of the camp in the Saqr neighborhood (see Figure 6). One of the departing individuals saw two ISIL members speaking in Afghani dialect and other Iraqi ISIL members. He concluded that they were ISIL members because of their outfits, weapons and beards. It appears that this first segment of departing personnel was not stopped by ISIL when they exited the main gate. Some locals, however, warned the first groups not to go down the main road, as ISIL would capture and kill them. They advised them to go instead towards al-Alam. Some cadets and personnel went that way. Others continued on the main road, walking in a southern direction, aiming to reach Tikrit University.

63. Later on, however, ISIL members appeared to take a more active role in the same area. First, a pick-up truck carrying ISIL members, including one armed individual on the back of the vehicle, appeared. The person on the back of the vehicle began directing the exiting camp personnel where to walk and informed them that they would be shown the way home to their families. At around the same time, a maroon colored BMW carrying four ISIL members also appeared. They got out of the car and proceeded to inform the passing camp personnel of the same message. Two of the four individuals who exited the BMW were wearing white *dishdashas*. One of the two was a Tasfirat inmate who had escaped. The other one, wearing a black *agal*, appears in the ISIL video “Kill Them Wherever You Overtake Them” (Video 1).

64. More pick-up trucks and some military vehicles arrived at the intersection of the Tikrit Air Academy Road and Baghdad-Mosul highway (see Figure 6). Each truck had three armed men and the pick-ups were full of armed men. All men wore civilian clothes, and some had their faces covered. One masked man told the exiting camp personnel: “By God’s will, the boys will come to you.”^[9]

9. UNITAD, Confidential testimonial evidence.

As a result, a number of departing personnel were loaded into trucks and taken away. The overwhelming majority was told however to march along the main Baghdad-Mosul highway and head to the Qadisiya Station (Tikrit Transportation Garage), as they were told that buses would take them to Baghdad.

65. While most started marching towards Tikrit as told, several smaller groups, consisting of three to five persons, and a bigger group, numbering around 80 persons, gradually moved away from the majority. Some tried to blend in with the locals; others ran into the agricultural fields on the eastern side of the Baghdad-Mosul highway; others stopped passing vehicles and tried to reach Tikrit, Kirkuk or other cities.

4.2. Between al-Aqwas checkpoint and the main gate of Tikrit University

66. The column marched along the main Baghdad-Mosul highway towards Tikrit. Before the al-Aqwas checkpoint, the column did not encounter any people on the road, but they saw passing vehicles. However, once they reached the al-Aqwas area, they encountered ISIL members, as the checkpoint in this area was taken the night before by ISIL. From this point onwards, the column marched along under the captivity of ISIL members. Later in the day, camp personnel arriving in that area were loaded into trucks and taken to different locations.

67. Up until the main gate of Tikrit University, which is approximately one and a half km from the al-Aqwas checkpoint, camp personnel were marching on both sides of the road, some towards the desert and others towards the riverbank. When they reached the main gate of the university, armed ISIL members asked the men to march in five rows. There were also Humvees and other vehicles with mounted guns manned by ISIL members. ISIL members were recognizable because of how they spoke and how they were dressed. Most of them were Iraqis. One such ISIL member who ushered the men along the road was POI_AR1, from Baghdad, who also participated in the killing operation later that day. Some of the captive camp personnel were in shock; they told bystanders that they just joined the military training and they were asking where the Tikrit bus terminal was. One ISIL member told the marching men that he pitied them and that he would help them reach their families. He urged those heading towards the riverbank to return and join the rest of the column. Other ISIL members told the camp personnel that they would lead them to vehicles and take them to another place. They were shouting at the marching men not to raise their heads and to keep walking; some were beating the men with the edge of their gun. Many of the ISIL members present in that area were the ex-prisoners freed the day before and who had pledged allegiance to ISIL the evening before. They were shouting that they had just been released from prison the previous day “by our brothers”^[10] and were now joining them. Some of the armed men made phone calls to ask for more people to support them. One such armed man had a Samarran accent. As a result, trucks arrived and loaded some of the marching men. They were told that the trucks would take them to Baghdad.

4.3. Between the Abu Agrab checkpoint and Garage Street (Qadisiya Station)

68. The column continued its march towards the Qadisiya Station. An ISIL video – taken near the Abu Agrab checkpoint, shows the column marching in a straight southern direction, on the Baghdad-Mosul highway, while another segment of the same road is turning to the right. The men are marching in rows, on the opposite side of the road’s driving direction. Most men are holding their arms raised, behind their head – an indication that they are marching as captives. The video is filmed in the late morning or around noon. A person behind the camera says, “they are from Speicher” and “they surrendered to us”. Another video, filmed near the two grey towers close to the Abu Agrab checkpoint,

10. UNITAD, Confidential testimonial evidence.

also shows the column, from a closer angle, marching with their hands raised behind their heads on the same road with palms on the right side. The video is filmed in the morning, between 10:15 and 10:45 hrs. One of the marching men is recorded saying “we are from Speicher”.

69. A third video, filmed around the same time, captures the beginning of column moving, at a more southern point, near the Qadisiya area, passing by a road leading to the Abu Bakr Mosque. Two white SUVs and one man dressed in a white dishdasha and wearing a black agal, similar to the one observed in the al-Saqr neighborhood, can be observed moving in front of the column. An individual talking behind the camera asks “where are they coming from?”, to which an answer is delivered, “they are from Speicher”. A fourth video, filmed in a similar spot, captures a later segment of the marching men as they are moving along. A person hoisting a black flag is seen accompanying the column.

70. The last stop of the marching column was Garage Street and the Qadisiya bus station. The remainder of the column was stopped here and told to sit down on the sidewalks and wait for trucks to arrive. ISIL members told captives that vehicles would be coming to take them to another location; Samarra was mentioned. Up until this point, captives exchanged messages with their worried family members. A father received two text messages from one of his two sons, both walking in the column, saying “we are in danger, please pray for our safety” and later, “they took us over”.[11] A brother received a phone call from his sibling walking in the column, who told him that “Iraqi tribes”[12] took them over and led them to a side road, where they were promised to find their colleagues.

71. Then ISIL members took the wallets, money, ID cards, phones and other small personal items of the captives. The name and residence on the ID would have given a reliable basis to ISIL members to infer whether a captive was Sunni or Shi’a.

72. Most text messages and phone calls stopped after the personal items were taken away from the captives. When family members tried to call, there was no answer or unknown persons picked up. Sometimes, the person at the other end of the line would reassure the family that their loved one was safe; or, they would threaten the caller with killing their loved one; other times, they would ask if the loved one was Sunni or Shi’a. On hearing that they were Shi’a, the caller would hang up.

73. A video, filmed around noon or early afternoon of 12 June 2014, and composed of two different sequences, shows captive camp personnel sitting on the roadside in the Garage Street area; the video captures the collection of wallets and other small personal articles, the captives are then loaded into trucks.

74. The march of the column stopped at Garage Street. No one marched further than this point.



Figure 7 ISIL video depicting a red container and a camouflage-colored truck heading to the PPC

11. UNITAD, Confidential testimonial evidence.
12. UNITAD, Confidential testimonial evidence.

5. The killing operation in the Presidential Palace Complex

5.1. Transfer to the PPC

75. Camp personnel were loaded in trucks and other vehicles, mainly from Garage Street, but also from the other ISIL interception points discussed above (see paragraph 61). ISIL members received orders to head to Garage Street and pick up captives to be taken to the Presidential Palace Complex. To ensure that enough vehicles and drivers were available, ISIL used not only their own cars, but also stopped trucks on the Baghdad-Mosul highway and asked or forced their drivers to transport captives to the Presidential Palace Complex. Trucks were overcramped, captives were made to sit on top of each other, with no place to move and no air to breathe. Some died as a result.

76. Before reaching the palace grounds, the vehicles passed several checkpoints, which had belonged to Iraqi forces, but now were manned by ISIL. Those few captives whose phones were not seized before, made calls to their family and friends. Before the trucks entered the Presidential Palace Complex, captives were asked if they were Sunni or Shi'a; the Sunnis were let go.

77. Two ISIL videos published after the events, Video 1 and "On the Method of Prophethood" (Video 2), depict several types of trucks and other vehicles driving on the road leading to the al-Alam bridge and turning towards the entrance of the complex. These vehicles included government trucks with long trailers, military loading trucks, minibuses and white Toyota trucks.

78. The presence of a cameraman or crew to film the procession of vehicles to the palace grounds shows an element of planning, i.e., that information was conveyed, and an instruction was given for the movement of vehicles to be filmed.



Figure 8 ISIL video depicting several blue and white, one beige and one red container truck heading to the PPC

5.2. Access to and arrival at the Presidential Palace Complex

79. The palace grounds were by this time completely under ISIL control (see paragraph 44) and all checkpoints leading to the complex were manned by ISIL (see paragraph 76). The vehicles entered through the main gate of the complex, near al-Alam bridge. The PPC had three other gates: one on the Baghdad-Mosul highway and two on the road leading to the Teaching Hospital. At least one vehicle carrying captives was also seen on the former.

80. Upon entering the Presidential Palace Complex through the main gate, each vehicle went to a specific place within the complex, as if the drivers had already been instructed where to go. Accordingly, the vehicles drove through the main gate and then went to one of the following areas (see Figure 9): on the northern side of the PPC, they drove up on the hill on the road turning left (red line) or stopped under the bridge and a bit further on the road on the right, between the two cliffs (blue line); on the southern side, they drove towards the Water Palace and stopped along the road leading to it (green line).

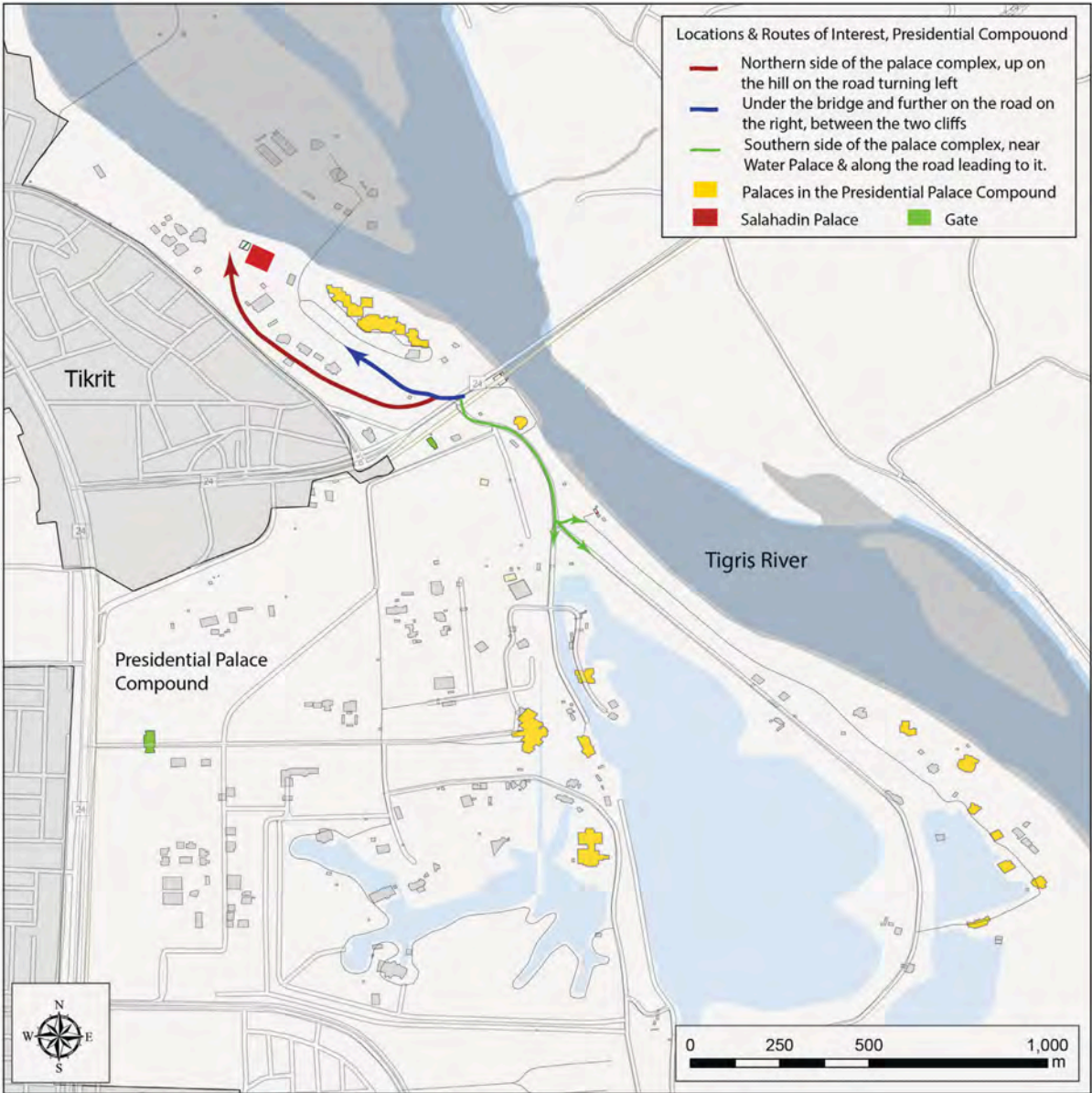


Figure 9 Main routes for vehicles entering the PPC

81. The first trucks arrived at the PPC just before noon on 12 June 2014. The arrival of subsequent loads of captives may have lasted a few hours.

82. Once the vehicles arrived, the drivers who were asked or forced to transport captives were escorted out of the complex. New recruits, including the ex-prisoners, were only allowed in if they had already made their pledge of allegiance. During the killing operation, no civilians were allowed inside without a specific reason, but some of the male children of ISIL members accompanied their relatives.

5.3. Coordination of the killing operation

83. The transfer to the PPC, movement within the complex and the execution of the captives was coordinated by Abu Nabil, the *wali* of Salah al-Din, together with the ISIL Shari'a judge, Abu Abdelhadi (see paragraph 125). Moreover, both have been identified in Videos 1 and 2 as actively participating in the killings.

84. For the first hour or so, captives were kept in holding cells, containers or outside. Others were held in locked trucks. ISIL members were keeping watch. Then, Abu Nabil, after consulting with his superiors, ordered the separation of Sunnis from Shi'as. As announced to Tikrit residents in the city (see paragraph 46), Sunnis were to be offered repentance; Shi'as had to be killed.

85. ISIL members were divided into groups and deployed to the various killing zones of the complex. Four such killing zones could be clearly identified (see Figure 10): under the bridge, near the River Police building, at the riverbank (Killing zone 1 – K1); in the northern PPC, on a cemented area, near the Salah al-Din Palace (Killing zone 2 – K2); in the northern PPC, near the Crime Directorate buildings, on the hill, overlooking Zulfiqar Palace (Killing zone 3 – K3); in the southern PPC, two open areas near a trifurcation of the road leading to a Water Palace: one between the two leftmost branches of the road near a small building and the other under the cliff on the right side of the road (Killing zone 4 – K4). An additional killing zone may have been in the southern PPC, on a cliff above a K4 execution site and near a mosque, but this needs further corroboration (Killing zone 5 – K5).

86. The separation process between Sunni and Shi'a was carried out at each specific killing zone; ISIL members looked at the ID of the captives. If they were Sunni, ISIL would give their ID back and let them go, instructing them to announce their repentance at a mosque as soon as possible. If they were Shi'a, the ID would be kept by ISIL members, and the person would be eventually killed. A Tikrit policeman detained at the time in the PPC was asked by fellow detainees to teach them how to pray the Sunni way, as this was seen as a chance to be spared. Sunni captives held at the Crimes Directorate detention center in the northern side of the complex saw a large amount of IDs piled up before being released.

87. The separation process was also carried out by asking captives to pray; those who could not pray according to the Sunni rite, were deemed to be Shi'a and were killed. Around fifteen to twenty Shi'as may have been released, but only because they were from families with good connections to ISIL who could call their tribal leaders. A few managed to mislead ISIL members that they were Sunni and were let go.

5.3.1 Killing zone 1 (K1)

88. The first killings may have started on the riverbank, next to the River Police building, in the early afternoon. Other camp personnel, taken to the northern side of the PPC, heard the first shots coming from the direction of the riverbank, under the bridge. The killings at this location continued until at least late afternoon, and may have resumed the next day.

89. Several vehicles, including the camouflage-colored truck filmed at the entrance of the complex, parked under the bridge and on the right-side road on the northern part of the complex (see blue line in Figure 9). Captives may have been held in these vehicles for a short while, until the decision to kill them was rendered. A Tikrit policeman, who was detained in one of the uphill buildings on the northern side, saw through the window trucks crammed with several hundred people parked on the same right-side road. Captives were crammed in the trucks and stacked on top of each other. They were then unloaded from the vehicles and led towards the River Police building under the bridge. They were made to walk in a line, back bent, with hands on the back of the person before them. Once they reached the riverbank, they were made to kneel on the edge of the building's platform, facing the river and holding on to the wired fence. A camera crew filmed these actions, which were then included in Videos 1 and 2. While they were kneeling facing the river, they pleaded for their life. One of the videos captures the following conversations between kneeling captives and the cameraman:

Kneeling captive 1: "We just joined since 10 days. One and a half month. We said that we would return when we go back."

Kneeling captive 2: "Sheikh, I was born in 1995."

Cameraman: "1995, why did you go to the infidelity and apostasy?"

Kneeling captive 2: "I do not know. I just came today."

Cameraman: "You came as a volunteer to fight the people of Sunna."

Kneeling captive 2: "I do not know. I swear to God."



Figure 10 Map with Killing Zones 1-5

90. After this, the captives were led to the lower edge of the platform, where they were shot and thrown into the river. The killings were also filmed.

91. Bodies were seen floating in the river for days to come. In September 2015, three cases of human remains were recovered from the riverbank near this killing zone. This number falls dramatically short of the suspected number of victims at this site.

Other bodies may have been retrieved by locals and buried along the riverbank or may have been carried by the current in a southern direction. No other bodies have so far been recovered from this site.

92. Several ISIL members participated in this operation. More information is needed on whether this group, comprising around thirteen to fifteen people, had a designated person in charge and if so, who that person was. In any event, some of them escorted the cadets while they walked to the riverbank, pointing rifles at them or hitting them on the back with rifles. At least four persons, including a child, shot captives and threw them in the river. One such person, wearing a beige headcover and a white shirt, is POI_AA1, an ISIL security official active in Tikrit (see paragraph 128). Other ISIL members were present at this site. One such person is POI_UY1, the *emir* of Jazirat Tikrit, who participated in the takeover of Tikrit as a member of Abu Nabil's group (see paragraph 134). The cameraman speaking to the kneeling captives has been identified as Abu Maria, the media *emir* of Salah al-Din (see Figure 1 and paragraph 133). Another cameraman, Abu Basir, working with Abu Maria, was also present.

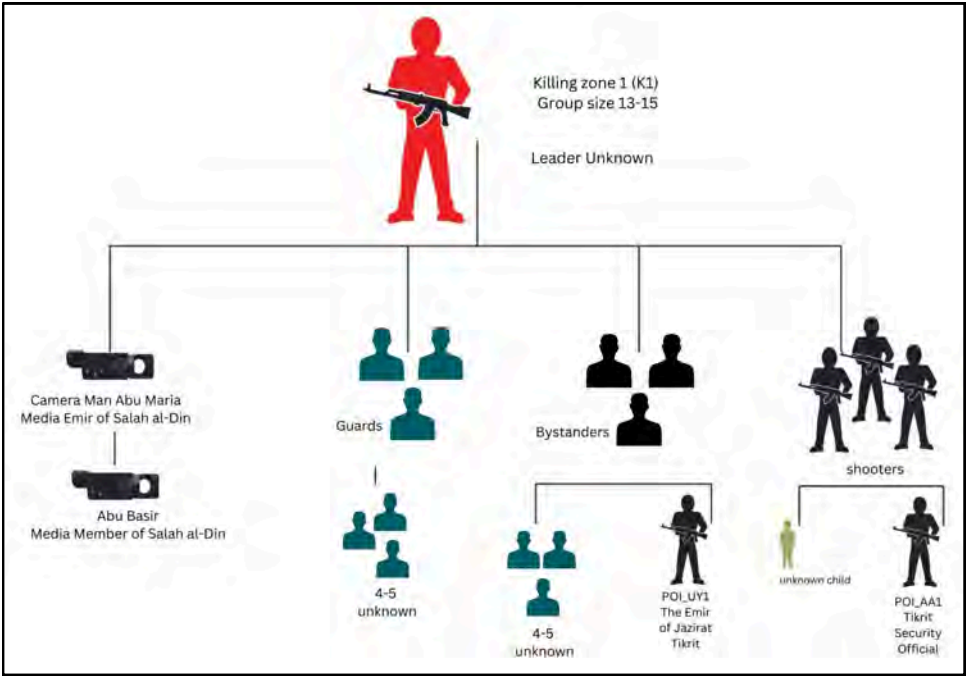


Figure 11 POI in Killing Zone 1

5.3.2 Killing zone 2 (K2)

93. Shortly after the shooting began at killing zone 1, executions also began in the northern side of the PPC, near the Salah al-Din Palace. The trucks that drove up first on the left-side road (see red line in Figure 9) must have stopped near the roundabout in front of the Salah al-Din Palace and the Crimes Directorate buildings; these are nearby within 200m of each other. Captives were unloaded and led in a big group to a cemented area in the garden near the palace, where they were shot at randomly. Then ISIL members dragged the bodies to the edge of a steep and high cliff and threw them down into the river. One of the captives survived the shootings, but when he was thrown over the cliff, he hit a rock and broke his ribs. He succumbed to his wounds a few days later. Riverbank excavations in October 2016 included several areas near the Salah al-Din Palace. It is not conclusive how many of the 80 cases recovered were bodies thrown off the cliff in the aforementioned manner, as some cases were recovered from other locations along the river.

94. Growing weary of dragging bodies over the cliff, ISIL members let hundreds of bodies lie in the open for the whole day, and also during the night, when executions continued. Video 1 captures a night-time execution on a cemented platform; the location appears to be elevated, as if it was on a cliff. Town lights are seen in the distance. On the right side, window lights are visible.

The location most likely matches K2; the executions appear to be taking place on the cemented area in the garden palace, and the window lights are most likely from Salah al-Din Palace, on the right of the cemented area. There is, however, an account that places these executions to the southern side of the PPC (see paragraph 121). In any event, Videos 1 and 2 as well as photos later published by ISIL show a large number of bodies lying around in daytime on a cemented area with three shooters executing three captives. Two of the shooters are clearly visible, while a third shooter's hand and weapon are partly seen. The lighting in the videos and photos indicates that the shootings happened around 09:30 hrs. in the morning, which means that they took place the next day, 13 June 2014. Executions may have continued for the next two days; captives may have been held in the Salah al-Din Palace or the nearby Crimes Directorate detention center during this time, and shot at close range on the cemented area.

95. To dispose of the hundreds of bodies lying around while the killing operation was still ongoing, on or about 13-14 June, ISIL members began digging mass graves in the garden area of Salah al-Din Palace. Three graves were dug; the machinery used must have been a large excavator, with a 360-degree arm and with a wide, toothed bucket. None of the graves had a ramp, which meant that the bodies were pushed into the holes from the edge, most probably with the use of a front-loader.

96. ISIL members used these holes to bury captives executed in the cemented area of the palace garden. They may have also moved the bodies of captives executed in killing zone 3 (see paragraph 105) to this site. This became clear with the excavation of these graves, which took place in March 2017 as well as February and July 2018. 267 human remains cases were recovered from the largest grave of the three and, respectively, 196 and 47 from the other two. The nature of the deposition of the exposed human remains showed that they may have been moved from other locations. In this regard, Video 1 captures the pushing of bodies by a front-loader during night-time; given the morphology of the excavated mass graves in the PPC, this sequence can only relate to one or more of the three graves in K2.

97. None of the ISIL members who participated in the killings at this site have been identified. More information is needed to achieve such identifications.

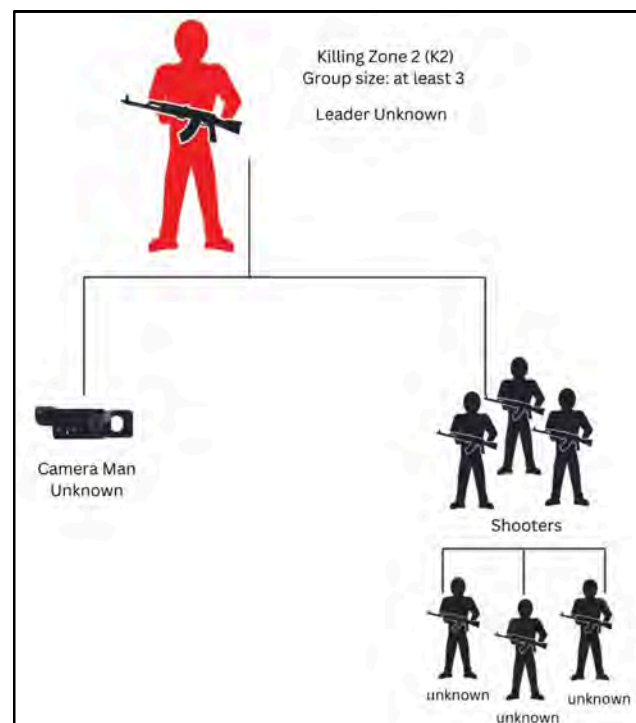


Figure 12 POI at Killing Zone 2

5.3.3 Killing zone 3 (K3)

98. The trucks that drove up last on the left-side road (see red line in Figure 9) must have stopped along that road, near the Crimes Directorate building, its detention center and other buildings. This was one of the busiest areas of the killing operation; a policeman detained at the time in the Crimes Directorate detention center saw trucks arriving and captives being unloaded until 19:00 hrs. that day.

99. Captives were first placed in a container or trailer. While they were inside, an ISIL member wearing a white *dishdasha* hit some of the captives with stones and bricks, a rope used to tie an *agal* and a metal pipe; one captive died shortly after being hit with a brick in the head. As more vehicles were arriving, ISIL members brought the captives outside and ordered them to lie down on the ground.

Their hands were tied behind their backs. There were about 300-400 captives lying on the ground. ISIL members called them “Iranians”, “swine” and the fruit of a “marriage of pleasure”.[13] When the captives tried to stand up or asked for water, they were beaten or shot at. One ISIL member opened a can of soda and splashed it on the captives. Video 1 depicts captives in this killing zone; many have bloodied faces or their clothes appear to be soaked in blood. While captives were lying on the ground, ISIL members told them that negotiations with the government were underway for their release in exchange for ISIL female detainees. Given, however, ISIL’s decision to separate Shi’as from Sunnis and to kill the Shi’as, it is doubtful whether such negotiations were in fact taking place or were genuine.

100. Killings at this site started around 16:00 hrs. in the afternoon. Captives were taken in groups of five to ten to the edge of the hill overlooking Zulfikar Palace. There, they were made to kneel and face the valley. One ISIL member was kicking them, expressing his wish to break their ribs. Another ISIL member asked them whether they were Sunni or Shi’a, and what their occupation was. Then they shot the captives one by one, at close range, kicking their bodies forward. The bodies rolled down to the first step of the hill. ISIL members then dragged down the bodies to the second step, so that the next group of captives would not see what happened before. Those who tried to escape, were shot. One captive survived the shooting by lying among the bodies until darkness fell. Then he escaped through the small bridge leading to the island on the river.

101. Other killings at the same site followed a similar modus operandi, with groups of ten captives being taken to the edge of the hill and being shot, but the bodies were no longer rolled down the hill. Abu Nabil himself shot at close range several captives in this killing zone.

102. Video 1 depicts the execution of a captive in this killing zone around evening time. A young man, a Shi’a from southern Iraq, wearing blue jeans shirt and trousers is seen trying to pray the Sunni way, while surrounded by several ISIL members, including Abu Nabil (see Figure 13). His face and shirt are bloodied. The captive says: “Whatever you tell me, I will do and in front of you.” Then Abu Nabil answers: “I will assure you and make a lesson to others.” As a response, the captives shouts: “The Islamic State remains. Damn al-Maliki. The Islamic State remains. Order me.” The captive is then asked to pray the Sunni way, while being watched by at least nine ISIL members. He starts praying, but when one of the ISIL members points out that he does it wrongly, Abu Nabil takes him to the edge of the hill and shoots him twice in the head, at close range.



The young man left Tikrit Air Academy in the morning of 12 June 2014. He is seen in a video, departing the camp around 08:30-09:30 AM.



He is seen in another video marching on the Baghdad-Mosul highway together with other camp personnel, his hands raised behind his head, during the late morning of 12 June 2014.



He is finally seen in the Presidential Palace Complex, in the evening of 12 June 2014, praying for his life. Abu Nabil, the ISIL Wali of Salah al-Din, executes him.

Figure 13 The Fate of the Praying Boy

13. UNITAD, Confidential testimonial evidence.

103. Executions continued into the night. Video 1 captures Abu Nabil executing captives during the night on a cliff, at the base of which trees and a road turning from the right can be seen. This is most likely killing zone 3 and the executions are taking place at the edge of the same cliff, as done during the daytime.

104. Given the above-described modus operandi of the executions at this killing site, more information is needed to ascertain how and where the bodies were disposed of. During the October 2016 excavations, only 45 cases of human remains were recovered beneath shallow heaps on the top side of the hill overlooking Zulfiqar Palace. The remains were dispersed over a large area, with a mix of articulated and partially articulated body parts and spatially diffuse skeletal elements. These findings do not account for the large number of captives held and killed at this site. Also, it is not clear how the bodies thrown down the hill were disposed of, as the road on which these bodies landed does not lead to any of the nearby grave sites.

105. There are several possible explanations, none which exclude each other. First, captives may have been made to walk to K2, where they were then executed on the cemented area of the palace garden. Second, some of the captives may have been moved to the killing zones in the southern part of the complex. In particular, there is some evidence that captives were loaded into two trucks and taken to K4. In Videos 1 and 2, Abu Nabil and POI_NM1 are seen, in separate sequences, but both at K3, talking to captives who are loaded in two trucks. In another sequence, the same two trucks are seen at K4, with POI_NM1 ushering captives into the field. Given that POI_NM1 was one of the ISIL members in charge at K4 (see paragraphs 113), it is very likely that Abu Nabil delegated the transport of some captives from K3 to K4 to him. Third, bodies that were not thrown down the hill, but were kept in the place of their execution may have been later moved with a front-loader from K3 to the three graves at K2. This is also supported by the nature of the deposition of the human remains exposed in the three graves, which showed that they may have been moved from other locations (see paragraph 96). As for bodies that were thrown down the hill, they were either moved with trucks or were buried in graves yet to be uncovered.

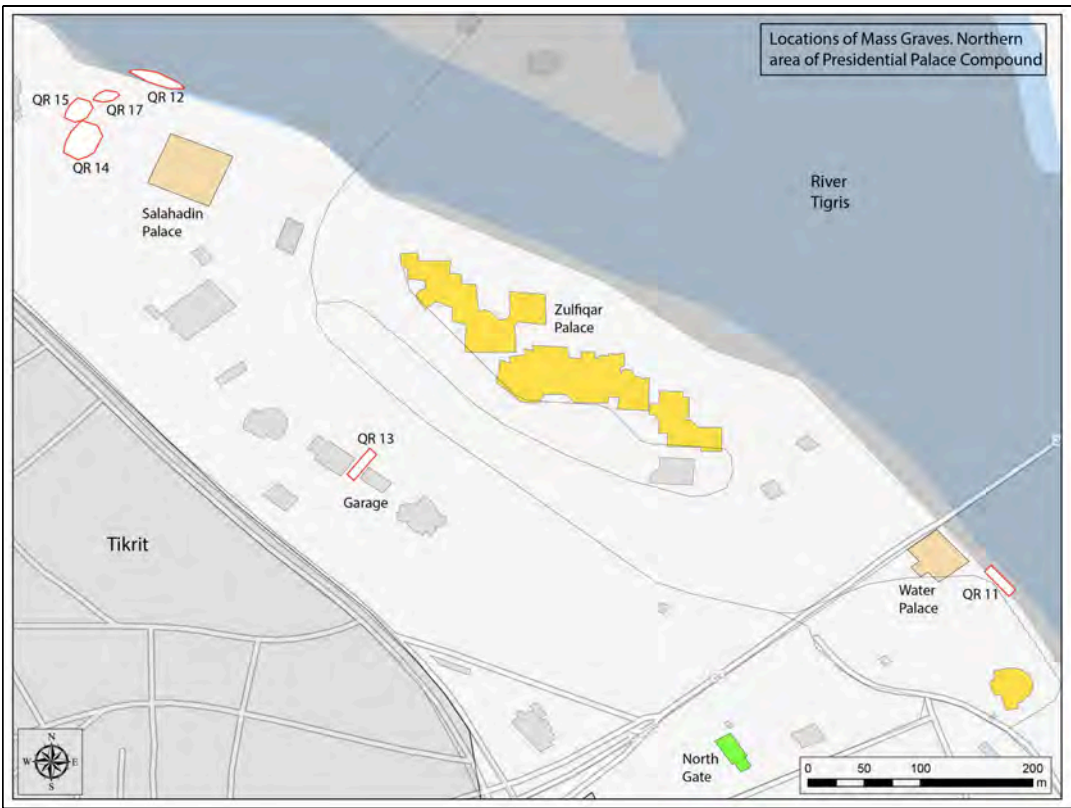


Figure 14 Mass Graves Killing Zones 1-3

106. The person in charge of this killing zone was Abu Nabil, who was also in charge of coordinating the entire killing operation. This would explain why this killing zone was the busiest; it was a central hub, where trucks arrived, captives were unloaded, held and executed or sent to other sites. Abu Nabil not only coordinated the entire operation, he also actively participated in the killings (see paragraphs 101-103). Several other ISIL members participated in the operations at this killing zone. The ISIL member in a white *dishdasha* and wearing a black *agal*, who met the camp personnel outside the Tikrit Air Academy, in al-Saqur neighborhood, is also seen in Video 1, standing close to Abu Nabil, at K3. Abu Maria is also present, he is the cameraman to whom some of the captives speak. More information is needed to identify other ISIL members active in this area.

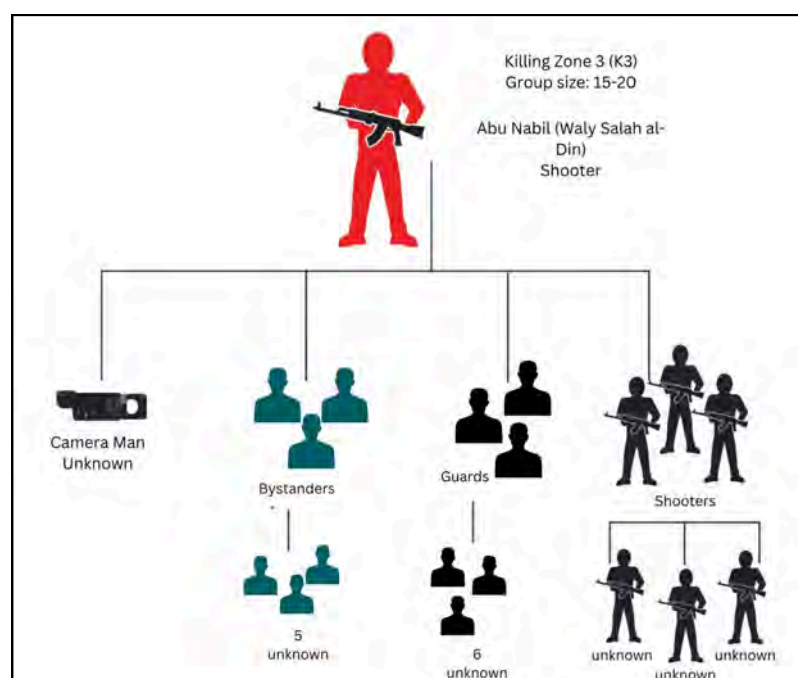


Figure 15 POI in Killing Zone 3

5.3.4 Killing zone 4 (K4)

107. Another killing zone was in the southern part of the PPC, on the way towards a Water Palace (see Figure 9 and Figure 10). Trucks drove down a curving road, with a cliff on the right side and an open area on the left. They stopped before a trifurcation on that road (see green line in Figure 9). Executions took place in two open areas: one between the two leftmost branches of the road near a small building, and one under the cliff on the right side of the road.

108. Killings at this site began at some point in the early afternoon of 12 June 2014. By the time the two trucks sent by Abu Nabil from K3 arrived at this area (see paragraph 105), other captives must have been unloaded and executed. This is supported by Video 1, which captures an abandoned shoe lying on the ground upon arrival of one of the aforementioned trucks. Killings continued until sunset that day, and resumed the next day.

109. At this killing zone, there were two types of assembly methods. According to one such method, captives were unloaded from trucks and made to sit with their hands behind their heads. Many had bloodied faces or had their clothes soaked in blood. Some captives died while on the truck, either from being crushed by the weight of other captives, or by being shot by ISIL members on board of the truck. During one such assembly of captives filmed in Video 1, one of the sitting persons, with his hands held over his head and visibly in shock, says to the cameraman that he is from the 18th Division of the army, and he was killing Sunni people.

After being assembled this way, captives were ushered, in no particular order, towards the execution site. According to the other method, captives were made to walk in a line, back bent, with hands on the back of the person before them, as done at K1 (see paragraph 89). While walking, ISIL members would hit the captives on their back or head. Both assembly methods coalesce, however, in the same execution style: captives were made to lie down in two rows, in a north/south alignment. Then ISIL members, some standing and others walking along the row, shot at men lying on the ground at close range.

110. In the execution site between the leftmost branches of the road near a small building, once one set of executions were done, bodies were covered with earth with the aid of a bulldozer, and a new layer for other executions was created on top of the old layer. This led to the largest mass grave in the PPC area, from where 540 human remains cases were recovered in April 2015. The morphology of this grave consisted of at least five linear mounds of overburden, covering five rows of overlaying bodies. In the execution site at the base of the cliff and the right side of the road, captives with hands tied behind were executed with small arms at close range, while lying on the surface in two exposed distinct groups, also aligned north/south. From this grave, fifty human remains cases were recovered in April 2015.

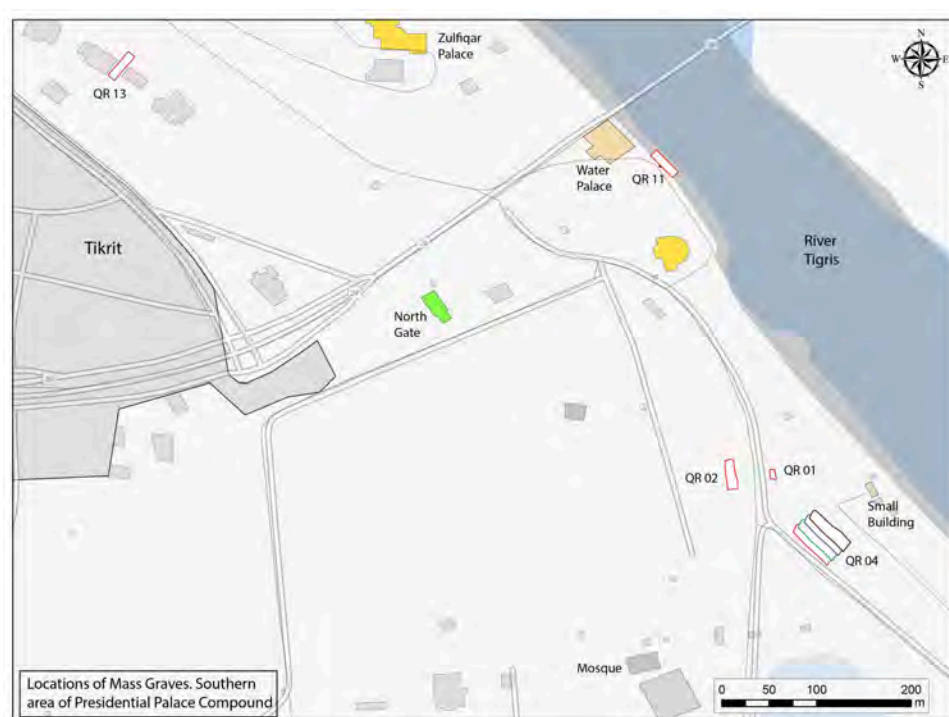


Figure 16 Mass Graves in Killing Zone 4

111. Several ISIL members participated in this operation. Abu Abdelhadi, the ISIL Shari’a judge for Salah al-Din, was the highest-ranking ISIL official present at this killing zone. He actively participated in the executions. In Video 1, standing on the side of a shallow trench with captives lying in it, face down and hands tied to the back, Abu Abdelhadi, in the presence of other ISIL members, delivers the following speech:

“In the name of God, the merciful, the generous. Peace be upon on His messenger, his family, his companions and followers. Islam nation, the Islamic State is expecting your help. God willing, we will do the same thing to every malicious person from the rawafidh (rejecters of faith) who contributed to harshly torturing the Sunni people.”

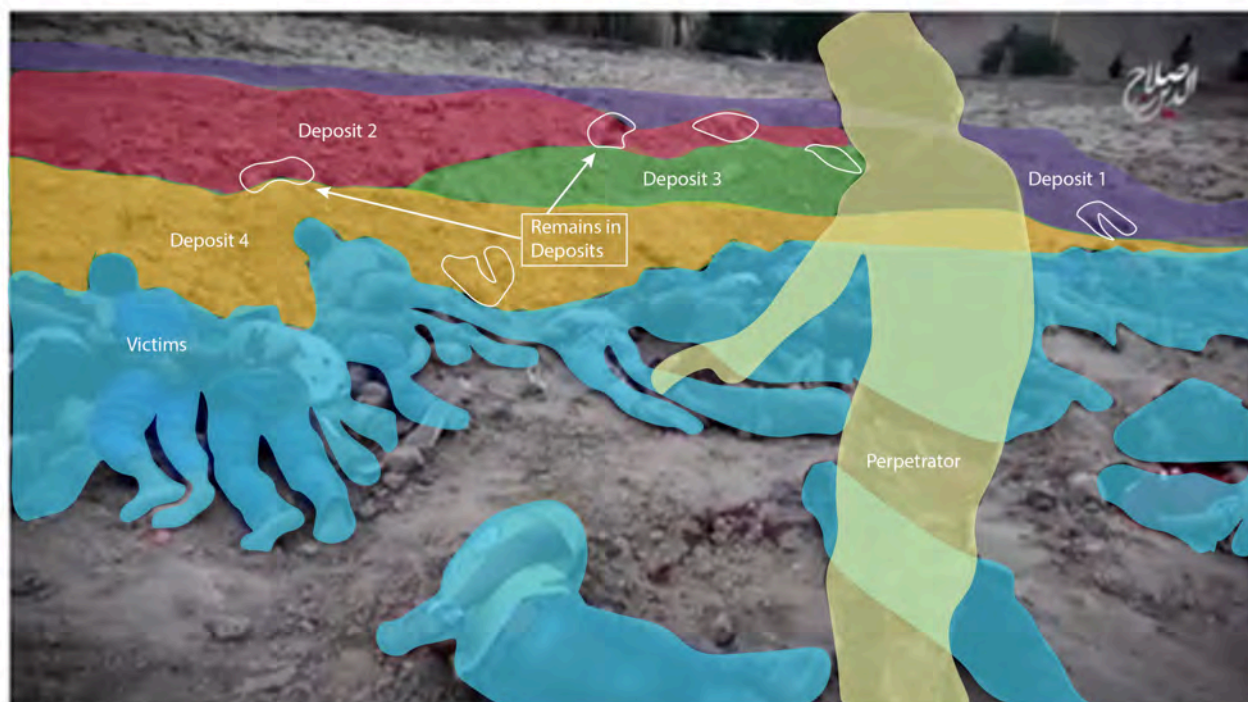


Figure 17 Layers of soil in Grave Site QR-004

112. He then proceeds shooting the captives with a rifle.

113. The person in charge over the arrival, unloading, assembly and execution of captives at this killing zone was POI_NM1. He is seen actively participating in all these activities. He is also the one deputed by Abu Nabil to transfer captives from the northern PPC side to the south (see paragraph 105). Other ISIL members who participated in the assembly and killing of captives are POI_OK1 (see paragraph 126), Abu Abdelrahman, an ISIL military official from Samarra (see paragraph 129), Fahad Abu Ja'afar, an ISIL military official from al-Jallam (see paragraph 130), Hamza, an ISIL member from Samarra who entered Tikrit with the group of POI_OK1 (see paragraph 131), and a Palestinian or Saudi foreign fighter.

114. In Video 1, standing next to a row of moving captives, Fahad Abu Ja'afar points at them and calls them the "filthy people of Karbala and Najaf". In another sequence, as he stands in front of the execution site between the leftmost branches of the road, where rows of executed captives are visible, Fahad Abu Ja'afar delivers the following speech:

"This day reminds me of Bani Quraitha battle. The day that the prophet (Peace be upon him) attacked them for breaching their promise. God willing, this is what we will do, though it is not even enough."

115. Fahad Abu Ja'afar refers to an account according to which the Prophet Mohammed punished the people of Qureyda, because they allowed idolaters to surround their city. As punishment, the Prophet killed all males who passed puberty.

116. Also in Video 1, while standing on the top of a truck surrounded by other ISIL members, the Palestinian/Saudi foreign fighter delivers the following speech:

“I will shed the blood of these who are less close to God than cattle. They are less worth than the animal, I swear to God. I will get close to God by shedding their blood. These are not civilians, brothers. These are army members who collapsed in front of the faith force, thanks to God. They are affiliates of army, special force and SWAT force. They are all rawafidh (rejecters of faith) and apostates. They came from majority of rafidha lands to kill the people of Sunna in this place. Thanks to God, with our small number and weak force, we, with God’s help, succeeded to arrest them, and they are more than 2000 detainees. More than 2000 surrendered to us, thanks to God. God willing, we will step on all forces of infidelity on earth until liberation of Bait al-Maqdis (Holy Land) and achieve victory over Rome and spread God’s Shari’a everywhere on this earth. It is either victory or martyrdom.”

117. He then points his gun to the captives in the truck and shoots two of them.

118. Abu Maria is also present; he is the cameraman to whom some of the captives speak in Video 1. One such conversation takes place with one of the captives lying in the trench, waiting to be executed:

*“Captive: I was in the army,
Abu Maria: What army?
Captive: In Speicher. I joined ten days ago. I swear to Aisha, the wife of the prophet.
Abu Maria: You mean, you do not curse her.
Captive: No, I swear to God.
Abu Maria: You are rafidha (rejecters of faith). Lower your head.”*

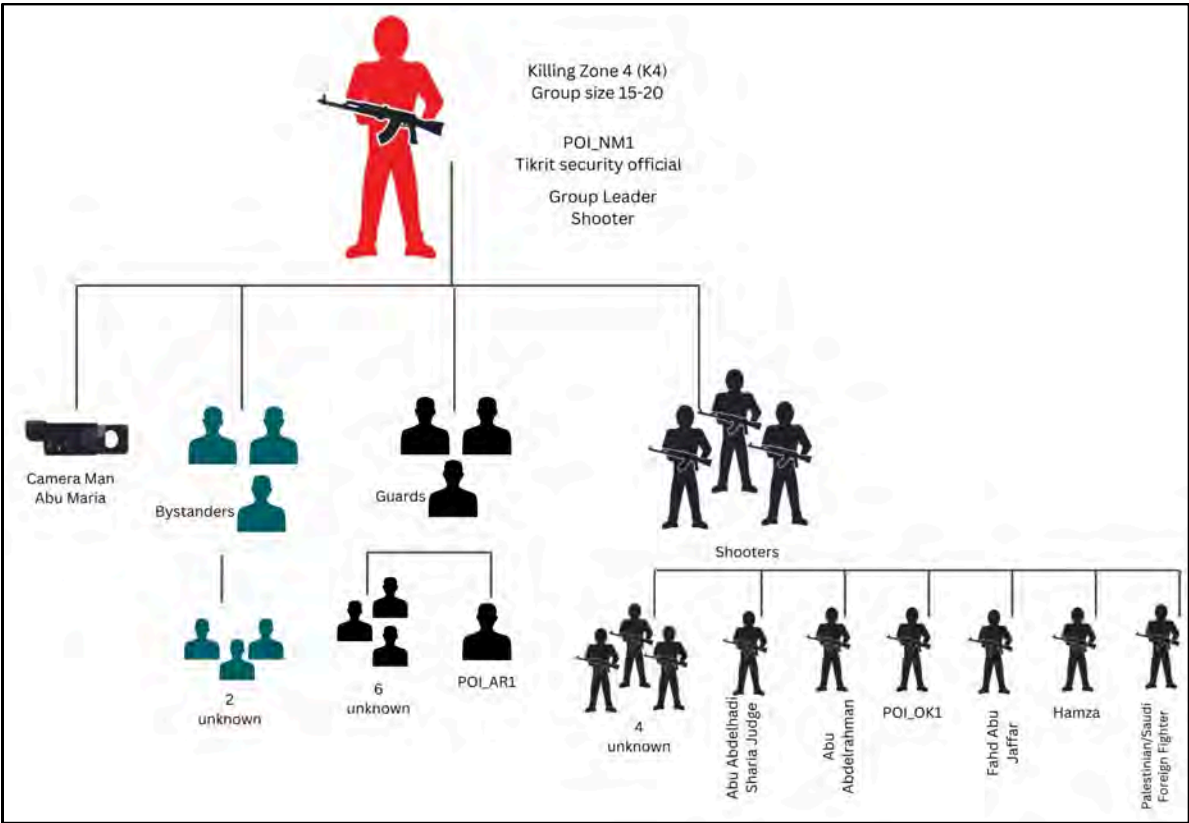


Figure 18 POI at Killing Zone 4

119. The captive refers to Aisha in an apparent attempt to gain the sympathy of the cameraman, as Aisha is held in negative regard by many Shi'a Muslims for her role in leading a rebellious army against the forces of then caliph Ali in the Battle of the Camel (656 CE), while Sunnis hold her in high regard.

120. Several other ISIL members participated in the assembly and/or killing of the captives. In Videos 1 and 2, POI_AR1, an ISIL member from Baghdad, is seen ushering the captives, but he is not seen participating in their execution. More information is needed to identify other ISIL members active in this area.

5.3.5 Possible night-time execution site

121. As said in paragraph 94, night-time executions may have also taken place in the southern side of the Presidential Palace Complex, on the top of the same cliff that had at its base one of the execution sites of K4. Bodies may have been thrown off the cliff after execution. This account is not supported, however, by the graves excavated in this area. As said in paragraph 110, the human remains recovered from the grave at the base of the cliff lay on the surface in two exposed distinct groups, aligned north/south. They were the remains of captives executed on the spot; the disposition of the remains did not show that the bodies were thrown or moved from another location (as it was found in the northern killing zones). More information is therefore needed to ascertain whether any killings indeed took place at this southern PPC site and if so, when and in what manner.

5.4. Main Persons of Interest (POI) identified in Video 1

122. ISIL members actively involved in the PPC killing operation (ISIL PPC POI) were: (a) most of those who entered Tikrit with the two groups;^[14] (b) a part of those who were released from Tasfirat and other prisons or detention centers in Tikrit the day before; and (c) some of the local, *sleepers*-cell ISIL members who came forth when ISIL entered the city. They numbered approximately 100-150 members.

123. As set out in paragraphs 83-120, their acts and conduct in the PPC killing operation was coordinated by Abu Nabil and was undertaken by dividing and tasking members into specific groups. Brief profiles of some of the known ISIL PPC POI are set out below. For security reasons, some individuals have only been identified by pseudonyms.

124. Abu Nabil (Wissam Abd Zeid) was the *wali* of Salah al-Din *wilaya*. He used to be an officer during Saddam Hussein's regime. Abu Nabil became wali in October 2013 or beginning of 2014. Abu Nabil coordinated the killing operation at the Presidential Palace Complex. He has been identified in Video 1 as wearing a grey *dishdasha*, and personally participating in the executions at K3. He was transferred around two months later to become the *wali* of Libya, where he is believed to have been killed in an US airstrike in 2015.



Figure 19 Abu Nabil

14. See paragraph 35 of this report.

125. Abu Abdelhadi (Salem Bakr Mustafa) was the Shari'a judge of Salah al-Din *wilaya*. He was born in the 1970's and was of Kurdish origin. Abu Abdelhadi held the position of Shari'a judge from April 2013 until around May 2015, when he was killed. Several ISIL members may have pledged allegiance to Abu Abdelhadi in connection to ISIL takeover of Tikrit. Abu Abdelhadi participated in the killing operation at the PPC, and has also been identified in Video 1, wearing a light shirt and colored headscarf. He shot captives at K4.



Figure 20 Abu Abdelhadi

126. POI_OK1 was the *emir* of al-Jallam. He led the group of ISIL fighters entering Tikrit from the eastern direction. POI_OK1 participated in the PPC killing operation and has been identified as wearing a black outfit. He shot captives at K4. After the massacre, POI_OK1 became the *emir* of al-Dour, Albu Ajil and Al Alam. His current whereabouts are unknown.



Figure 21 POI_OK1

127. POI_NM1 had previously been imprisoned in Bucca and was well-known in the Tikrit community even before ISIL. When ISIL entered Tikrit, POI_NM1 was a deputy in ISIL's special security detachment in Salah al-Din. He participated in the killing operation at the PPC and has been identified in Video 1 and Video 2, wearing black. He transported, marshalled and shot captives at K4. He also participated in the apprehending and/or murdering of police officers during the takeover of Tikrit. His current whereabouts are unknown.

128. POI_AA1 was the ISIL security official of Tikrit. He was originally from south Baghdad and was previously an inmate in Abu Ghraib prison. POI_AA1 participated in the killing operation at PPC, and has been identified in the recordings as the person wearing a light-colored shirt and beige head covering, executing cadets by the river, at K1. His current whereabouts are unknown.



Figure 22 POI_NM1



Figure 23 POI_AA1

129. An individual with the nickname Abu Abdelrahman (aka Anas Manhal) may have been the internal military official of Samarra. He may have participated in setting the inmates in Tasfirat prison free at the time of the takeover of Tikrit. Anas Manhal may have participated in the killing operation at the PPC and may have been involved in the transportation and execution of cadets. An individual with a similar name of Anas a.k.a Abu Abdelrahman, also hailing from Samarra, has been identified in Video 1 as the man wearing a white *dishdasha*, shooting captives at K4. Anas Manhal was reportedly killed in an airstrike in Nineveh around 2016.



Figure 24 Abu Abdelrahman

130. Fahd Abu Ja'far, or Fahd al-Akra, oversaw a detachment of ISIL soldiers in al-Jallam. He was originally from Baghdad. Fahd Abu Ja'far participated in the killing operation at the PPC and has been identified in Video 1, wearing a brown *dishdasha* and colorful headscarf. He was involved in marshalling and shooting captives at K4. Abu Ja'far was reportedly killed in battle close to Tikrit.



Figure 25 Fahd Abu Ja'far

131. Hamza was working as a military in al-Jallam and hailed from Samarra. Hamza participated in the killing operation at the PPC and has been identified in Video 1, wearing a black t-shirt and camouflage trousers, as well as a red beret. He shot captives at K4. Hamza may have been related to Abu Bakr al-Baghdadi. He died in al-Dhulo'iya in November or December 2014.



Figure 26 Hamza

132. POI_AR1 was an operative in al-Jallam. He was originally from Baghdad and a fugitive from Abu Ghraib prison. POI_AR1 participated in the killing operation at the PPC, and has been identified as the individual wearing a camouflage cap and top in the ISIL recordings. He marshalled captives at K4. His current whereabouts are unknown.



Figure 27 POI_AR1

133. Abu Maria (Abbas Mezher Abbas Mohsen al-Rifa'i) was originally from Balad, and worked as an ISIL media officer in al-Jallam. He later became the ISIL *emir* of media in Salah al-Din. He held this position from October 2014 until October or November 2015, when he was killed. Abu Maria participated in the killing operation at the PPC and was present at all four killing zones. His voice has been identified in Videos 1 and 2. He was accompanied by at least one other cameraman, Abu Basir. ISIL propaganda refers to Abu Maria as the media commander of the Speicher attack. Abu Maria died in an American airstrike.

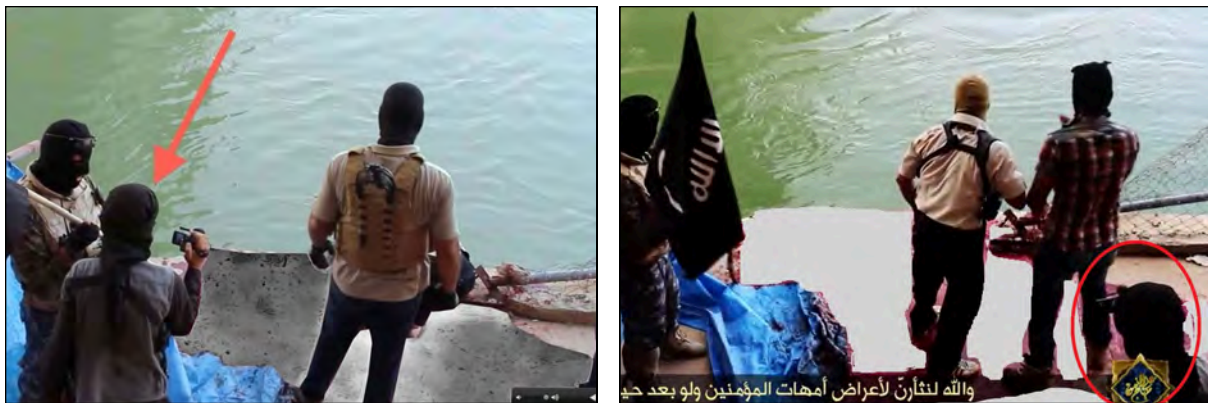


Figure 28 Abu Maria

134. POI_UY1 was in charge of Jazeerat Tikrit/Jazeerat Samarra. He was present at the PPC during the killing operation at K1 and has been identified in Video 2 as an individual in the background, wearing khaki t-shirt and trousers.



Figure 29 POI_UY1

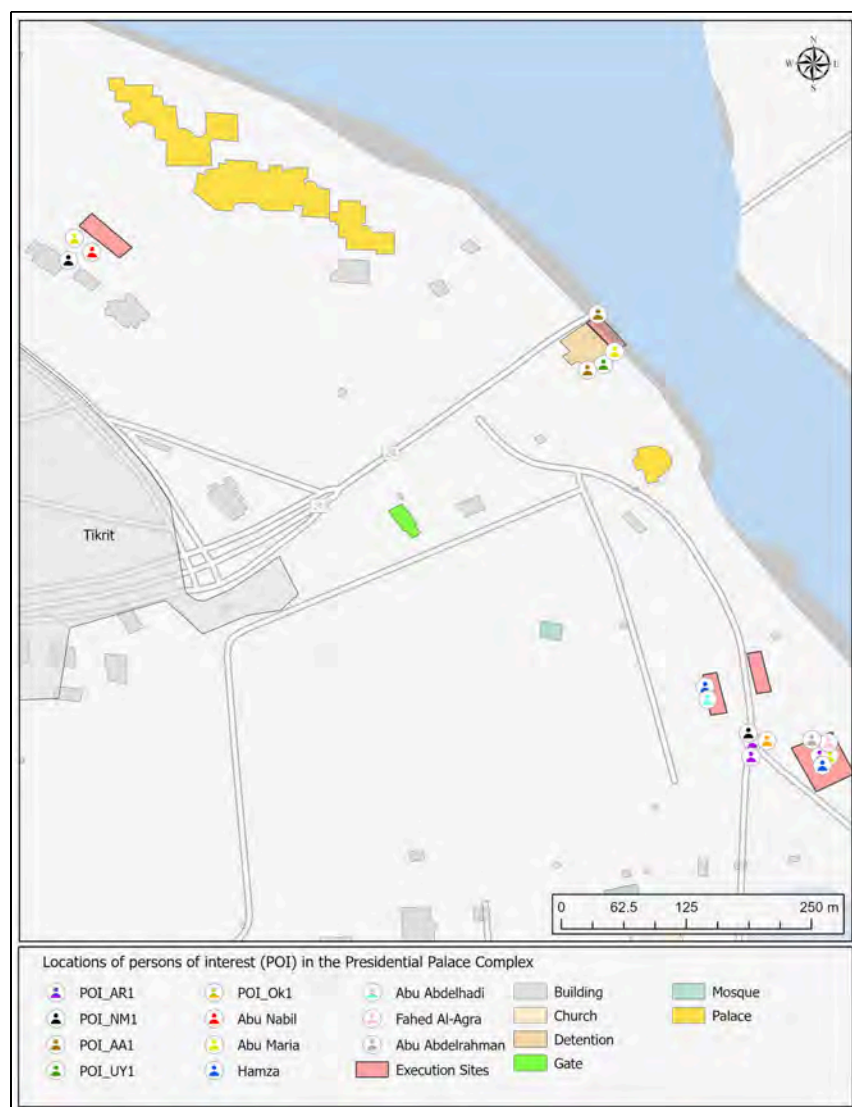


Figure 30 Distribution of known POI in the Presidential Palace Complex

5.5. Aftermath

135. Just before midnight on 12 June, ISIL announced on its official Twitter channel that 1700 Shi'a soldiers were executed in Tikrit. The killing operation in the PPC lasted for at least three days. People of the area heard bullets being fired until 15 June.

136. Bodies floated down the river for several days. Bodies would get piled up at turns in the riverbank, causing concerns regarding sanitation for locals in the area. Some locals in Tikrit and al-Dour tried to retrieve them, but ISIL shot at them and prevented them from removing the bodies.

5.6. Anthropological examination of human remains

137. Between 2016 and 2023, a team of forensic anthropologists, pathologists and geneticists from the Medico-Legal Directorate (MLD) examined the remains of at least 1,237 victims from fourteen graves and two riverine crimes scenes in the Presidential Palace Complex (see Figure 31 and Figure 32). These remains were exhumed and recovered by the Mass Graves Directorate (MGD).

138. Of the 1,237 victims recovered, 1070 (86.5%) have been identified. This speaks to the considerable efforts made by the Judicial Investigation Commission of Camp Speicher Crimes, MLD and MGD to bring closure to families of the bereaved. It also speaks to the reality that a considerable amount of forensic work remains to be done in the search for full accountability.

| NO. | Code of Gravesite/Search Location | # of Cases exhumed | Date of Grave Opening | Anthropology reports available | DNA ID |
|-----------------------------|-----------------------------------|--------------------|-----------------------|--------------------------------|--------|
| 1 | IRAQ-SD-TIK-QR-001 | 1 | 5/4/2015 | 1 | 1 |
| 2 | IRAQ-SD-TIK-QR-002 | 50 | 6/4/2015 | 50 | 48 |
| 3 | IRAQ-SD-TIK-QR-003 | 1 | 5/4/2015 | 1 | 1 |
| 4 | IRAQ-SD-TIK-QR-004 | 540 | 10/4/2015 | 534 | 510 |
| 5 | IRAQ-SD-TIK-QR-005 | 4 | 8/4/2015 | 4 | 4 |
| 6 | IRAQ-SD-TIK-QR-006 | 0 | 8/4/2015 | 0 | |
| 7 | IRAQ-SD-TIK-QR-007 | 0 | 9/4/2015 | 0 | |
| 8 | IRAQ-SD-TIK-QR-008 | 0 | 9/4/2015 | 0 | |
| 9 | IRAQ-SD-TIK-QR-009 | 0 | 9/4/2015 | 0 | |
| 13 | IRAQ-SD-TIK-QR-010 | 1 | 2/6/2015 | 1 | 1 |
| 14 | IRAQ-SD-TIK-QR-011 | 3 | 10/8/2015 | 3 | 3 |
| 15 | IRAQ-SD-TIK-QR-012 | 80 | 16/10/2016 | 0 | 45 |
| 16 | IRAQ-SD-TIK-QR-013 | 45 | 21/10/2016 | 45 | 9 |
| 17 | IRAQ-SD-TIK-QR-014 | 267 | 11/3/2017 | 0 | 247 |
| 18 | IRAQ-SD-TIK-QR-015 | 196 | 28/2/2018 | 0 | 166 |
| 19 | IRAQ-SD-TIK-QR-016 | 1 | 4/3/2018 | 0 | |
| 20 | IRAQ-SD-TIK-QR-017 | 47 | 6/7/2018 | 0 | 35 |
| 21 | IRAQ-SD-TIK-QR-018 | 1 | 26/7/2023 | 0 | |
| | | | | | |
| TOTAL CASES EXHUMED 1237 | | | | | 1070 |

Figure 31 Grave sites Presidential Palace Complex

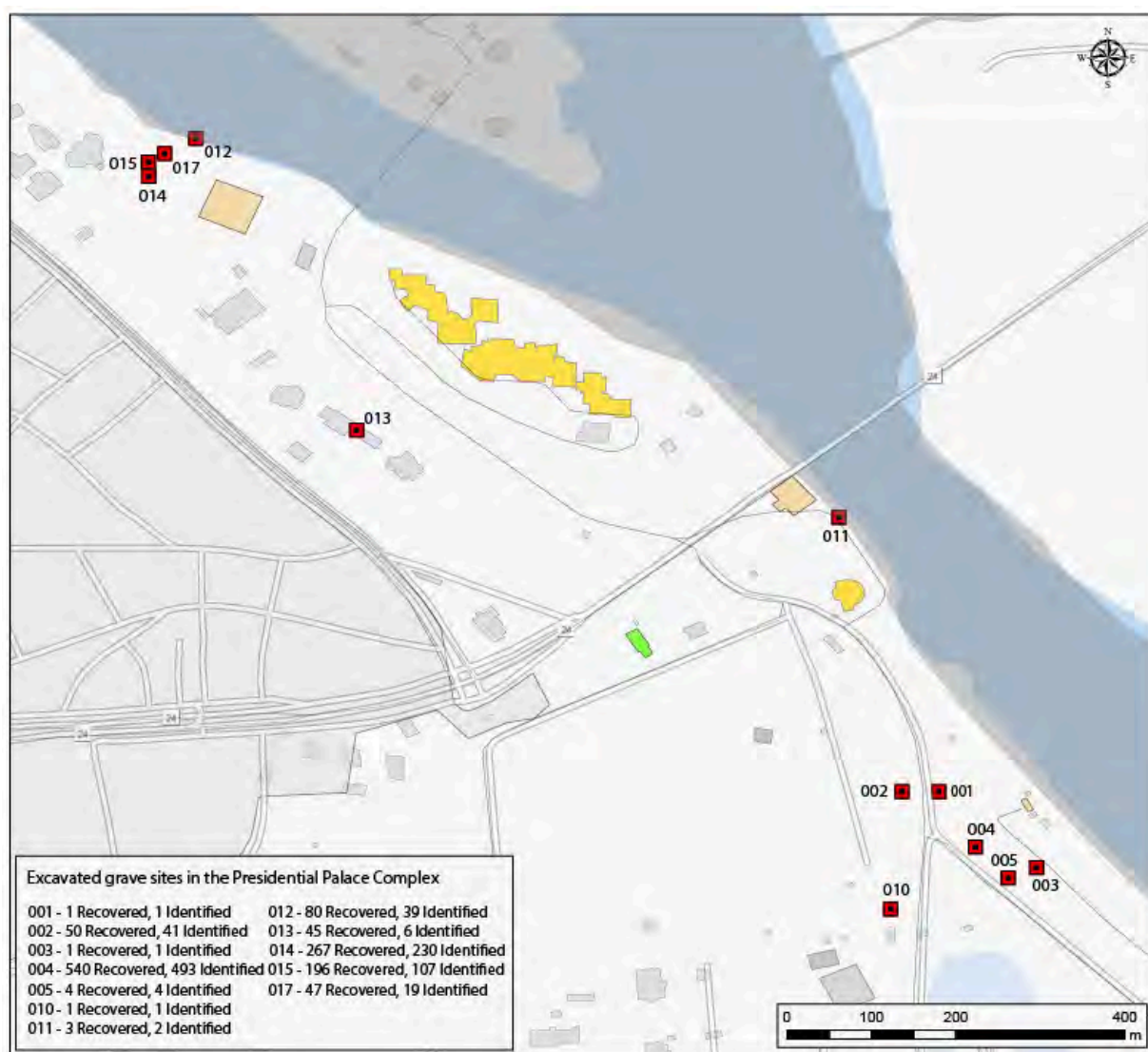


Figure 32 PPC mass graves in numbers

139. The analysis below is based on 640 anthropology reports received by UNITAD from the head of the Judicial Investigation Commission of Camp Speicher and focuses on a group of 546 victims whose remains match the genetic samples provided by families of missing Tikrit Air Academy personnel.

5.6.1. Taphonomy (condition of the remains)

140. The condition of human remains and the quality of their recovery are significant as remains are used to confirm victim identity and cause of death. By examining photographs of the victim's remains, general inferences on their condition can be made.

141. In this case, whether the execution and burial sites of the victims were the same (or at least in close proximity) largely determined the condition of the remains. Remains recovered from the mass graves were in better condition than those recovered from the riverine crime sites. Remains recovered from the southern sector were in better condition than those recovered from the northern sector. In the south, the execution and burial sites were practically the same. In the north, a large bulldozer-style machine pushed executed bodies some distance into prepared depressions. This "relocation", together with highly destructive trauma caused to the victims before or upon their death (see paragraphs 148-151), caused severe damage to the bodies and comingled bodies and body parts.

5.6.2. Demographic profile

142. An analysis of skeletal elements showed that 100% of victims were male. Anthropological examination determined most victims to be between 18 and 50 years old when they died. Further, out of 197 victims that had associated clothing, 94% had civilian clothes and only 6% had military clothes.

143. Of the 546 identified victims, the youngest was 16 and the oldest was 57. Young adult males between 18 to 25 made up the largest category (see Figure 33).

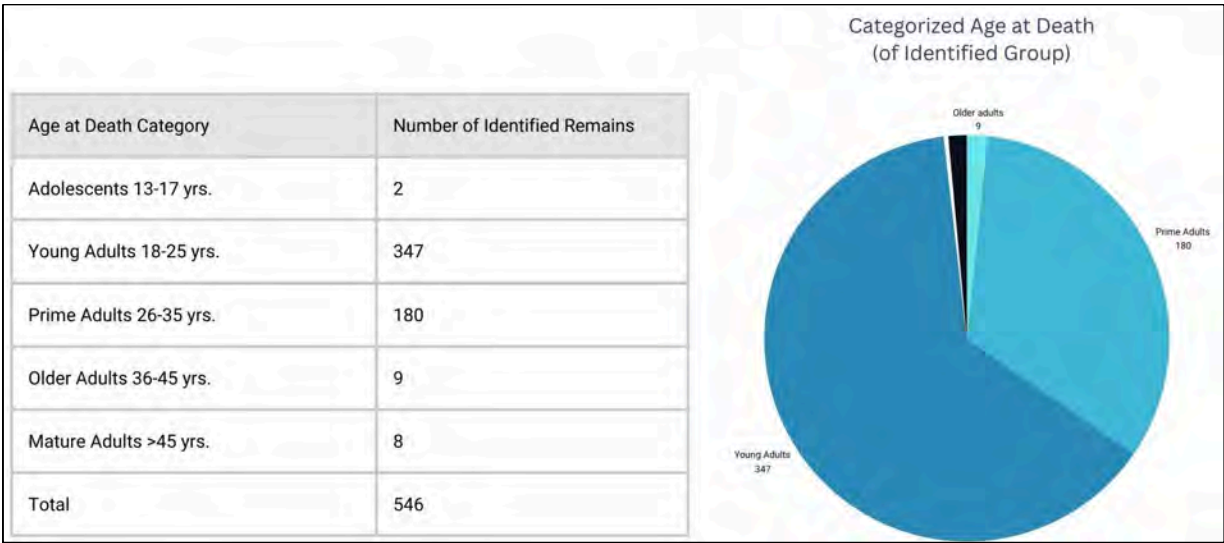


Figure 33 Categorized age at death of identified group

5.6.3. Distribution and frequency of injuries

144. Within the identified group, a total of 628 anatomical regions sustained perimortem trauma. The greatest number of injuries are to the bones of the head and neck (44%), then thorax (20%), abdomen (16%), upper extremities (9%) and lower extremities (11%) (see Figure 34).

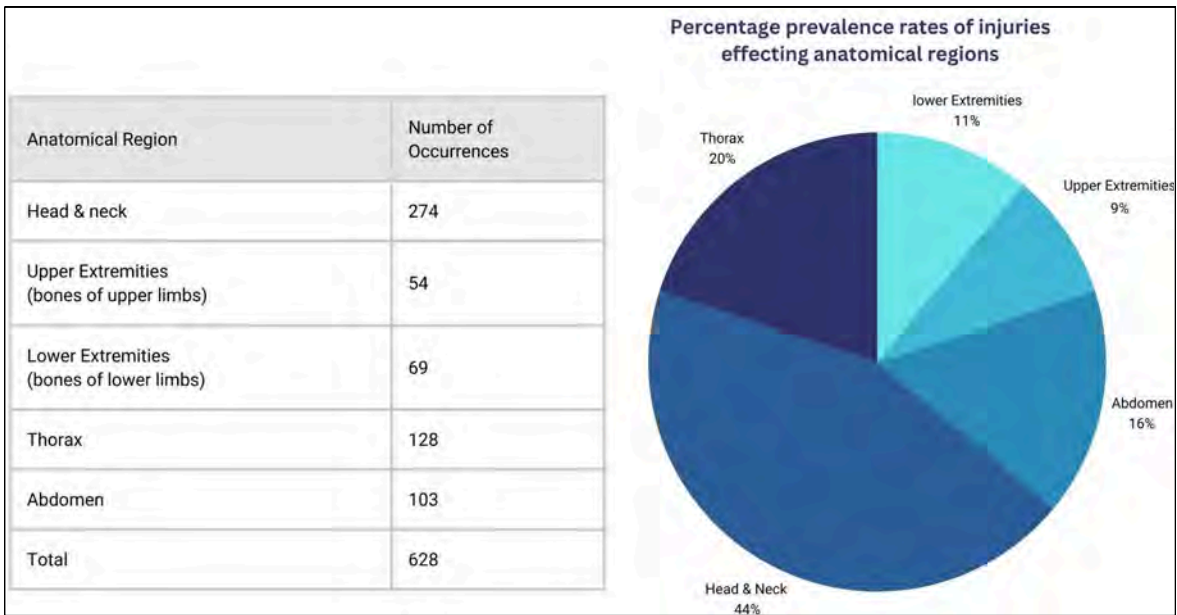


Figure 34 Percentage prevalence rates of injuries affecting anatomical regions (lethal and non-lethal)

145. Furthermore, 32% of victims sustained injury to more than one anatomical region and 15% sustained injury to a single anatomical region. 93% of victims with a single injury sustained trauma to the head and neck. While victims with multiple injuries show greater variation in terms of affected anatomical regions, the majority of injuries affected are the head and neck.

5.6.4. Cause of death

146. The cause of death, established from an anthropological perspective, is gunshot wound (GSW) for 278 victims (43%). Injuries caused by high velocity projectile were also noted in 135 victims (21%). Victims with single injuries likely died from those injuries. These findings were made solely through the study of the injuries observed on the skeletal elements associated to vital organs.

147. Accordingly, Figure 35 reveals the injury distributions and proportions of victims where cause of death has been established solely through the study of the injuries observed on the skeletal elements associated to vital organs.

148. Large caliber bullets from assault rifles used (such as M-16 and AK-47) caused bones to shatter in multiple places. This is commonly lethal even with immediate treatment. Additionally, high-velocity projectiles created a temporary cavity around a bullet's path, which led to significant damage to surrounding tissues and other bones.

149. The thorax and abdominal regions were common sites affected by multiple GSW. High-caliber rounds fired at close range caused perforating (through-and-through) wounds to targeted victims and penetrating (entry-only) wounds to other victim(s) nearby. Given the close clustering of the victims during most of the observed executions, it is highly likely that bullets, bullet fragments and bone fragments acted as secondary projectiles.

150. The unusually high proportion of injuries to the limbs is an effect of the close positioning of the victims during their execution, together with the fact that many victims had hands tied behind their backs or held behind their heads. The execution videos also show victims being "sprayed" with high-caliber projectiles by more than one shooter at close range.

151. Several victims were executed with lower-powered caliber bullets fired from automatic handguns. Injuries produced by such calibers, while severe, are not as devastating as those fired by assault rifles.

5.6.5. Understanding the injury patterns

152. While the killing described above may appear chaotic, an organized execution is evident from the existence of specific patterns. This is apparent upon comparing the patterns of perimortem trauma on the Tikrit Air Academy victims with average combat patterns observed in Iraq.

153. Figure 35 and Figure 36 illustrate the magnitude of differences in the frequency of affected anatomical regions between Average Combat Patterns (ACP) and Tikrit Air Academy Patterns (TAAP). They indicate that it is not possible to attribute the injury distribution frequencies of the Tikrit Air Academy victims to anything other than injuries typically observed in execution patterns.

| Region | ACP (n=900) | TAAP (n=274) | Z-Score |
|------------------|----------------|-----------------|---------|
| Skull / Cervical | 46% | 98.6% | 85.73 |
| Thoracic | 24% | 46% | 31.45 |
| Abdominal/Pelvic | 9% | 37% | 50.85 |
| Limbs | 3% | 44% | 40.55 |

Figure 35 Comparison ACP vs TAAP

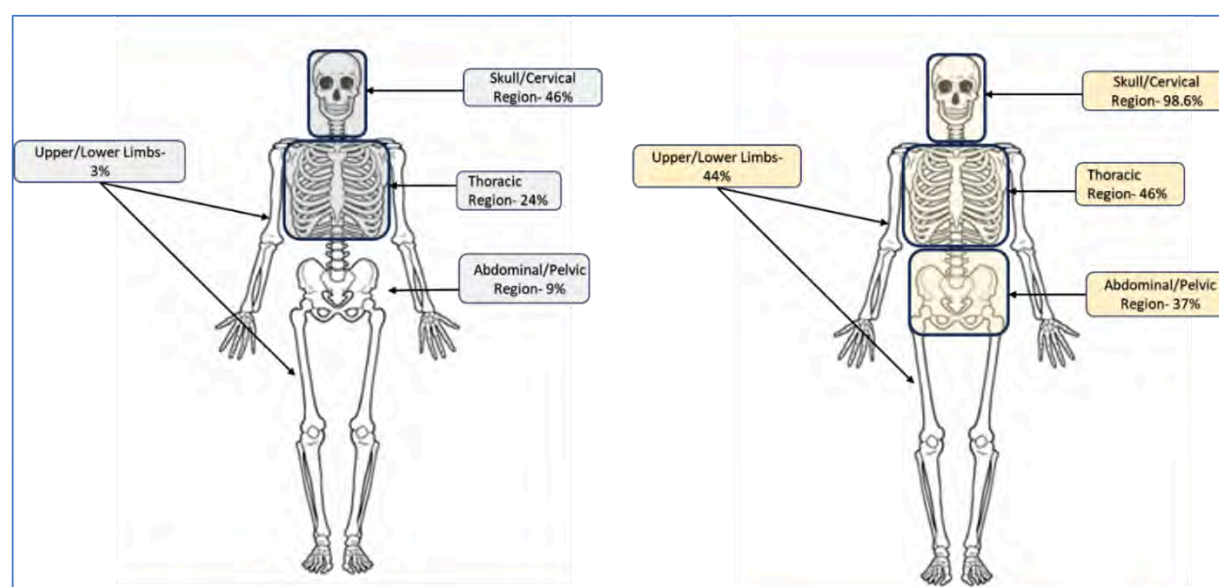


Figure 36 Perimortem trauma patterns between average combat and PPC killings

5.6.6. Conclusions

154. Upon a review and analysis of the available information, the following conclusions can be drawn. First, a non-random selection of mainly young males was killed within the Presidential Palace Complex in Tikrit. Second, the victims were exhumed from various graves in the Presidential Palace Complex in Tikrit. Their remains were recovered in variable conditions, which was a direct result of different disposal mechanisms/methods and differences in proximity between the execution and burial sites. Third, all victims were male, ranging between 16 and 57 years old (with over 97% being 35 or younger and 64% being between 18 and 25 at the time of death). Of 197 victims who had clothing associated with their remains, 94% had civilian clothes and 6% had military clothes. These factors strongly suggest that the victims were not selected arbitrarily. Fourth, evidence indicates that GSWs were the cause of death for at least 278 victims. Fifth, evidence indicates that victims sustained injuries at all anatomical regions. The greatest number of injuries were to the bones of the head and neck region (40%), thorax (20%), abdomen (16%) and the extremities (20%). 32% of victims sustained injuries to more than one anatomical region while 15% sustained injuries to one anatomical region. The patterns of injuries are inconsistent with average combat injury patterns and indicate that Tikrit Air Academy victims were killed at very close range while immobilized and prostrate. These patterns are characteristic of executions.

6. The potential scale of the “Speicher massacre”

155. The so-called “Speicher massacre” does not only encompass the killing operation at the Presidential Palace Complex in Tikrit. The scale of the massacre is much vaster, comprising kidnappings, killings and disappearances at many other locations around Tikrit or even in more distant areas, such as Mosul and Kirkuk.

156. Much more work is needed to identify, map out and analyze these other instances. While some of these locations have been ascertained, the information collected so far is insufficient to determine what exactly happened at these sites, whether personnel from the Tikrit Air Academy was indeed brought to these locations, and if so, how many and what happened to them.

157. Figure 37 shows the potential scale of the “Speicher massacre” and the multitude of locations where Tikrit Air Academy camp personnel may have been taken.

158. In the following paragraphs, known and potential execution, abduction or disappearance sites will be briefly presented. For the potential sites, most of the information is based on uncorroborated or non-eyewitness evidence. More evidence is needed to ascertain whether all these locations are indeed relevant sites, and if so, what are the pertinent facts and circumstances related to these sites.

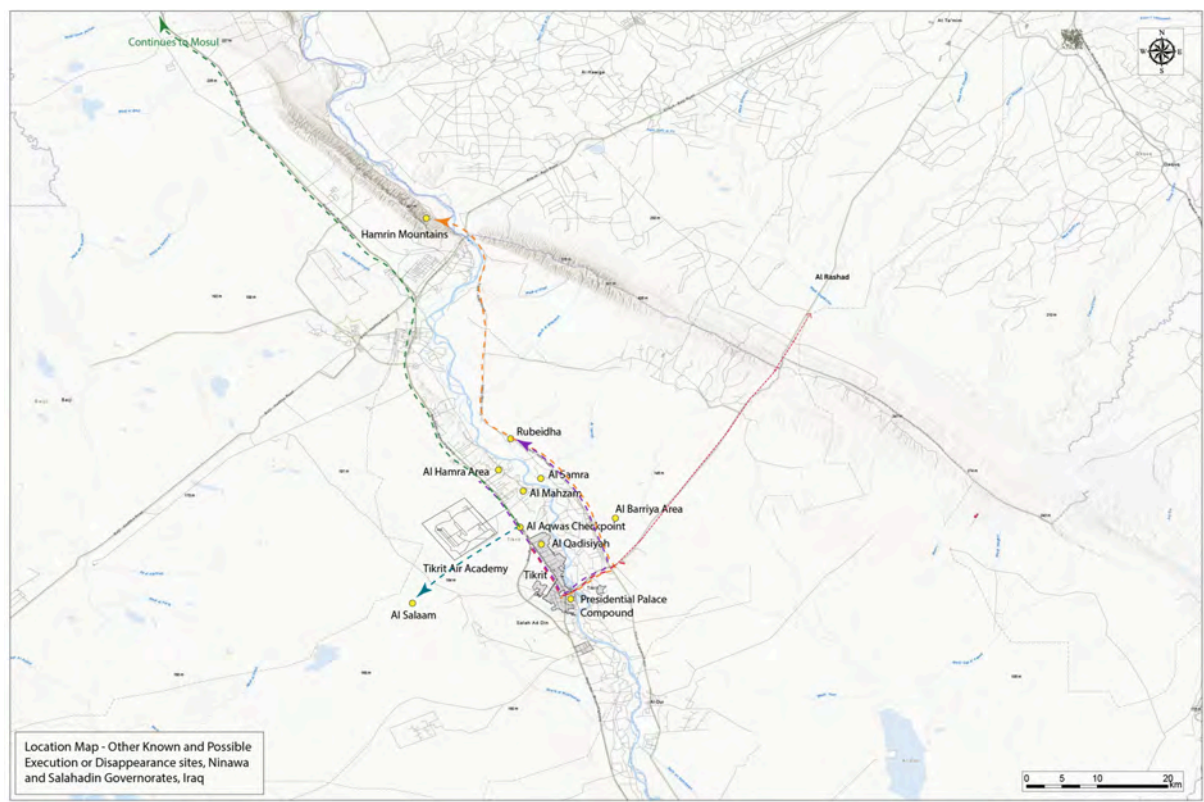


Figure 37 Known and possible execution and disappearance sites.

6.1. Known execution and disappearance sites

159. On 11 June 2014, one security personnel who departed Tikrit Air Academy that morning, managed to reach the gates of the 17th Brigade in al-Dujeil. This was the last time his father spoke to him, and he has been missing since. Other camp personnel who left Tikrit Air Academy on the same day reached the area of al-Taji and were never heard from again.

160. In the morning of 12 June 2014, four cadets who left the camp one day before and had been hosted by a local resident overnight, got in a vehicle setting out towards Samarra, as their host deemed it too risky to host them any longer. From this point onwards, the father of one of the cadets was no longer able to get in touch with his son. When the father once again contacted their previous host, he was told that the four cadets had been taken by the “revolutionists”.^[15] The father later recognized his son in one of the ISIL recordings, shot in the back of his head. The remains were later exhumed from inside the PPC.

161. One group of three soldiers who had left Tikrit Air Academy on 12 June sought refuge at a family friend’s house in Tikrit, where they stayed for a few days. On 14 June, the group left the house where they had been staying, and the communication between one of the soldiers and his family was lost. It is not known where the group of soldiers were heading. The remains of one of the soldiers were a few years later identified in the Presidential Palace Complex and handed over to his family.

162. On 12 June, a group of three soldiers of the 18th Division hired a taxi in al-Qadisiya neighborhood and set out for Kirkuk. At the last checkpoint before Kirkuk, in the al-Rashad area, they were stopped by individuals wearing *dishdasha* and *yashmagh*. Two of the three soldiers had fake ID’s showing they were Sunni, but the third had not. The former two managed to escape, while the latter was handcuffed and arrested. His family traveled to the area of his disappearance, trying to find him, but to no avail. The body of the arrested and disappeared soldier has not yet been recovered.

163. One soldier who had left Tikrit Air Academy sent the last text message to his family around noon on 12 June, saying they should not worry. This was the last thing his family ever heard from him. Many years later, the family received his body through DNA-matching, which had been found outside the Presidential Palaces, in the outskirts of Tikrit.

164. Around sunset on 12 June, at least one cadet from the Tikrit Air Academy ended up in a house located in al-Qadisiya, Tikrit. The cadet may later have been handed over to another individual along with seven other cadets, and slaughtered. His family has since then been unable to confirm his death.

165. One group of five cadets left the Tikrit Air Academy together on 12 June. They got a ride with a car to the bus terminal in Tikrit. From there, they got on a taxi setting out towards Balad. The group was stopped at a checkpoint outside Tikrit and taken to an Iraqi army facility, where another group of camp personnel were also present. When armed men started attacking the facility, some of the fugitives managed to escape. Next morning, two of the cadets went with a vehicle towards Baghdad. They were, however, stopped at another checkpoint, where they spotted a third fugitive cadet. The three of them were taken away to be executed but managed to escape. Two of them eventually reached Baghdad, but the fate of the third cadet is unknown.

166. Most of the above-mentioned individuals were Shi’a, as identified by their families searching for them, fellow escapees, eyewitnesses or perpetrators.

15. UNITAD, Confidential testimonial evidence.

6.2. Possible disappearance and execution sites

167. Around 300-400 camp personnel may have been taken in trucks from al-Aqwas checkpoint to al-Salam and/or al-Shima villages (a desert area four or five km behind the Tikrit Air Academy), where they were killed and buried.

168. Another group of camp personnel, initially destined for al-Salam, may have been loaded into trucks at al-Qadisiya and taken to Mosul, and there handed over to Mosul-based ISIL groups at the Abruary hotel. The number of those taken to Mosul is not clear: it may have been between 60-70 and 250 individuals.

169. A group of camp personnel may have been taken to north of Tikrit and executed. Their number may have amounted to as many as 300. The killed personnel may have been buried in a hole, dug with a bulldozer.

170. Another group of around 100 personnel may have been taken down another road, along the Baghdad-Mosul highway. It is not known what happened to them.

171. Seven cadets may have been taken to a dried-up lake in the al-Hamra area or Wadi al-Mawt, where they may have been shot at and/or stabbed with knives. The perpetrators left the area after they spotted Iraqi airplanes.

172. A group of 28 cadets, who had tried to escape, may have been captured and killed in Rubeidha village. The location was later excavated, but no mass graves or bodies were found. Another seven captured soldiers may have been transported on boats by ISIL, across the river to Samra area, from where they may have been taken to Rubeidha and killed.

173. Four days after the Speicher incident, four big buses set out from the Presidential Palaces towards the Hamrin mountains. The people on the bus sat with their heads bent down. Some were dressed in civilian clothing, while others wore no clothes on their upper body. It is, however, not known whether the people onboard were the same as those abducted from the Tikrit Air Academy on 12 June.

174. Another group of four kidnapped Speicher soldiers may have been kept in a garden in Samra area. ISIL perpetrators may have killed and buried some of them in al-Barriya, close to al-Alam. The soldiers who were still alive may have been taken to the Presidential Palaces, but their fate is unknown.

175. A group of seven soldiers may have fled the Presidential Palaces and been apprehended at the al-Dour-al-Alam-Kirkuk roundabout intersection. Thereafter, they may have been taken to the police station in Rubeidha and killed.

176. Another two fugitive soldiers, who had taken shelter in a house between Rubeidha and the al-Hamra area, tried to escape ISIL. One of them may have been run over by a car, and the other captured.

177. A group of around eight soldiers/cadets may have left and hid in a house in Tikrit, after having seen armed men waiting for them. Around sunset, they may have had to leave the house, and they left in a taxi. The phone was shut off, and their fate remains unknown.

7. Rescue efforts by locals in Tikrit, al-Alam and other areas

178. Residents from Tikrit, al-Alam and surrounding areas assisted camp personnel escape ISIL. On 10-11 June 2014, Tikrit University personnel evacuated all Shi'a students from Tikrit. On 12 June, outside the Tikrit Air Academy gate, local civilians warned a group of departing military personnel not to walk down the Baghdad-Mosul highway, as ISIL had overtaken the area and intended to kill them. The civilians suggested escaping via al-Alam instead. It may be that some military personnel escaped and survived on the basis of that advice.

179. On the morning of 12 June, three cadets may have separated from the main group walking down the Baghdad-Mosul highway and proceeded through Abu Agrab Road and Abu Fursan Road instead. One cadet sought refuge at the home of a Tikrit resident and was provided shelter. After hiding at the house for a few days, the cadet returned safely home with assistance from his rescuer.

180. Ten camp personnel may have evaded capture by ISIL with the help of two Tikrit residents. The cadets hid for around ten days at a shop underneath the home of one of their rescuers. The Tikrit residents assisted the ten cadets, a few at a time, escape to safety in Samarra.

181. Upon departing Tikrit Air Academy on or around 12 June, six cadets boarded a vehicle to Tikrit city center. Unable to find safe transport to Baghdad from there, they called an acquaintance and were picked up from Doctor's Street and driven to a farm. The farm owner and his family provided the cadets with food and shelter. Afterwards, the farm owner's cousin facilitated the six cadets in travelling to safety in Baghdad.

182. On 12 June, whilst walking down the Baghdad-Mosul highway with other camp personnel, three cadets separated from the group and sought refuge at the house of a Tikrit resident where they remained overnight. The next day, their rescuer's family drove the cadets to al-Khanik and then to the Tigris riverbank via an unpaved road behind Tikrit University to avoid ISIL checkpoints. A military officer transported them, alongside ten other fugitives, across the river to al-Alam by boat and then onwards to Kirkuk. Another cadet was similarly rescued by Tikrit locals who first transported him to al-Khanik, then across the Tigris River to al-Alam, and finally to safety in Kirkuk.

183. On the same day, four cadets may have separated from the column and hid behind small mounds of sand along the Baghdad-Mosul highway. One of them split from the group and, being lost, sought refuge at the house of a Tikrit resident. He was offered shelter until late in the night, when ISIL members came to this house looking for escapees. His host refused to hand the escapee over and took him that evening to another resident's house in Tikrit. From here, the escapee eventually managed to return to Baghdad.

184. Around 80 cadets who left Tikrit Air Academy on 12 June 2014 tried to escape by leaving the Baghdad-Mosul highway. Pursued by ISIL, they fled towards al-Tin neighborhood; three escapees survived. One survivor found shelter at a farm where he was able to call his family. After three days, a resident of al-Alam area picked up the survivor, drove the survivor past checkpoints towards al-Alam, and hid the survivor at his house in the Hamrin Mountains for four days. Then, the local assisted him pass many checkpoints to Kirkuk where the survivor remained for three days. Afterwards, the survivor returned home.

185. On 12 June, a cadet survived a group execution at the Presidential Palaces Complex. Presumed dead, he was pushed down a valley with other bodies. When night fell, he walked along the Tigris riverbank and encountered another escapee. For three nights, the two men hid in the riverbank near the Tikrit Bridge (which was patrolled by ISIL members who shot at passersby under the bridge).

On 16 June, the survivor crossed the Tigris River and spent the night at a farm hut in al-Badhaya. The farm owner gave assistance but advised the survivor to leave as ISIL was conducting searches. While seeking transport out of the area, the survivor met a man who brought him to his home, gave him food and clothing, and sent him to a 'safe' house to stay for three nights. Afterwards, the man transported the survivor to al-Alam where he remained for sixteen days at the homes of various local residents. His rescuers forged a fake ID for him and then drove him to Erbil, crossing several checkpoints by pretending to support ISIL.

186. On or around 12 June, six or seven young men separated from the column to hide inside Tikrit University. Arrangements were made by university staff for the escapees to take refuge at a nearby mosque. The escapees were given fake student IDs. University staff and some al-Alam residents arranged to transport the escapees to al-Alam by boat that evening. After one or two days in al-Alam, the escapees were transported to safety in Kirkuk.

187. On the evening before ISIL's entry into Tikrit, a group of ten camp personnel were rescued by a Tikrit University student who picked them up at the base. Five of the rescued men were brought to the student's family home in al-Hajjaj where they hid for several days. The other five departed en route and went their own ways. On 16 June, the student and his brother drove the escapees to the Tigris River to transport the men to al-Alam. Whilst assisting the men across the river, the student drowned but all five escapees survived and found refuge at the home of an al-Alam resident.

188. A group of 52 camp and Iraqi army personnel who fled ISIL by crossing the Tigris River to al-Alam were given shelter at the homes of an al-Alam resident, his family, and their neighbors. Their rescuers then hired drivers to evacuate them to Kirkuk and surrounding areas. In order to conceal the true identities of the escapees from ISIL at checkpoints, the rescuers gave the escapees fake IDs and placed women in the cars with them so they could pretend to be travelling together. All but one soldier who was evacuated this way survived. The" one who did not survive was captured, tortured and killed by ISIL together with the driver who tried to evacuate him.

189. Hundreds of Tikrit Air Academy personnel, Tikrit police and security forces sought refuge from ISIL in al-Alam. These personnel were given shelter by Tikrit residents and were facilitated by them to cross the Tigris River to al-Alam. ISIL arrested these people extending assistance, pillaged their houses and properties and tortured them. One local al-Alam resident rescued 58 escapees by providing them shelter and transporting them back to their homes or to 'safe' areas such as Kirkuk. Seven camp personnel who assisted al-Alam in resisting ISIL hid in a hole covered by floorboards at her home. The seven men had arrived in al-Alam from al-Hajjaj by crossing the Tigris River with her son's assistance. After fourteen days, she helped the seven escapees travel to Kirkuk by obtaining fake student ID cards for them and hiring a minibus to drive them together with her daughters and daughters-in-law.

8. Conclusion

190. The current number of dead or disappeared Tikrit Air Academy personnel stands above 2000.

191. Those who left the Tikrit Air Academy on or before 10 June likely returned home safely. Many of those who left on 11 June 2014 disappeared or were killed while trying to escape. There is insufficient evidence at this juncture about what exactly happened to each of the groups or individuals who left the camp on that day. As detailed in paragraphs 34-45, ISIL entered Tikrit in the early afternoon of 11 June 2014 and for much of that day its fighters were busy establishing control over the city. Therefore, the evidentiary link between the killing or disappearance of departing personnel and ISIL cannot be clearly established at this time. More information is needed to piece together the fate of these persons.

192. Most of those who left on 12 June 2014 were killed or are missing to this day. The majority, around 1700 captives, ended up in the Presidential Palace Complex and were executed. This was clearly an ISIL operation: it was organized, executed and claimed by ISIL. The PPC was not, however, the only destination for the camp personnel. As detailed in paragraphs 159-177, possibly hundreds of other soldiers and cadets ended up in other locations and have never been heard from again. It is not known at this point whether these escapees ended up in the hands of ISIL or other armed groups or whether they were delivered by locals to ISIL or other armed groups. There is, however, no evidence that local governmental or security authorities in Tikrit were involved in any of these incidents. Moreover, rescue efforts by locals are well documented.

193. The following legal analysis will focus only on the killing operation in the Presidential Palace Complex, in relation to which ample evidence has been collected.

PART IV PRELIMINARY LEGAL FINDINGS

194. The substantive law applied in the subsequent analysis is international criminal law recognized as being part of customary international law. Prominence is therefore given to the jurisprudence of international criminal tribunals that apply customary international law. Where necessary, reference will be made to the Rome Statute of the International Criminal Court to highlight any significant differences in the applicable law and to support related investigations in domestic jurisdictions that have incorporated the Rome Statute into their legislation.

195. All legal requirements for the analyzed crimes and modes of liability are set out below. These requirements are further elaborated only where the legal analysis so requires.

196. Preliminary legal findings are made according to the “reasonable grounds to believe” evidentiary standard (see paragraph 2).

9. Genocide

197. The following findings will concentrate on the killing operation in the PPC and the ISIL PPC POI. To reach legal findings in relation to the abduction, disappearance and/or killing of other Tikrit Air Academy personnel (see paragraphs 155-177), more information is needed. Ultimately, for the purposes of genocide, all anti-Shi’a ISIL killings should be viewed together.

9.1. Applicable law

198. Article II of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Convention) defines the crime as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) killing members of the group; (b) causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) imposing measures intended to prevent births within the group; (e) forcibly transferring children of the group to another group.” This definition has been considered to form part of customary international law and to constitute *jus cogens*.

199. This report focuses on the elements of genocide in the form of killing members of a protected group. Accordingly, the elements of this crime are: (a) the protected nature of a group; (b) the killing of members of that group; and (c) the perpetrators’ intent to destroy, in whole or in part, the protected group, as such.

9.1.1. The protected nature of the group

200. The list in Article II is exhaustive: only national, ethnical, racial or religious groups are protected under the Convention. Such groups must be a collection of people with a particular group identity. The protected group must be defined positively and have distinguishing characteristics. A negatively defined group does not meet the definition. The determination of the composition of the group is necessarily made on a case-by-case basis.

9.1.2. Killing members of a group

201. The requirements for "killing" in Article II of the Convention are equivalent to the specific requirements of the underlying act of murder as a war crime or as a crime against humanity. Accordingly, murder is committed through an act or omission resulting in the death of a person. It is not necessary to produce the body of the deceased person as proof of death; it suffices to rely on circumstantial evidence, taking into account, for example: (i) incidents of mistreatment directed against the victim; (ii) patterns of mistreatment and disappearances of other victims; (iii) coincident or near-coincident time of death of other victims; (iv) the circumstances in which the victim was last seen; and (v) the length of time which has elapsed since the person disappeared. The perpetrator must have killed the person intentionally or must have intentionally caused serious bodily harm, which the perpetrator should reasonably have known might lead to death.

202. Murder as an act of genocide requires proof of a result, in the sense that members of the group were killed. However, a numeric assessment of the number of people killed is not required for the *actus reus* of genocide to be established.

9.1.3. Genocidal intent

9.1.3.1. Intent to "destroy" a protected group "as such"

203. The *mens rea* required for genocide is a specific intent to destroy, in whole or in part, a protected group, as such. The term "destroy" is limited to the physical or biological destruction of the group. Other acts which do not fall under the definition of prohibited acts may however be considered as evidence of the specific intent of a perpetrator to destroy the group.

204. The words "as such" underscore that something more than discriminatory intent is required for genocide; there must be intent to destroy, in whole or in part, the protected group "as a separate and distinct entity", because of its particular group identity. The ultimate victim of the crime of genocide is the protected group. The sparing of an inconsequential number of members for personal motives does not deny the existence of an intent to destroy the group.

205. Display of intent through public speeches or in meetings may support an inference as to the requisite specific intent. Absent direct evidence, the intent to destroy may be inferred from a number of facts and circumstances, such as the general context, the perpetration of other culpable acts systematically directed against the same group, the scale of atrocities committed, the weapons used, the systematic targeting of victims on account of their membership in a particular group, or the repetition of destructive and discriminatory acts, including the use of derogatory language. In assessing specific intent, consideration ought to be given to all of the evidence, taken together.

206. While the existence of a genocidal plan or policy is not required under customary international law, it can be an important factor in inferring genocidal intent. When the acts and conduct of a perpetrator are carried out in accordance with an existing plan or policy to commit genocide, they become evidence relevant to the perpetrator's knowledge of the plan; such knowledge constitutes further evidence supporting an inference of intent.

9.1.3.2. "in whole or in part"

207. Where only part of a protected group is targeted, that part must constitute a substantial part of that group such that it is significant enough to have an impact on the group as a whole. In determining substantiality, considerations may include:

the absolute and relative numerical size of the targeted part, the prominence of the part of the group within the larger whole, the area of the perpetrators' activity and control, and the possible extent of their reach. The applicability of these factors and their relative weight will vary depending on the circumstances of a particular case.

208. The intent requirement of genocide is not limited to instances where the perpetrator seeks to destroy only civilians. Provided the part intended to be destroyed is substantial, and provided that the perpetrator intends to destroy that part as such, there is nothing in the definition of genocide prohibiting, for example, a conviction where the perpetrator killed detained military personnel belonging to a protected group because of their membership in that group. Likewise, the existence of personal motives must be distinguished from intent and does not preclude a finding of genocidal intent.

9.2. Legal analysis

9.2.1. The Twelver Shi'as of Iraq as a protected group

209. The Shi'as represent one of the two major branches of the Islamic religion. The Shi'a branch differentiates itself from the Sunni branch in that they believe that the leadership of the Muslim community after Prophet Mohammad belongs to Ali ibn Abi Talib, Muhammad's cousin and son-in-law, and his successors. The word "Shi'ite" itself, means "supporter/follower", in the Arabic language. The Shi'ite faith is divided into different sects, including the Twelver Imamis, the Ismailis, the Druze, and the Zaydis, among others.

210. The Twelver Imamis (Twelver Shi'as) constitute the majority of Shi'a in the world today. The overwhelming majority of those who identify as Shi'a in Iraq are Twelver Shi'a. The term "Twelver" refers to the belief in the twelve imams of the Muslim community, the last of whom – Mohammad al-Mahdi – is in a state of occultation, destined to return as the "Mahdi". Twelver Shi'a religious beliefs and practices differentiate them from Sunnis and from other, smaller Islamic branches. In particular, Twelver Shi'as have their own interpretation of Islamic history and theology as well as their own holy days of remembrance and holy sites.

211. Shi'a Twelvers identify themselves as Shi'as. In particular, when asked, most PPC captives openly identified themselves as Shi'a.[16] The families of the victims identified the PPC captives and themselves as Shi'a.[17] Shi'a Twelvers were also identified by ISIL as Shi'as.[18]

212. Based on the above, Twelver Imami Shi'as qualify as a protected religious group under Article II of the Convention.

9.2.2. Killing members of the group

213. At least 2500 soldiers, cadets and volunteers left Tikrit Air Academy on 12 June 2014.[19] Their overwhelming majority were Shi'a.[20] Audio-visual and testimonial evidence established that, between 12 and at least 14 June 2014, after separating Shi'as from Sunnis, the majority of those who left the camp were taken to the Presidential Palace Complex, where they were mistreated and executed, and either buried there or thrown into the river adjacent to the complex.[21] Some captives died because of overcrowding in the trucks or wounds received after being hit with bricks or stones. [22]

16. See paragraphs 76, 86 of this report.

17. See paragraph 72 of this report.

18. See paragraphs 218-233 of this report.

19. See paragraph 58 of this report.

20. See paragraph 58 of this report.

21. See paragraphs 75-121, 192 of this report.

22. See paragraphs 75, 99 of this report.

214. To date, the bodies of 1237 victims were recovered from the Presidential Palace complex, of which 1070 have been identified.[23] The evidence establishes that the cause of death for most of the 1237 recovered bodies was execution.[24] Although most of the bodies of those thrown into the river were not recovered, audio-visual and testimonial evidence places their number anywhere between dozens and hundreds. Moreover, ISIL itself announced the execution of 1700 Shi'a soldiers. The current number of dead or missing Tikrit Air Academy personnel is set at 2156. Given that at least 2500 personnel left the camp and that a few hundred may have been taken elsewhere than the PPC (see paragraphs 155-177) and other may have escaped on different routes, it is reasonable to assume that the number of those killed at the PPC is around 1700, as claimed by ISIL.

215. Based on the above, it can be inferred that members of the protected group were killed and the *actus reus* of the crime is met.

9.2.3. Genocidal intent

216. The genocidal intent of ISIL PPC POI can be inferred from the following factors: (a) the existence of a genocidal ISIL policy against the Twelver Shi'as; (b) the knowledge of that policy and displays of intent by ISIL PPC POI to fulfill that policy with the killing operation; (c) the characteristics of the killing operation, such as its scale and nature, and the systematic and organized manner in which it was carried out.

9.2.3.1 Existence of a genocidal ISIL policy against the Twelver Shi'a

217. To ascertain whether ISIL had a genocidal policy against Twelver Shi'as, consideration will be given to: (i) speeches and statements of ISIL leadership; (ii) official ISIL jurisprudential publications; (iii) official ISIL media products; and (iv) relevant ISIL-claimed attacks. For each of these categories, both the time before and after the Tikrit Air Academy massacre will be taken into account, as statements and acts post-dating the crime may still shed light on how that crime was viewed in the context of a genocidal policy, if any.

Speeches and statements of ISIL leadership

218. As said in paragraph 5, as early as 2004-2006, ISIL's precursor, AQI shifted the focus from the *far enemy* to the *near enemy*. In a letter written to Osama bin Laden in February 2004, al-Zarqawi described the Shi'a as "the insurmountable obstacle, the lurking snake, the crafty and malicious scorpion, the spying enemy, and the penetrating venom".[25] In his view, the Shi'a "are the enemy. Beware of them. Fight them. By God, they lie". Al-Zarqawi justified his views based on religion and politics. On the religious front, he declared that "Shi'ism is a religion that has nothing in common with Islam" and engaged into a seething condemnation of Shi'a Twelver beliefs and practices. On the political side, he proclaimed the Shi'a as a "a sect of treachery and betrayal throughout history and throughout the ages", who are cunning and vengeful, and who have liquidated many Sunnis. In the face of all these, al-Zarqawi concluded that the Shi'a were the "real danger that we face" and that the "only solution is for us to strike the religious, military, and other cadres among the Shi'a with blow after blow until they bend to the Sunnis".[26]

219. The 2005 letter of Ayman al-Zawahiri, the deputy head of al-Qaeda at the time, shows, however, that the core al-Qaeda did not agree with al-Zarqawi's new approach.

23. See paragraph 138 of this report.

24. See paragraph 154 of this report.

25. Letter written from al-Zarqawi to Osama bin Laden, February 2004, p. 2, <https://www.mobtada.com/details/363945> and <https://2001-2009.state.gov/p/nea/rls/31694.htm>.

26. Letter written from al-Zarqawi to Osama bin Laden, February 2004, p. 2-5, <https://www.mobtada.com/details/363945> and <https://2001-2009.state.gov/p/nea/rls/31694.htm>.

Zawahiri made it clear that he too considered the “sect of the Twelver Rafidites”[27] to be a danger to Islam, but he stopped short of an explicit pronouncement that the Shi’a were apostates, and clearly did not share the belief that there was a priority to target them at the time.

220. This, however, did not stop al-Zarqawi from further developing AQL’s anti-Shi’a plan. In 2006, he issued a series of lectures entitled “Has the story of the *rafidha* come to you?”.[28] In his lecture, al-Zarqawi made clear that *rafidha*[29] referred to the Twelver Shi’a, accusing them for having “replaced [God’s religion] with what is lower than the mixture of malice and falsehoods of the Persians [i.e. Zoroastrians], the deceptions of the Jews and the errors of the Christians, so that it can accord with all the members of the other religions who are hostile to the people of Islam.”[30] Al-Zarqawi further accused the Twelver Shi’as of wanting to “destroy Islam and spread *fitna* [strife] and division among the Muslims, and destroy the Islamic State through waging war on [the Sunnis]”. [31] In summary, al-Zarqawi’s view was that the Shi’a constituted a sect guilty of idolatry against God, who have apostatised from Islam by virtue of claiming affiliation with it and espousing views that constitute disbelief. In other words, the Shi’a were at the same time *rafidha* (rejectors), *mushrikun* (idolaters), *murtaddun* (apostates) and *kuffar* (disbelievers).

221. The successors of AQL, ISI and ISIL, continued to refer to Twelver Shi’as as *rafidha* or *rawafidh*, in the same way that al-Zarqawi used the term; these organizations also adopted and further developed al-Zarqawi’s views. In particular, in 2007, Abu Omar al-Baghdadi, the leader of ISI at the time, noted that, according to the organization, “the *rafidha* are a sect of shirk [idolatry] and apostasy.”[32]

222. During Abu Bakr al-Baghdadi’s leadership, most official ISIL statements were made by his spokesman. While the clarification that “the opinion of the Islamic State is that of its Imam, those whom he delegated, and its official spokesman”[33] came only in 2017, it is reasonable to assume that the statements made by the official ISIL spokesperson between 2011 and 2017 were also representing ISIL opinion.

223. In August 2011, in his first speech as ISI spokesman, Abu Mohammad al-Adnani addressed the Sunnis of Iraq and criticized them for giving credence to leaders who declared that there was no difference between Sunnis and Shi’as. Al-Adnani then went on to emphasize the difference between “you” (the Sunnis) and the *rawafidh*, condemning, like al-Zarqawi, Twelver Shi’a beliefs and practices. [34]

224. In his second speech, in February 2012, in which he announced a campaign against Shi’a and military targets, al-Adnani noted that “whoever wants to investigate the schemes, conspiracies and hostility of the *rafidha* against the Muslims” should consult al-Zarqawi’s 2006 lectures. In the same speech, al-Adnani declared:

“So, Iraq, Iraq, O people of the Sunnah. Stop the black crawling that is coming towards you. Cut off the head of the rafidhi snake, the tail of which is amongst you. Know that the coming stage is a stage of real confrontation and war against the despicable rawafidh, whether you like it or not, and that the war of the Sunnis with the rawafidh is not a sectarian war, like people are braying about. A sect is part of something, and the rafidha don’t have anything to do with Islam; they have their own religion, and we have our own. The war of the Sunnis with the rawafidh is a religious war, a holy war of faith, a war of faith and unbelief, a war of idolatry and monotheism. There is no way out of it and there is no swerving from it. The rawafidh know this well.”[35]

27 The message of Shaykh Dr. Ayman al-Zawahiri to Shaykh Abu Mus’ab al-Zarqawi in summer 2005, edition by Lujnat al-Fikr, September 2014, <https://ia600905.us.archive.org/22/items/nkaba.repo/aym.msu.pdf>, p. 12.

28. Abu Musab al-Zarqawi, “Has the story of the Rafidites come to you?” (part 1), June 1, 2006. A transcript with timestamps corresponding to the original audio can be found at: https://www.cia.gov/library/abbottabad-compound/08/087938D75C71E90AEF3B048AD4F03B3B_2.pdf. Audio available at: https://archive.org/details/islam_20190122

29. The term “Rafidites” is derived from the Arabic root r-f-d, which has connotations of rejection.

30. Audio, see https://archive.org/details/islam_20190122. For the relevant timestamp see 04:40-06:02.

31. Audio, see https://archive.org/details/islam_20190122. For the relevant timestamp see 12:59-18:45.

32. Abu Omar al-Baghdadi, “I follow evidence from my Lord” (1428 AH: 2007 CE). See audio recording at <https://a-r-d.shop/?p=29236>, timestamp 18:45-19:30.

33. ISIL’s Rumiyyah Magazine, Issue no. 10, Ramdan 1438 (27 May 2017 - 25 June 2017), p. 13: “The Opinion of the Islamic State Is That of Its Imam, Those Whom He Delegated, and Its Official Spokesman.”

34. Abu Mohammed al-Adnani, “Indeed the Islamic State remains”, al-Furqan Media (1 Ramadhan 1432, 1 August 2011).

35. Abu Mohammad al-Adnani, al-Furqan Media, ‘Iraq is Iraq oh Sunnis’ (2 Rabi’ al-Thani 1433, 24 February 2012).

225. Parts of the previous quote were featured in ISIL's Video 1, while showing images of PPC captives being executed.

226. In another speech published in January 2013, al-Adnani, after reiterating the religious and political accusations against the Shi'a, advised Sunnis of Iraq as follows:

"Then, you will have two options, no third; Either you kneel to the rawafidh and being traitors, that will be out of the question, or carry up weapons so you will hold the higher. If you don't take care and hold your weapons, you will taste miseries by the rawafidh, who still deceive you."[36]

227. In June 2013, in another speech, al-Adnani again urged all Iraqi Sunnis to join ISIL in its fighting against the *rawafidh*. Among others, he said:

"Be patient because the rawafidh wouldn't and will not leave you but only one of the two options; either carrying your weapons to get back your rights and save your dignity, or to obey and forcibly subject to them with humiliation, then you have to know there is no way the back down. [...] Be sure that there will be no peace, coexistence, or safety between you and the rawafidh."[37]

228. In another speech published in July 2013, al-Adnani began by quoting a Quranic verse: "Fight them, Allah will punish them with your hands and degrade them. He will grant you victory over them and heal the chests of a believing nation".[38] He then mentioned ISIL's preceding victories against Shi'as in Iraq and Syria. He then addresses ISIL members, as follows:

"You, the lions of Islamic State in Iraq and Levant: be patient, be steady. It has penetrated the lines of the rawafidh, filled their hearts with terror, and soon God will grant you their defeat by God's will. So hit them by suicidal belts and cars, shock them by sticky bombs and improvised explosive devices, take them down by silenced pistols and snipers, terrify them with breakings."[39]

229. In April 2014, al-Adnani published another speech in which he described the Twelver Shi'a as "idolatrous *rafidha*", reiterated the impossibility of Sunni-Shi'a coexistence and cautioned the Sunnis of Iraq as follows:

"The battle has come abundantly clear today, between truth and falsehood, between disbelief and faith, between idolatry and monotheism, a battle between all the rawafidh and all the Sunnis...The time has come for you oh Sunnis in Iraq to know the truth: that there is no co-existence or peace with the rawafidh...The time has come for you to realise, that the idolatrous rafidha...are worse than the Jews and Crusaders."[40]

230. In June 2014, one or two days before the massacre against the Tikrit Air Academy personnel unfolded, al-Adnani published another speech, in which he quoted a Quranic verse - "I will cast terror into the hearts of those who disbelieved, so strike [them] upon the necks and strike from them every fingertip" – and stated the verse was proof that Allah alone defeated the *rawafidh* and has therefore allowed ISIL to overtake them.[41]

36. Abu-Mohammad Al-Adnani, "Seven Facts", al-Furqan Media (20 Safar 1434, 3 January 2013).

37. Abu-Mohammad Al-Adnani, Speech: "Kill Them They are Polytheists." al-Furqan Media (6 Sha'ban 1434, 15 June 2013).

38. Surah At-Tawbah-14, Verse 14.

39. Abu-Mohammad Al-Adnani, Speech: "They Will not Affect You but by Mischief." (30 July 2013), p. 1. SITE Intelligence dates the speech to 30 July 2013, see "ISIL Spokesman Responds to Accusations, Announces Military Campaign", SITE Intelligence Group, 30 July 2013.

40. Abu-Mohammad Al-Adnani, Speech: "And indeed He will enable for them their religion that He has been pleased for them to have," al-Furqan Media (3 Jumada al-Akhira 1435, 3 April 2014) p. 1-2 (p. 169-170 in Relativity compilation). By this point, the group had become the Islamic State in Iraq and al-Sham. For an audio recording, see https://ia803207.us.archive.org/0/items/al_adnani2/kalima.mp3. For the timestamp, see 02:30-04:00.

41. Abu-Mohammad al-Adnani, Speech: "What Comes to You of Good Is From Allah" (11 June 2014), p. 1 (p. 134 in batch). SITE Intelligence dates the speech to 11 June 2014, see "ISIS Spokesman Boasts of Recent Conquests, Urges Fighters to March to Baghdad", SITE Intelligence Group, 11 June 2014.

231. While Abu Bakr al-Baghdadi made no declarations before July 2014, his communications thereafter echoed the views of his predecessors and reflected the speeches of his spokesperson, al-Adnani. ISIL and later IS leadership has espoused the same views ever since, describing Twelver Shi'a as "apostate *rawafidh*",^[42] "idolatrous *rawafidh*",^[43] and "*rafidhi* catastrophes".^[44]

Official ISIL jurisprudential publications

232. The same views were also presented in 2014-2015, in the Islamic State's Office of Research and Studies' publication "The ruling of the Shari'a on the Shi'a Sects" (Study), the flagship piece on ISIL's religious stance on the Shi'a. The Office of Research and Studies was part of ISIL's central administrative structure and was in charge of religious questions and fatwas. While the exact date of this study's publication is unknown, its references to al-Zarqawi's- 2006 lectures and Abu Omar al-Baghdadi's above-mentioned description of the Shi'a, show that the study compiled and presented views that were already known or established by ISIL leadership prior to 2014.

233. The Study clarifies the stance and ideology of ISIL on the Shi'a faith, by declaring that the Twelver Shi'as are apostates and not disbelievers. Adopting this view is crucial in ISIL's war against the Shi'a, and it does not come without consequences. An apostate is someone who was a Muslim but then abandoned the Islamic belief, while a disbeliever is someone who never declared Islam or considered a Muslim in the first place. In ISIL's jurisprudence and understanding of Islamic Shari'a, disbelievers can be killed if they are fighters, but if they are peaceful, they can be released for paying a sum of money (*jizya*) and left to practice their religion freely, which is the rule mostly applicable for Jews and Christians, considering them as original disbelievers. Apostates, on the other hand, must be either killed or submit to the true Islam (Sunni faith). Hence, considering the Twelver Shi'as as apostates, entitles ISIL members to kill them whether they are fighters or just peaceful. The option of being spared by declaring conversion to the true Islam, exists for the Twelver Shi'as only if it is done before ISIL gained power over them. In other words, once a Shi'a Twelver is in the hands of ISIL, the only option is to kill them.

234. It is not clear whether these views included Twelver Shi'a women and children. While the above statements and publications refer to Twelver Shi'as in general, ISIL jurisprudence is not clear on the fate of Twelver Shi'a women and children. Some Shi'a women were killed, others were enslaved, while yet others were forced to convert to Sunni Islam. Children were also forced to convert to Islam.

Official ISIL media publications

235. ISIL's al-Hayat Media Center published several magazines, such as Dabiq, Dar al-Islam and Rumiyah. These publications focused extensively on Twelver Shi'as: references to Shi'as and rafidha or rawafidh were made in eleven of fifteen Dabiq magazines, twelve of thirteen Rumiyah publications, and one Dar al-Islam.

236. In the thirteenth edition of Dabiq, published in 2016, Twelver Shi'as are again described as a heretical apostate group driven by a pathological need to corrupt and destroy Islam. In one passage, the magazine declares: "The *rafidha* are *mushrik* apostates who must be killed wherever they are to be found, until no rafidhi walks on the face of earth".^[45]

42. Abu Mohammad al-Adnani, Speech: "So they kill and are killed," al-Furqan Media, (Jumada al-Awwal 1436, March 2015).

43. Abu-Bakr al-Baghdadi, a Speech: "So lie in wait, indeed we are lying in wait with you.", al-Furqan Media, (15 Rabi al-Awwal 1437, 26 December 2015). For the audio, see here: https://ia800806.us.archive.org/5/items/Kalimat_Alkhalfah/008%20-%20%D9%81%D8%AA%D8%B1%D8%A8%D8%B5%D9%88%D8%A7%20%D8%A5%D9%86%D8%A7%20%D9%85%D8%B9%D9%83%D9%85%20%D9%85%D8%AA%D8%B1%D8%A8%D8%B5%D9%88%D9%86.mp3. For the relevant timestamp, see 10:20-10:40

44. "The Rafidite catastrophes," al-Naba', issue 295 (July 2021), p. 3.

45. Dabiq Magazine, Al-Hayat Media Centre, number 13, p. 45.

237. It is also worth noting that Video 1, depicting the PPC killing operation, and published by ISIL on or about 11 July 2015, featured some of the above-quoted statements and bulged with references to *rafidha/rawafidh* and apostates, thereby echoing the same stance as the sources mentioned above.

Relevant ISIL-claimed attacks

238. Throughout the period analysed above (2004 to 2016), AQI/ISI/ISIL/IS attacks against Shi'a targets continued. The views espoused by al-Zarqawi at the time were reflected in a shift of AQI in targeting Shi'a civilians and holy sites. After a lull in 2010-2011 due to the weakening of the organization, attacks against Shi'a targets increased from 2012 onwards, concomitant with al-Adnani's announcement of an anti-Shi'a and anti-government campaign. The group's largest scale attacks occurred from 2014 onwards, targeting Shi'a civilian and military targets, as well as governmental targets. Attacks against targets in general and the Shi'a in particular, were indiscriminate. Shi'a men who fell in the hands of ISIL were killed. However, Shi'a women and children who fell into the hands of ISIL were not always killed. Some Shi'a women were killed, others were enslaved, yet others were let go. Shi'a children were often forcibly converted.

Conclusion

239. Based on the above, it can be inferred that, from 2004 and at least until 2016 (the endpoint of this analysis), AQI, ISI, ISIL and IS maintained a consistent and uniform genocidal policy against Twelver Shi'as of Iraq, as a group, mainly by targeting and killing adult male members of that group.

240. The genocidal policy was built on the following reasoning: Twelver Shi'as were seen as a group of faith rejectors (*rafidha* or *rawafidh*) and apostates, who were constantly scheming and conspiring to overpower and kill the Sunnis, and to destroy Islam and spread conflict and division among the Muslims. They were perceived as the real danger, the insurmountable obstacle, the lurking snake, the black crawling. A clear differentiation had to be made between them and true Islam. There was no option of peace and co-existence in face of such a danger. The only solution was a holy war between faith and unbelief, in which ISIL was to cut off the head of the rafidhi snake, slice their throats, strike them on the neck, hit them by suicidal belts, cars, silenced pistols and snipers, until no *rawafidh* walked on the face of the earth. With this reasoning, the term rafidhi in ISIL parlance was loaded with genocidal meaning.

241. The fact that Shi'a women and children were not necessarily killed does not refute the above logic and does not mean that only the religion of Shi'as was targeted. With the Shi'a men killed, the women forcibly converted, enslaved or killed and the children forcibly converted, the overall aim was to cease the existence of the group as such. In order to achieve this goal, ISIL mainly targeted and killed adult Shi'a males in Iraq. This policy was clearly articulated by the time the killings in the Presidential Palace Complex took place.

9.2.3.2. Knowledge and application of the genocidal policy by ISIL PPC POI

242. Having shown that ISIL maintained a genocidal policy against Twelver Shi'as and that such a policy was clearly articulated at the time of the killings in the Presidential Palace Complex, it must be ascertained whether the ISIL PPC POI had knowledge of this policy and intended to implement it by killing the PPC captives.

243. Usually, in genocide cases, the intent of the perpetrator is not susceptible to direct proof, because only he has first-hand knowledge of his own mental state, and he is unlikely to express his own genocidal intent. This is not the case with the ISIL PPC POI. The killing operation in the Presidential Palace Complex presents a unique case of a number of perpetrators expressly confessing to their genocidal intent, on camera and/or in the presence of others, before and/or after executing PPC captives.

244. Abu Nabil, the ISIL *wali* of Salah al-Din and the coordinator of the PPC killing operation, ordered the separation of Sunnis from Shi'a; Sunnis were released, while Shi'as were executed. He also executed, on camera, in the presence of others, several Shi'a captives, including a young man from southern Iraq, who could not perform the Sunni prayer to prove that he was a Sunni. Before testing his praying manner, Abu Nabil told the young man: "I will assure you and make a lesson to others."^[46] This shows that the young man's only chance of survival would have been if he had convinced Abu Nabil that he was a Sunni; it also shows that Abu Nabil killed the Shi'a young man for being a Shi'a, and his execution was meant to caution other Shi'as of a similar fate.

245. Abu Abdelhadi, the ISIL Shari'a judge of Salah al-Din and the second highest ranking ISIL official participating in the PPC killing operation, executed, on camera, in the presence of others, several captives. Standing on the side of a shallow trench with captives lying in it, Abu Abdelhadi pledged to "do the same thing to every malicious person from the *rawafidh* (rejecters of faith) who contributed to harshly torturing the Sunni people", and then proceeded shooting those in the trench. His pledge clearly targets the *rawafidh* exemplified by the men in the trench; his apparent qualifier, to target the *rawafidh* "who contributed to harshly torturing the Sunni people" is one that in fact applies to all captives, as none of those in the trench had been vetted for such alleged acts.

246. Fahad Abu Ja'afar, an ISIL member from al-Jallam, executed, on camera, in the presence of others, several captives. He professed on camera that their execution was like the chronicled killing, by the Prophet Mohammad, of all men of Quraitha past the age of puberty, as punishment for breaching their promise. He then emphasized that "this is what we will do, though it is not even enough." The likening of the PPC executions to the killing of all men past the age of puberty of a certain historic place signifies that the captives were but a sample of those really targeted by ISIL, adult Shi'a males. To make matters clearer, in another sequence of the same video, Fahad Abu Ja'afar points at a line of moving captives and describes them as the "filthy people of Karbala and Najaf".

247. Another ISIL PPC POI, a Palestinian/Saudi foreign fighter described on camera the captives as "less close to God than cattle", he called them *rawafidh* and apostates, and boasted about the capture of more than 2000 of them. Then he vowed to step on all forces of infidelity on earth. He then proceeded shooting two of the captives. His statement too implies that the captives are but a sample of "all forces of infidelity" that were to be targeted.

248. Abu Maria, the media *emir* of Salah al-Din and the main cameraman at the Presidential Palace Complex, talked to several of the captives on camera; only to declare in the end that they were apostates and *rawafidh*. He then filmed the execution of those captives.

249. While the video in which the above statements are featured was put together and published by ISIL's al-Furqan media center one year after the events at the PPC, the above statements are made contemporaneously, at the killing zones, and in conjunction with the crimes committed, thus allowing an inference as to the intent of their author.

250. These statements indicate that their authors used the same terminology (*rawafidh*, apostates) as that promoted by ISIL's genocidal policy and invoked justifications for killing the captives akin to those advocated by the same policy.

46. See paragraph 102 of this report.

What these statements also have in common is an indication that those killed (the captives) are just a part of those who need to be targeted and eliminated (the rawafidh, the apostates). This shows that the authors of these statements (i) were aware of ISIL's genocidal policy against the Twelver Shi'a in Iraq; and (i) shared the intent to destroy that group, by targeting and killing Twelver Shi'a adult males.

251. The intent of other ISIL PPC POI, whose statements were not captured on camera (or not included in the published video) can be inferred based on their conduct at the scene. Some described captives as "Iranians", "swine", the fruit of a "marriage of pleasure";[47] some called Ali, the Prophet Mohammad's cousin, a "dog". Many stood in the presence of and heard those who made the above statements, and then partook either in the execution of the captives or their unloading and marshaling to the execution sites. While more information is needed to ascertain whether each ISIL PPC POI shared the genocidal intent, there is sufficient evidence to infer that most likely all the ISIL PPC POI were aware of ISIL's genocidal policy towards Twelver Shi'a in Iraq and many of those who executed or ushered captives around shared the intent to destroy that group, by targeting and killing Twelver Shi'a adult males.

252. It is also clear that the PPC captives were not killed because they were military personnel or at least that this was not the primary reason for killing them. First, the captives were apprehended while walking unarmed, wearing civilian clothing and trying to get home to their families.[48] Second, many of those captured were newly recruited and did not know how to use a weapon. They were also not ordered or instructed to conduct any security related functions.[49] They were scared and most of them inexperienced in military matters, and they fell into the custody of a handful of ISIL members without any resistance. Consequently, the captives presented no apparent danger for the ISIL PPC POI. In contrast, most Tikrit or Salah al-Din police and security officers, some of whom fiercely resisted ISIL on its entry day into the city, represented a threat for ISIL, but they were released after a few days of detention on the account that they were Sunni.[50] Consequently, the killing of the PPC captives could not have been a response to any military threat these men may have posed. The captives were killed because they were adult males belonging to the Shi'a Twelver group. No attempt was made to distinguish between civilian and soldier, only between Sunni and Shi'a. This is evidenced by the consistent process, applied at each stage of the operation, to separate Sunnis and Shi'as, the derogatory language used against the captives and the religious justifications put forward for killing them.[51]

253. Likewise, the fact that a handful of captives may have been spared on account of family or tribal ties or that there may have been attempts to negotiate an exchange of captives with ISIL members does not negate that ISIL PPC POI had nevertheless an intent to destroy the Twelver Shi'as of Iraq by targeting and killing adult Shi'a males. This is further confirmed by the scale and nature of the operation, and the systematic and organized manner in which it was carried out, as discussed below.

9.2.3.3. Characteristics of the operation

254. In a matter of three days, 100-150 ISIL PPC POI executed, according to their own estimates, some 1700 Shi'a captives. The combination shows a staggering scale of the operation and a grim determination to ensure that each and every captive would be killed.

255. Ominous in the nature of the operation is the resolute manner in which ISIL PPC POI inquired at each stage of the operation whether captives were Sunni or Shi'a. Even before Abu Nabil's order in the Presidential Palace Complex to separate Sunnis and Shi'as, ISIL PPC POI who apprehended camp personnel on the Baghdad-Mosul highway took away, among other personal items, their IDs and phones.

47. See paragraph 99 of this report.

48. See paragraphs 58, 60, 63, 67 of this report.

49. See paragraphs 26, 51, 56 of this report.

50. See paragraphs 41, 43, 46, 86 of this report.

51. See paragraphs 71-72, 76, 84, 86-87, 99-100, 102, 111, 114, 116, 118, 135, 244-248 of this report.

The name and residence on the ID would have provided a reliable basis to identify Shi'a captives. Some ISIL PPC POI answered phone calls from the appropriated devices and asked whether the owner of the phone was Sunni or Shi'a.[52] Before the trucks entered the Presidential Palace Complex, captives were asked if they were Sunni or Shi'a; the Sunnis were let go.[53] Once in the PPC, after Abu Nabil's order, ISIL PPC POI separated the Shi'a captives from the Sunnis.[54] A Tikrit policeman detained at the time in the PPC was asked by fellow detainees to teach them how to pray the Sunni way, as this was seen as a chance to be spared.[55] When taken to the site of their execution, captives were again asked if they were Sunni or Shi'a; most replied that they were Shi'a and they were shot. Those who replied that they were Sunni were asked to pray.[56]

256. Furthermore, the systematic and organized manner in which the departing camp personnel was apprehended while walking on the Baghdad-Mosul highway, marched under custody (with escaping cadets pursued), stationed and then loaded on trucks,[57] transferred to the PPC and offloaded in designated killing zones, separated into Sunnis and Shi'as, and executed by designated groups of ISIL PPC POI,[58] shows that the PPC killing operation was not the result of ad hoc panic upon the capture of thousands of men, but a well-organized operation to kill captives by virtue of their membership in the Twelver Shi'a group. The filming of the PPC killing operation indicates that the undertaking had a propaganda significance for ISIL to showcase the execution of Shi'a adult males.

9.2.3.4. Conclusion

257. Based on the above, it can be inferred that Abu Nabil, Abu Abdelhadi, Fahad Abu Ja'afar, Abu Maria, a Palestinian/Saudi foreign fighter, several other shooters and other ISIL PPC POI possessed the intent to destroy the Twelver Shi'a of Iraq, by targeting and killing adult Twelver Shi'a males.

9.2.4. Substantiality of the part of the group targeted

258. Having found that ISIL PPC POI possessed the intent to destroy the Twelver Shi'a of Iraq, by targeting and killing adult Twelver Shi'a males, it must be ascertained whether (i) those killed represent indeed the targeted part of the group (adult Twelver Shi'a males); and (ii) whether the targeted part is a substantial component of the protected group (Twelver Shi'a of Iraq).

259. **Number of killed v. the targeted part.** Usually, the size and significance of the targeted part of the group is inferred from the number of persons killed. This is due in part to the fact that, as said in paragraph 243, genocide cases do not normally present direct evidence of an intent to destroy a particular (part of a) protected group. The PPC killing operation is again unique from this perspective: the killing of the Shi'a captives is openly described by some of the perpetrators as but one instance of the intended destruction of all the *rafidha* or *rawafidh*.^[59]

260. While the number actually executed in the PPC killing operation is a small percentage of the adult Twelver Shi'a males of Iraq, the intention to target all of them is clear from several factors. First, the PPC killing operation must be looked at in the context of ISIL's anti-Shia killings within the territory they controlled at the time. Accordingly, if the number of those killed in the PPC is compared with the number of adult Shi'a males residing or located for other reasons in the territory controlled by ISIL at the time, it becomes clear that the intention was to eliminate every Shi'a adult male who ISIL encountered. Shi'a families knew this; most fled before ISIL's arrival to avoid "a new way of killing Shi'as".^[60] Those who stayed were pursued and killed. For instance, after Mosul's takeover, ISIL killed approximately six hundred Shi'a men in Badush prison.

52. See paragraphs 71-72 of this report.

53. See paragraph 76 of this report.

54. See paragraphs 86-87 of this report.

55. See paragraph 86 of this report.

56. See paragraphs 100, 102 of this report.

57. See paragraphs 63-64, 66-73, 75-78, 80 of this report.

58. See paragraphs 75-120 of this report.

59. See paragraphs 244-250 of this report.

60. See paragraph 23 of this report.

In the weeks following ISIL's territorial advance, Shi'as, including Shi'a Turkmen, were also targeted in Amerli, Tuz Khurmatu, Tal Afar and other locations. These instances should be further analyzed and viewed together for a better understanding of ISIL's targeting of Shi'a adult males. Second, as mentioned above, some perpetrators described the killing of the PPC captives as but one instance of the intended killing of all the *rafidha* or *rawafidh*. Third, the fact that the actual killings were limited to the areas where ISIL was in control or was active, cannot be imputed to ISIL. Had ISIL have the opportunity to advance further into Iraqi territory, they would have killed adult Twelver Shi'a males everywhere, as this was their intended target in destroying the Twelver Shi'a of Iraq.

261. ***Whether the targeted part is a substantial component of the group.*** Shi'a adult males are undoubtedly a substantial component of the Twelver Shi'as of Iraq. The killing of all or a sizeable number of the male members of a group is a sufficient basis to infer the intent to destroy the entire group. The killing of all Shi'a adult males would have had a devastating impact on the Twelver Shi'as of Iraq as a group and such an impact would have been evident to, and intended by, ISIL's genocidal policy.

9.3. Conclusion

262. In conclusion, there are reasonable grounds to believe that ISIL's genocidal policy aimed at the killing of all adult Shi'a males in Iraq, which would have had a devastating impact on the Twelver Shi'as of Iraq as a group.

263. There are also reasonable grounds to believe that the ISIL PPC POI possessed genocidal intent in relation to some 1700 adult Twelver Shi'a male captives executed at Tikrit's Presidential Palace Complex between 12 and at least 14 June 2014.

264. In order to reach a finding that there are reasonable grounds to believe that the killing operation at the PPC may amount to genocide, other instances of ISIL killings of adult Shi'a males, within the territory controlled by ISIL, must be corroborated and examined together. Such a holistic analysis is needed in order to establish that those killed indeed represented all adult Twelver Shi'a males, a substantial component of the Twelver Shi'as of Iraq.

10. Direct and public incitement to commit genocide

10.1. Applicable law

265. A person who (i) directly, (ii) publicly and (iii) with the requisite genocidal intent incites others to commit genocide may be held responsible for such acts even if they do not lead to the commission of genocide. The crime is completed as soon as the discourse in question is uttered.

266. "Public" incitement can be done through speeches, shouting or threats uttered in public places or at public gatherings, or through the sale or dissemination, offer for sale or display of written material or printed matter in public places or at public gatherings, or through the public display of placards or posters, or through any other means of audiovisual communication. The number of persons and the medium through which the message is conveyed may be relevant in assessing whether the attendance was selected or limited, thereby determining whether or not the recipient of the message was the general public.

267. “Direct” incitement implies more than vague or indirect suggestions, such that the words or actions can be reasonably understood as calls for genocide. However, direct need not mean explicit, as long as those for whom the message was intended “immediately grasped the implications thereof”. A particular message may appear ambiguous on its face or to a given audience, or not contain an explicit appeal to commit genocide and still, when viewed in its proper context, amount to direct incitement.

268. The person calling for genocide must intend to create by his words and actions a particular state of mind in his audience necessary to commit genocide and must possess the requisite intent for destroying a group, in whole or in part, as such.

10.2. Legal analysis

269. The footage shot by the cameramen during the PPC killing operation was later edited and published in the form of at least two video products, Video 1 and Video 2. Video 1 was published in July 2015 by the Wilayat Salah al-Din Media Office. Video 2 was most likely published in July 2014. Both contain footage of and commentary accompanying the PPC killings. Given that many of the images in Video 2 also appear in Video 1, and that the latter appears to be the more comprehensive record of the killing operation, the following analysis focuses on the content of Video 1. A more comprehensive overview is needed, incorporating all material published by ISIL in relation to the PPC killing operation.

10.2.1. “Direct” incitement

270. Video 1 contains the following types of speech: (i) statements uttered by PPC ISIL POI and captives on the ground, which have been analyzed in paragraphs 244-250; (ii) written sub- or scene-titles- applied to select footage; (iii) audio recordings of speeches or songs applied to select footage; and (iv) video recordings of statements made by a speaker not present at the scene. Many of these speeches contain derogatory language against Shi’as, while narrating various events, including the killing of PPC captives. In the paragraphs below, focus will be only on those statements that can be construed as direct provocation or encouragement to commit genocide.

271. The statements of Abu Abdelhadi, Fahad Abu Ja’afar and the Palestinian/Saudi foreign fighter contain clear pledges to continue the killings, which can be construed as direct encouragement for others to do the same.

272. The sub- or scene-title most frequently used in Video 1 is also the title under which the video was published. It reads: “And kill them wherever you find them.” The Quranic verse is used as a subtitle applied to footage of executions of PPC captives. The same verse is also spoken onto the footage in a fuller version: “And kill them wherever you find them and turn them out from where they have turned you out”. The term “them” appears to refer to the group symbolized by the killing of the PPC captives: Shi’a adult males. This verse and its frequent use in the video (it appears ten times over 22:40 minutes) suggests an intention to directly provoke and encourage others to kill adult Shi’a males wherever they find them.

273. An audio recording features the quote of spokesman al-Adnani analyzed in paragraph 224: “Stop the black crawling that is coming to you and cut the head of the *rafidha* snakes as its tails with you.” The audio accompanies a shooting scene in Video 1. Another al-Adnani quote, accompanying one of the riverbank shooting scenes in the video, reads: “Our war has not ended against you and the unclean blood that was shed from you is nothing except a long bill waiting for you. So, prepare your coffins and dig your graves. We will not send in group to hell as you and the next is worse.” While this quote appears to address the enemy, it also contains a threat of killing that enemy at the hands of ISIL. Accordingly, given their content and the footage they accompany, both statements can be understood as a direct provocation to kill those symbolized by the PPC captives being executed: Shi’a adult males.

274. Video 1 also features the statements of an ISIL member identified as POI_OA1. Most of his statements featured in the video offer a commentary to the narrated events. He too uses derogatory language (*rawafidh*) when speaking about PPC captives. In one such statement, he says: “*Rafidha*, I swear to God, if we manage, by the help of God, we will kill you and shed your blood and cut your bodies into pieces for God’s sake and for the sake of the religion and the prophet of God (Peace be upon him).” The statement is preceded and followed by the scene-titles “Kill them wherever you find them”. In a subsequent statement, the same speaker says: “This is a message that I send to the whole world, especially to the dogs of rafidha. I say to them that we are coming and God willing, we are winners. These are the indicators of the victory and the dawn of splendor has emerged so wait and they are waiting.” This statement is also preceded and followed by the scene -titles “Kill them wherever you find them”. Both statements can be understood as a direct provocation to kill those symbolized by the executed PPC captives: Shi’a adult males.

275. Based on the above, it can be concluded that Video 1 contains written and oral statements directly provoking the audience to kill those symbolized by the executed PPC captives: Shi’a adult males.

10.2.2. “Public” incitement

276. Video 1 was disseminated to a large audience by the Wilayat Salah al-Din Media Center. In particular, the video appears to have been first uploaded to an ISIL-linked Telegram account on 11 July 2015. After it was released to ISIL’s closed network on Telegram, official ISIL media operatives and pro-ISIL supporters circulated links to the video on mainstream social media websites like Twitter, Facebook and YouTube. The video was uploaded to YouTube on the same day, 11 July 2015. This way, also supporters and potential supporters outside of ISIL’s sphere of operations would have accessed the video, mostly through mainstream social media and file-sharing. Moreover, ISIL’s al-Hayat Media Center translated the video into multiple languages. This indicates that, while the video’s primary audience was Arabic-speaking supporters, and secondary audience Arabic-speaking adversaries, ISIL also wanted to open up the video to its global community of supporters.

277. Based on the above, it can be inferred that the video was disseminated to the general public. It is, however, not known for how long the video was publicly available.

10.2.3. Genocidal intent

278. As discussed in paragraphs 243-250, the evidence suggests that Abu Abdelhadi, Fahad Abu Ja’afar and the Palestinian/Saudi foreign fighter, whose speeches contained direct provocation to kill all Shi’a males, also possessed the same genocidal intent. It is not known, however, whether they were aware at the time of making those speeches on camera, that the footage will be disseminated to the general public. More information is thus needed to ascertain their state of knowledge. It is also likely that Abu Maria and/or other cameramen who participated in the PPC killing operation also participated in the editing and making of Video 1, but more information is needed to ascertain their actual involvement and requisite intent. The statements of POI_OA1 suggest that he possessed genocidal intent against adult Shi’a males. The fact that he provides his statements in an interview setting also shows that he may have been aware of the publication of such statements, but more information would be needed as to the extent of his knowledge in relation to the dissemination of the video to the general public. More information is also needed on the nature and extent of involvement of the employees of the Wilayat Salah al-Din Media Center and the al-Hayat Media Center.

279. Based on the above, it can be inferred that some of those involved in the filming, editing, publication and dissemination of Video 1, whether as speakers, cameramen, editors, publishers or in any other capacity,

may have intentionally incited the commission of genocide and possessed the requisite intent to destroy Shi'as as a group by killing adult Shi'a males. However, more information is needed to ascertain their intent and knowledge.

10.3. Conclusion

280. In conclusion, there are reasonable grounds to believe that direct and public incitement to genocide was committed through the filming, editing, publication and dissemination of Video 1.

11. Crimes Against Humanity

11.1. Applicable law

281. Crimes against humanity are a specific set of acts prohibited under international criminal law (underlying crimes) that are committed as part of a widespread or systematic attack directed against a civilian population (contextual requirements).

11.1.1 Contextual requirements

282. Under customary international law, the contextual requirements for crimes against humanity consist of: (i) a widespread or systematic attack directed against any civilian population; (ii) a nexus between the underlying act and the attack; and (iii) knowledge of the attack.

11.1.2. Specific requirements for underlying crimes

11.1.2.1. Imprisonment

283. The crime of imprisonment as a crime against humanity is committed through an act or omission resulting in depriving a person of his or her physical liberty without due process of law, thus rendering the imprisonment arbitrary. The imprisonment includes the unlawful captivity of a person in an enclosed environment or the unlawful restriction of the person's movements to a specific area. The deprivation of liberty is considered arbitrary when: (i) no legal basis exists to justify it; (ii) a lawful basis of imprisonment initially exists, but it later ceases to apply; or (iii) an otherwise justified deprivation of liberty is being administered under serious disregard of fundamental procedural rights. The imprisonment need not be for a prolonged period. The brevity of the detention does not exclude the gravity or seriousness of the deprivation of physical liberty. However, not every minor deprivation of liberty satisfies the material elements of imprisonment.

284. The perpetrator must have intended to deprive the person of his or her physical liberty, or he or she must have acted in the reasonable knowledge that his or her act or omission is likely to cause arbitrary deprivation of the person's physical liberty.

11.1.2.2. Other inhumane acts

285. The crime of other inhumane acts is committed through an act or omission of similar gravity to other crimes against humanity, resulting in serious mental or physical suffering or injury, or constituting a serious attack on human dignity. The severity of the conduct must be assessed on a case-by-case basis with due regard for the individual circumstances of the case. There is no requirement that the suffering have long-term effects, although this may be relevant to the determination of the severity of the criminal conduct.

286. The act or omission must have been committed intentionally or with the knowledge that this act or omission was likely to cause such pain or suffering or to constitute a serious attack upon human dignity.

11.1.2.3. Torture

287. The crime of torture as a crime against humanity is committed through an act or omission inflicting severe pain or suffering, whether physical or mental, upon another person. Whether an act or omission qualifies as torture must be determined on a case-by-case basis. The consequences of the act or omission need not be permanent or visible on the victim. There is no requirement that the perpetrator acted in a public capacity or as person of authority.

288. The perpetrator must have inflicted the pain or suffering intentionally and in pursuance of such purpose as obtaining information or a confession, or punishing, intimidating, coercing or discriminating against, on any ground, the victim or a third person. It is sufficient that one of the prohibited purposes forms part of the motivation behind the conduct; it need not be the “predominant or sole purpose” behind the infliction of severe pain or suffering.

11.1.2.4. Murder

289. Murder as a crime against humanity has the same elements as those set out in relation to genocide by killing members of the group.

11.1.2.5. Extermination

290. The crime of extermination as a crime against humanity consists of any act, omission or a combination thereof that contributes, directly or indirectly, to the killing of a large number of individuals. This may entail a large-scale killing operation or the subjection of a large number of people to conditions of living that would inevitably lead to their death. The killings need not be the result of a pre-existing plan or policy. While extermination requires killings on a mass scale, the law does not set a minimum numerical threshold to be reached. Extermination could encompass incidents of killings of hundreds or thousands of victims as well as incidents involving a few dozen victims.

291. The perpetrator must have acted with the intent to kill persons on a mass scale, or to inflict serious bodily injury, or to create conditions of life that lead to the death in the reasonable knowledge that such act or omission is likely to cause the death of a large number of persons.

11.1.2.6. Persecution

292. The crime of persecution as a crime against humanity is committed through a specifically pleaded act or omission that discriminates in fact and which denies or infringes upon a fundamental human right laid down in international customary or treaty law. The crime of persecution consists of one single act or omission or a series thereof that are: (i) prohibited under international law, such as arbitrary detention/imprisonment, cruel treatment, torture, pillaging or murder; or (ii) while not explicitly mentioned therein, they reach the same level of gravity as the aforementioned crimes, whether considered in isolation or in conjunction with other underlying acts. Such acts include harassment, humiliation, psychological abuse or other restrictive and discriminatory measures. The persecutory act or omission must amount to a severe deprivation of a person’s fundamental rights, that is, a gross and blatant denial of those rights. The persecutory act(s) and/or omission(s) must discriminate in fact, which means that they must actually result in discriminatory consequences. The persecutory act(s) and/or omission(s) are considered discriminatory when the victims are targeted because of their perceived membership to a group, as defined by the perpetrator on a political, racial, ethnic or religious basis. While persecutory acts and/or omissions often form part of a discriminatory policy or pattern, the existence of such a policy is not a requirement for proving persecution.

293. The perpetrator must have carried out each persecutory act or omission deliberately and with the specific intent to discriminate on one of the listed grounds, specifically political, racial, ethnic or religious.

11.2. Legal analysis

11.2.1. Widespread or systematic attack against a civilian population

294. UNITAD has already found that there are reasonable grounds to believe that ISIL members conducted a systematic and widespread attack directed against the civilian population in Iraq, from on or about 9 June 2014 until at least December 2017, involving the commission of multiple criminal acts against a large number of victims. In particular, during this period, ISIL directed a widespread and systematic attack against the civilian population in north-west of Iraq, namely in Nineveh, Salah al-Din, Anbar, and Kirkuk governorates. ISIL particularly targeted Shi'a Muslims, Yazidis, Christians, Kaka'i and Sunni Muslims whom it perceived as non-compliant with its interpretation of Islam.

295. The capturing and execution of the PPC captives can be considered as part of the attack against Iraq's civilian population, as the personnel who departed Tikrit Air Academy was unarmed, wore civilian clothing and took no active part in the hostilities. Before their captivity, they were present in Tikrit and its neighborhood, as soldiers and cadets who served in units stationed there. Their inclusion in the targeted civilian population does not therefore alter the population's civilian character.

11.2.2. Underlying crimes

11.2.2.1. Imprisonment

296. On 12 June 2014, ISIL PPC POI apprehended the column of personnel departing from the Tikrit Air Academy at different locations on the Baghdad-Mosul highway. Under the watch of a handful of armed ISIL members, ISIL PPC POI then made the column march along the road, with hands held behind their back. Any captive who tried to escape was killed, chased after or ushered back to the column. The marching column came to a halt at Garage Street; here, the captives were told to sit down and wait; their IDs and phones were taken away. Groups of captives were then loaded into trucks; one or two ISIL members guarded each truck. The captives were transported to the Presidential Palace Complex, where they were taken to designated locations. Before being executed, they were detained in buildings, containers or open areas. Many captives were laid on the ground, with their hands tied behind their back. Some captives were held for one-three hours, others were held for one-two days.[61]

297. Most captives were military men (soldiers and new recruits) who had no weapons or left them behind at the Tikrit Air Academy. They wore civilian clothing. They represented no security concern for ISIL, as they left the base to reach their homes; it was not their plan, nor were they instructed, to fight ISIL. When apprehended, captives were not told why they were being detained and were not given any opportunity to challenge the reasons. Instead, captives were lied to; they were told that the trucks would take them to Baghdad. Captives were deprived of their physical liberty because they were Shi'a.

298. The intent of ISIL PPC POI to deprive captives of their physical liberty emerges from the deliberate manner in which they arbitrarily arrested and held the captives at the aforementioned sites without affording any basic guarantees.

299. Based on the above, it can be inferred that, between 12 and at least 14 June 2014, imprisonment as a crime against humanity was committed against the PPC captives.

61. See paragraphs 88-120 of this report.

11.2.2.2. Other inhumane acts

300. During the captives' deprivation of physical liberty as described in paragraphs 296-297, ISIL PPC POI severely mistreated them in the following ways. While marching on the Baghdad-Mosul highway or walking in the PPC, captives were hit on the back and the head with sticks, guns, other objects or the bare arm of ISIL members. Captives were crammed into trucks on top of each other, with no place to move and no air to breathe. Some died as a result. Despite the hot weather and their complaints of being thirsty, captives were denied water. They were crammed into buildings and containers of the Presidential Palace Complex or they were laid on the ground in the sun. Many had their hands tied to their back for hours. Some captives were held in inhumane conditions for hours or days. While in the PPC, some captives were hit with stones, bricks; metal rods or other objects; some died as a result. [62] Videos of the PPC killing operation show many of the captives with bloodied faces and blood-soaked clothes.[63] Captives were threatened with death; they also heard and saw other captives being mistreated and shot.[64] These acts caused severe physical and mental suffering to the PPC captives.

301. The intent of ISIL PPC POI to inflict severe pain and suffering upon captives during the deprivation of their physical liberty emerges from the deliberate manner in which captives were physically and mentally assaulted.

302. Based on the above, it can be inferred that, between 12 and at least 14 June 2014, other inhumane acts as a crime against humanity was committed against the PPC captives.

11.2.2.3. Torture

303. Through the acts and conduct described in paragraph 300, between 12 and at least 14 June 2014, the ISIL PPC POI inflicted severe physical and mental suffering on the PPC captives.

304. As said in paragraph 301, this severe suffering was inflicted intentionally. Moreover, this infliction was done with the specific intent to discriminate the PPC captives, on grounds of being Shi'as. This is apparent from the derogatory language used against the captives (e.g. *rafidha*, apostates, swine) and the mocking of their beliefs (calling Ali, the Prophet Mohammad's cousin, a "dog").[65]

305. Based on the above, it can be inferred that, between 12 and at least 14 June 2014, torture as a crime against humanity was committed against the PPC captives.

11.2.2.4. Murder

306. As established in paragraphs 213-215, between 12 and at least 14 June 2014, some 1700 Shi'a men were killed on the grounds of the Presidential Palace Complex and either buried there or thrown into the river adjacent to the complex.[66] Most died of gunshot wounds, while some died as a result of overcrowding on trucks or being hit with hard objects in the head.[67]

307. The intent of ISIL PPC POI to kill PPC captives emerges from the deliberate manner in which they mistreated captives during their detention, marched them to the execution sites and shot them at close range.

62. See paragraph 99 of this report.

63. See paragraphs 99, 102, 109 of this report.

64. See paragraphs 88, 99-101, 109 of this report.

65. See paragraphs 89, 99, 111, 114, 116, 118 of this report.

66. See paragraphs 213-215 of this report.

67. See paragraphs 154, 213 of this report.

308. Based on the above, it can be inferred that, between 12 and at least 14 June 2014, murder as a crime against humanity was committed against the PPC captives.

11.2.2.5. Extermination

309. As established in paragraphs 213-215 and 306-307, between 12 and at least 14 June 2014, some 1700 Shi'a men were killed on the grounds of the Presidential Palace Complex and either buried there or thrown into the river adjacent to the complex.[68] The number of killings show a large-scale killing operation.

310. The intent of ISIL PPC POI to kill PPC captives on a large scale emerges from the deliberate manner in which they mistreated hundreds of captives during their detention, marched them to the execution sites and shot them at close range.

311. Based on the above, it can be inferred that, between 12 and at least 14 June 2014, extermination as a crime against humanity was committed against the PPC captives.

11.2.2.6. Persecution

312. Through the crimes of imprisonment, other inhumane acts, torture, murder and extermination, and through other acts of equal gravity, ISIL PPC POI denied, in a gross and blatant manner, the fundamental rights of captives transported, held, mistreated and executed at the PPC, resulting in discriminatory consequences.

313. As specified in paragraphs 296-311, ISIL PPC POI committed the crimes of imprisonment, other inhumane acts, torture, murder and extermination, constituting a gross and blatant denial of the right to life, the right not to be subjected to torture or cruel, inhumane or degrading treatment or punishment, as well as the rights to liberty and not to be subjected to arbitrary arrest or detention.[69]

314. Furthermore, ISIL PPC POI also engaged in arbitrary searches and unlawful appropriation and/or destruction of private property, when they deprived captives of their IDs, phones, wallets and other small personal items.[70] ISIL PPC POI also engaged in intimidation and/or harassment of captives while they were being deprived of their liberty. In particular, captives were mocked, yelled at and drawn into tantalizing and disdainful conversations on camera.[71] These acts typically occurred in the overall context of the captives' deprivation of liberty, severe mistreatment and killing. Considering their nature, context and timing, these acts reach the same level of gravity as the crimes listed above and constitute a blatant and gross denial of the right to private property and the right to dignity.[72]

315. The aforementioned acts targeted and affected PPC captives who were Shi'a, and resulted therefore in actual discriminatory consequences against them.

316. As found in paragraphs 298, 301, 304, 307 and 310 these crimes were inflicted intentionally. Moreover, these crimes and other persecutory acts were carried out with the specific intent to discriminate the PPC captives, on grounds of being Shi'as. This is apparent from the derogatory language used against the captives and the mocking of their beliefs, as set out in paragraph 304.

68. See paragraphs 213-215 of this report.

69. The right of life is protected by Article 3 of the UDHR, Article 6(1) of the ICCPR and by Article 2(1) of the ECHR. The right not to be subjected to torture or cruel, inhumane or degrading treatment or punishment is protected by Article 5 of the UDHR, Article 7 of the ICCPR and Article 3 of the ECHR. The right to liberty and not to be subjected to arbitrary arrest or detention is protected by Articles 3 and 9 of the UDHR, Article 9 of the ICCPR and Article 5 of the ECHR.

70. See paragraphs 71-73 of this report.

71. See paragraphs 89, 99, 111, 114, 116, 118 of this report.

72. The right to property is protected by Article 17 of the UDHR. The prohibition against arbitrary searches is included in the right to privacy, protected by Article 12 of the UDHR, Article 17 of the ICCPR. The right to dignity is protected by Article 1 of the UDHR and Article 10(1) of the ICCPR.

317. Based on the above, it can be inferred that, between 12 and at least 14 June 2014, persecution as a crime against humanity was committed against the PPC captives.

11.2.3. Nexus with the attack and knowledge of the attack

318. Regarding the nexus between the above discussed acts and the attack against the civilian population, it is apparent that ISIL PPC POI targeted the Shi'a captives because they fell within the scope of the targeted civilian population, i.e. those segments that ISIL perceived as non-compliant with its interpretation of Islam. Regarding the knowledge of ISIL PPC POI of the attack against the civilian population, given that many participated in the takeover of Tikrit or joined ISIL because it, it can be reasonable assumed that the ISIL campaign against multiple cities was well-known to all ISIL PPC POI.

11.3. Conclusion

319. In conclusion, there are reasonable grounds to believe that imprisonment, other inhumane acts, torture, murder, extermination and persecution as crimes against humanity were committed against the captives executed at Tikrit's Presidential Palace Complex between 12 and at least 14 June 2014.

12. War Crimes

320. War crimes are a specific set of violations of the laws and customs of war (underlying crimes) that are committed during an armed conflict of international or non-international character (contextual requirements).

12.1. Applicable law

12.1.1. Contextual requirements

321. The contextual requirements for war crimes committed in the context of an armed conflict not of an international character consist of: (i) the existence of an armed conflict of certain intensity in the territory of a state between organs of authority and organized armed groups or between such groups; (ii) a nexus between the underlying offence and the armed conflict; and (iii) knowledge of the existence of the armed conflict.

322. All crimes must be committed against protected persons. Persons taking no active part in hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, are protected under Common Article 3 of the 1949 Geneva Conventions, which are recognized as being part of customary international law. The perpetrator must know or should have known the status of the victims as persons taking no active part in the hostilities.

12.1.2. Specific requirements for underlying acts

12.1.2.1. Arbitrary detention

323. The crime of arbitrary detention as a war crime is committed through an act or omission resulting in depriving a person not taking active part in hostilities of his or her liberty without legal basis or without complying with basic procedural safeguards.

The deprivation of liberty is without legal basis when it is justified neither by criminal proceedings nor by reasonable grounds to believe that security concerns make it absolutely necessary.

324. The perpetrator must have acted intentionally in relation to his or her conduct. In addition, the perpetrator must have no reasonable grounds to believe that security concerns of the parties to the conflict make the detention absolutely necessary, or the perpetrator must know that the detainees have not been afforded the requisite procedural guarantees, or be reckless as to whether those guarantees have been afforded or not.

12.1.2.2. Cruel treatment

325. The crime of cruel treatment as a war crime is committed through an act or omission, which causes serious mental or physical suffering or injury, or which constitutes a serious attack on human dignity. The seriousness of the harm or injury must be assessed on a case-by-case basis, taking into account such factors as the severity of the alleged conduct, the context in which it occurred, its duration and/or repetition, its physical and mental effects on the victim, and the personal circumstances of the victim. The suffering inflicted by the act upon the victim does not need to be lasting, so long as it is real and serious.

326. The perpetrator must have acted intentionally or with the knowledge that the serious mental or physical suffering or injury, or the serious attack on human dignity, was a probable consequence of the act or omission.

12.1.2.3. Torture

327. The elements of torture as a war crime are the same as those for torture as a crime against humanity, except for the contextual requirements and the protected status of the victim.

12.1.2.4. Murder

328. The elements of murder as a war crime are the same as those for murder as a crime against humanity, except for the contextual requirements and the protected status of the victim.

12.2. Legal analysis

12.2.1. Contextual requirements

329. UNITAD has already found that there are reasonable grounds to believe that, between 30 December 2013 and at least 9 December 2017, a non-international armed conflict existed between ISIL and the Iraqi government.

330. The camp personnel who left Tikrit Air Academy on 12 June 2014 was not taking active part in the hostilities and were entitled to the protection under the laws and customs of war for such time as they were under the custody or control of ISIL PPC POI. The latter were also aware that the PPC captives were taking no active part in the hostilities, as they were under ISIL custody or control.

331. The apprehension, detention and killing of PPC captives followed the takeover of Tikrit by ISIL in the context of ISIL's advance against Iraqi forces, and thus was connected with the ongoing armed conflict. As many ISIL PPC POI participated in the takeover of Tikrit and preceding operations, they were aware of the factual circumstances establishing the armed conflict. Other ISIL PPC POI were aware of the same by virtue of having been released from prisons by those who participated in the takeover of Tikrit or by having joined ISIL upon its entry into Tikrit.

12.2.2. Underlying crimes

332. Through the acts and conduct amounting to the crimes of imprisonment, other inhumane acts, torture and murder as crimes against humanity, ISIL PPC POI also committed the war crimes of arbitrary detention (paragraphs 296-299), cruel treatment (paragraphs 300-302), torture (paragraphs 303-305) and murder (paragraphs 306-308).

333. Intent to commit these crimes can be inferred from the deliberate manner in which the ISIL PPC POI engaged in the relevant acts and conduct.

12.3. Conclusion

334. In conclusion, there are reasonable grounds to believe that arbitrary detention, cruel treatment, torture and murder as war crimes were committed against the captives executed at Tikrit's Presidential Palace Complex between 12 and at least 14 June 2014.

13. Modes of liability

13.1. Overview

335. Several modes of liability may be relevant in relation to the crimes described above, such as individual and joint commission, aiding and abetting and superior responsibility. However, given the nature of the crimes and the plurality of individuals participating in them, the most suitable mode of liability is commission in a joint criminal enterprise (JCE). This mode of liability encompasses three forms or categories (basic, systemic, and extended). For the purpose of this report, only the basic form will be addressed, in which several perpetrators act on the basis of a common purpose.

13.2. Joint Criminal Enterprise

13.2.1. Applicable law

336. The basic form of JCE requires the following objective elements: (i) a plurality of persons who act pursuant to a common purpose; (ii) a common purpose which amounts to or involves the commission of a crime under customary international law; and (iii) participation of the perpetrator in furthering the common design or purpose.

337. **Plurality of persons.** The persons participating in the criminal enterprise need not be organized in a military, political, or administrative structure. They must, however, be identified with specificity, for instance by name or by categories or groups of persons.

338. **Common purpose which amounts to or involves the commission of a crime.** There is no necessity for this plan, design or purpose to have been previously arranged or formulated. The common plan or purpose may materialize extemporaneously and be inferred from the fact that a plurality of persons acts in unison to put into effect a joint criminal enterprise.

339. **Contribution.** The perpetrator must have participated in the furthering of the common purpose at the core of the JCE by assisting in or contributing to the execution of the common plan or purpose, but need not have performed any part of the actus reus of the crime charged.

The perpetrator's contribution to the JCE need not be, as a matter of law, necessary or substantial, but it should at least be a significant contribution to the crimes for which he or she is found responsible. The contribution does not need to be criminal per se.

340. **Intent.** The perpetrator must share the intent with the other participants to carry out the crimes forming part of the common purpose, including the special intent.

13.2.2. Legal analysis

341. The crimes ascertained above involve a plurality of persons who appear to have acted with a common purpose. Two such groups can be distinguished. One group is composed of individuals in high-level leadership positions who have devised and maintained a common purpose to gain and exercise control over Iraq (and Syria) by means which included intimidating, mistreating, removing and killing persons who were perceived to have been non-compliant with ISIL's interpretation of Islam. This common purpose also included the genocidal policy against the Twelver Shi'as of Iraq. This group of individuals and their common purpose forms an "overarching" JCE for the crimes ascertained in this report. Another group of individuals are those identified in this report as ISIL PPC POI. The subsequent legal analysis will focus on them.

13.2.2.1. Plurality of persons

342. ISIL PPC POI comprised: (a) most of those who entered Tikrit with the two groups; (b) a part of those who were released from Tasfirat and other prisons or detention centers in Tikrit the day before; and (c) some of the local, *sleeper-cell* ISIL members who came forth when ISIL entered the city. They numbered approximately 100-150 members. Abu Nabil, Abu Abdelhadi, POI_OK1, POI_NM1, Fahad Abu Ja'afar, Abu Abdel Rahman, POI_AA1, Hamza, POI_AR1, Abu Maria, POI_UY1 were part of this plurality of persons, so were many other unidentified shooters, guards and bystanders.

13.2.2.2. Common purpose

343. Many of the aforementioned individuals shared a common purpose between 12 June and at least 14 June 2014 to apprehend, detain, mistreat and kill the personnel who departed Tikrit Air Academy on 12 June 2014. This common purpose involved the commission of the crimes of imprisonment/arbitrary detention, other inhumane acts/cruel treatment, torture, murder, persecution and genocide. To date, there is insufficient evidence to ascertain whether the crime of direct and public incitement to genocide through the publication of Video 1 was part of the common purpose of this JCE.

344. The existence and contours of the common purpose are indicated by: (i) the acts and conduct of the ISIL PPC POI between 12 and at least 14 June 2014, as detailed in relation to the relevant crimes; (ii) the statements made by some ISIL PPC POI simultaneously and in conjunction with the commission of the crimes; and (iii) the apparent efforts to document (film) the joints actions and individual statements of ISIL PPC POI by their own cameramen, who seem to have captured footage at all killing zones in the Presidential Palace Complex.

13.2.2.3. Significant contribution

345. Abu Nabil significantly contributed to the common purpose by leading and managing the entire killing operation in four different killing zones of the PPC and by shooting at least seven PPC captives himself in killing zone 3.

346. Other shooters (Abu Abdelhadi, POI_OK1, POI_NM1, Fahad Abu Ja'afar, Abu Abdel Rahman, POI_AA1, Hamza as well as other, unidentified shooters) significantly contributed to the common purpose by marshalling, mistreating and shooting at least dozens of PPC captives at one of the four killing zones.

347. Others (such as POI_AR1) significantly contributed to the common purpose by guarding, marshalling and/or mistreating PPC captives at each killing zone.

348. At least two cameramen (Abu Maria and Abu Basir) significantly contributed to the common purpose by documenting the entire killing operation on video camera. They moved around killing zones and captured the arrival, movement, detention, mistreatment and execution of at least dozens of captives. Abu Maria's conversations with some of the captives show his eagerness to highlight the reasons why the captives were mistreated and executed.

349. The extent of the contribution of bystanders (such as POI_UY1) would have to be determined on the basis of additional evidence.

13.2.2.4. Intent

350. Abu Nabil, other shooters, the guards and the two cameramen shared the intent to commit the crimes forming part of the common purpose. This is apparent from their acts and conduct, and, in relation to some, from their statements made simultaneously and in conjunction with the commission of the above-identified crimes.

13.3. Conclusion

351. In conclusion, there are reasonable grounds to believe that Abu Nabil, other shooters, the guards and the two cameramen, as identified in paragraphs 345-348, committed the crimes of crimes of imprisonment/arbitrary detention, other inhumane acts/cruel treatment, torture, murder, extermination, persecution and genocide as part of the common purpose to apprehend, detain, mistreat and kill the camp personnel who departed Tikrit Air Academy on 12 June 2014.

PART V – IMPACT ON VICTIMS

352. UNITAD has maintained a close relationship with many of the representatives and families of the Tikrit Air Academy victims. Reaching out to these families, understanding their suffering and giving a voice to their demands is a priority for the Investigative Team. In light of this and for the purposes of this report, UNITAD interviewed several survivors and victims about how their life was affected by the massacre. Eighteen of these interviews were conducted on the premises and with the support of the Center for Documentation of Extremist Crimes (in Najaf) and the Organization of Victims of Spyker 1700 (in Baghdad).

353. The interviewees included three survivors as well as fathers, mothers, brothers and wives of Tikrit Air Academy victims. Whilst it is unquestionable that the few survivors and the thousands of families have many compelling stories to tell, the Investigative Team is confident that the accounts of the interviewees are representative of the suffering, resilience and demands of many more affected families.

354. The paragraphs below present, through the prism of the interviews, the material, physical and mental harm that survivors and family members have suffered since the massacre and summarize the demands they have for justice to be served.

14. The days that changed everything

355. Sons and husbands volunteered to join the army to defend and serve the homeland, Iraq. They also volunteered for financial reasons, and the lack of alternative means of income. Some of the victims were the oldest sons in the family, and the main providers. Others were married and had to provide for their children.

356. At some time on 12 June or in the following days, the connection between the families and their loved ones were lost. The survivors and families of the victims describe that from 12 June 2014 onwards, their lives would change forever. Some of them describe that they cannot even transmit the impact on them in words.

15. Harm suffered

357. Deceased or missing victims and survivors of the Tikrit Air Academy massacre qualify as direct victims, because they suffered physical and mental harm directly at the hands of ISIL. Given their close relationship with the direct victims, immediate family members (spouse, parents, children, siblings) qualify as indirect victims of the massacre. The interviewees identified various forms of harm that they suffered as direct and indirect victims. These can be grouped in three main categories: material (financial), physical and mental harm.

358. Material harm denotes any kind of property or pecuniary damage or loss, including loss of income or of means of subsistence or other forms of economic loss.

359. Physical harm denotes any kind of bodily injury, impairment, ailment or disease. Grave or prolonged emotional suffering of an indirect victim, because of the death of or harm suffered by the direct victim, may lead to physical ailments or afflictions.

360. Mental harm denotes any kind of psychological suffering, such as grief, bereavement, post-traumatic stress disorder, or other types of psychological, disorders, trauma or distress.

15.1. Material harm

361. In some cases, the martyrs were the oldest sons in the family and important breadwinners. They were responsible for taking care of parents and younger siblings. Some of the murdered and disappeared were married and had children. One widow cannot provide for the other family members like her husband used to. Some survivors who returned home after the massacre were left unemployed and without any financial assistance from local or central authorities.

15.2. Physical harm

362. Family members have suffered, and still suffer, from physical ailments like high blood pressure, strokes or heart attacks, and problems with eyesight and memory. Some family members were in temporary shock, and some even taken to hospital, upon learning about the incident.

15.3. Mental harm

363. Survivors have been scarred for life by the massacre of their colleagues. Many show symptoms of long-term PTSD, depression and anxiety. Furthermore, the killing of the Tikrit Air Academy personnel, like many comparably large massacres, has had far-reaching psychological effects on the immediate families and the larger community as well. Such effects include the disruption of the daily life of thousands of families, traumatic or complicated grief of thousands of mothers, fathers, spouses and siblings, as well as collective and intergenerational trauma of Shi'a communities all over Iraq.

15.3.1. Disruption of daily life

364. A violent massacre instills fear and distrust on direct and indirect victims; it tears families apart, destroys morale, and disrupts day-to-day lives. If these last over a longer period of time, they can lead to severely impaired social and occupational functioning.

365. Survivors have struggled coping with a "normal" life, connecting with their loved ones and reintegrating in their community. The lives of mothers, fathers, siblings, wives and children of deceased victims broke apart and were permanently affected. One father describes how each mother and father of a Tikrit Air Academy victim have their own story, their experiences being similar to a film with more than 2000 episodes. The family members recurrently come back to their experience that the incident destroyed the whole family. Several say that on 12 June 2014, they died together with their loved ones. In the words of one interviewee, "not only 1700 individuals passed away. 1700 mothers, 1700 fathers, and 1700 brothers also did".^[73]

15.3.2. Traumatic of complicated grief

366. As a result of violent crimes, direct and indirect victims may develop post-traumatic stress disorder (PTSD) symptoms. Moreover, those who experience a sudden violent loss may suffer from a condition described as traumatic or complicated grief.

73. UNITAD, Confidential investigative report.

This condition is a combination of traumatic distress, similar to PTSD, and separation distress, which is manifested by persistent mourning, yearning and loss-related anguish and withdrawal.

367. Several family members showed signs of complicated grief, in the form of persistent mourning and yearning and long-term anguish and torment as to the fate of their loved one. According to one mother, when she closes the door at night, she has a feeling that something is still left outside. She cannot get rest, when her young boy is still outside and roaming the streets. Another mother struggles with thoughts of torture, fear, hunger, and death passing through her mind every day. In the words of a third mother, “we will never forget; the matter is still living with us and running in our blood”.[74] A father sends messages to his dead son’s social media profile, notifying him about important developments in his children’s lives. Some mothers cannot eat the food their sons used to like. A son hid the brutal video of his brother’s killing to protect their mother from further anguish. Since the day she received her son’s death certificate and phone with last messages sent to her, a mother describes herself as being a “body without soul”.[75]

368. In the years following the massacre, the families’ anguish was further exacerbated by phone calls from seemingly criminal individuals who took advantage of the family members’ vulnerability and desperation. The callers alleged that their loved ones were in their custody and wanted money. In one case, they even possessed personal medical details of a disappeared son. The family members were put under additional stress, not knowing whether to believe these claims were true or not.

369. Many families are still waiting to receive the remains of their loved one. Those who already received such remains had to wait for years for this to finally happen. Until that moment, they did not know whether they should believe their loved ones were alive or dead. Several were still hoping they were alive, and that they one day would come back home. This further contributed to the lasting sense of uncertainty about the fate of the victims.

15.3.3. Intergenerational and collective trauma

370. An individual’s traumatic experiences can also influence their offspring’s well-being. Some victims were married and had children, of which many can be presumed to be of a very young age in 2014. The very young children may themselves not have any memories of their fathers, other than photos. Some family members are asked by the children left behind why they do not have a father, like others. One such child has taken the habit of painting his dead father.

371. When a group endures a disturbing incident together, it is often referred to as community or collective trauma, which disrupts a community’s current social and economic systems. Many relatives and friends of those who perished were deeply impacted by the loss. Some were at loss how such a massacre could happen in Iraq, a country where all religions, ethnicities and sects coexist. To many families and friends it is apparent that their loved ones were victims of sectarianism and were killed for being Shi’a. This considerably widens the pool of affected individuals, creating a collective anguish and distrust in others, including other communities that may be seen as responsible for the massacre.

16. Demands

16.1. Seeking the truth

372. It is very important for the family members to know the fate of the disappeared, and whether they are alive or dead. Several family members watched the video recordings of the massacre, which were published a while after the incident.

74. UNITAD, Confidential investigative report

75. UNITAD, Confidential investigative report.

Even though it caused them great horror, they still tried to desperately identify known traits and familiar clothing on the individuals shown in the recordings. One mother says she never managed to watch it. Some interviewees, however, believe that they managed to identify their loved ones in the videos. At least one mother witnessed her son being murdered on camera. Another mother who recognized her sons says, “a mother who sees her sons like that will not stay alive”.[76] One father spotted a glimpse of his son in a Speicher video on social media eight years after the massacre; he smashed his phone against the wall.

373. A father of two sons killed in the Presidential Palace Complex wonders:

“Imagine. The cadets were laid down and waited for their turn to be executed. What did the younger brother feel when he saw his older brother die, before his eyes? And what did the older brother feel when he saw his younger brother die, before his eyes? They did not die by a bomb, like other soldiers. It took them an entire day to be executed. It was very hot at the time. I am sure they were not given any food or water”.[77]

374. Family members want any remaining graves to be found and opened, and the remains of their loved ones identified and handed over. According to a mother, it is the “most fundamental of rights” [78] to know where her son’s remains are. A proper burial, and a proper grave, would grant relief and grant them a place to visit and mourn.

375. Even though some families received the remains, a few family members do not know if to believe that the remains given to them really belong to their loved ones. They have not managed to feel any relief upon receiving the remains.

376. Many other families, however, have still not received any remains. They particularly suffer from not knowing the fate of their loved ones, and not knowing for certain whether they are alive or dead. Rumors and reports of alternative scenarios circulate and torment family members. Some of these beliefs maintain that the disappeared are kept in secret prisons, handed over to tribal leaders, or transferred abroad. One mother still lives on the hope that her son returns one day, saying that her heart beats and tells her that her son is alive. Some also feel difficulty to properly grieve their disappeared loved ones, while their fate is still unknown. When they recite the first verse of the Qur’an over the dead, they cannot pronounce the names of their loved ones with ease. Many family members suffer from not having a proper grave they can visit. The pain is particularly salient at the time of the yearly Eid celebration, when Iraqis go and visit the graves of their dead family members. Some made a symbolic grave, where they have buried some of their loved ones’ personal belongings.

377. Family members of missing victims have been constantly searching for any clues about the fate of their loved ones. They have visited several prison facilities, governmental offices, and courts to inquire about their sons and husbands. Some recount that they have travelled to ISIL-controlled locations in other governorates, even in times it was not safe to travel. Two mothers may have lost their lives at the hands of ISIL when they went searching for their sons.

16.2. Retributive justice

378. Survivors and families also wish to shed light on the crime through the criminal justice system or seek other forms of justice. Some are frustrated because the young men were sent to the Tikrit Air Academy, an area with ongoing battles at the time, of which they knew very little. Their training was short and insufficient, and they were not granted any weapons. A father laments that the cadets were in fact children and left the camp as civilians.

76. UNITAD, Confidential investigative report.

77. UNITAD, Confidential testimonial evidence.

78. UNITAD, Confidential investigative report.

379. Several family members highlight that ten years have passed since the incident. They do not consider the action taken by the government sufficient. Several believe that their case has not been moving forward for many years. In light of the huge number of victims whose fate is unknown, they question the reason why they have still not been found. The families call for the case to move forward, so that there can be justice for their loved ones. They believe that justice includes the recognition of the “moral” rights of their sons and husbands, including what they describe as holding perpetrators responsible for the victims’ “rights of blood” or the “rights of youth”.^[79] Material rights are in general considered only secondary. One family member underlines that Iraq is a tribal society, and therefore calls for tribal justice. Another demands that the negligent of the Speicher crime should be held accountable.

380. Some family members emphasize that the perpetrators cannot go free as long as their family members are disappeared or dead, in line with the paradigm “an eye for an eye, a tooth for a tooth”.^[80] Their frustration is worsened by feeling that their own rights, as survivors and family members of martyrs, are not acknowledged properly.

16.3. Reparation and recognition

381. Reparations in the form of financial compensation or other material forms of support can often assist victims in dealing with the consequences of a crime and may also be seen as an acknowledgement of victim status. Survivors highlight that they received no psychosocial support from local or central authorities, and they have found it difficult to get employed and reintegrate in their community. Some indicate that they have been unemployed over a long period of time and have received no financial support from authorities. Family members also highlight that insufficient attention has been given to them or to their needs and wishes. One family member says that no one has asked about them or knocked on their doors. Another family member notes that many martyrs’ family members suffer from a weak financial status, and that so far they had not received due compensation from the government.

382. Reparations can also take more symbolic forms, such as commemorations and memorialization monuments. The family members express their frustration that the “Speicher massacre” and its victims are only granted attention during the yearly commemoration, which lasts one or a few days per year. The raising of monuments for the massacre, the organization of pilgrimages to pray for the memory of the dead and more commemorative activities are among the demands of family members.

383. Respect from society, showing appreciation and recognition of the victim's unique state and acknowledging the victim's current difficult situation, can also be important for victims. The family members have a shared and strong demand that their voices be heard, and their suffering known to the world. They wish for and trust in the United Nations to transmit their suffering for the sake of humanity itself. It is critical for them that the world knows that the “Speicher massacre” left mothers, fathers, and children behind.

384. Several family members want the “Speicher massacre” be declared a genocide. Such a declaration from the United Nations would, in their eyes, grant at least some justice to the survivors and the family members left behind. They consider that there is a big difference between calling the massacre a war crime and an international crime, particularly as regards genocide or crime against humanity.

79. UNITAD, Confidential investigative report.

80. UNITAD, Confidential investigative report.

PART VI – RECOMMENDATIONS

385. Based on the collected evidence and the preceding analysis, further investigations are necessary to obtain information and/or evidence on the following factual issues:

- a. The units present and arriving at, and departing from the Tikrit Air Academy on 10-12 June 2014;
- b. The overall security context in Tikrit prior to ISIL's arrival and the reasons for the collapse of the security system;
- c. The modus operandi of the various perpetrator groups active in the four killing zones of the Presidential Palace Complex as well as the identity, acts, conduct and state of mind of all members of each group;
- d. The method of disposal of bodies at killing zones 1 and 3, and the possible existence of other mass grave sites in or around the Presidential Palace Complex;
- e. The disappearance and/or killing of Tikrit Air Academy personnel who did not end up in the Presidential Palace Complex and the relevance and reliability of possible execution and disappearance sites, and the pertinent facts and circumstances related to these sites, including the evidentiary link with ISIL.

386. The additional information/evidence would assist at confirming or supplementing the following legal findings:

- a. The number and identify of ISIL members who possessed genocidal intent in relation to the killing of Tikrit Air Academy personnel in the Presidential Palace Complex;
- b. The relevant acts and conduct, state of knowledge and state of mind of ISIL members involved in the filming, editing, publication and dissemination of the ISIL video "Kill Them Wherever You Find Them", whether as speakers, cameramen, editors, publishers or in any other capacity, in relation to the subsequent dissemination of the video to the general public;
- c. The corroboration of the Presidential Palace Complex killing operation with other instances of ISIL killings of adult Shi'a males, in order to establish that those killed indeed represented all adult Twelver Shi'a males, in the context of establishing that genocide was committed by ISIL against Twelver Shi'as of Iraq.

List of Abbreviations

| Abbreviation | Definition |
|-------------------------|---|
| 1949 Geneva Conventions | The Geneva Conventions of 12 August 1949 |
| a.k.a | Also Known As |
| ACP | Average Combat Patterns |
| Airbase | Camp Speicher or Tikrit Air Academy |
| AK-47 | Avtomat Kalashnikova (assault rifle) |
| Al-Zarqawi | Abu Musab al-Zarqawi |
| Al-Zawahiri | Dr. Ayman al-Zawahiri |
| Ali | Ali ibn Abi Talib (Prophet Mohammed's cousin) |
| AQI | al-Qaeda in Iraq |
| BMW | Bayerische Motoren Werke (vehicle brand) |
| Camp | Camp Speicher or Tikrit Air Academy |
| CCTV | Closed-circuit Television |
| COB | Contingency Operating Base |
| COB Speicher | Contingency Operating Base Speicher (a.k.a Camp Speicher or Tikrit Air Academy) |
| DNA | Deoxyribonucleic Acid |
| ECCC | Extraordinary Chambers in the Courts of Cambodia |
| FOB | Forward Operating Base |
| FOB Speicher | Forward Operating Base Speicher (a.k.a Camp Speicher or Tikrit Air Academy) |

| Abbreviation | Definition |
|---------------------|---|
| Genocide Convention | The 1948 Convention on the Prevention and Punishment of the Crime of Genocide |
| Government | Iraqi Government |
| GSW | Gunshot Wound |
| HQ | Headquarters |
| hrs. | Hours |
| Humvee | High Mobility Multi-Purpose Wheeled Vehicle |
| ICC | International Criminal Court |
| ICTR | International Criminal Tribunal for Rwanda |
| ICTY | International Criminal Tribunal for the Former Yugoslavia |
| ID | Identification |
| ID card | Identification Card |
| IED | Improvised Explosive Device |
| Investigative Team | United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL, Field Investigative Unit 2 |
| ISF | Iraqi Security Forces |
| ISI | Islamic State of Iraq |
| ISIL | Islamic State of Iraq and al-Sham/Levant |
| ISIL PPC POI | ISIL members actively involved in the killing operation at the Presidential Palace Complex (as Persons of Interest) |
| Jama' | Jama'at al-Tawhid wa'al-Jihad |

| Abbreviation | Definition |
|----------------|--|
| JCE | Joint Criminal Enterprise |
| JRTN | Jaysh Rijal al-Tariqa al-Naqshabandi |
| K1 | Killing Zone 1 |
| K2 | Killing Zone 2 |
| K3 | Killing Zone 3 |
| K4 | Killing Zone 4 |
| K5 | Killing Zone 5 |
| km | Kilometers |
| KSC | Kosovo Specialist Chambers |
| M-16 | M-16 Rifle (assault rifle) |
| MGD | Mass Graves Directorate |
| MLD | Medico-Legal Directorate |
| POI | Person of Interest |
| PPC | Presidential Palace Complex |
| PTSD | Post-traumatic Stress Disorder |
| River | Tigris River |
| Rome Statute | The Rome Statute of the International Criminal Court |
| Shi'a Twelvers | The Twelver Imami Shi'as |
| STL | Special Tribunal for Lebanon |

| Abbreviation | Definition |
|--------------|---|
| SUV | Sport Utility Vehicle |
| SWAT | Special Weapons and Tactics |
| TAAP | Tikrit Air Academy Patterns |
| UNAMI | United Nations Assistance Mission for Iraq |
| UNDP | United Nations Development Programme |
| UNITAD | United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/ISIL |
| University | Tikrit University |
| UNOHCHR | United Nations Office of the High Commissioner for Human Rights |
| UNSC | United Nations Security Council |
| US | United States of America |
| VBIED | Vehicle-borne Improvised Explosive Device |
| Video 1 | ISIL Video: Kill Them Wherever You Overtake Them |
| Video 2 | ISIL Video: On the Method of Prophethood |
| Z-score | Standard Score (statistical reference) |

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