



August 21, 2018

James N. Mattis
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Re: Civilian Casualties from U.S.-led Coalition strikes in Syria

Dear Secretary Mattis:

I write on behalf of Amnesty International USA, which has been in touch with you and others at the Department of Defense regarding the US-led Coalition's military assault on Raqqa, Syria in 2017.

Amnesty International investigated the impact of that military campaign on civilians in Raqqa, and after seeking additional information from the Coalition and from your staff at the Department of Defense about particular lethal strikes in that battle, issued our report, *'War of annihilation': Devastating Toll on Civilians, Raqqa – Syria*¹, in early June.

Since we released our report, the Coalition promised to re-investigate the cases of civilian casualties that we called to its attention. In late July, the Coalition acknowledged 77 civilian casualties from the Coalition's military operations in Raqqa that it had previously deemed "non-credible."

We acknowledge the Coalition's willingness to re-investigate these cases, and to admit the previously unreported civilian casualties. We write now to ask that the Department of Defense take specific steps to follow up on those findings, and to investigate more broadly and thoroughly all claims of civilian casualties caused by the Raqqa offensive, as well as by all U.S. military operations going forward.

¹ <https://www.amnesty.org/download/Documents/MDE2483672018ENGLISH.PDF>

While our researchers were able to document civilian casualties suffered by four particular families in Raqqa during their two-week research trip, we believe this is just the tip of the iceberg. Based on Amnesty researchers' conversations with survivors and witnesses in Raqqa, we believe there are likely many more civilian casualties caused by that military operation that remain unacknowledged. Their survivors, meanwhile, continue to live in dire conditions, including many maimed for life, and many whose homes and livelihoods were destroyed.

In its June report, Amnesty International presented a prima facie case that the Coalition air strikes resulting in these specific cases of civilian casualties violated the laws of war. The Coalition's admission of responsibility for these civilian casualties should kickstart further investigations to determine exactly what happened and why, and to pave the way for justice and reparation, where appropriate.

While nothing can bring back the dead or wipe away the unimaginable trauma many suffered, the Coalition can at least provide restorative measures – including compensation and rehabilitation – to victims' families and survivors, while it initiates investigations that can bring full justice and reparation.

Right to know

Civilians impacted by Coalition air strikes have a right to know why their loved ones – very often their children – were taken from them. In four of the five fatal strikes documented by Amnesty International, the Coalition claimed it targeted “Daesh (IS) fighting positions,” unintentionally killing civilians in the process. In one case, a strike that killed five children and three adults, the Coalition said it targeted “Daesh headquarters” and fighting positions.

Such short-hand explanations are inadequate, particularly to the survivors and to victims' families. The Department of Defense should work with the Coalition to conduct an independent investigation that yields concrete and verifiable details as to what happened that led to such tragic consequences.

We request that in addition to the verification of civilian deaths, the Coalition provide the exact location and nature of the targets, the methodology used for verifying the targets, and the measures that were taken to minimize the risk to civilians.

It has been nearly a year since the armed group calling itself Islamic State has been ousted from Raqqa. There is no military or security justification for withholding these details, which are crucial to determining the legality of strikes that killed and maimed civilians. It is only by accounting for what happened in Raqqa that the Coalition can avoid inflicting high civilian death tolls in future military operations.

Currently, victims' families do not even know which Coalition member state carried out the strikes. All Coalition forces involved – in carrying out air strikes, refueling planes or providing surveillance intelligence – must accept their role in the deaths and damage caused.

Flawed intelligence

Faulty intelligence appears to have played a part in at least some of the killings the Coalition has admitted. It remains unclear how the Coalition determined that they were hitting IS fighting positions and headquarters when in fact they were striking homes full of civilians.

We therefore ask that for each strike, the Coalition reveal how the intelligence was obtained and the efforts made to verify the targets before striking.

As Amnesty International made clear in its report, patterns of civilian life in urban conflict zones – including sheltering indoors for prolonged periods and searching for food and water in areas close to frontlines – were well understood before the military operation to wrest Raqqa from IS began in June last year.

The Coalition has not yet provided any information on the steps it took to ascertain the presence of civilians before carrying out these specific strikes. For example, the

Coalition has not revealed for how long it monitored the buildings before striking them, how it triangulated the initial intelligence with other information sources, or what assumptions it made in assessing patterns of civilian life and the likelihood that civilians were present.

Tip of the iceberg

Amnesty International's report highlighted four cases involving just a few families devastated by Coalition strikes as emblematic examples of a wider pattern in the Raqqa military operation. But the Coalition carried out thousands of strikes on Raqqa – many more than Amnesty International or any other organization could investigate and document.

For example, while the Coalition has now admitted killing eight civilians in one strike on June 28, 2017, it carried out another 16 strikes on the city that day. The Coalition also admits killing 11 civilians with a strike on July 18, 2017, but it carried out a further 46 strikes that day. Similarly, it admits to killing 16 civilians in one of the 29 strikes it launched on October 12. And it has admitted killing 42 civilians in two strikes on August 20; yet that was just two of its 52 strikes on Raqqa that day.

These are just a few days of the four-month military operation during which Coalition forces pounded Raqqa relentlessly – “every minute of every hour,” in the words of US Army Sergeant Major John Wayne Troxell².

The Coalition's admission, based on Amnesty International's research, underscores the importance of conducting field investigations of alleged civilian casualties, and exposes procedural flaws in the Coalition's investigations that need to be resolved. Unless the thousands of Coalition strikes in Raqqa are rigorously investigated, the true scale of civilian casualties will likely never be established, and Raqqa's civilian population will be denied justice or accountability. In addition, without a true

² <https://www.marinecorpstimes.com/flashpoints/2017/11/02/marine-artillery-barrage-of-raqqa-was-so-intense-two-howitzers-burned-out/>

accounting of civilian casualties, the Coalition itself and each of its members will lack critical information needed to protect civilian lives in its military actions going forward.

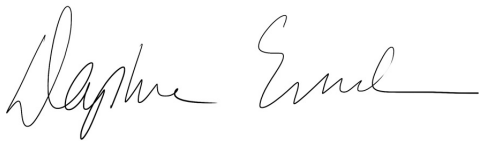
We therefore call on you and your staff to ensure that the U.S.-led Coalition:

1. Thoroughly and meaningfully investigate all claims of civilian casualties from the assault on Raqqa – and from all U.S. military assaults -- so as to have an accurate assessment of the civilian harm caused by U.S. military operations, and make that assessment public;
2. Put in place an independent, impartial mechanism to effectively and promptly investigate possible violations of International Humanitarian Law (IHL), make the findings of such investigations public, and hold violators accountable;
3. Put in place the mechanisms necessary to provide prompt and full reparation to victims and families of victims of violations, including compensation, restitution, and rehabilitation, and ensure adequate resources are budgeted for this purpose;
4. Put in place a mechanism to allow all civilians harmed by U.S. actions to seek prompt compensation and assistance;
5. For strikes that are determined to have killed civilians, provide the exact location and nature of the intended targets, the methodology used for verifying the targets, and the measures taken to minimize the risk to civilians;
6. Improve procedures for assessing and investigating reports of civilian casualties to include field visits and interviews with witnesses and survivors;
7. Ensure that lessons are learned from every investigation and that strikes in ongoing Coalition military operations are carried out in full compliance with IHL;
8. End the use of explosive weapons with wide-area effects, such as artillery and mortars, in the vicinity of populated civilian areas, consistent with the prohibition on indiscriminate and disproportionate attacks;

9. Assume the presence of civilians in every structure when engaging IS fighters, given the likelihood of IS using civilians as human shields and adjust tactics to take civilian presence into account;
10. Take all feasible precautions to minimize harm to civilians, including giving effective advance warnings of impending attacks to the civilian population in the concerned areas, and, when possible, providing advice to civilians on possible evacuation routes;
11. Ensure that the Syrian Defense Force and other partner forces comply with IHL, including by refraining from the use of mortars in the vicinity of civilian areas, and refraining from looting civilian property;
12. Ensure that concrete plans for evacuation and humanitarian assistance to civilians are put in place and budgeted for sufficiently early in the planning of military operations, so that adequate food, water, shelter and medical care can be promptly provided to civilians displaced by such military operations.

I would be happy to discuss any of these recommendations. Amnesty International USA looks forward to continuing to discuss with the Department of Defense how it can prevent civilian harm from U.S. military operations.

Sincerely,



Daphne Eviatar
Director, Security with Human Rights
Amnesty International USA