## Airwars position paper

#### **About Airwars**

Airwars is a UK-based non-governmental organisation, focusing on documenting civilian harm, investigating those responsible, and pushing for changes to military policies and practices. Airwars is a member of the <u>Casualty Recorders Network</u>, with a methodology that adheres to global <u>Standards on</u> <u>Casualty Recording</u>.

#### Hawija documentation and timeline

In the days following the Hawija strike, Airwars' Casualty Recording teams identified and digitally preserved all open source allegations of civilian harm. This was part of <u>a wider effort carried out by</u> <u>Airwars teams</u> since 2014, documenting all incidents of civilian harm alleged to have been caused by the US-led Coalition in the war against the so-called Islamic State (ISIS). To date, this archive now totals almost 3,000 individual incidents from the eight-year campaign. More than 70% of the US-led Coalition's own investigations into civilian harm allegations were prompted by Airwars referrals.

This documentation effort involves identifying news media, local testimonies, and social media posts, and preparing an incident report on the Airwars website in line with <u>our standard methodology</u>.

For the Hawija strike, this included, for example, identifying a June 3rd report from <u>local news outlet</u> <u>Rudaw</u> that included images and videos of the aftermath, as well as international media such as <u>a June</u> <u>3rd Al Jazeera report</u>. Other local sources initially reporting on the incident have since been taken offline, though the details of these posts are available in Airwars' private archive originally compiled after the event.

The record was uploaded under incident code Cl070.

As further information emerged about the incident, in line with Airwars' methodology, our researchers updated the incident. This included updates with new information revealed by NRC and NOS in their major 2019 investigation into the incident.

## **Casualty ranges**

Airwars' casualty estimates result from triangulating local sources and establishing minimum tolls based on consensus reporting. At the time, The Iraqi Revolution site claimed that 70 civilians had died, and that more than 100 others were injured. Rudaw also corroborated the 70 person death toll, with additional details provided of 26 children and 22 women among the dead.

Airwars also recorded military statements. The US-led Coalition's central civilian casualty cell when conceding the incident did not announce an overall death toll, however NRC reported based on private comments with officials that there was a consensus internally in the Coalition that 70 civilians had been killed.

As with many civilian harm events, the number of those killed can remain unclear for some time. In 2022, Airwars updated our upper casualty estimate based on the PAX report <u>'After the Strike'</u>, where researchers included data collected by Iraqi organisation Al-Ghad, where 85 civilian deaths were accounted for. This primary research also indicated that there were likely additional casualties among IDP communities, whose identities were unknown in the community.

# Context of Airwars' involvement with MoD

Airwars has been part of a consortium of organisations advocating for stronger policies and procedures to protect civilians from Dutch military actions. This effort was on-going prior to the Hawija strike. In 2019, Airwars <u>suspended this cooperation</u> with the Dutch government after journalists at NRC and NOS revealed likely Dutch involvement in the Hawija strike, and the Dutch government's refusal to confirm or deny this.

Following the eventual acknowledgement of the strike, Airwars and a group of other civil society organisations including PAX and the Center for Civilians in Conflict, began a more formal process in 2020 of engagement with the Dutch Ministry of Defense under the so-called Roadmap process. This engagement resulted in the announcement of a five step plan in 2022, and in the years since Airwars and the wider Roadmap consortium have been engaging at a granular level with the Ministry of Defence Protection of Civilians team to identify areas for improvement in policy and practice.

In complement to this consortium effort on policy reform, Airwars has also led bilateral engagements with the Dutch Ministry of Defense in relation to specific incidents of civilian harm, beyond the Hawija case, that may have been a result of Dutch actions in the broader Coalition.

This process has provided greater insight into the methodology under development in the MoD for absorbing third party civilian harm reports, in acknowledgement of the limitations of the military's own battle damage assessment process.

## Systemic challenges

The Hawija strike is an acute example of a systemic challenge within militaries and states more globally, where third party information about civilian harm is either ignored or not taken seriously by military actors. The narrow confines of the Battle Damage Assessment and the After Action Reports, means that there are significant blindspots when it comes to identifying civilian harm on the battlefield. Airwars has written extensively about this information space, including in relation to the Hawija strike, in its 2020 report with PAX, <u>'Seeing Through the Rubble'.</u>

Airwars aims to fill that gap by collating all public reporting, though this is just one approach of many that could be taken more proactively by states. The new reporting portal set up by the Dutch MoD is a good example of this effort, though questions remain about the methodology for processing these reports when they do occur.

This publication has been produced at the request of the Standing Committee on Defence at the Tweede Kamer to discuss the humanitarian condition of Hawija.