Wikileaks and the Real Face of Modern War

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There is no easy way to put the flood of information Wikileaks has released in context. The fact is that asymmetric warfare is inherently horrible, causes numerous civilian casualties, leads to inevitable abuses on both sides, and presents constant dilemmas in dealing with local allies that are not subject to US command and discipline. There also will always be rogue and inexperienced units and soldiers in the US and all other armies that commit crimes and push military engagement to extremes that cause unnecessary casualties. One can legislate the laws of war, and investigate human rights abuses until hell freezes over, and this will still be the reality of war.

The US, its allies, and the world are going to have to learn to live with the fact that this is almost certainly going to be at least a half century of conflict with non-state actors who are ideologically driven and are not subject to any meaningful pressure or controls by either the legalities of war or a concern for human rights. They will manipulate and be manipulated by state actors to drive insurgency and terrorism to extremes. They will manipulate civil violence and terrorism, along with intimidation, kidnappings, and disappearances.

At the tactical level, they will exaggerate casualties by regular military forces, stage false civilian casualties, and attack aid workers, NGOs, officials, religious institution, and every other target they can use to manipulate their way to what they see as victory. The can be subtle or extreme, and they will use the same technique to paralyze or discredit peacemakers as they do regular military forces. Non-lethal combat will remain a myth, clean and "legal" war will be impossible, and the threat such combat poses will be too real and too pervasive to ignore.

The material Wikileaks has released on Iraq is only one case study in realities of war, peacemaking, and effective humanitarian operations in nations divided by armed conflict indefinitely into the future. This will be true whether it is Cambodia, the Sudan, Ruwanda, Lebanon, Afghanistan, Pakistan, Columbia, Burma, Afghanistan, Pakistan, or the fifty more cases to come over the next few decades.

The choices will remain as stark: On the one hand, it will be intervene in wars and crises where there is no clear good side, no local ally that does not commit abuses, and constant uncertainty as to how to strike the balance between combat effectiveness and abuse. On the other, it will be to stand aside and hope that others somehow take on the burden: To seize the high moral ground and cower there in safety.

The Search for Real World Improvement

This does not mean that US, its allies, and other states do not need to do better. Technology, tactics, training, intelligence, targeting systems, command discipline, more effective reporting, and better partnering and advisory efforts with host country forces all
offer areas for constant improvement. In fact, this is a key area Wikileaks makes no effort to address, and much of the initial media reaction has largely ignored.

The US entered Afghanistan and Iraq without forces that had any real memory of Vietnam, which were organized for conventional warfare, which had little or no experience or training for counterinsurgency and armed nation building and a military unsupported by any meaningful civil partners with any real world experience in dealing with stability operations.

For political reasons, the White House took years to admit the seriousness of the rising insurgency in Iraq, and to deal with the impact of its decisions to avoid any meaningful planning for stability operations, failure to immediately rebuild effective Iraq forces, and put effective aid efforts into the field. It repeated this experience over a much longer period in Afghanistan: a war it almost ignored from 2003-2007, and where the US did not begin to address a meaningful level of military and civil resources until 2009.

There is no excuse for that failure in political leadership at the highest levels in the US. That leadership was warned repeatedly of what might happen, including major interagency efforts before the US invasion of Iraq. US commanders and ambassadors gave suitable warnings. So did a host of outside experts. The Bush Presidency will have to live with history's judgment of the result that went far beyond the incidents covered in Wikileaks. They involved millions of displaced Afghans and Iraqis, the near paralysis of development, unrecorded violence in the many areas where US forces were not present, broader regional instability, and mistakes that have worsened ethnic and sectarian tensions in Afghanistan, Pakistan, and Iraq. The US was not responsible for most of the force at work, but it was irresponsible in unnecessarily unleashing them and letting them escalate.

But, it would be grossly unfair to the Bush Administration to say that it did not gradually realize the cost of its actions in Iraq, and far more unfair to the military professionals and US civilians in the field to say that they did not make major changes over time. The US military changed and made major progress in adapting to asymmetric and irregular warfare between 2001 and 2006. The US military has continued to change ever since.

This adaptation has involved new constraints on US rules of engagement to reduce civilian casualties, new regulations and training in interrogation and the treatment of detainees, new approaches to the effort to develop restraints on Iraqi security forces, training in civil-military operations, deployments of large numbers of military and civilians to aid efforts in the field like PRTs, changes in tactics, the use of new technologies like UAVs to improve targeting and intelligence and reduce civilian casualties, setting up modern detention facilities, and constant experimentation in finding ways to work with local populations and leaders.
The Problem of Casualties

It is important to note that the US made a major effort to measure and track Iraqi and Afghan civilian casualties, to trace the causes, to distinguish between casualties caused by US and threat forces, and to analyze which Iraqi and Afghan units has ties to given factions, and abused the local population and prisoners and detainees. The trends in casualties were rarely reported in terms of totals, but were tracked in weekly and monthly trends both nationally and in key combat areas. Anyone who looks through the series of unclassified quarterly reports on Iraq available in the "publications" section of defenselink.org can find the unclassified summaries. US officers repeatedly testified on the trends in Baghdad, and made the resulting graphics publicly available.

The US worked closely with Iraqi experts and officials in making these estimates, and the quarterly reports show that the US first showed both sets of estimates and then adopted the higher Iraq estimates. Anyone who repeatedly visited the field in Iraq and Afghanistan saw how US officers and advisors steadily expanded their tactical and situation reporting to make reducing civilian casualties a goal. The same was true of visits to US and allied intelligence centers and targeting groups, and those planning operations in the field. The mistakes made in the first campaign in Fallujah were not repeated, and every operation between 2005 and 2009 provided new lessons that the US acted upon to reduce civilian casualties, improve the treatment of prisoners, and refine the rules of engagement.

As the world media has shown in reacting to Wikileaks and past estimates, seeking precision is impossible. Large-scale insurgencies in developing countries produce vast uncertainty as to exactly what is happening, and much of the civil violence occurs away from the battlefield and the scene of US operations.

Official estimates have serious problems even when they are made with great care, properly qualified, and regularly revised. The Iraqi government has made rough estimates of national trends, and the US has made rough estimates of trends directly related to combat, but these have at least 15-20% uncertainty for killed, and even defining wounded presents major issues.

As ABC News has reported, the US central command (Centcom) reported a count of 76,939 Iraqi dead for the years 2004 to mid-2008 in early October 2010, as a result of a freedom of information request. This count was said to include both Iraqi civilian and security force deaths. The Centcom number, however, is based on a methodology that is careful to count deaths in ways that only include confirmed deaths where the cause is known, and inevitably is lower than the totals estimated by most NGOs and the real total. Iraqi Human Rights, for example, issued an estimate last year that counted 85,694 Iraqi deaths for early 2004 to Oct. 31, 2008.

NGO and media estimates have very mixed quality -- ranging from terrible to well qualified and carefully made within their stated limited. Irresponsible figures based on statistical sampling efforts like those published in Lancet have shown the dangers of
pseudo-scientific guesstimates. In contrast, the far more responsible efforts of Iraq Body Count have credibility within the limits imposed by their methodology and database.

Iraq Body Count provides a range of 98,585-107,595 civilian deaths through October 21, 2010 -- peaking sharply in 2005 through mid-2008. Iraq Body Count is, however, careful to make qualifications to its estimates. It states they are, "based on 23,571 database entries from the beginning of the war to 10 October 2010. The most recent weeks are always in the process of compilation and will rise further. The current range contains 4,807–4,985 deaths (4.9%–4.6%, a portion which may rise or fall over time) based on single-sourced reports...Gaps in recording and reporting suggest that even our highest totals to date may be missing many civilian deaths from violence."

The figures being drawn from Wikileaks of 109,032 violent deaths are probably no better or worse than most, but can only be very roughly accurate and imply a ridiculous level of precision. In fact, single figure estimates with unexplained methodology inherently lag reliability and basic integrity. Similarly, taking single figures out of a model like Centcom's without explaining the context, limits of the methodology, and the resulting range of uncertainty is irresponsible reporting.

What is certain that there will never be a right figure. There will never be a reliable way to deal with data that overcount or double count some cases but must also ignore deaths that were not reported or occurred as "disappearances" and kidnappings. The data on 3,771 US and allied killed, and 15,196 Iraq security forces killed, are different involve minor differences as to timing and definition. Reports of 23,985 enemy and 66,081 civilian killed, are probably in the plus or minus 20-30% level at a minimum and are unreliable for the most serious periods of fighting.

This will be far truer for wounded than for killed. There is no clear way to count "wounded" -- or even define wound. Many light injuries to civilians are the result of indirect causes. One can only guess at whether wounds are light or serious and many light wounds are not reported. There is no way to count untreated cases. (Particularly in Iraq, where the Sadrists controlled the Health Ministry and hospital access became a form of combat.) The Al Jazeera estimate of 285,000 for both killed and wounded (exactly 63% of which are said to be civilians) is the kind of guesstimate that illustrates reporting without any definition of the method, databases, or uncertainty and has no integrity or credibility.

The Centcom numbers illustrate a different problem: The dangers in taking a point estimate out of context. They included a count of 121,649 wounded between January 2004 to August 2008. This would produce a total of 198,588 killed and wound for the period. But, once again, such numbers must be put in context. The false precision in taking such numbers out of context ignores the limits of the methodology and the uncertainty it imposes. Trying to make comparisons with other estimates using different methods and data -- without explicitly stating the impact of these differences -- is both irresponsible and meaningless.
More broadly, the question of what is a casualty raises important issues on its own. There is no way to count "disappearances," forced displacements, kidnappings, or violent extortion directly related to the fighting, or way of separating the impact of criminal activity from combat. A war that displacements millions of Iraqis, cost them their business and homes, and lead to indirect deaths through disease can never be quantified.

Accusing the US of avoiding detailed, public summary body counts has limited validity -- although the quote that "we don't do body counts" dates back to Tommy Franks and the period where casualties were dominated by an active conventional war. It also ignores the fact the US provided daily updates on its own casualties, and regularly updated and detailed trend lines provided in US reports that showed civilian, ethnic and sectarian, and Iraqi military deaths.

There are reasons, however, why the US has focused on presenting trend lines and measure the intensity of civilian, ethnic, sectarian, and military casualties over time and not issues a series of point estimates. No only are point estimates uncertain, subject to constant revision, and hard to explain to non-analysts, they have a serious political and war fighting impact, particularly in the heat of ongoing civil conflict.

Detailed counts are politically sensitive in several ways. They provide measures that insurgents and extremists can exploit -- as insurgents have learned in Afghanistan -- and turn civilian casualties into political weapons as well as use as tools to improve their tactics. Real time counts can lead each side to try to get even and escalate. Worse, as became the case in Vietnam, enemy body counts can become a measure of military progress.

There may be a case for having a truly neutral body like the International Red Cross becoming involved in making counts or trend estimates. Official and military have one set of biases in making estimates, and human rights groups another. But, any point estimates totals will still be misleading and dangerous the moment they are taken out of context.

Who can judge the trend? The level of restraint on each side? Who estimates the relative cost of short, intense decisive battles over years or less intense decades of lingering conflict? Who takes into account the fact that securing a populated area inevitably increases casualties in the short term, but reduces them later? Once you get beyond the largely meaningless numbers game in Wikileaks, how do you make trade-offs that protect the population and still make war possible over time?

One of the ironies of the Wikileaks release is that its focus on casualties coincided with yet another UN-related criticism of the use of unmanned aerial combat vehicles against terrorist and insurgent targets in Afghanistan and Pakistan for potentially violating the laws of war. No method of warfare in recent memory has been as effective in limiting total casualties and civilian casualties. The ability to target over time, combined with precision and low yield weapons plus not having to fight the way in has produced an almost astounding ratio of high-level insurgent kills to civilian kills and military
casualties. Moreover, how do rate the use of UCAVs against their non-use against an enemy that makes constant use of suicide bombers, VBIEDs, and other explosives against civilian targets if their networks and leadership are left intact?

How do you perform triage when your enemy deliberately shelters in populated areas, does not wear a uniform, and can rule an area by intimidation and terror? How do you consider the impact on civilians of letting insurgents and extremists control an area, or dominated the night and kill civilians who do not support them? What are the tactical criteria in a firefight where everyone can look like a civilian? These are real world choices that have to be made every day. No matter how much better training, discipline, and technology get, they will still be affected by the fog of war, and there will still be a high error rate and uncertainty.

What is a casualty? Is the media obsession with killed over wounded the way to deal with reducing civilian suffering? How do you take account of displacements on an internal or international level that can produce far higher totals, cost a family everything it owns, and deprive its children of opportunity and hope? Who estimates what is justified on legal, moral, or practical terms? Where does ideology end and realism begin? These are important debates that should be held, but efforts to grab publicity and money like Wikileaks do nothing to make them happen in any constructive form.

**US Abuses**

None of these issues excuse US abuses or tolerance of such abuses. The US must hold its troops and its contract security forces accountable. This is not simply a matter of law or humanitarian consideration -- although such issues can never be ignored. It is a matter of practical warfare. Case after case shows that such abuses do not intimidate the population of the host country.

US abuses of civilians and detainees also almost inevitably trigger a process that prolongs conflicts, makes conflict resolution more difficult, and leads the new enemies they create to kill American soldiers and civilians. The US and other outside forces cannot control movement or constantly reinforce intimidation the way that a secret police or security forces can. Instead, abuses breed anger and create more volunteers for the other side. They trigger revenge killings and bombings. They not only discredit US operations and goals, but those of the host country government and forces involved. The Americans who commit abuses against prisoners and civilians may be killing their fellow soldiers indirectly, but they are killing other Americans just as certainly as if they shot them in the back.

The same is true about the careless use of indirect fire or airpower. One key reason that General McCrystal put such tight limits on the rules for engagement in using airpower were studies that showed high civilian casualties inevitably strengthened the enemy and caused higher US casualties over time.
That said, what Wikileaks and similar reporting ignores is that the US took a force organized almost exclusively for conventional warfare and converted it to a very different force organized around counterinsurgency, stability operations, and armed national building in less than half a decade. It developed new manuals, doctrine, and training methods for both counterinsurgency and stability operations that specifically focused on reducing civil casualties. It established training centers that focused on these issues. It built up a major force of uniformed military for civil-military operations. It created new groups of trainers and advisors to work with Iraqi and Afghan forces. It placed steadily growing limits on methods of interrogation, detainments, and rules of engagement.

One should take a very careful look at the reasons for the depth of reporting in the material released by Wikileaks. A constant effort was made to deal with the uncertainties forced on US troops by dealing with civilians that did constantly attack at check points, during troop movements, or in operations in civilian areas. There is no magic way to know a civilian refusing to halt is not driving a VBIED or wearing a suicide vest, and time involved is in seconds. Entering a hostile house or building cuts that time to fractions of second, and light alone is a constant problem. Groups like Al Qa'ida and the Sadr militias constantly probed the limits of US security, and tried to find new ways to exploit restraint in making their attacks.

This had a major impact on both US and Iraq forces that often had to act under extreme time pressure and with great situational uncertainty. War is a matter of killing or being killed, and wars that involved non-state actors and enemies without uniforms or visible identity mean that civilians will be killed both by mistake and because they ignore order to halt or follow security procedures.

This does not excuse indifference, or a failure to properly investigate. It does not excuse officers or NCOs who push their conduct beyond the proper margin or cover up a single incident. It requires exactly the kind of detailed day-by-day, incident-by-incident reporting in the Wikileaks material to deal with these issues, and it requires constant efforts to improve training, command, investigation, and punishment -- when it is justified. But this is the real face of this kind of war, and of serious peacemaking in other cases. Troops have to be given the leeway to protect themselves and be combat effective. They have to deal with the enemy they actually face, and they cannot be expected to "litigate" every action in day-to-day combat, every incident at a checkpoint or in a home, and live war like a television courtroom drama.

**Iraqi Abuses and the Problem of Host Country Forces**

It is also important to understand the limits the US faces in dealing with host country forces, and particularly when they involve a mix of forces that have different ideologies, religions or sects, ethnicity, or tribe from the enemy and the civilians where they operate. Host country forces in cases like Iraq and Afghanistan include elements that irregular, local, tribal, ethnic, and sectarian.
They often have inexperienced officers and NCO or officers and NCOs whose primary tie is to a given faction or political element. In the real world, such forces are awkward mixes of professional military, those who care about their country, forces with minimal training and discipline, and those whose basic loyalty is to the faction or factions opposing the insurgents. These forces also report to sovereign governments with their own divisions, and which make their own decisions about the way their enemies are interrogated, killed, or wounded.

The US and coalition forces may have great influence, but they are not in command. They can sometimes intervene, but often can only observe and try to correct the situation over time. If US and Coalition officers and soldiers had attempted to constantly intervene in the bitter sectarian, ethnic, and tribal confrontations between the Iraqi security forces and the insurgents, they would have lost all influence and effectiveness, and the ability to act under worst case conditions. The Iraqi security forces would not have evolved and gotten better over time, cooperation in a coherent campaign would have been impossible.

The problems Iraq exposes in local forces are reflected in human rights reporting on the vast majority of security forces in the developing world, and they grow worse in direct proportion to the level of internal tension and conflict. This has been all too true in Iraq and in Afghanistan, and in the way part of a more professional Pakistani Army treats locals in the tribal areas. It has been true of virtually every host country force in the developing world that has been actively fighting an opposition movement in the since the end of World War II. At best, the US can exert some degree of direct control when US forces have a decisive lead or influence over the host country forces and particularly while the US is an the occupying power. More often, US forces cannot exert direct influence or control while host country forces are in action, and the US has to concentrate on changing the character and training of the host country force.

Moreover, nothing about what the material in Wikileaks says about these problems is new. Anyone who looks at the reporting by US and European embedded reporters during the Iraq War is going to find the same reports of abuses by Iraqi troops, police, and the Sons of Iraq where Americans or allied troops were present and did not have the authority or capability to act to prevent them. This situation was particularly bad from the rise of the most serious fighting in late 2004 through 2006. Iraq's government became full sovereign in June 2004, and Iraqi troops and police (largely Shi'ite but also including Kurds) took sides against Sunnis. The war was fought as such wars are fought in the real world with many cases of abuses, extremes, and private or group revenge.

They will also find embed reports of the limits placed on US troops in intervening, and of the frictions and problems US forces faced when they tried to intervene. They are also problems the US government regularly made public in the unclassified Department of Defense Quarterly reports, in the quarterly reports of the Special Inspector General for Iraq Reconstruction, in the reports of Coalition commands. They were consistently highlighted in detail in the annual US State Department reports on human rights, and the full chronology of this reporting is available for each year of the war at http://www.state.gov/g/drl/rls/hrrpt/.
For example, the 2005 report was typical in warning that,

During the year there were a number of deaths either at police hands or at the hands of militia members and criminals wearing police uniforms. For example, on May 5, the bodies of 16 Sunni farmers from Mada'in, detained by men wearing police uniforms, were found in a mass grave near Sadr City, an impoverished Shi'a neighborhood of Baghdad. They had been fatally shot in the head, and the corpses showed signs of torture. MOI officials promised an investigation into the killings, but no results were available at year's end.

On May 15, eyewitnesses said armed men in police uniforms took Sunni Council of Scholars (Ulema) member Sheikh Hassan al-Naimi from his Baghdad home. Several days later his body was found with a gunshot wound to the head and signs of torture with an electric drill. The MOI promised to conduct an investigation, but no results had been released by year's end.

On July 12, nine Sunni men suffocated after police locked them for several hours in a vehicle with no air-conditioning. Officials denied intentional wrongdoing, claiming lack of training in operation of the vehicle. No one was punished for this incident.

On August 24, during the early morning hours, men in commando uniforms driving police vehicles took 36 Sunnis from their homes in Baghdad's Al-Huriya neighborhood. The bodies of the men were found the following day near the Iranian border. MOI officials promised an investigation of the incident, but no results had been released at year's end.

There was no new information regarding the MOI investigation into the case of officers in the Basrah Police Internal Affairs Unit who were involved in the December 2004 killings of 10 members of the Ba'th Party and the killings of a mother and daughter accused of engaging in prostitution. Similarly, there was no new information regarding the October 2004 arrest, interrogation, and killing of 12 kidnappers of 3 police officers.

During the year hundreds, if not thousands, of individuals disappeared without a trace, sometimes at the hands of the police. There were many allegations of police involvement in kidnappings, some of which were supported by evidence. However, since criminals, insurgents, and paramilitaries often wore police uniforms, data on actual police abuses was uncertain.

For example, on September 9, a Sunni businessman was kidnapped from his Baghdad home. Witnesses to the abduction said men in commando uniforms driving police vehicles took him to an undisclosed location. After more than a month of negotiations, the family paid a ransom, and the kidnappers freed the victim, who had been tortured by his captors.

Groups affiliated with Kurdish political parties cooperated with Iraqi security forces to detain Sunni Arabs, Turcomen, and others and hold them in undisclosed locations in the North. Allegedly due to lack of jail space in Kirkuk Province, security forces moved prisoners north to the KRG area without public acknowledgment of the arrests or place of detention.

... The vast majority of human rights abuses reportedly carried out by government agents were attributed to the police. Militias, including members of the Badr Organization and the Mahdi Army, penetrated some police units. The minister of interior was an official in SCIRI, the sponsor of the Badr Organization; the governor of Baghdad was a SCIRI member and a leader in the Badr Organization, as were five other provincial governors selected by their respective Governorate Councils under CPA Order 71. On June 7, President Jalal Talabani praised the Kurdish and Badr militias, calling them necessary to sweep away the remnants of the dictatorship and defeat terrorism. Police officers, some of whom were members of militias, abused official powers and resources, including police vehicles, to pursue personal, criminal, and party agendas (see section 1.g.). Criminals impersonating police officers also carried out illegal acts including kidnapping
According to a January Human Rights Watch (HRW) report, police torture and ill treatment of detainees was commonplace. In interviews with 90 prisoners, 72 asserted that they had been tortured or mistreated. The reported abuses included beatings with cables and hosepipes, electric shocks to earlobes and genitals, food and water deprivation, and overcrowding in standing-room-only cells.

On February 6, Baktiar Amin, the former minister of human rights, noted to then prime minister Allawi that detention centers under the MOI’s control were a “theater of violations of human rights.” In addition to poor living conditions and arrests and detentions carried out without judicial orders, the minister stated that the MOI systematically tortured and abused detainees. Specific violations were attributed to personnel of the Major Crimes Unit, the Intelligence Directorate, and local police.

On November 13, an overcrowded MOI detention center in Baghdad was discovered. This facility, the Jadiriyah Bunker, held 169 detainees, mostly Sunnis, many of whom showed signs of torture and abuse. A number of the detainees were severely malnourished and said that police had only given them bread to eat for several months. The facility was shut down, and the detainees were subsequently transferred to a Ministry of Justice (MOJ) prison.

In a November 17 press conference, Minister of Interior Baqr Jabr stated that the reports of torture had been exaggerated; however, independent medical examinations of the prisoners revealed that more than 100 showed signs of abuse, although the abuse may have occurred elsewhere than at the bunker. Prime Minister al-Ja'afari responded to the revelations of the bunker case by establishing an Interagency Inspection Team (IIT) and announcing a “Six Point Plan” that called for inspections of all detention and prison facilities, investigations of all human rights abuses uncovered, and accountability for those perpetrating abuses.

In December the IIT conducted three unannounced inspections. On December 8, officials investigated a second MOI facility, the Iraqi Police Commando Division Central Facility for Baghdad. This police station building held 625 detainees in conditions so crowded that detainees were unable to lie down at the same time. According to press reports, a government official with first-hand knowledge said that at least 12 prisoners had been subjected to severe torture with electric shock, had fingernails torn out, and suffered broken bones from beatings. Due to the severe abuse, 13 of the detainees were referred for medical care. Sixty prisoners were recommended for immediate release, and 75 were moved to an MOJ detention facility. While no confirmation was available at year's end, detainees claimed that six of their group had died in custody.

Inspections pursuant to Prime Minister al-Ja'afari’s plan were also conducted on December 20, at the Ministry of Defense National Intelligence Service central detention facility in Baghdad, and on December 28, at a joint MOI/Ministry of Defense (MOD) facility near Tal Afar.

The IIT assessment of all three sites indicated inadequate living conditions, health services and legal access. At one of the sites IIT found evidence of recent physical abuse and torture. IIT submitted three separate reports with recommendations to the prime minister's office.

In conjunction with the Six Point Plan, all ministries of the national government operating detention facilities were required to submit lists of all facilities. There were reportedly approximately 450 official detention centers; some were operated by the MOI, and some by the MOD. Additionally, there were reports of many unofficial detention centers throughout the country. The compilation, inspections of MOJ and MOD facilities, and further investigations into the MOI incidents were ongoing at year's end. No information was available on KRG facilities.

Police abuses included threats, intimidation, beatings, and suspension by the arms or legs, as well
as the reported use of electric drills and cords, and the application of electric shocks. Reportedly, police threatened or, in fact, sexually abused detainees.

For example, a woman detained in the Diwaniyah police station claimed in early May that police had administered electric shocks to the soles of her feet and threatened to abuse sexually her teenage daughters if she did not provide the information they demanded.

On October 14, Najaf security forces arrested an associate of the former provincial governor and allegedly tortured him in an effort to obtain a confession. The arrested individual reportedly appeared at his court hearing the following day, unable to walk. MOI officials agreed to open an investigation of the case, but no information has been made available. The individual remained in custody at year's end.

According to the MOJ's Iraqi Corrections Service (ICS) officials, prisoners routinely exhibited signs of mistreatment upon transfer from police custody to the prisons. ICS investigated or referred to MOI 14 cases of police abuse during the year, some of which involved torture. For example, officials at Baghdad's Rusafa intake facility reported on February 8 that medical staff treated an inmate for injuries following his transfer from police custody. The inmate said he had been interrogated by police at the Kadamiya police station following arrest on a murder charge. The inmate stated that police severely beat him during the interrogation and told him that he would be killed if he spoke of the abuse. On June 27, a medical examination of a new prisoner at Baghdad's Rusafa intake facility revealed a leg broken in two places. The man told officials that police had broken his leg while he was in their custody.

The US continued this reporting on a regular basis. For example, the 2009 State Department report, which covered the period for 2008, noted that the government and Iraqi forces had made major improvements in dealing with civilians and detainees over past years, but that,

During the year, the Ministries of Interior (MOI) and Defense (MOD) increased the numbers of trained security forces. At the end of the year there were over 590,000 trained security forces, an increase from 430,000 in November 2007. The strengthened ISF led successful operations, often jointly with the MNF-I, against insurgents and terrorists in Basrah, Maysan, Baghdad, Diyala, Ninewa, Qadisiyah, and Wasit Provinces. Civilian authorities generally maintained control of the ISF, although sectarian and party-affiliated militias, which sometimes controlled local security, at times failed to provide even-handed enforcement of the law and acted independently. Although reduced, continuing violence, corruption, and organizational dysfunction undermined the government's ability to protect human rights.

During the year, the following significant human rights problems were reported: a climate of violence; misappropriation of official authority by sectarian, criminal, and extremist groups; arbitrary deprivation of life; disappearances; torture and other cruel, inhuman, or degrading treatment or punishment; impunity; poor conditions in pretrial detention and prison facilities; denial of fair public trials; delays in resolving property restitution claims; immature judicial institutions lacking capacity; arbitrary arrest and detention; arbitrary interference with privacy and home; other abuses in internal conflicts; limitations on freedoms of speech, press, assembly, and association due to sectarianism and extremist threats and violence; restrictions on religious freedom; restrictions on freedom of movement; large numbers of internally displaced persons (IDPs) and refugees; lack of protection of refugees and stateless persons; lack of transparency and widespread, severe corruption at all levels of government; constraints on international organizations and nongovernmental organizations' (NGOs) investigations of alleged violations of human rights; discrimination against and societal abuses of women, and ethnic and religious minorities; human trafficking; societal discrimination and violence against individuals based on sexual orientation; and limited exercise of labor rights.
During the year, there were numerous reports that the government or its agents committed arbitrary or unlawful killings in connection with the ongoing conflict. Security forces under government control killed armed fighters or persons planning to carry out violence against civilian or military targets. According to personal accounts and numerous press reports, these forces caused civilian deaths during these operations. The UN Assistance Mission for Iraq (UNAMI) cited reports that the ISF in January Basrah battles and April Sadr City battles against Shia militia failed to distinguish sufficiently between combatants and civilians, and often used disproportionate force.

An extensive security operation in Diyala Province resulted in mass arrests, denial of due process, and credible reports of torture, some resulting in death. In one case, Sheikh Bashir, a Diyala community leader, was arrested by police in November and died in custody shortly thereafter. Government officials claimed he died from a pre-existing kidney condition, but his corpse had markings consistent with torture.

...There was virtual impunity for officials tried for killings. In February 2007 several high officials in the Ministry of Health (MOH) who were JAM members -- including Deputy Minister Hakim al-Zamili -- were arrested and charged with organizing the killing of hundreds of Sunnis in Baghdad's hospitals. On March 2, their trial began after a month of delays due to the unavailability of witnesses. On March 3, the three-judge panel, citing a lack of evidence, acquitted the defendants, who were released soon after. There were allegations of witness intimidation throughout the process. At year's end, an appeal by the prosecution was pending. According to local residents, in May 2007 personnel wearing MOI police uniforms reportedly arrested and killed 16 individuals in the Hay al-Amel neighborhood. MOI Internal Affairs and Hay al-Amel Chief of Police investigated but did not find any evidence to substantiate the reports. There were no further developments related to the investigations into 2006 killings of Sunni Arabs by MOI-affiliated death squads. On August 24, seven men in military uniforms attacked the editor of the Kurdish monthly review Araa, Sadiq Jaafar Bashir, at his home in Baghdad, seriously wounding him and killing his sister, according to the international NGO Reporters Without Borders (RSF)

... Unlike in the previous year, there were reports of KRG security forces using excessive lethal force. On August 17, residents of Sreshma village in Erbil demonstrated in favor of improved access to water. As they reached the Khalifan village mayor's office, the police opened fire, killing a 15-year-old bystander and injuring four others. The governor of Erbil suspended the head of the Khalifan police, and several police were imprisoned. Since both police and villagers were shooting, no individual was found responsible for the killing, and the police were released.

The constitution expressly prohibits torture in all its forms under all circumstances, as well as cruel, inhuman, or degrading treatment. During the year there were documented instances of torture and other abuses by government agents and similar abuses by illegal armed groups. The government's effectiveness in adhering to the rule of law in these circumstances was hampered by ongoing large-scale violence, corruption, sectarian bias, and lack of civilian oversight and accountability, particularly in the security forces and detention facilities.

During the year local and international human rights organizations and the MOHR continued to report torture and abuse in several MOI and MOD detention facilities, as well as in KRG security forces’ detention facilities. In August, the MOHR reported that electricity and cold water, which leave few physical traces, were the most commonly used torture methods.

Numerous and serious reports of torture and abuse were leveled at MOI's Kadhamiya National Police detention facility and the MOD/MOJ Harithiya facility in Baghdad. As in previous years, reports of abuse at the point of arrest and during the investigation period, particularly by MOI's National Police forces and MOD's battalion-level forces, continued to be common. Accusations included extreme beatings, sexual assault, and threats of death. In 2007, former detainees in MOI and MOD facilities reported that they suffered severe beatings, electric shocks, sexual assault, suspension by the limbs for long periods, threats of ill-treatment of relatives, and in some cases, gunshot wounds.
On February 14, thousands of protestors reportedly called for Diyala provincial police chief, Ghanim al-Quraishi to be fired for several incidents of torture. An investigation begun in February resulted in his being relieved of duty in mid-August.

There were other indications that disciplinary action was taken against security forces accused of human rights abuses. From 2006 to June, the MOI Internal Affairs, which has a staff of approximately 2000, investigated and convicted 218 lower-level officers of human rights violations. According to MOI Internal Affairs, many officers accused of major violations are arrested and fired although when there is a lack of evidence, the officers are only transferred. During the year the MOI Human Rights office, with a staff of 50 investigators, opened 42 investigations into human rights abuse cases and sent 28 cases to court for further investigation. At year's end 19 officers were being investigated. Several suspects have been convicted and sentenced, including high-ranking officials.

In March 2007, joint British and Iraqi Special Forces raided the MOI National Iraqi Intelligence Agency headquarters building in Basrah and arrested an alleged death squad leader. The special forces found 30 detainees with signs of torture. According to press reports, the Prime Minister's office stressed the need to punish the special forces that carried out the raid. Several Iraqi officers who participated in the raid were arrested and others fired, according to MOI Internal Affairs.

There was little judicial follow-up in older torture cases. Four MOD officers in the Iraqi Army 24th Brigade in the 6th Division were implicated in the May 2007 torture and killing of a detainee. One arrest warrant was outstanding for a high-ranking IA official in connection with the case, but was not executed by year's end. In October 2007, arrest warrants were issued for Lieutenant Nabil Rahmin Ali for murder and manslaughter, but he fled Baghdad before it was executed. On March 4, 13, and 19, Brigadier General Nasser and Colonel Hassan were ordered to appear in court concerning Lt Nabil's escape. Neither man appeared; they were granted amnesty for allowing a suspect to escape after applying on March 17. Two IA officers were arrested in November 2007 in connection with the torture and murder charges; one was released in May, and one was still in custody at year's end. In June Lt. Nabil was found in Al Hillah and arrested. Despite the evidence against him, he was released on September 8.

No one concealed these realities, or the it took years, and a major effort by leaders like General Petraeus and Ambassador Ryan Crocker to create the conditions that had begun to bring this situation under better control. US officers had to be instructed and trained to deal with the problems involved in the ISF. US and allied training had to be radically reshaped to focus on the proper conduct of war, interrogations, and detainments. US-led patrols had to be given new rules of engagement that adapted to new insurgent and extremist tactics in the process. The entire training base for the Iraqi army and police had to be reshaped.

The US had to find the best way to put political pressure on the Prime Minister's office, other elements of government from the national to local levels, and create institutions with the Ministry of Defense and Ministry of the Interior. It had to analyze Iraqi military and police leaders and officers to trace how closely they were tied to sectarian violence. Years of additional effort had to be made to address the problem by putting professional and truly national Iraqi leaders in place, and pressuring Iraq's political leaders to remove those who abused their power.

Attempts had to be made to make matching changes in Iraqi methods of detention, interrogation, and justice system. This had to be done at a time when virtually every major Iraqi engagement and campaign outside Anbar was fought among sectarian against
an enemy that gave no quarter and attacked civilians as the easiest and most vulnerable target.

Effective action normally could not occur at the tactical level or by persuading Iraqis to punish Iraqis. It took actions like completely retraining the National Police, changing their uniforms and then their name, forcing the Minister of Interior to stop using them as death squads, and changing more than half of their leadership. The same changes had to be made far more selectively in the Army and the other elements of the police. They are now driving efforts to incorporate the Kurdish Pesh Merga and the Sons into the Iraqi forces; actions like creating joint Iraqi Army and Pesh Merga patrols along the ethnic fault line in the north; and efforts to halt the sectarian and ethnic purging in selecting commanders and listing political candidates. The US has worked with Iraqi political and military leaders to make these changes, and has sometimes had to take the lead and pay political capital and military expediency to make them.

No one can deny that the results are still somewhat mixed, or that the US is leaving Iraq while ethnic, sectarian, tribal, and local tensions are still explosive. But this is another grim inevitability of modern warfare. Like the Balkans, most civil conflicts in Africa, and the struggle against terrorism by host country forces throughout the world; the choice remains inaction or fighting with host country allies that will only change slowly and where US (and any other outside) influence is limited and progress will be slow.

It is also important to note that public opinion polls by both the US government and independent sources like the BBC, ARD, and ABC reflect a steady increase in Iraqi confidence in the Army and police, and their overall security through the recent election. This shift is shown in both the Department of Defense quarterly reports on Iraq, and in the detailed independent polling data reported by ABC. The Department of Defense report issued in August 2010 reflects the following level of progress (Measuring Security and Stability in Iraq, June 2010 Report to Congress In accordance with the Department of Defense Supplemental Appropriations Act 2008 (Section 9204, Public Law 110-252) p. 38, defenselink.org, “publications”):

Research conducted in April 2010 reveals that over 70% of Iraqis described their local area as calm. Iraqis generally believe the security situation is better locally than nationally. April 2010 research indicates over 50% believe their province is calm and over 20% of Iraqis say Iraq is calm, both showing a slight decrease since January. In April 2010, almost 90% of Iraqis felt that the security situation remained constant or improved in their neighborhood over the last six months, unchanged since January 2010.

In April 2010, almost 75% felt the security situation in the country had either stayed the same or improved, consistent with January 2010. In April 2010, almost 35% reported that they could freely travel around Iraq, a significant improvement from January 2010 levels. April 2010 data indicates that almost 65% of Iraqis believe that the IA is defeating terrorists, and just under 60% of Iraqis believe the IP is controlling crime, the first remaining stable since January 2010 and the second showing a slight improvement.

When asked to whom they would go to first to IP, while approximately 25% stated the IA. In April 2010, over 40% of Iraqis felt that the IP was most responsible for providing security in their local area while over 25% said the IA. The exception to this occurred in Kurdistan, where over 80%
would report to the Kurdish Police rather than the IA or IP, and almost 80% feel the Kurdish Police are most responsible for providing security in their local area. Relatively few Iraqis said people from their tribe (5%) were most responsible for providing security.

In March 2010, when asked about which levels of government they had confidence in protecting them, approximately 70% had confidence in their provincial government, almost 65% had confidence in their local government, and almost 70% had confidence in the national government. These figures are unchanged since January 2010. Iraqis continue to place their highest trust and confidence in the IA and the IP to protect them and provide security.

Once again, this is the real world and the problems in Iraq will occur in real world efforts to deal with host country forces and governments in much of the world for the foreseeable future. Anyone who skims through the sections in the State Department annual human rights report that deal with local security forces will find that such problems are the norm and not the exception.

The US and other outside powers can make a difference over time when they can persuade a host country to retrain its forces, remove abusive commanders, and change the very character of their rule of law. There still, however, will be no black or whites. Meaningful action in counterinsurgency and peacemaking will continue to mean plunging into a combat environment shaped by unpleasant shades of gray and spending as much effort trying to transform host country or allied forces as to defeat the enemy.

Should the US have done more, far earlier? In retrospect, the answer is clearly yes. Should it make continuing efforts to reshape and refine the way it training host country military and police forces, builds up their justice systems, and advises government officials? Again the answer is clearly yes! But, anyone who actually observes such activities in the field is going to know their limits. Improvement will be difficult, slow, and often reach serious limits. The situation will grow worse in proportion to the intensity of the fighting and the brutality of the enemy. This is the real face of war, and even the best effort to change it will have limited success.