

US pays up for fatal Iraq blunders

Over 10,000 claims but families must waive rights

Rory McCarthy in Baghdad
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The US military has paid out \$1.5m (£907,000) to Iraqi civilians in response to a wave of negligence and wrongful death claims filed against American soldiers, the Guardian has learned.

Families have come forward with accounts of how American soldiers shot dead or seriously wounded unarmed Iraqi civilians with no apparent cause. In many cases their stories are confirmed by Iraqi police investigations.

Yesterday the US military in Baghdad admitted a total of \$1,540,050 has been paid out up to November 12 for personal injury, death or damage to property. A total of 10,402 claims had been filed, the military said in a brief statement to the Guardian. There were no figures given for how many claims had been accepted.

"The US pays claims for personal injury, wrongful death and property damage," it said. "Payments will only be made for non-combat related activities and instances where soldiers have acted negligently or wrongfully."

Commanders make payments from their discretionary funds, rarely even admitting liability. Payouts average just a few hundred dollars and in some cases families have been asked to sign forms waiving their right to press for further compensation. In one area of south-western Baghdad, controlled by the 82nd Airborne Division, an officer said a total of \$106,000 had been paid out to 176 claimants since July.

Beyond the initial payments there is little recourse for the families of the dead. No American soldier has been prosecuted for illegally killing an Iraqi civilian and commanders refuse even to count the number of civilians killed or injured by their soldiers.

Iraqi courts, because of an order issued by the US-led authority in Baghdad in June, are forbidden from hearing cases against American soldiers or any other foreign troops or foreign officials in Iraq.

In three separate cases, families have described to the Guardian how their relatives had been killed apparently without cause by American soldiers manning observation posts or patrolling through the streets of Baghdad. In one case a couple were killed in front of their three young daughters when an Abrams tank ran over and crushed their car.

The number of civilian deaths caused by the US since the war remains largely uncounted. In a report last month Human Rights Watch said it had believed 94 civilians were killed in "questionable circumstances" by American troops between May and September 30.

Human Rights Watch concluded that US troops were operating "with impunity. The individual cases of civilian deaths... reveal a pattern by US forces of over-aggressive tactics, indiscriminate shooting in residential areas and a quick reliance on lethal force", Human Rights Watch said. "The lack of timely and thorough investigations into many questionable incidents has created an atmosphere of impunity, in which many soldiers feel they can pull the trigger without coming under review."

For the families of the dead, the killings and the lack of legal recourse has provoked a groundswell of opposition to the US military occupation.

In some cases relatives have spoken of their plans to join the growing guerrilla resistance movement to avenge the deaths of their relatives. "I know the American soldiers are not inhumane because I saw them when they first came and they behaved well. But now they have changed and I don't know why," said Faiz Alwasity, who works for Civic, the Campaign for Innocent Victims in Conflict, one of the few groups that has helped secure payments for civilian victims of the US military operations in Afghanistan and now Iraq.

"They are becoming more aggressive, maybe because they are frightened. I am afraid this is creating more resistance against them."

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