Iraqi troops torture and execute civilians in secret videos

May 26, 2017

By Brian Ross, Rhonda Schwartz, James Gordon Meek, and Randy Kreider

ABC News

<https://abcnews.go.com/International/deepdive/brian-ross-investigates-the-torture-tapes-47429895>

Officers of an elite Iraqi special forces unit, praised by U.S. military commanders earlier this year for its role in fighting ISIS, directed the torture and execution of civilians in Mosul in at least six distinct incidents caught on tape.

“That's a murder,” retired Green Beret Lt. Col. Scott Mann told ABC News after reviewing the graphic footage. “There should be punishment for anyone doing it. It's reprehensible and it shouldn't be allowed on any modern battlefield."

The alarming footage was smuggled out of Iraq by a prize-winning Iraqi photojournalist, Ali Arkady, who spent months embedded in combat with the elite Iraqi troops leading the fight against ISIS late last year. Since turning over his cache of photos and videos to ABC News, he says he has received death threats from the soldiers he once considered friends and has now fled Iraq to seek asylum in Europe.

"This is happening all the time," Arkady said of the war crimes he documented, which he recounted in an exclusive interview with ABC News’ Brian Ross broadcast Thursday on ABC's World News Tonight with David Muir and Nightline.

Iraqi officials are now launching an investigation into Arkady's allegations.

Arkady originally planned to produce a “positive story” about the Emergency Response Division (E.R.D.) of Iraq’s Ministry of Interior, documenting how soldiers from both the Shi'a and Sunni sects of Islam could work together in the fight against ISIS. But he says, as the soldiers began to trust him, they allowed him to record scenes in which they tortured their captives and later even sent him a video showing the shooting of a handcuffed prisoner.

In a remarkable phone interview last week, E.R.D. Capt. Omar Nazar did not dispute the authenticity of the footage Arkady documented but said the brutal tactics were justified because the men tortured and killed were linked to ISIS.

“We do not want war prisoners in our fight against ISIS,” said Capt. Nazar. “We don’t take prisoners.”

The incidents of torture captured by Arkady's lens appeared to have no military objective, showing the E.R.D. officers rarely collected actionable intelligence on ISIS fighters, leadership or operations. Instead, Arkady says, the unit often tortured civilians to provoke false confessions as justification for raids, arrests and what they called "field executions."

While no U.S. soldiers appear in any of Arkady’s footage, a man who claimed to be a contractor and interpreter for the U.S. military is shown conducting the brutal torture of two men Arkady identified as half-brothers.

"Frankly, there is not even a pretext here of torture in the name of obtaining intelligence,” Sarah Leah Whitson, Middle East director at Human Rights Watch, told ABC News after reviewing several of what she characterized as "sadistic" videos. “This is just torture for fun.”

Arkady, 34, is an Iraqi Kurd and Sunni Muslim working with VII, a news agency that specializes in coverage of conflict. Based in Iraq, his work has focused on war orphans and Iraqi soldiers disabled by the ongoing violence that has engulfed his home country since the 2003 U.S. invasion.

Last year, he followed Iraqi soldiers as they swept through Fallujah, liberating the city from ISIS control. The E.R.D. special forces unit impressed him, he said, not only because they were “strong” but also because its leaders -- Capt. Omar Nazar, a Sunni, and Cpl. Haider Ali, a Shi'a -- worked together despite the religious divide that had torn Iraq apart.

From these first embeds with Nazar and Ali’s detachment, Arkady produced a different type of story, one he later described as a mix between journalism and art, as an attempt to show a softer side of a place he felt was too often defined by more than a decade of grim headlines. “Happy Baghdad” would garner nearly 100,000 views on Facebook, and it featured Nazar and Ali drawing clear distinctions between themselves and the ISIS enemy.

“We are liberators not destroyers,” Capt. Omar Nazar said. “All of ISIS are criminals and psychopaths. Don’t expect us to be cruel to you. We are one of you and more merciful than those strangers and intruders.”

“We came to free you and to save you from ISIS,” Cpl. Haider Ali added. “Be happy. Have fun. Go out. Study. Love. Get married. We are here for you.”

For Nazar and Ali, the film gave them folk hero status in Iraq, and for Arkady, it opened the door to more combat embeds with the E.R.D. men as they joined the fight last fall to liberate Iraq's second-largest city, Mosul. They hoped, Arkady said, that he would make another film, like “Happy Baghdad,” which would show them in a new light.

Arkady’s effort to film an upbeat documentary about the two soldiers putting aside sectarian differences to defeat ISIS together took a dark detour last fall when the soldiers conducted a night raid on Nov. 22, pulling a man out of the bed where he slept with his family in the village of Qabr Al-Abed.

"You're scaring the children," his wife says, as the soldiers barge into their bedroom and drag the man outside.

With the man pressed up against a wall, Capt. Nazar punched the man in the head 15 times and told him to recite the pledge of fealty, or baya'a, to ISIS leader Abu Bakr al-Baghdadi. Nazar forced the man to repeat the pledge after him piece by piece, and Arkady says Nazar later asked him to edit the video so that it would appear the man could recite the pledge unprompted.

"Say the pledge, say the pledge,” Capt. Nazar demanded as he grabbed the man by his shirt. “I will hit you in the nuts.”

Watching his video of the man being punched in the face with ABC's Brian Ross two months later, Arkady shook his head.

"He knows he is innocent,” Arkady said. “He's not working with ISIS.”

The man finally recited the ISIS pledge in full, Arkady says. Working with Human Rights Watch, ABC News has been unable to confirm the fate of the man and has withheld his name as well as those of other victims whose whereabouts could not be independently confirmed.

"This is a powder keg for strategic failure,” said the retired Special Forces officer Scott Mann, who has advised senior U.S. special operations leaders on counterinsurgency strategies in Iraq and Afghanistan. “This is the narrative fuel that groups like ISIS look for.”

According to Mann, author of Game Changers: Going Local to Defeat Violent Extremists, operations like these are "totally counterproductive." Years of abuses of Sunni Muslims in Iraq by the Shi'a Muslim-dominated Iraqi Army and Shi'a militias ultimately helped the Sunni terrorist group ISIS easily seize large portions of territory, including Mosul, in 2014.

"Isn't that exactly how ISIS came into Iraq in the first place, the way the Sunnis were treated?" Mann said.

The footage shot by Arkady and licensed to ABC News raises questions about what the U.S. military knew and whether American commanders overseeing the campaign to liberate Mosul from ISIS have done enough to curtail Iraqi military abuses.

Iraqi special forces from the E.R.D. and the Golden Division were the subject of a 2015 ABC News investigation called Dirty Brigades: No Clean Hands in Iraq’s ISIS Fight, highlighting human rights abuses Iraqi troops posted on social media. In a briefing for Pentagon reporters in January, however, when a senior American commander in Iraq praised the Iraqi unit, any concerns about their tactics appeared to be in the past.

U.S. Army Col. Brett Sylvia, commander of Task Force Strike in Baghdad, told reporters that American officers had recently advised the E.R.D. and called them "a very effective fighting force."

"This is the first time that we have advised them,” Sylvia said. “And it has been really a fruitful partnership in all regards."

The U.S. embassy and military command in Baghdad told ABC News that they were unaware of the incidents documented by Arkady, and they declined repeated requests to appear on camera for this story but issued a statement in which they appeared to distance themselves from the Iraqi unit.

"The U.S. has not provided military aid, arms or assistance to the Emergency Response Division," Kim Dubois, a U.S. embassy spokesperson in Baghdad, said in statement to ABC News.

U.S. military officials told ABC News the E.R.D. has been blacklisted from receiving U.S. military aid and arms under a federal law known as the Leahy Act, which requires the U.S. to deny military aid if vetting of a foreign military unit finds "credible information that such unit has committed a gross violation of human rights."

"U.S. government support to the counter-ISIS campaign is conducted by, with, and through the central government of Iraq. Department of Defense policies on the provision of military assistance to foreign military forces require that Iraqi Security Forces that receive assistance are strictly vetted in accordance with the Leahy Act as well as for associations with terrorist organizations and/or the Government of Iran,” said U.S. Army Col. Joe Scrocca, a spokesperson for Operation Inherent Resolve's top commander in a statement send to ABC News in late April. “The results of that vetting are reported to Congress on a quarterly basis consistent with the law. The U.S. does not currently train or equip the Iraqi Emergency Response Division.”

Scrocca said the E.R.D. was banned from receiving military aid under the Leahy Act on Mar. 14, 2015 -- the day after the original "Dirty Brigades" investigation aired on ABC's World News Tonight With David Muir. U.S. military officials requested that ABC News provide a list of the alleged war crimes witnessed or documented by Arkady, subsequently stating that after reviewing the information "these allegations were not previously documented" by Operation Inherent Resolve but by policy would be investigated by the coalition and shared with Iraqi officials.

The Leahy Act ban may only be window dressing for a unit deemed necessary in the fight against ISIS, however, as videos shot by Arkady and the unit itself show E.R.D. soldiers in possession of U.S.-donated weapons, such as Humvee trucks and “Carl Gustav” anti-tank launchers. U.S. officials declined to comment on that issue.

For Arkady, the abuses he witnessed became grislier the day after he witnessed that first forced confession.

On Nov. 23, another man and his two sons were accused by E.R.D. of making improvised-explosive devices for ISIS in the same village outside Mosul. After his arrest by the E.R.D., the father was not immediately questioned.

Instead, he was hanged from the ceiling of a darkened room by a rope extending from a hook to his bound wrists, dislocating his shoulders, at the direction of two E.R.D. commanders: Capt. Saif al-Kinany and Capt. Tamer al-Duri. It was a torture technique from the Spanish Inquisition known as strappado and used in places such as North Vietnam's infamous "Hanoi Hilton," where American POWs called it "The Ropes."

He was hanged in strappado for an hour. Soldiers placed a case of bottled water between the small man's shoulders to inflict even more pain. He was kicked and punched before being cut down and finally questioned.

Capt. al-Duri demanded that the father admit he made improvised-explosive devices for ISIS and that he also convince his sons to turn themselves in to Federal Police or he would personally kill them.

"We are special forces,” al-Duri warned him. “We conduct field executions. That is what I am telling you for your own sake.”

The man denied helping ISIS make bombs and al-Duri later released him, suggesting evidence of his guilt was thin. One son later turned himself in to al-Duri and his soldiers as Arkady's camera rolled and the 16-year-old was subjected to a dozen blows to the head by the E.R.D. officer, who threatened to kill him if he ever helped ISIS again. It isn't known what happened to his other son.

"This is actually happening under command authority," said Whitson of Human Rights Watch. "This is someone with some level of authority who has the jurisdiction to tell soldiers what to do, telling his soldiers how to torture this detainee."

"It's no different than what ISIS does,” added Scott Mann. “It's on the same moral equivalency of what they do.”

Arkady struggled to reconcile his own sympathies for the E.R.D. men and their cause with their brutal and illegal tactics. To his shame, he admits that on two occasions he obeyed commands by E.R.D. leaders to strike detainees because he felt he had no choice.

On Nov. 21, Cpl. Haider Ali pointed to a detainee sitting on the floor of a room in the intelligence office and said, “Ali, you're the only one in the room not hitting him." So he slapped the man’s face, Arkady said, which satisfied the soldiers, who laughed after he did it.

The second occasion was two days later when Capt. al-Kinany told Arkady to strike the father who had been hung in strappado.

"He said, 'You can hit him, he's ISIS.' I said, 'I'm a journalist, my work is photographing'," Arkady said. There was a long pause as the E.R.D. soldiers stared at him, in which he realized his own life was hanging by the thread of his hesitation. "My heart was beating, boom boom. ‘What [are] they thinking about?’ Because I photographed everything."

So he slapped the father, who had fallen asleep on the floor from exhaustion, once on the back of his neck.

"It's really bad, it's not good,” Arkady said. “I do that to survive, for my life. I'm not that man."

As shocking as the torture of apparently innocent civilians was, Arkady stayed with the unit and continued shooting for three more weeks. In another operation, E.R.D. troops demonstrated to Arkady that al-Duri's ominous remark about "field executions" wasn't just idle words intended to intimidate but an actual practice of killing detainees.

What he witnessed led Arkady to flee his homeland -- possibly forever – and risk his own life to blow the whistle.

In one of the most brutal scenes captured by Arkrady, two half-brothers, one a used car salesman, the other a falafel stand operator, in the town of Bazwaia were subjected to a seven-hour torture session. As with their previous victim, Arkrady says, E.R.D. officers did not offer any proof that the brothers had any affiliation with the group.

"They were not ISIS," Arkady said.

American special operations forces have advised and coordinated military operations in eastern Mosul, but no Americans appear in the hours of videos shot by Arkady. In this case, however, the particularly sadistic torturer was a man they knew as "Ali Mushtarakah," who E.R.D. officers identified to ABC News as their liaison with Coalition Forces.

He shocked the brothers with live wires, ripped out the beard of one prisoner, and placed a knife behind the ear of the other, pressing it into his flesh while demanding he recite the ISIS pledge.

Mushtarakah, who claimed to have worked as a contractor and interpreter for the American military in Iraq for a decade, boasted to Arkady he had been taught such interrogation methods by American forces.

"Say the pledge of allegiance [to ISIS] or I will make you unable to talk anymore," Mushtarakah shouts at one brother, as he presses the prisoner's face into the floor with his knee.

"I swear, I don't know it,” the prisoner pleads, wincing in pain with each twist of Mushtarakah’s blade. “I swear I don't know it.”

But Mushtarakah persisted.

"Say the pledge of allegiance or I'll turn you mute," he said.

In the footage, Mushtarakah appears to speak English with an American accent, claimed to have a U.S. passport and showed Arkady a copy of his Iraqi identity card, revealing what Arkady believed to be his true identity, Ali Abdul Hussein Abd. He did not respond to ABC News’ request for comment.

After providing copies of Abd's Iraqi identity card and photos to U.S. officials who said they would ascertain his citizenship, the Baghdad embassy spokesperson Kim Dubois told ABC News she would not disclose whether Abd is a U.S. citizen.

The U.S. military also declined to address Abd’s claims of working for the American military in Iraq.

"In regard to allegations that one of the alleged perpetrators may have once been employed as a contractor for the Department of Defense in Iraq, we have not been able to confirm or deny that information,” U.S. military spokesperson Col. Joe Scrocca said in a statement to ABC News. “We also have no reason to believe any of those alleged to have committed improper acts directly worked with U.S. forces in Iraq.”

Arkady left the house while the brothers were still being tortured by Abd, aka “Mushtarakah,” and the E.R.D men.

As the sun rose on Dec. 17, Arkrady says, one of the soldiers sent him a video showing what appears to be the brothers lying dead on the same tiled floor of the room where they had been tortured the night before. He boasted that their executions were retribution for the wounding of Shebl al-Zaydi, a senior Shi'a militia leader in a well-publicized attack last December in Iraq.

"We took revenge," said the E.R.D. soldier, Ahmad Abu al-Fathil, poking at the two corpses with a wooden stick. "Thank God, they have been 100% terminated in revenge for al-Zaydi, Haji Shebl al-Zaydi, and every Iraqi mother."

Arkady acknowledged that his affection for Capt. Omar Nazar and Cpl. Haider Ali and his sympathy for their cause may have initially blinded him to the horrors he was witnessing, but something changed after seeing the video of the brothers' bodies. He showed Andy Patrick, his editor at VII, some of what he had documented.

“Sitting in my office in California, I was like, 'Oh my god,'” Patrick said. “It was a different lens in which I viewed it all. And I said, 'You need to get out of there immediately.’”

Patrick was worried that the tranche of evidence Arkady had amassed during his E.R.D. embeds could put his life in danger should the soldiers grow suspicious of their photojournalist friend. Together they agreed that Arkady needed to smuggle the imagery out of Baghdad and that he and his immediate family should quietly leave Iraq for Europe and safety.

Far from trying to hide their human rights violations, the E.R.D. troops continued to boast of their exploits to Arkady. In late December, before realizing Arkady and his family had fled to Europe, Cpl. Ali sent Arkady a final 14-second cell phone video.

It showed two E.R.D. men appearing to execute a handcuffed prisoner. Arkady says Cpl. Ali identified himself and Capt. Nazar as the shooters.

"No! Please!" shouts the prisoner, staggering away with his hands bound behind his back and his pants dropping from his waist. The E.R.D. soldiers raise their pistols and shoot him in the back nine times.

The E.R.D. first claimed in an official statement that Arkady’s evidence was “fabricated footage” made by ISIS to “tarnish and damage us.” But, joining Capt. Nazar in a subsequent call to ABC News last week, an E.R.D. spokesman reversed course as Nazar admitted all of the video – including the execution -- depicted true events. If those are considered human rights violations, Nazar boasted, “I'm proud of those mistakes.”

Nazar denied he is one of the officers in the video execution but defended the killing of the handcuffed prisoner because he “is not human, he is a monster.”

“So what do you suggest I do with him then? Put him in a vase for public display?” Nazar asked. “And spend money on keeping him alive? After he has killed and raped hundreds?”

For Arkady, the consequences of blowing the whistle could not be more extreme. The E.R.D. men, Arkady says, have told his friends and family that they intend to kill him. Capt. Nazar even told Arkady’s father via Facebook that he and his men planned to pay him an “official visit” and hold him accountable for what his son would reveal.

"Sir, we have a matter that concerns us and I want to solve it with you quietly," Nazar told Arkady's father in one text obtained by ABC News. "Tribal law holds you responsible as his father."

Arkady is unsure if he will ever feel safe enough to return home.

"I don't know,” Arkady said. “Really, I don't know. I'd like, because I love Baghdad and Iraq.”

The soldiers apparently thought their secret was safe with Arkady. Now they know they were wrong.