

YEARBOOK OF INTERNATIONAL HUMANITARIAN LAW — VOLUME 18, 2015
CORRESPONDENTS' REPORTS

UNITED KINGDOM¹

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Cases – Court of Appeal — Unlawful Detention in Internationalised NIAC

- *Serdar Mohammed v Ministry of Defence; Mohammed Qasim, Mohammed Nazim and Abdullah v Secretary of State for Defence* [2015] EWCA Civ 843

Suspected Taliban commander Serdar Mohammed was detained on 7 April 2010 by British armed forces in Afghanistan. They were acting as part of the UN-mandated International Security Assistance Force ('ISAF'), under NATO command. The context was an internationalised non-international armed conflict ('NIAC')² between ISAF and the Afghan government on one side and insurgent groups on the other.

Mr Mohammed was held from 7 April 2010 until 25 July 2010, when he was transferred to an Afghan prison. He was subsequently tried before the Afghan courts and convicted of offences in the context of the insurgency.

Mr Mohammed contended before the English courts that his detention by British armed forces from 10 April 2010 until 25 July 2010 (ie beyond the first 96 hours) was unlawful. He also claimed that no appropriate procedural safeguards had been in place. Mr Mohammed is seeking damages for his allegedly unlawful detention.

The Court found that the ISAF policy of detention for a maximum of 96 hours applied.³ The UK was not permitted to deviate from this by way of any provision of English law or Afghan law. The Court noted, however, that had the UK been permitted under a Security Council resolution to deviate from ISAF policy, this would have been compatible with Article 5 of the *European Convention on Human Rights* ('ECHR') as long as the relevant procedural safeguards had been in place:

If therefore we had concluded that the UK policy for detention (under which SM was detained) was authorised under UNSCR 1890 of 2009 (which we have not), then this

¹ Dr Caroline Kittelmann (nee Harvey), Solicitor of the Supreme Court of England and Wales.

² *Serdar Mohammed v Ministry of Defence; Mohammed Qasim, Mohammed Nazim and Abdullah v Secretary of State for Defence* [2015] EWCA Civ 843, [170]-[194].

³ *Ibid* [9].

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would have provided a ground which was compatible with Article 5, provided the procedural safeguards in relation to detention and its review were also compatible.⁴

With regard to the procedural safeguards, in its judgment, the Court notes ‘significant reservations in respect of the correctness of the decision extending the ECHR to the battlefield as established by the decision of the Strasbourg court in *Al-Skeini*’.⁵ However, despite this (and as was common ground) the Court was bound to find that Mr Mohammed’s detention was governed by the ECHR although he was detained in Afghanistan, because of the precedent of *Smith v Ministry of Defence*.⁶

Hence, Mr Mohammed’s detention ‘should be in keeping with the fundamental purpose of Article 5(1), which is to protect the individual from arbitrariness.’⁷

The Court reviewed possible procedural safeguards and concluded as follows:

Procedural safeguard	Compliance
Humane treatment and the right to be informed of the reason for detention	Yes ⁸
Review of detention by an impartial and objective authority	The Court expressed doubt as to whether the regime recently implemented was sufficiently independent ⁹
Opportunity for the detainee to participate in reviews of his detention	No ¹⁰

The Court also found that Mr Mohammed’s detention must comply with the applicable rules of international humanitarian law.¹¹ However, after examining whether a power to detain in an internationalised non-international armed conflict could be found in treaty and customary international humanitarian law, it found in the negative:

[W]e have concluded that in its present stage of development it is not possible to find authority under international humanitarian law to detain in an internationalised non-international armed conflict by implication from the relevant treaty provisions, Common Article 3 and APII. As to customary international law, despite the interplay of treaty-based sources of international humanitarian law and customary international law sources, the possibility that the requirements for the emergence of a customary rule of international law may be less stringent in the case of the emergence of a customary rule of international humanitarian law, and the position of the ICRC, we do not consider that

⁴ Ibid [163].

⁵ Ibid [8]; *Al-Skeini v UK* (2011) 53 EHRR 18.

⁶ *Smith v Ministry of Defence* [2014] AC 52; *Serdar Mohammed v Ministry of Defence; Mohammed Qasim, Mohammed Nazim and Abdullah v Secretary of State for Defence* [2015] EWCA Civ 843, [8].

⁷ *Serdar Mohammed v Ministry of Defence; Mohammed Qasim, Mohammed Nazim and Abdullah v Secretary of State for Defence* [2015] EWCA Civ 843, [280]; *Hassan v United Kingdom* (Application No. 29750/09, 16 September 2014), [105].

⁸ *Serdar Mohammed v Ministry of Defence; Mohammed Qasim, Mohammed Nazim and Abdullah v Secretary of State for Defence* [2015] EWCA Civ 843, [284].

⁹ Ibid [292].

¹⁰ Ibid [293].

¹¹ *Smith v Ministry of Defence* [2014] AC 52; *Serdar Mohammed v Ministry of Defence; Mohammed Qasim, Mohammed Nazim and Abdullah v Secretary of State for Defence* [2015] EWCA Civ 843, [280], referring to *Hassan v United Kingdom* (Application No. 29750/09, 16 September 2014).

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it is possible to base authority to detain in a non-international armed conflict on customary international law.¹²

Mr Mohammed's detention beyond 96 hours was arbitrary and contrary to Article 5 of the ECHR, and procedural safeguards were not met.

Leave to appeal to the Supreme Court was granted and, at the time of writing, proceedings are under way.¹³

Early Day Motion — Military Court Watch Submission to the United Nations Working Group on Arbitrary Detention

☛ Early Day Motion 720 of 18 November 2015

Primary sponsor: Paul Monaghan

Sponsors: Tommy Sheppard, Philippa Cowan, Ronnie Whitford, Margaret Ferrier, John Nicolson

That this House notes that Military Court Watch has lodged a submission with the UN Working Group on Arbitrary Detention relating to the detention and transfer of Palestinian minors from the West Bank to prisons located inside Israel in violation of both the Fourth Geneva Convention and the Rome Statute of the International Criminal Court; further notes that this practice, which is classified under international law as a war crime, affects between 7,000 to 8,000 Palestinians each year, including minors, according to evidence provided by the Israeli Prison Service; and calls on the UN Working Group on Arbitrary Detention to contest the practice in a manner consistent with its jurisdiction and mandate to ensure that relevant international standards and relevant international legal instruments accepted by both Israel and Palestine as signatories to the Fourth Geneva Convention are fully and timeously addressed.

Total number of signatures: 34¹⁴

Early Day Motion — Eviction of Palestinian Bedouin Communities from Israeli-Occupied West Bank

☛ Early Day Motion 60 of 1 June 2015

Primary sponsor: Grahame M Morris

Sponsors: John Cryer, Jeremy Corbyn, Richard Burgon, Catherine West, Virendra Sharma

That this House notes with deep concern that, despite being a clear and egregious violation of the Fourth Geneva Convention, Israel advanced a 'relocation plan' that will see 7,000 Palestinian Bedouins and herders, 60 per cent of them children, who currently reside in 46 small residential areas, forcibly transferred and their homes demolished; further notes that, according to the UN Office for the Co-ordination of Humanitarian Affairs, most families have pending home demolition orders, 85 per cent of which lack connection to electricity and water, and that two-thirds of Palestinian communities have experienced extreme settler violence creating a coercive environment that functions as push factors; affirms Article 49 of the Fourth Geneva Convention, and the International

¹² *Serdar Mohammed v Ministry of Defence; Mohammed Qasim, Mohammed Nazim and Abdullah v Secretary of State for Defence* [2015] EWCA Civ 843, [251].

¹³ See <<https://www.supremecourt.uk/cases/uksc-2015-0218.html>>.

¹⁴ See <<http://www.parliament.uk/edm/2015-16/720>>.

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Committee of the Red Cross's legal interpretation, that mass forcible transfer and forced evictions of protected peoples in occupied territory is prohibited under international humanitarian law and human rights law; reminds the Government of its obligations to ensure that Israel, as an occupying power, abides by its legal obligation to protect the civilian population in the occupied territory and administer it for their benefit; believes that these plans will undermine Palestinian presence in the area, further disconnect Palestinian Jerusalem from the West Bank and disrupt the territorial contiguity of the occupied territory; urges the Government to condemn Israel's actions and policy as flagrant violations of international law; calls for urgent action to be taken to oppose these policies; and further calls on the Government to pressure the State of Israel to immediately scrap the outrageous relocation plans.

Total number of signatures: 74¹⁵

Written Questions — Armed Conflict: Human Rights

• Written Question 12563 of 20 October 2015

Andrew Rosindell, Conservative, 20 October 2015:

To ask the Secretary of State for Defence, what steps he plans to take to ensure that (a) UN membership of the European Convention on Human Rights and (b) other human rights measures do not adversely affect the ability of service personnel to discharge their duties in conflict zones.

Penny Mordaunt, Conservative Minister of State (Ministry of Defence) (Minister for the Armed Forces), 28 October 2015:

The Government is committed to upholding civilised standards in armed conflicts, and our view is that international humanitarian law, as embodied in the Geneva Conventions, set those standards. We are concerned that legal developments have the potential to impose unacceptable constraints on the Armed Forces when they are deployed to defend the UK and its interests. A commitment to address this problem was made in the Government's Manifesto this year. Accordingly, we are considering the options available to safeguard the ability of our Armed Forces to do their job. We want to ensure that our Service personnel are not pressured to become unduly risk averse because of the fear of litigation or by the prospect of legal harassment, and that commanders are able to take the rapid and often high risk decisions necessary during military operations. We will announce our proposals in due course.¹⁶

Written Questions — Armed Forces: Human Rights

• Written Question 1714 of 9 June 2015

Jim Shannon, Democratic Unionist Party, 9 June 2015:

To ask the Secretary of State for Defence, what his policy is on ensuring that service personnel do not infringe the provisions of the European Convention on Human Rights in the discharge of their duties.

¹⁵ See <<http://www.parliament.uk/edm/2015-16/60>>.

¹⁶ See <<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-10-20/12563/>>.

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Julian Brazier, Conservative Parliamentary Under-Secretary (Ministry of Defence), 17 June 2015:

The European Convention on Human Rights is incorporated into UK law. The UK Government acts in accordance with domestic and international law at all times and Ministry of Defence policy is assessed to ensure it complies with it.

The UK Armed Forces provide Law of Armed Conflict training to all Service personnel. This includes instruction during initial basic training phases, staff and promotion courses, and mission specific pre-deployment training for operations.

When assisting other States, the Department applies cross-Government policies designed to protect human rights: such as the Overseas Justice and Security Assistance assessment and the Cabinet Office Consolidated Guidance on intelligence sharing.¹⁷

Written Questions — Armed Conflict: Children

• Written Question 226716 of 9 March 2015

Alex Cunningham, Labour, 9 March 2015:

To ask the Secretary of State for Defence, whether all armed forces personnel are made aware of the provisions of the Convention on the Rights of the Child and its Optional Protocol on the Involvement of Children in Armed Conflict during their training.

Anna Soubrey, Conservative Minister of State (Ministry of Defence), 26 March 2015:

This Convention and Protocol are amongst the body of International Law which underpins operational legal training and pre-deployment training. Such training is provided as necessary to Service personnel.

Additionally; Personnel are made aware of the Convention on the Rights of the Child and its Optional protocol on the Involvement of Children in Armed Conflict through a Joint Publication, namely (JDP) 1-05. This publication sets out the Ministry of Defence's policy with regard to the deployment on operations of U18s in the Armed Forces.¹⁸

Written Questions — Biological Weapons

• Written Question 225515 of 26 February 2015

Jeffrey Donaldson, Democratic Unionist Party, 26 February 2015:

To ask the Secretary of State for Defence, how many members of the armed forces are trained in biological warfare; and what plans he has to increase the number of such people.

Mark Francois, Conservative Minister of State (Ministry of Defence), 9 March 2015:

In accordance with the Biological and Toxin Weapons Convention, which prohibits the use of Biological Weapons, UK Armed Forces personnel are not trained in offensive Biological Warfare. The Biological and Toxin Weapons Convention does permit programmes and activities to protect against the use of Biological Weapons

¹⁷ See <<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-06-09/1714/>>.

¹⁸ See <<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-03-09/226716/>>.

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In accordance with the UK policy on Chemical Biological Radiation and Nuclear (CBRN) Protection, all members of the Armed Forces receive CBRN defence training on initial entry and thereafter on a routine basis, the frequency of which is determined by role and readiness state.¹⁹

Written Questions — UN Convention for Protection of Cultural Property in Event of Armed Conflict

• HL Deb, 30 November 2015, HL4076

The Earl of Clancarty, Crossbench:

To ask Her Majesty's Government when they will introduce legislation to ratify the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict and its two Protocols.

Baroness Neville-Rolfe, Conservative Parliamentary Under-Secretary (Department for Culture, Media and Sport), 4 December 2015:

The Government remains committed to bringing forward legislation to ratify the Hague Convention and accede to its two Protocols at the first opportunity.²⁰

Government Investigation — Iraq Fatalities Investigations

• Report into the deaths of Nadheem Abdullah and Hassan Abbas Said

The Iraq Fatalities Investigations²¹ were set up as a result of the finding of the High Court that, in certain cases examined by the Iraq Historic Investigations Team (IHAT), further investigation was required in order to ensure the United Kingdom fully complied with its investigative obligations under Article 2 of the ECHR.²²

The objectives of the Investigations are as follows:

1. To fulfil the investigative duties of the State in accordance with Article 2 of the Convention.
2. The case currently under investigation involves a death which occurred at a time when British soldiers were under a duty to maintain law and order in Iraq, being after the end of the combat period of the war of invasion directed against the regime of Saddam Hussein and after the establishment of the Coalition Provisional Authority.
3. The actions of the soldiers fall to be investigated, as will the accountability of the State for the actions of the soldiers if it is found that their actions fell below the standard required of them in such circumstances.
4. An investigation into the State's accountability will require an examination of the planning and control of the operations as well as the instruction, training and supervision given to the soldiers in connection with the maintenance of law and order.²³

¹⁹ See <<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-02-26/225515/>>.

²⁰ See <<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2015-11-30/HL4076/>>.

²¹ See Iraq Fatalities Investigations, <<http://www.iraq-judicial-investigations.org/>>.

²² See *R (Ali Zaka Mousa) v Secretary of State for Defence* [2013] EWHC 1412 (Admin).

²³ Iraq Fatalities Investigations, <<http://www.iraq-judicial-investigations.org/>>.

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A report on the the deaths of civilians Nadheem Abdullah and Hassan Abbas Said (which are the first two concluded cases of the Investigation), chaired by retired High Court judge Sir George Newman, was published in 2015.²⁴

Nadheem Abdullah died after he was restrained and searched by soldiers of the Third Battalion, Parachute Regiment, after failing to stop at a checkpoint on 11 May 2003. In the Consolidated Report dated 20 March 2015,²⁵ it was concluded that force had been used against Nadheem Abdullah which was 'more violent than required'. The Government agreed to pay compensation to Mr Abdullah's family.²⁶

Specifically, Sir George concluded:

11.12 I have found no evidence, and nor was it suggested, that the degree of force which was used to cause the fatal injury was necessary to secure compliance by the deceased with the demands of the soldiers. It was more violent than was required in the circumstances. There is some evidence that Mr Abdullah may have acted so as to attempt to resist the soldiers' demands, but no evidence that he either levelled, or attempted to level, any blow at the soldiers. Neither the actions of Mr Abdullah nor the driver, Athar Finjan, constituted a direct threat to the soldiers, nor were they seen to be a direct threat. But their actions were likely to have been considered by the soldiers to be increasing the risk to them from exposure in circumstances they perceived could be dangerous.

Sir George also set out what he referred to as 'wider circumstances' directly after his conclusions, as follows:

11.20 Soldiers on patrol were instructed that a vehicle which avoided or failed to stop at a VCP was to be regarded as engaging in suspicious activity.

11.21 Any engagement by soldiers with the occupants of a vehicle which was acting suspiciously in Maysan Province in May 2003 exposed soldiers to risk of injury. An enhanced risk of injury would have been present when soldiers were on foot and where there were buildings nearby.

11.22 I find that all the soldiers in the patrol had been well-trained for active combat conditions in a theatre of war, and whilst some had experience of carrying out VCPs in Northern Ireland, for all of them this was their first experience in a combat zone. Being on patrol in Maysan Province was the soldiers' first experience of conducting VCPs in circumstances:

- (1) where they believed they were deployed in combat conditions;
- (2) where they were required when approaching civilians to show a measured and calibrated degree of restraint to the civilians even though they suspected they could be a threat to security or to have committed a criminal offence; and
- (3) where they believed the surrounding circumstances exposed them to risk of serious injury.

11.23 I find that all the soldiers in the patrol were well aware that the law required them to treat all civilians in Maysan Province humanely, and with the minimum use of force which circumstances required.

²⁴ Iraq Fatalities Investigations, *Report into the Deaths of Nadheem Abdullah and Hassan Said* (20 March 2015), <<http://www.iraq-judicial-investigations.org/linkedfiles/reports/consolidatedreportintothedeathsofnadheemabdullahandhassansaid.pdf>>, ('Report').

²⁵ Report, Cm 9023.

²⁶ 'Compensation Pledge Over "Excessive" Iraq Death' (20 March 2015), <<http://www.bfbs.com/news/articles/army/3743>>.

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11.24 I find that all the soldiers in the patrol were broadly aware of, and were likely to be affected by, the following state and conditions existing in Maysan Province:

- (i) The widespread availability to civilians of weaponry and the customary behaviour of Iraqi men to carry a weapon.
- (ii) The prevalence of terrorism and serious organised crime by various groups, as well as widespread tribal feuding and general lawlessness occurring where there was no effective law enforcement.
- (iii) An uncertain attitude and growing hostility to the presence of coalition forces.
- (iv) The risks that hostile combatants sometimes dressed as civilians.
- (v) I find that it was the commonly held belief by most of the soldiers, on reasonable grounds, that they were still deployed in combat conditions.²⁷

Hassan Abbas Said died in the course of attempts by soldiers of the King's Regiment to handcuff and arrest him after being discovered pushing a handcart full of ammunition. Mr Said ran towards a nearby village and was caught in an outhouse of a dwelling, where a struggle ensued. Accounts of the two soldiers present differed, but Mr Said was shot. No first aid was given. Subsequent hospital treatment was unsuccessful and he died.

In regard to the death of Hassan Abbas Said, Sir George concluded that:

16.1 I find that Mr Said was shot in the right lumbar region by a bullet which struck and fractured vertebrae numbers 1, 2 and 3 causing internal bleeding. A fragment of the bullet also damaged the left lung causing internal bleeding in the left thoracic cavity.

16.2 He was taken by members of the British Forces to the hospital at Ad Dayr. From there his family took him to Al Jumhuriyya Hospital in Basra, and then to Al Ta'leem (Educational) Hospital in Basra. He arrived there at about 2100 hours, but was not treated until midnight. After an unsuccessful operation, Mr Said died. At 0900 on 3 August 2003, his body was taken to the mortuary and prepared for burial, which took place that same day.

16.3 The bullet that killed Mr Said, fired by SO09, was a standard form of ammunition used by the British Armed Forces and was not an explosive or fragmenting bullet.

16.4 There are differences in recollection and observation which appear from the accounts of SO08 and SO09. I have pointed them out in paragraphs 15.15 and 15.19 above. I would not expect their accounts to be entirely the same because they were each performing a role in fast-moving circumstances. I am satisfied that they have given as accurate an account as they felt able of what they observed in a short, fast moving, close physical encounter when tensions would have been running very high. In many important respects their accounts are consistent and complementary.

16.5 They both record a high degree of physical resistance by Mr Said against a number of attempts to place handcuffs on him and arrest him. They both recall a significant degree of force being unsuccessfully applied to Mr Said. The conflict and physical resistance from Mr Said is confirmed by the evidence of Hassan Al Ahmar, Mr Said's neighbour. He describes Mr Said in a struggle with the soldiers and being on the ground when the soldiers tried to handcuff him. He recalls that Mr Said was resisting the soldiers when he was shot.

16.6 I can see no basis for treating SO08's lack of observation of the moves by Mr Said to place his hand on the rifle of SO09 and next his attempt to place them on SO08's pistol/holster, as contradicting SO09's account. On the contrary, SO09 being very close

²⁷ Report, 68-69.

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but nevertheless not so closely engaged with a struggle with Mr Said, it seems to me likely SO09 could and did see things which were not visible to SO08. Again, it seems distinctly possible that SO08's failure to deliver a full blow with his baton could have caused him to lose his balance, or appear to do so.

16.7 Tha'er Naji Said, a cousin of Mr Said describes Mr Said being calm in the presence of the soldiers and indicating to the soldiers that he would comply with what he wanted, but that the soldiers did not seem to understand this. His account of what the soldiers did does not materially differ from what SO08 and SO09 describe. I am satisfied that the impression that Mr Said was compliant amounts to a misapprehension because it is against the weight of the evidence which I have received and accepted.

16.8 I have had in mind when considering this episode that so many movements of the individuals will have been the subject of split-second observations. A small movement in any direction, a loss of balance, or a change of position would have been the subject of brief, impressionistic interpretations.

16.9 The shot was fired by SO09 at or about the moment when an attempt by SO08 to hit Mr Said with a baton resulted in only the tip of the baton connecting. Three things occurred thereafter which caused SO09 to shoot Mr Said. They were SO08 being on the ground, the attempt by Mr Said to lay hands on SO09's rifle and an apparent attempt by Mr Said to lay hands on SO08's pistol/holster.²⁸

Sir George made the recommendation that armed forces personnel should be given training on policing and peacekeeping in hostile and potentially life-threatening situations if they are deployed on similar operations in future.²⁹

In relation to the events, a preliminary examination is pending at the International Criminal Court.³⁰ This is currently in Phase 2.³¹

The Iraq Fatalities Investigations are also focusing on the cases of Muhammad Salim,³² Ahmed Ali,³³ Captain Hassan³⁴ and Ali Naser.³⁵

²⁸ Report, 81-82.

²⁹ Report, 92.

³⁰ See Attorney General's Office, 'Statement on ICC preliminary examination into Iraq allegations' (Statement, 13 May 2014) <<https://www.gov.uk/government/news/statement-on-icc-preliminary-examination-into-iraq-allegations>>; Office of the Prosecutor, 'Prosecutor of the International Criminal Court, Fatou Bensouda, re-opens the preliminary examination of the situation in Iraq' (Statement, 13 May 2015), <<https://www.icc-cpi.int/Pages/item.aspx?name=otp-statement-iraq-13-05-2014>>; International Criminal Court, *Preliminary examinations*, <https://www.icc-cpi.int/pages/preliminary-examinations.aspx>.

³¹ This is 'the formal commencement of a preliminary examination, focuses on whether the preconditions to the exercise of jurisdiction under article 12 are satisfied and whether there is a reasonable basis to believe that the alleged crimes fall within the subject-matter jurisdiction of the Court. Phase 2 analysis entails a thorough factual and legal assessment of the alleged crimes committed in the situation at hand with a view to identifying potential cases falling within the jurisdiction of the Court. The Office may further gather information on relevant national proceedings if such information is available at this stage', see Office of the Prosecutor, *Report on Preliminary Examination Activities 2015* (12 November 2015), <<https://www.icc-cpi.int/iccdocs/otp/OTP-PE-rep-2015-Eng.pdf>>, 5.

³² Iraq Fatalities Investigations, <http://www.iraq-judicial-investigations.org/concluded_cases/muhammad_salim/concluded_cases/index.aspx>.

³³ Iraq Fatalities Investigations, <http://www.iraq-judicial-investigations.org/current_cases/ahmed_ali/current_cases/index.aspx>.

³⁴ Iraq Fatalities Investigations, <http://www.iraq-judicial-investigations.org/current_cases/captain_hassan/current_cases/index.aspx>.

³⁵ Iraq Fatalities Investigations, <http://www.iraq-judicial-investigations.org/current_cases/ali_naser/current_cases/index.aspx>.

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Government Inquiry — Involvement of United Kingdom in Iraq

• Iraq War Inquiry

This Inquiry, chaired by Sir John Chilcot, is examining the role of the United Kingdom in the Iraq armed conflict between 2001 and 2009. Although the hearings concluded in 2011, the report has not yet been published. In a letter to Prime Minister David Cameron dated 28 October 2015, Sir John Chilcot set out a timetable to publication of the report in June or July 2016.³⁶ Prime Minister David Cameron responded by letter of 29 October 2015, indicating that publication should be possible earlier than this.³⁷

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³⁶ The Iraq Inquiry, Letter from Sir John Chilcot to the Rt Hon David Cameron MP, 28 October 2015, <<http://www.iraqinquiry.org.uk/media/55941/2015-10-28%20Chilcot%20to%20Cameron.pdf>>.

³⁷ The Iraq Inquiry, Letter from Rt Hon David Cameron MP to Sir John Chilcot, 29 October 2015, <<http://www.iraqinquiry.org.uk/media/55969/2015-10-29%20Letter%20Cameron%20to%20Chilcot.pdf>>.