



MINISTER
MINISTERIE VAN DEFENSIE

The Hague, 13 January 2020
BS2020000324

Dear Mark,

I have the honor of writing to you following a request made by the House of Representatives of the Netherlands. As you may be aware, I recently decided to disclose to the House of Representatives that in two instances in 2015, as part of the air campaign of the Global Coalition Against ISIS, Dutch airstrikes in Iraq regrettably resulted in civilian casualties (CIVCAS). This concerns an airstrike on 2-3 June 2015 on a VBIED factory in Hawija, and an airstrike on 20-21 September on what at the time was thought to be an ISIS headquarters in Mosul.

In light of the importance I attach to transparency about these issues, I have provided the House of Representatives with as much unclassified information as possible concerning these strikes. This included unclassified information about the CIVCAS investigations which were conducted by CENTCOM into these two cases, the reports that were produced as part of those investigations and the main findings of the investigations.

In this letter, I would like to outline the information we have so far received from CENTCOM on the Hawija case and ask if you can confirm its accuracy. Secondly, I would like to pass on the request of the House of Representatives regarding whether it would be possible to share the reports on both the Mosul and the Hawija case in full with parliament. Thirdly and finally, I would like to highlight the importance of diligent and consistent communication on the sensitive subject of CIVCAS.

The Hawija case

Over the last couple of months, communication regarding the investigations conducted by CENTCOM into the case of Hawija and about their respective outcomes, has created confusion. Therefore, the House of Representatives has asked me to confirm with you the information that my ministry has so far received from CENTCOM concerning these investigations. The main four elements are as follows:



(1)

It is our understanding that the Hawija CIVCAS investigation has produced two reports:

- CAOC CIVCAS Credibility inquiry, 2 June 2015. Dated: 12 June 2015. We understand that due to a minor linguistic alteration, which did not affect the findings, a somewhat revised version of this inquiry was approved by CENTCOM on 17 June 2015.
- Informal AR 15-6 Investigation Findings and Recommendations for the Al Hawijah ISIL VBIED Factory strike, 2 June 2015. Dated: 20 August 2015. We understand that this inquiry was approved on 25 September 2015.

(2)

It is also our understanding that the CIVCAS investigation into the Hawija case was considered completed (or closed) by CENTCOM with the approval of the mentioned AR 15-6 investigation. CENTCOM has already confirmed this once in writing, on 16 December 2019 (document attached). We did not receive a so-called 'CIVCAS Closure Report', like the one we received concerning the above mentioned Mosul case. It would be helpful to us if you would provide an explanation of why in the Hawija case, CENTCOM chose not to close the investigation with a 'CIVCAS Closure Report'.

(3)

Both reports on the Hawija case contain – by means of indication – numbers of CIVCAS that were at the time mentioned in public media messages. However, neither report mentioned under (1) includes a specific number of CENTCOM-confirmed CIVCAS¹. To our knowledge, CENTCOM has never been able to independently confirm the specific number of CIVCAS. CENTCOM has already confirmed this once in writing, on 20 November 2019 (document attached).

(4)

Following on from this, can you confirm that the Hawija case is therefore not part of either the total number of CENTCOM-confirmed CIVCAS (as stated in the Combined Joined Task Force Operation Inherent Resolve Monthly Civilian Casualty Reports), nor part of other statistics that are based on CENTCOM-confirmed CIVCAS²?

¹ Confirmed CIVCAS as stated in the Combined Joined Task Force-Operation Inherent Resolve Monthly Civilian Casualty Reports, specifically the report issued on 5 December 2019.

² Specifically: Report National Defense University, 17 April 2018, Page 3, Figure 2: Monthly Confirmed CIVCAS for Iraq and Syria (OIR Reporting) (<https://www.jcs.mil/Portals/36/Documents/Civilian%20Casualty%20Review%20Report%20Redacted.pdf>, 17 April 2018).



Sharing reports

In light of the fact that the reports are classified by the United States, the House of Representatives has asked me to inquire about the possibility of sharing the reports on both the Mosul and the Hawija case in full with parliament, if necessary confidentially. I am aware that it will be difficult to disclose the reports in full, because of the classification applicable to the reports. I have also informed the House of Representatives of this.

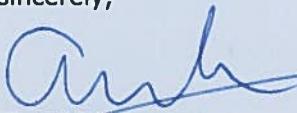
Communication

Finally, I would like to take this opportunity to highlight the importance of diligent and consistent communication on these highly sensitive issues concerning CIVCAS. Needless to say, no party benefits from unintended inconsistencies concerning the information provided on this subject.

I look forward to your response and to continue our cooperation on, among other things, this important subject. Since this letter concerns a request of the House of Representatives of the Netherlands it might well be that the House asks to share this exchange of letters with parliament.

I hope to meet with you again at the next NATO Defense Ministerial in February. It would be convenient if we could then also touch upon the subject of this letter. I also would like to visit Washington D.C. within the next months, preferably at the end of April if convenient to you. I would kindly suggest that our staff liaise to agree on a suitable date.

Yours sincerely,


Ank Bijleveld-Schouten
Minister of Defence of the
Kingdom of the Netherlands

To:
His Excellency Dr. Mark T. Esper
Secretary of Defense



UNITED STATES CENTRAL COMMAND
7115 SOUTH BOUNDARY BOULEVARD
MACDILL AIR FORCE BASE, FLORIDA 33621-5101

16 December 2019

Luitenant-Generaal Onno Eichelsheim
Plein-Kavermarkt complex
Kavermarkt 32
2511CB 's-Gravenhage

Dear Luitenant-Generaal Eichelsheim,

Thank you for your recent inquiry seeking clarification regarding the United States review and investigative efforts related to the 2 June, 2015 Al Hawija, Iraq airstrike. This matter has been considered closed since September of 2015. There are no pending actions as the matter has been fully and carefully reviewed and investigated by the appropriate authorities. Provided below is a brief description of review and investigative actions taken to date.

In June of 2015, and in response to allegations of potential civilian casualties (CIVCAS) related to 2 June, 2015 Al Hawija, Iraq airstrike against an ISIS improvised explosive device (IED) factory, the Combined Forces Air Component conducted a CIVCAS credibility inquiry. This inquiry was approved on 17 June, 2015.

In July of 2015 the Commander, Combined Joint Task Force, Operation Inherent Resolve, directed that an Army Regulation 15-6 investigation be conducted to review the 2 June, 2015 Al Hawija, Iraq airstrike against an ISIS IED factory. This investigation was submitted to the Commander for review on 20 August, 2015. On 25 September, 2015, the Commander approved the investigation's findings and recommendations. This investigation completed the United States review of this matter. Copies of all releasable materials have been shared through the appropriate channels.

I hope that this information may be of assistance in clarifying any confusion related to this matter and we stand ready to assist.

Sincerely,

Derek C. France
Brigadier General, U.S. Air Force
Deputy Director of Operations



HEADQUARTERS UNITED STATES CENTRAL COMMAND
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November 20, 2019

USCENTCOM Holding Statement on Coalition Airstrike June 2, 2015

USCENTCOM offers the following in response to your request for clarification of our previous email sent on December 11, 2018, titled: "Request – coalition air strike Hawija 2-3 June 2015."

Open-source reporting regarding an airstrike on an ISIL VBIED (Vehicle-borne Improvised Explosive Device) factory on June 2, 2015, in Al Hawijah, Iraq, claimed that there were approximately 70 CIVCAS (civilian casualties). Upon receipt of this information, the Combined Joint Task Force-Operation INHERENT RESOLVE (CJTF-OIR) conducted an investigation of the CIVCAS allegations.

The investigation found that non-combatant deaths were likely a result of large secondary explosions caused by VBIED materials stored at the ISIL factory. However, the investigation was unable to confirm the specific number of CIVCAS.

Coalition forces follow a rigorous targeting process for all strikes that helps ensure strict adherence to the Law of Armed Conflict while attempting to avoid collateral damage. Any loss of innocent life is tragic, and CJTF-OIR continues to take all feasible precautions to avoid putting civilians in danger in our pursuit of a ruthless enemy.