

**DENNIS J. KUCINICH**  
10TH DISTRICT, OHIO

2445 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, D.C. 20515  
(202) 225-8871

14400 DETROIT AVENUE  
LAKEWOOD, OHIO 44107  
(216) 228-8850

PARMATOWN MALL  
7904 DAY DRIVE  
PARMA, OH 44129  
(440) 845-2707



**Congress of the United States**  
**House of Representatives**  
[www.kucinich.house.gov](http://www.kucinich.house.gov)

CHAIRMAN,  
SUBCOMMITTEE ON DOMESTIC POLICY

COMMITTEE ON OVERSIGHT AND  
GOVERNMENT REFORM

COMMITTEE ON EDUCATION AND LABOR

October 28, 2010

The Honorable Barack Obama  
President of the United States  
The White House  
Washington, DC 20500

The Honorable Robert M. Gates  
Secretary  
Department of Defense  
1300 Defense Pentagon  
Washington, DC 20301-1300

Dear Mr. President:

I write to express my deep concern over recently released reports of U.S. conduct in Iraq, detailing thousands of previously unreported civilian deaths, egregious human rights abuses and the torture of thousands of Iraqi detainees transferred to Iraqi forces by U.S. Armed Forces. The United States has a moral obligation to conduct an independent and transparent investigation into these reports and to release a full documentation of civilian casualties that occurred as a result of the U.S. war in Iraq.

The documents reveal new evidence that high-ranking members of the U.S. military may have ordered actions that include facilitating torture, in violation of international law. U.S. forces transferred thousands of Iraqi detainees to Iraqi forces with the knowledge that they would be subjected to systematic torture and abuse.<sup>1</sup> Despite documentation by U.S. forces that Iraqi detainees were subjected to torture, abuse and rape at the hands of Iraqi forces, such interrogations were often not investigated or stopped. The documents released further reveal that several detainees were killed as a result of torture by Iraqi forces.<sup>2</sup>

As a party to the United Nations Convention Against Torture and Other Inhuman or Degrading Treatment of Punishment, the United States is prohibited from transferring

<sup>1</sup> Leigh, David and O'Kane, Maggie. (2010, October 24). "U.S. turned over captives to Iraqi torture squads." *The Guardian*. Accessible online: <http://www.guardian.co.uk/world/2010/oct/24/iraq-war-logs-us-iraqi-torture?intcmp=239>.

<sup>2</sup> Davies, Nick; Steele, Jonathan and David Leigh. (2010, October 22). "Secret files show how U.S. ignored torture." *The Guardian*. Accessible online: <http://www.guardian.co.uk/world/2010/oct/22/iraq-war-logs-military-leaks?intcmp=239>.

detainees to another state “where there are substantial grounds for believing” that the detainee “would be in danger of being subjected to torture.” The U.S. bears a great responsibility for the treatment and murder of the detainees, as billions of dollars of U.S. taxpayer money has been dedicated to the training and support of Iraqi security forces.

The leaked documents also provide new evidence that military civilian death counts have not been accurate. One review of the leaked documents found up to 15,000 previously unreported civilian deaths that occurred between 2004 and early 2010.<sup>3</sup> Their documentation in U.S. military records directly contradicts claims by U.S. officials that the U.S. military does not keep record of civilian casualties.<sup>4</sup> The documents reveal a systematic downplay of civilian casualties that occurred as a result of U.S. military operations in the country and hundreds of civilian deaths at U.S. military checkpoints.<sup>5</sup> They further reveal hundreds of unreported deaths as a result of actions by private military contractors operating in the country.<sup>6</sup>

In one case detailed in the leaked documents, a November 2005 military operation known as Operation Steel Curtain resulted in the death of at least 25 civilians,<sup>7</sup> including 20 women and children. These deaths received no mention by U.S. military officials following the conclusion of the Operation.<sup>8</sup> However, the documents released are incomplete and do not include data on civilian casualties that occurred at the beginning of the war in March of 2003. They also omit widely-reported instances of civilian casualties that occurred as a result of U.S. military operations, such as the hundreds of civilians who were killed during the 2004 assault on the City of Fallujah.<sup>9</sup> It is worth noting that a study performed by Johns Hopkins University researchers and published in the *Lancet* found that the Iraq war had caused between 100,000 and 650,000 civilian deaths by 2006.

Mr. President, it is imperative that the United States demonstrate leadership and accountability for its actions. I am calling for the U.S. to work with our allies in Iraq and to participate in an independent, international and transparent investigation into the torture and murder of Iraqi detainees by Iraqi forces. It is also imperative that the Department of Defense’s complete documentation of all civilian casualties that have occurred since the beginning of the war in March 2003 is released. Finally, the American

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<sup>3</sup> Steele, Jonathan. (2010, October 24). “Iraq War Logs reveal 15,000 previously unreported civilian deaths.” *The Guardian*. Accessible online: <http://www.guardian.co.uk/world/2010/oct/22/true-civilian-body-count-iraq>.

<sup>4</sup> Stein, Rob. (2004, October 29). “100,000 Civilian Deaths Estimated in Iraq.” *The Washington Post*. Accessible online: <http://www.washingtonpost.com/wp-dyn/articles/A7967-2004Oct28.html>.

<sup>5</sup> Steel, Jonathan. (2010, October 24). “Civilians gunned down at checkpoints.” *The Guardian*. Accessible online: <http://www.guardian.co.uk/world/2010/oct/22/iraq-checkpoint-killings-american-troops>.

<sup>6</sup> Chatterjee, Pratap. (2010, October 23). “Iraq war logs: Military privatization run amok.” *The Guardian*. Accessible online: <http://www.guardian.co.uk/commentisfree/cifamerica/2010/oct/23/iraq-war-logs-us-military>.

<sup>7</sup> Wikileaks. War Logs. Accessible online: <http://wikileaks.org/id/1036C6DC-C795-4D95-A4FA-FAC065AA08D8/>.

<sup>8</sup> Steele, Jonathan. (2010, October 24). “Operation Steele Curtain and its 25 Ignored Civilian Casualties.” *The Guardian*. Accessible online: <http://www.guardian.co.uk/world/2010/oct/24/steel-curtain-air-strikes-husaybah/print>.

<sup>9</sup> Jamail, Dahr. (2004, November 16). “800 Civilians Feared Dead in Fallujah.” *Inter Press Service*.

people and the Iraqi people deserve a full investigation of all civilian casualties documented in the leaked reports, to include deaths at the hands of private military contractors.

The U.S. must also work to prevent such instances from occurring again. The people of Iraq have incurred unimaginable harm from a war that was justified using false intelligence. We have a legal and moral obligation to ensure the protection of all Iraqi civilians and to fully account for all civilian deaths that have occurred as result of our actions.

Please be assured that this letter will not conclude my interest in the topic. I look forward to your timely response.

Sincerely,

A handwritten signature in cursive script that reads "Dennis J. Kucinich". The signature is written in black ink and is positioned centrally below the word "Sincerely,".

Dennis J. Kucinich  
Member of Congress