

Military Law Task Force National Lawyers Guild
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Date: April 24, 2006

**PRESS RELEASE
FOR IMMEDIATE RELEASE**

SUBJECT: FOIA Request for the release of the Rules of Engagement (ROE) in effect for the invasion and assault on the city of Fallujah in 2004, its subsequent destruction, and the incident and attack involving Giuliana Sgrena on March 4, 2005, to be filed in the United States District Court.

Place: Front of the Federal Court House, 450 Golden Gate Avenue, San Francisco, California

Time: 10:00 a.m.

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PRESS RELEASE

Rules of Engagement are designed to instruct military personnel when it is permissible to use deadly force, and to limit the circumstances under which soldiers may use such force to preclude the escalation of unwarranted deadly violence. In short, they rationalize and justify the killing.

The MLTF intends to identify the words the U.S. government provided for its ground troops to justify the leveling of the city of Fallujah when there were no identifiable enemy soldiers in uniform and no way of determining who was and was not a civilian. In effect, Fallujah, became a “free fire zone” even though, as a dense urban area, the U.S. military should have issued a very restrictive ROE. The U.S. was aware that Fallujah was inhabited by thousands of civilians who would be forced to remain through the siege.

The request for information concerning the ROE is made under the Freedom of Information Act (FOIA). Its purpose is to illuminate and subject to public scrutiny, documents, such as the ROE in effect for the soldiers who fired on Giuliana Sgrena and

who were involved in the siege of Fallujah. We hope to identify the process by which the unwarranted slaughter and collective punishment of entire civilian populations can be justified and rationalized by the Rules of War. Not since the destruction of Guernica (1937), the Warsaw Ghetto (1942), Nagasaki, Hiroshima, or Dresden (1945) has there been such a total devastation of a city the size of Cincinnati or Oakland, housing 350,000 people or more. Having no apparent purpose other than a “show of power” and a demand for revenge for four civilian American security contractors killed in March 2004, the Bush government unmercifully leveled one of the largest cities in Iraq.

We want to share with the American people the degree of illegality of the U.S. assault on Fallujah and to prove that the ROE for that assault were so meaningless and vague as to permit any atrocity whatsoever. The ROE in effect, as judged by the actions of military personnel and the resulting death toll, indicate violations of international and domestic law as a matter of official policy. What words did the U.S. military use to authorize the war crimes that occurred in Fallujah, including the use of excessive force, indiscriminate and incessant bombing, sniping, and killing in urban civilian areas, white phosphorous, depleted uranium, flechette and cluster bombs, targeting medical structures and personnel, etc.?

Similarly, the need for the U.S. to cover up and lie about the nature of the destruction of that city, and the reasons behind its destruction, were highlighted by the murderous attack, on March 4, 2005, of the one reporter from a Western country available to describe the atrocities being committed by the U.S. The decision to attempt to kill Giuliana Sgrena and her escorts was a cold-blooded attempt to silence the witnesses, and not an attack authorized by any reasonable ROE.

It is in the interest of national security, honor, integrity, and the rule of law that we seek the release of this information from the U.S. military, specifically from CENTCOM. There are times in the history of this country and especially during time of military conflict that the American people must themselves judge what actions pursued by military forces serve their interest and security. The American people have a right to know what methods of destruction are being employed by its military as we wage wars against our “enemies” throughout the world. And if there are meaningful limits to the use of that force, we should know what they are. If we abandon any pretense at following international norms of conduct in how we wage war, we lose the greater battle, regardless of body counts and land seized.

The request for information concerning the ROE for the attempted murder of an Italian newspaper reporter and her bodyguard is the tip of the iceberg of the Bush administration’s attempt to intimidate, murder, and silence the international media. News sources indicate that there have been more reporters targeted and killed in this conflict than in any other war to date. (“The New York-based Committee to Protect Journalists says a least 67 journalists have been killed in Iraq since the U.S. invasion of 2003. U.S. forces have killed at least 14 of them, the CPJ says.”) The siege mentality of the U.S. military made it virtually impossible to cover the nature of the warfare conducted there by making a conscious decision to detain and murder reporters in Iraq. Just as the American people are prevented from seeing the coffins of our own soldiers, so are we prevented from seeing or hearing honest news coverage of what we are doing overseas.

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