

116TH CONGRESS
1ST SESSION

H. R. 5276

To require a report describing whether certain persons meet the criteria to be sanctioned pursuant to the Global Magnitsky Human Rights Accountability Act for violating the human rights of Iraqi protestors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 26, 2019

Mr. WILSON of South Carolina (for himself and Mr. MALINOWSKI) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To require a report describing whether certain persons meet the criteria to be sanctioned pursuant to the Global Magnitsky Human Rights Accountability Act for violating the human rights of Iraqi protestors, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Iraq Human Rights
5 and Accountability Act of 2019”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Government of Iraq responded to the
2 protests in Baghdad, Babil, Basra, Maysan,
3 Nasiriya, Karbala, and Najaf from October 1
4 through November 2019, by using unprecedented re-
5 pressive measures against protestors that included
6 shootings, sniper fire, illegal and unlawful detention,
7 mass arrests, and weaponizing public services such
8 as electricity and the internet.

9 (2) The United Nations Assistance Mission for
10 Iraq, under United Nations Security Council Resolu-
11 tion 2470 (2019), states that 149 people were killed
12 in early October and another 97 between October 25
13 and November 6, 2019, while over 6,100 civilians
14 have been wounded during the suppression of these
15 protests. These human rights violations and abuses
16 resulted due to excessive force against protestors by
17 Iraqi Security Forces.

18 (3) Since 2017, Iraqi Security Forces aligned
19 with the Popular Mobilization Forces (PMF), pre-
20 dominantly Shi'ite militias frequently backed by
21 Iran, have committed unlawful and arbitrary killings
22 according to the United States Department of State.
23 Some reports indicate that PMF-aligned fighters
24 were behind the roof-top sniper attacks in Baghdad
25 in early October 2019 targeting protestors. Iraqi po-

1 lice also fired military grade tear gas grenades which
2 lodged in protestors bodies. On October 8, 2019, the
3 Iraqi military acknowledged the excessive use of
4 force.

5 (4) The Iraqi government also suppressed free-
6 dom of expression during the protests through the
7 detention of journalists, blocking internet access
8 from October 3 through 9, 2019, and again since
9 late October, and attacking media outlets. These at-
10 tacks included intimidation, harassment, and pre-
11 paring journalist watchlists while also raiding sat-
12 ellite television stations in Baghdad.

13 (5) The Commander of the Iranian Quds Force
14 traveled to Iraq in October 2019 and met with mili-
15 tia leaders from the PMF. The PMF report to the
16 Iraqi Prime Minister but many units maintain a
17 command structure outside the formal military chain
18 of command linked directly to the Iranian Revolu-
19 tionary Guard Corps. The PMF and the Iranian
20 Revolutionary Guard Corps established a joint oper-
21 ational cell in Baghdad on October 3, 2019, that
22 may have directly contributed to the use of excessive
23 force and snipers.

24 (6) The 2018 Country Reports on Human
25 Rights Practices of the Department of State found

1 that “civilian authorities did not maintain effective
2 control over some elements of the security forces,
3 particularly certain units of the Popular Mobilization
4 Forces (PMF) that were aligned with Iran”.

5 (7) The Government of Iran continues to inter-
6 vene and maintain influence with the militia leaders
7 and Commanders of the PMF. This undermines the
8 formal Iraqi chain of command and contributes to
9 actions by the PMF that use repressive actions
10 against Iraqi protestors to maintain Iranian proxy
11 power.

12 **SEC. 3. STATEMENT OF POLICY.**

13 It shall be the policy of the United States to—

14 (1) support democracy and human rights in
15 Iraq, including the robust exercise by Iraqis of the
16 rights to free speech and assembly as guaranteed to
17 them by the Iraqi constitution;

18 (2) support calls for meaningful government re-
19 form to combat corruption and strengthen rule of
20 law and transparency;

21 (3) condemn any and all attacks on peaceful
22 protesters by Iraqi authorities, militias, or others;

23 (4) encourage a rapid and full restoration of
24 internet services and publicly verifiable measures by

1 the Government of Iraq to protect media workers
2 and medical personnel;

3 (5) demand accountability for individuals and
4 entities involved directly and indirectly in attacks
5 and other human rights violations against peaceful
6 Iraqi protestors; and

7 (6) maintain a robust diplomatic presence
8 across Iraq as a sign and tool of the commitment
9 and influence of the United States in countering ma-
10 lign influences in the region, helping Iraq maintain
11 its full sovereignty, and contributing to the develop-
12 ment of a healthy and corruption-free economy that
13 serves the Iraqi people.

14 **SEC. 4. REPORT ON SANCTIONS WITH RESPECT TO HUMAN**
15 **RIGHTS VIOLATIONS AGAINST IRAQI**
16 **PROTESTORS.**

17 (a) IN GENERAL.—Not later than 90 days after the
18 date of the enactment of this Act, the Secretary of State
19 shall submit to Congress a report that includes—

20 (1) a statement whether each person listed in
21 subsection (b) meets the criteria to be designated for
22 the imposition of sanctions under section 1263 of
23 the Global Magnitsky Human Rights Accountability
24 Act (title XII of the National Defense Authorization

1 Act for Fiscal Year 2017; 22 U.S.C. 2656 note) be-
2 cause such person—

3 (A) is responsible for extrajudicial killings,
4 torture, or other gross violations of internation-
5 ally recognized human rights in Iraq with re-
6 spect to Iraqi protestors seeking to exercise
7 their internationally recognized rights and free-
8 doms since October 2019; or

9 (B) acted as an agent of or on behalf of
10 a foreign person that committed such violations;

11 (2) a list of units of the Iraqi Security Forces
12 with respect to which the Secretary of State has
13 credible information that such units have committed
14 gross violations of human rights in Iraq since Octo-
15 ber 2019; and

16 (3) a certification that such units will not re-
17 ceive training, equipment, or other assistance from
18 the United States, consistent with section 620M of
19 the Foreign Assistance Act of 1961 (22 U.S.C.
20 2378d) and section 362 of title 10, United States
21 Code.

22 (b) PERSONS LISTED.—The persons listed in this
23 subsection are the following:

1 (1) Popular Mobilization Forces (PMF) leader
 2 Abu Mahdi al-Muhandis (birth name Jamal Jaafar
 3 Ibrahim).

4 (2) Chief of staff to Prime Minister Adil
 5 Abdulmahdi, Abu Jihad (birth name Mohammed al-
 6 Hashimi).

7 (3) Head of Asa'ib Ahl al-Haq, Qais al-Khazali.

8 (4) Head of the PMF Central Security Direc-
 9 torate, Abu Zainab al-Lami (birth name Hussein
 10 Falah al-Lami).

11 (5) Adviser for PMF Affairs to Prime Minister
 12 Abdulmahdi, Abu Muntadher al-Husseini (birth
 13 name Tahseen Abid Mutar al-Abboudi).

14 (6) Head of the Interior Ministry's Rapid Re-
 15 sponse Division, Abu Turab al-Husseini (birth name
 16 Thamir Mohammad Ismail).

17 (7) Commander of Saraya Talia al-Kurasani
 18 (PMF Brigade 18), Hamid al-Jazayeri.

19 (8) Commander of Kataib Sayyid al-Shuhada
 20 (PMF Brigade 14), Abu Ala al-Walai (birth name
 21 Hashim Bunyan al-Siraji).

22 (9) Head of the PMF Intelligence Directorate,
 23 Abu Iman al-Bahali.

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