Psychology of War Crimes and Genocide from First Principles

Reading copy of the research dataset

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Working draft. Figures for live conflicts change; check before quoting.

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Introduction

What this is

A reading copy of the research dataset behind the book, as it stands after four rounds of fact-checking by other AI systems and my own checks against primary sources. It is not the book. It is the evidence the book will be written from, with its confidence levels, its known gaps and its open questions left visible.

Everything after this introduction is generated directly from the dataset file, so it matches the JSON exactly. The introduction is an orientation only.

The starting premise, and how far the evidence takes it

The book's premise is that atrocity is mostly committed by ordinary people, not by a separate species of monster. That is the strongest conclusion of the research literature the dataset leans on (Browning, *Ordinary Men*; Waller; Straus). But the dataset itself holds no data on perpetrators' personalities, so it cannot prove the premise; cite the literature for it. Round 2 also narrowed the claim: clinical abnormality does not explain the *numbers* of perpetrators, but organisers and ideologically selected units are not a random slice of their society.

The uncomfortable corollary still stands: if the mechanisms are ordinary, the reader has them too.

How the cases are read

Each case is put through the same five questions:

- **Leadership objectives.** Who wanted what outcome, and what decisions prove it?
- **Institutional implementation.** Which rules, incentives and categories changed what people did?
- **Individual participation.** Why did this person comply, initiate, escalate, refuse or rescue?
- **Public legitimation.** Who defended the act or the actor, to whom, and who opposed it?
- **Accountability.** What legal stage was reached, enforced and kept?

The fifteen mechanisms (Part I) are candidate answers to those questions, not laws. Each comes with a diagnostic test and a confidence level.

Where the evidence is strongest

The best-documented part of the dataset is the aftermath: inquiries, votes, verdicts, amnesties and public campaigns of support. Societies leave far better records of how they defended atrocity than of what went on in the minds of the people who committed it. The Dyer subscription and the Lords vote, the telegrams for Calley, and the Oradour amnesty are measurable collective emotion: in-group loyalty and wounded pride. That may be the book's most original ground.

Two earlier claims did not survive review and have been withdrawn. The first was that accountability always runs downward when a state judges its own forces; Argentina's 1985 junta trial refutes it. Accountability for senior figures now looks like a matter of *conditions*: political transition, judicial independence, custody, evidence and enforcement (finding F02). The second was a 'hot versus cold' spectrum of atrocity, which turned out to be nearly unfalsifiable. It is replaced by how close the decision was to the act, from a Politburo order to a squad leader after a roadside bomb.

What the dataset cannot yet show

- **It is selected on the outcome.** Every case is an atrocity, so the mechanisms are illustrated, not tested. There are no negative cases: units under the same pressures that did not kill, or societies that refused (Denmark 1943).

- **The Holocaust is missing,** although Browning, Arendt and Milgram, who supply several mechanisms, all come out of it.
- **It has no perpetrator testimony,** which is the most direct evidence on emotion (Hatzfeld, Fujii, Straus's interviews, the S-21 confessions).
- **The recent cases are live.** Figures for Gaza, Ukraine, Sudan and Iran change by the month, and most legal proceedings are open. Each number records what it counts, its period, who counted it and its legal stage; re-check all of them in the week of publication.

On Iran

The figure of about 40,000 you remembered sits within the highest published claims (30,000 to 36,500 from local health officials via the press; at least 43,000 from one NGO with an unclear method) and outside anything independently verified. Confirmed counts run from about 3,100 (the government) to 7,015 (HRANA, February 2026); the UN mission gives no total but says the true figure may be significantly higher than the government list. The spread is the finding. See the Iran case.

How to read the labels

Confidence levels attached to facts, mechanisms and findings:

- **Established.** Broadly agreed across hostile sources; a court, official inquiry or multiple independent investigations concur.
- **Well sourced.** Documented by credible investigation but not adjudicated, or some dispute at the margins.
- **Contested.** Serious sources disagree on the fact itself, not merely its interpretation.
- **Disputed (political).** The dispute tracks political position rather than evidence quality.
- **Low.** Single source, or recalled rather than verified. Treat as a lead, not a fact.
- **Unverified.** Included for completeness. Not checked during compilation.

Accountability codes summarise how far justice got in each case:

- **None.** No prosecution of anyone.
- **Discontinued.** Investigation opened and closed without trial.
- **Lower rank only.** Convictions only below command level; commanders acquitted or never charged.
- **Senior convictions.** At least one senior political or military figure convicted (final).
- **Senior convictions reversed.** Senior convictions later undone by amnesty or non-enforcement.
- **In absentia only.** Convictions only in absentia; no one in custody.
- **Open.** Proceedings or investigations under way; no completed outcome.
- **Not applicable.** No modern legal framework applies.
- **Convictions pardoned.** Convictions obtained, then undone by executive pardon or clemency.

Scope. The dataset now includes crimes against humanity outside armed conflict (Iran 2026) and an ancient analogy (Melos). The working title names only war crimes and genocide; a decision on the title (e.g. 'mass atrocities', or naming all three crime categories) is the author's. Each case should distinguish the historical act, its legal classification, the deciding body and the adjudication stage.

The cases at a glance

Case	Date	Accountability	Mechanisms
Siege of Melos	416 BC; Melos surrendered in the winter of 416 to 415 BC	Not applicable	M15
Zong massacre	from 29 November 1781, over several days	None	M04, M02, M03
Congo Free State rubber regime	1885 to 1908	None	M05, M04, M03, M02, M01
Armenian genocide	from 24 April 1915	Senior convictions reversed	M14, M04, M01, M15
Jallianwala Bagh massacre, Amritsar	13 April 1919, during the Baisakhi festival	None	M12, M03
Holodomor	spring 1932, and February to July 1933, with most deaths in spring 1933; part of the wider Soviet famine of 1930 to 1933	None	M04, M02, M01, M10, M15
Intelligenzaktion and Aktion AB (German operations against the Polish intelligentsia)	Intelligenzaktion from 1939; Aktion AB announced 2 March 1940, arrests from late March and April 1940, declared finished 23 July 1940, executions continuing into 1941	Senior convictions	M14, M01, M04, M15
Katyn massacre	April to May 1940	Discontinued	M01, M02, M04, M14, M10, M15
Oradour-sur-Glane massacre	10 June 1944	Lower rank only	M07, M01, M06
Deir Yassin massacre	9 April 1948	None	M03
No Gun Ri massacre	26 to 29 July 1950	None	M10, M03
My Lai massacre	16 March 1968	Lower rank only	M01, M02, M03, M05, M06, M07, M08, M09, M10, M11, M12, M13
Bloody Sunday	30 January 1972	Lower rank only	M10
Cambodian genocide	17 April 1975 to 7 January 1979	Senior convictions	M14, M04, M02, M05, M09
Sabra and Shatila massacre	16 to 18 September 1982	None	M08, M12
Rwandan genocide	7 April to 19 July 1994, approximately 100 days	Senior convictions	M01, M03, M06, M14
Srebrenica massacre	July 1995	Senior convictions	M01, M02
Abu Ghraib torture and prisoner abuse	2003 to 2004, exposed April 2004	Lower rank only	M09, M11, M03
Haditha killings	19 November 2005	Lower rank only	M07, M10, M11
Mahmudiyah rape and killings	12 March 2006	Lower rank only	M03, M07, M10
Ishaqi killings	15 March 2006	None	M10, M11
12 July 2007 Baghdad airstrike ('Collateral Murder')	12 July 2007	None	M03, M09, M10
Nisour Square shooting	16 September 2007	Convictions pardoned	M03, M12
October 7 attacks	7 October 2023	Open	M03, M08, M09, M15

Case	Date	Accountability	Mechanisms
Gaza war	October 2023 onward; ceasefire announced 10 October 2025 (the Gaza MoH counts post-ceasefire deaths from 11 October 2025); killings continued after the ceasefire	Open	M03
Russian invasion of Ukraine	February 2022 to present	In absentia only	M01, M04, M08, M09, M10
Darfur, Sudan, 2023 onward (El Geneina, El Fasher)	War between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) from 15 April 2023	Open	M03, M09, M10, M15
Iran: protest crackdown, December 2025 to March 2026	Protests from 28 December 2025; deadliest repression 8-9 January 2026; second wave from 21 February 2026	None	M03, M04, M10

Part I. Mechanisms

Candidate answers to the five questions. Tagging is interpretive: the tags are an argument, not data.

M01 Authorisation

Confidence: Well sourced

Definition. Perceived displacement of responsibility upward. The actor experiences the act as executing an instruction rather than making a moral decision. Legal and moral responsibility do not in fact transfer.

Diagnostic. Perpetrators describe their conduct in the grammar of compliance rather than choice.

Source theory. Kelman, H. and Hamilton, V. L., 'Crimes of Obedience' (1989). Related: Milgram obedience experiments (1961 onward).

Cases. Congo Free State rubber regime; Katyn massacre; Oradour-sur-Glane massacre; My Lai massacre; Rwandan genocide; Srebrenica massacre; Intelligenzaktion and Aktion AB (German operations against the Polish intelligentsia); Armenian genocide; Holodomor; Russian invasion of Ukraine

M02 Routinisation

Confidence: Well sourced

Definition. The act is decomposed into procedural steps, each of which feels administrative rather than moral.

Diagnostic. Breaks for meals, shift rotations, paperwork, quotas, receipts.

Source theory. Kelman and Hamilton (1989). Related: Arendt, 'Eichmann in Jerusalem' (1963), though the 'banality' thesis is itself contested by later scholarship on Eichmann's documented ideological commitment.

Cases. Zong massacre; Congo Free State rubber regime; Katyn massacre; My Lai massacre; Srebrenica massacre; Holodomor; Cambodian genocide

M03 Dehumanisation

Confidence: Well sourced

Definition. Victims are relocated outside the moral community before the act, through propaganda, training, slurs or institutional categories. Threat, blame and moralised violence are related but distinct processes.

Diagnostic. Slurs taught in training; victims described as animals, vermin, cargo, or an abstract category.

Source theory. Bandura, A., 'Moral Disengagement' (1999, and earlier work from 1986).

Cases. Zong massacre; Congo Free State rubber regime; Jallianwala Bagh massacre, Amritsar; Deir Yassin massacre; No Gun Ri massacre; My Lai massacre; Rwandan genocide; Abu Ghraib torture and prisoner abuse; October 7 attacks; Gaza war; Darfur, Sudan, 2023 onward (El Geneina, El Fasher); Iran: protest crackdown, December 2025 to March 2026; Mahmudiyah rape and killings; 12 July 2007 Baghdad airstrike ('Collateral Murder'); Nisour Square shooting

M04 Legal and administrative recategorisation

Confidence: Established

Definition. The victim is placed in a legal or administrative class that removes or weakens protection, contests the perpetrator's duties, or blocks enforcement. Claimed permission is not lawful authority, and non-prosecution is not legality.

Diagnostic. The central proceeding or instrument concerns property, process or status rather than homicide; or a statute or decree creates the category under which victims lose protection (e.g. the Tehcir law, the Law of Spikelets).

Source theory. Observed across cases; see the Zong insurance proceedings and twentieth-century 'unlawful combatant' doctrine.

Cases. Zong massacre; Congo Free State rubber regime; Katyn massacre; Intelligenzaktion and Aktion AB (German operations against the Polish intelligentsia); Armenian genocide; Holodomor; Cambodian genocide; Russian invasion of Ukraine; Iran: protest crackdown, December 2025 to March 2026

M05 Metric capture

Confidence: Well sourced

Definition. An institution measures what it can count. The metric then selects for the behaviour that produces it, independent of anyone intending that outcome.

Diagnostic. Body counts, rubber quotas, cartridge accounting, target quotas. Promotion tied to the number.

Note. Institutional incentives can produce an aggregate harm no one at the top ordered in that form. Each participant's conduct, knowledge, intent, recklessness or negligence is assessed separately; a metric does not remove intent. This applies to M05-type mechanisms (cartridge audits, body counts), not to campaigns that were ordered.

Cases. Congo Free State rubber regime; My Lai massacre; Cambodian genocide

M06 Conformity and the cost of visible refusal

Confidence: Well sourced

Definition. Conformity can drive participation alongside obedience: unwillingness to be the one who steps out of the group. Browning's battalion is the standard illustration (men offered the chance to withdraw mostly did not). The relative weight of conformity and obedience is not measured in this dataset.

Diagnostic. Non-participants also do not report. Refusal takes covert forms (self-wounding, feigned malfunction) rather than open objection.

Source theory. Browning, C., 'Ordinary Men' (1992), on Reserve Police Battalion 101, whose commander explicitly offered men the option to withdraw; most participated anyway.

Cases. Oradour-sur-Glane massacre; My Lai massacre; Rwandan genocide

M07 Prior loss and displaced revenge

Confidence: Well sourced

Definition. Accumulated casualties from an enemy who cannot be located are discharged onto the available population.

Diagnostic. Unit has taken losses to mines, snipers, improvised devices with little or no direct contact.

Source theory. Lifton, R. J., 'atrocity-producing situation'.

Cases. Oradour-sur-Glane massacre; My Lai massacre; Haditha killings; Mahmudiyah rape and killings

M08 Ambiguous orders with built-in deniability

Confidence: Contested

Definition. Ambiguous or unwritten instructions can make a superior's role harder to prove. Subordinates may hear permission where the record shows none. Orders can still be proved by testimony and circumstances; deliberate deniability is coded only where evidence shows that purpose.

Diagnostic. No written instruction exists and witnesses recall the briefing differently. Divergent recollection may reflect confusion, lying or ordinary memory failure; by itself it does not establish deliberate deniability.

Cases. My Lai massacre; Sabra and Shatila massacre; October 7 attacks; Russian invasion of Ukraine

M09 Documentation paradox

Confidence: Established

Definition. Perpetrators and their institutions often record their own acts, for pride, orders, administration or display, and the record later becomes evidence against them. Motive is coded separately from the fact of recording.

Diagnostic. Photographs, body cameras, trophy images, social media broadcast during the act.

Note. Only perpetrator self-recording and institutional records count as instances of the paradox. Alice Seeley Harris's photographs are independent witnessing. Self-produced material still requires date, place, identity and custody checks.

Documentation types

Perpetrator self recording: Trophy images, body cameras, broadcasts (Abu Ghraib, October 7, RSF videos)

Institutional record: Administrative records kept by the perpetrating institution (Force Publique hand accounting, S-21 files)

Independent witnessing: Adversarial or neutral witnesses (Alice Seeley Harris; Haeberle's role is disputed)

Later disclosure: Leaks, declassification, investigations

Cases. My Lai massacre; Abu Ghraib torture and prisoner abuse; October 7 attacks; Cambodian genocide; Russian invasion of Ukraine; Darfur, Sudan, 2023 onward (El Geneina, El Fasher); 12 July 2007 Baghdad airstrike ('Collateral Murder')

M10 Cover-up as structural reflex

Confidence: Well sourced

Definition. A recurrent, not universal, pattern: the institution's response targets disclosure rather than the act. Variants: suppression, obstruction, failure to investigate, retaliation against reporters, and pre-emptive cutting of communications (Iran, January 2026).

Diagnostic. The operation is reported as a victory. Whistleblowers are penalised. Early inquiries exonerate.

Cases. Katyn massacre; No Gun Ri massacre; My Lai massacre; Bloody Sunday; Haditha killings; Holodomor; Russian invasion of Ukraine; Darfur, Sudan, 2023 onward (El Geneina, El Fasher); Iran: protest crackdown, December 2025 to March 2026; Mahmudiyah rape and killings; Ishaqi killings; 12 July 2007 Baghdad airstrike ('Collateral Murder')

M11 Downward accountability

Confidence: Well sourced

Definition. When an institution judges its own members while their leadership remains in power, prosecution tends to reach the lowest rank that will carry the charge and stop. Senior accountability occurs under other conditions: international or hybrid tribunals (ICTY, ICTR, SCSL, ECCC) and domestic courts after a political transition (Argentina 1985).

Diagnostic. Convictions cluster at or below sergeant and lieutenant. Commanders acquitted or never charged.

Note. Code M11 only where a specified institution's prosecutions are observed to stop at lower ranks. No completed prosecution, in-absentia convictions and senior convictions are recorded in accountability_code, not as M11.

Cases. My Lai massacre; Abu Ghraib torture and prisoner abuse; Haditha killings; Ishaqi killings

M12 Perpetrator as national victim

Confidence: Well sourced

Definition. When the perpetrator is coded as 'ours', sections of the public experience prosecution as an attack on the nation, and defending the individual becomes defending the group. Opponents exist in every documented instance and are recorded too. The pattern fails where the perpetrator is recoded as the nation's enemy.

Diagnostic. Public subscriptions, petitions, songs, telegrams, electoral reward.

Cases. Jallianwala Bagh massacre, Amritsar; My Lai massacre; Sabra and Shatila massacre; Nisour Square shooting

M13 The refuser

Confidence: Well sourced

Definition. Counter-mechanism. Named individuals who declined, intervened or reported, with their role, opportunity, the risk they faced and what it cost them. Documented in some cases (My Lai); lethal in others (Rwanda); undocumented in most cases here, which shows the state of the sources, not the absence of refusal.

Diagnostic. Named individuals who declined, intervened or reported, and what it cost them.

Note. Where refusal is documented and survivable, it supports keeping individual responsibility beside situational explanation. It does not establish identical pressures or options for every participant.

Cases. My Lai massacre

M14 Eliticide

Confidence: Well sourced

Definition. Deliberate targeting of a population's leadership and educated strata (officers, clergy, lawyers, teachers, officials, journalists) so that survivors are less able to organise, litigate, teach, govern or record. In some campaigns this comes early (Katyn, Aktion AB, 24 April 1915, the first days in Rwanda); in others it runs concurrently with general killing (Cambodia). Education, office, status and perceived opposition are different variables and are coded separately.

Diagnostic. The first wave targets named individuals by occupation rather than by location: officers, lawyers, teachers, clergy, doctors, journalists, civil servants, artists. Lists exist in advance. Proxy markers are used where lists do not reach — spectacles, languages spoken, soft hands.

Note. Added in revision 3 at the direction of Mars Robertson, whose objection to treating Katyn as a generic war crime was correct. Prior literature uses 'elitocide': Dennis Gratz, 'Elitocide in Bosnia and Herzegovina and its impact on the contemporary understanding of the crime of genocide', Nationalities Papers 39:3 (2011), 409-424, from his 2007 thesis; Wikipedia, citing Gratz, traces the word to reporter Michael Nicholson in 1992 (Bijeljina). Hikmet Karčić has applied it to the killing of imams around Srebrenica (lead, unverified). In Gratz's use elitocide is a phase inside a wider killing, not necessarily its first stage. The Bosnian type-case (Prijedor and the eastern municipalities, 1992) is not yet a case in this dataset. Quote Lemkin from Axis Rule in Occupied Europe (1944).

Cases. Katyn massacre; Rwandan genocide; Intelligenzaktion and Aktion AB (German operations against the Polish intelligentsia); Armenian genocide; Cambodian genocide

M15 Instrumental atrocity (proposed)

Confidence: Proposed

Definition. Violence chosen as a means to an evidenced objective (terror, displacement, leverage, removal of a group's capacity to reconstitute itself). A strategic category, kept separate from the psychological mechanisms and from legal specific intent; political purpose does not by itself establish genocidal intent.

Diagnostic. The objective is stated or documented in the record (orders, decrees, minutes, public statements, consistent conduct), and alternative explanations are considered.

Exclusion test. On current evidence excludes My Lai and the El Fasher Saudi Hospital killings (no evidenced objective distinct from the killing). October 7 hostage-taking is included; the Nova killings are not a good illustration because the site was not a planned target. In Sudan the campaign of depopulation is inside the tag; the Saudi Hospital killings are outside it on current evidence. The tag applies to a campaign or act, not to every killing within a case.

Cases. Katyn massacre; October 7 attacks; Intelligenzaktion and Aktion AB (German operations against the Polish intelligentsia); Armenian genocide; Holodomor; Siege of Melos; Darfur, Sudan, 2023 onward (El Geneina, El Fasher)

Part II. Cross-case findings

F01

Confidence: Well sourced

Perpetrators rarely say 'I chose to kill innocents'. Public accounts draw on a recurring set of scripts: necessity (Zong owners), orders (Calley), the other side did it (Katyn 1943-90), mistake (Hamad; the Haditha press release), the victims were not innocent (Medina's briefing), moralised admission (Himmler at Posen) or open assertion of power (Melos). Admission also occurs (Kambanda's guilty plea, Duch). Which script appears depends on audience and time.

Evidence. Medina: regrets but no guilt, he did not cause it. Calley: following orders. Ghazi Hamad: mistakes happened. Israel: every strike aimed at militants. Soviet Union: the Germans did it. Zong owners: necessity at sea. Force Publique: ammunition accounting.

Note. A coding scheme, not an exhaustive or demonstrated law; blind-code further testimony.

F02

Confidence: Well sourced

Accountability for senior figures depends on conditions, not on the type of court. Institutions judging their own members while leadership stays in power have tended to stop at low ranks (My Lai, Haditha, Abu Ghraib, Sabra and Shatila). Senior figures have been convicted by international and hybrid tribunals (ICTY, ICTR, SCSL, ECCC) and by domestic courts after transition (Argentina 1985). Candidate conditions: political transition, judicial independence, custody, evidence and enforcement.

Evidence. My Lai: 1 conviction of 26 charged; the company commander acquitted; three and a half years served for roughly 500 dead. Haditha: 0 homicide convictions of 8 charged. Abu Ghraib: highest rank convicted was staff sergeant. Sabra and Shatila: personal responsibility found, subject became prime minister. Congo: no prosecution of the sovereign. Zong: no prosecution at all.

Note. Conditions are hypotheses to be stated in advance and tested, not exceptions added after the fact.

F03

Confidence: Well sourced

In several selected cases, officials suppressed reports, obstructed inquiry or retaliated against disclosure (My Lai, No Gun Ri, Katyn, Widgery). Whether suppression caused later impunity requires case-specific evidence; the general relationship is a hypothesis. The same dataset records corrective investigations and convictions.

Evidence. My Lai reported as 128 enemy killed and congratulated by Westmoreland; Thompson given a fabricated medal citation and Bernhardt given point duty; a White House task force formed to discredit witnesses. No Gun Ri denied for fifty years. Katyn misattributed for fifty years. Widgery exonerating within months.

F04

Confidence: Contested

A failed prosecution can produce a precedent that protects commanders. The candidate example, the Medina instruction (actual knowledge), is a trial-level formulation whose doctrinal effect is disputed.

Evidence. Commentators contrast the actual-knowledge instruction given at Medina's 1971 court-martial with the 'knew or should have known' formulations of FM 27-10, Yamashita and the Rome Statute. Its precise text and later legal effect remain to be verified.

Fact check priority. Read the full Medina instructions and later authorities.

F05

Confidence: Well sourced

Institutions can produce aggregate harm that no one at the top ordered in that form (Congo cartridge audit; Vietnam body counts). Each participant's conduct and mental state (intent, knowledge, recklessness, negligence) is assessed separately. This does not apply to campaigns that were ordered (Katyn, Aktion AB, the Tehcir law, the Holodomor decrees).

Evidence. Congo cartridge accounting shaping mutilation; Vietnam body counts recording civilian deaths as combatants. The Zong is a legal-category case (M04), not an incentive case.

Implication. Any theory of atrocity that relies solely on hatred or combat psychology is incomplete. The administrative cases are the ones that generalise.

F06

Confidence: Well sourced

Where refusal is documented, it shows participation was not uniform under the same broad situation, which supports keeping individual responsibility beside situational explanation. The dataset names refusers at My Lai and describes lethal refusal in Rwanda; it does not establish refusers in every case or identical pressures for every participant.

Implication. Situational explanation raises the probability of participation; where refusal is documented and survivable, it shows the outcome was not determined for everyone. That supports retaining individual criminal responsibility alongside situational explanation, and the rejection of the superior-orders defence at Nuremberg.

F07

Confidence: Well sourced

When the perpetrator is coded as 'ours', sections of the public mobilise to defend him: the Dyer subscription and the divided Lords vote (129-86), about 5,000 telegrams and pro-Calley songs, the Alsatian amnesty. Opposition exists in each case. The pattern fails where the perpetrator is recoded as the nation's enemy (gacaca). A later election is not evidence that voters endorsed the atrocity.

Evidence. Dyer: Morning Post subscription (over £26,000) and Lords motion 129-86, July 1920. Calley: about 5,000 telegrams, pro-Calley songs outnumbering critical ones about two to one, 1969-73.

F08

Confidence: Well sourced

Accountability fails through distinct mechanisms: delay (Soldier F, tried about 53 years later), amnesty (Oradour, Law 53-112 of 1953), reversal (Ottoman courts-martial undone after 1923), loss of remedy (CACI verdict reversed in 2026), non-enforcement of warrants (al-Bashir, Putin, Netanyahu), discontinuance (Katyn 2004), and pardon (Nisour Square, 2020). Delay works through ordinary fair-trial protections rather than against them, which is the strongest argument for contemporaneous independent documentation.

Evidence. Bloody Sunday: acquittal of Soldier F on 23 October 2025, the judge citing delay and untestable hearsay. Katyn: investigation discontinued 2004, decision classified. Oradour: amnesty Law 53-112 of 20 February 1953. Armenia: 1919-20 verdicts undone. Abu Ghraib: CACI award reversed August 2026. Sabra and Shatila: Hobeika killed January 2002, reportedly while poised to testify in Belgium.

Implication. Delay works through ordinary fair-trial protections rather than against them (Soldier F). That is not true of the other mechanisms, which work through legislation (amnesty), politics (reversal), jurisdiction (loss of remedy) or custody (non-enforcement). The case for contemporaneous independent documentation rests on delay; the others need their own remedies.

F09

Confidence: Well sourced

Perpetrators sometimes inflate their own atrocity when terror serves their objective. Deir Yassin: the figure of 254 came from the Irgun commander and current scholarship gives about 100-120; Begin later credited the 'legend' with military effect. Congo's hands shown to post commanders are a different phenomenon (institutional record, not inflation). The October 7 broadcast instruction is an analogy that depends on an unauthenticated document. A perpetrator-sourced toll is not automatically conservative.

Evidence. Deir Yassin: 254 from the Irgun commander Raanan on 10 April 1948; current scholarship about 100-120. October 7: broadcast instruction in an unauthenticated document (analogy only).

Implication. Where terror is the objective, publicity of the act is part of the act. This cuts against the common assumption that perpetrators always minimise. It also means a death toll sourced to the perpetrator is not automatically conservative, and must be treated with the same scepticism as a toll sourced to the victim.

F10

Confidence: Well sourced

Some campaigns target a population's leadership and educated strata, sometimes early (Katyn and Aktion AB in spring 1940, with no evidence found of coordination; 24 April 1915; the first days in Rwanda) and sometimes concurrently with general killing (Cambodia). Other mass killings here did not select by education (Srebrenica, the Holodomor).

Evidence. Katyn (April-May 1940, Politburo order); Aktion AB (from late March 1940) following the Intelligenzaktion (over 50,000 killed directly, at least 100,000 victims overall, Wardzyńska); Armenia (24 April 1915 arrests); Rwanda (moderate Hutu politicians in the first days); Cambodia (concurrent, with spectacles and languages as proxy markers).

Implication. Where a regime aims to stop a group reconstituting itself, removing those able to organise, litigate, teach and record is an effective strategy, which may be why it recurs. The record of such atrocities often arrives late and from outside.

Note. Selected on the outcome; timing is not a universal rule.

F11

Confidence: Proposed

Candidate: in the Iraq set, accountability fell as the act moved closer to an authorised operation. Acts plainly outside any mission were prosecuted hard (Mahmudiyah: life, 90, 100, 110 years). Killings inside authorised operations produced no homicide conviction (Haditha) or no charge (Ishaqi; the 12 July 2007 airstrike). Abuse within a sanctioned detention system stopped at staff sergeant (Abu Ghraib). Contractors were convicted, then pardoned (Nisour Square).

Evidence. Six Iraq cases, 2003-2007, same state, same war: abu_ghraib, haditha, mahmudiyah, ishaqi, collateral_murder, nisour_square.

Implication. If it holds, the institution protects the operation more than the individual: conduct that would implicate orders, rules of engagement or command is absorbed, conduct that implicates only the perpetrator is punished. Compare M11 and F02.

Part III. Historical cases

Siege of Melos

Accountability: Not applicable · Mechanisms: M15 Instrumental atrocity (proposed)

Date: 416 BC; Melos surrendered in the winter of 416 to 415 BC

Location: Melos, Cyclades

Perpetrator: Athens

Victims: The Melians

Death toll

Detail: Athens executed the men of fighting age and sold the women and children into slavery, then settled 500 of its own colonists on the island.

Confidence: well_sourced

The dialogue

Thucydides recorded the negotiations between the Athenian envoys and the Melians in Book 5, chapters 84 to 116, of the History of the Peloponnesian War. Its best-known formulation is that the strong do what they can and the weak suffer what they must.

Limits

Ancient and medieval cases cannot carry institutional detail: the records are thin and the numbers are frequently propaganda. They are used here to test whether the mechanisms are modern artefacts or permanent features of power, not as evidence of how any particular institution worked.

Why it matters

The earliest clear statement of power as its own justification. In Thucydides' dialogue the Athenians do not say the Melians deserve destruction, are less than human, or have wronged them; they say justice is a question only between equals. It is also a counter-example to any claim that perpetrators always deny intent. Thucydides is the only source, and the speeches are his composition (History 1.22), not a transcript.

Sources

- https://en.wikipedia.org/wiki/Siege_of_Melos

Zong massacre

Accountability: None · Mechanisms: M04 Legal and administrative recategorisation, M02 Routinisation, M03 Dehumanisation

What happened

After navigational errors left the ship short of drinking water, the crew threw enslaved people overboard alive. Under the insurance doctrine of jettison and general average, a captain who throws cargo overboard to save the rest may claim the loss; people who died of 'natural causes' were an uninsured loss to the owners. The owners sought payment by presenting the killings as a necessary jettison. They won the first verdict; a new trial was ordered, and no final recovery has been established.

Date: from 29 November 1781, over several days

Location: Atlantic Ocean, en route to Black River, Jamaica

Perpetrator: Crew of the British slave ship Zong, Captain Luke Collingwood. Vessel owned by a Liverpool syndicate including William Gregson and George Case, who was Mayor of Liverpool in 1781.

Victims: Enslaved African men, women and children, classified as cargo

Death toll

Range: 132 to 142 (figures from different accounts, not a statistical interval)

Figures

- **132** — *Source:* Gregson v Gilbert court record; most commonly cited
- **133** — *Source:* several accounts
- **142** — *Source:* Wikipedia, George Case entry

Confidence: well_sourced

Note: No ship's log survived. Approximately 440 enslaved people were aboard at departure; the ship lost more than half its complement in total. Sequence commonly reported as 54 on the first day, 42 on a later day, the remainder subsequently, with roughly 10 jumping before they could be thrown.

Legal outcome

Proceeding: Gregson v Gilbert (1783) 3 Douglas 233, King's Bench

Nature: A marine insurance dispute. Not a homicide prosecution.

First instance: Jury found for the owners at Guildhall, 6 March 1783, before Lord Mansfield. Insured value £30 per person.

Appeal: King's Bench (Mansfield) granted a new trial, holding necessity had not been established, partly because testimony indicated rain fell during the killings. No record of a retrial or of final recovery by the owners has been located.

Prosecutions for murder: None. Nobody was ever charged.

Confidence: established

Attributed quotation

Text: Mansfield is reported to have said, summing up, that 'the Case of Slaves was the same as if Horses had been thrown over board'.

Attribution: Walvin, The Zong (2011), p. 153, and Krikler (2007), as cited on Wikipedia; drawn from Granville Sharp's shorthand notes.

Variants: A 'wood' comparison circulates; no verbatim source has been located in Sharp's notes or the law report. Counsel for the owners (Solicitor General John Lee) argued the slaves 'perished just as a Cargo of Goods perished'. Claims that the 'wood' line is a later dramatisation are themselves unsourced.

Confidence: contested

Instruction: Do not quote until Walvin p. 153, Krikler and the Sharp notes have been read.

Legislative consequence

Acts of 1788 (28 Geo III c 54), 1790 (30 Geo III c 33 s VIII) and 1791 (31 Geo III c 54 s VIII) restricted insurance of enslaved people to listed perils (sea, piracy, insurrection, enemy capture, barratry, fire); the 1791 text does not mention throwing overboard. An express bar appears in the Slave Trade Act 1799 (39 Geo III c 80, s XXV): 'no Loss or Damage shall hereafter be recoverable on Account of the Mortality of Slaves by natural Death or ill Treatment, or against Loss by throwing overboard of Slaves on any Account whatsoever' (private transcription, pdavis.nl). Whether 34 Geo III c 80 (1794) already contained similar words is unverified. The link to the Zong is a historians' inference; the statutes do not name it.

Why it matters

The clearest case of mechanism M04. The killings were litigated as an insurance claim under the doctrine of jettison and general average; the courts treated them as a question of property, and nobody was prosecuted for murder. The legal category did not make the killing lawful, but it decided which question a court would ask.

Sources

- https://en.wikipedia.org/wiki/Zong_massacre
- https://en.wikipedia.org/wiki/George_Case_(slave_trader)
- https://www.zinnedproject.org/news/tdih/zong-massacre/
- https://aaregistry.org/story/the-zong-massacre-episode-begins/
- https://www.pdavis.nl/Legis_29.htm
- https://www.pdavis.nl/Legis_63.htm

Congo Free State rubber regime

Accountability: None · Mechanisms: M05 Metric capture, M04 Legal and administrative recategorisation, M03 Dehumanisation, M02 Routinisation, M01 Authorisation

What happened

Districts and villages were assigned fixed quotas of wild rubber. Enforcement ran through hostage-taking (typically women and children held in stockades until the quota arrived), flogging with the chicotte (hippopotamus-hide whip), village destruction and killing. Rubber exports rose from roughly 100 tonnes in 1887 to around 6,000 tonnes in 1901.

Date: 1885 to 1908

Location: Congo Free State, present-day Democratic Republic of the Congo

Perpetrator: Force Publique (approximately 19,000 men, African soldiers under European officers) and concession companies including the Anglo-Belgian India Rubber Company (Abir) and Société Anversoise, under the personal sovereignty of King Leopold II of Belgium

Victims: Congolese civilian population

Death toll

Range: not established; published figures run from 1.2 million to 15 million but measure different things

Figures

- **1.2 million to 10 million** — *Source:* Wikipedia, Atrocities in the Congo Free State, citing modern estimates
- **5 million to 15 million, central estimate around 10 million** — *Source:* silencedhistory.org
- **2 million to 10 million** — *Source:* missedhistory.com

Confidence: contested

Note: CRITICAL FOR FACT-CHECKERS. No census of the 1885 population exists, so no baseline. The widely repeated figure of 10 million derives largely from Adam Hochschild, 'King Leopold's Ghost' (1998), and is disputed by some demographic historians. Wikipedia attributes the main direct cause of population decline to disease, exacerbated by the social disruption the atrocities caused. Any booklet text must present this as a range with the methodological problem stated, not as a settled number.

Measure note: Population loss can include excess deaths, lost births and migration. No 1885 census exists. The silencedhistory.org and missedhistory.com figures are low-quality secondary sources and should be replaced with demographic studies.

The severed hands

Mechanism: Force Publique soldiers were required to account for every cartridge issued, to prevent ammunition being used for hunting or hoarded for rebellion. A severed right hand was presented as proof that a round had been spent on a person.

Consequence: Hands were cut from living people when soldiers had missed, run out of cartridges, or used ammunition for hunting. Villages sometimes raided neighbouring villages to obtain hands when rubber quotas were unreachable. Hands functioned as a currency.

Confidence: established

Common misstatement: Casement's 1904 report records testimony linking severed hands to ammunition accounting: a hand proved a cartridge had been spent on a person. That is one documented mechanism, reported in specific settings; punishment for missed rubber quotas, terror and extraction functions overlap with it. The rubber quota created the violence; the cartridge audit shaped one of its forms.

Documentation: Missionary testimony, the photography of Alice Seeley Harris, Roger Casement's report of 1904, and Leopold's own Commission of Inquiry of 1905. Consul Pickersgill's report of 1 June 1897 described an attack on the village of Bandakea Wijiko on 10 October 1896 over sub-standard rubber: 50 killed, 28 taken prisoner, all bodies with the right hand removed.

Emblematic image

Subject: Nsala of Wala, Nsongo district, photographed in 1904 looking at the severed hand and foot of his daughter

Photographer: Alice Seeley Harris

Confidence: well_sourced

Mechanism notes

M09: Counts only as institutional_record (hands presented to post commanders). Alice Seeley Harris's photographs are independent witnessing.

Legal outcome

No prosecution of Leopold II. Under international pressure the Belgian government annexed the territory on 15 November 1908. Leopold ordered the destruction of state archives, which is part of why the death toll cannot be settled.

Why it matters

The clearest case of metric capture. A quota system plus an ammunition audit produced systematic mutilation without a written order from Brussels to mutilate; each mutilation was still an intentional act by the person who did it. The administration measured rubber and cartridges precisely and left Congolese deaths unrecorded.

Sources

- https://en.wikipedia.org/wiki/Atrocities_in_the_Congo_Free_State
- https://en.wikipedia.org/wiki/Nsala_of_Wala_in_the_Nsongo_District
- https://www.amdigital.co.uk/insights/news/red-rubber-atrocities-in-the-congo-free-state-in-confidential-print-africa
- https://silencedhistory.org/hubs/en/topics/force-publique

Armenian genocide

Accountability: Senior convictions reversed · Mechanisms: M14 Eliticide, M04 Legal and administrative recategorisation, M01 Authorisation, M15 Instrumental atrocity (proposed)

Date: from 24 April 1915

Location: Ottoman Empire

Perpetrator: Committee of Union and Progress. The Special Organisation, a paramilitary force taking orders directly from the CUP Central Committee, carried out killings near the front lines, its units often wearing gendarme uniforms.

Victims: Ottoman Armenians

Death toll

Range: 600,000 to 1.5 million

Commonly cited: about one million

Deported: between 800,000 and 1.2 million deported

Confidence: contested

The eliticide

On 24 April 1915, hundreds of Armenian political activists, intellectuals and community leaders were rounded up in Constantinople and across the empire. Most were eventually murdered. The date is now the genocide's commemoration day, which means the event is remembered by its decapitation phase rather than by its largest killings.

The legal category

The Council of Ministers approved the Temporary Law of Deportation, the Tehcir Law, to give the deportations a veneer of legality. It allowed authorities to deport anyone deemed suspect.

Accountability

Tribunal: The Ottoman Special Military Tribunal of 1919 to 1920 ruled that the mass murder was organised and carried out by the top leaders of the Committee of Union and Progress.

Sentences: 18 people were sentenced to death, including Talaat, Enver and Djemal.

Executed: Three. The rest had fled and were tried in absentia.

Collapse: The 1920 Treaty of Sèvres removed the government's reason for the trials. The Lausanne Declaration of Amnesty, signed 24 July 1923 (before the Republic was proclaimed), granted a broad political amnesty; how each 1919-20 judgment was annulled or left unenforced must be traced individually.

Talaat: Talaat was assassinated in Berlin in 1921 in a covert Armenian Revolutionary Federation operation. His admitted killer was acquitted by a German jury.

Confidence: established

Pattern: Reversal: accountability reached the top on paper (in-absentia death sentences for Talaat, Enver and Djemal; three executions of those in custody) and was then undone by amnesty and non-enforcement.

Denial

Turkey maintains the deportations were legitimate and cannot be described as genocide. Recognition by other states is widespread; a count requires an enumerated list with inclusion rule (government, parliament, chamber) and date.

Why it matters

A state tried its own former leadership for the massacres and deportations (the word genocide did not yet exist; it was coined in 1944), convicted it, and then let amnesty and non-enforcement undo the verdicts within a few years. A tribunal is not an outcome; it is a position in a negotiation that continues after the verdict.

Sources

- https://en.wikipedia.org/wiki/Armenian_genocide
- https://www.mfa.gov.tr/viii_-declaration-of-amnesty.en.mfa

Jallianwala Bagh massacre, Amritsar

Accountability: None · Mechanisms: M12 Perpetrator as national victim, M03 Dehumanisation

What happened

Dyer blocked the main exit of an enclosed garden and ordered fire into the densest parts of the crowd without warning. Firing lasted about ten minutes and stopped when ammunition was nearly exhausted. His party fired 1,650 rounds. He later said the aim was to punish Indians for disobedience, and made no effort to help the wounded.

Date: 13 April 1919, during the Baisakhi festival

Location: Amritsar, Punjab, British India

Perpetrator: Approximately 50 troops under Brigadier General Reginald Dyer, armed with Lee-Enfield rifles

Victims: Unarmed crowd in an enclosed garden with restricted exits

Death toll

Range: 379 to approximately 1,000

Figures

- **379** — *Source:* Hunter Commission official figure, with roughly 1,500 total casualties; the Sewa Samiti society independently gave 379 dead and 192 seriously wounded
- **about 1,000 killed, more than 1,500 casualties** — *Source:* Indian National Congress inquiry
- **about 700** — *Source:* Historian Vishwa Nath Datta
- **1000** — *Source:* Madan Mohan Malaviya
- **nearly 400** — *Source:* Winston Churchill, 1920
- **200 to 300** — *Source:* Dyer's own report
- **about 200** — *Source:* Initial Government of Punjab figure

Confidence: disputed_political

The celebration

Description: The Morning Post ran a public subscription for Dyer.

Amount: more than £26,000 (Kim Wagner); a figure of £26,317 appears in later press and is unverified

House of lords: On 20 July 1920 the House of Lords adopted Viscount Finlay's motion, 129 to 86: 'That this House deplores the conduct of the case of General Dyer as unjust to that officer, and as establishing a precedent dangerous to the preservation of order in face of rebellion.' The motion criticised the government's treatment of Dyer; it did not find the firing lawful, and speakers including Lords Buckmaster and Lamington said adoption did not approve the shooting.

House of commons: On 8 July 1920 the Commons rejected two proposed £100 reductions in the India Office vote: 247 to 37, and 230 to 129. The latter was Sir Edward Carson's amendment, the vehicle used by Dyer's defenders to censure the government's treatment of him; its formal text did not approve the firing.

Confidence: well_sourced

Sources

- HL Deb 20 July 1920 vol 41 (Hansard)
- Indian Annual Register (1921)
- https://en.wikipedia.org/wiki/Reginald_Dyer

Fact check priority

resolved: Lords vote restored from Hansard; Commons 230-129 division from Wikipedia should be checked against Hansard

Legal outcome

The Hunter Commission found that failing to order the crowd to disperse was an error, that the length of the firing showed a grave error, that his stated aim of producing a moral effect was to be condemned, that he had overstepped his authority, and that there had been no conspiracy to overthrow British rule in Punjab. Indian minority members called his actions inhuman and un-British. The commission imposed no penal or disciplinary action, on the basis that his superiors had condoned his conduct; political considerations ruled out military or legal prosecution. He was relieved of command on 23 March 1920, his CBE recommendation was cancelled on 29 March 1920, he was passed over for promotion and barred from employment in India. He died in 1927. No

prosecution.

Why it matters

Template for mechanism M12, fifty years before Calley. The perpetrator becomes a symbol around which the metropolitan public organises its own sense of grievance. Useful for a British audience because it cannot be deflected as foreign criticism.

Sources

- https://en.wikipedia.org/wiki/Jallianwala_Bagh_massacre
- https://www.business-standard.com/article/pti-stories/jallianwala-bagh-massacre-when-a-british-newspaper-collected-26-000-pounds-for-gen-dyer-119041300608_1.html

Holodomor

Accountability: None · Mechanisms: M04 Legal and administrative recategorisation, M02 Routinisation, M01 Authorisation, M10 Cover-up as structural reflex, M15 Instrumental atrocity (proposed)

Date: spring 1932, and February to July 1933, with most deaths in spring 1933; part of the wider Soviet famine of 1930 to 1933

Location: Soviet Ukraine

Perpetrator: Soviet state; Stalin pressed for absolute compliance with Ukrainian grain quotas in a September 1932 letter to Kaganovich

Victims: Ukrainian peasantry

Death toll

Current scholarship: 3.5 to 5 million

Figures

- **7 to 10 million** — *Source:* 2003 joint United Nations statement signed by 25 countries
- **3 to 3.5 million Ukrainian losses** — *Source:* Stanislav Kulchytsky, 2002
- **2.5 million** — *Source:* Kubiyovych, pre-archive
- **5 million** — *Source:* Robert Conquest, pre-archive
- **near 10 million** — *Source:* Cited by Ukrainian politicians including President Yushchenko, and by Stephen Harper; criticised as exaggerated by Stephen Wheatcroft and Timothy Snyder
- **3.9 million excess deaths plus 0.6 million lost births (4.5 million demographic loss), 1932-34** — *Source:* Rudnytskyi et al., 'Demography of a man-made human catastrophe' (2015); *Measure:* excess deaths and lost births are separate

Confidence: contested

Note: The 2003 joint statement's 7-10 million is a diplomatic figure, listed with politically used figures (Yushchenko, Harper), not with demographic estimates.

The quota

Ukraine faced unreasonably high grain quotas from 1930; Kharkiv and Kyiv oblasts had their 1931 quotas roughly doubled. Procurement fell from 7.2 million tonnes on the 1931 harvest to 4.3 million on the 1932 harvest. Grain exports continued at a reduced rate and about 1.1 million tonnes were held in reserve by July 1933.

The blacklist

A November 1932 decree formalised blacklisting. Blacklisted areas lost loans, had stores closed, and had food and livestock confiscated, and were cordoned off by the OGPU. Punishment reached all residents, not only the targeted farms. Ukraine had 37 blacklisted raions and at least 400 collective farms. Death rates in some Kharkiv

areas exceeded 40 per cent.

The law of spikelets

The law on the protection of socialist property, enacted 7 August 1932, was nicknamed the Law of Spikelets because it allowed prosecution for gleaning. More than 200,000 people were sentenced under it.

The sealed border

Internal passports were introduced on 27 December 1932 and a secret decree of January 1933 restricted peasant travel. In March 1933, 219,460 people were intercepted or arrested at checkpoints. Michael Ellman estimated about 150,000 excess deaths from this policy.

Denial

The USSR long denied the famine. The NKVD and later the KGB controlled the archives and released records slowly. Officials hosted Western visitors at showcase villages and the state refused foreign aid.

Genocide dispute

Recognition: Since 2006, Ukraine, 33 other United Nations member states, the European Parliament, and 35 of 50 United States states have recognised it as genocide. The 2008 Russian State Duma condemned the Soviet regime but did not adopt the label.

Scholarly dispute: Critics note the absence of documents explicitly ordering starvation. Andrea Graziosi takes a middle position: collectivisation caused the famine, but starvation was later weaponised against Ukrainians. Naumenko, Markevich and Qian (2021) attribute most Ukrainian deaths to systematic anti-Ukrainian bias; Mark Tauger contests this, pointing to environmental disasters and procurement data.

Confidence: disputed_political

Why it matters

Administrative instruments carrying a political decision: a procurement target, a blacklist for failing it, a criminal offence created out of gleaning, and a sealed border preventing escape, maintained while mass starvation was known. No single document orders starvation in those words; whether that matters for the genocide classification is exactly what the dispute is about.

Sources

- https://en.wikipedia.org/wiki/Holodomor
- https://doi.org/10.25336/P6FC7G

Intelligenzaktion and Aktion AB (German operations against the Polish intelligentsia)

Accountability: Senior convictions · Mechanisms: M14 Eliticide, M01 Authorisation, M04 Legal and administrative recategorisation, M15 Instrumental atrocity (proposed)

Date: Intelligenzaktion from 1939; Aktion AB announced 2 March 1940, arrests from late March and April 1940, declared finished 23 July 1940, executions continuing into 1941

Location: German-annexed western and central Poland, then the General Government

Perpetrator: Sicherheitsdienst and Sicherheitspolizei. Hans Frank announced the operation and said Hitler had ordered it personally. Frank, Friedrich-Wilhelm Krüger and Bruno Streckenbach bear most of the responsibility; district governors including Fischer, Wächter, Zörner and Lasch helped plan it; Globocnik and Katzmann were involved; Meisinger and Hahn among those who carried it out.

Victims: Polish political leaders, academics, clergy, officers, teachers, lawyers, engineers, athletes and other professionals

Death toll

Intelligenzaktion: Wardzyńska (Był rok 1939, IPN 2009, p. 74): over 50,000 people killed directly, and roughly as many deported to concentration camps, of whom few survived; at least 100,000 victims in all. Direct executions and deaths after deportation are separate pathways and must be stored separately.

Aktion ab: over 30,000 arrested and approximately 7,000 killed. Streckenbach's figure of 6,500 — about 3,500 intelligentsia and 3,000 criminals — is widely used by Polish scholars but was never verified. The exact count is unknown.

Confidence: well_sourced

Palmiry

The Kampinos Forest site near Palmiry, in use for executions since December 1939, became the site of hundreds of shootings of Aktion AB detainees from mid-June 1940. Victims of the 20-21 June 1940 executions included Maciej Rataj, Mieczysław Niedziałkowski and Janusz Kusociński. Stefan Kopeć, arrested in February 1941, was shot at Palmiry on 11 March 1941 in a reprisal after the killing of Igo Sym; he belongs to the wider Palmiry history, not to Aktion AB (Palmiry Museum register).

The convergence

Finding: Aktion AB arrests began in late March and April 1940. The NKVD shot the Polish prisoners at Katyn and the other sites in April and May 1940. Two occupying powers were removing the same nation's educated class in the same two months.

Coordination: Some historians have argued the two were coordinated, possibly at a Gestapo-NKVD conference near Zakopane. The claim is disputed and no records show the two sides shared such plans; the Germans likely did not learn of Katyn until 1943.

Why the absence matters: If the two operations were not coordinated, eliticide is something occupation can converge on independently rather than a shared plan. But absence of coordination documents does not prove independence; the claim is an inference, and the stronger statement is that no evidence of coordination has been found.

Confidence: well_sourced

Why it matters

The paired case that establishes mechanism M14. Also the strongest available answer to the claim that Katyn was simply a battlefield atrocity.

Sources

- https://en.wikipedia.org/wiki/German_AB-Aktion_in_Poland
- https://en.wikipedia.org/wiki/Intelligenzaktion
- https://przystanekhistoria.pl/download/166/72652/BYLROK1939.pdf
- https://pw.edu.pl/przeszlosc/stefan-bryla

Katyn massacre

Accountability: Discontinued · Mechanisms: M01 Authorisation, M02 Routinisation, M04 Legal and administrative recategorisation, M14 Eliticide, M10 Cover-up as structural reflex, M15 Instrumental atrocity (proposed)

What happened

Prisoners were handcuffed, led to soundproofed cells, made to kneel and shot in the back of the head or neck, with bodies loaded onto waiting trucks. Executions began after 3 April 1940. At Kalinin, Vasily Blokhin led the NKVD execution team that killed the Ostashkov group (6,311 recorded); a personal tally (often given as about 7,000) needs the exact Tokarev testimony or an archival study separating his own shootings from the team's. A planned liquidation of a social and national stratum, conducted to a quota and a schedule, authorised at the highest political level.

Date: April to May 1940

Location: Katyn Forest and other sites, Soviet Union

Perpetrator: NKVD, on a Politburo order of 5 March 1940 signed by Stalin, Molotov, Kaganovich, Voroshilov, Mikoyan and Kalinin

Victims: Polish prisoners of war held in three NKVD camps, and other Polish prisoners held in Soviet-controlled prisons in occupied western Ukraine and Belarus; including officers, police, landowners, professionals and intelligentsia.

Death toll

Ordered: 25,700, per the Politburo order

Recorded executed: 21,857, recorded in KGB chairman Alexander Shelepin's 1959 memorandum, made public with the secret Katyn documents on 14 October 1992. The USSR acknowledged NKVD responsibility on 13 April 1990.

Breakdown: 14,552 prisoners of war (4,421 from Kozelsk, 3,820 from Starobelsk, 6,311 from Ostashkov) and 7,305 prisoners from western Belarusian and Ukrainian prisons. Mainly officers, police and intelligentsia; about 8 per cent were Polish Jews.

Confidence: established

Note: The order and the recorded total differ. Cite both figures, not a round 22,000.

Cover up

The USSR blamed Nazi Germany, claiming the Poles were captured and killed in 1941 west of Smolensk; the 1944 Burdenko Commission upheld that account. On 13 April 1990 the USSR expressed profound regret and admitted NKVD responsibility. In November 2010 the Russian State Duma condemned Stalin for ordering the massacre, without a formal state apology.

Confidence

established

Eliticide framing

Argument: The Politburo order of 5 March 1940 targeted a social and national stratum, not a battlefield enemy: officers, police, landowners, professionals and intelligentsia. The objective was the removal of Poland's capacity to reconstitute itself as a state.

Legal position: The Russian investigation was discontinued in 2004 with its decision classified; the public record does not show a reasoned finding on genocide. Polish institutions have pursued the massacre as a crime against humanity with genocidal character. The classification remains contested.

Confidence: well_sourced

Refusal note

No refusal by an NKVD executioner is documented in the sources used here. Archive silence is not proof that no one refused.

Legal outcome

Proceedings against Pyotr Soprunenko began in 1991 and were dropped on grounds of age and ill health; he died in 1992. The Russian Chief Military Prosecutor's investigation was discontinued in September 2004 (decision classified) and the closure was announced in March 2005. Reported statements confirmed 1,803 deaths of 14,542 POWs, did not address roughly 7,000 prison victims, and classified 116 of 183 volumes. The death of suspects ends their prosecution; it does not decide the legal character of the crime. The classified decision's reasoning on genocide is not available. Reported detail (to verify against Janowiec and Others v. Russia [GC], 2013): the discontinuance of Criminal Case No. 159 on 21 September 2004 invoked the death of

the suspects (Code of Criminal Procedure art. 24(1)(4)); in March 2005 Chief Military Prosecutor Alexander Savenkov described the acts of specific officials as abuse of authority under art. 193-17(b) of the 1926 RSFSR Criminal Code, not genocide.

Why it matters

The control case for psychology. No rage, no combat stress, no fog, no dehumanising battlefield encounter. Atrocity does not require the emotional mechanisms when the political decision exists. Any theory explaining atrocity solely through combat psychology fails here. The investigation's discontinuance in 2004, with its reasoning classified, is a clean example of accountability ended by procedure.

Sources

- https://en.wikipedia.org/wiki/Katyn_massacre
- https://hudoc.echr.coe.int/eng?i=001-127684

Oradour-sur-Glane massacre

Accountability: Lower rank only · Mechanisms: M07 Prior loss and displaced revenge, M01 Authorisation, M06 Conformity and the cost of visible refusal

What happened

The SS locked the women and children in the church and set it alight with an incendiary device, meeting those who tried to escape through doors and windows with machine-gun fire. Marguerite Rouffanche escaped through a sacristy window; the young woman and child who followed her were shot.

Date: 10 June 1944

Location: Oradour-sur-Glane, France

Perpetrator: A Waffen-SS company of the 1st Battalion, 4th SS Panzergrenadier Regiment "Der Fuhrer", 2nd SS Panzer Division Das Reich. Adolf Diekmann commanded the battalion, Sylvester Stadler the regiment, Heinz Lammerding the division.

Victims: French civilians; women and children locked in the village church

Death toll

Total: 643

Older total: 642

Note: The memorial register rose from 642 to 643 in 2019 with the addition of Ramona Dominguez Gil; the French Ministry of the Armed Forces now gives 643.

Breakdown: 190 men, 247 women, 205 children (older 642 register; must be re-derived for 643), including Spanish, Italian and Polish citizens

Survivors: Six survived (five men, one woman). A seventh survivor was found later and shot.

Confidence: well_sourced

Aftermath

Charles de Gaulle decided the village would not be rebuilt and would stand as a memorial; a new village was built nearby. At the Bordeaux military tribunal, 21 defendants were tried (14 of them Alsatians, most forcibly conscripted) and 20 were convicted; the judgments are dated 13 February 1953 (French ministerial reply; USHMM). Death sentences were passed but none was carried out. Many more were tried in absentia. Roughly 65 of about 200 SS men involved survived the war; East and West Germany would not extradite them. An amnesty for the Alsatian conscripts (malgré-nous) followed within days: Law 53-112 of 20 February 1953, published in the Journal officiel on 21 February (the date of parliamentary adoption is given as 19 February in some accounts and should be checked). The Alsatians were freed shortly afterwards (21 February in secondary French accounts), provoking strong protest in the Limousin. The remaining German defendants were released

by 1958.

Confidence

well_sourced

Later prosecutions

Heinz Barth convicted in Berlin in 1983 and sentenced to life; released 1997, died 2007. Werner Christukat charged in 2014; the Cologne court dropped the case in December 2014 for insufficient evidence; he died in 2020. Heinz Lammerding, the division commander, was never extradited from West Germany and died in 1971. Adolf Diekmann was killed in Normandy on 29 June 1944 and charges against him were dropped.

Why it matters

Two uses: a physical memorial deliberately left in ruins rather than rebuilt, and accountability traded away for national reconciliation.

Sources

- https://en.wikipedia.org/wiki/Oradour-sur-Glane_massacre
- https://www.legifrance.gouv.fr/jorf/jo/id/JORFCONT000000014909
- https://questions.assemblee-nationale.fr/dyn/16/questions/QANR5L16QE16650.pdf
- https://www.oradour.info/images/memorial/memorl10.htm

Deir Yassin massacre

Accountability: None · Mechanisms: M03 Dehumanisation

Date: 9 April 1948

Location: Deir Yassin, near Jerusalem, Mandatory Palestine

Perpetrator: Irgun and Lehi, with support from Haganah and Palmach; approximately 120 to 130 militiamen. Four to five attackers were killed.

Victims: Palestinian villagers

Death toll

Current scholarship: approximately 110

Figures

- **107** — *Source:* Sharif Kan'ana, Birzeit University, 1988 study based on survivor interviews; 11 of them armed
- **101** — *Source:* Eliezer Tauber
- **100 to 110** — *Source:* Benny Morris
- **110 to 140** — *Source:* Matthew Hogan
- **117** — *Source:* Aref al-Aref, 1956
- **93** — *Source:* Ilan Pappe, massacred, with others killed in the fighting
- **254** — *Source:* Figure given to reporters by Irgun commander Raanan on 10 April 1948; repeated for decades; untrue

Confidence: well_sourced

Confidence

contested

Fact check priority

resolved; note that the characterisation of the event is itself actively contested in the literature

The inflated toll

Finding: The widely repeated figure of 254 originated with the perpetrators. Pappe argues it was inflated deliberately to spread fear. Menachem Begin later credited the "legend" of Deir Yassin with helping Israeli military victories.

Significance: A perpetrator amplifying its own death toll because terror served its objective: the atrocity and its publicity worked as one weapon. Comparison with the live-broadcast instruction attributed to the Qassam Brigades on 6 October 2023 depends on a document not independently authenticated and is an analogy only.

Confidence: well_sourced

Effect on the exodus

Benny Morris judged news of the killings one of the most lasting causes of the Palestinian flight. Irgun radio announced on 14 April that nearby villages were being evacuated. Arab radio broadcasts also spread accounts of women being killed and raped; some villagers later said those accounts were exaggerated and had themselves contributed to the panic.

Contested characterisation

Eliezer Tauber's 2021 book 'The Massacre That Never Was' argues the events were a battle rather than a massacre. In 1969 Israel's Foreign Ministry published a pamphlet denying a massacre, which it later agreed to stop distributing. Israeli military archives on the massacre remain classified.

Legal outcome

No prosecution recorded. In 1952 four wounded fighters were denied veterans' benefits, a decision reversed on appeal. The Haganah publicly blamed the Irgun and Lehi.

Why it matters

Significant less for scale than for effect: news of the killings contributed to fear and flight elsewhere. Claims that leaders deliberately used the event, or inflated its toll, to drive displacement must be tied to named, dated statements (the Irgun's 254 figure; Begin's later remarks) and assessed separately from the fact of displacement.

Sources

- https://en.wikipedia.org/wiki/Deir_Yassin_massacre

No Gun Ri massacre

Accountability: None · Mechanisms: M10 Cover-up as structural reflex, M03 Dehumanisation

Date: 26 to 29 July 1950

Location: No Gun Ri, South Korea

Perpetrator: United States 2nd Battalion, 7th Cavalry Regiment, 1st Cavalry Division

Victims: South Korean refugees sheltering under a railway bridge

Death toll

Range: figures differ by scope and method: 150 certified dead (2005 committee) to about 400 (survivors)

Figures

- **150 dead, 13 missing, 55 wounded (218 casualties)** — *Source:* South Korean government committee, 2005, which said many other victims went unreported
- **250 to 300** — *Source:* No Gun Ri Peace Foundation, 2011
- **about 400** — *Source:* Survivors; also the figure reported by North Korean journalists in 1950
- **dozens to 300** — *Source:* 7th Cavalry veterans interviewed by the Pentagon in 2000
- **an unknown number** — *Source:* United States Army, 2001, which questioned the early South Korean figure of 248

Confidence: contested

Confidence

well_sourced

Exposure

The Associated Press published on 29 September 1999, drawing on 24 survivors and a dozen 7th Cavalry veterans, and on declassified United States records containing wartime orders to fire on approaching refugees. Sang-hun Choe, Charles J. Hanley, Martha Mendoza and Randy Herschaft won the 2000 Pulitzer Prize for Investigative Reporting. The Pulitzer committee reaffirmed the award after critics challenged parts of the reporting.

The army review

Date: January 2001

Finding: Acknowledged the killings but concluded no orders to fire on civilians were issued, calling the deaths "an unfortunate tragedy inherent to war and not a deliberate killing". President Clinton expressed regret and said the next day that things happened which were wrong.

The omission: The Pentagon later acknowledged it had deliberately left out a 1950 letter from the United States ambassador describing a policy of firing on refugee groups. Survivors' representatives called the report a whitewash.

Significance: A cover-up operating inside the inquiry that was supposed to remedy the cover-up. Compare Widgery (1972) and the Russian Katyn closure (2005).

Confidence: well_sourced

Korean findings

South Korean investigators found no document ordering fire at No Gun Ri specifically, but concluded the 7th Cavalry was likely to have used all means to stop the refugees, and noted that 17 veterans believed orders to shoot had been given. The 2005 committee stated that the United States should take responsibility.

Redress

No apology or individual compensation. The United States offered a $4 million memorial and scholarship fund, rejected by survivors because the memorial would cover all wartime civilian dead rather than the No Gun Ri victims. South Korea passed a special act in 2004 and opened a government-funded memorial park in 2011. Requests for a reopened United States investigation have gone unanswered.

Legal outcome

Denied for roughly fifty years. Exposed by an Associated Press investigation published in 1999, which won a Pulitzer Prize. A United States Army review acknowledged the killings but characterised them as not deliberate.

Why it matters

Fifty-year denial by a democratic state with a free press. The question is not why authoritarian states conceal atrocities but why open ones succeed at it for so long.

Sources

- https://en.wikipedia.org/wiki/No_Gun_Ri_massacre

My Lai massacre

Accountability: Lower rank only · Mechanisms: M01 Authorisation, M02 Routinisation, M03 Dehumanisation, M05 Metric capture, M06 Conformity and the cost of visible refusal, M07 Prior loss and displaced revenge, M08 Ambiguous orders with built-in deniability, M09 Documentation paradox, M10 Cover-up as structural reflex, M11 Downward accountability, M12 Perpetrator as national victim, M13 The refuser

Seymour Hersh: the record and the rule

Verified scoops

- My Lai: broke the story through Dispatch News Service, 13 November 1969 (Pulitzer Prize, 1970).
- Abu Ghraib: New Yorker articles from 30 April 2004, two days after CBS aired the photographs, which put the Taguba report and the chain of command on the record.

Contested later work

- Nord Stream ('How America Took Out the Nord Stream Pipeline', Substack, 8 February 2023): a US Navy operation, on one unnamed source. The US denied it. No investigation has supported it. Germany's federal prosecutor instead indicted a Ukrainian, Serhii Kuznetsov, as coordinator of a team that used the yacht Andromeda; Italy extradited him to Germany on 27 November 2025. He denies involvement.
- Other single-source accounts disputed by most other reporting: the bin Laden raid (2015) and attribution of the 2013 Ghouta sarin attack.

The rule. A reporter's past record does not verify the next story. Hersh's scoops held because documents, photographs and named witnesses followed. The same standard applies to every source in this dataset, from ZAKA to the IDF spokesperson to the Gaza Civil Defence.

Linked. Video supplied by the author (https://www.youtube.com/watch?v=d4BuMaGlKp0); not reviewed here.

Sources

- https://aljazeera.com/news/2025/11/20/italy-to-extradite-ukrainian-nord-stream-sabotage-suspect-to-germany
- https://babel.ua/en/news/123188-italian-court-extradites-serhiy-kuznetsov-to-germany-where-the-ukrainian-is-accused-of-the-nord-stream-blowing-up-babel-sources

Status: My Lai and Abu Ghraib verified in this dataset; Nord Stream status as of November 2025



Seymour Hersh: 'Yet another bombshell report. Literally.'.

Satire: the author's artwork (Battalion of Militarized Satire). Commentary, not evidence; the factual record is in the fields beside it.

Date: 16 March 1968

Location: Sơn Mỹ village, Quảng Ngãi province, South Vietnam

Perpetrator: C Company, 1st Battalion, 20th Infantry Regiment, 11th Brigade, 23rd (Americal) Division, under Task Force Barker. Also B Company, 4th Battalion, 3rd Infantry Regiment at Mỹ Khê.

Victims: Unarmed civilians, almost all women, children and elderly men

Death toll

Range: figures differ by scope: 175-200 (Peers, 1st Battalion area) and 347 (US Army, excluding My Khe) to 504 (Vietnamese memorial list) and 567 (Kamm, survivor interviews)

Figures

- **504** — *Source:* Vietnamese government; names listed on the Sơn Mỹ Memorial, including 17 pregnant women and 210 children under 13
- **347** — *Source:* United States Army, not including the Mỹ Khê killings
- **175 to 200** — *Source:* Peers Commission finding for the 1st Battalion specifically
- **567** — *Source:* Henry Kamm, New York Times, estimate from survivor interviews

Confidence: contested

Note: The United States Army declined to conduct a definitive body count of noncombatants in Vietnam. The figures measure different scopes; cite each with its source rather than as a single range.

Preconditions

Unit history: Charlie Company arrived in South Vietnam in December 1967. Its first three months passed without direct contact with enemy forces. By mid-March it had suffered 28 casualties from mines or booby traps.

Designation: The area was designated a free-fire zone, permitting artillery and air strikes in populated areas without regard to civilian risk.

Training: Drill instructors referred to Vietnamese people by slurs rather than as Vietnamese. Troops were instructed to distrust all Vietnamese.

Confidence: established

The orders

Brigade: Colonel Oran Henderson urged officers to go in aggressively, close with the enemy and wipe them out for good.

Battalion: Lieutenant Colonel Frank Barker reportedly ordered houses burned, livestock killed, food supplies destroyed and wells poisoned.

Company: Captain Ernest Medina told his men nearly all civilians would have left for market by 07:00 and any remaining would most likely be Viet Cong or sympathisers. Accounts of his answer to the direct question about women and children diverge. A defence witness recalled instructions to destroy everything walking, crawling or growing. The Peers report noted he gave no instructions about segregating and safeguarding non-combatants.

Confidence: established

Analytical note: Witness recollections of Medina's briefing diverge. That divergence is consistent with M08 but does not by itself show deliberate deniability; it may reflect confusion or self-serving memory.

The refusers

- **Hugh Thompson Jr.** — *Role:* Warrant Officer, helicopter pilot; *Act:* Landed between soldiers and civilians, instructed his crew to fire on the American soldiers if they shot the villagers while he evacuated a bunker. Reported it as mass murder on returning to base.; *Cost:* Received a Distinguished Flying Cross with a fabricated citation describing a rescue under intense crossfire; threw the medal away. Medals replaced by the

Soldier's Medal in March 1998 after he insisted the award be public and include his crew.

- **Lawrence Colburn** — *Role:* Crew member; *Act:* Supported Thompson's intervention
- **Glenn Andreotta** — *Role:* Crew member; *Act:* Entered the ditch, recovered a surviving boy and handed him to Colburn; the crew evacuated the child to hospital. Killed in Vietnam on 8 April 1968.
- **Michael Bernhardt** — *Role:* PFC, rifleman; *Act:* Refused to kill civilians; later a prosecution witness; *Cost:* Reportedly threatened by Medina; assigned point duty on patrol
- **James Joseph Dursi** — *Role:* PFC; *Act:* Refused Calley's direct order to fire
- **Robert E. Maples** — *Role:* SP4, machine gunner; *Act:* Refused an order to fire into the ditch; states his commanding officer threatened to shoot him
- **Harry Stanley** — *Role:* PV2, grenadier; *Act:* Refused Calley's order to kill civilians in a crater
- **Herbert L. Carter** — *Role:* PFC; *Act:* Shot himself in the foot. The company's only casualty that day.; *Note:* Accounts differ as to whether this was deliberate avoidance or an accident during reloading.

Accountability

Charged: 26

Convicted: 1

Calley

Name: William Calley Jr., Second Lieutenant, 1st Platoon leader

Conduct: Ordered and participated in the killing of 70 to 80 villagers in an irrigation ditch. Testimony from Paul Meadlo that women said 'no VC' and tried to shield their children; from Dennis Konti that Calley shot children who stood up from under their mothers' bodies. When a helicopter pilot asked about medical evacuation, Calley stated a hand grenade was the only means available. When Sergeant Esequiel Torres stopped firing the machine gun and refused to continue, Calley took it over.

Defence: Following Medina's orders

Conviction: 29 March 1971, premeditated murder of not fewer than 20 people

Sentence: Life imprisonment

Actual: Released to house arrest at Fort Benning on Nixon's order two days after conviction. Sentence reduced to 20 years in August 1971, and to 10 years by Secretary of the Army Howard Callaway in April 1974 (Callaway said Calley honestly believed he was following orders). Released on habeas corpus proceedings in September 1974; paroled in November 1974. In total about three and a half years in custody, mostly house arrest, including a period at Fort Leavenworth.

Appeals: Conviction upheld 1973 (Army Court of Military Review) and 1974 (Court of Military Appeals). A federal district court granted habeas relief in 1974; the Fifth Circuit reversed in 1975, reinstating the court-martial judgment.

Apology: 19 August 2009, to the Kiwanis club of Greater Columbus, Georgia. His only public apology. Trần Văn Đức, seven years old at the massacre, called it terse.

Died: 28 April 2024

Medina

Name: Ernest Medina, Captain, commanding Charlie Company

Charges: Murder; failure to report a felony

Outcome: Acquitted on all charges. The judge wished him a happy birthday after the verdict.

Subsequent admission: Several months after acquittal, admitted suppressing evidence and lying to Henderson about the number of civilian deaths. No further proceedings.

Statement: Said he had regrets but no guilt, because he did not cause it, and that this is not what the United States Army is trained for.

Died: 8 May 2018

Command: Major General Samuel Koster, division commander, charged and charges dropped; demoted to brigadier general and stripped of a Distinguished Service Medal; lost the superintendency of West Point. Brigadier General George Young received a letter of censure. Colonel Oran Henderson was the only senior officer tried for the cover-up and was acquitted on 17 December 1971. Lieutenant Colonel Frank Barker died in a mid-air collision on 13 June 1968 before investigation began.

Rape: The Peers Commission concluded at least 20 women and girls were raped, aged between 10 and 45, nine of them under 18, including gang rape and sexual torture. No serviceman was charged with rape.

Confidence: established

The medina standard

Definition: At Medina's 1971 court-martial the military judge instructed that criminal command responsibility required actual knowledge (knowing participation or knowing failure to intervene). Medina was acquitted.

Status: A trial-level instruction, not the binding US rule. FM 27-10, which the prosecution briefed, and the current Army Operational Law Handbook use formulations including 'knew or should have known'.

Contrast: Rome Statute art. 28: 'knew or, owing to the circumstances at the time, should have known'. In re Yamashita (1946) is the usual comparison.

Commentary: Commentators (e.g. Smidt, Military Law Review, 2000) contrast the Medina instruction with Yamashita and the international test. Telford Taylor argued Nuremberg principles could have reached senior American commanders; quote his text, not a paraphrase.

Confidence: contested

Fact check note: Read the full Medina instructions and any relevant appellate or statutory authority.

The cover up

Initial report: Barker's combat action report of 28 March 1968 recorded the operation as a success with 128 Viet Cong killed. Stars and Stripes published a laudatory account. General Westmoreland congratulated the unit for outstanding action.

Commendation: Henderson issued Medina a Letter of Commendation on 27 March 1968, after Thompson's report.

First investigation: Henderson's report of late April 1968 claimed approximately 20 civilians inadvertently killed, mainly by long-range artillery.

Powell: Major Colin Powell, assistant chief of staff for operations in the Americal Division, investigated a letter from soldier Tom Glen alleging routine brutality (the letter did not specifically name My Lai) and reported that relations between Americal Division soldiers and the Vietnamese people were excellent. Characterised by some observers as whitewashing.

Exposure: Ronald Ridenhour, who was not present, compiled accounts from participants and wrote to 30 members of Congress in March 1969. Most ignored it; Mo Udall, Barry Goldwater and Edward Brooke did not. Seymour Hersh broke the story through Dispatch News Service on 13 November 1969 after Life and Look declined it; 30 of 50 newspapers ran it. Ronald Haeberle's colour photographs were published in The Plain Dealer on 20 November 1969.

Haeberle note: Haeberle testified that he destroyed most colour slides showing identifiable soldiers in the act of killing, on the stated basis that singling them out would be unfair. He had previously been reprimanded for taking photographs detrimental to the Army.

White house response: A My Lai Task Force was established to control the problem, maintain a unified line and engage in dirty tricks including discrediting witnesses and questioning Hersh's motives. Kissinger pressed for a game plan and a press policy.

Confidence: established

Public reaction

Telegrams: Approximately 5,000 telegrams to the White House supporting Calley

Graffiti: American soldiers in Saigon vandalised buildings with messages supporting Calley in racist terms

Music: Over 100 songs about the massacre and Calley identified by the Vietnam War Song Project. During 1969 to 1973, pro-Calley songs outnumbered anti-Calley songs approximately two to one. 'The Battle Hymn of Lt. Calley' by Terry Nelson reached number 37 on the Billboard Hot 100 on 1 May 1971 and sold over a million copies. All post-war songs were critical.

Nixon: Responded to press coverage with an antisemitic remark about New York.

Confidence: established

Not isolated

Claim: Nick Turse, citing Ronald Ridenhour, describes My Lai as an operation, not an aberration.

Evidence: The Vietnam War Crimes Working Group, a Pentagon task force, compiled roughly 9,000 pages documenting 320 substantiated incidents from 1967 to 1971, including seven massacres with at least 137 civilian deaths, 78 further attacks on noncombatants, and 141 incidents of torture of detainees. 203 personnel charged, 57 court-martialled, 23 convicted. Over 500 further alleged atrocities could not be verified.

Operation speedy express: Nick Turse cites the 9th Division under General Julian Ewell in the Mekong Delta, December 1968 to May 1969, reporting 10,899 enemy killed. A 1972 Inspector General report concluded civilian casualties may have amounted to between 5,000 and 7,000. A sergeant wrote to Westmoreland describing killings on the scale of a My Lai each month for over a year.

Confidence: well_sourced

Sources

- https://en.wikipedia.org/wiki/My_Lai_massacre
- https://armyhistory.org/my-lai/
- https://www.newyorker.com/magazine/1972/01/22/coverup
- https://apjjf.org/wp-content/uploads/2023/11/article-2346.pdf

Bloody Sunday

Accountability: Lower rank only · Mechanisms: M10 Cover-up as structural reflex

Language: 'bordered on the reckless'

'At one end of the scale some soldiers showed a high degree of responsibility; at the other, notably in Glenfada Park, firing bordered on the reckless. These distinctions reflect differences in the character and temperament of the soldiers concerned.'

Quote source: Widgery Report (HL 101, HC 220, April 1972), Summary of Conclusions, para 8

Related quotes

- Widgery, para 11: 'There was no general breakdown in discipline.'

- Widgery, para 10: 'None of the deceased or wounded is proved to have been shot whilst handling a firearm or bomb', followed by 'a strong suspicion that some others had been firing weapons or handling bombs'.
- Saville (2010): none of those killed was posing a threat of causing death or serious injury.
- Judge Patrick Lynch (23 October 2025), on the same place, Glenfada Park North: the soldiers had 'totally lost all sense of military discipline'.

Commentary. Author's reading. 'Reckless' is a legal standard for culpability. 'Bordered on' places the firing at the edge of that standard and keeps it on the lawful side. The phrase names the worst conduct without finding fault. The next sentence moves the cause from the operation to individual 'temperament', and para 10 places suspicion on the dead. The template for an inquiry that needs to say something without finding anything: describe the line, then place the conduct next to it.

Status: quotes verified against the CAIN text of the report; commentary is interpretation

Url: https://cain.ulster.ac.uk/hmso/widgery.htm

Date: 30 January 1972

Location: Bogside, Derry, Northern Ireland

Perpetrator: 1st Battalion, Parachute Regiment, British Army

Victims: Unarmed civil rights marchers

Death toll

Range: 13 killed on the day; 26 shot; a fourteenth died later

Confidence: established

The two inquiries

Widgery

Date: April 1972

Finding: Largely exonerated the soldiers. Characterised the firing of some soldiers as bordering on the reckless.

Assessment: Widely regarded as a whitewash. The phrase 'bordering on' preserved the possibility that the shootings were lawful.

Saville

Date: Report published 15 June 2010

Duration: Inquiry established 1998 (26 years after the event); report published 15 June 2010 (38 years after)

Finding: The killings were unjustified. None of those killed was posing a threat of causing death or serious injury.

Political response: Prime Minister David Cameron apologised in the House of Commons, stating there was nothing equivocal and no ambiguity.

Confidence: established

Terminology note

Phrase: unjustified and unjustifiable

Attribution: The paired phrase is David Cameron's, House of Commons, 15 June 2010. Do not attribute the pair to the Saville report; a Guardian preview of the Soldier F trial (24 Sep 2025) did so.

Interpretation: Author's reading, not a legal finding: 'unjustified' is about the facts on the day; 'unjustifiable' suggests no account of the facts could have justified it.

Confidence: well_sourced

Prosecutions

Status: RESOLVED. Soldier F was acquitted at Belfast Crown Court on 23 October 2025.

Detail: Soldier F, a former British paratrooper under a court anonymity order, faced two counts of murder (James Wray and William McKinney) and five counts of attempted murder. He did not give evidence at the one-month, non-jury trial, having told investigators he no longer had a reliable recollection. Judge Patrick Lynch returned a verdict of not guilty.

The judges reasoning: Judge Patrick Lynch (Belfast Crown Court, non-jury, 23 October 2025) found that paratroopers in Glenfada Park North had 'totally lost all sense of military discipline' and shot unarmed civilians, and that 'those responsible should hang their heads in shame', but that the evidence against F fell short. The prosecution's direct evidence was statements by Soldiers G and H, which he treated as unreliable hearsay that delay made impossible to test.

Others: Prosecutors ruled there was insufficient evidence to charge 16 other former soldiers. Soldier F was the only one prosecuted.

Significance: Soldier F was tried about 53 years after the shootings. The judge attributed the evidential damage to delay and unreliable statements; he did not attribute it to the Widgery inquiry. The chain Widgery whitewash -> decades of delay -> untestable evidence -> acquittal is this dataset's argument, to be presented as such.

Confidence: established

Why it matters

An inquiry that functioned as part of the cover-up, a second inquiry establishing the truth 38 years later, and a prosecution that failed in part because delayed, untestable evidence could not meet the criminal standard. The arc of M10 in a democracy with a free press and an independent judiciary.

Sources

- https://www.aljazeera.com/news/2025/10/23/court-finds-former-british-soldier-not-guilty-in-bloody-sunday-murder-trial
- https://en.wikipedia.org/wiki/Trial_of_Soldier_F
- https://www.ppsni.gov.uk/news/pps-statement-prosecution-soldier-f

Cambodian genocide

Accountability: Senior convictions · Mechanisms: M14 Eliticide, M04 Legal and administrative recategorisation, M02 Routinisation, M05 Metric capture, M09 Documentation paradox

Date: 17 April 1975 to 7 January 1979

Location: Democratic Kampuchea

Perpetrator: Khmer Rouge under Pol Pot

Victims: The Cambodian population, with particular targeting of the educated, professionals, Buddhist monks, and ethnic minorities including Vietnamese and Cham

Death toll

Range: estimates for 1975-79 run from about 1.2 to 2.2 million (figures from different methods; not a statistical interval)

Commonly cited: approximately 2 million, about 25 per cent of the 1975 population of roughly 7.8 million

Figures

- **1.671 to 1.871 million (21 to 24 per cent)** — *Source:* Ben Kiernan
- **slightly fewer than 2 million unnatural deaths; men died at 33.5 per cent and women at 15.7 per cent** — *Source:* Marek Sliwinski
- **1.17 to 3.42 million for 1970 to 1979 (a wider period than the regime), central estimate 2.52 million; revised to 1.2 to 2.8 million in 2015** — *Source:* Patrick Heuveline

- **1.5 to 2 million excess deaths, with executions at 500,000 to 1 million** — *Source:* Academic consensus, 2001
- **3.3 million** — *Source:* People's Republic of Kampuchea government; generally considered an exaggeration

Graves: As of 2009 the Documentation Center of Cambodia had mapped 23,745 mass graves holding about 1.3 million suspected execution victims. Execution accounts for up to 60 per cent of deaths on its data.

Confidence: contested

The eliticide

The regime executed people linked to the former or foreign governments, along with professionals, intellectuals, Buddhist monks and minorities. People merely seen as intellectual — those who wore glasses or spoke several languages — were also killed. Purges reached military and political leaders, business leaders, journalists, students, doctors and lawyers.

S21

About 20,000 people passed through Security Prison 21 at Tuol Sleng. Seven adults survived. Up to 17,000 were executed. The Khmer Rouge kept detailed internal records of their crimes, which the Documentation Center of Cambodia later helped uncover. Kang Kek Iew, known as Duch, admitted his guilt in a 1999 interview.

Resource accounting

Prisoners were often executed at the killing fields with blunt instruments, reportedly to save bullets (survivor and perpetrator testimony). The resemblance to the Force Publique cartridge audit is an analogy; Congo's evidence is documentary, Cambodia's testimonial.

Accountability

Tribunal: Extraordinary Chambers in the Courts of Cambodia, established by a 2003 agreement with the United Nations, formally set up in 2006, trials beginning 2009. Jurisdiction covers 17 April 1975 to 6 January 1979.

Convicted: 3

Detail: Kang Kek Iew (Duch): convicted 26 July 2010 of crimes against humanity and grave breaches; life imprisonment after the Supreme Court Chamber increased the sentence (2012). Nuon Chea and Khieu Samphan: Case 002/01 convicted them in 2014 of crimes against humanity; life sentences affirmed on 23 November 2016 (final). Case 002/02: guilt pronounced 16 November 2018, written judgment 28 March 2019, convicting both of genocide of the Vietnamese and Nuon Chea also of genocide of the Cham. Nuon Chea died on 4 August 2019 before his 002/02 appeal; those proceedings were terminated, so that judgment did not become final for him. The Supreme Court Chamber pronounced its appeal judgment for Khieu Samphan on 22 September 2022 (written judgment 23 December 2022), upholding the genocide conviction and life sentence.

Not convicted: Pol Pot died before trials began. Ieng Sary was tried but died before his verdict. The 1979 People's Revolutionary Tribunal, set up by the Vietnamese-installed government, convicted Pol Pot and Ieng Sary of genocide in absentia; it is widely described as a show trial, and the ECCC treated its proceedings as incapable of valid legal effect.

Confidence: established

Why it matters

Three people received final ECCC convictions (Duch; Nuon Chea in Case 002/01; Khieu Samphan, including genocide) for roughly two million dead, decades late, with the principal perpetrator dead before proceedings began. Nuon Chea's later genocide judgment did not become final because he died on appeal. Other cases here (Holodomor, Congo, Zong, Katyn) have no criminal convictions at all; ratios across cases have no shared denominator and are not compared.

Sources

- https://en.wikipedia.org/wiki/Cambodian_genocide
- https://www.eccc.gov.kh/en/cases/charged-profile/nuon-chea
- https://backend.eccc.gov.kh/uploads/Guide_to_the_ECCC_Volume_2_advance_copy_9404f3c343.pdf

Sabra and Shatila massacre

Accountability: None · Mechanisms: M08 Ambiguous orders with built-in deniability, M12 Perpetrator as national victim

Date: 16 to 18 September 1982

Location: Sabra and Shatila refugee camps, Beirut, Lebanon

Perpetrator: Lebanese Forces (Phalangist militia), approximately 300 to 400 militiamen including some from the South Lebanon Army. Elie Hobeika is widely believed to have commanded the killings.

Victims: Palestinian and Lebanese civilians

Death toll

Range: 460 to 3,500

Figures

- **460** — *Source:* Assad Germanos, Lebanese army chief prosecutor
- **700 to 800** — *Source:* Israeli intelligence
- **1700** — *Source:* Robert Fisk
- **over 2,000** — *Source:* Palestinian Red Crescent
- **at least 1,300 named, up to 3,500 estimated** — *Source:* Bayan Nuwayhed al-Hout
- **3,000 to 3,500** — *Source:* Amnon Kapeliouk, Le Monde Diplomatique

Confidence: contested

The inquiry

Kahan commission

Date: February 1983

Finding: Found only indirect Israeli responsibility overall, but found that Defence Minister Ariel Sharon bore personal responsibility for "ignoring the danger of bloodshed and revenge" and for not taking appropriate measures to prevent bloodshed.

Recommendation: Recommended his dismissal as Defence Minister.

Macbride commission

Date: February 1983

Finding: Held Israeli authorities or forces responsible.

Outcome: Sharon initially refused to resign. After a protester was killed at a Peace Now march he agreed to step down as Defence Minister but remained in Cabinet without portfolio. He later became Prime Minister of Israel.

Confidence: established

Fact check priority

resolved

Israeli role

The IDF surrounded the camps, set up checkpoints and prevented residents from leaving. At the militia's request, Israeli forces fired flares over the camps through the night. The IDF received reports of atrocities and did not stop them.

Un general assembly

On 16 December 1982 the General Assembly condemned the massacre and declared it an act of genocide. The vote on that section was 123 in favour, 0 against, 22 abstentions, 12 not voting. Canada and Singapore questioned the Assembly's competence to make that determination, and the United States called the genocide label a serious misuse of language.

Prosecutions

No criminal conviction. The Lebanese army investigation did not summon Lebanese witnesses and Phalangist fighters were forbidden to testify. A 2001 Belgian case was dismissed in September 2003 because no plaintiff held Belgian nationality when the case began. Hobeika was killed by a car bomb in January 2002, reportedly while poised to testify in the Belgian case.

Why it matters

The strongest available case of a state investigating itself seriously, reaching a genuine adverse finding against a senior figure, and that finding carrying no durable consequence. Essential for any argument about whether domestic accountability mechanisms are sufficient.

Sources

- https://en.wikipedia.org/wiki/Sabra_and_Shatila_massacre

Rwandan genocide

Accountability: Senior convictions · Mechanisms: M01 Authorisation, M03 Dehumanisation, M06 Conformity and the cost of visible refusal, M14 Eliticide

Date: 7 April to 19 July 1994, approximately 100 days

Location: Rwanda

Perpetrator: Interahamwe militia, Rwandan armed forces, and large numbers of civilian participants, coordinated in part through Radio Télévision Libre des Mille Collines

Victims: Tutsi population and moderate Hutu

Death toll

Figures

- **about 560,000-660,000 Tutsi (projection 562,000-662,000)** — *Measure:* Tutsi killed, 1994; *Source:* Verpoorten, 'How Many Died in Rwanda?', Journal of Genocide Research 22:1 (2020)
- **at least 500,000 Tutsi (507,000 as reported)** — *Measure:* Tutsi killed; *Source:* Human Rights Watch (Des Forges, Leave None to Tell the Story, 1999)
- **about 800,000** — *Measure:* commonly used public figure; *Source:* UN and much of the historical literature
- **1,074,017 declared victims, 1 Oct 1990-31 Dec 1994 window (951,018 named); 1,006,354 (93.7%) Tutsi per the 2000 census report** — *Measure:* victims of 'massacres and genocide', government census; *Source:* MINALOC census, Dénombrement des victimes du génocide (2000/2002); IRIN, 19 Dec 2001; Reydams 2020; *Note:* A later CNLG restatement gives about 1,070,014 Tutsi killed 'in 100 days'. Different windows and categories: print the rows, not one integer. Judged too high in the 2020 JGR debate because it inflates the pre-genocide Tutsi population.
- **about 10,000 Twa; 10,000-30,000 Hutu** — *Measure:* non-Tutsi victims; *Source:* Wikipedia compilation of scholarly estimates

Excluded: Verpoorten's separate, highly uncertain estimate of Hutu deaths in later violence belongs to other events and is not part of the genocide toll.

Rapes: Experts estimate 250,000 to 500,000 rapes

Confidence: well_sourced

Correction: Revision 3 stated that 800,000 and 1 million 'are not supported by current scholarship'. That overcorrected: estimates differ by baseline, category and method, and are given here side by side.

Confidence

well_sourced

Fact check priority

resolved: gacaca and ICTR totals. Open: original government death count (1,074,017 vs 1,070,014).

Rtlm

Description: Radio Television Libre des Mille Collines, founded by Hutu Power groups who judged Radio Rwanda too liberal. Aimed at young adults, reaching rural listeners, in talk-show format: only 1.52 per cent of airtime was news while 66.29 per cent was journalists discussing topics. It portrayed Tutsi as a homogeneous threat and called them "inyenzi", cockroaches, non-human pests to be exterminated. Before the genocide it aired 294 accusations of atrocities against Hutu and 252 broadcasts calling on Hutu to kill Tutsi. Nicknamed Radio Machete.

Contested effect: David Yanagizawa-Drott (2014) estimates RTLM accounted for about 51,000 perpetrators, roughly 10 per cent of participation in the violence under the paper's design (including spillovers). It is an estimate of contribution to measured participation, not a share of deaths. Gordon Danning questioned the assumption that availability equals listening.

Caution: The popular account that radio propaganda caused the genocide overstates the measured effect. Cite the 10 per cent figure and its critique.

Confidence: well_sourced

Civilian participation

Most rural killings were carried out by ordinary civilians acting on orders from local leaders. Militias claimed about 50,000 members on the eve of the genocide. Gerard Prunier attributes mass complicity to "democratic majority" ideology, a culture of obedience to authority, and duress: villagers who refused to kill were often branded Tutsi sympathisers and murdered. An alternative account describes a cascade of tipping points driven by local intra-Hutu struggles for dominance.

Refusal caveat

IMPORTANT QUALIFICATION TO MECHANISM M13. In Rwanda, refusal could be fatal: those who refused were branded sympathisers and killed. The named My Lai refusers survived their interventions, although the record describes threats, harassment and punitive assignments. The contrast is survival versus lethal risk, not harm versus no harm. Each person's opportunity, coercion and conduct is assessed separately.

Gacaca

Community courts, 2002-2012. Published closing figures: 1,958,634 cases involving about 1,003,227 individuals (one person can appear in several cases; the total includes 178,741 appeals). By category: about 3.09% category 1 (organisers, sexual violence), 29.49% category 2 (killing and serious violence), 67.42% category 3 (property offences). Any use as evidence of mass participation in killing must state the property share in the same sentence.

Legal outcome

ICTR (UN key figures, March 2021): 93 indicted, 61 sentenced (62 in some third-party sources; includes contempt cases), 14 acquitted, 4 referred to national jurisdictions (3 Rwanda, 1 France). Former Prime Minister Jean Kambanda pleaded guilty to genocide and was sentenced to life (4 September 1998). Theoneste Bagosora was acquitted of conspiracy in 2008 but convicted of genocide. ICTR prosecutors could not prove a conspiracy to commit genocide before 7 April 1994; André Guichaoua noted that apart from two judgements upheld on appeal, Trial Chambers consistently found the conspiracy evidence lacking. Athanase Seromba, a priest, received a life sentence for his role in the destruction of his church at Nyange.

Why it matters

Where the Kelman model extends beyond soldiers to civil society: mass participation by ordinary people on the orders of local leaders. Also the case that most sharply limits the refuser argument, because here refusal was frequently lethal.

Sources

- https://en.wikipedia.org/wiki/Rwandan_genocide
- https://lirias.kuleuven.be/retrieve/897bbf27-d0fb-40a2-93b9-6cf99ee48a5a
- https://unictr.irmct.org/files/publications/ictr-key-figures-en.pdf
- https://users.soc.umn.edu/~uggen/NysethBrehm_Uggen_Gasanabo_JCCJ_14.pdf

Srebrenica massacre

Accountability: Senior convictions · Mechanisms: M01 Authorisation, M02 Routinisation

Date: July 1995

Location: Srebrenica, Bosnia and Herzegovina, a United Nations declared safe area

Perpetrator: Army of Republika Srpska under Ratko Mladić

Victims: Bosniak men and boys

Death toll

Range: more than 8,000

Detail: A list of those missing or killed contains 8,372 names. The Research and Documentation Center in Sarajevo found 83 per cent of those killed were civilians. As of 2020 nearly 7,000 victims had been identified by DNA analysis of remains recovered from mass graves. The 2004 Srebrenica Commission report, accepted by Serb officials, stated more than 7,800 were killed and that the killings were planned.

Confidence: established

Evidence base

Aerial photographs, excavations, bullet cartridges, blindfolds and ligatures, soil and pollen analysis, and witness testimony. The most forensically documented case in this dataset.

Legal outcome

Icty irmct

- Radislav Krstić: convicted of genocide (as JCE participant) 2 August 2001, 46 years; Appeals Chamber 19 April 2004 entered aiding and abetting genocide (Judge Shahabuddeen dissenting on mode of liability), 35 years, and held that genocide was committed at Srebrenica.
- Radovan Karadžić: convicted 24 March 2016, 40 years; IRMCT Appeals Chamber 20 March 2019, life. His surviving genocide conviction concerns Srebrenica only; acquittal on the 1992 municipalities genocide count was upheld.
- Ratko Mladić: convicted 22 November 2017, life; on 8 June 2021 the IRMCT Appeals Chamber affirmed the convictions and life sentence, Judge Nyambe dissenting (4-1); the hostage-taking conviction was affirmed unanimously, and the prosecution's separate appeal (1992 municipalities genocide count) failed on a

different split.

- Momčilo Krajišnik: acquitted of genocide and complicity in genocide 27 September 2006; convicted of crimes against humanity, 27 years; on appeal (17 March 2009) murder and extermination convictions overturned and sentence reduced to 20 years.

Icj: The International Court of Justice ruled in 2007 that the massacre constituted genocide and that Serbia had failed to prevent it.

Confidence: established

Why it matters

The counter-example to mechanism M11. Command was reached. This is the precedent to cite when arguing that accountability for senior figures is possible rather than merely desirable.

Sources

- https://en.wikipedia.org/wiki/Srebrenica_massacre
- https://www.icty.org/x/cases/krstic/acjug/en/krs-aj040419e.htm
- https://www.icty.org/en/case/krajisnik
- https://www.irmct.org/en/cases/mict-13-56

Abu Ghraib torture and prisoner abuse

Accountability: Lower rank only · Mechanisms: M09 Documentation paradox, M11 Downward accountability, M03 Dehumanisation

Date: 2003 to 2004, exposed April 2004

Location: Abu Ghraib prison, Iraq

Perpetrator: United States Army personnel and contractors

Victims: Iraqi detainees

Accountability

Convicted: 11 soldiers named in the source (the article is internally inconsistent, elsewhere saying twelve)

Highest rank convicted: Staff Sergeant Ivan Frederick, 8 years, dishonourable discharge, reduced to private

Other sentences: Specialist Charles Graner 10 years; Private First Class Lynndie England 3 years; Sergeant Javal Davis 6 months; Sergeant Michael Smith 179 days; Specialist Roman Krol 10 months; Specialist Armin Cruz 8 months; Specialist Sabrina Harman 6 months; Sergeant Santos Cardona 90 days hard labour; Specialist Jeremy Sivits up to one year; Specialist Megan Ambuhl discharge and forfeiture of pay.

Command: Brigadier General Janis Karpinski was reprimanded and demoted to colonel in May 2005; she said she was made a scapegoat. Colonel Thomas Pappas received non-judicial punishment, a fine and a reprimand. Lieutenant Colonel Steven Jordan, the most senior officer court-martialled, was acquitted of abuse-related charges in 2007 and convicted of disobeying an order; in January 2008 the convening authority disapproved that finding and substituted an administrative reprimand (Cole 2009; one reviewer names Maj. Gen. Richard Rowe as convening authority and 28 August 2007 as the verdict date; review instrument not obtained). Major General Walter Wojdakowski was cleared. Donald Rumsfeld twice offered to resign and President Bush declined. A German prosecutor declined to pursue charges against Rumsfeld and 11 other US officials in 2007.

No senior prosecution: No officer above lieutenant colonel was court-martialled, and no senior officer or civilian official was convicted of abuse.

Deaths unpunished: No one was charged in the death of Manadel al-Jamadi, and no one was convicted for detainee deaths.

Civil outcome: On 12 November 2024 a federal jury in the Eastern District of Virginia found the contractor CACI liable and awarded three former detainees $42 million ($3 million compensatory and $11 million

punitive each). The Fourth Circuit affirmed on 12 March 2026 (2-1), then on rehearing on 28 August 2026 vacated its earlier opinion and remanded with instructions to dismiss without prejudice, following the Supreme Court's June 2026 decision in Cisco Systems v. Doe. No civil judgment now stands. The reversal concerns the cause of action, not whether the abuse occurred.

Confidence: established

Exposure

Red Cross and Amnesty International reports raised concerns in 2003 and an Associated Press report in November 2003 drew little notice. Major General Antonio Taguba submitted his report in February 2004; it was not released publicly at the time. CBS 60 Minutes II aired the photographs on 28 April 2004 after a two-week delay requested by the Pentagon. Seymour Hersh's New Yorker article followed.

Note

Seymour Hersh broke both My Lai (1969) and Abu Ghraib (2004), 35 years apart.

Why it matters

Same structure as My Lai's photographic exposure: images force disclosure, disclosure is absorbed by punishing the lowest available rank. Thirty-six years later, with the same result.

Sources

- https://en.wikipedia.org/wiki/Abu_Ghraib_torture_and_prisoner_abuse
- https://www.ca4.uscourts.gov/opinions/251043A.U.pdf
- https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1010&context=facpub

Haditha killings

Accountability: Lower rank only · Mechanisms: M07 Prior loss and displaced revenge, M10 Cover-up as structural reflex, M11 Downward accountability

Date: 19 November 2005

Location: Haditha, Iraq

Perpetrator: United States Marines, 3rd Battalion, 1st Marines

Victims: Unarmed Iraqi civilians including women, elderly people and children; the youngest was one year old. Most were shot at close range, several multiple times.

Death toll

Value: 24

Measure: Iraqi civilians killed

Source: PBS sentencing report, 24 January 2012

Note: Five men were killed from a taxi and 19 others in nearby homes. A count of 25 on Wikipedia is not independently supported.

Confidence: well_sourced

Trigger

An improvised explosive device struck a convoy, killing Lance Corporal Miguel Terrazas and injuring two other Marines.

Initial report

A Marine press release of 20 November 2005 said a roadside bomb had killed a Marine and 15 civilians and that insurgents attacked and were killed. This account was false.

Exposure

Questions from Time reporter Tim McGirk, based on video and photographs from Iraqi sources, prompted investigation. Lieutenant General Peter Chiarelli ordered a preliminary investigation in February 2006. In March 2006 the military confirmed that Marines, not insurgents, had killed the civilians. Three officers were reprimanded for failing to report and investigate properly.

Accountability

Charged: 8 Marines, charged 21 December 2006

Convicted of homicide: 0

Outcome: Frank Wuterich, the squad leader, originally faced murder charges; he pleaded guilty to one count of negligent dereliction of duty on 23 January 2012 and was sentenced on 24 January to a rank reduction, with no confinement. Sanick Dela Cruz: charges dropped April 2007 for testimony; separated from the Navy in 2012 for lying to investigators. Justin Sharratt: charges dropped August 2007. Stephen Tatum: charges dropped March 2008. Randy Stone: charges dropped August 2007. Stephen McConnell: charges dropped September 2007 for immunity and cooperation. Andrew Grayson: acquitted June 2008. Lieutenant Colonel Jeffrey Chessani, the battalion commander: charges dismissed June 2008 for unlawful command influence, upheld on appeal in 2009.

Confidence: established

Why it matters

My Lai produced one conviction from 26 charged. Haditha produced no homicide conviction from eight charged, and the battalion commander's case was dismissed on a procedural ground. The comparison illustrates M11; two cases cannot establish a trend over time.

Sources

- https://en.wikipedia.org/wiki/Haditha_killings
- https://www.pbs.org/newshour/nation/marine-gets-no-jail-time-in-haditha-killings

Mahmudiyah rape and killings

Accountability: Lower rank only · Mechanisms: M03 Dehumanisation, M07 Prior loss and displaced revenge, M10 Cover-up as structural reflex

What happened

Soldiers from a checkpoint planned the attack on the family's house. Green shot the parents and younger daughter; Abeer was raped by more than one soldier and shot.

Date: 12 March 2006

Location: Near Yusufiyah, south of Mahmudiyah, Baghdad Governorate, Iraq

Perpetrator: Five soldiers of Bravo Company, 1st Battalion, 502nd Infantry Regiment, 101st Airborne Division (Steven Green, James Barker, Paul Cortez, Jesse Spielman, Bryan Howard)

Victims: Abeer Qassim Hamza al-Janabi, 14, raped and killed; her father Qassim Hamza Raheem, 45; her mother Fakhriyah Taha Muhasen, 34; her sister Hadeel, 6. Her brothers Ahmed (9) and Mohammed (11) were at school and survived.

Death toll

Value: 4

Confidence: established

Cover up

Barker poured fuel on Abeer's body and the soldiers set it alight; they burned their bloodied clothes and Barker said he threw the AK-47 used into a canal. They blamed Sunni insurgents. A US inquiry accepted the insurgent

account and the matter was not pursued.

Exposure

About three months later, Private First Class Justin Watt reported what he had heard (around 20 June 2006). The battalion commander, Lt. Col. Thomas Kunk, first questioned the soldiers, who denied it, and moved to charge Watt with a false report. Howard then confessed.

Context

The platoon served in a violent sector with heavy losses; three soldiers of the same unit were captured and killed in June 2006, after the crime. Barker told the court 'I hated Iraqis'. Jim Frederick's 'Black Hearts' (2010) describes the platoon's breakdown of discipline and leadership. Context explains; it does not excuse, and many soldiers under the same conditions did not do this.

Accountability

Green: Discharged before the crime was known; tried in US federal court; convicted 7 May 2009, sentenced 4 September 2009 to life without parole. Died in February 2014 after a suicide attempt.

Barker: Pleaded guilty 15 November 2006; 90 years, parole possible after 20.

Cortez: Pleaded guilty 22 January 2007; 100 years, parole possible after 10.

Spielman: Convicted August 2007; 110 years, parole possible after 10.

Howard: 27 months under a plea deal (accessory); served 17.

Confidence: established (sentences); parole eligibility per secondary summaries

Why it matters

The Iraq case that ended in heavy sentences. The acts were plainly outside any order or operation; the cover-up was initially successful and was broken from inside the unit. Compare F06 (the refuser and the reporter) and M10 (cover-up).

Sources

- https://en.wikipedia.org/wiki/Mahmudiyah_rape_and_murders
- https://www.nbcnews.com/id/wbna17247852
- https://www.aljazeera.com/news/2007/3/22/us-soldier-sentenced-over-iraq-rape
- https://womensmediacenter.com/news-features/updatespielman-convicted-and-sentenced-for-the-murder-and-rape-of-abeer

Ishaqi killings

Accountability: None · Mechanisms: M10 Cover-up as structural reflex, M11 Downward accountability

What happened

Iraqi police accused US troops of rounding up the residents and deliberately shooting them, then blowing up the house. The US said troops came under fire on a raid for an al-Qaeda suspect and the building collapsed under heavy fire.

Date: 15 March 2006

Location: Abu Sifa, near Ishaqi and Balad, Salah ad-Din Governorate, Iraq

Perpetrator: United States forces conducting a night raid

Victims: Residents of the Faiz Harat Khalaf family house, including women and young children

Death toll

Figures

- **11** — *Source:* Iraqi police: five children and four women among them

- **4** — *Source:* Initial US account: 'a suspect, two women, and a child' killed when the building collapsed under fire
- **up to 13** — *Source:* Some later reports

Confidence: contested

Alston communication

Philip Alston, UN Special Rapporteur on extrajudicial executions, wrote to the US a few weeks later that US forces 'handcuffed and executed the residents', citing an autopsy in Tikrit that 'all the corpses were shot in the head and handcuffed'. Published by WikiLeaks in 2011 as part of a State Department cable.

Us investigation

June 2006: the US military found that personnel 'followed the proper procedures and rules of engagement'. Iraq's government rejected the finding and opened its own probe; it reopened the case in September 2011 after the cable was published. No one was charged.

Status

Deaths established; execution while handcuffed alleged (Iraqi police, autopsy as relayed by Alston), not adjudicated. That the house was destroyed to conceal killings is an inference, not a finding.

Why it matters

Three days after Mahmudiyah, a killing inside an authorised operation produced no charge. The investigating body was the force that ran the operation.

Sources

- https://en.wikipedia.org/wiki/Ishaqi_massacre
- https://www.rferl.org/a/1068885.html
- https://www.iraqbodycount.org/database/incidents/k2717
- https://www.npr.org/transcripts/5448296

12 July 2007 Baghdad airstrike ('Collateral Murder')

Accountability: None · Mechanisms: M03 Dehumanisation, M09 Documentation paradox, M10 Cover-up as structural reflex

What happened

The crew reported Noor-Eldeen's camera as an RPG and opened fire on the group. When a van stopped and unarmed men tried to lift the wounded Chmagh into it, the crew requested and received permission to engage, citing men 'possibly picking up bodies and weapons', and fired on the van. The 'bus' in some retellings is this van.

Date: 12 July 2007

Location: Al-Amin al-Thaniyah, New Baghdad, Iraq

Perpetrator: Two US Army AH-64 Apache helicopters (crews of Crazy Horse 18 and 19)

Victims: Men in the street, among them Reuters photographer Namir Noor-Eldeen and driver-assistant Saeed Chmagh; then the men who stopped a van to carry the wounded Chmagh away, including the driver Saleh Matasher Tomal, whose two children in the van were badly wounded

Death toll

Range: 12 to 18 or more killed; 2 children wounded

Note: The Army's account and later counts differ; at least two of the men in the first group appear to have carried weapons.

Confidence: contested

The crew audio

- 'Oh yeah, look at those dead bastards.'
- On learning children were wounded: 'Well, it's their fault for bringing their kids into a battle.'

Investigation

A July 2007 Army legal review found the crews acted within the rules of engagement and that cameras could be mistaken for weapons. Reuters asked for the footage under FOIA on 25 July 2007; it was not released.

Exposure

WikiLeaks published the gun-camera video on 5 April 2010 as 'Collateral Murder'. Its source, Chelsea Manning, was sentenced to 35 years in August 2013; President Obama commuted the sentence and Manning was released on 17 May 2017. Julian Assange pleaded guilty to one Espionage Act count in June 2024 and was freed with time served.

Accountability

Crew: No disciplinary action was reported against the crews.

Disclosure: The only prison sentence connected to the event went to the person who disclosed it.

Confidence: well_sourced

Why it matters

M03 and M09 in one recording: the language of the crew, and a document that existed from the first minute but reached the public only through a leak. The punishment fell on the disclosure, not the act. Whether firing on the van was lawful (rescuers of the wounded are protected unless they take part in hostilities) has not been tested in any court.

Sources

- https://en.wikipedia.org/wiki/July_12,_2007,_Baghdad_airstrike
- https://www.cnn.com/2010/WORLD/meast/04/05/iraq.photographers.killed/index.html
- https://www.democracynow.org/2010/10/7/iraq_war_veteran_who_rescued_wounded

Nisour Square shooting

Accountability: Convictions pardoned · Mechanisms: M03 Dehumanisation, M12 Perpetrator as national victim

Date: 16 September 2007

Location: Nisour Square, Baghdad, Iraq

Perpetrator: Blackwater security contractors (convoy Raven 23) guarding a US State Department convoy

Victims: Iraqi civilians in cars and on foot at a busy intersection; the youngest, Ali Mohammed Hafedh Abdul Razzaq, was 9

Death toll

Figures

- **17** — *Source:* Commonly cited total killed
- **14** — *Source:* FBI (October 2007): at least 14 of the 17 killed without cause; 14 named in the convictions

Wounded: about 20

Confidence: well_sourced

Accountability

Convictions: October 2014, US federal court: Nicholas Slatten, first-degree murder; Paul Slough, Evan Liberty and Dustin Heard, voluntary manslaughter (14 counts) and attempted manslaughter. Jeremy Ridgeway pleaded

guilty in 2008 and testified.

Sentences: 2015: Slatten life; the other three 30 years each. Slatten's conviction was overturned in 2017, he was convicted again in December 2018 and sentenced to life in August 2019. The other three were resentenced in September 2019 to about 12 to 15 years.

Pardon: President Trump pardoned all four on 22 December 2020. The UN Working Group on the use of mercenaries called the pardons 'an affront to justice' and a breach of US obligations under the Geneva Conventions.

Confidence: established

Why it matters

The rare case in which the US prosecuted and convicted its own side for killing Iraqi civilians, then undid it by pardon thirteen years after the event. A distinct route of accountability failure (F08).

Sources

- https://en.wikipedia.org/wiki/Nisour_Square_massacre
- https://www.npr.org/949679837
- https://www.jurist.org/news/2020/12/un-rights-experts-say-trump-blackwater-pardons-violated-us-obligations-under-the-geneva-conventions/

Part IV. Recent cases

October 7 attacks

Accountability: Open · Mechanisms: M03 Dehumanisation, M08 Ambiguous orders with built-in deniability, M09 Documentation paradox, M15 Instrumental atrocity (proposed)

Three qualifiers in one sentence: the Be'eri tank fire

'The team determined that from the information examined so far and to the best of our assessment, no civilians inside the building were hit by tank fire.'

Quote source: IDF spokesperson Daniel Hagari, briefing of 11 July 2024 (wording as transcribed by the author from the IDF briefing page; AP's paraphrase matches)

The qualifiers

- 'from the information examined so far' (incomplete)
- 'to the best of our assessment' (an assessment, not a finding)
- 'inside the building' (excludes the people outside)

How it was reported

- AP headline (Josef Federman, 11 July 2024): 'Israeli army acknowledges Oct. 7 failures. But it says tank strike on home did not kill Israelis.' PBS ran the AP story as 'Israel admits string of errors on Oct. 7, says tank strike on home did not kill Israelis.'
- AP's own body text says two Israeli civilians were hit by shrapnel outside the building and that one died, according to the man's wife. The headline contradicts the story beneath it.
- Reuters (12 July 2024) quoted the military's written summary: civilians inside 'were not hurt by the tank shells'. The qualifiers are gone in the military's own written version, not only in the press.

The other finding. The UN Commission of Inquiry (June 2024) found that some or all of the 13 hostages in the house were likely killed by tank fire, under the Hannibal Directive (see this case's Hannibal entry). The IDF inquiry and the UN finding conflict.

Assessment. Author's question: intentional propaganda, missed nuance, plain stupidity or narrative engineering? The record shows two compressions: the military's spoken hedges were dropped in its written summary, and the press then compressed 'inside, so far, to our assessment' to 'did not kill Israelis'. Headline compression is ordinary newsroom practice and needs no intent; deciding which version goes in writing is an institution's choice. Evidence that would separate the explanations: the drafting history of the written summary, and whether the outlets corrected their headlines after the briefing's shrapnel statement.

Not verified here. The briefing sentence that hostages outside were hit by shrapnel and 'it is highly likely that one of them was killed' is the author's quotation; the IDF page and its GlobalSecurity mirror did not load for us. AP independently reports the shrapnel and the death.

Sources

- https://www.idf.il/en/mini-sites/israel-at-war/briefings-by-idf-spokesperson-bg-effie-defrin/july-24-press-briefings/press-briefing-by-idf-spokesperson-radm-daniel-hagari-july-11-2024/
- https://www.globalsecurity.org/military/library/news/2024/07/mil-240711-idf01.htm
- https://www.ksat.com/news/world/2024/07/11/israeli-army-acknowledges-oct-7-failures-but-it-says-tank-strike-on-home-did-not-kill-israelis/
- https://www.pbs.org/newshour/world/israel-admits-string-of-errors-on-oct-7-says-tank-strike-on-home-did-not-kill-israelis
- https://www.chinadailyhk.com/hk/article/587888

Status: headlines and Reuters quote verified; briefing wording per author and AP



Three qualifiers: Professor Admiral General F.L. Amingo reads the briefing.

Satire: the author's artwork (Battalion of Militarized Satire). Commentary, not evidence; the factual record is in the fields beside it.

Date: 7 October 2023

Location: Gaza envelope, southern Israel

Perpetrator: Hamas (Izz ad-Din al-Qassam Brigades), Palestinian Islamic Jihad, other factions, and a large number of unaffiliated participants

Victims: Israeli civilians, security personnel, and foreign nationals

Death toll

Israeli side

Total: 1219

Civilians: at least 810, including 71 foreign nationals

Security forces: at least 379

Source: Wikipedia, October 7 attacks, compiling Israeli figures. Initial Israeli figure of approximately 1,400 was revised to approximately 1,200 by the Israeli foreign ministry in November 2023.

Confidence: established

Note: National Insurance reports 778 civilians killed on the day, including 70 foreign nationals, under a definition that excludes security forces and local emergency response squads. That verifies the attributed statistic; it does not replace an event-wide total. The 1,219 headline and its subgroups (at least 810 civilians, at least 379 security forces) are minima from a different compilation; reconcile against one named register with a defined window rather than combining differently defined figures.

Attacker side

Range: 1,200 to 1,600 killed inside Israeli territory

Figures

- **around 1,500 bodies of attackers found** — *Source:* Israeli army statement, 10 October 2023
- **1,200 to 1,600** — *Source:* IDF assessments cited by Times of Israel

Confidence: well_sourced

Analytical warning: This figure is frequently deployed to argue the day was not one-sided. It does not support that argument. Armed attackers killed in the course of an attack and unarmed civilians killed in their homes are not commensurable categories in law or in ordinary moral reasoning. Including this figure without that caveat is an error.

Force composition

Total crossing: approximately 6,000 people in 119 places (Wikipedia) or 5,400 to 5,600 in 114 spots (Jerusalem Post timeline, of which 37 were pre-existing weak points and 77 new breaches)

Breakdown: approximately 3,800 Nukhba elite forces and 2,200 Palestinian civilians and other militants

Second wave: approximately 660 invaders in 14 battalions between 07:00 and 09:00, alongside 937 rockets

Confidence: well_sourced

Note: The source combines Palestinian civilians and other militants in one category (about 2,200 of about 6,000). It cannot establish how many participants lacked training or a command relationship. The composition figures need checking against their original report.

Documentary evidence of intent

Operations order

Document: Operations Order No. (01)/2023, Office of the Gaza Brigade Commander, Izz ad-Din al-Qassam Brigades, signed 'Your mujahid brother, Abu Suhaib al-Haddad, Commander of the Gaza Brigade', dated 6 October 2023, with the brigade's stamp.

Stated primary objective: Capture of large numbers of soldiers in the opening moments and their transfer into the Gaza Strip

Other relevant items: Instruction to live-broadcast scenes of the storming and seizure of positions and kibbutzim; authority for the brigade media to upload the footage; option to raise Arab and Islamic state flags at positions and kibbutzim

Analysis: What the order says: the stated primary objective is the capture of soldiers; it orders the storming and seizure of 'sites and kibbutzim', live broadcast of that storming, and flag-raising in the kibbutzim. What it does not say: it gives no instruction on civilians either way. It neither orders killing them nor forbids it. Kibbutzim are civilian communities, so an order to storm and seize them is not confined to military objectives. Read with the Sa'ad plan ('inflicting as many human losses as possible and capturing hostages'), the brigade order sets the frame and the unit plans fill it in. The broadcast instruction made the attackers' own footage a primary source for the conduct that followed.

Confidence: contested

Provenance warning: CRITICAL. This document circulates widely in image form. Its chain of custody runs through Israeli military sources. It has not been independently authenticated for this dataset. Any use must state where the image was obtained and who first published it.

Signatory: Izz al-Din al-Haddad (kunya Abu Suhaib), then commander of the Qassam Gaza Brigade; head of the Qassam Brigades from June 2025; killed in an Israeli airstrike in Gaza City on 15 May 2026 (IDF confirmed 16 May; Hamas later confirmed). He was never tried.

Full text arabic

بسم الله الرحمن الرحيم
كتائب الشهيد عز الدين القسام — الجناح العسكري لحركة المقاومة الإسلامية - حماس — قيادة لواء غزة
أمر عمليات رقم (01)/ 2023
يقول الله تبارك وتعالى: (قاتلوهم يعذبهم الله بأيديكم ويخزهم وينصركم عليهم ويشف صدور قوم مؤمنين)
إيمانا منا بوعد الآخرة، ونصر الله المؤزر لعباده المجاهدين، فقد صادقت قيادة الجهاز العسكري كتائب الشهيد عز الدين القسام عن البدء بالعملية العسكرية الكبرى طوفان الأقصى، وعليه مطلوب العمل وفق التعليمات التالية:
- صدق التوكل على الله، والاعتماد عليه في كل صولة وجولة، فأخلصوا لله النوايا، واجعلوا صيحات الله أكبر هي عنوان المرحلة.
- التأكيد على ضبط الحالة الأمنية في مستوى قادة سرايا فما فوق.
- التأكيد على عدم مغادرة أي أخ لمكان التحشد.
- التأكيد على عدم استخدام الجوالات مطلقا.
- يتم الشرح للقوات في آخر ساعتين وفق الجدولة الزمنية.
- يتم عقد مجالس الكتائب تحت الأرض.
- تكليف الأخ/ أبو جمال حمدية بإبلاغ محرري الضفة بالانتقال الى أماكن الطوارئ ساعة الصفر.
- يتم تجهيز أهدف لفصائل المقاومة وتسليمها من خلال مسئولي التنسيق الفصائلي.
- بعد الصاخب يتم تجهيز عدد 10 فصائل قتالية للاستثمار.
- التأكيد على بث مباشر لمشاهد الاقتحام والسيطرة على المواقع والكيبوتسات، وهناك صلاحيات لاعلام اللواء، بتنزيل التصوير.
- إمكانية اصطحاب أعلام الدول العربية والإسلامية ورفعها في المواقع والكيبوتسات.
- الهدف الأساسي للعملية العسكرية أسر أعداد كبيرة من الجنود في اللحظات الأولى وارسالها لداخل قطاع غزة
وتذكروا قول الله تعالى: إن تنصروا الله ينصركم ويثبت أقدامكم
أخوكم المجاهد/ أبو صهيب الحداد — قائد لواء غزة — 2023/10/6م

Full text english

- Ezzedeen al-Qassam Brigades — The Military Wing of Hamas Movement — Office of the Gaza Brigade Commander
- Operations Order No. (01)/2023
- Allah, the Blessed and Exalted, says: 'Fight them; Allah will punish them by your hands, disgrace them, give you victory over them, and heal the hearts of a believing people.' (Qur'an 9:14)
- Believing in the promise of the Hereafter and in Allah's decisive support for His mujahid servants, the command of the military apparatus, the Martyr Izz ad-Din al-Qassam Brigades, has approved the start of the major military operation 'Al-Aqsa Flood'. Accordingly, act on the following instructions:
- 1. True reliance on Allah and dependence on Him in every assault and engagement. Purify your intentions for Allah, and make the cries of 'Allahu Akbar' the watchword of this stage.
- 2. Ensure security discipline at the level of company commanders and above.
- 3. Ensure that no brother leaves the assembly point.
- 4. Ensure absolutely no use of mobile phones.
- 5. The forces are to be briefed in the last two hours, according to the timetable.
- 6. Battalion councils are to be held underground.
- 7. Brother Abu Jamal Hamdiya is tasked with notifying the freed prisoners from the West Bank to move to emergency locations at zero hour.
- 8. Targets are to be prepared for the resistance factions and delivered through the factional coordination officials.
- 9. After the 'Sakhib' [apparently the name of the opening phase], 10 combat platoons are to be prepared for exploitation.

- 10. Ensure live broadcast of scenes of the storming and seizure of the sites and kibbutzim. The brigade's media has authority to upload the footage.
- 11. Arab and Islamic states' flags may be carried and raised at the sites and kibbutzim.
- 12. The primary objective of the military operation is to capture large numbers of soldiers in the first moments and send them inside the Gaza Strip.
- And remember the saying of Allah the Exalted: 'If you support Allah, He will support you and make your feet firm.' (Qur'an 47:7)
- Your mujahid brother, Abu Suhaib al-Haddad, Commander of the Gaza Brigade, 6/10/2023

Translation notes

Item 7: 'محرري الضفة' means freed (released) prisoners from the West Bank, many of whom were deported to Gaza after the 2011 prisoner exchange. The circulating translation 'West Bank operatives' is wrong.

Item 9: 'الصاخب' (al-sakhib, 'the loud/clamorous one') is not explained in the document. Reading it as the name of the opening barrage phase is an inference. 'فصائل' here is the military unit (platoon), not 'factions'; 'exploitation' is the military term for pressing an opening.

Item 1: 'في كل صولة وجولة' is an idiom ('in every assault and round', i.e. throughout the fighting).

Item 6: 'مجالس الكتائب' are battalion councils (kata'ib = battalions), not 'Brigades'.

- The two Qur'anic verses are 9:14 and 47:7.

Provenance

Reported by

- Amit (Meir Amit) Intelligence and Terrorism Information Center, Israel: 'Operations Order No. 1' was among Hamas documents found by IDF forces in the Gaza Strip, distributed by al-Haddad to Gaza Brigade commanders on 6 October 2023 (report on al-Haddad's death, May 2026).
- Yedioth Ahronoth / Ynet, 14 May 2025, and The Times (Gabrielle Weiniger), 1 June 2025: al-Haddad met his battalion commanders on 6 October 2023 and gave written orders stressing the capture of soldiers and 'live broadcasting and the takedown of Israeli communities'.

Image: Supplied by the author as a scan. The first publisher of the image has not been identified.

Source alignment: The Amit Center is an Israeli institute with close ties to Israeli intelligence (it is part of the Intelligence Heritage and Commemoration Center). Under the advocacy_sources rule its account of where the document was found is the claim of a party-aligned source.

Not established

- No independent authentication of this document (contrast HRW's test of the Sa'ad and Mefalsim documents).
- No published chain of custody.
- Hamas has not, to our knowledge, confirmed or denied it.

Related document: An Al Jazeera programme (2025) presented a separate general operations order said to be signed by Mohammed Deif on 5 October 2023 setting the attack for 06:30 on 7 October. A brigade-level order on 6 October relaying a command decision is consistent with that sequence; it is not the same document.

Sources

- https://en.wikipedia.org/wiki/Izz_al-Din_al-Haddad
- https://www.ynetnews.com/article/b17ggnfzll

- https://www.terrorism-info.org.il/en/elimination-of-izz-al-din-al-haddad-head-of-hamas-military-wing-reactions-and-significance/

Captured instructions

Claim: Alleged Qassam Brigades planning documents, said to have been recovered at attack sites, include a plan for Kibbutz Sa'ad (NBC calls it 'Kfar Sa'ad') assigning units to its schools and Bnei Akiva youth centre, with the aim of 'inflicting as many human losses as possible and capturing hostages' (HRW translation); a plan for Kibbutz Mefalsim; and a hostage-detention plan.

Source: Published from 10 October 2023 by the anonymously run Telegram channel 'South First Responders', then by NBC News (Anna Schecter, 13 October 2023), which says Israeli first responders found them on attackers' bodies; Israeli authorities also published pages. Two international journalists given early access told HRW that Israeli authorities said the papers were found at attack sites, some on fighters and some in vehicles. No source names the individuals who found them.

Confidence: contested

Provenance warning: Released by a party to the conflict through an anonymous channel and a media exclusive; chain of custody unverified. Format, maps and language are consistent with pre-attack Gaza faction material (HRW), which makes crude fabrication less likely but cannot authenticate the documents. Cite as 'alleged planning documents' and never as the sole evidence of intent.

Source url: https://www.nbcnews.com/news/amp/rcna120310

Independent examination

By: Human Rights Watch, 'I Can't Erase All the Blood from My Mind', 17 July 2024, section 'Alleged Planning Documents'

Material: 26 pages from an unspecified number of documents (two cover pages, three maps, 21 pages of tables or text).

Consistent with authenticity

- Word-table layout and yellow/blue/green colour scheme match planning documents shown in Joint Operations Room (Gaza armed factions) Telegram videos of 12-13 September 2023, before the attack.
- Fence markings on the Sa'ad map match markings on a map examined by fighters in a 12 September 2023 Joint Operations Room video.
- HRW and an independent translation team judged the Arabic to be originally written, not machine-translated, with errors and dialect typical of Gaza.
- The logo differs from the Qassam Brigades' usual one, but the same variant appears on Qassam headbands and older Qassam infographics.

Not established

- HRW 'was unable to verify the authenticity of the documents'.
- HRW was 'unable to verify the chain of custody'.
- Hamas did not reply to HRW's question about authenticity.

Url: https://www.hrw.org/report/2024/07/17/i-cant-erase-all-the-blood-from-my-mind/palestinian-armed-groups-october-7

Outcome at target: HRW: 'The attack on Kibbutz Sa'ad did not result in any deaths or injuries to the residents.' The plan, if genuine, was not carried out there.

Weight: Low as standalone evidence: unauthenticated, custody unverified, released by a party to the conflict. The finding that killing civilians and taking hostages were planned aims does not depend on it. HRW reached that finding from 144 interviews, more than 280 verified photographs and videos, and the attackers' own

footage and Telegram posts, and called Hamas's statement that it did not target civilians false.

Source urls

- https://www.nbcnews.com/news/amp/rcna120310
- https://www.hrw.org/report/2024/07/17/i-cant-erase-all-the-blood-from-my-mind/palestinian-armed-groups-october-7

Self documentation

Claim: Attackers wore GoPro body cameras; material was posted to Hamas Telegram channels during the attack.

Confidence: well_sourced

Note: Instance of mechanism M09. Self-produced evidence is less vulnerable to the provenance objection above.

Nova festival

Deaths: 378 total: 344 civilians, 34 security personnel, plus approximately 20 Palestinian perpetrators (Wikipedia). Police figure of 364 murdered also cited.

Pre planned: False

Evidence: The Israel Defense Forces probe found Nova was not a predetermined target; the roughly 100 attackers who reached it had been heading for Netivot. Israeli security officials assessed Hamas learned of the festival from drones or paragliders and redirected fighters by radio. The festival had been scheduled to end on 6 October and was extended to the 7th only shortly before.

Confidence: well_sourced

Note: The planning finding comes from a reported IDF probe whose evidence is not public. An adverse admission can carry weight, but a party's nationality is not an authentication method. That Nova was not a pre-selected target concerns planning; it says nothing by itself about intent once attackers arrived.

Israeli fire on the border

Claim: The Hannibal Directive, or procedures resembling it, was applied along the Gaza border on 7 October, with Israeli forces firing on vehicles and areas to prevent captives being taken into Gaza.

Evidence

- Haaretz investigation, July 2024, based on documents and testimony from mid-level and senior officers
- Ronen Bergman, Yedioth Ahronoth, January 2024, concluding the directive was applied in practice from around noon on 7 October
- United Nations Commission of Inquiry: the main report (A/HRC/56/26) found Israeli forces likely applied the directive in at least two incidents, killing 'up to 14' Israeli civilians: one woman killed by helicopter fire while being abducted from Nir Oz, and some or all of 13 hostages killed by tank fire in a house in Be'eri. The detailed-findings annex (A/HRC/56/CRP.3) says 'at least 14'. The Commission also documented one tank crew applying the directive to a vehicle suspected of carrying abducted soldiers.
- Specific orders cited: 'Hannibal at Erez' at 07:18 with dispatch of an attack drone; artillery raids on the border fence area and shelling of Erez crossing at 18:40
- Israeli air force began strafing the border from approximately 10:30

Idf position: Has not confirmed or denied application of the directive, stating it is among matters under investigation.

Confidence: well_sourced

Significance: Israeli fire killed Israeli civilians in documented incidents, sourced to Israel's own press and an international commission. The share of the day's deaths, or of deaths in its closing hours, attributable to Israeli fire is not established by this material.

Legal characterisation

War crimes: Deliberately directing attacks against civilians, hostage-taking, and murder are war crimes under the Rome Statute. An open letter signed by around 240 international legal experts on 16 October 2023 argued the attack most probably constituted an international crime.

Intent dispute: Senior Hamas official Ghazi Hamad has asserted Hamas never intended to kill civilians and that any deaths were mistakes. The same official stated in late October 2023 that the attack was only the beginning and that Hamas would launch a second, third and fourth until Israel was annihilated.

Assessment: A site need not have been selected in advance for an attack on its civilians to be intentional. Liability depends on the prohibited act, the required mental element (intent, knowledge, and in some offences recklessness), the armed-conflict context and the applicable law. The 'unintentional' claim is not sustainable as to the plan if the documentary evidence is authenticated, and is independently undermined by self-recorded conduct. Civilian deaths alone establish neither innocence nor criminal intent.

Confidence: well_sourced

Prosecutions

As of 24 October 2026: the ICC issued an arrest warrant for Mohammed Deif on 21 November 2024 and terminated proceedings on 26 February 2025 after his death was confirmed. Israel's special military tribunal law (11 May 2026) provides for trials of detainees accused over 7 October; reporting of 5 October 2026 said the tribunals had not yet sat. No trial of a Hamas commander for 7 October has been reported. Date-stamp this entry; it will change.

Mechanism notes

M08: Rests partly on documents not independently authenticated; contested.

M09: Perpetrator self-recording (body cameras, Telegram posts) is the strongest evidence for this case.

M15: Applies to hostage-taking (stated objective: capture for exchange), not to the Nova killings.

False or unsupported claims

Summary: Some of the most widely repeated atrocity claims of 7-12 October 2023 were false. Haaretz (Nir Hasson, 'Hamas Committed Documented Atrocities. But a Few False Stories Feed the Deniers', 4 December 2023) found that documented atrocities occurred and that some extreme stories did not.

Items

- **'40 beheaded babies' at Kfar Aza** — *Origin:* i24NEWS report by Nicole Zedeck, 10 October 2023, quoting soldiers; amplified by Israeli official accounts and the Prime Minister's spokesman; *Status:* False as stated. The White House said on 12 October that President Biden had not seen such images; the Prime Minister's office said it could not confirm; CNN's reporter apologised; i24NEWS corrected on 30 November. Per the official death toll (as summarised on Wikipedia), the youngest Kfar Aza victim was 14.
- **Babies burned in an oven** — *Origin:* Eli Beer, president of United Hatzalah (a volunteer emergency service), November 2023; *Status:* Found false by Haaretz.
- **Decapitated children and babies seen personally** — *Origin:* Yossi Landau, ZAKA (volunteer body-recovery organisation); *Status:* Not supported by the identified dead; Haaretz (31 January 2024) also examined ZAKA's use of the dead in fundraising.

Infants killed: Per Haaretz: one baby was murdered (10-month-old Mila Cohen, at Be'eri), and one infant delivered after her mother was shot died two days later.

Analysis: These claims came from soldiers, volunteer rescue organisations and officials, not from the documents above, whose source is different and unnamed. They show that first-hand testimony from rescuers in the first days needs the same verification as any party's claim. They do not refute the documented killings, which rest on identified victims, verified video and the attackers' own recordings.

Sources

- https://en.wikipedia.org/wiki/Hamas_baby_beheading_hoax
- Haaretz, Nir Hasson, 4 December 2023
- Haaretz, 'Death and Donations', 31 January 2024

Confidence: well_sourced

Mechanism link: Atrocity rumour under trauma and its official amplification; candidate material for F09 (perpetrator-sourced inflation) read from the victims' side: a toll or act asserted by any party is not self-verifying.

Sources

- https://en.wikipedia.org/wiki/2023_Hamas-led_attack_on_Israel
- https://en.wikipedia.org/wiki/Nova_music_festival_massacre
- https://en.wikipedia.org/wiki/Allegations_of_genocide_in_the_October_7_attacks
- https://en.wikipedia.org/wiki/Hannibal_Directive
- https://www.un.org/unispal/document/coi-report-a-hrc-56-26-27may24/
- https://www.timesofisrael.com/idf-okayed-nova-music-festival-but-didnt-inform-troops-deployed-at-border-probe-finds/
- https://www.haaretz.com/israel-news/2023-11-18/ty-article/.premium/israeli-security-establishment-hamas-likely-didnt-have-prior-knowledge-of-nova-festival/0000018b-e2ee-d168-a3ef-f7fe8ca20000
- https://www.jpost.com/israel-news/article-844153

Gaza war

Accountability: Open · Mechanisms: M03 Dehumanisation

Impunity escalates

Thesis. Author's thesis: impunity is not a neutral absence of punishment. Each unpunished act tells the perpetrator, the institution and the next unit where the real line is, and so the line moves. Impunity compounds.

Evidence in this case

- IDF figures (May 2025, cited by Shany and Cohen, Lawfare, 2 April 2026): about 1,500 operational reviews and some 60 criminal investigations opened for Gaza-war conduct (looting aside); two prosecutions filed.
- Sde Teiman: five reservists charged on 19 February 2025 over the July 2024 abuse of a detainee (doctors reported broken ribs, a lung injury and a rectal tear). The Military Advocate General, Yifat Tomer-Yerushalmi, resigned on 31 October 2025 amid a police investigation into the leak of the abuse video. Her successor, Itay Ofir, withdrew the indictment on 12 March 2026, citing evidential problems, the detainee's release in the hostage deal and fair-trial harm from the leak. By September 2026 three of the soldiers were suing officials for NIS 18 million. The most prominent prosecution of detainee abuse ended with the prosecutor out of office and the defendants as plaintiffs. (A separate reservist was convicted in a plea bargain and sentenced to 7 months.)
- Yesh Din (December 2025 data sheet, complaints from the West Bank): about 1.5% of complaints of soldiers harming Palestinians led to an indictment. Not a Gaza figure; cited for the system's baseline.
- As of 24 October 2026, no Israeli commander has been convicted over conduct in Gaza; the ICC warrants for Netanyahu and Gallant have not been executed.

The pattern elsewhere

- United States: My Lai, 26 charged and 1 convicted (Calley); Haditha, 24 killed and no homicide conviction; Abu Ghraib, no one above staff sergeant convicted; No Gun Ri, no one charged; Ishaqi and the 12 July 2007 airstrike, no one charged, and the airstrike's leaker sentenced to 35 years; Nisour Square, four contractors convicted and pardoned in 2020.
- Bloody Sunday: Widgery, then 38 years to Saville, then Soldier F acquitted 53 years on.

- October 7: no Hamas commander has been tried; the ICC proceedings against Deif ended with his death. Killing a suspect is not accountability. The property is not Israeli; it is a property of impunity.

Evidence status. The pattern of non-prosecution is documented (sources above). That impunity causes escalation is a hypothesis. It is consistent with cross-national studies associating human-rights prosecutions with lower later repression (Kim and Sikkink, International Studies Quarterly, 2010; Jo and Simmons, International Organization, 2016). Those studies are correlational and contested, and this dataset has not tested the link within any case. See F02, F03, F08.

Sources

- https://www.lawfaremedia.org/article/end-of-the-sde-teiman-abuse-case--the-idf-mag-withdraws-indictments
- https://s3.eu-west-1.amazonaws.com/files.yesh-din.org/DataSheet_Metsach_processing+time+of+complaints_december+2025/DatsSheet+Dec+2025_duration+of+processing+complaints_ENG.pdf
- https://vinnews.com/2026/09/01/3-soldiers-from-sde-teiman-base-sue-prosecutors-for-18m-nis-over-wrongful-indictment/

Status: thesis (author); documented pattern; causal link unproven

Date: October 2023 onward; ceasefire announced 10 October 2025 (the Gaza MoH counts post-ceasefire deaths from 11 October 2025); killings continued after the ceasefire

Location: Gaza Strip

Perpetrator: Israel Defense Forces

Victims: Palestinian population of Gaza

Death toll

Reported: 74,540 killed and 175,678 injured since 7 October 2023, including 1,547 killed since the ceasefire (Gaza Ministry of Health, 24 October 2026)

Earlier snapshots: 74,392 as of 14 October 2026 (OCHA reproducing MoH); about 1,005 post-ceasefire deaths as of 17 June 2026 (AP)

Verified post ceasefire: OHCHR verified 1,076 conflict-related deaths from the 10 October 2025 announcement to the end of July 2026; MoH reported 1,493 to 12 October 2026

Measure note: Registered reported deaths; the MoH does not separate civilians from combatants. Not a model of excess mortality. A 2025 Lancet study suggested undercounting. Israeli officials long disputed the series; in January 2026 the military was reported to accept it (see israeli_military_position), which the military denied as official data. The UN has treated the series as usable.

Confidence: contested

Instruction: Re-pull in the week of publication; print reported and verified series separately.

Israeli military position

Reported

- Haaretz (29-30 January 2026): the military accepts the MoH figure of about 71,000 killed and is analysing it to separate combatants from civilians.
- CNN and Yedioth Ahronoth (30 January 2026): in a briefing to Israeli journalists, the military acknowledged about 70,000 killed, a figure officials said excluded the missing.

Official response: IDF spokesperson Nadav Shoshani: the reports 'do not reflect official data'; any figures will be published 'through official and orderly channels'. He did not say whether the military holds its own count.

Status: reported, not officially confirmed. Attributed to unnamed officials in a background briefing; the denial disputes the status of the figure, not its size. No Israeli figure has been published.

Weight: A party's off-record acceptance of its opponent's count is an admission against interest and carries more weight than the denial of its official status, but it is not a published dataset.

Sources

- https://www.theguardian.com/world/2026/jan/30/israel-military-gaza-death-toll-broadly-accurate
- https://www.reuters.com/world/middle-east/israel-military-reported-accept-death-toll-around-70000-gaza-2026-01-30/
- https://www.newarab.com/news/israel-denies-accepting-gaza-health-ministry-death-toll

Confidence: well_sourced (that the reports and denial occurred)

Evaporated bodies claim

Claim: 2,842 Palestinians 'evaporated' (no recoverable remains beyond blood or fragments), attributed to thermal and thermobaric munitions.

Source: Gaza Civil Defence (spokesperson Mahmoud Basal), via Al Jazeera (Mohammad Mansour, 10 February 2026) and the Al Jazeera Arabic investigation 'The Rest of the Story'. Gaza MoH director general Munir al-Bursh supports the mechanism.

Method: Residual: known occupants of a struck building minus bodies recovered after search.

Not established

- No independent forensic, pathology or laboratory examination is cited.
- The residual cannot separate disintegration from bodies still under rubble, buried elsewhere, or people not present; how many cases were checked against records is not stated.
- The temperature claims ('up to 3,500C') come from a Russian commentator, not munitions test data; MK-84 and BLU-109 are conventional high-explosive bombs, not thermobaric weapons.
- No Israeli or US response is included.

Common misreading: '3,500' in the article is a temperature, not a body count.

Relation to toll: These are a subset of the missing, not an addition to the 74,540 registered dead unless the MoH registers them.

Weight: A party-aligned authority's estimate with a plausible but unverified mechanism. Very powerful blasts can fragment bodies beyond recognition; total disappearance at this scale is not independently shown. Same standard as the October 7 rescuer claims: rescuer and official testimony in wartime needs verification whichever side it comes from.

Source url: https://www.aljazeera.com/features/2026/2/10/israel-used-weapons-in-gaza-that-made-thousands-of-palestinians-evaporate

Confidence: reported_unverified

Preconditions

Blockade: Closure imposed from June 2007 after Hamas took control of Gaza, following its victory in the January 2006 legislative elections. Israel declared Gaza hostile territory. Egypt closed Rafah. Import restrictions, near-total export halt, fishing limits, movement restrictions.

Disengagement: Israel withdrew soldiers and settlements in September 2005 but retained control of airspace, territorial waters, population registry and all crossings except Rafah. The United Nations position is that Gaza remained occupied in law; Israel disputes this.

Calorie document: COGAT presentation 'Food Consumption in the Gaza Strip - Red Lines', January 2008, disclosed after litigation by the Israeli NGO Gisha (court judgment 5 September 2012); Gisha published it 17 October 2012. It calculated an average 2,279 kcal per person per day and translated food needs into about 106 trucks per business day, five days a week, in addition to grain via the Karni conveyor. Gisha's reader compares this with about 65 trucks per scheduled working day, excluding Karni, in July 2007-June 2008 (a Gisha press

release gives about 67). COGAT's cover letter said the presentations were drafts not used as a basis for policy; Gisha disputes that. Truck counts are not measurements of individual calorie intake.

Icrc position: The International Committee of the Red Cross described the blockade as collective punishment in 2010.

Confidence: well_sourced

Fact check priority: resolved

Complete siege

On 9 October 2023 Israel announced a complete siege, cutting essential resources and movement of goods. All crossings sealed. The Gaza Power Plant ceased operation on 11 October after fuel through Kerem Shalom stopped. Kerem Shalom was entirely sealed from 7 October to 16 December 2023. Source: United Nations Commission of Inquiry.

Legal proceedings

Icj: South Africa v Israel (Genocide Convention), instituted December 2023. Provisional measures ordered in 2024; they are not a finding of genocide. Merits undecided. Order of 21 May 2026 fixes South Africa's reply for 22 November 2027 and Israel's rejoinder for 22 May 2029.

Icc: Arrest warrants for Benjamin Netanyahu and Yoav Gallant issued 21 November 2024 for war crimes (including starvation as a method of warfare) and crimes against humanity (murder, persecution, other inhumane acts). Not genocide charges. No arrest.

Un commission: The UN Independent International Commission of Inquiry concluded in September 2025 that Israel committed genocide in Gaza. An investigative finding, not a judgment.

Confidence: established

As of: 2026-10-24

Israeli death penalty legislation

Law 1: Death Penalty for Terrorists Law, passed 30 March 2026, 62 votes to 48 with 1 abstention (Wikipedia; Times of Israel reported 62-47). Death by hanging. In West Bank military courts the death penalty is the default, with life imprisonment permitted only in unspecified special circumstances; no commutation; execution within 90 days of final ruling. Not retroactive. In civilian courts, discretionary, applying to killings committed with the aim of negating the existence of the State of Israel, a definition designed to exclude Jewish perpetrators.

Law 2: Special military tribunal law, passed 11 May 2026, 93 votes to 0 with 27 members absent or abstaining. Creates a tribunal for October 7 detainees (about 300 per Times of Israel, 5 Oct 2026; about 400 Nukhba per CNN, May 2026), with power to impose death by majority vote of a judicial panel, trials to be livestreamed from Jerusalem.

Status at compilation: No death sentence has been reported under either law. No execution date exists. The last Israeli execution was Adolf Eichmann in 1962; the last death sentence was John Demjanjuk in 1988, overturned in 1993.

Criticism: Human Rights Watch described the first law as discriminatory and stated it would primarily if not exclusively apply to Palestinians. The legal adviser to the Knesset National Security Committee argued it was discriminatory and unconstitutional.

Unanimity note: The 93-0 vote reflects absence rather than consent. Arab parties voted against the March law; on the tribunal law they abstained or were absent. Ofer Cassif abstained at committee stage. Ahmad Tibi was heckled by bereaved families for addressing the chamber in Arabic.

Confidence: established

Sources

- https://en.wikipedia.org/wiki/Death_Penalty_for_Terrorists_Law
- https://en.wikipedia.org/wiki/Special_military_tribunal_law
- https://www.hrw.org/news/2026/03/31/israel-discriminatory-death-penalty-bill-passes
- https://www.timesofisrael.com/knesset-passes-law-establishing-military-tribunal-to-try-october-7-perpetrators/

Prosecutions

As of 24 October 2026, no Israeli commander has been convicted in relation to conduct in Gaza. Proceedings are open; this is a dated status, not yet a pattern.

Detention abuse

Allegations

- UN Special Rapporteur on torture (press release, May 2026): reports from male detainees of beatings, electrocution and mauling of their genitals by dogs, and of rape, including with objects. Wording taken from a search summary; the OHCHR page refused our fetch, so check the release before quoting.
- Euro-Med Human Rights Monitor, 'Another Genocide Behind Walls' (2026), and the Gaza-based Palestinian Centre for Human Rights: testimony from released detainees, including a detainee who said guards made a dog mount him. A Palestinian Feminist Collective report counts 10 incidents of rape or severe sexual assault involving dogs (The Intercept, Natasha Lennard, 30 June 2026).
- Nicholas Kristof, 'The Silence That Meets the Rape of Palestinians', New York Times, May 2026, which brought the dog allegations to a wide audience; a key account came from an anonymous Gaza journalist.
- Sde Teiman (July 2024): the one case that reached an indictment, later withdrawn (see info_boxes).

Responses

- The IDF denied the allegations and said it could not comment on specific cases without identifying details. Israel's Foreign Ministry called Kristof's column 'one of the worst blood libels ever to appear in the modern press'; Netanyahu threatened a defamation suit, none filed by June 2026.
- Critics, including The Free Press, challenged the sourcing, and some argued that dogs cannot be trained to do this. Kristof replied by asking why sceptics would not support Red Cross and lawyer visits, which would also expose false claims (JTA, 13 May 2026).

Source alignment: Euro-Med and PCHR are Palestinian-founded or Gaza-based rights groups; The Free Press is pro-Israel. Under the advocacy_sources rule each is a party-aligned source; their testimony and their rebuttals are judged on provenance, not on alignment alone.

Analysis: Author's reading, not a finding. Whether a dog can be 'trained to rape' is not the question the testimonies raise. They describe guards directing a dog onto a restrained person. A handler's command, a restraint position and a scent cue can produce that without any special training, and in law the sexual violence is the guard's act, not the dog's. The training objection answers a claim no testimony makes. It does not show that the incidents happened; that needs corroboration. The party able to provide or prevent that corroboration is the detaining state, which has barred independent monitors.



Militarized Satire 101: 'Bitchy Bitch' female-dog pheromones. The infographic's own key idea: obedience, posture, stimulus and handler control can be discussed separately from whether the act was intentionally trained.

Satire: the author's artwork (Battalion of Militarized Satire). Commentary, not evidence; the factual record is in the fields beside it.

Sources

- https://theintercept.com/2026/06/30/sexual-violence-rape-israel-palestinians-prison/
- https://www.jta.org/2026/05/13/israel/kristof-column-alleging-israeli-abuse-of-palestinian-prisoners-sparks-outrage-scrutiny-and-debate-among-jews
- https://www.ohchr.org/en/press-releases/2026/05/special-rapporteur-torture-warns-persistent-risks-palestinian-detainees
- https://www.thefp.com/p/nick-kristof-dog-torture-claim-israel-palestine

Confidence: contested (testimony from multiple independent channels; no independent access; denied)

Sources

- https://www.un.org/unispal/document/coi-report-a-hrc-56-26-27may24/

Russian invasion of Ukraine

Accountability: In absentia only · Mechanisms: M01 Authorisation, M04 Legal and administrative recategorisation, M08 Ambiguous orders with built-in deniability, M09 Documentation paradox, M10 Cover-up as structural reflex

Date: February 2022 to present

Location: Ukraine and Russian-occupied Ukrainian territory

Perpetrator: Russian armed forces and state institutions; findings also made regarding Ukrainian institutions, below

Victims: Ukrainian civilians, prisoners of war, and deported children

Bucha

Date: February to March 2022

Death toll: Ukrainian authorities counted 458 bodies as of August 2022: 419 killed by shooting, torture or violent trauma, and 39 apparently from natural causes still under examination. A memorial wall lists 501 names. The United Nations High Commissioner for Human Rights documented at least 73 unlawful killings including summary executions as of December 2022, with 105 more deaths under investigation. The British Broadcasting Corporation reported in May 2022 that more than 650 people were shot dead in the Bucha region during the occupation.

Forensics: Many victims had their hands tied behind their backs and were shot at close range, often in the back of the head. A basement under a campground in Zabuchchya was used as a torture chamber. Dozens of bodies contained flechettes.

Units: Documents found where Ukrainian men were executed belonged to the 234th and 104th Guards Air Assault Regiments. A December 2022 New York Times investigation tied the Yablunska Street killings to paratroopers of the 234th under Lieutenant Colonel Artyom Gorodilov. Ukrainian intelligence named the 64th Motor Rifle Brigade under Lieutenant Colonel Azatbek Omurbekov as occupying Bucha; the Associated Press identified the 76th Guards Air Assault Division as running the occupation headquarters.

Denial: Russia called the footage a staged performance and claimed the bodies were not present before its withdrawal. Maxar satellite imagery shows dark objects matching body positions on Yablunska Street appearing between 9 and 11 March, weeks before Ukrainian forces returned. Russian journalists and critics who discussed Bucha have been prosecuted under wartime censorship laws.

Accountability: No international prosecution concerns Bucha and no one is in custody. Ukrainian courts have issued in-absentia convictions for Bucha-related war crimes: the Irpin City Court (22 June 2023) convicted nine soldiers of the 64th Motor Rifle Brigade of ill-treatment and unlawful detention of a civilian (art. 438(1)), 11 to 12 years; and Captain Dmitry Dygot (also spelled Digot), intelligence chief of the 64th Brigade, was sentenced in absentia to life (art. 438(2)) for shooting an unarmed 70-year-old man in the back in Havronshchyna on 3 March 2022 (SBU; judgment date reported as December 2023, unverified). Ukrainian prosecutors are pursuing Major General Sergei Chubarykin and Colonel General Alexander Chaiko. The US State Department has designated Omurbekov.

Confidence: established

Deportation of children

The United Nations Commission of Inquiry verified 1,205 Ukrainian children deported or forcibly transferred, rejected Russia's evacuation justification on the ground that most transfers were not temporary, and found crimes against humanity of deportation, forcible transfer and enforced disappearance. About 80 per cent of the children in documented cases have not been returned. It separately found a war crime in the unjustifiable delay in repatriation, Russia having failed to establish a system for legal return. A figure of roughly 20,000 circulates from Bring Kids Back UA, a Ukrainian tracking source, not from the Commission.

Executions of prisoners

The United Nations Human Rights Monitoring Mission recorded 24 separate incidents in which 79 captured Ukrainian soldiers were executed, from late August 2024 to the 3 February 2025 release, many shot on the spot after surrendering. In 2024 the Mission recorded at least three calls by Russian public officials for inhumane treatment or execution of captured personnel, and social media posts by Russian-linked military groups

reportedly ordering or approving executions. Mission head Danielle Bell said such statements, combined with broad amnesty laws, could incite unlawful behaviour.

Sham trials

The Commission sampled 72 trials in four Russian courts and eight courts in occupied Ukraine, involving 68 civilians and 60 prisoners of war. 69 ended in convictions and 3 were ongoing, with sentences from 8 years to life. The Commission concluded that evidence was systematically fabricated, including through torture, that fair-trial guarantees were denied, and that the proceedings amounted to war crimes.

Forced recruitment

Foreign nationals from 17 countries were recruited into Russia's armed forces, some from detention and many deceived and lured from abroad. Of 85 deserters interviewed, 61 experienced, witnessed or knew of beatings, detention in pits, mock executions, and orders to shoot soldiers who withdrew without permission.

Findings regarding ukraine

The Commission found Ukraine's Supreme Court interpretation of collaboration offences overly broad, creating legal uncertainty and risking prosecution of people providing essential services in occupied territory. It reported concerns about mobilisation practices including irregular administrative detention, hurried medical examinations, lack of access to a lawyer and reported ill-treatment. The Human Rights Monitoring Mission documented one case in 2024 of Ukrainian forces executing a wounded and incapacitated Russian soldier.

Asymmetry note

The UN Human Rights Monitoring Mission recorded 79 executions of captured Ukrainian personnel in 24 incidents from late August 2024 to early February 2025, and separately documented one case in 2024 of Ukrainian forces executing a wounded, incapacitated Russian soldier. The windows are not stated to be the same, and documented counts are not incidence rates, so no ratio is given. State both counts with their windows. Manufacturing balance is as dishonest as suppressing the Ukrainian finding.

Icc warrants

- **Vladimir Putin and Maria Lvova-Belova** — *Date:* 17 March 2023; *Charges:* Unlawful deportation of population (children) and unlawful transfer of population (children) from occupied Ukrainian areas to the Russian Federation
- **Sergei Kobylash and Viktor Sokolov** — *Date:* 5 March 2024; *Charges:* Directing attacks at civilian objects; causing excessive incidental harm to civilians or damage to civilian objects; inhumane acts as a crime against humanity
- **Sergei Shoigu and Valery Gerasimov** — *Date:* 24 June 2024; *Charges:* The same three charges, for alleged crimes from at least 10 October 2022 to at least 9 March 2023

Cooperation

Russia does not recognise the Commission and left 39 written requests for access, information and meetings unanswered. Ukraine recognises the Commission and cooperated with it.

Fact check priority

Child deportation, trial sample and deserter figures checked against A/HRC/61/61 (paras 8-18, 19-22, 56). Open: Bucha totals, latest ICC status, Digot judgment text.

Why it matters

The live test of the speed question. Public ICC warrants reached a sitting head of state within about a year of the start of the deportations (Putin and Lvova-Belova, 17 March 2023, unlawful deportation and transfer of children) and reached senior commanders for strikes on civilian objects (Kobylash and Sokolov, 5 March 2024; Shoigu and Gerasimov, 24 June 2024). None concerns Bucha. Nobody has been arrested. Whether speed changes the outcome without enforcement is the open question.

Sources

- https://www.icc-cpi.int/situations/ukraine
- https://ukraine.un.org/en/288617-ukraine-alarming-rise-executions-captured-ukrainian-military-personnel
- https://in-sightpublishing.com/2026/05/30/un-commission-of-inquiry-on-ukraine-march-2026-brief-updated-figures-and-findings/
- https://en.wikipedia.org/wiki/Bucha_massacre
- https://www.ecoi.net/en/file/local/2138043/a-hrc-61-61-auv.pdf
- https://ssu.gov.ua/en/novyny/za-materialamy-sbu-dovichne-uviaznennia-zaochno-otrymav-komandyrrozvidnyk-rf-yakyi-u-spynu-rozstriliav-70richnoho-meshkantsia-kyivshchyny
- https://www.justiceinfo.net/en/121743-bucha-nine-russian-soldiers-sentenced-and-more-trials-to-come.html

Darfur, Sudan, 2023 onward (El Geneina, El Fasher)

Accountability: Open · Mechanisms: M03 Dehumanisation, M09 Documentation paradox, M10 Cover-up as structural reflex, M15 Instrumental atrocity (proposed)

Date: War between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) from 15 April 2023

Location: Darfur, Sudan

Perpetrator: Rapid Support Forces and allied Arab militias (findings below); allegations against the SAF recorded separately

Victims: Non-Arab communities, notably Masalit (El Geneina), Zaghawa and Fur (El Fasher)

Death toll

El geneina 2023

Value: 10,000-15,000

Measure: estimate, intelligence sources

Source: UN Panel of Experts, S/2024/65, para. 56

Note: Not a body count.

El fasher oct 2025

Value: at least 6,000

Measure: killings 25-27 October 2025: at least 4,400 inside the city and over 1,600 on exit routes

Source: OHCHR, February 2026 (via UK Home Office note, July 2026)

Note: Reportedly excludes the Saudi Hospital killings; the week's toll was described as significantly higher.

Saudi hospital

Value: more than 460

Measure: patients and companions reportedly killed

Source: WHO statement, 29 October 2025, dating the killings to 28 October; WHO separately describes an attack on 26 October and reports six health workers abducted

Note: WHO names no perpetrator: do not attribute the 460 to the RSF on WHO's authority. A BBC investigation (Oct 2026) dates the storming to 25 October; not reconciled. Do not add to the OHCHR figure; whether OHCHR's 6,000 excludes these deaths is unverified.

Confidence: well_sourced

Status

draft_for_verification

Mechanism notes

M09: RSF fighters' self-filmed videos; authenticate specific clips.

M10: RSF leadership acknowledged abuses but disputed their scale.

M15: Ethnic depopulation of territory (the campaign) is inside the tag; the Saudi Hospital killings are outside it on current evidence.

Findings

Un fact finding mission: A/HRC/61/77 (10 March 2026) concludes that genocidal intent against the Zaghawa and Fur is the only reasonable inference from the documented pattern at El Fasher (paras 112-116). An investigative conclusion, not a court judgment.

Us determination: On 7 January 2025 the US Secretary of State determined that members of the RSF and allied militias committed genocide. The same statement recalled a December 2023 finding that members of both the SAF and RSF committed war crimes. Executive determination, not a conviction.

Hospital attacks: A BBC investigation (October 2026) reported at least 43 attacks on hospitals and health facilities in El Fasher from May 2024 to October 2025, and 55 medical workers killed, 120 injured and 10 abducted from April 2023 to October 2025. The RSF denies a hospital massacre. Attributed journalism; original methodology not read.

Siege: El Fasher was captured around 26-27 October 2025 after an 18-month siege.

Symmetry

On 22 May 2025 the US announced it had determined on 24 April 2025 that Sudan's government used chemical weapons in 2024. Record allegations against the SAF under the same rules; report asymmetry only where the evidence is asymmetric.

Accountability

Earlier darfur wave: ICC Trial Chamber I convicted Ali Muhammad Ali Abd-Al-Rahman (Ali Kushayb) on 6 October 2025 on 27 counts of war crimes and crimes against humanity for 2003-04 conduct, and sentenced him to 20 years on 9 December 2025. The Defence filed notice of appeal against the judgment on 6 November 2025 (ICC case page); not final. Not a genocide conviction and not about the current war. Omar al-Bashir, subject of ICC warrants since 2009-10, has not been surrendered; his current custody is unverified.

Current war: No completed prosecution reported.

Why it matters

Organisational continuity between the Janjaweed of 2003-05 and the RSF makes this the dataset's clearest test of what slow accountability allows. 'Recurrence after impunity' is a hypothesis: temporal sequence alone does not show impunity caused recurrence; personnel and command continuity must be shown.

Sources

- https://www.ecoi.net/en/file/local/2137703/g2601945.pdf
- https://digitallibrary.un.org/record/4039195/files/S_2024_65-EN.pdf
- https://www.who.int/news/item/29-10-2025-who-condemns-killings-of-patients-and-civilians-amid-escalating-violence-in-el-fasher--sudan
- https://geneva.usmission.gov/2025/01/07/genocide-determination-in-sudan/
- https://www.icc-cpi.int/news/ali-muhammad-ali-abd-al-rahman-ali-kushayb-sentenced-20-years-imprisonment
- https://www.npr.org/2026/02/15/nx-s1-5715154/6000-killed-during-rsf-attack-sudan-el-fasher-un

Iran: protest crackdown, December 2025 to March 2026

Accountability: None · Mechanisms: M03 Dehumanisation, M04 Legal and administrative recategorisation, M10 Cover-up as structural reflex

Date: Protests from 28 December 2025; deadliest repression 8-9 January 2026; second wave from 21 February 2026

Location: All 31 provinces of Iran

Perpetrator: Iranian security forces

Victims: Protesters and bystanders, including children

Death toll

Figures

- **3117** — *Source:* Supreme National Security Council, 21 January 2026; *Measure:* government total
- **3038** — *Source:* Government list of names (cited by UN mission); *Measure:* named dead
- **at least 3,428** — *Source:* Iran Human Rights (Oslo), before suspending regular updates; *Measure:* NGO-confirmed
- **at least 5,000, possibly up to 20,000** — *Source:* UN Special Rapporteur Mai Sato, 16 January 2026, citing medical sources; *Measure:* estimate
- **7,015 confirmed; 11,744 under review** — *Source:* HRANA, 15 February 2026; *Measure:* NGO-confirmed (HRANA's verification, not UN). HRANA's table lists 6,508 protesters, 214 military/government forces, 67 others and 226 children 'included', yet 6,508+214+67 = 6,789 and adding the children gives the 7,015 total: an internal category ambiguity in the source, recorded rather than repaired.
- **30,000-36,500** — *Source:* Local health officials via Time, The Guardian, Iran International; 36,500 is Iran International's figure; *Measure:* unverified estimate for 8-9 January; *Source alignment:* Iran International is a London-based Persian-language broadcaster opposed to the Islamic Republic. The Guardian (2018) reported funding through a company whose director has close ties to Saudi Crown Prince Mohammed bin Salman; the channel and its owner Volant Media deny state backing. Treat its 36,500 as an aligned source's unverified estimate.
- **at least 43,000** — *Source:* International Centre for Human Rights, 20 January 2026; *Measure:* unverified; method unclear

Un mission: The UN fact-finding mission (A/HRC/63/61, September 2026) gives no definitive total and says the true figure may be significantly higher than the government list. It cites an NGO list of at least 221 children killed.

Assessment: The spread is the finding. A figure of about 40,000 falls within the highest published claims and outside anything independently verified.

Confidence: contested

Status

draft_for_verification

Legal category

Crimes against humanity (UN fact-finding mission, A/HRC/63/61). The UN report dates hostilities between the United States and Iran from 28 February 2026, so the January killings preceded the armed conflict and a war-crime charge would need a nexus not shown here; each crimes-against-humanity element must still be established.

Mechanism notes

M04: Protesters labelled rioters and mohareb ('enemies of God'), a capital charge; over 70 people at risk of being sentenced to death or executed (UN mission).

M10: Pre-emptive variant: communications shut down from 8 January; partial access from late January; tightened again from 28 February; broadly restored 27 May 2026 (A/HRC/63/61 paras 11-18).

Un findings

The mission found killings on a massive scale in every province, amounting to crimes against humanity of murder, imprisonment, torture and other inhumane acts. Investigative findings, not convictions.

Apology

On 11 February 2026 President Pezeshkian expressed sorrow and apologised to those affected, without acknowledging the security forces' role (AP). Not an admission of responsibility.

Count as contested object

The UN mission found strong grounds that the true toll exceeds the government's list, without certifying a total: an attributed undercount finding. Outside figures above 30,000 are unverified and appeared while military action against Iran was debated. That some parties may inflate or deflate tolls for their ends is a hypothesis to test case by case, not a finding about any named actor's motive.

Symmetry

The same UN mission found reasonable grounds that the United States committed war crimes in two strikes during the 2026 war: Shajareh Tayyebeh primary school, Minab (157 killed, including 123 children, per the chair's statement of 21 September 2026) and Lamerd (22 civilians killed). Investigative findings; the US disputes them.

Why it matters

A crackdown outside armed conflict, so it tests the scope of the book's title; a cover-up begun before the killing; and a death toll fought over by every party.

Sources

- https://www.ecoi.net/en/file/local/2145088/a-hrc-63-61-auv-ffmi.pdf
- https://www.ohchr.org/en/statements-and-speeches/2026/09/statement-sara-hossain-chair-independent-international-fact-finding
- https://www.en-hrana.org/day-50-of-the-protests-intensification-of-security-prosecutions-and-uncertainty-regarding-the-status-of-detainees/
- https://www.aljazeera.com/news/2026/1/21/at-least-3117-people-killed-during-iran-protests-state-media-reports
- https://www.iranintl.com/en/202601255198
- https://www.arabnews.pk/middle-east/irans-president-apologizes-over-crackdown-as-nation-marks-1979-islamic-revolution-anniversary-2632631

Part V. Limits and open questions

Known weaknesses of this dataset

- REVISION 4.7: corrections from four review rounds applied to fields; see change_log (each entry has a JSON pointer and resolvable references). Items still open are in unresolved_items.
- Selection on the outcome: every case was chosen because an atrocity occurred. Mechanisms are illustrated, not tested. There are no negative cases (units under similar pressure that did not commit atrocities; rescue, as in Denmark 1943).
- The Holocaust is absent although Browning, Arendt and Milgram, which come from it, underpin M01, M02 and M06.
- Still absent: Unit 731 and Nanjing, Indonesia 1965-66, Bangladesh 1971, Halabja and Anfal, the Rohingya, Syria under Assad, Chechnya, Bosnia 1992 (Prijedor). Apartheid and segregation excluded by editorial decision. The Bosnian type-case for 'elitocide' (1992) is missing although M14 relies on the concept.
- Mechanism tagging is interpretive. Two analysts could assign different tags. The tags are an argument, not data.
- Psychological frameworks (Kelman and Hamilton, Bandura, Browning, Milgram, Lifton, Waller, Straus) are cited from general knowledge; editions and page references must be checked. Kelman (1973) already named authorisation, routinisation and dehumanisation; the synthesis should credit it.
- No perpetrator-testimony corpus (Hatzfeld, Straus's interviews, Fujii, the S-21 confessions).
- Many entries still rest on Wikipedia; replace with the underlying records.
- Corrections came from AI reviewers. Agreement among them is not evidence, because they share upstream sources; each correction rests on the source cited for it.
- No Palestinian, Congolese, Vietnamese, Rwandan, Sudanese or Iranian primary-source archives were consulted.
- 14 case bibliographies were Wikipedia-only at revision 4; 4.1 adds primary sources to 12 cases, but claims are not yet linked to sources atom by atom (recommended design: claim_id, measure, population, geography, period, as_of, source_id, locator, access level, legal stage, verification and inference status).

Unresolved items

Questions the fact-checking rounds have not closed, with where each would be settled.

Mansfield and Lee quotations in Gregson v Gilbert

Where: cases/zong/attributed_quotation · *Resolve by:* Walvin 2011 p. 153; Krikler 2007; Sharp's notes; 3 Douglas 232

Operative text of the 1788-1794 insurance provisions

Where: cases/zong/legislative_consequence · *Resolve by:* Authoritative scans (Statutes at Large)

Full Medina instructions

Where: cases/my_lai/the_medina_standard; findings/F04 · *Resolve by:* Court-martial record

Katyn closure decision (2004)

Where: cases/katyn/legal_outcome · *Resolve by:* Classified; ECHR Janowiec record

Jordan January 2008 review

Where: cases/abu_ghraib/accountability/command · *Resolve by:* Convening-authority record

Original 1919-20 Ottoman judgments and each annulment

Where: cases/armenian_genocide/accountability · *Resolve by:* Takvim-i Vekayi; legal history

Armenian genocide recognition list

Where: cases/armenian_genocide/denial · *Resolve by:* Enumerated list with rule and date

Oradour age/sex/nationality breakdown for 643; Alsatian release date

Where: cases/oradour · *Resolve by:* Memorial register; prison records

October 7 Israeli breakdown and the 778 figure

Where: cases/october_7/death_toll · *Resolve by:* One named Israeli list with a defined window

Iranian security-force death count (government ~300 claim unsourced)

Where: cases/iran_2026 · *Resolve by:* Primary statements

Saudi Hospital attack date (25 or 28 Oct 2025); BBC methodology

Where: cases/sudan_darfur_2023 · *Resolve by:* Original BBC investigation; WHO

Al-Bashir custody; Abd-Al-Rahman appeal

Where: cases/sudan_darfur_2023/accountability · *Resolve by:* ICC docket

Remaining Wikipedia-only sourcing across original 16 cases

Where: cases/*/sources · *Resolve by:* Underlying records and studies

Re-pull live figures (Gaza, Iran, Sudan, Ukraine) in publication week

Where: recent cases · *Resolve by:* Primary dashboards

Operative text of 34 Geo III c 80 (1794): does it contain the overboard clause found in the 1799 Act?

Where: cases/zong/legislative_consequence · *Resolve by:* Statutes at Large scan

Katyn: Savenkov March 2005 statement and art. 193-17(b) qualification

Where: cases/katyn/legal_outcome · *Resolve by:* Janowiec [GC] 2013 paragraphs

Blokhin personal tally

Where: cases/katyn/what_happened · *Resolve by:* Tokarev testimony; archival study

Digot judgment date and text

Where: cases/ukraine_2022/bucha/accountability · *Resolve by:* Ukrainian court registry

Medina instruction verbatim (one reviewer supplied a text via Smidt 2000)

Where: cases/my_lai/the_medina_standard · *Resolve by:* Trial record

Hans Frank / Aktion AB counts at Nuremberg and other defendants

Where: cases/ab_aktion · *Resolve by:* IMT judgment

Oradour: date of parliamentary adoption of Law 53-112

Where: cases/oradour/aftermath · *Resolve by:* Assemblée nationale debates, Feb 1953

Title and scope decision (war crimes, genocide, crimes against humanity)

Where: meta/scope_note · *Resolve by:* Author's decision

Atomic claim-to-source links

Where: all cases · *Resolve by:* Restructure per recommended design

Replace the in-sightpublishing.com summary of the UN Commission of Inquiry (March 2026) with the UN document itself

Where: cases/ukraine_2022/sources · *Resolve by:* UN Human Rights Council document for the Commission's March 2026 report

Editorial rules

Death tolls. Every figure carries its measure (named dead, registered deaths, excess deaths, demographic loss, casualties), population, geography, period, source and date. Give a range only where a method supports one; otherwise list attributed figures side by side and explain why they differ. Never merge incompatible measures into one range.

Intent. Distinguish documentary evidence of intent (orders, memoranda) from inferred intent (pattern of conduct) from asserted intent (what a party says about itself).

Symmetry. Every mechanism is tested against cases from multiple states and both sides of any live conflict. A mechanism that only ever indicts one side is not a mechanism, it is a position.

Explanation vs justification. Explanation identifies causes. Justification claims warrant. This dataset does the first. Where refusal is documented, it shows the situation did not determine everyone, which is enough to keep individual responsibility beside situational explanation. Where refusal was lethal (Rwanda) or is undocumented, that argument is weaker and the text says so. Criminal responsibility also depends on legal elements and defences, not on comparison with a refuser.

Accountability stages. Record accountability as a dated sequence: investigation, warrant, custody, trial, conviction (offence and mode of liability), sentence, appeal, finality, enforcement, amnesty/pardon, later reversal or loss of remedy. Never collapse a warrant into a trial, an indictment into a conviction, or a verdict into a surviving remedy.

Numbers. For every number record what it counts, its time window, who counted it, and the legal stage it represents.

Psychological inference. Keep observable conduct (an order given, a photograph taken, a vote cast) separate from the psychological explanation proposed for it. Code each explanation as supported by named testimony, supported by another specified source, or hypothesised. Absence of evidence is recorded as such, not as evidence of absence.

Advocacy sources. Cite the original report, document or dataset, not a think tank, advocacy group or partisan outlet that repeats it. Where an advocacy-aligned or party-funded source is the only or original source, name it, state its alignment and funding as documented, and grade the claim accordingly. The rule applies equally to sources aligned with any party (Israeli, Palestinian, Russian, Ukrainian, Iranian, Saudi, Sudanese or other). A source's alignment lowers the weight of its unsupported assertions; it does not by itself falsify documents or figures it reports, which are judged on their own provenance.

Illustrations. Illustrations are the author's satirical artwork. Each is labelled as satire and placed beside the factual record it comments on; no illustration is cited as evidence for a fact.