

COMPARATIVE ANALYSIS

U.S. Department of State's Country Reports
on Human Rights Practices (2016–2020)



IRAQ

SEPTEMBER 2021

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Summary of Findings

This comparative analysis of the U.S. Department of State's *Country Reports on Human Rights Practices* chapters on Iraq compared the full content of the 2016 edition to the subsequent annual editions covering events in 2017, 2018, 2019 and 2020. Each section of the Iraq chapter was analysed against the following set of criteria:

- Structure of the report: Were sections omitted, renamed, condensed, or new sections proposed;
- Language used: Whether any changes in terminology or semantics were observed when describing human rights issues, including changes in specificity, description of general patterns or number of incidents documented;
- Improvements: What improvements in the human rights situations were observed compared to the previous report that were not corroborated by country information available from illustrative sources at the time of publication of the annual reports;
- Omissions: Which human rights issues were omitted compared to the previous report that continued to be documented by other illustrative sources at the time of publication of the annual reports.

A. Structure of the report

Length

The 2016 Iraq report was 66 pages long. This was reduced to 52 pages covering events in 2017, 64 pages in 2018, 63 pages in 2019, and 59 pages in 2020. The section most notably reduced in 2017 which continued in subsequent editions was *6. Women* in particular the subsection on *Reproductive Rights*.

Section headings

All the changes in section headings are presented in detail in [Table 1](#) below.

Numerous changes were made to section headings, with the majority being made from 2016 to 2017 and then replicated in the 2018, 2019 and 2020 editions. The most significant changes were:

- Replacing the whole subsection on *Reproductive Rights* in the 2016 report with a new subsection on *Coercion in Population Control* in the 2017 and subsequent editions, dramatically changing the range of issues addressed in the respective reports (see [D. Omissions](#) below for further details).
- Omitting the following subsections and related content from the 2017 and subsequent reports despite publicly available sources continuing to document the issues originally contained in these sections:
 - *Amnesty* (Note: Removed in 2017 only): The removal of the subsection resulted in the complete exclusion of relevant information in relation to past and current amnesty decrees or provisions;
 - *Emigration and Repatriation*: Information pertaining to the Iraqi government refusing to issue travel documents for its citizens facing deportation from the U.S. was omitted;

- *Refoulement*: Information was omitted on the Iraqi government's cooperation with UNHCR to prevent refoulement.

Additional subsections removed in 2017 for which the content was either moved elsewhere within the body of the U.S. Department of State report or the content removed but no publicly available information documenting the issue was found, were:

- *Improvements* (relating to prison conditions): Previously included information on the installation of surveillance cameras in federal prisons as a deterrent to would-be abusers was no longer included. Amongst the sources consulted for those years no information was found detailing the continued use of these cameras;
- *Exile*: The 2017, 2018, 2019 and 2020 reports no longer included information on forced exile. Amongst the sources consulted this could not be corroborated or refuted;
- *Public Access to Information*: Information relating to whether the Kurdistan Region of Iraq had implemented a public access to government information law was omitted. Amongst the sources consulted this could not be corroborated or refuted.

In addition, the 2018 report omitted the subsection *Abuse of Migrants, Refugees, and Stateless Persons* and with it information on attacks and arrests of refugees, including Palestinians, Ahwazis, and Syrian Arabs by state and non-state forces. Amongst the sources consulted whether these issues occurred in 2018 no information was found to corroborate or refute. The subsection title was re-inserted in 2019 and 2020 with only some of its previously included content.

Furthermore, the 2019 and 2020 reports omitted the subsection *Role of the Police and Security Apparatus*. Information pertaining to complaints that the military and Federal Police committed abuses owing to ethno sectarian differences, that there were limited efforts by government forces to respond to societal violence, including ethno sectarian violence, was omitted despite other publicly available sources documenting their continued existence. Two additional issues, namely reprisals against prisoners for talking about the abuses they suffered and corruptive practices amongst the provincial police force, were no longer included in the 2019 and 2020 reports. However, amongst the sources consulted for 2019 and 2020, the continued occurrence of the former issue was not corroborated or refuted and amongst those consulted on the latter issue in 2019 the occurrence was not corroborated or refuted and in 2020 the issue was corroborated. One issue previously included in this section, namely that investigations against police human rights violations by the Independent Human Rights Commission Kurdistan Region (IHRCKR) were not deemed credible, was amended to suggest an improvement [emphasis added]: "The IHRCKR [...] reported KRG police and security organizations generally had been [...] **responsive to reports of violations**". Amongst the sources consulted this was not corroborated or refuted.

A further subsection entitled *Libel/Slander Laws* and its content was removed from the 2019 report. Some of it was contextual information on the existence of defamation laws, other information related to these laws being used to prosecute media workers. Amongst the sources consulted this practice was not corroborated or refuted for 2019. However, it was reinserted in the 2020 report.

The subsection *Other Societal Violence or Discrimination* was also removed from the 2019 and 2020 reports thereby omitting information on property seizures of Christians and Yezidis by criminal networks and armed groups.

In one section a heading title was condensed, potentially altering its perceived meaning. The 2016 edition contained the section *2. d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons*. In all subsequent reports this was revised to *Freedom of Movement*.

Given that this section continued to document issues including access to legal protections and services for refugees, it is considered that the heading no longer fully encompasses all the issues addressed. In 2019 and 2020 new numerical subsections *E. Status and Treatment of Internally Displaced Persons* and *F. Protection of Refugees* were added, which made this distinction clearer.

The subsection *Durable Solutions* was removed from the 2020 report thereby omitting information on integration of refugees.

B. Language used

The most notable changes to language were observed when comparing the 2016 edition to the 2017 report, with the majority of these repeated in 2018, 2019 and 2020. Most of these language points related to the inclusion of softening of language, potentially implying an improvement of the situation, or the use of distancing language, potentially questioning the veracity of information.

Section 1. *Respect for the Integrity of the Person* was by far the section with the highest number of language observations throughout the 2017, 2018, 2019 and 2020 reports and within it subsection *Arbitrary arrest or detention*.

Examples of softening of language, which may imply an improvement in the situation, included [emphasis added]:

- Whilst the 2016 report referred to ‘**torture**’ as being one of the reasons why conditions in prison and detention facilities were described as “harsh and life threatening”, this was reduced in the 2017, 2018, 2019 and 2020 editions to “**physical abuse**”, potentially undermining the level of violence and abuse that did take place [however torture in detention was noted elsewhere in the reports];
- With regards to the treatment experienced by media workers, whilst the 2016 and 2017 reports noted that throughout the Kurdistan Region of Iraq [emphasis added] “**numerous** beatings, detentions, and death threats” were made, the 2018, 2019 and 2020 editions potentially implied an improvement as it suggested that “**there were reports of** beatings, detentions and death threats” against media workers;
- With regards to working conditions, whilst the 2016 report noted that these were “**unacceptable**”, a softening in language introduced in the 2017, 2018, 2019 and 2020 editions meant that now working conditions were “**substandard**” despite continuing to report on similar work standards for workers.

Additional examples of the use of distancing language included [emphasis added]:

- It was noted in 2016 that “many inmates lacked adequate food, water, exercise facilities, vocational training, and family visitation”. In the 2017 report the word “sometimes” was added to describe the lack of food and water, which in the subsequent 2018 and 2019 reports was amended again to imply a deterioration as it was stated that “inmates often lacked adequate food and water”. Interestingly, this paragraph was removed entirely from the 2020 report;
- Where the 2017 report noted that “prison authorities sometimes delayed the release of exonerated inmates”, the 2018 and 2019 reports both now stated that [emphasis added] “prison authorities **reportedly** sometimes delayed the release of exonerated detainees”, thereby potentially undermining the veracity of the information included. As discussed in the previous example, this paragraph was removed entirely from the 2020 report;

- Another example observed in the 2018, 2019 and 2020 reports implied that the “KRG executive **reportedly** influenced politically sensitive cases” whilst in the 2017 report it stated that the “KRG executive influenced politically sensitive cases”.

Two previously made assertions in the 2016 U.S. Department of State report were omitted from subsequent editions: that “treatment of detainees were generally poor” and “activists from religious and ethnic minority communities faced the greatest risk”, potentially implying these situations were no longer the case.

The 2019 and 2020 reports on occasion no longer described general patterns but instead presented isolated incidents. For example, whilst the 2018 report described that detainees were tortured to death, the 2019 and 2020 editions did not, but added specific examples documenting two cases where torture lead to death in custody in the 2019 edition and one case in the 2020 edition.

In the following example, it was implied in 2016 that “the constitution provides some basic legal safeguards against arbitrary arrest and detention”. However, in the 2017 edition it was reported that “the constitution provides legal safeguards” thereby implying that these same legal safeguards had been modified and were no longer considered as providing “basic” protection. Similarly, whilst the 2016 and 2017 reports suggested that the constitution only “broadly provides for the right of free expression”, this was removed in the 2018, 2019 and 2020 editions implying that the constitution now “provides for the right of free expression, including for the press”. This was despite no changes in the relevant legal provisions having been observed.

The removal of source attribution was also observed, which may be read to undermine the veracity of information. For example, whilst the 2016 report noted that “International and local NGOs reported” that “authorities held some juveniles in Justice Ministry prisons”, the 2017, 2018 and 2019 reports stated instead that “there were **reports** that Ministry of Justice[...] held some juveniles”. This paragraph was then omitted from the 2020 report.

Some contextual information, such as the existence of specific laws and historical events such as the September 2017 referendum on the independence of the Kurdistan Region of Iraq, was omitted in the 2017, 2018, 2019 and 2020 reports compared to the 2016 report.

For additional examples on the above findings see the respective *Use of language* sections presented below under the sections of the U.S. Department of State’s report.

Notable language changes in the *Executive Summary* of the U.S. Department of State report

The 2016 *Executive Summary* listed three human rights issues which it defined as having “weakened the government’s authority and worsened effective human rights protections” (notably, “sectarian hostility, widespread corruption, and lack of transparency at all levels of government and society”), only one of which (notably, “widespread official corruption”) continued to be listed as a human rights issue in the 2017, 2018, 2019 and 2020 Reports’ *Executive Summary*.

The 2016 *Executive Summary* further categorised human rights issues by perpetrator and noted “Observers also reported other significant human rights-related problems” listing:

- *Iraqi Security Forces (ISF), members of the Federal Police, and the Peshmerga committed some human rights violations;*

- *the terrorist organization Da'esh committed the overwhelming majority of serious human rights abuses, including attacks against;*
- *Observers also reported other significant human rights-related problems;*
- *Da'esh members committed acts of violence on a mass scale.*

Instead the 2017 *Executive Summary* listed human rights issues under “The most significant human rights issues” and “ISIS members committed acts of violence on a mass scale”, as well as separately listing additional human rights issues without categorizing them. These were: “Militant groups killed LGBTI persons” and “There were also limitations on worker rights, including restrictions on formation of independent unions”. In comparison the 2018 report only provided one list of what it termed “Human rights issues”, which was slightly amended in the 2019 and 2020 reports to “significant human rights issues”.

This is discussed further in section [8. Executive Summary](#).

[Table 2](#) in the Appendix presents the changes in how the *Executive Summary* categorises human rights issues in Iraq in the 2016 report compared to the subsequent editions.

C. Improvements

The majority of improvements were observed comparing the 2019 report to the 2020 edition. Five issues were noted and all found to be inconsistent with the situation as reported by other publicly available sources. Four additional improvements were noted in 2018, which were all repeated in the subsequent reports. Three initial improvements were recorded in the 2017 report, which were all repeated in the 2018 and 2019 reports, and two of which were repeated in 2020.

One notable alleged improvement suggested in 2018 and 2019 that “little information was available” on ISIS’s recruitment and use of children compared to 2016 and 2017 where it was reported that “In previous years ISIS was known to recruit and use children”. However, sources located in the public domain continued to document this practice for both years. This improvement was repeated in the 2020 report however sources were not located in the public domain to document this practise in that year. For further details see [1.2.2.](#)

Furthermore, whilst the 2016 report described the Iraqi asylum system as “flawed”, this was replaced in the 2017, 2018, 2019 and 2020 editions with “The law provides for the granting of asylum or refugee status, and the government established a system, albeit flawed, for providing protection to refugees” suggesting an improved situation to 2016. However, information found amongst other publicly available sources reported that access to asylum was problematic mainly due to the fact that Iraq is not a party to the Refugee Convention of 1951 or its protocol of 1967. For further details see [2.2.1.](#)

A further notable example observed related to Female Genital Mutilation/Cutting (FGM/C). Whilst the 2016 report stated that “25 percent of women in the central and southern parts of the country had been subjected to FGM/C”, the 2017 report omitted such information. The 2018, 2019 and 2020 reports added instead that “FGM/C was not common outside the IKR [Iraqi Kurdistan Region]”. Reducing the statistics included in the 2016 to “was not common” may be read to imply an improvement of the situation for 2018, 2019 and 2020, which was not supported by other available sources in 2018 and 2019 (Note that for 2020 no relevant sources were located).

Of the five improvements observed in the 2020 report, three of them were within section 2. *Respect for Civil Liberties*, most notably the 2020 implied that NGOs registered in Baghdad could now operate

in the IKR and that IDPs and refugees enjoyed freedom of movement within the IKR. Both issues were found not to be consistent with the situation on the ground as reported by other publicly available sources.

For additional examples on the above findings see the respective *Improvements* sections presented below under the sections of the U.S. Department of State's report.

D. Omissions

The majority of issues were observed comparing the 2020 report to the 2019 edition. Thirty nine issues documented in the 2019 report were omitted from the 2020 edition despite publicly available information continuing to document their existence. Thirty two issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence. Several of these issues continued to be omitted from subsequent reports and for the vast majority of issues, information was found to document their continued existence. An additional twenty five omissions were observed in the 2018 report and a further nineteen in the 2019 report.

Over half of the omissions observed across the four reports were found in section 1. *Respect for the Integrity of the Person*, particularly the subsections on *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*, *Arrest Procedures and Treatment of Detainees* and *Abuses in Internal Conflict*. followed by section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*, particularly the subsection on *Women*.

Examples of significant omissions included the following:

- Information on the occurrence of torture in prisons operated in the Kurdistan Region of Iraq opposed to information on the availability of redress for torture allegations as omitted in the 2017, 2018, 2019 and 2020 reports. For further details see [1.3.1.](#)
- Information on secret detention facilities operated by the Iraqi government and the Kurdistan Regional government. For further details see [1.3.1.](#)
- Information on the continued violence and abuse against children in 2017, 2018, 2019 and 2020, women in 2018, 2019 and 2020, and civilians in general committed by ISIS in 2018, 2019 and 2020. For further details see [1.3.1.](#) and [1.3.2.](#)
- Information on the widespread nature of corruption and lack of government transparency in the Kurdistan Region of Iraq. For further details see [4.3.1.](#)
- Information on the underreporting of sexual and gender-based violence due to social stigma, societal retribution, cultural norms, distrust in the legal system, and lack of punishment of perpetrators. For further details see [6.3.1.](#)
- The renamed *Coercion in Population Control* subsection in the 2017 report did not include contextual information about the legal rights of married couples to freely decide the number, spacing and timing of children their entitlements to reproductive healthcare free from discrimination, coercion, and violence, the inadequate and limited sexual and reproductive health services and general medical care provided to women. Instead in 2017 the following statement was included: "There were reports that ISIS forced Yezidi women whom they had impregnated to have abortions. There were no reports of involuntary sterilization" and a link

provided to estimates on maternal mortality and contraception prevalence. In the 2018 report it was stated that “There were no reports of coerced abortion or involuntary sterilization by government authorities. Unlike previous years, there were no reports of coerced abortion by ISIS or other armed groups of pregnancies of Yazidi captive women” and in the 2019 edition this was further reduced to “There were no reports of coerced abortion or involuntary sterilization”. For further details see [6.3.1.](#) In March 2021 the U.S. Department of State noted that it “will release an addendum to each 2020 country report that expands the subsection on women in Section 6, entitled “Discrimination, Societal Abuses, and Trafficking in Persons,” to include a broader range of issues related to reproductive rights”.¹ At the time of finalising the review of the 2020 U.S. Department of State country reports, these addendum had not been published yet. As a result, the 2020 reviews did not include research or analysis on the subsection *Coercion in Population Control*.

- Information on violence and fear experienced by LGBTI organisations and activists (for more information see [6.3.1.](#)), societal discrimination affecting LGBTI persons (for more information see [6.3.2.](#)), as well as violence and abuse faced by state and non-state actors (for more information see [6.3.3.](#) and [6.3.4.](#)).

Other notable omitted information from the 2017 report, all of which continued to be omitted from subsequent reports, related to:

- Improvised Explosive Devices (IEDs), suicide bombs and vehicle-borne devices’ impacted on civilians;
- Information that overcrowding was driven by terrorism-related detentions (Note: This was also omitted from the 2019 and 2020 reports, but no information found amongst other publicly available sources);
- Risk of statelessness affecting Baha’i;
- Economic pressures faced by IDPs resulting in an increase in early marriages;
- Violations faced by labour activists because of their union activities (Note: This was also omitted from the 2020 report, but no information found amongst other publicly available sources).

Additional notable issues omitted from the 2018 report, all of which also omitted in the 2019 and 2020 editions, included:

- The abduction by ISIS of members of the security or police forces, members of ethnic and religious minorities and other non-Sunni communities;
- Abuses and atrocities committed by militias working under the Popular Mobilization Forces (PMFs) (Note: This was also omitted from the 2020 report, but no information found amongst other publicly available sources);
- The Kurdistan Regional Government’s attempts to try, convict and take legal action against journalists;
- Denial of Sunni Arab IDPs access to Kirkuk (Note: This was also omitted from the 2020 report, but no information found amongst other publicly available sources);
- Difficulties faced by IDPs in accessing services if they did not register with the government;
- Societal discrimination experienced by persons with disabilities.

¹ U.S. Department of State, [2020 Country Reports on Human Rights Practices](#), 30 March 2021, *Preface, Announcement, Upcoming Addendum*

In the 2019 report, the following notable additional issues were omitted, and mostly repeated in 2020:

- Arbitrary or unlawful killings committed by the Kurdish Asayish;
- Ethnic or sectarian dimensions relating to home and property confiscations;
- Continued use of vehicle-borne IEDs and suicide bombs, as well as the use of mortars by ISIS;
- Forced return of IDPs to unsafe areas (only omitted from the 2019 report);
- Continued practice of fasliya, whereby family members, including women and children, are traded to settle disputes (only omitted from the 2019 report);
- Discrimination faced by ethnic and religious minorities by the Kurdistan Regional Government;
- Continued seizure of Christian properties.

In the 2020 report, the following notable additional issues were omitted:

- Recruitment of child soldiers by the PMF (Note: This removal is however internally consistent as *Section 1* refers to a June 2020 UN Security Council report which states that no new cases of recruitment and use by the PMF were documented during the year);
- Human rights violations including abuse, torture, enforced disappearance, committed by Asayish in particular, but also other KRI forces, including in KRG controlled detention facilities (Note: This was however internally inconsistent with another subsection which included Asayish as a perpetrator of such abuses);
- Harrassment and sexual abuse of female relatives of ISIS members by security forces and rape of women in IDP camps with alleged ties to ISIS;
- The continued practice of detaining or imprisoning sexual harassment victims in the absence of shelters.

In all the instances highlighted above, the information was omitted despite publicly available sources documenting their continued existence.

For additional examples on the above findings see the respective *Omissions* sections presented below under the sections of the U.S. Department of State's report.

Notable omissions from the *Executive Summary* of the U.S. Department of State report

Most of the omissions to the *Executive Summary* were observed when comparing the 2017 *Executive Summary* to the 2016 edition, the majority of which were found to be internally inconsistent with the respective sections of the U.S. State Department report.

Twenty-one such omissions were observed in 2017, all of which were omitted from subsequent reports unless otherwise stated [Note that for the sentences in bold: Only the highlighted words have been omitted]:

- Sectarian hostility;
- Lack of transparency at all levels of government and society;
- Lengthy pretrial detention, sometimes incommunicado;
- Denial of fair public trial;
- Insufficient judicial institutional capacity;
- Ineffective implementation of civil judicial procedures and remedies;

- Arbitrary interference with privacy **and homes**;
- Child soldiers” in 2017 and 2020;
- “Violence against **and harassment** of journalists” in 2017 and the whole sentence from 2018 and 2019 editions; “threats of violence, unjustified arrests and prosecutions against journalists” was then included in the 2020 edition.
- Undue Censorship;
- Social, religious, and political restrictions in academic and cultural matters;
- Limits on freedom of peaceful assembly in 2017 and 2018
- Limits on freedom of peaceful association;
- Limits on religious freedom due to violence by extremist groups;
- Refugee and IDP abuse;
- Forced IDPs returns in 2017, 2018 and 2019;
- Preventing IDPs from returning home;
- Discrimination against and societal abuse of women [...] including exclusion from decision-making roles in 2017, 2018 and 2019. “Lack of investigation of and accountability for violence against women” and “discrimination in employment of[...] women” were reincluded in the 2020 report;
- Discrimination against and societal abuse of [...] ethnic, religious, and racial minorities, including from decision-making roles in 2017, 2018 and 2019. “Crimes involving violence targeting members of ethnic minority groups” was reincluded to the 2020 report;
- “**Societal discrimination and** violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons” in 2017 (whole sentence), 2018, 2019 and 2020 (words in bold);
- Seizure of property without due process.

The following profiles categorised in 2016 as being targeted by “the terrorist organization Da’esh committed the overwhelming majority of serious human rights abuses, including attacks against” were omitted in subsequent reports’ *Executive Summary*:

- Civilians, (particularly Shia but also Sunnis who opposed Da’esh);
- Members of other religious and ethnic minorities;
- Women;
- Children.

The omission of these profiles from the 2017, 2018, 2019 and 2020 *Executive Summary* was internally consistent with how the four reports dealt with violations committed by ISIS despite publicly available sources continuing to document these profiles as ISIS targets for 2017, 2018 and 2019. In 2020, publicly available sources continued to document ISIS targeting civilians (including children) and particular members of religious and ethnic minorities.

The 2017 report further listed the following three separate human rights issues that ISIS committed which were omitted from the 2018, 2019 and 2020 Reports’ *Executive Summary*:

- “They also engaged in kidnapping, rape, enslavement, forced marriage, and sexual violence, committing such acts against civilians from a wide variety of religious and ethnic backgrounds, including Shia, Sunnis, Kurds, Christians, Yezidis, and members of other religious and ethnic groups”;
- Reports of ISIS perpetrating gender-based violence;
- Destroying civilian infrastructure and cultural heritage sites.

No additional issues were omitted from the 2018 or 2019 Reports’ *Executive Summary*.

The 2020 report omitted the following two additional human rights issues in its *Executive Summary*:

- Trafficking in persons;
- Recruiting child soldiers.

This is discussed further in section [8. Executive Summary](#).

[Table 2](#) in the Appendix presents the changes in how the *Executive Summary* categorises human rights issues in Iraq in the 2016 report compared to the subsequent editions.

Findings by section of the report

1. Section 1. *Respect for the Integrity of the Person*

1.1. Use of language

1.1.1. Observations in 2017, most of which repeated in 2018, 2019 and 2020

1.c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

Some distancing language was introduced in the 2017, 2018, 2019 and 2020 editions compared to the 2016 report, thereby potentially undermining the veracity of the information included in the following example:

2016 report [emphasis added]	2017, 2018, 2019 and 2020 reports [emphasis added]
As in previous years, abuse and torture occurred during arrest, pretrial detention, and after conviction	As in previous years, there were credible reports that government security forces [...] abused and tortured individuals [...] during arrest, pretrial detention, and after conviction

1.c. *Prison and Detention Centre Conditions*

In this instance source attribution to specific sources found in the 2016 report was removed in the three subsequent editions, potentially undermining the perceived veracity of the information. The 2020 report removes this paragraph entirely. For a discussion of this see section [1.3.4.](#)

2016 report [emphasis added]	2017, 2018 and 2019 reports [emphasis added]
Although the government held most juvenile pretrial detainees and convicts in facilities operated by the Ministry of Labor and Social Affairs, international and local NGOs reported that authorities held some juveniles in Justice Ministry prisons, Interior Ministry police stations, and other Interior Ministry detention facilities	[...] Although the government held most juvenile pretrial detainees and convicts in facilities operated by the Ministry of Labor and Social Affairs, there were reports that Ministry of Justice-administered prisons, Ministry of Interior police stations, and other Ministry of Interior detention facilities held some juveniles [...]

1.c. *Prison and Detention Centre Conditions*

It was observed that some softening language was introduced in 2017, compared to the 2016 report, thereby implying an improvement of the situation. Interestingly in this example, the 2018 and 2019 reports noted a deterioration of the situation and replaced “sometimes” of the 2017 report with “often”.

2016 report	2017 report [emphasis added]	2018 and 2019 reports [emphasis added]
Many inmates lacked adequate food, water, exercise facilities, vocational training, and family visitation	Inmates in government-run detention and prison facilities sometimes lacked adequate food and water	Inmates in government-run detention and prison facilities often lacked adequate food and water

This paragraph is omitted in the 2020 report. For a discussion of this see section [1.3.4.](#)

1.c. Prison and Detention Centre Conditions

Whilst the 2016 report referred to ‘torture’ as being one of the reasons why conditions in prison and detention facilities are described as “harsh and life threatening”, this was limited in the 2017, 2018, 2019 and 2020 reports to “physical abuse”, and limited it further in the 2020 report to “occasionally life threatening” potentially undermining the level of violence and abuse that did take place. This is despite the respective section 1.c. reporting that torture occurred in places of detention.

2016 report [emphasis added]	2017, 2018 and 2019 reports [emphasis added]	2020 report [emphasis added]
Conditions at some prison and detention facilities remained harsh and life threatening due to overcrowding, abuse, and torture	Conditions at some prison and detention facilities remained harsh and life threatening due to overcrowding, physical abuse	Prison and detention center conditions were harsh and occasionally life threatening due to food shortages, gross overcrowding, physical abuse , inadequate sanitary conditions and medical care

1.c. Prison and Detention Centre Conditions

1.d. Arbitrary arrest or detention

Previously made (critical) statements, which read like assessments in the 2016 U.S. Department of State report, were omitted from subsequent editions despite the respective sections 1.c and 1.d not documenting an improvement in the situation:

2016 report [emphasis added]	2017, 2018, 2019 and 2020 reports [emphasis added]
treatment of detainees were generally poor	[Removed]
The government made minimal progress by year’s end in improving enforcement of the rights governing arrest and detentions, despite the encouragement of an executive order and a reform law	[Removed]

1.d. Arbitrary arrest or detention

Whilst the 2016 report noted “harsher conditions” for prisoners facing terrorism charges, the 2017, 2018 and 2019 reports focused on the length of time of facing isolated detention a distinct point.

2016 report [emphasis added]	2017, 2018 and 2019 reports [emphasis added]
Prisoners facing terrorism charges were isolated from the general population and were more likely to remain in Interior Ministry facilities in harsher conditions	Prisoners facing terrorism charges were isolated from the general detainee population and were more likely to remain in Ministry of Interior or Ministry of Defense detention for longer periods

This paragraph is omitted in the 2020 report. For a discussion of this see section [1.3.4.](#)

1.d. Arbitrary arrest or detention

In the following examples it was further observed that softening language was included in 2017, 2018 and 2019 compared to 2016, thereby implying an improvement of the situation:

2016 report [emphasis added]	2017, 2018 and 2019 reports [emphasis added]
Some detention facilities did not have an onsite pharmacy or infirmary, and authorities reported that existing pharmacies were undersupplied	Some detention facilities did not have an onsite pharmacy or infirmary, and authorities reported that even when they existed, pharmacies were often undersupplied
According to NGO contacts, inmates whom the judiciary ordered to be released continued to face delays from the Interior Ministry or other ministries to clear their record of other pending charges	According to NGO contacts, inmates whom the judiciary ordered released sometimes faced delays from the Ministry of Interior or other ministries to clear their record of other pending charges

Both of these paragraphs are omitted in the 2020 report. For a discussion of this see section [1.3.4.](#)

1.d. Arbitrary arrest or detention

In the following example the 2016 report implied that the Constitution provided “some basic legal safeguards” whilst in the subsequent year it was reported more affirmatively that safeguards were provided despite the Constitution not having been reported to have improved:

2016 report [emphasis added]	2017 report [emphasis added]
The constitution provides some basic legal safeguards against arbitrary arrest and detention	The constitution provides legal safeguards against arbitrary arrest and detention

The 2018, 2019 and 2020 reports improved this slightly by adding more clarity.

1.d. Arbitrary arrest or detention

A softening in language was observed in this example from 2017 compared to 2016. Interestingly, the 2018, 2019 and 2020 reports no longer included this particular point but mentioned that “**numerous reports** of arbitrary arrests and detentions, predominantly of Sunni Arabs” and the “large number of ISIS-related detainees” which are known to be mainly Sunni Arabs.

2016 report [emphasis added]	2017 report [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
There were many reports of Shia PMF forces detaining Sunnis following the liberation of Da’esh-dominated areas	There were some reports of PMF forces detaining Sunnis following the liberation of ISIS-dominated areas	Despite such protections, there were numerous reports of arbitrary arrests and detentions, predominantly of Sunni Arabs, including IDPs [...] Lengthy pretrial detentions were particularly common in areas liberated from ISIS, where the

		large number of ISIS-related detainees and use of makeshift facilities led to significant overcrowding and inadequate services
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1.d. Arbitrary arrest or detention / Arrest Procedures and Treatment of Detainees / Arbitrary Arrest & Pretrial Detention

1.e. Denial of Fair Public Trial / Trial procedures

In the following example whilst the 2016 report mentioned that police and the military “arrested and detained individuals without judicial approval” the 2017 report reported that police only “sometimes arrested and detained individuals”. The 2018, 2019 and 2020 reports noted that there were “numerous reports of arbitrary or unlawful detention”. This implies an improvement in the situation in 2017 and then a worsening in again in 2018, 2019 and 2020. Two further such patterns were noted and the examples noted below:

2016 report [emphasis added]	2017 report [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
Police and military personnel arrested and detained individuals without judicial approval, although there were no reliable statistics available regarding the number of such acts or length of detentions	Police and military personnel sometimes arrested and detained individuals without judicial approval, although there were no reliable statistics available regarding the number of such acts or the length of detentions	There were numerous reports of arbitrary or unlawful detention by government forces, including ISF, Federal Police, NSS, PMF, Peshmerga, and Asayish
According to some observers, authorities held many detainees for months or years after initial arrest and detention, particularly those detained under the antiterrorism law	According to some observers, authorities held some detainees without trial for months or years after arrest, particularly those detained under the antiterrorism law	Authorities reportedly held numerous detainees without trial for months or years after arrest, particularly those detained under the antiterrorism law
The constitution provides all citizens the right to a fair trial-- but not necessarily a public trial --and the right to be present at their trial, with the assistance of free interpretation through all appeals, if necessary	The constitution provides all citizens the right to a fair and public trial	The constitution and law provide all citizens the right to a fair and public trial, but the judiciary did not enforce this right for all defendants

1.e. Denial of Fair Public Trial / Trial procedures

The following example shows that a source attribution included in the 2016 report was removed from the 2017, 2018, 2019 and 2020 reports. In addition the 2018, 2019 and 2020 editions reduced the regularity of the practice and the 2019 and 2020 editions included distancing language, possibly implying a questioning the veracity of the information:

2016 report [emphasis added]	2017 report [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
In many cases, according to AI, forced confessions served as the only source of evidence without	Nevertheless, in numerous cases, forced confessions served as the primary source of evidence	In numerous cases judges reportedly relied on forced or coerced confessions as the

the corroboration of forensic evidence or independent witness testimony	without the corroboration of forensic evidence or independent witness testimony	primary or sole source of evidence in convictions, without the corroboration of forensic evidence or independent witness testimony
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1.f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

A source attribution included in the 2016 report was omitted from the 2017 more affirmatively documenting the situation. The 2018 and 2019 reports introduced distancing language potentially questioning the veracity of information. Interestingly, the sentence was removed from the 2020 report. For a discussion of this see section [1.3.4.](#)

2016 report [emphasis added]	2017 report [emphasis added]	2018 and 2019 reports [emphasis added]	2020 report
According to accounts by family members provided to the UN High Commissioner for Refugees’ (UNHCR) Protection Cluster , some government forces and militia groups continued to force alleged Da’esh sympathizers out of their homes in Anbar, Diyala, Kirkuk, and Salah al-Din Governorates	Some government forces and militia groups forced alleged ISIS sympathizers from their homes in several governorates	There were numerous reports that government forces and local authorities punished family members of suspected ISIS members and supporters. In some instances local community leaders reportedly threatened to evict these family members from their homes forcibly, bulldoze the homes, and either injure or kill these relatives	[Removed]

1.g. Abuses in Internal Conflict

Concerning two source attributions included in the 2016 report, the reference to the United Nations was removed in the 2017 report, potentially undermining the perceived veracity of the information included:

2016 report [emphasis added]	2017 report
According to the United Nations and international human rights organizations, some Iran-backed Shia militias, nominally under government control, committed human rights violations	According to international human rights organizations, some Shia militias, including some under the PMF umbrella, committed abuses and atrocities

This paragraph is omitted in the 2018, 2019 and 2020 reports. For a discussion of this see section [1.3.2.](#)

1.1.2. Observations in 2018, most of which repeated in 2019 and 2020

1.c. Prison and Detention Centre Conditions

It was observed that softening and distancing language was included in 2018 and 2019 compared to 2017, thereby implying an improvement of the situation and potentially undermining the veracity of the information included. The paragraph was removed in 2020. For a discussion of this see section [1.3.4.](#)

2017 report [emphasis added]	2018 and 2019 reports [emphasis added]	2020 report
Human rights organizations reported that prison guards or arresting officers released detainees only after the detainees paid a bribe [...] Prison authorities sometimes delayed the release of exonerated inmates or extorted bribes from prisoners to vacate detention facilities at the end of their sentence terms	Prison and detention center authorities reportedly sometimes delayed the release of exonerated detainees or inmates due to lack of prisoner registration or other bureaucratic issues, or they extorted bribes from prisoners for release at the end of their sentence	[Removed]

1.d. Arbitrary arrest or detention

It was further observed that the following contextual information found in the 2017 report was no longer included in the 2018, 2019 and 2020 editions:

2017 report	2018, 2019 and 2020 reports
A 2014 prime ministerial executive order prohibits the arrest or remand of individuals, except by order of a competent judge or court or as established by the code of criminal procedures. The executive order requires authorities within 24 hours of the detention to register the detainee's name, place of detention, reason for detention, and legal basis for detention. The Ministry of Justice is responsible for updating and managing these registers. The order requires the Ministries of Defense and Interior and the National Security Service to establish guidelines for commanders in battlefield situations to register detainees' details in this central register. The executive order also prohibits any entity, other than legally competent authorities, to detain any person	[Removed]
In 2016 the Council of Representatives (COR) passed an amended amnesty law that provides for retrials of detainees convicted based on forced confessions or evidence provided by secret informants	[Removed]

1.e. Denial of Fair Public Trial

It was observed that the following contextual information or statements found in the 2017 report were no longer included in the 2018, 2019 and 2020 editions:

2017 report	2018, 2019 and 2020 reports

[emphasis added]	[emphasis added]
One individual heads both the Federal Supreme Court that rules on issues related to federalism and constitutionality and the Higher Judicial Council that manages and supervises the court system, including disciplinary matters	The Federal Supreme Court rules on issues related to federalism and constitutionality, and a separate Higher Judicial Council manages and supervises the court system, including disciplinary matters

1.e. Denial of Fair Public Trial / Political prisoners and Detainees

Some distancing language was introduced in the 2018, 2019 and 2020 editions compared to the 2017 report, thereby potentially undermining the veracity of the information included in the following examples:

2017 report [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
The Kurdistan Judicial Council is legally, financially, and administratively independent from the KRG Ministry of Justice, but the KRG executive influenced politically sensitive cases	The Kurdistan Judicial Council is legally, financially, and administratively independent from the KRG Ministry of Justice, but the KRG executive reportedly influenced politically sensitive cases
Political opponents of the government asserted the government imprisoned or sought to imprison persons for political activities or beliefs under the pretense of criminal charges ranging from corruption to terrorism and murder	Political opponents of the government alleged the government imprisoned individuals for political activities or beliefs under the pretense of criminal charges ranging from corruption to terrorism and murder

1.1.3. Observations in 2019, all repeated in 2020

1.a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

The 2018 report noted that detainees were tortured to death. However this general pattern was omitted as the 2019 and 2020 reports only mentioned the torture of detainees. This is despite the 2019 report including two examples and the 2020 report including one example where torture lead to death in custody. By reducing a general to one or two examples, it might be ready to imply that the practice no longer occurs on a regular basis:

2018 report [emphasis added]	2019 and 2020 reports
Human rights organizations reported that both Ministry of Interior and Ministry of Defense personnel tortured detainees to death	Human rights organizations reported that both Ministry of Interior and Ministry of Defense personnel tortured detainee

1.1.4. Observations in 2020

1.a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

The 2019 report noted that while the government claimed to investigate allegations of extrajudicial killings, it rarely made this public. However this general claim was omitted as the 2020 report only mentioned the creation and progress made of a parliamentary committee assigned to investigate violence in the southern provinces. By reducing a general claim to a specific investigation of an incident, it might be implied that there no longer is a general lack of publicly announced investigations:

2019 report [emphasis added]	2020 report
<p>While the government claimed to investigate allegations, it rarely made public its identification and prosecution of specific perpetrators of abuses and atrocities</p>	<p>The Iraqi Parliament announced in December 2019 that a parliamentary “fact-finding committee” assigned to investigate the use of violence in the southern provinces had concluded its work and that its final report would be submitted to then caretaker prime minister Adil Abd al-Mahdi, without providing a timeline. The Dhi Qar Province portion of the investigation remained unfinished due to “incomplete statements of the officers.” Ultimately the committee did not release its final report, and apparently no significant legal action was taken against the perpetrators. The establishment of a fact-finding body to pursue accountability for violence against protesters was one of the first commitments of Prime Minister Mustafa al-Kadhimi’s government when he became prime minister in May. On July 30, al-Kadhimi stated that violence during demonstrations, as of that date, had killed at least 560 persons, including civilians and security personnel</p>

1.d Prison and Detention Center Conditions

Some useful contextual information was omitted from the 2020 report:

2019 report [emphasis added]	2020 report
<p>In July HRW observed that all three of Ninewa’s pretrial detention facilities, Tal Kayf, Faisaliya, and Tasfirat, were so overcrowded that no detainee could lie down to sleep. HRW visited one cell of approximately 250 square feet, with a single toilet, that had been housing 114 detainees for four months. The windows were bricked up, and the temperature and stench in the room were overpowering. At least four detainees had died in cases that, according to prison staff, were linked to the lack of proper medical care and hygiene standards. HRW reported that the three pretrial detention facilities had a combined capacity of 2,500 prisoners, but as of late June they were holding an estimated 4,500 individuals. Approximately 1,300 of them had been tried and convicted and should have been transferred to Baghdad prisons. Some remained in the crowded facility for up to six months after they were convicted. In September the IHCHR stated that the design capacity of 25 prisons of the Ministry of Justice was 21,600 inmates, while the inmate population was 37,900. Basrah central prison held 3,600 inmates, while its maximum capacity was 1,200. Nasiriya central prison (Al-Hot) held 10,900 inmates, while its design capacity was 4,000. The</p>	<p>The IHCHR estimated the number of detainees and inmates in Ninewa detention centers at 5,500 individuals, with the number of juveniles (younger than age 18) detained in terrorism cases at 1,000. Overcrowding in detention centers ranged from 150 to 200 percent of their capacity, especially in al-Faysaliah Detention Center in Mosul. The IHCHR reported the centers witnessed high death rates, including 180 deaths in 2018, 40 in 2019, and 22 as of June.</p>

IHCHR also reported overcrowding in women’s prisons. The capacity of the central women’s prison was 250 inmates, while the number of inmates was 663. A senior penitentiary official shared photographs taken in May of female terrorism suspects with their children in one cell in Tal Kayf prison. The detainees had no space to lie down in their cells or even sit comfortably. Prison authorities had not provided mattresses because there was no room for them in the cells	
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1.2. Improvements

1.2.1. Improvements in 2017 (compared to 2016), all repeated in 2018 and 2019 and some repeated in 2020

The following two improvements in the situation in 2017 compared to 2016 were observed, both of which were repeated in 2018, that were inconsistent with the situation as reported by other publicly available sources. Both improvements were also observed in 2019 but information was not found to indicate that one was inconsistent with other sources. One of these improvements was also observed in the 2020 report.

Years marked in red indicates where little or no information was found.

1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment / Prison and Detention Centre Conditions

1. “Many inmates lacked adequate food, water, **exercise facilities, vocational training, and family visitation.**”

[Note: The 2018 and 2019 reports did note the lack of exercise facilities, but not the absence of vocational training and family visitation]

[2017](#) [2018](#) [2019](#)

[Amongst the sources consulted information was found reporting on the absence of exercise facilities, vocational training, and family visitation in 2017, and on the absence of family visitation in 2018. No source were located reporting on these absences in 2019. This improvement was no longer noted in 2020]

1.g. Abuses in Internal Conflict / Other Conflict-related Abuse

2. “**Active areas of conflict** continued to disrupt the lives of hundreds of thousands of persons throughout the country, particularly in Baghdad and the **IKR**, but also in Anbar, Ninewa, **Salah al-Din, and Diyala Governorates**”

[Note: The emphasised text was omitted from the 2017, 2018, 2019 and 2020 reports thereby implying that they no longer constitute active areas of conflict]

[2017](#) [2018](#) [2019](#) [2020](#)

[The information found for all four years report on the continued ISIS presence in Salah al-Din and Diyala Governorates and related acts of terrorism, conflict-related violence in those areas and Iraqi security forces fighting. Information found on the Kurdistan Region of Iraq suggested that it may no longer be considered an ‘active area of conflict’ but rather that non-ISIS related incidents of attacks occurred – mainly on the respective border areas with Syria, Turkey and Iran]

1.2.2. Improvements in 2018 (compared to 2017 and 2016), half of which repeated in 2019 and in 2020

The following two additional improvements in the situation in 2018 compared to 2017 and 2016 were observed that were inconsistent with the situation as reported by other publicly available sources. Both issues were also observed as reported improvements in 2019 and 2020 and information was found documenting the inconsistency of one of them. Years marked in red indicates where little or no information was found.

1.d. Arbitrary arrest or detention / Arrest Procedures and Treatment of Detainees

1. “KRG internal security units held some suspects incommunicado without an arrest warrant and transported detainees to undisclosed detention facilities”

[Note: The 2018, 2019 and 2020 reports changed this to “Government forces held many terrorism-related suspects incommunicado without an arrest warrant and transported detainees to undisclosed detention facilities” suggesting that only Iraqi security forces, not KRG internal security units, were involved in such actions. Elsewhere within the respective reports it is stated that “Human rights organizations reported that government forces, including the ISF, Federal Police, NSS, **PMF, and Asayish**, frequently ignored the law. Local media and human rights groups reported that authorities **arrested suspects in security sweeps without warrants, particularly under the antiterrorism law, and frequently held such detainees for prolonged periods without charge or registration**”. This suggests that KRG internal security units continue to be involved in incommunicado detention and arrests without a warrant. Therefore the COI search focused on “undisclosed detention facilities” (e.g. secret detention facilities) in the KRI]

[2018](#) [2019](#) [2020](#)

[Amongst the sources consulted no information was located reporting on undisclosed detention facilities in 2019]

1.g. Abuses in Internal Conflict / Child Soldiers

2. “In previous years ISIS was known to recruit and use children”

[Note: In the 2018, 2019 and 2020 reports this was amended to “Little information was available” which may be read to imply an improvement in the situation]

[2018](#) [2019](#) [2020](#)

[No information was located covering 2020]

1.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016)

There were no notable additional improvements observed in section 1. *Respect for the Integrity of the Person* across the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

1.2.4. Improvements in 2020 (compared to 2019, 2018, 2017 and 2016)

The following improvement in the situation in 2020, compared to 2019, 2018, 2017 and 2016, was observed that was inconsistent with the situation as reported by other publicly available sources.

1.e. Civil Judicial Procedures and Remedies

1. “The ministry approved approximately 5,127 cases (many historical) that were to receive compensation consisting of a piece of land, 10 years’ salary, and college tuition for one family member, although the government **could not always** pay compensation due to budget constraints.”

[Note: The emphasised text was changed from “could not pay compensation” in the 2019 report to “could not always pay” in the 2020 edition thereby implying that more received compensation]

[2020](#)

1.3. Omissions

1.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

Thirteen issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence in ten of these instances. All of these issues continued to be omitted from the 2018 report and information was found documenting the existence of ten of these. Again, all thirteen issues continued to be omitted from the 2019 and 2020 reports. Information was found documenting the existence of nine of these in 2019 and eight of these in 2020.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

1.a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

1. UNAMI reporting on Improvised Explosive Devices (IEDs), suicide bombs and vehicle-borne devices’ impact on civilians

[Note: The 2017, 2018, 2019 and 2020 reports omitted to include that IEDs, suicide bombs and vehicle-borne devices impacted on civilians lives in those years]

[2017](#) [2018](#) [2019](#) [2020](#)

1.c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

2. “The Human Rights Ministry and the Iraqi High Commission for Human Rights (IHCHR) noted that torture cases were underreported because many detainees were afraid to file complaints”

2017 2018 [2019](#) 2020

[Amongst the sources consulted only one source was found for 2019]

3. Information on secret detention facilities operated by the Iraq government and the Kurdistan Regional Government

[Note: The 2018 report included information on a secret detention facility operated by the National Security Service in Mosul]

[2017](#) [2018](#) [2019](#) [2020](#)

[Amongst the sources consulted for 2017 one source was located and all sources located for 2019 report on Iraqi forces operating secret detention facilities]

4. Information on detention facilities operated by ISIS

[2017](#) 2018 2019 2020

[No information was found located amongst the sources consulted for 2018, 2019 and 2020. This may be explained since ISIS lost substantial if not all of its territorial control in Iraq during those years]

5. “On May 3 [2016], AI reported that Shia militia units were holding more than 1,000 detainees, including some as young as 15, without charge in “horrendous conditions at makeshift holding centers” in Anbar Governorate.”

[Note: Research focused on detention facilities operated by militia units]

2017 2018 2019 [2020](#)

[No information was found located amongst the sources consulted for 2017, 2018 and 2019]

6. “Published in its January-June report [2016], UNAMI found overcrowding driven by terrorism-related detentions, such as in the Anti -Terrorism Directorate facility in Erbil”

[Note: The 2017, 2018, 2019 and 2020 reports omitted to mention that overcrowding was driven by terrorism-related detentions]

[2017](#) [2018](#) 2019 2020

[No information was found located amongst the sources consulted for 2019 and 2020]

7. “According to the Iraqi Kurdistan Independent Human Rights Commission and IKR parliamentary Human Rights Committee, instances of torture have occurred in IKR prisons. UNAMI reported during monitoring visits to prisons and places of detention in the IKR that 70 detainees raised allegations of torture or other ill treatment during their interrogation”

[Note: The emphasis in the 2017, 2018, 2019 and 2020 reports was rather on the availability of redress for torture allegations than whether torture actually occurred in KRI prisons]

[2017](#) [2018](#) [2019](#) [2020](#)

[Amongst the sources located for all years it continued to be reported that instances of torture occurred in KRI prisons]

1.d. Arbitrary arrest or detention

8. “Emergency laws give security forces broad discretion over arrest and detention when the government has declared a national emergency, which authorities declared in Baghdad on April 30 [2016] after protesters breached the International Zone”

[2017](#) [2018](#) [2019](#) [2020](#)

9. *Role of the Police and Security Apparatus:* “An NGO in Muthanna Governorate reported that guards on occasion beat prisoners for talking to outsiders about poor conditions and mistreatment inside the prison”

[2017](#) [2018](#) [2019](#) [2020](#)

[One source in 2018 and 2019 was found documenting this pattern without specifying its exact location. Amongst the sources consulted no specific information was found on Muthanna Governorate for the years 2018 and 2019. In 2017 and 2020 no information was found amongst the sources consulted]

1.e. Denial of Fair Public Trial

10. “There were reports that corruption influenced authorities’ willingness to respect court orders”

[2017](#) [2018](#) [2019](#) [2020](#)

[The sources consulted reported on the widespread level of corruption amongst all strata of the Iraqi government and how the judiciary is influenced by corruption]

1.g. Abuses in Internal Conflict

11. “Da’esh also reportedly killed and abducted religious leaders who failed to support the terrorist group”

[2017](#) [2018](#) [2019](#) [2020](#)

[No information was found amongst the sources consulted for 2019 and 2020]

1.g. Abuses in Internal Conflict / Child Soldiers

12. “According to UNICEF, Da’esh violations against children included killing and maiming, recruitment and use as soldiers or suicide bombers, sexual violence, attacks against schools or hospitals, denial of humanitarian access for children, and abduction”

[2017](#) [2018](#) [2019](#) [2020](#)

[Amongst the sources consulted in 2017, 2018 and 2019 information was found continuing to document these violations occurring against children by ISIS. Amongst the sources consulted in 2020 information was found continuing to document killings of children only]

1.g. Abuses in Internal Conflict / Other Conflict-related Abuse

13. “UNAMI stated in an October report that Da’esh violations against Christians, Faili (Shia) Kurds, Kaka’i, Sabaeen-Mandean, Shabaks, Shia Arabs, Turkmen, Yezidis and others appeared to be part of a policy to suppress, permanently expel, or destroy these communities”

[2017](#) [2018](#) [2019](#) [2020](#)

[Amongst the sources consulted information was found continuing to document these violations against ethnic and religious minorities by ISIS in 2017, 2018 and 2019. Amongst the sources consulted in 2020 information was found continuing to document violations against the Kaka’i only]

1.3.2. Omissions in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

Thirteen issues documented in the 2017 report (some of which also in 2016) were omitted from the 2018 edition despite publicly available information continuing to document their existence in all instances. All thirteen issues continued to be omitted from the 2019 and 2020 reports, despite publicly available information continuing to document their existence in all instances in 2019 and five instances in 2020.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

1.a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

1. “During the year authorities discovered numerous mass graves [of victims killed by ISIS], including in Anbar, Babil, and Ninewa Governorates”

[2018](#) [2019](#) [2020](#)

2. “Spillover across the porous border from the conflict in Syria continued to destabilize the security situation in the country [Iraq]. The government’s lack of the border with Syria facilitated Da’esh’s movement of fighters and materiel into the country [Iraq]”

[2018](#) [2019](#) [2020](#)

[One source was located amongst the sources consulted for 2019 and 2020 respectively]

1.b. Disappearance

3. “ISIS frequently abducted members of the security or police forces, members of ethnic and religious minorities, and other non-Sunni communities in areas under its control”

[2018](#) [2019](#) [2020](#)

[Sources consulted for 2020 showed the abduction of members of the security or police forces and other communities by ISIS but not specifically members of ethnic and religious minorities]

4. “According to the KRG Ministry of Endowments and Religious Affairs, authorities rescued more than 3,100 kidnapped Yezidi men, women, and children from ISIS; however, authorities believed another 3,293 Yezidis, mainly women and children, remained in ISIS captivity”

[2018](#) [2019](#) [2020](#)

1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

5. “ISIS, however, committed most of such abuses [torture and ill-treatment]”

[2018](#) [2019](#) [2020](#)

[Amongst the sources consulted sources were located that continued to report on torture and ill-treatment being committed by ISIS; none of these mention that ISIS committed “most of such abuses” compared to other state and non-state groups, which in any way is very hard to quantify. In 2020 no information was found amongst the sources consulted. The reduced reporting may be as ISIS’s territorial reach in Iraq diminished in 2019]

6. “Torture and abuse by terrorist groups was widespread. CSOs, humanitarian organizations, and former ISIS captives reported numerous cases of torture, rape, forced labor, forced marriage, forced religious conversion, material deprivation, and battery by ISIS members”

[2018](#) [2019](#) [2020](#)

[One source was found amongst the sources consulted for the year 2019 which continued to report that these violations continued against those still held captured by ISIS. In 2020 no information was found amongst the sources consulted. The reduced reporting may be as ISIS’s territorial reach in Iraq diminished in 2019]

1.f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

7. "Some government forces and militia groups forced alleged ISIS sympathizers from their homes"

[2018](#) [2019](#) [2020](#)

1.g. Abuses in Internal Conflict

8. "According to international human rights organizations, some Shia militias, including some under the PMF umbrella, committed abuses and atrocities. The groups participated in operations against ISIS as part of the PMF and were implicated in several attacks on Sunni civilians, reportedly avenging ISIS crimes against the Shia community"

[2018](#) [2019](#) [2020](#)

[In 2020 no information was found amongst the sources consulted]

9. "ISIS also reportedly killed individuals, including minors, who did not conform to ISIS dictates"

[2018](#) [2019](#) [2020](#)

[Sources continued to report on ISIS's practice of killing children without specifying the reasons for it in 2019. In 2020 no information was found amongst the sources consulted. The reduced reporting may be as ISIS's territorial reach in Iraq diminished in 2019]

10. "Militias, criminal armed groups, ISIS, and other unknown actors kidnapped many persons during the year. While in some cases individuals were kidnapped due to their ethnic or sectarian identity, other individuals were taken for financial motives. ISIS reportedly detained children in schools, prisons, and airports, and separated girls from their families to sell them in ISIS-controlled areas for sexual slavery"

[Note: The 2018 and 2019 reports no longer mentioned abductions/kidnappings for financial gain, but instead referred to forced disappearances: "There were frequent reports of enforced disappearances by or on behalf of government forces, including ISF, Federal Police, PMF, Peshmerga, and Asayish, as well as by nongovernment militias and criminal groups". Research focused on the continued kidnapping for financial motives]

[2018](#) [2019](#) [2020](#)

[In 2020 no information was found amongst the sources consulted]

1.g. Abuses in Internal Conflict / Physical Abuse, Punishment, and Torture

11. "According to international human rights organizations, ISIS used torture to punish individuals connected to the security services and government, as well as those they considered apostates, such as Yazidis. Thousands of women, particularly those from ethnic and religious communities that ISIS considered as not conforming to their doctrine of Islam, were raped, sexually enslaved, murdered, and endured other forms of physical and sexual violence"

[2018](#) [2019](#) [2020](#)

[The sources found document the use of torture, rape, enslavement, and killing by ISIS against security services and government, Yazidis and women, but not all describe in detail the motives behind these violations. In 2020 no information was found amongst the sources consulted. The reduced reporting may be as ISIS's territorial reach in Iraq diminished in 2019]

1.g. Abuses in Internal Conflict / Other Conflict-related Abuse

12. "In September [2017], Yazda accused the KDP of using checkpoints to prevent Yazidi IDP returns to southern Sinjar"

[2018](#) [2019](#) [2020](#)

[One source was located amongst the sources consulted for 2019. In 2020 no information was found amongst the sources consulted]

13. "Reports of ISIS's targeted destruction of civilian infrastructure were common, including attacks on roads, **religious sites, and hospitals**"

[Note: The 2018 and 2019 reports instead noted that "ISIS reportedly targeted civilian infrastructure, including several attacks on electricity and water infrastructure in Kirkuk and other governorates" omitting the targeting of religious sites and hospitals. The 2020 report continues this but only omits the targeting of hospitals]

[2018](#) [2019](#) [2020](#)

[One source was found amongst the sources consulted referring to a bomb attack against a Shiite mosque in 2018 that killed 130 people, most likely attributable to ISIS. In the 2020 report no information was found amongst sources consulted on the targeting of hospitals]

1.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016), all repeated in 2020

Ten issues documented in the 2018, 2017 and 2016 reports were omitted from the 2019 edition despite publicly available information continuing to document their existence in seven instances. All thirteen of these issues continued to be omitted from the 2020 report and information was found documenting the existence of seven of these.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

1.a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

1. "There were numerous reports that some government forces, including the PMF **and Asayish**, committed arbitrary or unlawful killings, as did ISIS and other terrorist groups"

[Note: The **Asayish** was removed from the 2019 report, which actually had only been added to the 2018 report. This omission continued in the 2020 report]

[2019](#) [2020](#)

[Amongst the sources consulted in 2019 only one source was found documenting the arbitrary or unlawful killing of children by Asayish]

1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

2. “Denial of access to medical treatment was also a problem”

[2019](#) [2020](#)

[In 2019 no information was found amongst the sources consulted]

3. “According to local and international human rights organizations, mistreatment of prisoners and detainees in the KRG typically occurred before their arrival at official detention facilities”

[2019](#) [2020](#)

[In 2019 no information was found amongst the sources consulted]

1.d. Arbitrary arrest or detention/ Role of the Police and Security Apparatus

4. “Problems persisted, including corruption, within the country’s provincial police forces”

[2019](#) [2020](#)

[In 2019 no information was found amongst the sources consulted]

1.d. Arbitrary arrest or detention / Arrest Procedures and Treatment of Detainees / Pretrial Detention

5. “According to IKR judicial officials, IKR law permits extension of pretrial detention of up to six months under court supervision. According to local CSOs [civil society organisations] and the IHRCKR, however, some detainees were held more than six months without trial”

[Note: The 2019 and 2020 reports acknowledged that “KRG authorities [...] held detainees for extensive periods in pretrial detention” but did not specify for how long and added instead “however, no data was available regarding the approximate percentages of prison and detainee population in pretrial detention and the average length of time held”. Information was therefore sought on whether detainees in the KRI were held for more than six months without trial]

[2019](#) [2020](#)

1.e. Denial of Fair Public Trial / Property Restitution

6. "Some home and property confiscations appeared to have ethnic or sectarian motives"

[2019](#) [2020](#)

7. "NGOs reported that judges and local officials often took bribes to settle such [ethnic or sectarian motivated] property disputes"

[2019](#) [2020](#)

[Amongst the sources consulted in 2019 one source was located that noted: "observance of property rights has been limited by corruption". There were no sources found for 2020]

1.g. Abuses in Internal Conflict

8. "Throughout the year ISIS detonated vehicle-borne IEDs and suicide bombs"

[2019](#) [2020](#)

1.g. Abuses in Internal Conflict / Abductions

9. Information on organised criminal gangs trafficking captured Yezidi women and children internationally, also being involved in organ trafficking

[2019](#) [2020](#)

[One source specifically documenting this particular issue was located in 2019. In 2020 no information was found amongst the sources consulted]

1.g. Abuses in Internal Conflict / Other Conflict-related Abuse

10. "ISIS increasingly [...] targeted civilian areas with mortars

[2019](#) [2020](#)

1.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

Twenty five issues documented in the 2019 report were omitted from the 2020 edition despite publicly available information continuing to document their existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

1.b. Disappearance

1. "There were frequent reports of enforced disappearances by or on behalf of government forces, including Federal Police, PMF, **Peshmerga, and Asayish, as well as by nongovernment**

militias and criminal groups.” [emphasis added to show what was omitted in 2020 but previously included]

[2020](#)

2. “Individuals, militias, and organized criminal groups carried out abductions and kidnappings for personal gain or for political or sectarian reasons.”

[Note: The 2019 report noted that abductions and kidnappings by individual, militias and organized criminal groups occurred and included examples. However this general claim was omitted as the 2020 report only included examples of PKK abductions]

[2020](#)

1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

3. “As in previous years, there were credible reports that government forces, including Federal Police, NSS, PMF, and **Asayish**, abused and tortured individuals—particularly Sunni Arabs—during arrest, pretrial detention, and after conviction.” [emphasis added to show what was omitted in 2020 but previously included]

[Note: Elsewhere in the 2020 report it continued to list “certain units” of Asayish as one of several bodies where impunity existed]

[2020](#)

4. “Former prisoners, detainees, and international human rights organizations documented cases of torture and other cruel, inhuman, or degrading treatment or punishment in Ministry of Interior-run facilities and to a lesser extent in Ministry of Defense-run detention facilities, **as well as in facilities under KRG control.**” [emphasis added to show what was omitted in 2020 but previously included]

[2020](#)

5. “Instances of abusive interrogation also reportedly occurred in some detention facilities of the KRG’s Asayish internal security unit and the intelligence services of the major political parties—the KDP’s Parastin and the PUK’s Zanyari.”

[Note: The removal of Asayish in particular and also other KRG forces is internally inconsistent with “Physical abuse, punishment and torture” subsection which includes Asayish]

[2020](#)

6. “Dozens of female relatives of ISIS fighters in the refugee camps of Mosul faced harassment and sexual abuse at the hands of security forces, according to a joint report by the Network of Iraqi Reporters for Investigative Journalism and the Mosul Investigation Team. The report, which was rejected by the IHCHR, said it documented 16 of 36 “confirmed” cases of sexual exploitation of female relatives of ISIS fighters. The investigation extended for three months and included five minors between 15 and 18 years of age. The women believed that if they complained against the abuse, they would be accused of terrorism, and if they refused the

sexual advances by security forces and the PMF, they would face various forms of harassment, including frequent raids, investigation, and the confiscation of personal documents. Some houses and tents at refugee camps were turned into brothels, where those women were forced to accept sexual exploitation in exchange for three dollars or a little food. Four camp residents said they personally knew of security forces engaging in sexual exploitation in the camp. Two women described security forces entering the camp and coercing women they knew into sex, including for pay, particularly women who no longer had male adult relatives with them. One camp resident said she knew of two women in the camp who had become pregnant within the last six months as a result of rape by security forces.”

[2020](#)

1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment/ Prison and detention conditions

7. “Authorities separated detainees from convicts in most cases. Prisoners facing terrorism charges were isolated from the general detainee population and were more likely to remain in Ministry of Interior or Ministry of Defense detention for longer periods.”

[2020](#)

8. “According to the Ministry of Justice, ownership of government facilities for holding most juvenile pretrial detainees and convicts was transferred from the Ministry of Labor and Social Affairs to the Ministry of Justice in accordance with a law established in 2018. There were reports that Ministry of Justice-administered prisons, Ministry of Interior police stations, and other Ministry of Interior detention facilities held some juveniles in separate facilities or mixed them with adult prisoners.”

[2020](#)

9. “Inmates in government-run prisons and detention centers often lacked adequate food, potable water, sanitation, ventilation, lighting, and medical care. Some detention facilities did not have an onsite pharmacy or infirmary, and authorities reported that even when they existed, pharmacies were often undersupplied and government officers reportedly withheld medication or medical care from prisoners and detainees.”

[Note: Elsewhere in the report it does mention that “Prison and detention center conditions were harsh and occasionally life threatening due to food shortages, gross overcrowding, physical abuse, inadequate sanitary conditions and medical care, and the threat of COVID-19 and other communicable illnesses”. Research therefore focused on lack of potable water, ventilation and lighting.]

[2020](#)

[No information amongst the sources consulted found documenting that lighting was lacking]

10. “Women’s prisons often lacked adequate child-care facilities for inmates’ children, whom the law permits to remain with their mothers until age four.”

[2020](#)

11. "Authorities reportedly kept prisoners confined in their cells for long periods without an opportunity for exercise or use of showers or sanitary facilities."

[2020](#)

12. "Prison and detention center authorities reportedly sometimes delayed the release of exonerated detainees or inmates due to lack of prisoner registration or other bureaucratic issues[...]"

[2020](#)

13. "International and local human rights groups reported that authorities in numerous instances denied family visits to detainees and convicts."

[2020](#)

14. "The KRG generally allowed international human rights NGOs and intergovernmental organizations to visit convicted prisoners and pretrial detainees, but occasionally authorities delayed or denied access to some individuals, usually in cases involving terrorism. The United Nations and the ICRC had regular access to IKR prisons and detention facilities. Local civil society organization (CSO) Kurdistan Human Rights Watch (KHRW) reported that although they were previously able to access any IKR prison without notice, they increasingly had to request permission in advance to gain access. They usually received permission, but typically at a higher rate and more quickly at the Ministry of Labor and Social Affairs prisons than those run by the Asayish. The KHRW also stated the Asayish sometimes denied holding prisoners to avoid granting independent organizations access to them."

[2020](#)

1.d. Arrest Procedures and Treatment of Detainees

15. "HRW estimated that at the end of 2018, Iraqi and KRG authorities were detaining approximately 1,500 children for alleged ISIS affiliation. Authorities previously and arbitrarily detained families perceived to have possible ISIS affiliation. Of the 1,036 children detained on national security charges in 2017, approximately 80 percent were held by federal authorities, and the rest were held by the KRG."

[2020](#)

16. "In July the IHCHR reported 7,663 forced disappearance cases from 2017 until the end of June. The commission stated that these numbers did not include those who disappeared while in ISIS-controlled territory. Only 652 of these individuals were found in prisons, while the rest were still missing. The IHCHR also reported on December 16 that as many as 48 persons had gone missing or were kidnapped between October 1, when protests began, and December 16. Lack of cooperation by some executive institutions responsible for prisons and detention centers, under the pretext of security, complicated efforts to identify the missing, according to the IHCHR. NGOs reported between 13,000 and 25,000 missing persons in the last five years, particularly in the governorates of Mosul, Anbar, Salah al-Din, Diyala, and Babil."

[2020](#)

17. “[...] for example, the Ministry of Interior reportedly held detainees in homes rented from local residents in Ninewa Governorate”

[2020](#)

18. “The number of death sentences, many associated with problematic trial processes related to ISIS affiliation, quadrupled between 2017 and 2018, to at least 271, compared with 125 the year before. According to Amnesty International, only 52 of those sentences were actually carried out in 2018”

[2020](#)

19. “International NGOs stated that PMF groups forcibly displaced hundreds of families, [...] There were also regular reports of government forces, particularly the PMF but also the Federal Police and local police, refusing to allow IDPs to return to their homes, sometimes despite the IDPs having the necessary security clearances from the government allowing them to do so”

[2020](#)

20. “[...] where ISIS routinely killed and abducted civilians and attacked security forces.”

[2020](#)

21. “The central government faced challenges, however, in exercising complete control over certain units of the PMF, limiting the government’s ability to address and prevent the recruitment and use of children by these groups, including some units of the Iran-aligned Asaib Ahl al-Haq (AAH), Harakat Hezbollah al-Nujaba (HHN), and Kata’ib Hezbollah (KH) militias. [...] Antitrafficking NGOs reported that some PMF groups, including AAH and HHN, primarily in the southern governorates, continued recruiting males younger than 18 to fight in Syria and Yemen.”

[2020](#)

[Amongst the sources consulted in 2020, it was found that recruitment of child soldiers by the PMF continued. Note that this is internally inconsistent with this section of the U.S. Department of State report as it includes a June 2020 UN Security Council report which states that no new cases of recruitment and use by the PMF were documented during the year]

22. “According to reliable sources, the PKK, People’s Defense Forces (HPG), and YBS Yezidi militia, operating in Sinjar, Ninewa Governorate, and the IKR continued to recruit and use children. Although no specific accounting was available, the number was estimated to be in the hundreds.”

[2020](#)

23. “In July the government passed Resolution 16, which reportedly mandates the removal of more than 38,000 IDPs living in camps in Ninewa Governorate, forcing individuals to return to their governorate of origin. As of August 23, local authorities had forcibly expelled more than 2,000 individuals from these camps, according to HRW. Security forces from the Ninewa

Operations Command expelled 36 families from Anbar, most headed by women, totalling an estimated 150 persons, and transported them to their areas of origin, against their will and without letting them bring their belongings.[...]"

[2020](#)

24. "Families returning to their place of origin were exposed to various abuses including evictions, arrests, looting, sexual abuse, and discrimination."

[2020](#)

25. "Displaced families, especially those with perceived ties to ISIS, were often missing vital civil status documents"

[2020](#)

2. Section 2. Respect for Civil Liberties

2.1. Use of language

2.1.1. Observations in 2017, most of which repeated in 2018, 2019 and 2020

2.a. Freedom of Expression, including for the press / Freedom of Speech and Expression

2.a. Freedom of Expression, including for the press / Press and Media Freedom

2.d. Freedom of Movement / Protection of Refugees / Protection of Refugees / Durable Solutions

Some softening language was introduced in the 2017, 2018, 2019, 2020 editions compared to the 2016 report, potentially implying an improvement:

2016 report [emphasis added]	2017, 2018, 2019 and 2020 reports [emphasis added]
Despite the constitutional protection for freedom of expression, government and KRG oversight and censorship interfered with media operations, at times resulting in closures of media outlets, restrictions on reporting, and interference with internet service.	Despite the constitutional protection for freedom of expression, central government and KRG oversight and censorship sometimes interfered with media operations, at times resulting in the closure of media outlets, restrictions on reporting, and interference with internet service
Media outlets, unable to cover operating costs through advertising revenue, overwhelmingly relied upon political funding, which diminished their ability to report unbiased news	Media outlets, unable to cover operating costs through advertising revenue, frequently relied upon political funding that diminished their ability to report unbiased news [Note that this contextual information was removed from the 2019 and 2020 editions – an observation noted further below under 2.1.3.]
Ethnic Kurdish refugees from Syria, Turkey, and Iran in the IKR generally integrated well, although economic hardship plagued families and prevented many children , especially Syrians, from enrolling in formal school	Ethnic Kurdish refugees from Syria, Turkey, and Iran generally integrated well in the KRG, although economic hardship plagued families and prevented some children , especially Syrians, from enrolling in formal school [This was omitted in the 2020 edition – an observation noted further below in Appendix B]

2.a. Freedom of Expression, including for the press / Violence and Harassment

2.a. Freedom of Expression, including for the press / Libel/Slander Laws

2.b. Freedoms of Peaceful Assembly and Association / Freedom of Association

2.d. Freedom of Movement / Protection of Refugees / Protection of Refugees / Durable Solutions

It was observed that the following contextual information or statements found in the 2016 report were no longer included in the 2017, 2018, 2019 and 2020 editions:

2016 report [emphasis added]	2017, 2018, 2019 and 2020 reports
Many attacks targeted independent and former opposition media, mainly the independent NRT; Payama Television, affiliated with the Kurdistan Islamic	[Removed]

Group; and the KNN Television, affiliated with the Gorran Party	
The law prohibits defamation and provides penalties of up to one month in prison or a fine of 50,000 to 250,000 dinars (\$45 to \$225)	[Removed, but in the 2020 report examples of defamation cases were included unlike the 2017, 2018 and 2019 reports]
On July 30 [2016], parliament passed the Banning the Ba’ath, Entities and Racist Parties and Takfiri and Terrorist Activities Party Law, which observers portrayed as addressing the injustices of the de-Ba’athification process. Rather than ending the collective stigmatization of all those associated with the party, however loosely, the Banning of the Ba’ath Party Law arguably amplified rather than limited deBa’athification. Notably, while previous de-Ba’athification processes prevented individuals from political participation or certain economic benefits, this law criminalizes the very idea of “Ba’athism,” metes out lengthy prison sentences for those promoting “Ba’athist ideas,” and strikes at the heart of basic freedoms of expression, assembly, and protest, as well as the principle of nondiscrimination. The law specifically criminalizes “Ba’athists” participating “in any rallies, sit-ins, or demonstrations.” Given the broad and wide-ranging definitions of Ba’athist activities and ideas, its stated application to “any entity, party, activity or approach,” political parties, nongovernmental, civil society organizations and groups of citizens, demonstrating, protesting or simply holding meetings may violate the law	[Removed]
Local integration remained the best and most likely option for the majority of Iranian Kurds	[Removed]

2.a. Freedom of Expression, including for the press / Nongovernmental Impact

Whilst the 2016 report documented general patterns of the types of threats and abuse faced by journalists, the 2017, 2018, 2019 and 2020 reports reduced this to only threats of violence. However, all the violations mentioned in 2016 were documented through the inclusion of specific events. This may be read to imply that the issues were less widespread:

2016 report [emphasis added]	2017 report [emphasis added]	2018 and 2019 reports [emphasis added]	2020 report
Journalists and family members were targets of terrorists, religious groups that rejected media independence, criminals, corrupt officials, and unknown persons or groups wishing to limit the flow of news. Journalists were harassed,	Nongovernmental actors, including militia groups, reportedly threatened journalists with violence for reporting on sensitive subjects	Nongovernmental and quasi-governmental actors , including militias outside of state control , terrorist groups, and criminal organizations reportedly threatened journalists with violence for reporting on sensitive subjects	Nongovernmental and quasi-governmental actors, including militias outside of state control, terrorist groups, and criminal organizations threatened journalists with violence for reporting on sensitive subjects

kidnapped for ransom, or killed in deliberate attacks for reporting information critical of Da'esh			
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2.1.2. Observations in 2018, all repeated in 2019 and 2020

2.a. Freedom of Expression, including for the press

Whilst the 2016 and 2017 reports reported that the constitution only “broadly provides for the right of free expression”, this was removed in the 2018, 2019 and 2020 editions noting that the constitution “provides for the right of free expression”, including for the press:

2016 and 2017 reports [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
The constitution broadly provides for the right of free expression that does not violate public order and morality, express support for the banned Ba’ath party, or advocate altering the country’s borders through violent means	The constitution provides for the right of free expression, including for the press , that does not violate public order and morality, express support for the banned Baath Party, or advocate altering the country’s borders through violent means

2.a. Freedom of Expression, including for the press / Violence and Harassment

Some softening language was introduced in the 2018, 2019 and 2020 editions compared to the 2016 and 2017 reports, potentially implying an improvement:

2016 and 2017 reports [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
Throughout the IKR there were numerous beatings, detentions, and death threats against media workers	Throughout the IKR, there were reports of beatings, detentions, and death threats against media workers

2.1.3. Observations in 2019, all repeated in 2020

2.a. Freedom of Expression, including for the press / Press and Media Freedom

2.b. Freedoms of Peaceful Assembly and Association

It was observed that the following contextual information found in the 2016, 2017 and 2018 reports was no longer included in the 2019 and 2020 editions:

2016, 2017 and 2018 reports	2019 and 2020 reports
Those media outlets unable to cover operating costs through advertising revenue frequently relied upon funding from political entities, leading to biased reporting	[Removed]
The government largely respected the right of its citizens to freedom of peaceful assembly	[Removed]

[Note that this information was also not included in the 2016 report]	
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2.b Freedom of peaceful assembly

It was observed that the statement “In some cases the government used force against protesters” was removed from 2019 but examples of this occurring were included. In 2020 no examples were included but UNAMI statistics were.

2017 report [emphasis added]	2018, report [emphasis added]	2019 report	2020 report
In some cases government forces dismissed unauthorized protests or restricted protests for security reasons. On February 11, riot police dispersed thousands of Sadr supporters gathered outside a gate to Baghdad’s International Zone; the clashes reportedly resulted in the death of one police officer and four protesters.	In some cases the government used force against protesters. During protests in Basrah Governorate and other areas of southern Iraq over corruption and poor public services related to water and electricity between July and September, at least 15 persons died in clashes with government forces, according to media reports. Local human rights organizations reported that government forces in some cases prevented the injured from receiving treatment at hospitals and detained members of civil society investigating the government’s response to the protests.	[Removed but examples included in section 1]	[Removed, no examples included but UNAMI statistics included]

2.1.4. Observations in 2020

2.a. Freedom of Expression, including for the press

Some language was omitted in the 2020 edition compared to the 2016, 2017, 2018 and 2019 reports, potentially implying an improvement:

2016, 2017, 2018 and 2019 reports [emphasis added]	2020 report
[...] Media workers often reported that politicians, government officials, security services, tribal elements, and business leaders pressured them not to publish articles critical of them [...]	[...] Media workers reported that politicians, government officials, security services, tribal elements, and business leaders pressured them not to publish articles critical of them [...]

2.d. Freedom of Movement

It was observed that some language was omitted from the 2020 edition compared to the 2018 and 2019 reports, potentially implying an improvement:

2018 and 2019 reports	2020 report [emphasis added]
Returnees, however, grappled with the destruction of homes, lack of services and livelihoods, and continued concerns for security due to the prevalence of PMF groups	Despite improving security conditions in some areas, many returnees grappled with the destruction of homes, lack of services and livelihoods, and continued concerns for security due to the prevalence of PMF groups

2.d Freedom of Movement/ Internally Displaced Persons

It was observed that the following contextual information found in the 2019 report was no longer included in the 2020 edition:

2019 report [emphasis added]	2020 report
Forced displacements, combined with unresolved problems caused by the uprooting of millions of Iraqis in past decades , strained the capacity of local authorities.	Forced displacements strained the capacity of local authorities in areas with higher concentrations of IDPs

2.2. Improvements

2.2.1. Improvements in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

The following improvement in the situation in 2017 compared to 2016 was observed that was inconsistent with the situation as reported by other publicly available sources:

2.d. Freedom of Movement / Protection of Refugees / Protection of Refugees / Access to Asylum

1. “The law provides for the granting of asylum or refugee status, and the government established a system, albeit flawed, for providing protection to refugees”

[Note: Whilst the 2016 report described the Iraqi asylum system as “flawed”, this description was removed from the 2017, 2018, 2019 and 2020 editions: “The law provides for the granting of asylum or refugee status, and the government established a system for providing protection to refugees”]

[2017](#) [2018](#) [2019](#) [2020](#)

[Information found amongst the sources consulted reported that access to asylum was “hindered” (found in 2017), it was a challenge to access fair judicial proceedings (found in 2017), the Iraqi legislative framework was unable to respond to the volume of refugees (found in 2018), Iraq is not a party to the Refugee Convention of 1951 or its protocol of 1967 (found in 2018), and the absence of legal framework (found in 2019 and 2020), amongst others]

2.2.2. Improvements in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

The following improvement in the situation in 2018, 2019 and 2020 compared to 2017 was observed that was inconsistent with the situation as reported by other publicly available sources:

2.a. Freedom of Expression, including for the press / Press and Media Freedom

1. “Government, **KRG security authorities, and militias** sometimes prevented journalists from reporting; they cited security pretexts”

[Note: Whilst the 2017 report noted that government forces, KRG security authorities and militias prevented journalists from reporting, the 2018, 2019 and 2020 editions reduced the possible perpetrators to just “government forces” as follows: “Government forces sometimes prevented journalists from reporting, citing security reasons”]

[2018](#) [2019](#) [2020](#)

[None of the sources located specified that militias prevented journalists from reports in 2018, 2019 and 2020]

2.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016)

There were no notable additional improvements observed in section 2. *Respect for Civil Liberties* across the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

2.2.4. Improvements in 2020 (compared to 2019, 2018, 2017 ad 2016)

The following improvements in the situation in 2020 compared to 2019 were observed that were inconsistent with the situation as reported by other publicly available sources:

2.b. Freedom of Peaceful Assembly and Association/Freedom of Association

1. “NGOs registered in Baghdad **could** operate in the IKR.”

[Note: Whilst the 2019 report noted that “**some** NGOs registered only in Bahgadad could **not** operate in the IKR”, the 2020 edition changed this to “NGOs registered in Baghdad **could** operate in the IKR” thereby implying an improvement in access of Baghdad-registered NGOs in the IKR]

[2020](#)

2.d. Freedom of Movement

2. “KRG authorities noted IDPs and refugees had freedom of movement within the IKR.”

[Note: The 2020 report included an additional sentence on freedom of movement for IDPs and refugees in the IKR, whereas this was not included in previous years]

[2020](#)

2.d. Internally Displaced Persons

3. “Despite the dire economic situation and security difficulties that occurred in the region, KRG officials reported they focused on preserving the rights of these minorities as a top priority.”

[Note: The 2020 report included an additional sentence on the KRG’s focus on preserving the rights of minorities, whereas this was not included in previous years]

[2020](#)

2.3. Omissions

2.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

Four issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence in two instances. All of these issues continued to be omitted in 2018, 2019 and 2020, despite publicly available information continuing to document their existence in three instances in 2018 and 2019 and one instance in 2020.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

2.a. Freedom of Expression, including for the press / Nongovernmental Impact

1. “[Journalists] **and family members** were targets of terrorists, religious groups that rejected media independence, criminals, corrupt officials, and unknown persons or groups wishing to limit the flow of news”

[Note: The 2017, 2018, 2019 and 2020 reports all omitted the targeting of family members of journalists.]

[2017](#) **2018** [2019](#) **2020**

[Amongst the sources consulted no information was found pertaining to 2018 and 2020 and only one source was found in relation to 2017]

2.a. Freedom of Expression, including for the press / Press and Media Freedom

2. “In the IKR, government authorities continued to try, convict, and take legal action against journalists, despite a 2008 law that decriminalizes publication-related offenses”

[2017](#) [2018](#) [2019](#) [2020](#)

[Only one source was located in 2018 documenting that the Kurdistan Regional Government had a “protest law and a press law” it rarely used as a basis for its arrests of journalists, but instead referred to the amended 1969 Iraq Penal Code]

2.d. Freedom of Movement / Emigration and Repatriation

3. “The government failed to provide travel documents to hundreds of citizens awaiting deportation from the United States, essentially rendering these individuals stateless”

[Note: The section *Emigration and Repatriation* and its content were omitted from the 2017, 2018, 2019 and 2020 reports]

[2017](#) [2018](#) [2019](#) [2020](#)

[Amongst the sources consulted no information was found pertaining to 2019 and 2020]

2.d. Freedom of Movement / Protection of Refugees / Protection of Refugees / Stateless Persons

4. “[Many stateless persons], **particularly Baha’i**, were not able to register for identity cards, which prevented them from enrolling in public school, registering marriages, and gaining access to some government services”

[Note: The 2017, 2018, 2019 and 2020 reports omitted the words in bold, thereby suggesting that these problems affecting stateless persons no longer particularly impacted stateless Baha’i]

[2017](#) [2018](#) [2019](#) [2020](#)

2.3.2. Omissions in 2018 (compared to 2017 and 2016), all omitted in 2019 and 2020

Five issues documented in the 2017 and 2016 reports were omitted from the 2018, 2019 and 2020 editions, despite publicly available information continuing to document its existence in two instances in 2018, and three of these in 2019 and 2020.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

2.b Freedom of peaceful assembly

5. “In some cases government forces dismissed unauthorized protests or restricted protests for security reasons.”

[2018](#) [2019](#) [2020](#)

6. “There were limited reports of violence or official interference in protests in the IKR”

2018 2019 [2020](#)

2.d. Freedom of Movement / Abuse of Migrants, Refugees, and Stateless Persons

7. “UN agencies, NGOs, and the press reported that sectarian groups, extremists, criminals, and, in some alleged but unverified cases, government forces attacked and arrested refugees, including Palestinians, Ahwazis, and Syrian Arabs”

2018 [2019](#) 2020

[One source was located amongst the sources consulted reporting on targeted attacks against Palestinians in 2019. In 2018 and 2020 no information was found amongst the sources consulted]

2.d. Freedom of Movement /In-Country Movement

8. “UNAMI and the UN Office of the High Commissioner for Human Rights received multiple reports that Kirkuk’s largely non-Arab authorities denied Sunni Arab IDPs from Kirkuk’s Hawija District, as well as Salah al-Din and Ninewa Governorates access to Kirkuk”

[2018](#) [2019](#) 2020

2.d. Freedom of Movement / Internally Displaced Persons

9. “Persons who did not register as IDPs in their places of residence sometimes faced limited access to services”

[2018](#) [2019](#) [2020](#)

2.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016), most repeated in 2020

Four issues documented in the 2018 report were omitted from the 2019 report despite publicly available information continuing to document their existence. Three of these issues continued to be omitted from the 2020 report and information was found in one issue among publicly available information.

Green indicates issue reinserted. Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

2.a. Freedom of Expression, including for the press / Censorship or Content Restrictions

1. “The KRG placed additional scrutiny on texts containing what it perceived to be religious extremism. A KRG-appointed committee that screens books for publication and printing

licenses rejected several books for this reason. While in 2017 the KRG reportedly banned 200 books from around the world from sale at the Erbil International Book Fair, the KRG banned fewer than 40 books--all from the IKR--during this year's book fair"

[2019](#) [2020](#)

[Research focused on the banning of books by the Kurdistan Region Government. This omission continued in the 2020 report but no information was found amongst the sources consulted.]

2.a. Freedom of Expression, including for the press / Internet Freedom

2. Information on the number of individuals who used the internet and number of households who had internet access at home in 2018 and/or 2019 [previously included in 2018, 2017 and 2016]

[2019](#) [2020](#)

[This omission continued in the 2020 report but no information was found amongst the sources consulted.]

2.d. Freedom of Movement / Internally Displaced Persons

3. "The UN Education Cluster reported that out of-camp IDP populations had the poorest school attendance and highest dropout rates amongst IDPs, refugees, and host communities. The UN Education Cluster also found displaced children in out-of-camp settings lacked civil documents at higher rates than those in camps"

[2019](#) [2020](#)

4. "Humanitarian organizations regularly criticized the government for returning IDPs to unsafe areas"

[This was put back in to the 2020 report with the wording changed to "IDP camp managers and NGOs reported government officials did not always give IDPs at closed camps the choice of where to proceed, resulting in involuntary, unsafe, and undignified returns and movements."]

[2019](#) [2020](#)

2.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

Four issues documented in the 2019 report were omitted from the 2020 report despite publicly available information continuing to document their existence in all instances.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

2.a. Freedom of Expression, including for the press / Censorship or Content Restrictions

1. “Public officials reportedly influenced content by rewarding positive reporting with bribes, providing money, land, access to venues, and other benefits to journalists, particularly to members of the pro government Journalists’ Syndicate.”

[2020](#)

2.d. Freedom of Movement/ Internally Displaced Persons

2. “Through the provision of legal aid, the United Nations and other humanitarian organizations assisted IDPs in obtaining documentation and registering with authorities to improve access to services and entitlements”

[2020](#)

3. “Humanitarian agencies reported some IDPs faced difficulty with registration.”

[2020](#)

2.d Stateless persons

4. “The government enforced a law requiring any non-Muslim women who bore children of Muslim men to register children as Muslim, no matter the circumstances of the child’s conception or the mother’s religion”

[2020](#)

3. Section 3. Freedom to Participate in the Political Process

3.1. Use of language

3.1.1. Observations in 2017

3. Elections and Political Participation

It was observed that the following contextual information found in the 2016 report was no longer included in the 2017 edition, but mentioned again in the 2018, 2019 and 2020 reports:

2016 report	2017 report	2018, 2019 and 2020 reports
The loss of civil documentation related to a growing number of IDPs presented a challenge for future elections	[...] Removed [...]	Due to challenges in obtaining or replacing civil documentation, as well as lastminute changes to IHEC identification requirements, many IDPs were disenfranchised during the May elections [...] [In 2020 report: “during the 2018 elections”]

3.1.2. Observations in 2018, most of which repeated in 2019 and 2020

3. Elections and Political Participation

Some distancing language was introduced in the 2018 edition, repeated in 2019 and 2020 , compared to the 2016 and 2017 reports, thereby potentially undermining the veracity of the information included in the following examples:

2016 and 2017 reports [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
Despite an increase in the number of female parliamentarians, political discussions often marginalized female members of parliament	political discussions often reportedly marginalized female members of parliament

In the following example background information on the number of women serving on the Council of Ministers added to the 2017 report was removed in 2018. Instead, the 2018 report informed that “one women was appointed to the cabinet”, which was later removed from the 2019 and 2020 reports:

2017 report	2018 report
Two women served in the Council of Ministers	[Removed]

It was further observed that the following contextual information found in the 2016 and 2017 reports was no longer included in the 2018, 2019 and 2020 editions:

2016 and 2017 reports	2018, 2019 and 2020 reports

In 2015 the IKR established the Kurdistan Independent High Electoral Commission, which has authority to supervise all elections and referenda within the IKR, previously under [“central government” (2017 addition) IHEC supervision]	[Removed]
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In addition, background information on the September 2017 referendum on independence of the Kurdistan Region of Iraq, added to the 2017 report, was no longer included in the subsequent three editions:

2017 report	2018, 2019 and 2020 reports
Despite the objection of the federal government, on September 25, the KRG held a referendum on independence from the central government of Iraq; KRG authorities held the referendum in both the IKR and in disputed areas bordering it. Neither the central government nor foreign governments recognized this unilateral, nonbinding referendum. Minorities in the disputed areas reported heavy-handed pressure to vote for or against the measure. On November 1, KRG President Barzani stepped down from the office of the presidency, citing the expiration of his mandate.	[Removed]

3.1.3. Observations in 2019, all repeated in 2020

3. Elections and Political Participation

It was observed that the following contextual information found in the 2018 report was no longer included in the 2019 and 2020 editions:

2018 report	2019 and 2020 reports
One woman was appointed to the cabinet formed during the fall	[Removed]

3.1.4. Observations in 2020

3. Elections and Political Participation

It was observed that the following contextual information found in the 2019 report was no longer included in the 2020 edition:

2019 report	2020 reports
One Christian was appointed to the new cabinet	[Removed]
Following complaints by Yezidi activists, the Federal Supreme Court ruled in January 2018 that the Yezidi minority must have more seats in the country’s parliament, reflective of the size of the community, but the decision was not implemented during the year	[Removed]

3.2. Improvements

There were no notable improvements observed in section 3. *Freedom to Participate in the Political Process* of the 2017, 2018, 2019 and 2020 reports that were not reflective of the situation as reported by other sources.

3.3. Omissions

There were no notable omissions observed in section 3. *Freedom to Participate in the Political Process* of the 2017, 2018, 2019 and 2020 reports that were inconsistent with the situation on the ground as reported by other publicly available sources.

4. Section 4. *Corruption and Lack of Transparency in Government*

4.1. Use of language

4.1.1. Observations in 2017, most of which repeated in 2018, 2019 and 2020

4. *Corruption and Lack of Transparency in Government*

Two statements made in 2016 were slightly toned down in 2017, suggesting an improvement, only to be changed back to the original statement (in the case of the first example) in the 2018 and 2019 reports, and changed further in the 2020 report implying an improvement again. In the case of the second example, the statement was amended in the 2018, 2019 and 2020 reports:

2016 report [emphasis added]	2017 report [emphasis added]	2018 and 2019 reports [emphasis added]	2020 report [emphasis added]
The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively	The law provides criminal penalties for conviction of corruption by officials, but the government did not always implement the law effectively	The law provides criminal penalties for corruption by officials, but the government did not implement the law effectively	The law provides criminal penalties for corruption by officials, but the government struggled to implement the law effectively
Officials in all parts of the government often engaged in corrupt practices with impunity, and investigation of corruption was not free from political influence	Some officials in all parts of the government engaged in corrupt practices with impunity, and investigation of corruption was not free from political influence	Officials frequently engaged in corrupt practices with impunity	Officials in federal Iraq and the IKR frequently engaged in corrupt practices with impunity

The following additional examples were noted where contextual information made in the 2016 report was removed from the 2017, 2018, 2019 and 2020 editions:

2016 report	2017, 2018, 2019 and 2020 reports
There also was a lack of political will to prosecute senior officials	[Removed]
Despite the council's [Council of Ministers Secretariat] mandate, the public generally regarded it as having little effect due to the scale of official corruption	[Removed]
Government officials frequently contended that corruption investigations were highly politicized	[Removed]

4.1.2. Observations in 2018

There were no notable additional language observations made in section 4. *Corruption and Lack of Transparency in Government* across the 2018 report.

4.1.3. Observations in 2019

There were no notable additional language observations made in section 4. *Corruption and Lack of Transparency in Government* across the 2018 report.

4.1.4. Observations in 2020

4. *Corruption and Lack of Transparency in Government*

It was observed that the following statements found in the 2019 report were no longer included in the 2020 edition. In the second case, the statement was removed and replaced with statistics.

2019 report [emphasis added]	2020 report [emphasis added]
<p>Although the Commission of Integrity (COI) investigated several high-profile cases, prosecution and conviction rates were low. In August the COI issued a summary of the commission’s biannual report, finding the commission filed more than 4,783 corruption cases and issued more than 857 arrest warrants. There were almost 442 convictions, including three ministers and 27 senior officials, although the convictions remained anonymous. The report stated that the law allowed more than 986 convicted persons amnesty upon repaying money they had obtained by corruption</p>	<p>[Removed]</p>
<p>The investigatory capacity of authorities remained extremely limited, although they were successful in prosecuting a small number of money-laundering cases linked to ISIS. Political party influence on government institutions and intimidation of government employees made it difficult for authorities to investigate money-laundering cases related to corruption. Numerous mid-level government officials were fired due to involvement in investigations of money-laundering cases linked to influential political party members. The COI, which prosecutes money-laundering cases linked to official corruption, suffered from a lack of investigatory capacity</p>	<p>[Removed]</p> <p>[...] The latest report released by the office in 2019 showed it investigated 400 potential cases of money laundering during that year, with 34 cases referred to the judiciary and 192 cases under review by the office’s analysts. In July the office issued a statement on the European Commission’s (EC) decision to keep Iraq on the revised list of high-risk countries regarding money laundering and terrorist financing. The statement expressed displeasure at Iraq’s inclusion on the list, asserting the EC’s decision was based solely on security and lacked technical bases.</p>

4.2. Improvements

There were no notable improvements observed in section 4. *Corruption and Lack of Transparency in Government* across the 2017, 2018, 2019 and 2020 reports that were not reflective of the situation as reported by other publicly available sources.

4.3. Omissions

4.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

One issue documented in the 2016 report was omitted from the 2017, 2018, 2019 and 2020 reports despite publicly available information continuing to document its existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

4. Corruption and Lack of Transparency in Government

1. “Widespread and pervasive corruption and lack of government transparency, including with regard to oil revenue, were major problems in the IKR. According to the Kurdistan Commission on Public Integrity, corruption in the IKR was extensive. Weak budgetary oversight and lack of training for personnel further hindered the commission from fighting corruption effectively. Allegations and rumors of missing oil revenue were rampant”

[2017](#) [2018](#) [2019](#) [2020](#)

4.3.2. Omissions in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

One issue documented in the 2017 and 2016 reports was omitted from the 2018, 2019 and 2020 reports despite publicly available information continuing to document its existence.

Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

4. Corruption and Lack of Transparency in Government

1. “The Baghdad Integrity Court, which specializes in integrity cases, announced it was investigating dozens of corruption cases involving many government ministries”

[2018](#) [2019](#) [2020](#)

4.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016)

There were no notable additional omissions observed in section *4. Corruption and Lack of Transparency in Government* of the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

4.3.4 Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

There were no notable additional omissions observed in section *4. Corruption and Lack of Transparency in Government* of the 2020 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

5. Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

5.1. Use of language

5.1.1. Observations in 2017, all repeated in 2018, 2019 and 2020

5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights / Government Human Rights Bodies

It was observed that contextual information found in the 2016 report about the proposed and actual composition of the Iraqi High Commission for Human Rights (IHCHR) was no longer included in the 2017, 2018, 2019 and 2020 editions:

2016 report	2017, 2018, 2019 and 2020 reports
No less than one-third of the 11 full-time and three reserve commissioners must be women, and at least one full-time member and one reserve member must be from a minority community [...] By the end of the year, the commissioners had not been selected	[Removed]

5.1.2. Observations in 2018

There were no notable additional language changes observed in section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights* across the 2018 report.

5.1.3. Observations in 2019

There were no notable additional language changes observed in section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights* across the 2019 report.

5.1.4. Observations in 2020

5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Some softening language was introduced in the 2020 report compared to previous editions, thereby potentially implying an improvement:

2016, 2017, 2018 and 2019 reports [emphasis added]	2020 report [emphasis added]
Due to the ISIS-driven humanitarian crisis, the majority of local NGOs focused on assisting IDPs and other vulnerable communities	Due to the ISIS-driven humanitarian crisis, many local NGOs focused on assisting refugees, IDPs, and other vulnerable communities

It was observed that contextual information included in the 2016, 2017, 2018 and 2019 reports was removed from the 2020 edition:

2016, 2017, 2018 and 2019 reports [emphasis added]	2020 report
The IKR had an active community of mostly Kurdish NGOs, many with close ties to, and funding from, the PUK and KDP political parties	The IKR had an active community of mostly Kurdish NGOs, many with close ties to, and funding from political parties

5.2. Improvements

5.2.1. Improvements in 2017 (compared to 2016)

There were no notable improvements observed in in section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights* across the 2017 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

5.2.2. Improvements in 2018 (compared to 2017 and 2016)

There were no notable additional improvements observed in in section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights* across the 2018 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

5.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016)

There were no notable additional improvements observed in in section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights* across the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

5.2.4 Improvements in 2020 (compared to 2019, 2018, 2017 and 2016)

The following improvement in the situation in 2020 compared to 2019, 2018, 2017 and 2016 was observed that was inconsistent with the situation as reported by other publicly available sources.

5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights*

1. “NGOs registered in Erbil could not operate outside the IKR and KRG-controlled disputed territories **without additional permits from Baghdad** [...]”

[Note: The emphasised text was added in the 2020 edition thereby implying NGOs registered in Erbil could now operated outside the IKR and KRG-controlled disputed territories if they have an additional permit from Baghdad]

[2020](#)

5.3. Omissions

There were no notable omissions observed in section 5. *Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights* across the 2017, 2018, 2019 and 2020 reports that were inconsistent with the situation on the ground as reported by other publicly available sources.

6. Section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*

6.1. Use of language

6.1.1. Observations in 2017, most of which repeated in 2018, 2019 and 2020

6. Children / Early and Forced Marriage

Some distancing language was introduced in the 2017, 2018, 2019 and 2020 editions compared to the 2016 report, potentially questioning the veracity of the information:

2016 report [emphasis added]	2017, 2018, 2019 and 2020 reports [emphasis added]
The legal minimum age of marriage is 15 with parental permission and 18 without. The government made few efforts to enforce the law	The legal minimum age of marriage is 15 with parental permission and 18 without. The government reportedly made few efforts to enforce the law

6. National/Racial/Ethnic Minorities

A previously made statement, which reads like a risk assessment was removed from the 2017, 2018, 2019 and 2020 reports:

2016 report	2017, 2018, 2019 and 2020 reports
Activists from religious and ethnic minority communities faced the greatest risk	[Removed]

6. National/Racial/Ethnic Minorities

In the following example reduced specificity was included in the 2017, 2018, 2019 and 2020 reports, compared to the 2016 edition, omitting the detailed types of violations minorities may experience at the hands of ISIS (in 2016 and 2017) and the hands of the PMF and ISIS (in 2018, 2019 and 2020):

2016 report [emphasis added]	2017 report	2018, 2019 and 2020 reports
In areas under its control, Da'esh committed numerous abuses against Yezidis, Shabaks, Christians, and other minority communities], including execution, kidnapping, rape, enslavement, forced marriage, forced abortions, expulsion, theft, forced conversions, and destruction of property	In areas under its control, Da'esh committed numerous abuses against Yezidis, Shabaks, Christians, and other minority communities	Government forces, particularly certain PMF groups, and other militias targeted ethnic and religious minorities, as did remaining active ISIS fighters

6. Women / Rape and Domestic Violence

6. Women / Discrimination

6. Children / Birth Registration

6. Antisemitism

6. Persons with Disabilities

6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

It was observed that the following contextual information/statements found in the 2016 report was no longer included in the 2017, 2018, 2019 and 2020 editions:

2016 report [emphasis added]	2017, 2018, 2019 and 2020 reports
The law did not always adequately protect rape victims	[Removed]
Throughout the country, women reported increasing social pressure to adhere to conservative social norms	[Removed]
Families of noncitizen children had to pay for services, such as public schools and health services that were otherwise free	[Removed]
A small number of Jewish citizens (estimated at less than 100) lived in Baghdad, and there were unconfirmed reports that small Jewish communities existed in other parts of the country... In 2015 the KRG Ministry of Endowments and Religious Affairs opened a representative office for Kurdish Jews, which held the IKR’s first Holocaust Remembrance Day on May 10	A very small number of Jewish citizens lived in Baghdad
Although the constitution states the government, through law and regulations, should care for and rehabilitate persons with disabilities in order to reintegrate them into society, there are no laws prohibiting discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, the judicial system, or the provision of other state services	[Removed] [Note that the 2018, 2019 and 2020 re-inserted this information in an amended way: “Despite constitutional guarantees, no laws prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities. Persons with disabilities had limited access to education, employment, health services, information, communications, buildings, transportation, the judicial system, or other state services [...]”]
Government and KRG officials reported they had few resources to accommodate persons with disabilities in prisons, detention centers, and temporary holding facilities	[Removed]
Neither hate crime nor antidiscrimination laws exist, and there are no other criminal justice mechanisms to aid in the prosecution of crimes motivated by bias against members of the LGBTI community [...] No law specifically prohibits consensual same-sex sexual activity, although the law prohibits sodomy, irrespective of gender [...] The law does not address discrimination based on sexual orientation or gender identity	[Removed]
In addition to targeted violence, members of the LGBTI community remained at risk for honor crimes, since their conduct did not conform to traditional gender norms	[Bold words removed. 2019 and 2020 report completely removed this sentence. See Appendix B]
LGBTI rights groups attributed the lack of publicized cases of attacks to the low profile of members of the	[Removed]

LGBTI community, who altered their public dress and lifestyle to conform to societal norms	
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6.1.2. Observations in 2018, most of which repeated in 2019 and 2020

6. Women / Rape and Domestic Violence

Some distancing language was introduced in the 2018, 2019 and 2020 editions compared to the 2016 and 2017 reports, potentially questioning the veracity of the information:

2016 and 2017 reports [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
These units [Family Protection Units] tended to prioritize family reconciliation over victim protection and lacked the capacity to support victims	These units reportedly tended to prioritize family reconciliation over victim protection and lacked the capacity to support victims.

Some distancing language was also introduced in the 2018 and 2019 edition but removed in the 2020 edition:

2016 and 2017 reports [emphasis added]	2018 and 2019 reports [emphasis added]	2020 report [emphasis added]
[...] Space was limited, and service delivery was poor [...]	[...] Space reportedly was limited , and service delivery reportedly was poor [...]	[...] Space was limited, and service delivery was poor [...]

6. Women / Discrimination

6. National/Racial/Ethnic Minorities

It was observed that the following contextual information found in the 2016 and 2017 reports was no longer included in the 2018, 2019 and 2020 editions:

2016 and 2017 reports	2018, 2019 and 2020 reports
The UN representative for women's affairs in Iraq said the abolition of the Ministry for Women's Affairs posed an additional challenge in addressing issues of conflict and displacement, especially since the majority of those displaced were women	[Removed]
The National Identity Card Law automatically registers minor children as Muslims if they are born to at least one Muslim parent or if either parent converts from another religion to Islam	[Removed]
Although they [persons of African descent] have won several court cases, they have yet to receive compensation	[Removed]

6. Children / Child Abuse

6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

It was further observed in the following examples that softening language was included in 2018, 2019 and 2020, compared to 2017 and 2016, thereby implying an improvement of the situation:

2016 and 2017 reports [emphasis added]	2018, 2019 and 2020 reports [emphasis added]
Violence against children remained a significant problem	Violence against children reportedly remained a significant problem
LGBTI persons often faced abuse and violence from family and nongovernmental actors. In addition to targeted violence, LGBTI persons remained at risk for honor crimes	LGBTI persons often faced abuse and violence from government and nongovernmental actors that the government did not effectively investigate [Note that the 2019 and 2020 reports completely omitted this sentence. This is addressed further below at Appendix B]

6.1.3. Observations in 2019, all repeated in 2020

6. Other Societal Violence and Discrimination

It was observed that the following contextual information found in the 2018 report was no longer included in the 2019 and 2020 editions:

2018 report	2019 and 2020 reports
Because religion, politics, and ethnicity were often closely linked, it was difficult to categorize many incidents as based solely on ethnic or religious identity	[Removed]

6.1.4. Observations in 2020

It was observed that the following contextual information added to the 2017, 2018 and 2019 reports was no longer included in the 2020 edition:

2016 report	2017, 2018, and 2019 reports [emphasis added]	2020 report
A provision of the law limits a sentence for conviction of murder to a maximum of three years in prison if a man is on trial for killing his wife, or a female dependent due to suspicion that the victim was committing adultery	A provision of the law limits a sentence for conviction of murder to a maximum of three years in prison if a man is on trial for killing his wife, girlfriend , or a female dependent due to suspicion that the victim was committing adultery	A provision of the law limits a sentence for conviction of murder to a maximum of three years in prison if a man is on trial for killing his wife, or a female dependent due to suspicion that the victim was committing adultery

6.2. Improvements

6.2.1. Improvements in 2017 (compared to 2016)

There were no notable improvements observed in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons* across the 2017 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

6.2.2. Improvements in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

The following improvement in the situation in 2018 compared to 2017 and 2016 was observed, repeated in 2019 and 2020, which was found not to be commensurate with the situation as reported by other sources for both years.

6. Women / Female Genital Mutilation/Cutting (FGM/C)

1. The 2016 report stated that “International human rights organization WADI’s, and local women’s rights organization PANA’s, interviews indicated 25 percent of women in the central and southern parts of the country had been subjected to FGM/C”. This indicated that FGM/C continued in central and southern Iraq.

[Note: The 2017 report omitted any information in relation to whether or not FGM/C was still performed in central and southern Iraq and no information was located amongst the sources located. The 2018 and 2019 added instead that “FGM/C was not common outside the IKR”. Reducing the statistics included in the 2016 report that “25 percent of women in the central and southern parts of the country had been subjected to FGM/C” to “was not common” may be read to imply an improvement of the situation for 2018 and 2019]

[2018](#) [2019](#) [2020](#)

[No information was located covering 2020]

6.2.3. Improvements in 2019 (compared to 2018, 2017 and 2016)

There were no notable improvements observed in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons* across the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

6.2.4. Improvements in 2020 (compared to 2019, 2018, 2017 and 2016)

There were no notable improvements observed in section 6. *Discrimination, Societal Abuses, and Trafficking in Persons* across the 2020 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

6.3. Omissions

6.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

Twelve issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document their existence in all instances. All of these issues continued to be omitted from the 2018 and 2019 reports and information was found documenting

the existence of all twelve of these. In March 2021 the U.S. Department of State noted that it “will release an addendum to each 2020 country report that expands the subsection on women in Section 6, entitled “Discrimination, Societal Abuses, and Trafficking in Persons,” to include a broader range of issues related to reproductive rights”.² At the time of finalising the review of the 2020 U.S. Department of State country reports, these addendum had not been published yet. As a result, the 2020 reviews did not include research or analysis on the subsection *Coercion in Population Control*. Notwithstanding the above, out of the remaining nine issues which were not related to reproductive rights and omitted from the 2017 edition, all of them continued to be omitted from the 2020 report and information was found documenting the existence of seven of these.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

6. Women / Rape and Domestic Violence

1. “Due to social stigma and societal and often familial retribution against both the victim and perpetrator, victims of sexual crimes did not usually report it to authorities or pursue legal remedies”

[2017](#) [2018](#) [2019](#) [2020](#)

2. “Local and international NGOs and media reported that domestic violence often went unreported and unpunished, with abuses customarily addressed within the family and tribal structure”

[2017](#) [2018](#) [2019](#) [2020](#)

3. “According to the KRG Human Rights Commission, there were 7,436 cases of violence against women, 125 cases of self-immolation, 64 suicides, 54 homicides, and 124 cases of rape and sexual abuse reported during the year”

[2017](#) [2018](#) [2019](#) [2020](#)

[Research focused on finding statistics (not just from the KRG Human Rights Commission) on cases of violence against women in 2017, 2018, 2019 and 2020 which were no longer included in the respective reports. No information was found amongst the sources consulted in 2020]

6. Women / Sexual Harassment

4. “Due to social conventions and retribution against both the victim and perpetrator of sexual harassment, victims of sexual harassment usually did not pursue legal remedies. Because of the unequal social status of women, their fear of telling close relatives, and their distrust of the criminal justice process, victims rarely filed police complaints against their offenders”

[2017](#) [2018](#) [2019](#) [2020](#)

² U.S. Department of State, [2020 Country Reports on Human Rights Practices](#), 30 March 2021, *Preface, Announcement, Upcoming Addendum*

6. Women / Reproductive Rights

5. “Couples and individuals have the right to decide the number, timing, and spacing of their children; manage their reproductive health” and “Couples [...] have access to the information and means to do so, free from discrimination, coercion, or violence”

[2017](#) [2018](#) [2019](#)

6. “Due to general insecurity in the country and attendant economic difficulties, many women nonetheless received inadequate medical care”

[2017](#) [2018](#) [2019](#)

7. “The United Nations reported that sexual and reproductive health services, trauma counselling centers, and reintegration support were severely limited, including in the IKR, where the majority of returned captives lived, often having suffered severe trauma at the hands of Da’esh”

[2017](#) [2018](#) [2019](#)

6. Women / Other Harmful Traditional Practices

8. “Honor killings remained a serious problem throughout the country, **although perpetrators were rarely punished**”

[Note: The words in bold were omitted in the 2017, 2018, 2019 and 2020 reports and therefore research focused on the prosecution of perpetrators of ‘honour killings’]

[2017](#) [2018](#) [2019](#) [2020](#)

6. Children / Education

9. “A lack of available schools, lack of identification documents, limited income with which to purchase required supplies, and a lack of transportation often prevented IDP children from attending schools”

[2017](#) [2018](#) [2019](#) [2020](#)

6. Children / Early and Forced Marriage

10. “UNICEF reported that traditional cultural practices and economic hardships also motivated IDP and Syrian refugee families to marry girls at a young age”

[2017](#) [2018](#) [2019](#) [2020](#)

6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

11. “Due to stigma, intimidation, and potential harm including violent attacks, LGBTI organizations did not operate openly, nor were there gay pride marches or gay rights advocacy events”

[2017](#) [2018](#) [2019](#) [2020](#)

12. “Community activists reported that violence and intimidation continued [against LGBTI community activists]”

[2017](#) [2018](#) [2019](#) [2020](#)

[No information was found amongst the sources consulted in 2020]

6.3.2. Omissions in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

Five issues documented in the 2017 report were omitted from the 2018 edition despite publicly available information continuing to document their existence. All of these issues continued to be omitted from the 2019 and 2020 reports and information was found documenting the existence of all five of these in 2019 and two of these in 2020.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

6. Women / Rape and Domestic Violence

1. “During the year ISIS kidnapped women and girls to sell, rent, or gift them as forced “brides” (a euphemism for forced marriage or sexual slavery) to ISIS fighters and commanders, and exploited the promise of sexual access in propaganda materials as part of its recruitment strategy”

[2018](#) [2019](#) [2020](#)

[No information was found in 2020 amongst the sources consulted]

6. Children / Child Soldiers

2. “ISIS’s sexual exploitation of Yezidi children was widespread throughout the year in areas under the group’s control; this abuse included rape and sexual slavery”

[2018](#) [2019](#) [2020](#)

[No information was found in 2020 amongst the sources consulted]

6. Persons with Disabilities

3. “There were reports that persons with disabilities experienced discrimination due to social stigma”

[2018](#) [2019](#) [2020](#)

6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

4. “Societal discrimination in employment, occupation, and housing based on sexual orientation, gender identity, and unconventional appearance was common”

[2018](#) [2019](#) [2020](#)

[No information was found in 2020 amongst the sources consulted]

5. “Information was not available regarding discrimination in access to education or health care”

[2018](#) [2019](#) [2020](#)

6.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016), most of which repeated in 2020

Five issues documented in the 2019 report were omitted from the 2018 report despite publicly available information continuing to document their existence. Four continued to be omitted from the 2020 report despite publicly available information continuing to document their existence.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

6. Women / Rape and Domestic Violence

1. “As of September [2018] authorities reported more than 3,200 Yezidis, mainly women and children, remained in ISIS captivity, where they were subject to sexual slavery and exploitation, forced marriage, and other abuses” [previously included in 2018]

[Note: The 2019 and 2020 reports failed to mention whether and how many Yezidis remained in ISIS captivity]

[2019](#) [2020](#)

6. Women / Other Harmful Traditional Practices

2. “Government officials and international and local NGOs also reported that the traditional practice of fasliya, whereby family members, including women and children, are traded to settle tribal disputes, remained a problem, particularly in southern governorates”

[Note: Reference to fasliya was no longer omitted in the 2020 report, with this sentence continuing to be omitted but replaced with “Grand Ayatollah Ali Sistani called for an end to nahwas and fasliya (where women are traded to settle tribal disputes), but these

traditions continued, especially in areas where tribal influence outweighed government institutions.”]

[2019](#) [2020](#)

6. National/Racial/Ethnic Minorities

3. “There were reports of KRG authorities discriminating against minorities, including Turkmen, Arabs, Yazidis, Shabaks, and Christians, both in the disputed territories and in the three provinces that officially make up the Kurdistan region”

[2019](#) [2020](#)

[No information amongst the sources consulted in 2020 found regarding disputed territories specifically, but in relation to the three provinces that make up the Kurdistan region]

6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

4. “LGBTI persons often faced abuse and violence from government and nongovernmental actors that the government did not effectively investigate”

[2019](#) [2020](#)

6. Other Societal Violence and Discrimination

5. “Media reported criminal networks and some PMF groups seized Christian properties in Baghdad, as well as areas of Anbar, Babil, Basrah, Diyala, Kirkuk, Ninewa, and Wasit Governorates, with relative impunity, despite pledges by the Prime Minister’s Office to open investigations into the seizures”

[2019](#) [2020](#)

[Amongst the sources consulted in 2020 evidence of seizure of Christian property was found in relation to Ninewa, but not specifically the other provinces highlighted in the omitted sentence]

6.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

Nine issues documented in the 2019 report were omitted from the 2020 report despite publicly available information continuing to document their existence.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

6. Women / Rape and Domestic Violence

1. “UNHCR reported in May that women in IDP camps with alleged ties to ISIS were particularly vulnerable to abuse, including rape by government forces and other IDPs (see sections 1.c. and 2.d.)”

2020

[Note that no information was found amongst the sources consulted regarding the rape of IDPs by other IDPs]

2. “[...] human rights organizations reported that the criminal justice system was often unable to provide adequate protection for women.”

2020

3. “Likewise, NGOs reported that the government made minimal progress in implementing UN Security Council Resolution 1325 on women, peace, and security despite an implementation plan launched in 2016. The KRG High Council of Women’s Affairs reported that neither the central government nor the KRG had allocated a budget for implementing this resolution.”

2020

4. “While the law does not explicitly prohibit NGOs from running shelters for victims of gender-based crimes, the law allows the Ministry of Labor and Social Affairs to determine if a shelter may remain open, and the ministry did not do so. As a result, only the ministry could operate shelters in central government-controlled territory. NGOs that operated unofficial shelters faced legal penalties for operating such shelters without a license (see section 5). NGOs reported that communities often viewed the shelters as brothels and asked the government to close them; on occasion, shelters were subject to attacks. In order to appease community concerns, the ministry regularly closed shelters, only to allow them to reopen in another location later”

2020

6. Women/ Sexual Harassment

5. “The law prohibits sexual relations outside marriage[...]”

[2020](#)

6. “In the absence of shelters, authorities often detained or imprisoned sexual harassment victims for their own protection. Some women, without alternatives, become homeless”

[2020](#)

6. Children/ Child Soldiers

7. “Child Soldiers: Certain PMF units, including AAH, HHN, and KH, reportedly recruited and used child soldiers, despite a government prohibition. The PKK, HPG, and YBS Yezidi militias also reportedly continued to recruit and use child soldiers [...]”

[2020](#)

[Ensure that COI removed in final PDF doc. In relation to quote & disability]

6. National/Racial/Ethnic Minorities

8. “Located predominately in the southern portions of the country, many [persons of African descent] lived in extreme poverty with nearly 80 percent illiteracy and reportedly above 80 percent unemployment.”

[2020](#)

6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

9. “In their September report, an Iraq-based LGBT human rights organization, IraQueer, asserted that government security forces failed to investigate acts of discrimination and violence against LGBTI persons and did not effectively prevent violence against them. IraQueer also criticized militia members, religious leaders, government officials, and health-care workers for failing to prevent discrimination. Data compiled from 2015 to 2018 by IraQueer indicated that government authorities and affiliated armed groups were responsible for 53 percent of crimes against LGBTI persons, family members accounted for 27 percent, ISIS 10 percent; for the remaining 10 percent, responsibility was unclear.”

[2020](#)

[Sources consulted for information included additional sources which were not published by IraQueer]

7. Section 7. Worker Rights

7.1. Use of language

7.1.1. Observations in 2017, most of which repeated in 2018, 2019 and 2020

7.c. Prohibition of Child Labor and Minimum Age for Employment

Whilst the 2016 report noted that “many cases” of displaced children ended in child labour, the 2017, 2018 and 2019 editions softened the language to just “documented cases”, thereby implying a possible improvement of the situation. The paragraph was removed in 2020:

2016 report [emphasis added]	2017, 2018 and 2019 reports [emphasis added]	2020 report
The NGO Iraqi Observatory for Human Rights documented many cases of displaced children who were forced to migrate with their families from their homes, and were subsequently forced to work	The Iraqi Observatory for Human Rights documented cases of displaced children forced to migrate with their families from their homes and, subsequently, engaged in child labor	[removed]

It was observed that the following contextual information and in the second example, statement, found in the 2016 report was no longer included in the 2017, 2018, 2019 and 2020 editions:

2016 report	2017, 2018, 2019 and 2020 reports
the new labor law introduced improvements to child labor regulations, such as increased fines and penalties for violators of the labor law. The new law abolished a Saddam-era decree that allowed children as young as 12 to work. The law also mandates employers--not workers or families--to bear the cost of annual medical checks for working juveniles (ages 15-18)	[Removed]
It also reported the Ministry of Labor and Social Affairs did not maintain accurate statistics about displaced child workers. In July, UNICEF reported an estimated half a million children were in the labor market, a number which doubled since 1990	[Removed]

7.e. Acceptable Conditions of Work

A further softening in language was observed in the 2017 report, repeated in 2018, 2019 and 2020. Working conditions were changed from being “unacceptable” to “substandard” despite continuing to report similar conditions for workers:

2016 report [emphasis added]	2017, 2018, 2019 and 2020 reports [emphasis added]
The legal and regulatory framework, combined with the country’s high level of violence and insecurity, high unemployment, large informal sector, and lack of meaningful work standards, resulted in unacceptable conditions for many workers	The legal and regulatory framework, combined with the country’s high level of violence and insecurity, high unemployment, large informal sector, and lack of meaningful work standards, resulted in substandard conditions for many workers

It was further observed that the following contextual information found in the 2016 report was no longer included in the 2017, 2018, 2019 and 2020 editions:

2016 report	2017, 2018, 2019 and 2020 reports
In 2015 the Labor Ministry launched an income-generating loan program, with a budget of 10 billion	[Removed]

dinars (\$9.1 million), to assist unemployed persons, including recent college graduates, shopkeepers affected by terrorism, and IDPs. In February the ministry announced that the microloans had benefitted 43,079 persons since the start of the program	
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7.1.2. Observations in 2018, all repeated in 2019 and 2020

7.d. Discrimination with Respect to Employment and Occupation

Moreover, whilst the 2016 and 2017 reports mentioned that the Iraqi constitution included provisions with regards to equality before the law without regard to gender, sect opinion, belief, nationality, or origin, the 2018, 2019 and 2020 editions added additional characteristics but more interestingly removed 'nationality' despite the fact that the constitution remained the same in all of these years:

2016 and 2017 reports [emphasis added]	2018, 2019 and 2020 reports
The constitution provides that all citizens are equal before the law without regard to gender, sect, opinion, belief, nationality , or origin	The constitution provides that all citizens are equal before the law without discrimination based on gender, race, ethnicity, origin, color, religion, creed, belief or opinion, or economic and social status. The law prohibits discrimination based on gender, race, religion, social origin, political opinion, language, disability, or social status

7.1.3. Observations in 2019

There were no notable additional language changes observed in section 7. *Worker Rights* across the 2019 report.

7.1.4. Observations in 2020

7.b. Prohibition of Forced or Compulsory Labor

It was observed that language introduced in the 2017 report and continued in the 2018 and 2019 editions, was removed from the 2020 edition and replaced with softening language (in the first two examples) or softening language was added (as in the third example), thereby potentially implying an improvement:

2017, 2018 and 2019 reports [emphasis added]	2020 report [emphasis added]
Penalties were not sufficient to deter violations	Penalties were not commensurate with those prescribed for analogous, serious crimes, such as kidnapping
Penalties for violations did not serve as a deterrent	Penalties were not commensurate with those prescribed for other serious crimes, such as kidnapping [...]
The government was ineffective in enforcing these provisions	The government was ineffective in enforcing these provisions. Penalties were commensurate with

	laws related to civil rights, such as election interference
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7.c. Prohibition of Child Labor and Minimum Age for Employment

It was observed that the following contextual information found in the 2016, 2017, 2018, 2019 reports was no longer included in the 2020 editions:

2016, 2017, 2018 and 2019 reports [emphasis added]	2020 report
Children between the ages of 12 and 15 are not required to attend school, but also not permitted to work; thus, they were vulnerable to the worst forms of child labor	Children between the ages of 12 and 15 are not required to attend school, but also not permitted to work

7.2. Improvements

There were no notable improvements observed in section 7. *Worker Rights* across the 2017, 2018, 2019 and 2020 reports that were inconsistent with the situation on the ground as reported by other publicly available sources.

7.3. Omissions

7.3.1. Omissions in 2017 (compared to 2016), all repeated in 2018, 2019 and 2020

Two issues documented in the 2016 report were omitted from the 2017 edition despite publicly available information continuing to document its existence. All of these issues continued to be omitted from the 2018, 2019 and 2020 reports and information was found documenting the existence of all of these for 2018 and 2019 only.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

7.a. Freedom of Association and the Right to Collective Bargaining

1. “They [strikers and union leaders] also asserted that ministries and state-owned enterprises used fines, demotions, suspension from work, and forced transfers to punish labor activists and discourage union activity. Unions reported authorities arrested labor leaders and activists for their activities. Union leaders also cited corruption within the government as a continuous problem, with government officials imposing arbitrary fines on workers for such activities as calling for demonstrations and traveling outside the country on union business without prior approval”

[2017](#) [2018](#) [2019](#) [2020](#)

[No information was found in 2020 amongst the sources consulted]

7.c. Prohibition of Child Labor and Minimum Age for Employment

2. “There were local press reports of families sending their children to beg in the streets”

[2017](#) [2018](#) [2019](#) [2020](#)

[No information was found in 2020 amongst the sources consulted]

7.3.2. Omissions in 2018 (compared to 2017 and 2016), all repeated in 2019 and 2020

One issue documented in the 2017 report was omitted from the 2018 edition but no information was found amongst the sources consulted. This issue continued to be omitted in 2019 despite publicly available information continuing to document its existence and omitted in 2020 but no information was found amongst the sources consulted.

Years marked in red indicates where little or no information was found. Illustrative information is presented to document the ongoing practice of each of these issues, available at the time of publication of the respective US Department of State report, in the Appendix of this report unless otherwise stated.

7.e. Acceptable Conditions of Work

1. “A 2016 Peace and Freedom Organization in Kurdistan study on labor rights and freedom of association found that most workplaces in the IKR offered adequately safe conditions. The study criticized, however, the lack of worker’s knowledge of their legal rights, including the right of association. According to the IKR Independent Human Rights Commission, 64 workers died in 2016 due to unsafe work in construction projects”

[2018](#) [2019](#) [2020](#)

[No information was found in 2018 and 2020 amongst the sources consulted]

7.3.3. Omissions in 2019 (compared to 2018, 2017 and 2016)

There were no notable omissions observed in section 7. *Worker Rights* of the 2019 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

7.3.4. Omissions in 2020 (compared to 2019, 2018, 2017 and 2016)

There were no notable omissions observed in section 7. *Worker Rights* of the 2020 report that were inconsistent with the situation on the ground as reported by other publicly available sources.

8. Executive Summary of US Department of State report

[Table 2](#) in the Appendix presents the changes in how the *Executive Summary* categorises human rights issues in Iraq in the 2016 report compared to the 2017, 2018, 2019 and 2020 editions.

As [Table 2](#) illustrates, several language changes were observed in how human rights issues were described in the respective reports' *Executive Summary*. The most notable of these are described below.

It was also observed that a large number of human rights issues were omitted from certain *Executive Summaries*. In almost all occasions, this was despite these omitted human rights issues continuing to be documented in the body text of the respective U.S. Department of State report. In some instances human rights issues were omitted from both the *Executive Summary* and the relevant section of the U.S. Department of State report despite continuing to be documented as occurring by other publicly available sources. Most of the observed 'omissions' of human rights issues were relevant to section 1. *Respect for the Integrity of the Person*. Interestingly, less human rights issues were omitted from the 2020 report's *Executive Summary* compared to previous years.

Notable language changes

The 2016 *Executive Summary* listed three human rights issues which it defined as having "weakened the government's authority and worsened effective human rights protections". Two of these issues, "sectarian hostility" and "lack of transparency at all levels of government and society" were no longer listed in the 2017, 2018, 2019 and 2020 reports' *Executive Summary*. For more detail see *Omissions* further below.

The 2016 *Executive Summary* further categorised human rights issues by perpetrator and under "Observers also reported other significant human rights-related problems":

- "Iraqi Security Forces (ISF), members of the Federal Police, and the Peshmerga committed some human rights violations";
- "the terrorist organization Da'esh committed the overwhelming majority of serious human rights abuses, including attacks against";
- "Da'esh members committed acts of violence on a mass scale.

The 2017 *Executive Summary* instead provided a list of "The most significant human rights issues" and noted a number of issues related to "ISIS members committed acts of violence on a mass scale", as well as separately listing additional human rights issues without categorizing them. These were: "Militant groups killed LGBTI persons" and "There were also limitations on worker rights, including restrictions on formation of independent unions". In comparison, the 2018 report only provided one long list of what it termed "Human rights issues included", which was slightly amended in the 2019 and 2020 reports to "significant human rights issues included".

Interestingly, whilst the 2016 *Executive Summary* listed the Peshmerga as one of the perpetrators in the above list under "Iraqi Security Forces (ISF), members of the Federal Police, and the Peshmerga committed some human rights violations", the 2017, 2018, 2019 and 2020 reports did not. However, with the exception of the 2019 and 2020 reports, the 2017 and 2018 reports did mention elsewhere in their reports' *Executive Summary* that "The Kurdistan Regional Government (KRG) High Committee to Evaluate and Respond to International Reports reviewed charges of Peshmerga abuse, largely against IDPs,

and exculpated them in public reports and commentaries. Impunity effectively existed for government officials and security force personnel, including the Peshmerga and PMF”.

The 2016 *Executive Summary* also included two broad statements on the human rights situation in Iraq: “Severe human rights problems were widespread” and “Sectarian hostility, widespread corruption, and lack of transparency at all levels of government and society, weakened the government’s authority and worsened effective human rights protections”. Both were removed from the 2017, 2018, 2019 and 2020 reports’ *Executive Summary* despite continuing to be reported on in the main body of the report, with the exception of ‘widespread corruption’, which continued to be listed as a human rights issue in those *Executive Summaries*.

The 2017 *Executive Summary* included a statement by then Secretary Tillerson, similar to that which was included in 2016 by Secretary Kerry, informing that ISIS “is clearly responsible for genocide against Yazidis, Christians, and Shia Muslims in areas it controls or has controlled. ISIS is also responsible for crimes against humanity and ethnic cleansing directed at these same groups, and in some cases against Sunni Muslims, Kurds, and other”. The 2018, 2019 and 2020 reports’ *Executive Summary* remained silent on this.

Omissions

The 2016 *Executive Summary* listed three human rights issues, which it identified as having “weakened the government’s authority and worsened effective human rights protections”. These were:

- Sectarian hostility;
- Widespread corruption;
- Lack of transparency at all levels of government and society.

All, with the exception of “widespread corruption”, were omitted from the 2017, 2018, 2019 and 2020 reports’ *Executive Summary*. The omitted issue “sectarian hostility” was internally inconsistent with the body text of the U.S. Department of States’ reports as the 2017, 2018, 2019 and 2020 reports all continued to document sectarian violence, hostility and discrimination. The other omitted issues are dealt with further below under *Omitted human rights issues relevant to Section 4. Corruption and Lack of Transparency in Government of the reports*.

The following profiles categorised in 2016 as being targeted by “the terrorist organization Da’esh committed the overwhelming majority of serious human rights abuses, including attacks against” were omitted in subsequent reports’ *Executive Summary*:

- “Civilians, (particularly Shia but also Sunnis who opposed Da’esh)”;
- “Members of other religious and ethnic minorities”;
- “Women”;
- “Children”.

The list of issues under “Observers also reported other significant human rights-related problems” included the following human rights issues in 2016, which were omitted from subsequent 2017, 2018, 2019 and 2020 reports’ *Executive Summary* [emphasis added for those words that were removed]:

- “Lengthy pretrial detention, sometimes incommunicado in 2017, 2018, 2019 and 2020;
- “Denial of fair public trial” in 2017, 2018, 2019 and 2020;
- “Insufficient judicial institutional capacity” in 2017, 2018, 2019 and 2020;

- “Ineffective implementation of civil judicial procedures and remedies” in 2017, 2018, 2019 and 2020;
- “Arbitrary interference with privacy **and homes**” in 2017, 2018, 2019 and 2020;
- “Child soldiers” in 2017 and 2020;
- “Violence against **and harassment** of journalists” in 2017 and the whole sentence from the 2018 and 2019 reports [Note: This was changed to “threats of violence, unjustified arrests and prosecutions against journalists” in 2020];
- “Undue Censorship” in 2017, 2018, 2019 and 2020;
- “Social, religious, and political restrictions in academic and cultural matters” in 2017, 2018, 2019 and 2020;
- “Limits on freedoms of peaceful assembly and association” in 2017 and 2018;
- “Limits on religious freedom due to violence by extremist groups” in 2017, 2018, 2019 and 2020;
- “Refugee and IDP abuse” in 2017, 2018, 2019 and 2020;
- “Both forced IDPs returns and preventing IDPs from returning home” in 2017, 2018 and 2019 [Note: In the 2020 report “forced returns of internally displaced persons to locations where they faced threats to their lives and freedom” was put back in but omission of prevention of their return continued];
- “Discrimination against and societal abuse of women [...] including exclusion from decision-making roles” in 2017, 2018 and 2019;
- “Discrimination against and societal abuse of [...] ethnic, religious, and racial minorities, including exclusion from decision-making roles” in 2017, 2018, 2019 and 2020 [Note: In 2020 it was added instead: “Crimes involving violence targeting members of ethnic minority groups”];
- “**Societal discrimination and** violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons” in 2017 (whole sentence), 2018, 2019 and 2020 (words in bold);
- “Seizure of property without due process” in 2017, 2018, 2019 and 2020.

The 2017 report further listed the following separate human rights issues that ISIS committed which were not included in the 2018, 2019 and 2020 reports’ *Executive Summary*:

- “They also engaged in kidnapping, rape, enslavement, forced marriage, and sexual violence, committing such acts against civilians from a wide variety of religious and ethnic backgrounds, including Shia, Sunnis, Kurds, Christians, Yezidis, and members of other religious and ethnic groups”;
- “Reports of ISIS perpetrating gender-based violence”;
- “recruiting child soldiers”;
- “trafficking in persons”
- “and destroying civilian infrastructure and cultural heritage sites were credible and common”.

Interestingly, almost all of these omissions listed above in the 2017, 2018, 2019 and 2020 reports’ *Executive Summary* were found to be internally inconsistent with the respective sections of the U.S. Department of State report. All omissions are described further below by section of the U.S. Department of State report.

In addition, the 2017 report listed additional issues as “ISIS members committed acts of violence on a mass scale” omitting the following human rights issues from the three subsequent reports’ *Executive Summary*:

- “Coerced or forced abortions imposed by ISIS on its victims”;
- “Executions including shootings and public beheadings”;

- “Use of chemical weapons”;
- “Use of civilians as human shields”;

The omission of these issues was consistent with the body text of the respective U.S. Department of State reports as these also no longer included such information. Amongst the sources consulted no information was found on these issues, most likely to do with ISIS’s reduction in influence, reach and territorial control of Iraq in 2018, 2019 and 2020.

Lastly, the 2020 report omitted the following additional human rights issue from its *Executive Summary*:

- “trafficking in persons”

These are all described by section of the U.S Department of State reports.

Omitted human rights issues relevant to Section 1.

The 2016 report described that civilians “(particularly Shia but also Sunnis who opposed Da’esh)”, members of “other” religious and ethnic minorities, women and children were particularly targeted by ISIS. However they were no longer singled out in the subsequent reports’ *Executive Summary*. This is internally consistent with how the four reports dealt with violations committed by ISIS, namely providing less specificity and at times omitting information on these issues despite publicly available sources continuing to document these profiles as ISIS targets. For more information see [1.3.1.](#)

The 2016 *Executive Summary* described the experience of “lengthy pretrial detention” and “incommunicado detention” as human rights issues, which were omitted from the 2017, 2018, 2019 and 2020 reports despite at section 1.d. in each report noting that “Lengthy [pretrial] detentions without due process and without judicial action were a systemic problem” and reporting on incommunicado detention throughout section 1.

The 2017, 2018, 2019 and 2020 reports also neglected to include human rights issues reported on within their respective section 1.e. in relation to the denial of a fair public trial, insufficient “judicial institutional capacity” and “ineffective implementation of civil judicial procedures and remedies” as was previously done in the 2016 edition.

The reports’ *Executive Summary* of the 2018 and 2019 reports also omitted “arbitrary arrest” despite section 1.d. of the respective reports continuing to state “Despite such protections, there were numerous reports of arbitrary arrests and detentions, predominantly of Sunni Arabs, including IDPs” as the previous two reports did. Interestingly, “arbitrary arrest” was added back in to the 2020 report’s *Executive Summary*.

The point “Arbitrary interference with privacy, family, home, and correspondence” as included in the 2016 *Executive Summary* was amended and reduced to “arbitrary interference with privacy” in 2017 and “arbitrary or unlawful interference with privacy” in the 2018, 2019 and 2020 reports despite such information continuing to be featured in section 1.f. *Arbitrary or unlawful interference with privacy, family, home or correspondence* of the four reports. For example the 2017, 2018, 2019 and 2020 reports noted that “The constitution and law prohibit such actions [Arbitrary or unlawful interference with privacy, family, home or correspondence], but there were numerous reports that the government failed to respect these prohibitions. Government forces often entered homes without judicial or other appropriate authorization”.

Interestingly, the 2017 *Executive Summary* was – until 2020 - the only one amongst the four reports that omitted any reference to ‘child soldiers’ despite continuing to include a separate subsection with the same title as part of section 1.g. This was once again removed in the 2020 *Executive Summary* and in section 1.g.

The 2016 and 2017 reports also listed the following human rights issues that ISIS committed which were omitted in the 2018, 2019 and 2020 reports’ *Executive Summary*:

- “They also engaged in kidnapping, rape, enslavement, forced marriage, and sexual violence, committing such acts against civilians from a wide variety of religious and ethnic backgrounds, including Shia, Sunnis, Kurds, Christians, Yezidis, and members of other religious and ethnic groups”;
- “Reports of ISIS perpetrating gender-based violence”;
- “Recruiting child soldiers”;
- “Trafficking in persons”
- “and destroying civilian infrastructure and cultural heritage sites were credible and common”.

All of these were internally consistent as they were omitted from the body of the 2018, 2019 and 2020 reports. However, these issues are inconsistent with the situation as reported by other publicly available sources so classified as omissions. For more information see [1.3.1.](#)

Omitted human rights issues relevant to Section 2. Respect for Civil Liberties of the reports

Whilst the 2017 report noted that there were “greatly reduced penalties for so-called “honor killings” committed by members of the security forces, particularly some elements of the Popular Mobilization Force, the 2018, 2019 and 2020 reports’ *Executive Summary* omitted this issue. This is despite section 2.d. continuing to document such occurrence in the 2018, 2019 and 2020 reports and in section 2.e in the 2018 and 2019 reports.

Whilst the 2016 report mentioned the “violence” **and** “harassment of journalists”, the 2017 *Executive Summary* omitted to mention the continued “harassment” of journalists, despite continuing to report in the body of its report at section 2.a. that “Some media organizations reported arrests and harassment of journalists”. Interestingly, the 2018 and 2019 reports failed to include any mention of violence or harassment of journalists despite continuing to report on it in their respective sections 2.a. This was reversed in the 2020 report *Executive Summary* which included “threats of violence, unjustified arrests and prosecutions against journalists”.

Further omissions from the 2017, 2018, 2019 and 2020 reports’ *Executive Summary* included “undue censorship”, “social, religious, and political restrictions in academic and cultural matters”, and “limits on freedoms of peaceful assembly and association”. This is despite section 2.a. of all of the respective reports continuing to document their existence. Interestingly the 2019 *Executive Summary* mentioned “significant interference” on the right to peaceful assembly. The 2020 *Executive Summary* changed this to “substantial interference” and included a description of protests, statistics on killings and injuries caused to protesters and lack of justice for the violence.

Limits on religious freedoms imposed by extremist groups was also omitted from the 2017, 2018, 2019 and 2020 reports’ *Executive Summary* although such incidents were reported on throughout their respective reports. Similarly, the statement that “refugees and IDPs faced abuse and were both forced to return and

prevented from returning home” was omitted from the 2017, 2018, 2019 and 2020 editions despite the reports continuing to document the issue in their respective sections 2.d/2.e.

Omitted human rights issues relevant to Section 3. Freedom to Participate in the Political Process of the reports

The exclusion faced by women and ethnic, religious and racial minorities from decision-making roles was omitted from the 2017, 2018, 2019 and 2020 reports’ Executive Summary despite the information within subsection *Participation of Women and Minorities* within section 3. not having changed from the 2016 edition.

Omitted human rights issues relevant to Section 4. Corruption and Lack of Transparency in Government of the reports

Whilst the 2016 report listed “lack of transparency at all levels of government and society” as a reason why it “weakened the government’s authority and worsened effective human rights protections”, this was omitted from all subsequent editions. This is despite their respective section 4. continuing to state that “Anticorruption efforts were hampered by a lack of agreement concerning institutional roles and political will, political influence, lack of transparency, and unclear governing legislation and regulatory processes”.

Omitted human rights issues relevant to Section 6. Discrimination, Societal Abuses, and Trafficking in Persons of the reports

The discrimination and societal abuse faced by women and ethnic, religious and racial minorities was omitted from the 2017, 2018 and 2019 reports’ Executive Summary despite the information within section 6. not having changed substantially in this regard from the 2016 edition. Interestingly, the 2020 report’s Executive Summary included “lack of investigation of and accountability for violence against women” and “discrimination in employment of [...] women” and “crimes involving violence targeting members of ethnic minority groups” but continues to omit discrimination faced by ethnic, religious and racial minorities.

Whilst the 2016 Executive Summary listed “**societal discrimination and violence** against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons” as a “significant human rights-related problem”, the 2017 report only referred to “Militant groups killed LGBTI persons”. The 2018, 2019 and 2020 reports instead referred to the “criminalization [...] of LGBTI status or conduct” (2018 and 2019) or “criminalization of consensual same-sex sexual conduct between adults” (2020) and “violence targeting [LGBTI] persons”. Whilst section 6. in the body of the reports continues to describe the criminalization of LGBTI status and the state and non-state violence against LGBTI persons, the 2017, 2018, 2019 and 2020 reports’ Executive Summary omit societal discrimination and violence and thereby imply that this is not a human rights issue worth mentioning.

The 2017, 2018, 2019 and 2020 reports omitted to mention the “seizure of property without due process” in their reports’ Executive Summary, despite the 2017 and 2018 reports continuing to include a subsection entitled *Other Societal Violence or Discrimination* and with it content on the seizure of mainly Christian and Yezidi properties. The 2019 and 2020 reports omitted such a subsection and related information altogether. For more information see [6.3.3.](#)

Whilst the 2016, 2017, 2018 and 2019 reports listed “trafficking in persons”, the 2020 report *Executive Summary* omitted this despite it continuing to feature in section 6.

Appendices

A. Sources and Databases consulted

Not all of the sources listed here have been consulted for each issue addressed in the report. Additional sources to those individually listed were consulted via database searches. This is a non-exhaustive list. To find out more about an organisation, view the 'About Us' tab of a source's website.

Sources were consulted which documented events in the particular year and which were published in advance of the publication of the respective U.S. State Department report. Thus for 2017 issues, sources were consulted that reported the situation in 2017 that were published before 20 April 2018. For 2018 issues, sources were consulted that reported the situation in 2018 that were published before 13 March 2019. For 2019 issues, sources were consulted that reported the situation in 2019 that were published before 11 March 2020, and for 2020 issues, sources were consulted that reported the situation in 2020 that were published before 30 March 2021.

Databases

[Asylos's Research Notes](#)

[EASO COI Portal](#)

[European Country of Origin Information Network \(ECOI\)](#)

[Relief Web](#)

[Refworld](#)

Media

[Agence Presse France \(AFP\)](#)

[albawaba](#)

[Al Jazeera](#) (Iraq pages)

[Al-Monitor](#) (Iraq pages)

[Andolou Agency](#)

[Associated Press \(AP\)](#) (Iraq pages)

[BBC News](#)

[CNN](#)

[CNBC](#)

[Deutsche Welle \(English, Arabic, German\)](#) (news coverage, opinions, analysis on Iraq)

[Der Spiegel](#)

[Foreign Affairs](#) (Iraq pages)

[Foreign Policy](#) (Iraq pages)

[Institute for War and Peace Reporting](#)

[Inter Press Service](#)

[LSE Middle East Blog](#)

[Middle East Eye](#)

[New York Times](#)

[Qantara](#)

[Reuters](#) (Iraq pages)

[The Atlantic](#)

[The Guardian](#)

[The Independent](#)

[The Intercept](#)

[The New Arab](#)

[The New Humanitarian](#)

[Wall Street Journal](#)
[Washington Post](#)

Local media

[Asharq al-Awsat](#)
[Assyrian International News Agency](#)
[Al Mada](#)
[BasNews](#)
[Ekurd](#) Iraq pages (independent, non-KDP/PUK)
[Iraq Business News](#)
[Iraq Oil Report](#)
[Iraqi News](#)
[Kirkuk Now](#)
[Kurdistan24](#)
[NINA - \(National Iraqi News Agency\)](#) (in English and Arabic)
[Niqash](#)
[PUKmedia](#)
[Rudaw](#) (pro-KDP)
[Shafaq News](#)
[The Baghdad Post](#)
[Yaqein](#) (Iraqi source in Arabic)

Sources

[Atlantic Council](#)
[BellingCat](#)
[Brookings Institution](#)
[Carnegie Endowment for International Peace](#)
[Center for Global Policy](#)
[Centre for Strategic and International Studies](#)
[Century Foundation](#)
[Chatham House](#)
[CIA World Factbook](#)
[Clingendael Institute](#)
[Combating Terrorism Center at West Point](#)
[Council on Foreign Affairs](#)
[Council on Foreign Relations](#)
[Danish Institute for International Studies](#)
[EPIC - Enabling Peace in Iraq Center](#)
[European Council on Foreign Relations \(ECFR\)](#)
[Foreign Policy \(FP\)](#)
[Freedom House](#)
[Fund for Peace – Fragile States Index](#)
[International Crisis Group](#)
[Moshe Dayan Center for Middle Eastern and African Studies](#)
[Musings on Iraq](#)
[Operation Inherent Resolve](#)
[RAND Corporation](#)
[The Soufan Center](#)
[German Institute for International and Security Affairs/Stiftung Wissenschaft und Politik \(SWP\)](#)
[Middle East Institute](#)
[United States Institute of Peace](#)

[United States Congressional Research Service](#)
[MERI - Middle East Research Institute](#)
[Washington Institute for Near East Policy](#)
[Wilson Center](#)
[1001 Iraqi Thoughts](#)
[Amnesty International](#)
[Atlas of Torture](#)
[Centre for Reproductive Rights](#)
[Christian Solidarity Worldwide](#)
[Committee to Protect Journalists](#)
[Euro-Mediterranean Human rights Monitor](#)
[Fédération internationale des ligues des droits de l'Homme \(FIDH\)](#)
[Freedom House](#)
[Frontline Defenders](#)
[Hands off Cain](#)
[Hot Peach Pages](#)
[Human Rights Watch](#)
[Institute on Statelessness and Inclusion](#)
[International Bar Association](#)
[International Centre for Prison Studies](#)
[International Committee of the Red Cross \(ICRC\)](#)
[International Federation for Human Rights](#)
[International Freedom of Expression Exchange](#)
[International Lesbian, Gay, Bisexual, Trans and Intersex Association \(ILGA\)](#)
[Iraq Foundation](#)
[Metro Center - Journalist Rights & Advocacy](#)
[Minority Rights Group International](#)
[Radio Free Europe/Radio Liberty \(RFE/RL\)](#)
[Reporters Without Borders](#)
[Transparency International](#)
[World Organisation Against Torture \(OMCT\)](#)
[WorldWatch Monitor](#)
[Yeziden-Colloquium](#)
[Hammurabi Human Rights Organisation](#)
[NCCI - NGO Coordination Committee for Iraq](#)
[Iraqi Civil Society Solidarity Initiative](#)
[Iraqi Al-Amal Association](#)
[Iraqeer](#)
[ACAPS](#)
[CCCM Formal Settlements Map](#)
[Refugees International](#)
[REACH](#)
[Humanitarian Response](#)
[Internal Displacement Monitoring Centre \(IDMC\)](#)
[IOM - International Organisation for Migration](#)
[IOM's Displacement Tracking Matrix \(DTM\)](#)
[Mercy Corps](#)
[NGO Coordination Committee for Iraq](#)
[International Rescue Committee](#)
[Norwegian Refugee Council](#)
[Norwegian People's Aid](#)

[Swiss Refugee Council Schweizerische Flüchtlingshilfe](#)
[Immigration and Refugee Board of Canada](#)
[Armed Conflict Location & Event Date Project \(ACLED\)](#)
[Center for Strategic & International Studies \(CSIS\)](#)
[Global Incident Map](#)
[GPPI \(Global Public Policy Institute\)](#)
[Institute for the Study of War](#)
[iMMAP](#)
[Iraq Body Count](#)
[Combating Terrorism Center](#)
[Iraq Liveumap](#)
[Iraq After Occupation/South Iraq Security Report](#)
[Stanford University Mapping Militias](#)
[National Consortium for the Study of Terrorism and Responses to Terrorism \(START\) – Global Terrorism Database](#)
[Long War Journal](#)
[Jamestown Foundation](#)
[United States Lead Inspector General for Operation Inherent Resolve](#)
[Landmine & Cluster Munition Monitor](#)
[United Nations Assistance Mission for Iraq \(UNAMI\)](#)
[United Nations Children’s Fund \(UNICEF\)](#)
[United Nations Committee Against Torture](#)
[United Nations Committee on Economic, Social and Cultural Rights](#)
[United Nations Committee on the Elimination of Discrimination Against Women](#)
[United Nations Committee on Enforced Disappearances](#)
[United Nations Committee on the Rights of the Child](#)
[United Nations Committee on the Rights of Persons with Disabilities](#)
[United Nations Development Programme \(UNDP\)](#)
[United Nations High Commissioner for Refugees \(UNHCR\)](#)
[United Nations Human Rights Council](#)
[United Nations Human Settlements Programme \(UNHABITAT\)](#)
[UN Iraq](#)
[United Nations News Centre](#)
[United Nations Office for the Coordination of Humanitarian Affairs \(UNOCHA\)](#)
[United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#)
[United Nations Office of the Special Representative of the Secretary-General for Children and Armed Conflict](#)
[United Nations Population Fund \(UNFPA\)](#)
[United Nations Office on Drugs and Crime \(UNODC\)](#)
[United Nations Secretary General](#)
[United Nations Women](#)
[United Nations Security Council – Reports of the Secretary General](#)
[United Nations Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)
[United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions](#)
[United Nations Special Rapporteur on extreme poverty and human rights](#)
[United Nations Special Rapporteur on freedom of religion or belief](#)
[United Nations Special Rapporteur on the Independence of Judges and Lawyers](#)
[United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)
[United Nations Special Rapporteur on the right to education](#)

[United Nations Special Rapporteur on the sale of children, child prostitution and child pornography](#)
[United Nations Special Rapporteur on the situation of human rights defenders](#)
[United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment](#)
[United Nations Special Rapporteur on trafficking in persons, especially in women and children](#)
[United Nations Special Rapporteur on violence against women, its causes and consequences](#)
[28 too Many \(FGM\)](#)
[Child Soldiers World Index](#)
[Organization of Women's Freedom in Iraq \(OWFI\)](#)
[Peace Women](#)
[Save the Children](#)
[Watchlist on Children and Armed Conflict](#)
[Global Coalition to Protect Education from Attack](#)
[Médecins Sans Frontières/Doctors Without Borders](#)
[World Health Organization \(WHO\)](#)
[Institute for Development Studies](#)
[International Labour Organisation \(ILO\)](#)
[World Bank](#)
[Food and Agriculture Organization of the United Nations \(FAO\)](#)
[United Nations World Food Programme \(WFP\)](#)
[United States Agency for International Development \(USAID\)](#)

B. List of issues where no or little information was found amongst the sources consulted

Improvements

The following thirteen improvements were observed where no or limited information was found amongst the sources consulted to refute the improvement:

1.c. *Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment*

1. “Many inmates lacked adequate food, water, **exercise facilities, vocational training, and family visitation**” in 2019.

[The words in bold were removed from the 2019 edition suggesting that inmates no longer experienced these issues]

2. “Courts routinely accepted forced confessions as evidence, which in **some** ISIS-related counterterrorism cases was the only evidence considered” in 2020.

[The word in bold was changed from “often” in the 2019 edition suggesting that less ISIS related counterterrorism cases had forced confessions as the only evidence]

1.d. *Arbitrary arrest or detention / Role of the Police and Security Apparatus*

3. “The IHRCKR routinely notified the Kurdistan Ministry of Interior when it received credible reports of police human rights violations. The KRG High Committee to Evaluate and Respond to International Reports reviewed charges of Peshmerga abuses, largely against IDPs, and exculpated them in public reports, but human rights organizations questioned the credibility of those investigations” in 2019.

[Note that this was not repeated in the 2020 report. Instead in section 5. of the report it stated that “The IHRCKR [...] reported KRG police and security organizations generally had been [...] responsive to reports of violations”]

1.d. *Arrest Procedures and Treatment of Detainees*

4. “KRG internal security units held some suspects incommunicado without an arrest warrant and transported detainees to undisclosed detention facilities” in 2019.

[Note that the 2018 and 2019 reports changed this to “Government forces held many terrorism-related suspects incommunicado without an arrest warrant and transported detainees to undisclosed detention facilities” suggesting that KRG internal security units were no longer involved in such actions, only Iraqi government forces. Elsewhere within the respective reports it is stated that “Human rights organizations reported that government forces, including the ISF, Federal Police, NSS, **PMF, and Asayish**, frequently ignored the law. Local media and human rights groups reported that authorities **arrested suspects in security sweeps without warrants, particularly under the antiterrorism law, and frequently held such detainees for prolonged periods without charge or registration**”. This suggests that KRG internal security units continue to be involved in incommunicado detention and arrests without a warrant. Therefore the COI search focused on “undisclosed detention facilities” (e.g. secret detention facilities) in the KRI and did not find any such information in relation to 2019]

1.e. Trial procedures

5. “Lawyers provided by an international NGO continued to have access to and provide representation to any juvenile without a court-appointed attorney” in 2018, 2019 and 2020.

[Note that this information was only included in the 2018, 2019 and 2020 reports, not in the previous editions covering 2017 and 2016, suggesting that no juvenile in the Kurdistan Region of Iraq goes to court unrepresented]

1.e. Civil Judicial Procedures and Remedies

6. “While KRG political prisoners’ pensions were approximately 500,000 dinars (\$440) **plus 50,000 dinars (\$44) for each year of being imprisoned [...]**” in 2020

[Note that the words in bold are the additional language in the 2020 report]

1.g. Abuses in Internal Conflict/ Child Soldiers

7. “Due in part to ISIS’ territorial defeat, little information was available on its use of children in the country during the year” in 2020.

2.d. Internally Displaced Persons

8. To support humanitarian standards and serve displaced populations, KRG officials reported they had allocated land for construction of camps; contributed to the construction of camps and connecting camps to power grids and local infrastructure; introduced civil administration in the camps and provided security services; reinforced technical and legal services to combat sexual and gender-based violence in and outside the camps; opened additional shifts at local schools to make schooling in Arabic available to displaced children (58 percent of refugees’children and 91 percent of IDPs children were enrolled in formal and informal education); facilitated reunification of children with their families; granted access for all IDPs and refugees to public health services, including mobilizing emergency mobile clinics and medical teams; introduced simplified procedures for free movement of humanitarian personnel; introduced exemption from customs duty and mechanisms to fast-track customs clearance for humanitarian supplies; and publicly called on local communities and all sections of society to welcome and assist IDPs as their guests” in 2020.

6. Women / Female Genital Mutilation/Cutting (FGM/C)

9. “International human rights organization WADI’s, and local women’s rights organization PANA’s, interviews indicated 25 percent of women in the central and southern parts of the country had been subjected to FGM/C” in 2017 and 2020.

[Note that such information was not included in 2017 and 2020 suggesting that FGM no longer occurred in central and southern parts of Iraq]

10. “The IKR’s Family Violence Law bans FGM/C, but NGOs reported the practice persisted, particularly in rural areas. **Rates of FGM/C, however, reportedly continued to decline [in the KRI]**” in 2018.

[Note that the 2018 (aswell as 2019 and 2020) report added the statement in bold suggesting an improvement in the Kurdistan Region of Iraq. No such information could be located for 2018 to refute such a statement]

6. Women / Coercion in Population Control

11. “Unlike previous years, there were no reports of coerced abortion by ISIS or other armed groups of pregnancies of Yezidi captive women” in 2018.

6. National/Racial/Ethnic Minorities

12. “In the IKR this law was rarely enforced, and individuals were generally allowed to convert to other religious faiths without KRG interference” in 2020.

7. c. Prohibition of Child Labor and Minimum Age for Employment

13. “The KRG Ministry of Labor and Social Affairs estimated **several hundred** children worked in the IKR” in 2020.

[Note that the 2019 report stated that the estimation was 1,700 children which was replaced with that in bold, potentially implying an improvement]

Omissions

The following one-hundred and seven omissions were observed where no or limited information was found amongst the sources consulted documenting that the issue occurred:

1.a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings

1. “Civil society activists said Iran-aligned militias, specifically AAH [Asa'ib Ahl al-Haq], were also responsible for several attacks against prominent women” in 2019 and 2020.
2. “There were also reports of killings or other sectarian violence in the IKR” in 2018, 2019 and 2020.

1.b. Disappearance

3. “IKR-based civil society organizations (CSOs) reported some ISIS-kidnapped Yezidi children had been trafficked into Turkey. Authorities located four such children in Turkey by year’s end, but efforts to establish their identity and repatriate them moved slowly through Turkish courts” in 2018, 2019 and 2020.
4. “Many suspected members of ISIS, and individuals close to them, were among those subject to forced disappearance” in 2020.

1.c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

5. “According to local and international human rights organizations, mistreatment of prisoners and detainees in the KRG typically occurred before their arrival at official detention facilities” in 2019.

6. "A number of inmates reported that prison guards mistreated their families during visits" in 2017, 2018, 2019 and 2020.
7. "Denial of access to medical treatment was also a problem" in 2019.
8. "The Ministry of Justice reported that budgetary constraints had significantly reduced the number of its visits to prisons. There was no information available about censorship or action on the complaints" in 2017, 2018, 2019 and 2020.
9. Information on record keeping of prisoners and detainees in 2017, 2018 and 2019.
10. Information on detention facilities operated by militia groups in 2017, 2018 and 2019 and/or ISIS in 2018, 2019 and 2020.
11. "Published in its January-June report [2016], UNAMI found overcrowding driven by terrorism-related detentions, such as in the Anti-Terrorism Directorate facility in Erbil" in 2019 and 2020.
12. "The Ministry of Justice reported that during the year it had installed surveillance cameras in all federal prisons, providing real-time information to a centralized office responsible for monitoring prisons. The camera system was meant to act as a deterrent to would-be abusers by allowing the government to record possible abuses for later investigation" in 2017, 2018, 2019 and 2020.
13. "The Human Rights Ministry and the Iraqi High Commission for Human Rights (IHCHR) noted that torture cases were underreported because many detainees were afraid to file complaints" in 2017, 2018 and 2020.
14. "ISIS, however, committed most of such abuses [torture and ill-treatment]" in 2020
15. "Local NGOs in the IKR continued to report allegations of abuse from both PMF and KRG security forces perpetrated against women and boys while in ISIS family isolation centers and detention facilities. Camp management and detention employees subjected them to various forms of abuse and intimidation, including beatings" in 2020.
16. "Torture and abuse by terrorist groups was widespread. CSOs, humanitarian organizations, and former ISIS captives reported numerous cases of torture, rape, forced labor, forced marriage, forced religious conversion, material deprivation, and battery by ISIS members. There were numerous reports of ISIS torturing and killing civilians for attempting to flee areas under ISIS control" in 2020
17. "Overcrowding exacerbated corruption among some police officers and prison administrators, who reportedly took bribes to reduce or drop charges, shorten sentences, or release prisoners early" in 2020.
18. "The Ministry of Justice reported there were no accommodations for inmates with disabilities, and a previously announced ministry initiative to establish facilities for such detainees was not fully implemented as of September" in 2020.

19. “[...] or they [Prison and detention center authorities] extorted bribes from prisoners for release at the end of their sentences” in 2020.
20. “Guards allegedly often demanded bribes or beat detainees when detainees asked to call their relatives or legal counsel” in 2020.

1.d. Arbitrary arrest or detention

21. “The Ministry of Justice reported authorities released nearly 4,500 detainees from government custody between the law’s enactment in 2016 and May 31” in 2018, 2019 and 2020.

1.d. Pretrial Detention

22. “The destruction of official detention facilities in the war against ISIS led to the use of temporary facilities” in 2019 and 2020; “for example, the Ministry of Interior reportedly held detainees in homes rented from local residents in Ninewa Governorate” in 2019.

1.d. Role of the Police and Security Apparatus:

23. “An NGO in Muthanna Governorate reported that guards on occasion beat prisoners for talking to outsiders about poor conditions and mistreatment inside the prison” in 2017 and 2020.
24. “Problems persisted, including corruption, within the country’s provincial police forces” in 2019.
25. “The military and Federal Police recruited and deployed soldiers and police officers on a nationwide basis, leading to complaints from local communities that members of the army and police were abusive because of ethnosectarian differences” in 2019 and 2020.
26. “Government forces made limited efforts to prevent or respond to societal violence, including ethnosectarian violence that continued to flare in Kirkuk and Ninewa Governorates during the year [2018]” in 2019 and 2020.

1.e. Denial of Fair Public Trial

27. “The Commission of Integrity routinely investigated judges on corruption charges, but some investigations were reportedly politically motivated” in 2018, 2019 and 2020.
28. “Lawyers participated in protests demanding better protection from the government against threats and violence” in 2020.
29. “HRW reported in February and June that the government conducted rushed trials of foreign women and children on charges of illegal entry into the country and membership in or assistance to ISIS [...]” in 2019 and 2020.

1.e. Denial of Fair Public Trial/Political Prisoners and Detainees

30. “Niaz Aziz Saleh, convicted in 2012 of leaking KDP party information related to electoral fraud, remained in a KRG prison, despite the completion of his sentence in 2014” in 2020.

1.e. Civil Judicial procedures and Remedies

- 31.** “In 2014 in collaboration with the IHCHR, the Higher Judicial Council established special courts to investigate human rights violations and reports of abuse [committed by the Iraqi government] wherever there is a court of appeal. On February 3, IHCHR members stated they had referred approximately 4,000 cases of human rights violations from 2015; however, the prosecutor dismissed hundreds of cases for lack of evidence or failure to complete required documents. At year’s [2016] end the courts had not issued any convictions for human rights violations” in 2017, 2018, 2019 and 2020.

1.e. Political prisoners and Detainees

- 32.** “There were isolated reports of political prisoners or detainees in the KRG” in 2019 and 2020.

1.e Property Restitution

- 33.** “NGOs reported that judges and local officials often took bribes to settle such [ethnic or sectarian motivated] property disputes” in 2020.

1.f Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

- 34.** “There were numerous reports that government forces and local authorities punished family members of suspected ISIS members and supporters. In some instances local community leaders reportedly threatened to evict these family members from their homes forcibly, bulldoze the homes, and either injure or kill these relatives” in 2020.
- 35.** “[International NGOs stated that PMF groups,] destroyed or confiscated some of their homes, forced some parents to leave their children, stole livestock, and beat some of the displaced persons” in 2020.

1.g. Abuses in Internal Conflict

- 36.** “According to international human rights organizations, some Shia militias, including some under the PMF umbrella, committed abuses and atrocities. The groups participated in operations against ISIS as part of the PMF and were implicated in several attacks on Sunni civilians, reportedly avenging ISIS crimes against the Shia community” in 2020.

1.g. Abuses in Internal Conflict / Abductions

- 37.** “IKR-based CSOs reported ISIS and organized criminal gangs had trafficked some captured Yezidi women and children internationally, primarily to Syria and Turkey, but also to Egypt, Saudi Arabia, the Gulf States, Europe, Afghanistan, Pakistan, and Russia’s Chechen Republic. This reportedly included organ trafficking as well” in 2020.
- 38.** “Kidnappings also were a tactic used in tribal conflicts throughout the country” in 2018, 2019 and 2020.
- 39.** Information on organised criminal gangs trafficking captured Yezidi women and children internationally, also being involved in organ trafficking in 2020

1.g. Abuses in Internal Conflict / Physical Abuse, Punishment, and Torture

40. "ISIS attempted to attack both ISF units and civilian-populated areas with chemical substances, including chlorine and sulfur mustard gas" in 2018, 2019 and 2020.
41. "According to international human rights organizations, ISIS used torture to punish individuals connected to the security services and government, as well as those they considered apostates, such as Yezidis. Thousands of women, particularly those from ethnic and religious communities that ISIS considered as not conforming to their doctrine of Islam, were raped, sexually enslaved, murdered, and endured other forms of physical and sexual violence" in 2020

1.g. Abuses in Internal Conflict / Child Soldiers

42. Some IDPs, when returning to their home of record, were reportedly required by the local PMF groups to conduct neighborhood patrols and night time policing. They conscribed the most able male from each family to a local armed unit, generally without pay, to provide security services" in 2020.

1.g. Abuses in Internal Conflict / Other Conflict-related Abuse

43. "In September [2017], Yazda accused the KDP of using checkpoints to prevent Yezidi IDP returns to southern Sinjar" in 2020.
44. "Local sources reported that Asayish required clearance letters for anyone to cross the main bridge from Dahuk to Ninewa" in 2018, 2019 and 2020.
45. "Da'esh also reportedly killed and abducted religious leaders who failed to support the terrorist group" in 2019 and 2020.
46. "ISIS also reportedly killed individuals, including minors, who did not conform to ISIS dictates" in 2020.
47. "Reports of ISIS's targeted destruction of [...] hospitals" in 2020.
48. "ISIS attacked cultural and religious heritage sites in areas under its control" in 2018, 2019 and 2020.
49. "ISIS increasingly used civilians as human shields in combat and targeted civilian areas with mortars" in 2020.
50. "Militias, criminal armed groups, ISIS, and other unknown actors kidnapped many persons during the year. While in some cases individuals were kidnapped due to their ethnic or sectarian identity, other individuals were taken for financial motives. ISIS reportedly detained children in schools, prisons, and airports, and separated girls from their families to sell them in ISIS-controlled areas for sexual slavery" in 2020.

2.a. Freedom of Expression, including for the press / Violence and Harassment

51. "Military officials, citing safety considerations, sometimes restricted access of journalists particularly to areas with active fighting, **but primarily to outlets not affiliated with the ruling**

party” in 2017, 2018, 2019 and 2020 [Note that the additions in bold were no longer included in those reports].

2.a. Press and Media Freedom

52. “While in December 2015 the KRG reopened Nalia Radio and Television (NRT) offices that it originally closed in October 2015, Gorran-affiliated KNN offices in Erbil and Dahuk Governorates remained closed because of KRG pressure” in 2017, 2018, 2019 and 2020.
53. “Local NGOs reported that independent media outlets in the IKR decreased due to their inability to compete with the large media outlets founded and funded by political parties and officials. Party-affiliated outlets recruited and attracted journalists away from independent media, further weakening them, according to local media experts” in 2019 and 2020.
54. “In the IKR, government authorities continued to try, convict, and take legal action against journalists, despite a 2008 law that decriminalizes publication-related offenses” in 2017.

2.a. Freedom of Expression, including for the press / Censorship or Content Restrictions

55. “In 2013 the Iraqi Kurdistan Parliament passed the Access to Information Law, to provide for access to information for journalists, media outlets, and ordinary citizens. As of September [2016], however, the KRG had not made efforts to implement the law. Moreover, local government, political parties, and officials, regularly discriminated against some media outlets regarding access to information based on party affiliation. For example, in KDP stronghold areas Dahok and Erbil, KDP-affiliated outlets Rudaw and KTV had access to all KRG departments, while in the PUK and Gorran stronghold of Sulaimaniyah, PUK-affiliated outlets such as GK TV and Kurdsat TV received more access to government and party information than other outlets” in 2017, 2018, 2019 and 2020.
56. “These restrictions [public officials influencing content] extended to privately owned television stations operating outside of the country” in 2020.
57. “The KRG placed additional scrutiny on texts containing what it perceived to be religious extremism. A KRG-appointed committee that screens books for publication and printing licenses rejected several books for this reason. While in 2017 the KRG reportedly banned 200 books from around the world from sale at the Erbil International Book Fair, the KRG banned fewer than 40 books--all from the IKR--during this year’s book fair” in 2020.

2.a. Freedom of Expression, including for the press / Nongovernmental Impact

58. “Journalists **and family members** were targets of terrorists, religious groups that rejected media independence, criminals, corrupt officials, and unknown persons or groups wishing to limit the flow of news” in 2018 and 2020.

2.a. Academic Freedom and Cultural Events

59. “The country’s universities did not pursue gender-segregation policies” in 2019 and 2020.

2.a. Libel/Slander Laws

60. “Libel/Slander Laws: Criminal and civil law prohibits defamation. Many in media asserted that defamation laws prevented them from freely practicing their profession by creating a strong fear of prosecution, although widespread self-censorship and financial reliance on political patronage impeded journalistic performance as well. Public officials occasionally filed libel charges that sometimes resulted in punitive fines on individual media outlets and editors, often for publishing articles containing allegations of corruption. When cases went to court, judges usually found in favor of the journalists, according to local media freedom organizations. Libel is a criminal offense under KRG law, and courts may issue arrest warrants for journalists on this basis” in 2019 and 2020 [Note that unlike the 2019 report, examples of defamation cases were included in the 2020 report]

2.a. Internet Freedom

61. “There were reports government officials attempted unsuccessfully to have pages critical of the government removed from Facebook and Twitter as “hate speech” in 2019 and 2020.

62. “In other instances, the government sporadically instructed internet service providers to shut down the internet for two to three hours a day during school exams, reportedly to prevent cheating on standardized national exams[...]” in 2020.

63. “According to the International Telecommunication Union, 49 percent of individuals used the internet and 59 percent of households had internet access at home in 2017” in 2020.

2.b. Freedom of Peaceful Assembly

64. “There were limited reports of violence or official interference in protests in the IKR” in 2018 and 2019.

65. “In some cases government forces dismissed unauthorized protests or restricted protests for security reasons” in 2018 and 2019.

2.d. Exile

66. “The constitution permits forced exile only of naturalized citizens and only if a judicial decision establishes that the individual obtained citizenship based on material falsifications. There were no reported cases of forced exile. After 2003 many former Ba’ath Party members sought refuge in neighboring countries, choosing self-imposed exile over possible prosecutions under de-Ba’athification laws, and later under the Anti-Terrorism Law. In 2011 another wave of prominent Sunni politicians left the country after the government began arresting Sunnis and dissidents, by expansively applying Anti-Terrorism Law provisions” in 2017, 2018, 2019 and 2020.

2.d. Abuse of Migrants, Refugees, and Stateless Persons

67. “Local NGOs reported that abuse of Syrian refugees, often by other refugees, was common, including violence against women and children, child marriage, forced prostitution, and sexual harassment” in 2018, 2019 and 2020.

68. “UN agencies, NGOs, and the press reported that sectarian groups, extremists, criminals, and, in some alleged but unverified cases, government forces attacked and arrested refugees, including Palestinians, Ahwazis, and Syrian Arabs” in 2018 and 2020.

2.d. Freedom of Movement /In-Country Movement

- 69.** “UNAMI and the UN Office of the High Commissioner for Human Rights received multiple reports that Kirkuk’s largely non-Arab authorities denied Sunni Arab IDPs from Kirkuk’s Hawija District, as well as Salah al-Din and Ninewa Governorates access to Kirkuk” in 2020.
- 70.** “There were reports some PMF groups harassed or threatened civilians fleeing conflict zones or returning to liberated areas and targeted civilians with threats, intimidation, physical violence, abduction, destruction or confiscation of property, and killing” in 2020.

2.d. Emigration and Repatriation

- 71.** “The government failed to provide travel documents to hundreds of citizens awaiting deportation from the United States, essentially rendering these individuals stateless” in 2019 and 2020

2.d Internally Displaced Persons

- 72.** “[...] the government was denying thousands of children whose parents had a perceived ISIS affiliation their right to access an education[...].” in 2020.

2.d Protection of Refugees

- 73.** “Durable Solutions: There was no large-scale integration of refugees in the central and southern regions of the country. Ethnic Kurdish refugees from Syria, Turkey, and Iran generally integrated well in the IKR, although economic hardship reportedly plagued families and prevented some children, especially Syrians, from enrolling in formal school. For the 2018-19 school year, the KRG Ministry of Education began teaching all first- and second-grade classes for Syrian refugees outside refugee camps in Sorani Kurdish in Erbil and Sulaimaniya Governorates and Badini Kurdish in Duhok Governorate instead of the dialects of Kurmanji Kurdish spoken by Syrian Kurds, while offering optional instruction in Sorani and Badini to those inside refugee camps” in 2020.

2.d. Refoulement

- 74.** “The government cooperated with UNHCR to prevent the deportation of refugees. UNHCR relocated refugees at risk of deportation to refugee camps or attempted to resettle them” in 2017, 2018, 2019 and 2020.

4. Corruption and Lack of Transparency in Government

- 75.** “There were reports alleging that senior officials involved in bribery schemes held illicit funds in overseas accounts, making bribery more difficult to detect” in 2017, 2018, 2019 and 2020.

4. Public Access to Information

- 76.** “The law does not provide public access to government information. The IKR Information Law expands citizens’ rights to request information from the regional government, parliament, and court system, except in cases of national security or classified information. According to

the IKR's Human Rights Commission, the government had not implemented this law" in 2017, 2018, 2019 and 2020.

5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

77. "As with the central government, there were some reports of KRG interference with NGOs investigating human rights abuses and violations involving KRG actors" in 2019 and 2020.

6. Women / Rape and Domestic Violence

78. "During the year ISIS kidnapped women and girls to sell, rent, or gift them as forced "brides" (a euphemism for forced marriage or sexual slavery) to ISIS fighters and commanders, and exploited the promise of sexual access in propaganda materials as part of its recruitment strategy" in 2020.

79. "Local NGOs in IDP camps in the IKR reported that some Ministry of Health professionals were unwilling to treat sexual assault survivors due to cultural norms, and if they did give care, it was inadequate due to capacity limitations in the health-care sector" in 2017, 2018, 2019 and 2020.

80. "Hotline calls typically went to the male commanders of the units who did not follow a regular referral system to provide victims with services, such as legal aid or safe shelter" in 2018 and 2019 and 2020.

81. "International organizations reported that family-imposed movement restrictions, cultural norms, or stigmatization prohibited or discouraged female victims of sexual crimes from accessing psychosocial support services" in 2017, 2018, 2019 and 2020.

82. "According to the KRG Human Rights Commission, there were 7,436 cases of violence against women, 125 cases of self-immolation, 64 suicides, 54 homicides, and 124 cases of rape and sexual abuse reported during the year" in 2020.

6. Women/ Female Genital Mutilation/Cutting (FGM/C)

83. "NGOs and the KRG reported the practice of FGM/C persisted in the IKR, particularly in rural areas of Erbil, Sulaimaniya, and Kirkuk Governorates, **and among refugee communities**" in 2020. [Emphasis added to show language omitted].

6. Women / Coercion in Population Control

84. "There were no reports of women having been denied access to contraception or maternal health services because of a spouse or other family member withholding permission" in 2017, 2018 and 2019.

85. "Unlike previous years, there were no reports of coerced abortion by ISIS or other armed groups of pregnancies of Yezidi captive women" in 2019 and 2020.

6. Women / Discrimination

86. "In 2016 UNAMI reported that women constituted 51 percent of the country's IDPs" in 2018, 2019 and 2020.

6. Children / Early and Forced Marriage

87. "Local and international NGOs reported that the practice of husbands or their families threatening to divorce wives they married when the girls were very young (ages 12 to 16) to pressure the girl's family to provide additional money to the girl's husband and his family also occurred, particularly in the south. Victims of these forced divorces were compelled to leave their husbands and their husbands' families, and social customs regarding family honor often prevented victims from returning to their own families, leaving some adolescent girls abandoned" in 2018, 2019 and 2020.

6. Children/ Child Soldiers

88. "ISIS was known to recruit and use child soldiers (see section 1.g.)" in 2020.
89. "ISIS's sexual exploitation of Yezidi children was widespread throughout the year in areas under the group's control; this abuse included rape and sexual slavery" in 2020.

6. National/Racial/Ethnic Minorities

90. "In April 2015 the Ministry of Religion in the IKR officially registered a variant of Zoroastrianism, locally known as Zaradashti, as a religion" in 2017, 2018, 2019 and 2020.
91. "Although Arabs are the majority in most of the country, they are a minority in Kirkuk, and Arab residents of the city often charged that KRG security forces targeted Arabs with intimidation, attacks, and kidnapping" in 2018, 2019 and 2020.
92. "According to a September HRW report, ethnic discrimination existed within Iraqi federal court's judicial process[...] Even in cases in which defendants admitted to sexual exploitation of minority women, prosecutors neglected to charge them with rape, which carries a sentence of up to 15 years" in 2020.

6. Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

93. "There was no data on prosecutions for sodomy" in 2017, 2018, 2019 and 2020.
94. "Societal discrimination in employment, occupation, and housing based on sexual orientation, gender identity, and unconventional appearance was common" in 2020.
95. "NGOs established shelters for individuals who feared attacks and continued to accommodate victims. They periodically received threats and relocated shelters for security reasons" in 2017, 2018, 2019 and 2020.
96. "Local contacts reported that certain PMF groups, including specifically AAH, drafted LGBTI "kill lists" and executed men perceived as gay, bisexual, or transgender, as did ISIS when it still retained territorial control" in 2019 and 2020.

97. "In addition to targeted violence, members of the LGBTI community remained at risk for honor crimes, **since their conduct did not conform to traditional gender norms**" in 2017, 2018, 2019 and 2020.
98. "In addition to targeted violence, LGBTI persons remained at risk for honor crimes" in 2019 and 2020.
99. "Community activists reported that violence and intimidation continued [against LGBTI community activists]" in 2020.
100. "ISIS continued to publish videos depicting executions of persons accused of homosexual activity that included stoning and being thrown from buildings. Some armed groups also started a campaign against homosexual persons in Baghdad" in 2019 and 2020.

6. Other Societal Violence and Discrimination

101. "Yezidis likewise complained about property seizures, intimidation, threats, abuses, and discrimination by certain Iran-aligned PMF groups operating in and around Sinjar, Ninewa Governorate" in 2019 and 2020.

7.a. Freedom of Association and the Right to Collective Bargaining

102. "They [strikers and union leaders] also asserted that ministries and state-owned enterprises used fines, demotions, suspension from work, and forced transfers to punish labor activists and discourage union activity. Unions reported authorities arrested labor leaders and activists for their activities. Union leaders also cited corruption within the government as a continuous problem, with government officials imposing arbitrary fines on workers for such activities as calling for demonstrations and traveling outside the country on union business without prior approval" in 2020.

7.c. Prohibition of Child Labor and Minimum Age for Employment

103. "The Iraqi Observatory for Human Rights **documented cases** of displaced children forced to migrate with their families from their homes and, subsequently, engaged in child labor" in 2020.
104. "In September 2018 a Kurdish human rights group found almost 500 children begging in Sulaimaniyah Governorate and approximately 2,000 children begging in Erbil Governorate, with the majority of these being IDPs and refugees. The group had no data from Duhok Governorate. The majority were from IDP or refugee families" in 2020.
105. "Local NGOs reported that organized gangs also recruited children to beg" in 2020.
106. "There were local press reports of families sending their children to beg in the streets" in 2020

7.e. Acceptable Conditions of Work

107. "A 2016 Peace and Freedom Organization in Kurdistan study on labor rights and freedom of association found that most workplaces in the IKR offered adequately safe conditions. The study criticized, however, the lack of worker's knowledge of their legal rights,

including the right of association. According to the IKR Independent Human Rights Commission, 64 workers died in 2016 due to unsafe work in construction projects” in 2018 and 2020.

C. Table 1: Comparative analysis of structure of the Iraq reports

✓ = indicates that the section heading has been retained compared to the previous year

X = indicates that the section has been omitted from the respective annual report

2016	2017	2018	2019	2020	Observations
Executive Summary	✓	✓	✓	✓	
Section 1. Respect for the Integrity of the Person, Including Freedom from:	✓	✓	✓	✓	
a. Arbitrary Deprivation of Life and other Unlawful or Politically Motivated Killings	✓	✓	✓		
b. Disappearance	✓	✓	✓	✓	
c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment	✓	✓	✓	✓	
Prison and Detention Center Conditions	✓	✓	✓	✓	
Physical Conditions	✓	✓	✓	✓	
Administration		✓	✓	✓	
Independent Monitoring	✓	✓	✓	✓	
Improvements	X	X [same as 2017 edition]	X [same as 2017 edition]	X [same as 2017 edition]	Omission of subsection in 2017. Repeated in 2018 and 2019 and 2020 reports, thereby omitting information on installation of surveillance cameras in federal prisons as a deterrent to would-be abusers. Amongst the sources consulted for those years no information was found corroborating the continued use of these cameras.
d. Arbitrary Arrest or Detention	✓	✓	✓	✓	
Role of the Police and Security Apparatus	✓	✓	X	X	Omission of subsection in 2019. Repeated in 2020. Half of what was previously included is now included instead in the <i>Executive</i>

					Summary, the other half has been omitted. For more information see 1.3.3.
Arrest Procedures and Treatment of Detainees	✓	✓	✓	✓	
Arbitrary Arrest	✓	✓	✓	✓	
Pretrial Detention	✓	✓	✓	✓	
Detainee's Ability to Challenge Lawfulness of Detention before a Court	✓	✓	✓	✓	
Amnesty	X	Re-insertion of <i>Amnesty</i>	Moved within <i>Political Prisoners and Detainees</i>	Moved within <i>Political Prisoners and Detainees</i>	Omission of subsection in 2017, but its content included elsewhere within the report. The subsection title was re-inserted in 2018, which was repeated in 2019 and 2020.
e. Denial of Fair Public Trial	✓	✓	✓	✓	
Trial Procedures	✓	✓	✓	✓	
Political Prisoners and Detainees	✓	✓	✓	✓	
Civil Judicial Procedures and Remedies	✓	✓	✓	✓	
		New subsection: Property Restitution	✓ [same as 2018 edition]	✓ [same as 2018 edition]	New subsection in 2018. Repeated in 2019 and 2020 report, with information previously not included anywhere in the 2016 and 2017 editions.
f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence	✓	✓	✓	✓	
g. Abuses in Internal Conflict	✓	✓	✓	✓	
Killings	✓	✓	✓	✓	
Abductions	✓	✓	✓	✓	
Physical Abuse, Punishment, and Torture	✓	✓	✓	✓	

Child Soldiers	✓	✓	✓	✓	
Other Conflict-related Abuse	✓	✓	✓	✓	
Section 2. Respect for Civil Liberties, Including:	✓	✓	✓	✓	
a. Freedom of Speech and Press	✓	✓	Changed to <i>a. Freedom of Expression, including for the Press</i>	<i>a. Freedom of Expression, including for the Press</i>	Minor language change in title in 2019, repeated in 2020.
Freedom of Speech and Expression	Changed to <i>Freedom of Expression</i>	✓ [same as 2017 edition]	✓ [same as 2017 edition]	<i>Freedom of Speech</i>	Minor language change in title in 2017, repeated in 2018 and 2019. Slightly changed again in 2020.
Press and Media Freedoms	Changed to <i>Press and Media Freedom</i>	✓ [same as 2017 edition]	Changed to <i>Press and Media, Including Online Media</i>	Changed to <i>Freedom of Press and Media, Including Online Media</i>	Minor language change in title in 2017, repeated in 2018 and slightly changed again in 2019 and 2020.
Violence and Harassment	✓	✓	✓	✓	
Censorship or Content Restrictions	✓	✓	✓	✓	
Libel/Slander Laws	✓	✓	X	Reinsertion of <i>Libel/Slander Laws</i>	Omission of subsection in 2019, thereby omitting its content, notably information on defamation and its impact on journalists freely practicing their profession. For more information see Appendix B . The subsection title and its content was re-inserted in 2020.
Nongovernmental Impact	✓	✓	✓	✓	
Internet Freedom	✓	✓	✓	✓	
Academic Freedom and Cultural Events	✓	✓	✓	✓	
b. Freedom of Peaceful Assembly and Association	✓	✓	✓	Freedoms of Peaceful Assembly and Association ✓	Minor language change in title in 2020.
Freedom of Assembly	Changed to <i>Freedom of</i>	✓ [same as 2017 edition]	✓ [same as 2017 edition]	✓ [same as 2017 edition]	Minor language change in title in 2017, repeated in 2018, 2019 and 2020.

	<i>Peaceful Assembly</i>				
Freedom of Association	✓	✓	✓	✓	
c. Freedom of Religion	✓	✓	✓	✓	
d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons	Changed to <i>d. Freedom of Movement</i>	Changed back to 2016 edition	Changed back to 2017 edition	Changed back to 2017 edition	Minor language change in title in 2017, only to be changed back in 2018. The 2019 and 2020 edition changed it again to how it was in 2017.
Abuse of Migrants, Refugees, and Stateless Persons	✓	X	Subsection re-inserted and moved within <i>F. Protection of Refugees</i>	Subsection within <i>F. Protection of Refugees</i>	Removal of subsection title and its content in 2018. Subsection title and some of its content re-inserted in the 2019 report. Repeated in 2020. For more information see 2.3.3.
In-country Movement	✓	✓	✓	✓	
Foreign Travel	✓	✓	✓	✓	
Exile	X	X [same as 2017 edition]	X [same as 2017 edition]	X [same as 2017 edition]	Removal of subsection titles and their content in 2017, repeated in 2018, 2019 and 2020, thereby omitting information on forced exile and the refusal by the Iraqi government to issue travel documents for its citizens facing deportation from the U.S. For more information see 2.3.1.
Emigration and Repatriation	X	X [same as 2017 edition]	X [same as 2017 edition]	X [same as 2017 edition]	
Internally Displaced Persons	Changed to <i>Internally Displaced Persons (IDPS)</i>	✓ [same as 2017 edition]	Changed to <i>E. Internally Displaced Persons</i>	Kept as <i>E. Internally Displaced Persons</i>	Minor language change in title in 2017, repeated in 2018. The 2019 edition changed it again slightly and added numbering, repeated in 2020.
Protection of Refugees	✓	✓	Changed to <i>F. Protection of Refugees</i>	Kept as <i>F. Protection of Refugees</i>	Minor numbering change in 2019, repeated in 2020.
Access to Asylum	✓	✓	✓	✓	
Refoulement	X	X [same as 2017 edition]	X [same as 2017 edition]	X [same as 2017 edition]	Removal of subsection title and its content in 2017, repeated in 2018, 2019 and 2020, thereby omitting information on whether the Iraqi government continued to cooperate with UNHCR to prevent refoulement. For more information see 2.3.1.

	New subsection <i>Freedom of Movement</i>	X	Re-insertion of subsection <i>Freedom of Movement</i>	✓	New subsection title and content in 2017. Title removed in 2018 but not content, re-inserted both title and content in the 2019 report. Repeated in 2020.
Employment	✓	✓	✓	✓	
Durable Solutions	✓	✓	✓	X	Removal of subsection in 2020.
Stateless Persons	✓	✓	Changed to <i>G. Stateless Persons</i>	<i>G. Stateless Persons</i>	Minor numbering change in 2019, repeated in 2020.
Section 3. Freedom to Participate in the Political Process	✓	✓	✓	✓	
Elections and Political Participation	✓	✓	✓	✓	
Recent Elections	✓	✓	✓	✓	
Political Parties and Political Participation	✓	✓	✓	✓	
Participation of Women and Minorities	✓	✓	✓	Changed to <i>Participation of Women and Members of Minority Groups</i>	Minor language change in title in 2020
Section 4. Corruption and Lack of Transparency in Government	✓	✓	✓	✓	
Corruption	✓	✓	✓	✓	
Financial Disclosure	✓	✓	✓	✓	
Public Access to Information	X	X [same as 2017 edition]	X [same as 2017 edition]	X [same as 2017 edition]	Removal of subsection title and its content in 2017, repeated in 2018, 2019 and 2020, thereby omitting information on the laws providing access to information, both in Iraq and the KRI. For more information see Annex B .
Section 5. Governmental Attitude Regarding International and Nongovernmental	✓	✓	✓	Changed to <i>Section 5. Governmental Attitude Regarding International and</i>	Minor language change in title in 2020

Investigation of Alleged Violations of Human Rights				<i>Nongovernmental Investigation of Alleged Abuses of Human Rights</i>	
The United Nations or Other International Bodies	✓	✓	✓	✓	
Government Human Rights Bodies	✓	✓	✓	✓	
Section 6. Discrimination, Societal Abuses, and Trafficking in Persons	✓	✓	✓	✓	
Women	✓	✓	✓	✓	
Rape and Domestic Violence	✓	✓	✓	✓	
Female Genital Mutilation/Cutting (FGM/C)	✓	✓	✓	✓	
Other Harmful Traditional Practices	✓	✓	✓	✓	
Sexual Harassment	✓	✓	✓	✓	
Reproductive Rights	Renamed to <i>Coercion in Population Control</i>	✓ [same as 2017 edition]	✓ [same as 2017 edition]	✓	Renaming of section and hence the detail and content of information has been changed in 2017, repeated in 2018 and 2019. For more information on this see 6.3.1.
Discrimination	✓	✓	✓	✓	
Children	✓	✓	✓	✓	
Birth Registration	✓	✓	✓	✓	
Education	✓	✓	✓	✓	
Child Abuse	✓	✓	✓	✓	
Early and Forced Marriage	✓	✓	✓	Changed to <i>Child early and forced marriage</i>	Minor language change in title in 2020

Female Genital Mutilation/Cutting (FGM/C)	X	X [same as 2017 edition]	X [same as 2017 edition]	X [same as 2017 edition]	Removal of subsection title and its content in 2017, repeated in 2018, 2019 and 2020. Information remains included within subsection <i>Women</i>
Sexual Exploitation of Children	✓	✓	✓	✓	
		New subsection <i>Child Soldiers</i>	✓ [same as 2018 edition]	X	New subsection title and content in 2018, repeated in 2019. Slightly surprising as another subsection on <i>Child Soldiers</i> already exists under <i>1.g. Abuses in Internal Conflict</i> . Removal of subsection title and its content in 2020, but kept within section <i>1.g.</i> .
Displaced Children	✓	✓	✓	✓	
International Child Abductions	✓	✓	✓	✓	
Anti-Semitism	✓	✓	✓	✓	
Trafficking in Persons	✓	✓	✓	✓	
Persons with Disabilities	✓	✓	✓	✓	
National/Racial/Ethnic Minorities	✓	✓	✓	Changed to <i>Members of National/Racial/Ethnic Minorities</i>	Minor language change in title in 2020
Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity	✓	✓	✓	✓	
Other Societal Violence or Discrimination	✓	✓	X	X	Removal of subsection title and its content in 2019, repeated in 2020, thereby omitting information on property seizures of Christians and Yezidis by criminal networks and armed groups. For more information see 6.3.3.
Section 7. Worker Rights	✓	✓	✓	✓	
a. Freedom of Association and the Right to Collective Bargaining	✓	✓	✓	✓	

b. Prohibition of Forced or Compulsory Labor	✓	✓	✓	✓	
c. Prohibition of Child Labor and Minimum Age for Employment	✓	✓	✓	✓	
d. Discrimination with Respect to Employment and Occupation	✓	✓	✓	✓	
e. Acceptable Conditions of Work	✓	✓	✓	✓	

C. Table 2: Comparative analysis of how the Iraq <i>Executive Summary</i> categorises human rights issues						
2016	2017	2018	2019	2020	Observations	
Severe human rights problems were widespread.	X	X	X	X	Omission in 2017, 2018, 2019 and 2020 of overall statement on human rights situation	
Sectarian hostility,	X	X	X	X	Omission in 2017, 2018, 2019 and 2020: Despite reporting on it throughout the body of the reports	
widespread corruption,	widespread official corruption;	widespread official corruption;	widespread official corruption;	widespread official corruption;		
and lack of transparency at all levels of government and society	X	X	X	X	Omission in 2017, 2018 and 2019 and 2020: Despite reporting on it in section 4.	
weakened the government's authority and worsened effective human rights protections	X	X	X	X	Omission in 2017, 2018 and 2019 and 2020 of overall statement on human rights situation	
Iraqi Security Forces (ISF), members of the Federal Police, and the Peshmerga committed some	X	X	X	X	Omission in 2017, 2018 and 2019 and 2020 of Peshmerga's involvement in human rights violations. In section 1 many references to Peshmerga are taken out also except in terms of in its treatment of detainees and unlawful arrest and detention and committing enforced disappearance. Later in the <i>Executive Summary</i> when talking about impunity it only includes "certain units of Asayish internal security"	

human rights violations					
and there continued to be reports of PMF killing,	The most significant human rights issues included allegations of unlawful killings by some members of the ISF, particularly some elements of the PMF;	Human rights issues included reports of unlawful or arbitrary killings by some members of the Iraq Security Forces (ISF), particularly Iran-aligned elements of the PMF;	Significant human rights issues included: reports of unlawful or arbitrary killings, including extrajudicial killings;	Significant human rights issues included: unlawful or arbitrary killings, including extrajudicial killings	Note removal of “reports” of, strengthening language
kidnapping, and extorting civilians.	disappearance and extortion by PMF elements;	forced disappearances;	forced disappearances;	forced disappearances;	Slight language change from “kidnapping” to “disappearance” to :forced disappearances. Only 2018 specifically mentions PMF element’s involvement in this abuse
Torturing;	torture;	torture;	torture;	Torture and cases of cruel, inhuman and degrading treatment or punishment	Note addition of cruel, inhuman and degrading treatment or punishment in 2020
Nonetheless, the terrorist organization Da’esh committed the overwhelming majority of serious human rights abuses, including attacks against:	X	X	X	X	Omission of further categorisation of human rights violations by ISIS since 2017 and continued till 2020. Instead one long list in 2017, 2018, 2019 and 2020. May be due to ISIS weakening and loosing stronghold in Iraq in 2018 and 2019, though publicly available sources continue to document their violations in those years.

civilians, (particularly Shia but also Sunnis who opposed Da'esh);	X	X	X	X	In line with less specificity and even omission of human rights abuses experienced by civilians despite publicly available information continued to document these.
members of other religious and ethnic minorities	X	X	X	X	In line with less specificity and even omission of human rights abuses experienced by ethnic and religious minorities at the hands of ISIS despite publicly available information continued to document these.
Women	X	X	X	X	In line with less specificity and even omission of human rights abuses experienced by women at the hands of ISIS despite publicly available information continued to document these.
Children	X	X	X	X	In line with less specificity and even omission of human rights abuses experienced by children at the hands of ISIS despite publicly available information continued to document these.
	greatly reduced penalties for so-called "honor killings";	X	X	X	Omission in 2018, 2019 and 2020: Despite reporting on it in sections 2.d/2.e. [not 2.e for 2020] and 6.
Observers also reported other significant human rights-related problems:	X	X	X	X	Omission in 2017, 2018, 2019 and 2020 of further categorisation
harsh and life-threatening conditions in detention and prison facilities;	harsh and life-threatening conditions in detention and prison facilities;	harsh and life-threatening prison and detention center conditions;	harsh and life-threatening prison and detention center conditions;	harsh and life-threatening prison and detention center conditions;	

arbitrary arrest and lengthy pretrial detention, sometimes incommunicado;	arbitrary arrest and detention;	arbitrary detention;	arbitrary detention;	Arbitrary arrest and detention	Omission 2017, 2018, 2019 and 2020 of lengthy pretrial detention & incommunicado detention despite reporting on it in section 1.d. Omission 2018 and 2019: "Arbitrary arrest" despite reporting on it in section 1.d. In 2020 "arbitrary arrest" put back in.
denial of fair public trial;	X	X	X	X	Omission 2017, 2018, 2019 and 2020. Despite reporting on it in section 1.e
insufficient judicial institutional capacity;	X	X	X	X	Omission 2017, 2018, 2019 and 2020. Despite reporting on it in section 1.e
ineffective implementation of civil judicial procedures and remedies;	X	X	X	X	Omission 2017, 2018, 2019 and 2020. Despite reporting on it in section 1.e
arbitrary interference with privacy and homes;	arbitrary interference with privacy;	arbitrary or unlawful interference with privacy;	arbitrary or unlawful interference with privacy;	arbitrary or unlawful interference with privacy;	Omission 2017, 2018, 2019 and 2020: Despite reporting on it in section 1.f
child soldiers;	X	unlawful recruitment or use of child soldiers by Iran-aligned elements of the PMF that operate outside government control;	unlawful recruitment or use of child soldiers by elements of the Kurdistan Workers' Party (PKK), Shingal Protection Units (YBS), and the Iran-aligned	X	Omission 2017: Despite reporting on it in section 1.g. Omission of child soldiers in 2020 as well as reporting of child soldiers in sections 1 and 6.

			PMF that operate outside government control;		
limits on freedom of expression, including press freedoms;	criminalization of libel and other limits on freedom of expression, including press freedoms;	restrictions on free expression, the press, and the internet, including censorship, site blocking, and criminal libel;	the worst forms of restrictions on free expression, the press, and the internet, including violence against journalists, censorship, site blocking, and criminal libel;	serious restrictions on free expression, the press, and the internet, including violence against journalists... censorship, site blocking, and existence of criminal libel	Language change in 2020 from “the worst forms” to “serious”.
violence against and harassment of journalists;	violence against journalists;	X	X	threats of violence, unjustified arrests and prosecutions against journalists,	Omission 2017: Harassment of journalists despite reporting on it in 2.a. Omission 2018 and 2019 of violence against journalists despite reporting on it 2.a Addition of “threats of violence, unjustified arrests and prosecutions against journalists”
undue censorship;	X	X	X	X	Omission 2017, 2018, 2019 and 2020 despite reporting on it 2.a. Censorship is included as above, but not “undue”
social, religious, and political restrictions in academic and cultural matters;	X	X	X	X	Omission 2017, 2018, 2019 and 2020 despite reporting on it 2.a
limits on freedoms of peaceful assembly and association;	X	X	significant interference with the rights of peaceful assembly;	Substantial interference with the rights of peaceful assembly;	Omission 2017, 2018 despite reporting on it 2.a Omission continued 2020 of “association”. Language change to substantial.

				The country experienced large-scale protests in Baghdad and several Shia-majority provinces beginning in early October 2019 and lasting through mid-2020, with reports of more than 500 civilians killed and 20,000 or more injured. The government took minimal steps to bring to justice those responsible for the violence.	<i>Executive Summary</i> also includes description of protests, killing and injuries caused to protesters and lack of justice pursued.
limits on religious freedom due to violence by extremist groups;	X	X	X	X	Omission 2017, 2018, 2019 and 2020 despite reporting on it 1.g. and 2.c
restrictions on freedom of movement;	legal restrictions on freedom of movement of women	legal restrictions on freedom of movement of women;	legal restrictions on freedom of movement of women;	legal restrictions on freedom of movement of women;	
refugee and IDP abuse;	X	X	X	X	Omission 2017, 2018, 2019 and 2020 despite reporting on it 2.d
both forced IDP returns and preventing IDPs from returning home;	X	X	X	forced returns of internally displaced persons to locations where they faced threats to their lives and freedom;	Omission 2017, 2018 and 2019 despite reporting on it 2.d Forced IDP returns put back in to Executive Summary but not prevention of their return.

discrimination against and societal abuse of women [...] including exclusion from decision-making roles;	X	X	X	lack of investigation of and accountability for violence against women; discrimination in employment of ... women	Omission 2017, 2018, 2019 and partly in 2020 despite reporting on it 3 and 6 Language on investigation into violence against women and discrimination against women in employment included in 2020. Other discrimination and exclusion from decision making roles still omitted.
discrimination against and societal abuse of [...] ethnic, religious, and racial minorities, including exclusion from decision-making roles;	X	X	X	crimes involving violence targeting members of ethnic minority groups;	Omission 2017, 2018, 2019 and 2020 despite reporting on it in sections 3 and 6 and throughout report. Violence against ethnic minorities put back in but discrimination against them is still omitted.
trafficking in persons;	and trafficking in persons.	trafficking in persons;	trafficking in persons;	X	Omission in 2020 despite reporting on it in section 6.
societal discrimination and violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons;	Militant groups killed LGBTI persons.	criminalization of lesbian, gay, bisexual, transgender, and intersex (LGBTI) status or conduct; violence targeting LGBTI persons;	criminalization of lesbian, gay, bisexual, transgender, and intersex (LGBTI) status or conduct; violence targeting LGBTI persons;	violence targeting lesbian, gay, bisexual, transgender, or intersex persons; criminalization of consensual same-sex sexual conduct between adults;	Omission 2017, 2018 and 2019: Societal discrimination and violence despite such info in section 6. Omission in 2020 of discrimination and addition of criminalization.
X	X	threats of violence against internally displaced persons	threats of violence against internally displaced persons (IDPs)	threats of violence against internally displaced persons and returnee populations	

		(IDPs) and returnee populations perceived to have been affiliated with ISIS;	and returnee populations perceived to have been affiliated with the Islamic State of Iraq and Syria (ISIS);	perceived to have been affiliated with ISIS;	
seizure of property without due process;	X	X	X	X	Omission 2017, 2018, 2019 and 2020: Despite such info in section 6. [except for 2019 and 2020 where whole section and content on 'Other violations' removed]. See 6.3.3.
and limitations on worker rights.	There were also limitations on worker rights, including restrictions on formation of independent unions.	and restrictions on worker rights, including restrictions on formation of independent unions and reports of child labor.	and restrictions on worker rights, including restrictions on formation of independent unions, discrimination in employment of migrants, women, those with disabilities, and child labor.	and restrictions on worker rights, including restrictions on formation of independent unions; discrimination in employment of migrants, women, and those with disabilities; and the worst forms of child labor.	Addition of "worst forms" of child labor
Terrorists committed the majority of serious human rights abuses.	ISIS committed the majority of serious abuses and atrocities.	ISIS continued to commit serious abuses and atrocities,	Despite a reduction in numbers, ISIS continued to commit serious abuses and atrocities,	Despite a reduction in numbers, ISIS continued to commit serious abuses and atrocities,	
Da'esh members committed acts of violence on a mass scale,	ISIS members committed acts of violence on a mass scale,	X	X	X	Omission but in line with reporting on less influence and territorial control of ISIS in Iraq
X	coerced or forced abortions imposed	X	X	X	Omission but in line with internal reporting and no info found in public domain

	by ISIS on its victims;				
including killings through the use of suicide bombings and improvised explosive devices (IEDs),	including killings through suicide bombings and improvised explosive devices (IEDs);	including killings through suicide bombings and improvised explosive devices (IEDs).	including killings through suicide bombings and improvised explosive devices (IEDs).	including killings through suicide bombings and improvised explosive devices.	
executions including shootings and public beheadings,	executions including shootings and public beheadings;	X	X	X	Omission but in line with reporting on less influence and territorial control of ISIS in Iraq
as well as use of chemical weapons.	as well as use of chemical weapons.	X	X	X	Omission but in line with internal reporting and no info found in public domain
X	use of civilians as human shields;	X	X	X	Omission but in line with internal reporting and no info found in public domain
they also engaged in kidnapping, rape, enslavement, forced marriage, sexual violence, committing such acts against civilians from a wide variety of religious and ethnic	They also engaged in kidnapping, rape, enslavement, forced marriage, and sexual violence, committing such acts against civilians from a wide variety of religious and	X	X	X	Omission but in line with internal reporting but not with what found in public domain. See Omissions 1.3.2.

backgrounds, including Shia, Sunni, Kurds, Christians, Yezidis, and members of other religious and ethnic groups.	ethnic backgrounds, including Shia, Sunnis, Kurds, Christians, Yezidis, and members of other religious and ethnic groups.				
Reports of Da'esh perpetrating gender-based violence,	Reports of ISIS perpetrating gender-based violence,	X	X	X	Omission but in line with internal reporting but not with what found in public domain. See Omissions 1.3.2.
recruiting child soldiers,	recruiting child soldiers,	X	X	X	Omission but in line with internal reporting but not with what found in public domain. See Omissions 1.3.2.
trafficking in persons,	trafficking in persons,	X	X	X	Omission but in line with internal reporting but not with what found in public domain. See Omissions 1.3.2.
and destroying civilian infrastructure and cultural heritage sites were credible and common.	and destroying civilian infrastructure and cultural heritage sites were credible and common.	X	X	X	Omission but in line with internal reporting but not with what found in public domain. See Omissions 1.3.2.
Secretary Kerry stated on March 17 that in his judgment, Da'esh was responsible	On August 15, Secretary Tillerson stated that, "ISIS is clearly responsible for genocide	X	X	X	Omission

<p>for genocide against groups in areas under its control, including Yazidis, Christians, and Shia Muslims, and was also responsible for crimes against humanity and ethnic cleansing directed at these same groups and in some cases also against Sunni Muslims, Kurds, and other minorities.</p>	<p>against Yazidis, Christians, and Shia Muslims in areas it controls or has controlled. ISIS is also responsible for crimes against humanity and ethnic cleansing directed at these same groups, and in some cases against Sunni Muslims, Kurds, and other minorities.”</p>				
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E. Repository of COI on Iraq

Illustrative country of origin information is presented on the following issues in chronological order.

1. Section 1. *Respect for the Integrity of the Person*

1.2.1. Improvements in 2017

Inmates lacked adequate exercise facilities, vocational training, and family visitation in 2017

- ❖ [Human Rights Watch, Iraq: Hundreds Detained in Degrading Conditions, 13 March 2017](#)
[...] A local judge overseeing the cases told Human Rights Watch that once a detainee has been brought before the investigative judge, they have the right to contact their families, but that family visits are being delayed because of the delays in bringing detainees before the judge.
[...] Hammam al-Alil Prison
[...] Staff said they did not know how many detainees were under 18, but said there were a considerable number, in cells with the adults. They said the youngest was 13. The child detainees have no opportunities for activities, exercise, diversion, education, or contact with their families. [...] On 26 April, UNAMI/OHCHR conducted a monitoring visit to Taji detention and prison facility in Baghdad that operates under the authority of the Ministry of Justice to monitor conditions of accommodation and treatment of inmates. [...] According to the senior management of the facility, vocational training and education has been suspended since a fatal bombing attack in 2013 on a vehicle carrying medical staff home. [...]

- ❖ [Human Rights Watch, Flawed Justice: Accountability for ISIS Crimes in Iraq, 5 December 2017](#)
[...] Justice Minister Haidar al-Zamili and a counterterrorism judge in Nineveh said that the authorities were obliged under the United Nations Standard Minimum Rules for the Treatment of Prisoners to grant detainees the right to have their loved ones notified of their detention and to communicate with them.¹¹⁸ However, in practice, prosecutors have not allowed detainees charged under the counterterrorism law to communicate with their family during the investigative period.¹¹⁹ [...]

118 United Nations, "Standard Minimum Rules for the Treatment of Prisoners," August 30, 1955, https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf.

119 Human Rights Watch interview with a judge who requested anonymity, Hamdaniya, July 6, 2017; and interview with Justice Minister Haidar al-Zamili, Baghdad, February 2, 2017.

- ❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)
[...] Resume literacy classes and vocational trainings by the Ministry of Education for detainees to fulfil the rehabilitation aspect of imprisonment, and conduct regular courses for detainees to counter extremism and radicalization.
[...] Conditions for women and children in prisons and reformatories remain equally dire; children have limited access to education, medical and social services specific to their needs.
[...] Rehabilitation programmes exist in some prisons, and include literacy and computer classes, vocational and work schemes. However, there are very few structured programmes, particularly in minimum security prisons, aimed at countering radicalization for inmates who had previously been subjected to extremist indoctrination.
[...] On 22 June, UNAMI/OHCHR carried out a monitoring visit to al-Adala II prison in Baghdad. [...] UNAMI/OHCHR recommended, inter alia, that vocational training be re-instituted and emphasized the critical importance of rehabilitation of prisoners, both for the individuals and society at large. [...]

Inmates lacked family visitation in 2018

- ❖ [Human Rights Watch, Iraq: Intelligence Agency Admits Holding Hundreds Despite Previous Denials, 22 July 2018](#)
[...] On May 16, Human Rights Watch interviewed Faisal Jeber, 47, an archaeologist, who said that on April 3 a group of three Ministry of Interior Intelligence officers in uniform and two armed men in civilian dress,

one of who told Jeber he was “from the Prime Minister’s Office” arrested him at an archaeological site in east Mosul, claiming he had no permission to be there and accusing him of illegal excavations at a public heritage site. They first took him to an intelligence office, before turning him over to NSS officers who called a judge to endorse the arrest, Jeber said. Jeber was not given an opportunity to speak to the judge. NSS then brought him to a two-story house next to the NSS office in al-Shurta neighborhood in Mosul. Jeber said that on the ground floor of the house he saw four rooms being used as cells to hold prisoners and estimated that at least 450 prisoners were held with him based on a daily head count.

[...] Most of the prisoners Jeber spoke to said they had been able to bribe the guards to allow them to communicate with their families indirectly but none had been allowed a family visit. One gave Jeber his uncle’s phone number. Jeber said, “After I was released I called his uncle, who was surprised that he was still alive and said the family had no news of him since he had disappeared during the Mosul battle in early 2017.” The anonymous officer said that they forbade prisoners to have any visits or contact with their families or the outside world. The NSS July 11 response stated that detainees were only allowed to contact their families after the interrogation period ends. [...]

Active areas of conflict in 2017 to include the IKR, Salah al-Din and Diyala Governorate

❖ [UN Security Council, Report of the Secretary-General pursuant to resolution 2299 \(2016\), 25 April 2017](#)

I. Introduction [...]

The report covers key developments related to Iraq and provides an update on the activities of the United Nations in Iraq since my last report (S/2017/75) and the briefing of my Special Representative to the Security Council on 2 February 2017 [...]

B. Mosul campaign: protection of civilians [...]

31. ISIL retained control of Hawijah district in Kirkuk governorate and areas in western Anbar governorate and maintained a limited presence in Salah al-Din and Diyala governorates [...]

C. Human rights developments and activities [...]

58. ISIL claimed responsibility for attacks targeting civilians in areas other than Ninawa and Baghdad. The group also targeted Salah al-Din governorate. On 8 March, an attack by four individuals wearing explosive vests targeted a wedding in a village in the southern Bayji district, reportedly killing 27 people and wounding 23 others. On 15 March, a vehicle laden with explosives detonated in Tikrit, killing 8 civilians and injuring another 40, as well as three members of the Iraqi security forces [...]

❖ [UN Security Council, Report of the Secretary-General pursuant to resolution 2299 \(2016\), 11 July 2017](#)

I. Introduction [...]

The report covers key developments related to Iraq and provides an update on the activities of the United Nations in Iraq since my last report (S/2017/357) and the briefing of my Special Representative to the Security Council on 22 May 2017 [...]

B. Security [...]

21. ISIL continued to maintain its control over Hawijah district in Kirkuk governorate and over parts of Anbar governorate. Asymmetrical attacks were frequently launched against civilian and military targets in various governorates, including Anbar, Baghdad, Diyala, Kirkuk and Salah al-Din. On 29 May, a suicide vehicle bomb detonated in the Karradah neighbourhood of Baghdad, killing at least 11 and wounding 47 people, mainly civilians celebrating Ramadan. Another suicide vehicle bomb exploded in the Karkh neighbourhood of Baghdad the next morning, killing 10 civilians and wounding 40. ISIL claimed responsibility for both attacks.

22. Since my last report, Iraqi security forces have intensified operations against ISIL in the Rutbah area of Anbar governorate and in northern Babil and eastern Diyala governorates, where increased ISIL activity has been reported since mid-May [...]

C. Human rights developments and activities [...]

47. ISIL continued to target civilians in areas retaken by Iraqi security forces, including through shelling and weaponized drones. For example, on 17 May an attack by ISIL using drone-delivered explosives at the main entrance of the main hospital of Sharqat district city centre, Salah al-Din, killed one police officer and wounded five male civilians and three police officers [...]

49. Several mass casualty attacks, either claimed by ISIL or which bore the hallmarks of previous attacks carried out by the armed group, occurred in various governorates. On 19 May, two double suicide attacks

in Baghdad and Basrah governorate in total killed at least 29 people and wounded at least 56 others. On 28 May, a suicide attacker on a motorbike detonated his belt in Ba'qubah city, Diyala governorate. Five persons were killed and 11 others and 3 police members were wounded. On 30 May, two suicide vehicle attacks targeting public places in central Baghdad killed at least 20 civilians and wounded at least 68. On the same day, an attack by an individual wearing an explosive vest in Hit city centre, Anbar governorate, killed at least 10 civilians and wounded at least 24. Four Iraqi Army members were also reportedly killed [...]

E. Security and operational issues

66. [...]

Meanwhile, asymmetric attacks by ISIL against security forces in Diyala, Salah al-Din and west Anbar governorates continued [...]

❖ [UN Security Council, Report of the Secretary-General pursuant to resolution 2367 \(2017\), 17 January 2018](#)

I. Introduction [...]

The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report, which was issued on 19 October 2017 (S/2017/881), and the briefing of my Special Representative for Iraq to the Council on 22 November 2017 [...]

C. Security

25. Between 23 and 27 November, Iraqi security forces launched a military offensive in central northern Iraq, focused on clearing remnants of ISIL from the Jazirah desert expanse straddling the Governorates of Anbar, Salah al-Din and Ninawa [...]

27. On 10 December, two children were reportedly killed and seven other persons injured by a mortar attack on a majority Turkmen area in the Tuz Khurmatu district of Salah al-Din Governorate. On 12 December, mortar attacks in the same area reportedly left 2 persons dead and 20 wounded. According to Kurdish media, the attacks were launched by Sunni and/or Kurdish militant groups operating from the mountainous eastern half of the district. According to the same media, Iraqi military helicopters responded by targeting the villages of Dawudah and Zinzana. On 14 December, other Kurdish media reported the deployment of Peshmerga forces in the area, aimed at closing a security void [...]

C. Human rights developments and activities [...]

50. As ISIL continued to lose control of territory, it increasingly targeted civilians and resorted to guerrilla-type actions, causing civilian casualties. [...] On 21 November, in the city of Tuz Khurmatu, Salah al-Din Governorate, a vehicle laden with explosives was detonated in a crowded market, killing 24 civilians and wounding 60 others, including women and children [...]

54. During the reporting period, the Country Task Force on Children and Armed Conflict, co-chaired by the Mission and the United Nations Children's Fund, received reports of 24 incidents involving violations against a total of 59 children. Twenty of the incidents, affecting 56 children mostly in Ninawa and Salah al-Din Governorates, were verified. Ten of them involved killing and maiming, with 14 children confirmed killed and 12 maimed [...]

Active areas of conflict in 2018 to include the IKR, Salah al-Din and Diyala Governorate

❖ [UN Security Council, Report of the Secretary-General pursuant to Security Council resolution 2367 \(2017\), 17 April 2018](#)

I. Introduction [...]

The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report, which was issued on 17 January 2018 (S/2018/42), and the briefing of my Special Representative for Iraq to the Security Council on 20 February 2018 [...]

C. Security [...]

20. Armed opposition groups continued to be active in the Hamrin Mountains, on the border between Kirkuk and Salah al-Din governorates and in western Anbar Governorate. On 6 March, the Iraqi security forces announced the start of a clearance operation in the desert near the Iraqi-Jordanian border. On 24 March, clearance operations were launched in Diyala Governorate in response to increased activities by armed opposition groups south of the Hamrin Mountains, close to the border with Salah al-Din Governorate [...]

❖ [UN Security Council, Implementation of resolution 2367 \(2017\) Report of the Secretary-General, 9 July 2018](#)

I. Introduction [...]

The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report, dated 17 April (S/2018/359), and the briefing of my Special Representative for Iraq and Head of UNAMI to the Security Council on 30 May, until 21 June 2018 [...]

C. Security

20. The Iraqi security forces have continued operations to clear ISIL remnants in Anbar Governorate and in the Tall Afar, Ba'aj and Sinjar districts of Ninawa Governorate. Nevertheless, asymmetric attacks have continued in Ninawa, Salah al-Din, Kirkuk, Anbar, Diyala and Baghdad Governorates, with ISIL targeting security forces and community leaders and also destroying farms and residential buildings. [...]

21. [...]

The most significant incidents occurred in Diyala, Kirkuk and Salah al-Din Governorates, including the shelling of three polling stations by ISIL fighters in Abu Sayda in Diyala Governorate, wounding four civilians. Sporadic violence continued across the country after the elections. On 25 May, the Iraqi Communist Party office in the Karradah neighbourhood of Baghdad was attacked by unidentified assailants with two explosive devices, causing no casualties [...]

C. Human rights and rule of law developments and activities

38. Armed conflict, terrorism and acts of violence continued to take a heavy toll on civilians. Civilian casualties increased in May, compared with April, with 95 civilians killed and 163 wounded, owing largely to two ISIL mass-casualty suicide bombings, one carried out by a 9-year-old child and the other by a juvenile aged between 15 and 16 years. This was, nonetheless, a far lower number than in the same month in 2017. In the first half of June, at least 31 civilians were killed and 92 wounded. Of these, 2 were killed and 50 wounded when improvised explosive devices detonated in civilian populated areas in Kirkuk city centre and in Khalis district centre, in Diyala Governorate. The overall trend since October 2017, of relatively low civilian casualties, nevertheless continues, reflecting a reduction in hostilities between the Iraqi security forces and ISIL.

39. The leading cause of civilian casualties remains the use by ISIL of improvised explosive devices, a particular threat to civilians in Baghdad, Diyala, Ninawa, Kirkuk and Anbar Governorates. Other tactics used by the terrorist group included targeting first responders assisting victims, killings and abductions at fake checkpoints, organized attacks on remote villages and the shelling of polling stations during the elections [...]

IV. Observations [...]

74. Even though civilian casualties in April were the lowest since UNAMI began publicly reporting such casualties in Iraq in 2012, ISIL remnants continue to kill and wound civilians in several governorates, including Anbar, Baghdad, Diyala, Kirkuk, Ninawa and Salah al-Din. I encourage the Government to continue its efforts to counter terrorism and violent extremism, in accordance with international humanitarian law and international human rights law [...]

❖ [UN Security Council, Implementation of resolution 2421 \(2018\) Report of the Secretary-General, 31 October 2018](#)

I. Introduction [...]

The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report, dated 9 July 2018 (S/2018/677), and the briefing to the Security Council by my Special Representative for Iraq and Head of UNAMI on 8 August [...]

C. Security situation [...]

21. Operations conducted by Iraqi security forces during the reporting period concentrated on pursuing remnants of Islamic State in Iraq and the Levant (ISIL) in northern and north-central Iraq, in conjunction with ongoing efforts to clear liberated areas of explosives and other hazardous materials. The capacity of Iraqi security forces to remove armed elements from cleared areas, or at least to suppress insurgent activity, is vital to the country's transition from recovery to reconstruction.

22. Iraqi civilians continue to bear the brunt of the insecurity in the country. Meanwhile, asymmetric attacks continue to target the Iraqi security forces in northern and north-central Iraq (Ninawa, Salah al-Din and Kirkuk) and in the central region (Diyala, Anbar and Baghdad) [...]

C. Human rights and rule of law developments and activities

43. Civilian casualties from 9 August to 9 October totalled 281: 96 killed, including 6 women, and 18 wounded, including 8 women. That was a far lower number than during the same period in 2017, where 708 civilian casualties were recorded (266 killed and 442 wounded). The leading cause of civilian casualties during the reporting period was improvised explosive devices. Such attacks, often claimed by ISIL, pose a

threat to civilians in Baghdad, Salah al-Din, Ninawa, Kirkuk, Diyala, Anbar and Sulaymaniyah Governorates. Another leading cause of civilian casualties was small arms fire.

44. ISIL continued to kill and wound civilians, police and members of popular mobilization forces in Diyala, Kirkuk, Ninawa and Salah al-Din Governorates. On 18 August, in Bayya', south-western Baghdad, ISIL claimed responsibility for an improvised explosive device attack on public transport that killed three and wounded eight more. On 10 August, at a football game in Sharqat district of Salah al-Din Governorate, ISIL gunmen shot and killed five civilians and wounded six others, including two children. In Baghdad, six explosions were carried out by unknown persons in a one-week period, killing 6 civilians and wounding 16. [...]

- ❖ [UNAMI Herald, Briefing to the Security Council by SRSG for Iraq, Ján Kubiš, on the situation concerning Iraq, Volume 5, Issue 6 November—December 2018, 13 November 2018](#)

[...] Also, Da'esh remains active in some other Iraqi provinces, notably in Kirkuk, Salah ad-Din and Diyala [...]

- ❖ [UNAMI Herald, UN casualty figures for Iraq for the month of December 2018, Volume 6, Issue 5, 3 January 2019](#)

[...] During December 2018 a total of 32 Iraqi civilians were killed and another 32 injured in acts of terrorism and conflict-related violence. Ninewa was the worst affected Governorate with 26 civilian casualties (07 killed, 19 injured) followed by Baghdad with (17 killed and 03 injured) and Salahadin (03 killed and 03 injured). [...]

- ❖ [UN Security Council, Implementation of resolution 2421 \(2018\) Report of the Secretary-General, 11 February 2019](#)

I. Introduction [...]

1. [...]

The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report, dated 31 October 2018 (S/2018/975), and the briefing to the Security Council, on 13 November, by my former Special Representative for Iraq and Head of UNAMI, Ján Kubiš, who completed his assignment on 15 December [...]

C. Security situation

14. ISIL remnants continue to pose an asymmetric threat in northern and northcentral Iraq (Kirkuk, Ninawa and Salah al-Din Governorates) and in central Iraq (Anbar, Baghdad and Diyala Governorates). In addition, pressure on ISIL in the border regions of the Syrian Arab Republic has resulted in counter-attacks by the group and led to increased insecurity on the border with Iraq. On 13 November, the Prime Minister announced that the Iraqi-Syrian border was secure and that the Iraqi security forces were continuing to monitor the situation. On 21 November, the Ministry of Defence of Iraq reported that Iraqi aircraft had conducted air strikes against ISIL positions inside the territory of the Syrian Arab Republic [...]

C. Human rights and rule of law developments and activities

35. Civilian casualties from 13 November to 31 December totalled 97: 48 civilians killed, including 1 woman, and 49 civilians wounded, including 1 woman. The number is significantly lower than during the same period in 2017, when 479 civilian casualties were recorded (150 killed and 329 wounded). The leading causes of civilian casualties during the reporting period were small arms fire and vehicle-borne improvised explosive devices. Such attacks pose a threat primarily to civilians in Anbar, Baghdad, Basrah, Diyala, Kirkuk, Ninawa, Salah al-Din and Najaf Governorates [...]

47. The Mission's country task force on monitoring and reporting grave violations committed against children in times of armed conflict, co-chaired by UNAMI and the United Nations Children's Fund (UNICEF), verified nine incidents of grave violations against children during the reporting period, resulting in the killing of 6 children (all boys) and the maiming of 15 boys and 6 girls. The incidents involved explosive hazards and bomb attacks, and took place in Anbar, Diyala, Ninawa and Salah al-Din Governorates. There was also one unverified attack on a school in Salah al-Din [...]

- ❖ [European Asylum Support Office, Country of Origin Information Report, Iraq, March 2019](#)

[...] 1.4.1.1 Conflict with ISIL ISIL's territorial control, contestation and presence [...]

ISIL's control has been reduced to operating insurgent cells in remote rural areas, most of which are located in areas previously controlled by ISIL, i.e. Anbar, Diyala, Kirkuk, Ninawa and Salah al-Din; these areas are

reportedly the most kinetic in terms of frequency of security incidents and most active, though this alternates with the cycle of insurgent activity.²³⁸ [...]

In a January 2019 email to EASO for this report, ISW stated that 'ISIL only holds doctrinal control of one district of Northern Iraq – Baiji District in Salah al-Din'. Additionally, it controls terrain in the Makhmoul Mountains of rural Baiji where it 'exercises social control over the population' through observed indicators of social control in the area including prisons, judicial proceedings, training camps, and organised worship.²³⁹ [...]

They gave the opinion that in these areas the civilian population cannot rely upon the security forces to provide 'adequate protection'. These districts that ISW calls 'contested' include:

- Salah al-Din: Shirqat and Tuz/Tooz (Salah al-Din);
- Erbil: Makhmour district (Erbil); • Kirkuk: Hawija and Daquq (Kirkuk);
- Diyala: Kifri and Khanaqin (Diyala).²⁴⁰ [...]

Michael Knights, an Iraq security expert, published a study on ISIL attack metrics²⁴³ in December 2018 using his own geo-located dataset of security incidents (declassified and open source), and assessed that, based on ISIL activity and operating patterns, there are 27 areas of Iraq with 'permanently operating attack cells'. These attack cells were identified as being permanently active in: [...]

- Salah al-Din: The southern Jallam Desert (south of Samarra), Baiji, Shirqat, Pulkhana (near Tuz), and Mutabijah/Udaim;

- Diyala: Muqdadiah, Jawlawla, Saadiyah, Qara Tapa, Mandali; [...]

ISIL activity, targets, and tactics [...]

Michael Knights reported that ISIL launched 1 271 attacks across Iraq in the first 10 months of 2018, the majority of which were explosive attacks (762), attempted mass casualty attacks and roadside bombs; it also carried out overrun attacks against security forces positions and targeted killings and kidnappings (all these types accounted for 54 % of ISIL attacks). Another 46 % of attacks were lower quality 'harassment' attacks which were 'less lethal and less carefully targeted'. This activity took place across Anbar, Baghdad belts, Diyala, Ninewa, Salah al-Din, and Kirkuk; remarking a 'huge reduction' in operational tempo in these areas in 2018. In 2018, he stated that ISIL averaged 127.1 attacks per month in these governorates, compared with 490.6 per month in 2017 only in 4 of the 6 (Anbar, Baghdad belts, Salah al-Din, and Diyala).²⁶⁶ [...]

2.3 Diyala [...]

Recent trends 2018 [...]

Security incidents and activity

A December 2018 analysis on ISIL published by Michael Knights, Senior Fellow at the Washington Institute for Near East Policy in the Combating Terrorism Center of West Point (CTC), confirms the decrease in the number of security incidents in Diyala in 2018.⁷⁶⁹ According to Michael Knights, the average number of ISIL attacks in Diyala in 2018 was 26.2 per month⁷⁷⁰, which suggests a sharp decline in comparison to 2017 that witnessed an average 79.6 ISIL attacks per month, and 50.3 in 2013.⁷⁷¹ During 2018 M. Knights recorded '31 targeted killings of district council members, mukhtars (village headman), tribal leaders, and Sunni PMF commanders'. Attacks on civilians included killings, kidnappings, and destruction of rural farming infrastructure.⁷⁷² Dr. Knights further maintained that the decrease in ISIL attacks could be due to the fact that 'ISIL's brutality is driving predominately local Sunni tribes into partnership with Shi'a PMF and Iraqi military forces, though such tribes have to cooperate with PMF in order to be allowed to resettle in their towns in any case.'⁷⁷³ The security situation in Diyala governorate has fluctuated during 2018 [...]

2.6 Salah al-Din [...]

Recent trends 2018 [...]

Security incidents and activity

During 2018 ISIL continued to carry out asymmetric attacks against Iraqi security forces in northern and north-central Iraq (Ninewa, Salah al-Din and Kirkuk) and in the central region (Diyala, Anbar and Baghdad).¹²⁸⁸ Regular attacks by ISIL on Sunni tribal militias across Kirkuk, Diyala, and Salah al-Din governorates were also reported.¹²⁸⁹ In a December 2018 article Michael Knights observed that in 2018 ISIL has weakened its campaigns of attacks in Salah al-Din, noting that his incident data for 2018¹²⁹⁰ showed a monthly average of 14.2 attacks in 2018, compared to 84.0 attacks per month in 2017. The same source noted that the number of 'high-quality' (mass casualty, overruns, effective roadside bombs, and targeted killings) attacks increased in 2018 to 60 % of all attacks, against 42 % in 2017, but the overall scale of local insurgency was small. ISIL attack activities in Salah al-Din were considered to be significantly reduced in 2018, the source noting that 'with the exception of the ruined refinery town of Baiji and the adjacent

Sharqat, the Islamic State is only slowly starting to attack Salah al-Din cities like Samarra, Tikrit, Dour, Balad, and Tuz Khurmatu.¹²⁹¹ Michael Knights assessed that the decrease of ISIL's activity in Salah al-Din might be due the pressure it feels from the partnership between the Shia and Sunni PMUs (especially Brigades 51 and 88) which could have led ISIL to invest its resources in other areas.¹²⁹² [...]

2.7 Kurdistan Region of Iraq (Erbil, Dohuk, Sulaymaniyah) [...]

Recent trends 2018 [...]

Turkey-PKK conflict

The conflict between Turkey and the PKK scaled up in 2018 compared to the previous year. [...]

Iranian activity

Iranian forces also scaled up their operations against Iranian Kurdish insurgency groups in 2018 compared to the previous years.¹⁴³⁴ [...]

238 Markusen, M., The Islamic State and the Persistent Threat of Extremism in Iraq, CSIS, November 2018, url

239 ISW, Email to EASO, 17 January 2019

240 ISW, Email to EASO, 17 January 2019 [...]

243 Knights cautions in this article that his dataset is a partial sample of ISIL attacks in 2018 and a conservative underestimate of ISIL incidents. Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, url, p. 2 [...]

266 Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, url, pp. 2, 7 [...]

1288 UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, pp. 9-10; UN Security Council, Report of the Secretary-General pursuant to Security Council resolution 2367 (2017) [S/2018/359], 17 April 2018, url, p. 4 [...]

769 Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, url, p. 4

770 Incident data is drawn from the author's geolocated Significant Action (SIGACT) dataset up to the end of October 2018. 'The dataset includes non-duplicative inputs from open source reporting, diplomatic security data, private security company incident data, Iraqi incident data, and U.S. government inputs'. See Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, p. 2, url

771 Knights, M., Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, url, p. 4

772 Knights, M., Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, url, p. 4

773 Knights, M., Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, url, p. 4 [...]

1289 Flood, D., From Caliphate to Caves: The Islamic State's Asymmetric War in Northern Iraq, CTC Volume 11, issue 8, September 2018, url, p. 33

1290 Incident data is drawn from the author's geolocated Significant Action (SIGACT) dataset up to the end of October 2018. 'The dataset includes non-duplicative inputs from open source reporting, diplomatic security data, private security company incident data, Iraqi incident data, and U.S. government inputs'. See Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, p. 2, url

1291 Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, url, p. 3

1292 Knights, M., The Islamic State Inside Iraq: Losing Power or Preserving Strength?, CTC, Vol. 11, Issue 11, December 2018, pp. 3-4, url [...]

1434 Rudaw, Kurdish party resumes armed struggle against Iran, third party to do so, 30 April 2017, url; Al Monitor, Why Iranian Kurdish party is stepping up fight against Tehran, 1 July 2016, url; Al Monitor, IRGC masses troops on Iraq border amid rising tensions with Kurdish groups, 16 October 2018, url [...]

Active areas of conflict in 2019 to include the IKR, Salah al-Din and Diyala Governorate

❖ [UN Security Council, Implementation of resolution 2421 \(2018\) Report of the Secretary-General, 2 May 2019](#)

I. Introduction

1. [...]

The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report of 1 February 2019 (S/2019/101) and the briefing to the Security Council provided by my Special Representative for Iraq and Head of UNAMI on 13 February 2019 [...]

C. Security situation

18. Iraqi security forces continued their efforts to counter the threat from Islamic State in Iraq and the Levant (ISIL). While ISIL ceded ground in its final stronghold in Baghuz in the eastern part of the Syrian Arab Republic, reorganized ISIL cells in Iraq increased their operations and attacks in Anbar, Babil, Baghdad, Diyala, Kirkuk, Ninawa and Salah al-Din Governorates. Meanwhile, Iraqi security forces continued to monitor military developments in the eastern part of the Syrian Arab Republic, in particular in the village of Baghuz on the Syrian-Iraqi border and intensified operations along ISIL routes and safe havens in Anbar, Ninawa and Salah al-Din Governorates. National Security Adviser of Iraq, Falih al-Fayyadh, visited Qa'im, Anbar Governorate, on 9 March to inspect security operations along the border [...]

C. Human rights and rule of law developments and activities

49. From 14 February to 11 April, the Human Rights Office of UNAMI documented a total of 152 civilian casualties, comprising 60 civilians including 2 women, killed and 92 wounded, of which 2 were women. The number is significantly lower than during the same period in 2018, when 429 civilian casualties were recorded, 146 killed and 283 wounded. The leading causes of civilian casualties were improvised explosive devices and small arms fire, with Anbar, Kirkuk, Ninawa, Baghdad, Diyala, Erbil and Salah al-Din as the most affected governorates [...]

❖ [UN Security Council, Implementation of resolution 2470 \(2019\) Report of the Secretary-General, 5 August 2019](#)

I. Introduction

1. [...]

The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report of 2 May 2019 (S/2019/365) and the briefing to the Security Council provided by my Special Representative for Iraq and Head of UNAMI on 21 May 2019 [...]

C. Security situation

19. Remnants of Islamic State in Iraq and the Levant (ISIL) continued to conduct frequent asymmetric attacks against the Iraqi people and security forces, in particular in the Anbar, Baghdad, Diyala, Kirkuk, Ninawa and Salah al-Din Governorates. In response, the Iraqi security forces continued a vigorous anti-terrorism campaign. They conducted large-scale clearance operations in the liberated areas, arresting or neutralizing terrorist fighters, defusing improvised explosive devices and exposing ISIL hideouts, tunnels and weapons caches. The international counter-ISIL coalition continued to support the Iraqi security forces [...]

❖ [UN Security Council, Implementation of resolution 2470 \(2019\) Report of the Secretary-General, 22 November 2019](#)

I. Introduction

1. [...]

The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report of 5 August 2019 (S/2019/660) and the briefing to the Security Council by my Special Representative for Iraq and Head of UNAMI on 28 August 2019 [...]

C. Security situation

29. Remnants of Islamic State in Iraq and the Levant (ISIL) continued to launch frequent asymmetrical attacks against the Iraqi people and security forces, particularly in Anbar, Baghdad, Diyala, Kirkuk, Ninawa and Salah al-Din Governorates. In response, the Iraqi security forces continued to pursue ISIL cells throughout the country. Between 5 and 7 August, the security forces conducted the third phase of Operation Will of Victory, clearing areas in western Ninawa and northern Diyala Governorates. Phase four of the operation took place between 24 and 27 August, during which the security forces cleared large parts of the Anbar desert. Between 16 and 20 September, the Iraqi security forces conducted phase five, clearing parts of the Anbar desert towards the border with Saudi Arabia. Phase six, launched on 6 October, aimed to clear areas of northern Anbar, south-west Salah al-Din and Ninawa Governorates while also reinforcing the border with the Syrian Arab Republic against possible ISIL incursion [...]

❖ [UN Security Council, Implementation of resolution 2470 \(2019\) Report of the Secretary-General, 21 February 2020](#)

I. Introduction

1. [...] The report covers key developments relating to Iraq and provides an update on the activities of the United Nations in Iraq since my previous report of 22 November 2019 (S/2019/903) and the briefing to the Security Council by my Special Representative for Iraq and Head of UNAMI on 3 December 2019 [...]

C. Security situation

23. Remnants of ISIL continued to launch frequent asymmetrical attacks against the Iraqi people and security forces, particularly in areas of Anbar, Baghdad, Diyala, Erbil, Kirkuk, Mosul and Salah al-Din Governorates. Iraqi security forces continued their action against ISIL cells throughout these areas. On 7 and 29 December, respectively, Iraqi security forces launched phases seven and eight of Operation Will of Victory, with phase seven aimed at clearing ISIL remnants from parts of Diyala, Kirkuk and Salah al-Din Governorates and phase eight aimed at launching further operations in those areas and in Ninawa Governorate. Military operations also extended to western Anbar and areas along the border between Diyala and Sulaymaniyah Governorates [...]

Active areas of conflict in 2020 to include the IKR, Salah al-Din and Diyala Governorate

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 - [...] 2. Background Information
 - [...] Security Situation
 - [...] Despite its territorial defeat in December 2017, Da'esh remains a major perpetrator of abuses and atrocities. These abuses are particularly evident in Anbar, Baghdad, Diyala, Kirkuk, Ninawah and Salah al-Din Governorates where Da'esh units have continued to attack electricity and water infrastructure, abduct and kill civilians and attack security forces. The group is consolidating its presence in Diyala, Kirkuk, and Salah al-Din provinces where it takes advantage of ungoverned spaces and the disputed areas between Federal Iraqi and Kurdish security forces. Improvised explosive device attacks in these areas target security forces' vehicles. (p. 19)
 - [...] 3. Refugee Convention Claims
 - [...] Religion
 - [...] Kaka'i
 - [...] According to local news reports, in June 2020, Da'esh killed seven Kaka'is in Khanaqin, a territory disputed between the KRG and federal Iraqi authorities. [...] (p. 32)
- ❖ [Human Rights Watch, Iraq: Turkish Airstrike Disregards Civilian Loss: Ankara Should Investigate Attacks Harming Civilians, Compensate Victims, 22 July 2020](#)
 - [...] A Turkish military attack on an Iranian armed group in the Kurdistan Region of Iraq in late June 2020 failed to take adequate precautions to minimize civilian casualties, Human Rights Watch said today. The apparent airstrike, on June 25, killed a member of the Iranian Kurdish Party for Free Life of Kurdistan (PJAK), which is linked to the armed Kurdistan Workers' Party (PKK), and wounded three others. The attack also wounded at least six civilians and damaged the popular Kuna Masi water resort, at a confluence of freshwater wells and springs in Sharbazar district. [...]
- ❖ [Kurdistan 24, Kurdistan Region President warns of escalating 'terrorist attacks' in Iraq, because of 'security vacuum', 16 June 2020](#)
 - [...] On late Saturday night and early Sunday morning, suspected fighters of the so-called Islamic State struck the village of Dara in Iraq's disputed Khanaqin district, killing seven individuals, in what was yet another assault targeting the country's Kakai community. Barzani referred to the attack on the Kurdish Kakai religious minority, saying that it "shows the extent of escalation of terror activities and violence in these areas and the necessity of taking quick steps to prevent their repetition." [...]
- ❖ [Minority Rights Group International, Kakais' anguish in search for security, 23 May 2020](#)
 - [...] Violence and threats forced Naji Khurshid Kakai to unwillingly abandon his warm house surrounded by his relatives and to begin living in displacement. However, he could not live in peace even in displacement and what he mostly feared happened to him; the loss of his beloved ones. On May 10, at 9: 30 p.m., several gunmen raided the grain field of Khurshid's family, where they killed two farmers, burned three tractors, and set their wheat and barley crops on fire. Khurshid is one of many members of Kakai minority in Iraq who are constantly under threat from different militant groups both at home and in displacement.

This attack happened at a time when the Iraqi forces are commanded to enforce a curfew, which is aimed at preventing the outbreaks of the novel coronavirus.

The raid took place in Mikhas village in Khanaqin district, north eastern Diyala province, where Khurshid Kakai and his family have settled for three years after abandoning their village, Zangari, in Daquq district, southern Kirkuk.

[...] The residents of Mikhas village told KirkukNow that they believe that “the perpetrators were members of the Islamic State groups (IS),” whose snipers shot the villagers until dawn the next day, which prevented other villagers from rescuing the farmers. The gunmen, however, set the driver of a harvester free before burning the grain fields. [...]

❖ [Iraq Advisory Council, The impact of escalating terrorism operations on the return of Daesh families, 31 May 2020](#)

[...] In the last few weeks of late April and May, there has been an increase in the terrorists operations carried out by the remnants of Daesh in the areas of southern Kirkuk, south and west of Nineveh, south of Salah Al-Din, north-east of Diyala, north of Baghdad and west of Anbar.

The official media of Daesh had announced carrying 168 revenge/terrorism operations between May 1st and May 22nd of 2020. The government security records have confirmed 40 of the above operations; 16 of which, included burning farms in north-east Diyala, south-west of Nineveh and west of Salah Al-Din. [...]

❖ [Enabling Peace in Iraq Center \(EPIC\), Iraq Security and Humanitarian Monitor \(ISHM\): May 7-May 14, 2020, 14 May 2020](#)

[...] On May 9, an IED injured three ISF members in Salah ad-Din, while ISIS militants opened fire on firefighters and civilians trying to extinguish crop fires in Diyala. On May 10-11 ISIS militants kidnapped and executed two farmers in Diyala and set their farms on fire and torched farms elsewhere in Diyala and southwest of Erbil. [...]

❖ [Kirkuk Now, ‘Islamic State militants’ kill two Kakai farmers and burn their grain fields, 12 May 2020](#)

[...] The dead bodies of the two killed Kakai farmers were found in Khanaqin district, Diyala province after their abduction. Their farms and tractors were also set on fire.

They were ambushed and abducted at 9:30 p.m. on the evening of Sunday, May 10 in Mikhas village, southern Kahanqin district. The residents of the village are Kakais, an Iraqi minority and were busy with harvesting their grain fields.

[...] The identity of the gunmen is still unknown, but the villagers claim that they were “IS militants.” [...]

❖ [Newlines Institute for Strategy and Policy, ISIS in Iraq: From Abandoned Villages to the Cities, 5 May 2020](#)

[...] ISIS’s new tactical planning in this region of Iraq emphasizes coordination between three sectors: Diyala, Kirkuk and Salah al-Din, which are connected by a difficult terrain.

It is in these areas where in the last two weeks ISIS carried out arguably its most sophisticated attacks in the country in several years – half a dozen coordinated and large-scale attacks in Diyala and Salah al-Din over the past few days alone. On May 2, ISIS used suicide and armed attacks to penetrate residential areas and overcome government positions in the city of Mukeshafa in Salah al-Din. The checkpoint was manned by forces linked to Quwat al-Shaheed al-Sadr, also known as Brigade 35 of the PMF. The attacks were conducted in four areas, targeting a checkpoint that had been newly established, which indicates close intelligence monitoring by ISIS in the area. [...]

❖ [Kurdistan 24, ISIS attack on religious minority in disputed Khanaqin leaves 2 dead, 10 injured, 13 February 2020](#)

[...] In late Wednesday night, the so-called Islamic State attacked a village of the Kurdish religious minority known as the Kakais in the disputed Khanaqin district, killing a father and a son, and injuring 10 others.

The attack targeted the “Bahary Taza” village, which falls on the outskirts of Khanaqin district in the Diyala governorate. The area is considered one of the disputed areas between the Kurdistan Regional Government and Iraq’s central government.

A source in the area confirmed to Kurdistan 24 that “the attack led to the death of a father and son from the Kakai minority, while 10 individuals among civilians and Iraqi Security Forces (ISF) were injured.” [...]

1.2.2. Improvements in 2018

Information on secret/undisclosed detention facilities in the KRI in 2018

- ❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] Arbitrary arrests and enforced disappearances

Thousands of men and boys who were arbitrarily arrested and forcibly disappeared by central Iraqi and Kurdish forces while fleeing IS-held areas between 2014 and 2018 remained missing. Security forces, including the PMU, regularly arrested and forcibly disappeared men with perceived IS ties, at times directly from IDP camps. Iraqi and KRG authorities continued to operate overcrowded detention facilities, some of them secret [...]

- ❖ [Human Rights Watch, Iraq: Intelligence Agency Admits Holding Hundreds Despite Previous Denials, 22 July 2018](#)

[...] Iraq’s National Security Service (NSS), an Iraqi intelligence agency reporting to Iraq’s prime minister, has acknowledged for the first time that it is detaining individuals for prolonged periods of time, despite not having a clear mandate to do so, Human Rights Watch said today. NSS is holding more than 400 detainees in a detention facility in east Mosul. As of July 4, 2018, 427 men were there, some of whom had been held for more than seven months.

[...] “National Security Service officials in Baghdad told us that the intelligence agency has no authority to hold prisoners, but changed their line once we were able to see the prisoners for ourselves,” said Lama Fakih, deputy Middle East director at Human Rights Watch. “Baghdad needs to publicly clarify which authorities have the right to hold and interrogate detainees.”

On April 17 a senior NSS official in Baghdad denied operating any detention facilities and claimed that the agency only holds small numbers of people for up to 48 hours before transferring them to places of formal detention. But researchers were granted access to the facility, where officials said 427 prisoners were being held at the time. A subsequent written response from the Baghdad office confirmed the NSS is holding prisoners in one facility in Mosul, but then proceeded to speak about detention facilities in the plural form. Given the serious contradiction in statements and facts on the ground, the NSS should clarify the number of prisoners it is detaining and the number and location of facilities it is using to detain them. Iraqi authorities should declare the number of detention facilities across Iraq. Judicial authorities should investigate the allegations presented in this report.

[...] However, Hamid al-Zerjawi, deputy National Security Service chief, told Human Rights Watch on April 17, that the NSS has no functional detention facilities in the country, and only one facility in Baghdad that is not yet operational. He conceded that the NSS held small numbers of people for up to 24 hours after their arrest at one of their offices, before bringing them before a judge, who could allow them an extra 24 hours of detention, before they needed to transfer the detainee to a formal detention facility. He said the NSS never held any detainee for over 48 hours.

On July 11, the NSS’s Baghdad office responded to Human Rights Watch inquiries into the facility. The written response acknowledged that the NSS is holding detainees at a single facility in Mosul with the consent of the High Judicial Council in Nineveh, that all detainees are held under judicial arrest warrants, see a judge within 24 hours of arrest, and are transferred to Ministry of Justice prisons upon being sentenced. The response did not provide any numbers of detainees nor details into the length of time they are being held at the facility, but stated that detainees are allowed to retain a lawyer, or have one appointed by the court, but added: “most lawyers in the governorate of Nineveh abstain from arguing terrorism cases.” It said there were no detainees under the age of 18.

[...] The Iraqi authorities should publicly clarify which forces have a legal mandate to arrest, hold, and interrogate suspects, and provide a list of all official detention facilities. They should transfer all detainees

to prisons run by authorities with a legal mandate to detain people. Such sites should be built to accommodate detainees, and equipped to meet basic international standards, even if this requires transferring the detainees outside of the Nineveh governorate, where Mosul is located. All detainees should have a medical screening upon arrival and be ensured access to medical care. Judges should only order detention in locations, and under the authority of forces, legally authorised to hold detainees, and order the immediate release of detainees or prisoners being held in inhuman or degrading conditions or otherwise detained unlawfully. [...]

ISIS continued to recruit and use children in 2018

❖ [Watchlist on Children and Armed conflict, Monthly Update, April 2018](#)

[...] Recommendations to the Security Council

Iraq

[...] ISIL is listed for recruitment and use, killing and maiming, rape and other forms of sexual violence, abductions, and attacks on schools and/or hospitals [...]

❖ [UN General Assembly Security Council, Children and armed conflict: Report of the Secretary-General, 16 May 2018](#)

[...] 16. Armed groups, such as the Islamic State in Iraq and the Levant (ISIL) and Boko Haram, continue to recruit and use children on a large scale, including across borders. [...]

❖ [UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq, 20 June 2018](#)

[...] ISIL carried out numerous executions by, inter alia, beheading, hanging, stoning, drowning, shooting, burning and throwing persons off buildings, including following “sentences” issued by ISIL self-appointed courts. Executions were often preceded by enforced disappearances and the perpetrators of the executions included children who, following indoctrination, were forced to function as executioners. The remains of those killed were often put on public display as a warning to others not to oppose ISIL. The unthinkable and horrific examples of these executions of men, women and children are numerous.

[...] The Special Rapporteur heard accounts of brutal sexual enslavement, shooting, beheading, stoning and burning to death of men, women and children, including those perceived as lesbian, gay, bisexual, transgender or intersex, simply for defying the rigid gender policies of ISIL. [...]

❖ [Human Rights Watch, “Everyone Must Confess”: Abuses against Children Suspected of ISIS Affiliation in Iraq, 6 March 2019](#)

[...] Children interviewed by Human Rights Watch who said they were affiliated with ISIS identified several reasons for joining the group, including financial incentives, peer or family pressure, an escape from family problems, or a desire for social status. Based on Human Rights Watch research on the recruitment and use of child soldiers in more than a dozen armed conflicts around the world, these motivations are typical of children who join armed groups during armed conflict. Multi-country research by the United Nations University also has found that contrary to conventional wisdom, ideology is rarely the primary force motivating children’s association with violent extremist groups.⁴ None of the children interviewed for this report indicated that ISIS ideology played a role in their decision to join.

Several children said they joined ISIS to earn a salary. [...] Most said that schools in their villages stopped functioning within a year of ISIS’ arrival and that ISIS had taken over many local businesses. [...]

4 Mara Revkin in Siobhan O’Neil and Kato van Broeckhoven, eds., *Cradled by Conflict: Child Involvement with Armed Groups in Contemporary Conflict*, United Nations University, 2018

ISIS continued to recruit and use children in 2019

❖ [ECPAT International, ECPAT Country Overview: Iraq - A report on the scale, scope and context of the sexual exploitation of children, 9 April 2019](#)

[...] Boys and girls from persecuted groups have faced high levels of sexual violence and exploitation either through recruitment into ISIL forces or through sexual enslavement by its members. [...]

❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)

[...] 1. The present report, prepared pursuant to Security Council resolution 1612 (2005) and subsequent resolutions on children and armed conflict, provides information on grave violations against children committed by all parties to the conflict in Iraq between 1 July 2015 and 31 July 2019.

[...] ISIL committed widespread violations, such as the deliberate targeting of ethnic minorities and people in vulnerable situations, attacks against civilians, including killings, torture, rape and sexual slavery, forced religious conversion, child recruitment and forced displacement.

[...] 23. Children were affected in multiple and compounding ways as a result of all six grave violations. During the reporting period, the United Nations verified 2,114 grave violations against children: 296 children were recruited and used, 1,722 were killed or maimed, 10 were subjected to rape and other forms of sexual violence and 86 were abducted. A total of 236 attacks were conducted on schools and 24 were conducted on hospitals.

[...] 24. The United Nations verified the recruitment and use of 296 children (287 boys and 9 girls), 27 of whom were recruited in the second half of 2015, 114 in 2016, 109 in 2017, 39 in 2018 and 7 in the first half of 2019. The United Nations also received allegations of the recruitment and use of 652 children (522 boys and 130 of sex unknown) that could not be verified.

25. More than 50 per cent of the children were recruited and used by ISIL (151), followed by the Popular Mobilization Forces (70), Sunni tribal mobilization groups (42), HPG/PKK (19), the Sinjar Resistance Units (4), the Protection Force of Ezidkhan (1) and the Peshmerga Zeravani (1). Eight children were recruited and used by the Iraqi security forces, namely, the Iraqi police (5) and the Iraqi army (3).

26. A total of 199 of the children (67 per cent) were used as combatants, 37 (13 per cent) were used in support roles and 14 (5 per cent) were used to carry out suicide attacks with improvised explosive devices. A majority of the children (177, representing 60 per cent) were recruited and used in northern Iraq in Ninawa (126) and Kirkuk (51) Governorates; followed by the Kurdistan region (42), including Sulaymaniyah (23), Dahuk (10) and Erbil (9); and in central Iraq (43), including in Anba (11), Baghdad (9), Salah al-Din (9), Karbala' (6), Diyala (6), Babil (1) and Wasit (1) Governorates. The remaining children were recruited in southern Iraq (31), including in Basrah (15), Najaf (12), Dhi Qar (2), Maysan (1) and Muthanna (1).

Recruitment and use by Islamic State in Iraq and the Levant

27. The recruitment and use of children constituted a central component of the political, military and ideological aims of ISIL in Iraq, with 151 children (143 boys and 8 girls), some as young as 7 years old, verified as having been recruited and used, mainly in Ninawa and Kirkuk.

28. Methods employed by ISIL for recruiting children ranged from abduction to coercion, manipulation and inducement. Incidents of mass abductions of children for the purpose of recruitment were verified, often targeting the most vulnerable parts of the population.

[...] 30. Children also joined ISIL to support their families facing economic hardship. As the humanitarian situation deteriorated in ISIL-held areas, the number of children who joined ISIL for survival increased. For example, in 2015, a 16-year-old boy joined the ISIL logistics team in Mosul, Ninawa, as he could no longer trade tobacco, following its prohibition by ISIL.

31. Most of the children, 68 per cent, were used by ISIL in active combat, with surges during the intensification of operations at the end of 2015 in Ninawa and Anbar and in Mosul in 2017. Children who rebelled were severely punished, including by being detained or executed. In January 2016, two boys were captured and executed by ISIL for escaping the battle for Ramadi in 2015.

32. A total of 12 per cent of the children were used in support roles, including manufacturing and planting improvised explosive devices, cooking, cleaning, transporting weapons or operating checkpoints. Children were used as informants, including on the political affiliations of Iraqis, often for subsequent punishment by ISIL. [...]

1.2.4. Improvements in 2020

[Evidence more recipients received payment of compensation from government for survivors of Anfal chemical weapons campaign in 2020](#)

❖ [Shafaq News, Billions of dollars to pay compensation to the Kurdish victims, Kurdistan's Interior Minister, 16 March 2021](#)

[...] Kurdistan's Interior Minister said on Tuesday the Regional Government -since its formation- had demanded from the federal government to pay compensation to the families of Kurdish victims who suffered genocide, killing, and displacement from the former Iraqi regime.

Rebar Ahmed stressed during the Parliament session that in 2014 "we decided to announce Halabja as a governorate,... but perhaps the big problem facing Halabja is that Iraq is not yet ready to recognize it as a governorate. Therefore, the federal government did not allocate a financial budget for it."

Ahmed continued that when the first Kurdish delegation went to Baghdad, it delivered the Prime Minister a request to compensate the victims of the people of Kurdistan with 380 billion dollars for the crimes committed by Saddam Hussein's regime in Halabja, Anfal and to Barzanis, Faili Kurds, and all victims of Baath crimes. [...]

❖ [Al Jazeera, Survivors of the Anfal Kurdish genocide long for closure, 14 April 2021](#)

[...] Unleashed by the former Iraqi regime of Saddam Hussein against Kurdish people in the north, the campaign killed at least 100,000 Kurds, mostly civilians, with some estimates suggesting 180,000 people died. Thousands went missing and hundreds of villages were destroyed.

[...] Latif Fatih Faraj, a Kurdish political observer, who holds similar grievances to Kadhim, told Al Jazeera the governments of Baghdad and Erbil have "negligent" when it comes to helping survivors of the Anfal campaign find their relatives' remains.

He added authorities have also failed to compensate the survivors and bring collaborators to justice. [...]

❖ [Kurdistan 24, KRG demands financial compensation from Baghdad for Anfal survivors: PM, 25 August 2020](#)

[...] On Tuesday, top Kurdistan Region officials called on the Iraqi government to compensate victims of the murderous Anfal campaign committed against ethnic Kurds in the 1980s under Saddam Hussein. The remarks came as the autonomous region marked the 32nd anniversary of the final phase of the military operations now widely recognized as an act of genocide.

[...] Earlier in the day, Kurdistan Region Prime Minister Masrour Barzani said, "It is a legal and constitutional right of the families of the victims of the Anfal campaign to be compensated in accordance with the verdict of the Iraqi High Tribunal."

[...] In his own statement on Sunday, Kurdistan Region President Nechirvan Barzani reiterated his call that the Iraqi government "offer full compensation to Anfal victims and their surviving relatives," as part of Iraq's legal obligations in accordance with the Supreme Iraqi Criminal Tribunal. [...]

❖ [Shafaq News, Barzani demands the Iraqi state with compensation for the victims of Anfal and chemical bombing, 16 March 2020](#)

[...] The Democratic Party leader Masoud Barzani demanded on Monday the Iraqi state to compensate the families of Anfal , the genocide and chemical bombing that the people of Kurdistan have been subjected to by the former regime.

Barzani tweeted today, " As we commemorate the 32nd anniversary of the chemical bombardment of Halabja which was an extension of a chain of atrocities against the people of Kurdistan in pursuit of their complete eradication, I pay my utmost respect to the families and loved ones of the victims".

He added, " We have the right to demand reparations from the Iraqi state, and it is imperative that the Iraqi government does not continue to neglect this matter and to begin to compensate those affected by the genocidal Anfal campaign and the chemical attacks [...]

1.3.1 Omissions in 2017

[UNAMI reported on Improvised Explosive Devices \(IEDs\), suicide bombs and vehicle-borne devices' impact on civilians in 2017](#)

❖ [UN Assistance Missions for Iraq \(UNAMI\), Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017](#)

[...] As to suicide attacks by ISIL (both through body-borne IEDs and vehicle-borne IEDs) causing civilian casualties, 29 incidents were recorded in eastern Mosul from mid-November 2016 onwards (the last one occurred on 23 June 2017, after eastern Mosul had been retaken), killing 68 civilians and wounding 122 others. The use of suicide attacks by ISIL in western Mosul was not as prominent: from 19 February 2017 onwards only three incidents were recorded, killing 24 civilians and wounding 32 others. The use of drones carrying explosives was frequent in eastern Mosul, with 19 incidents recorded causing 151 civilian casualties (42 killed and 99 wounded). The use of drones was less frequent in western Mosul, with two incidents causing 28 civilian casualties (14 killed and 14 wounded).

[...] On 1 January 2017, 16 civilians, including five children and three women, were killed and 26 others, including four children and three women, were wounded by the detonations of IEDs planted by ISIL in the newly retaken neighbourhoods of al-Karama and al-Quds of eastern Mosul. On the same day, three civilians were killed and 11 others, including two women and a child, were wounded when an ISIL fighter wearing an explosive vest blew himself up among civilians in the just retaken neighbourhood of al-Karama of eastern Mosul.

[...] In the afternoon of 20 February 2017, in a residential area of Bab al-Toob neighbourhood, western Mosul, a drone carrying explosives, allegedly operated by ISIL, crashed. The explosion killed two civilians, including a child, and wounded five others, including two women.

In the afternoon of 24 February, an IED—allegedly planted by ISIL to target ISF—detonated killing six civilians, including two children as they were fleeing towards ISF in Sahaji area, southern Mosul.

On 1 March, an attack by ISIL using a vehicle laden with explosives targeted an ISF post in the Wadi Hajar neighbourhood of western Mosul city. The attack destroyed two civilian houses located next to the ISF post, killing 11 civilians, including three women and five children, and wounding eight others, including a child and two women. All the victims were from two families and residing in those houses. In the attack, two Iraqi Army members were killed and one other wounded. At the time of the incident, the Wadi Hajar neighbourhood had been partially liberated by ISF and it was then fully retaken on 5 March.

In the morning of 6 April, an IED, allegedly left behind by ISIL, detonated when a group of students was cleaning in Mosul University, western Mosul, killing a student and wounding four others.

On 22 April, ISIL detonated a vehicle laden with explosives targeting an ISF position in al-Thawra neighbourhood, western Mosul. The explosion also destroyed a civilian home that was next to the ISF location, killing two civilian men from the same family. In addition, an undetermined number of ISF personnel were killed and wounded in the attack. ISF retook this neighbourhood on 23 April.

In the afternoon of 21 May, the detonation of an IED—reportedly planted by ISIL—in a residential area in the retaken Hawi al-Kanisa neighbourhood of western Mosul killed two civilians, including a child, and wounded four others, including a woman and a child. Although this neighbourhood had been retaken by ISF on 14 May, sources reported ISIL infiltration in the neighbourhood.

On 2 July, an ISIL militant detonated an explosive vest targeting a group of civilians in the retaken Nabi Jirjis neighbourhood of the Old city, western Mosul. The attack killed a civilian (woman) and wounded nine others, including four women and two children. Sources reported that a rumor that ISIL would return in the retaken areas had been spread and the victims were possibly fleeing towards nearby IDP camps.

On 3 July, a female ISIL member detonated an explosive vest targeting a group of civilians in the ISIL-controlled al-Shahwan neighbourhood of the Old City, while they were fleeing towards ISF positions. The attack killed 11 civilians, including men, women and children. Local and international media also reported an incident on 8 July in which a woman holding a child in her arms was killed after her explosive vest detonated after passing through an Iraqi checkpoint. It was reported that the woman attempted to detonate her explosives at the checkpoint but the mechanism was faulty. The woman and the child died in the explosion.

ISIL's use of IEDs continued to cause civilian casualties also in eastern Mosul. From 19 February until 10 July, 15 attacks were recorded, killing 57 civilians and wounding 104 others.

[...] The Coalition airstrike in al-Jadida neighbourhood of western Mosul

Sources reported to UNAMI/OHCHR that multiple airstrikes hit several houses between al-Jadida and al-Risala neighbourhoods of western Mosul from 17 to 23 March. On 17 March, an airstrike hit an area between al-Jadida and al-Risala neighbourhoods, reportedly causing a high number of civilian casualties. It

was reported to UNAMI/OHCHR that the casualties might be due to the combination of the airstrike and IEDs planted by ISIL. [...]

UNAMI reporting on Improvised Explosive Devices (IEDs), suicide bombs and vehicle-borne devices' impact on civilians in 2018

- ❖ [UNAMI Herald, Briefing to the Security Council by SRSG for Iraq, Ján Kubiš, on the situation concerning Iraq, Volume 5, Issue 6 November—December 2018, 13 November 2018](#)
[...] Improvised explosive devices (IEDs) continue to kill and wound hundreds. So far in 2018, UNAMI has recorded 939 civilian casualties from IEDs. This constitutes almost half of the total civilian casualties recorded thus far in 2018, although a significant reduction compared with the same periods in 2017 (2,021) and 2016 (7,723).
[...] On 21 October, three police officers were killed when an IED, allegedly planted by Da'esh, detonated under local police patrol in Mosul district. [...]

UNAMI reporting on Improvised Explosive Devices (IEDs), suicide bombs and vehicle-borne devices' impact on civilians in 2019

- ❖ [UNAMI Herald, Mixed Yazidi teams in Sinjar - bringing women and men at the frontlines of clearance efforts in Iraq Volume 6, Issue 3, 30 June 2019](#)
[...] Among the problems afflicting the Yazidi community post-liberation, nothing is more dangerous than the enduring presence of explosive hazards. Improvised explosive devices (IEDs) and explosive remnants of war (ERWs) are everywhere; their presence continues to threaten the lives of Yazidis, and impedes the safe return of internally displaced persons (IDPs).
- ❖ [UNAMI Herald, The Directorate of Mine Action \(DMA\) recently hosted a ceremony celebrating the launch of its new office in Mosul, Volume 6, Issue 5, 12 September 2019](#)
[...] In attendance was the Deputy Minister of Health and Environment, Dr. Kamran Ali, in addition to senior officials representing the Government of Iraq and #UNMAS.
[...] Commenting on the event, Dr. Kamran said: "The scale of explosive hazard contamination, including those of improvised explosive devices (IEDs) and explosive remnants of war (ERWs), is particularly significant in the Ninewa Governorate. The DMA, working together with international and national authorities, and under the guidance of the Prime Minister and Minister of Health and Environment, has opened this office in Mosul in order to perform our duties more rapidly and thus free Ninewa from explosive hazards as soon as possible."
[...]
- ❖ [UNAMI Herald, Security Council deliberated situation in Iraq, Volume 6, Issue 5, 21 May 2019](#)
[...] However, the security-situation will continue to require close monitoring. Not only in Baghdad, but throughout the country. Attacks continue, as seen with recent blasts and suicide bombings. Also very relevant: the ISIL-threat is still out there. As a Coalition representative recently said: ISIL is resurging. They rested, moved and are active [...]

UNAMI reporting on Improvised Explosive Devices (IEDs), suicide bombs and vehicle-borne devices' impact on civilians in 2020

- ❖ [UNAMI, UNAMI Herald, Volume 8, Issue 1, January – February 2021, 13 March 2021](#)
[...] Security Council deliberated situation concerning Iraq on its 16th February videoteleconference
[...] Although Iraqis marked the third anniversary of the territorial defeat of ISIL this past December, the heinous suicide attacks on a market in Baghdad, which killed at least thirty people and injured over one hundred, painfully demonstrated that violent extremism has not been vanquished. A callous act of cowardice, and a stark reminder that Iraq cannot rest on its laurels.
[...] The Federal Republic of Germany provides additional contribution to UNMAS in support of the Mine Action sector in Iraq

[...] The presence of explosive ordnance, particularly improvised explosive devices (IEDs), left behind by the Islamic State of Iraq and the Levant (ISIL) continues to threaten the lives of innocent civilians, as well as the first responders from the local police providing initial response.

[...] Since IEDs continue to endanger the lives of civilians living and working in the liberated areas, clearance of explosive hazards is the precondition for stabilization, safe returns of IDPs and livelihood.” [...]

Information on secret/undisclosed detention facilities in Iraq and the KRI in 2017

❖ [Amnesty International, Report 2017/18, The State of the World’s Human Rights, 22 February 2018](#)

[...] Iraqi and Kurdish forces as well as government authorities arbitrarily detained, forcibly disappeared and tortured civilians suspected of being affiliated with IS.

[...] Thousands of men and boys considered to be of fighting age (roughly 15 to 65) fleeing territories controlled by IS were subjected to security screenings by Iraqi security forces, Kurdish forces and paramilitary militias at temporary reception sites or in makeshift detention facilities. Men suspected of affiliation with IS were held for days or months, often in harsh conditions, or transferred onward.

[...] Men and boys suspected of being members of IS were subjected to enforced disappearance - cut off from their families and the outside world - in facilities controlled by the Iraqi Ministries of the Interior and Defence, the KRG and in secret detention centres. Detainees were interrogated by security officers without lawyers present and were routinely tortured. Common forms of torture included beatings on the head and body with metal rods and cables, suspension in stress positions by the arms or legs, electric shocks, and threats of rape of female relatives. Detainees faced limited access to medical care, which led to deaths in custody and amputations. They also endured harsh conditions, including severe overcrowding, poor ventilation and lack of access to showers or toilets. [...]

Information on secret/undisclosed detention facilities in Iraq and the KRI in 2018

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] Arbitrary arrests and enforced disappearances

Thousands of men and boys who were arbitrarily arrested and forcibly disappeared by central Iraqi and Kurdish forces while fleeing IS-held areas between 2014 and 2018 remained missing. Security forces, including the PMU, regularly arrested and forcibly disappeared men with perceived IS ties, at times directly from IDP camps. Iraqi and KRG authorities continued to operate overcrowded detention facilities, some of them secret [...]

❖ [Human Rights Watch, Iraq: Intelligence Agency Admits Holding Hundreds Despite Previous Denials, 22 July 2018](#)

[...] Iraq’s National Security Service (NSS), an Iraqi intelligence agency reporting to Iraq’s prime minister, has acknowledged for the first time that it is detaining individuals for prolonged periods of time, despite not having a clear mandate to do so, Human Rights Watch said today. NSS is holding more than 400 detainees in a detention facility in east Mosul. As of July 4, 2018, 427 men were there, some of whom had been held for more than seven months.

[...] “National Security Service officials in Baghdad told us that the intelligence agency has no authority to hold prisoners, but changed their line once we were able to see the prisoners for ourselves,” said Lama Fakhri, deputy Middle East director at Human Rights Watch. “Baghdad needs to publicly clarify which authorities have the right to hold and interrogate detainees.”

On April 17 a senior NSS official in Baghdad denied operating any detention facilities and claimed that the agency only holds small numbers of people for up to 48 hours before transferring them to places of formal detention. But researchers were granted access to the facility, where officials said 427 prisoners were being held at the time. A subsequent written response from the Baghdad office confirmed the NSS is holding prisoners in one facility in Mosul, but then proceeded to speak about detention facilities in the plural form. Given the serious contradiction in statements and facts on the ground, the NSS should clarify the number of prisoners it is detaining and the number and location of facilities it is using to detain them. Iraqi authorities should declare the number of detention facilities across Iraq. Judicial authorities should investigate the allegations presented in this report.

[...] However, Hamid al-Zerjawi, deputy National Security Service chief, told Human Rights Watch on April 17, that the NSS has no functional detention facilities in the country, and only one facility in Baghdad that is not yet operational. He conceded that the NSS held small numbers of people for up to 24 hours after their arrest at one of their offices, before bringing them before a judge, who could allow them an extra 24 hours of detention, before they needed to transfer the detainee to a formal detention facility. He said the NSS never held any detainee for over 48 hours.

On July 11, the NSS's Baghdad office responded to Human Rights Watch inquiries into the facility. The written response acknowledged that the NSS is holding detainees at a single facility in Mosul with the consent of the High Judicial Council in Nineveh, that all detainees are held under judicial arrest warrants, see a judge within 24 hours of arrest, and are transferred to Ministry of Justice prisons upon being sentenced. The response did not provide any numbers of detainees nor details into the length of time they are being held at the facility, but stated that detainees are allowed to retain a lawyer, or have one appointed by the court, but added: "most lawyers in the governorate of Nineveh abstain from arguing terrorism cases." It said there were no detainees under the age of 18.

[...] The Iraqi authorities should publicly clarify which forces have a legal mandate to arrest, hold, and interrogate suspects, and provide a list of all official detention facilities. They should transfer all detainees to prisons run by authorities with a legal mandate to detain people. Such sites should be built to accommodate detainees, and equipped to meet basic international standards, even if this requires transferring the detainees outside of the Nineveh governorate, where Mosul is located. All detainees should have a medical screening upon arrival and be ensured access to medical care. Judges should only order detention in locations, and under the authority of forces, legally authorised to hold detainees, and order the immediate release of detainees or prisoners being held in inhuman or degrading conditions or otherwise detained unlawfully. [...]

Information on secret/undisclosed detention facilities in Iraq and the KRI in 2019

❖ [Alkarama Foundation, Universal Periodic Review Iraq \(Third\) Cycle: Submission To The Stakeholders' Summary, 28 March 2019](#)

[...] Most of the disappearances in the last few years follow the same pattern. People are usually detained after raids on their houses or at checkpoints by the security forces. Then victims are detained in secret places with no trial or charge and their families are denied information about their fate and whereabouts.

[...] In addition, Iraq has not taken measures to prohibit secret prisons or investigate cases of enforced disappearances as was recommended by the CED.

[...] Arbitrarily detained persons could in fact be held in secret prisons which amounts to enforced disappearance mentioned above. [...]

❖ [UN Human Rights Council, Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination \(EAFORD\), et al., 27 August 2019](#)

[...] Although some hope remains for the return of the many people who have disappeared, the situation is dire. An unknown number of disappeared people are being held in the hundreds of notorious secret prisons operated by militias and government agencies across the country. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), Human Rights Special Report: Demonstrations in Iraq 1-9 October 2019 Baghdad, Iraq, 22 October 2019](#)

[...] While security forces transferred most arrested demonstrators to registered police stations, UNAMI is concerned by reports that detained demonstrators may also have been transferred to unofficial places of detention. For example, on 6 October, men described as 'militia' arrested approximately 100 men and boys from public places in Nasiriya (Dhi Qar) and transferred the detainees to Imam Ali military base. Most of the detainees were released within four days. Four detainees were held for longer periods, but all had been released at time of writing.

In another incident in Baghdad on 6 October, unknown armed elements (again described as 'militia') arrested approximately thirteen persons gathered for a press conference. The unknown armed elements reportedly transferred them to a location in the 139behaviour139g139d of Mahmoudiya road. As of 20 October, two persons from the group remained in detention.

Statements were also received from family members unable to locate relatives, detained by unknown armed elements, due to an inability to access information on their whereabouts or fates. The Iraqi Bar Association

published a statement requesting several Government and security entities to locate a lawyer allegedly 'kidnapped by an unknown group' during demonstrations in Missan governorate on 4 October. [...]

❖ [UN Human Rights Council, Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination \(EAFORD\), et al., 17 February 2020](#)

[...] Secret prisons also continue to be widely used in Iraq. It is shocking to find out that the number of secret detention centres in Iraq is several times higher than that of official prisons. Credible information collected in 2015 indicated that there were more than 420 secret prisons in Iraq. There is reason to believe that this number has increased since then. [...]

❖ [UN Human Rights Council, Written statement submitted by Maat for Peace, Development and Human Rights Association, a non-governmental organization in special consultative status, 18 February 2020](#)

[...] Although Iraq is a signatory to these agreements, there were many cases of illegal arrests and detentions taking place during demonstrations, as the High Commissioner for Human Rights in Iraq estimated the number of detainees, arbitrarily and unlawfully arrested without charges, by more than 2900 detainees. Detainees were not allowed to contact their families, or to call their lawyers, and a number of them were held outside official places of detention. [...]

❖ [MENA Rights Group, Iraq: Alternative Report, Alternative report submitted to the UN Committee on Enforced Disappearances \(CED\) in the context of the review of Iraq's follow up report, 6 March 2020](#)

[...] Article 19 (b) of the Iraqi Constitution prohibits unlawful detention and imprisonment in places not designated for that purpose. However, we remain extremely concerned that secret and *incommunicado* detention remain widespread.

[...] During the reporting period, militias affiliated with the PMU regularly carried out arrests and held individuals in secret places of detention, without any judicial oversight.

[...] The cases we have documented indicate that when relatives of the disappeared manage to have access to detention records available at the Iraqi Central Criminal Court or certain detention facilities, it is nearly impossible for them to find the name of the person missing or his place of detention (see *infra* section 5.3). [...]

Information on secret/undisclosed detention facilities in Iraq and the KRI in 2020

❖ [UN Committee on Enforced Disappearances, Observations on the additional information submitted by Iraq under article 29 \(4\) of the Convention, 1 December 2020](#)

[...] Secret detention

16. The Committee notes the assertion by the State party that there are no secret detention facilities, as prohibited by domestic law. It expresses its concern, however, at reports that secret detention is still used, including during the demonstrations initiated in October 2019. In particular, the Committee has received allegations about 420 places of secret detention, including in Camp Justice, Camp Honor, Jadriya bunker, al-Muthanna airport prison, Baghdad airport prison, and the city of Jurf al-Sakhar (art. 17) [...]

❖ [Al Monitor, In dramatic move, Iraqi PM visits prisons in response to protester appeals, 13 August 2020](#)

[...]

On July 30, Kadhimi made a surprise visit to al-Muthanna prison, which is located in a large camp housing Iraqi forces in northern Baghdad.

[...] Anas al-Azzawi, member of the Office of the Iraqi High Commission for Human Rights, told Al-Monitor, "Kadhimi's visit is part of his government program to promote human rights and affirm his commitment to fulfill the promises he made to demonstrators and reveal the fate of the disappeared protesters. Hence, this flash visit consists of a confirmation of moral and legal commitment."

He said, "The commissioner's field monitoring reports indicate that many detainees among the protesters were not registered in the official records — especially in Baghdad."

[...] Kadhimi's visit came amid human rights organizations and civilians' demands that the fate of those who went missing and are thought to be detained in secret prisons be revealed. These organizations believe that the visit is a mere media stunt that leads nowhere.

[...] Jurists in Iraq have focused on the secret prisons dossier, although raising it is dangerous. They believe that a number of missing demonstrators are present there. Activists in the Iraqi protests told Al-Monitor that "at least 11 protesters have disappeared and are believed to be in al-Muthanna prison or in secret prisons."

[...] The Iraqi prisons dossier has been unresolvable by the succeeding governments, particularly in regard to the unlisted prisoners in official records and those who have not been brought before a judge although months and even years have passed ever since they were arrested.

[...] Kadhimi, who was a human rights activist before serving as director of the Iraqi National Intelligence Service in 2016 and as prime minister, is facing the major challenge of the secret prisons dossier he inherited from previous governments. [...]

❖ [Euro-Mediterranean Human Rights Monitor, Horrific testimonies, secret prisons portend catastrophe in Iraq, 13 July 2020](#)

[...] More than 60,000 people, including about 1,000 women, are detained in 13 government prisons. In addition, there are dozens of secret prisons run by militias, political parties, and various tribal and other factions.

[...] Testimonies collected by Euro-Med indicate that these and other government practices are systematic and deliberate, not merely individual or random.

For example, A.A. is an Iraqi policeman who told Euro-Med about a secret prison in the Tahrawa area in the Nineveh Governorate that is run by a unit known as Brigade 30. It houses about 1,000 detainees arrested on malicious, sectarian charges. Leaders of Brigade 30 force families of the detainees to pay large sums of money in exchange for the release of their relatives.

K.T.H.F., another Iraqi policeman, told us that Brigade 30 has other secret prisons in Nineveh. These prisons are mainly repurposed houses, in the Al-Qaraj area of the Kokjali neighborhood, where civilians from Mosul are kept in the basements. Their families are blackmailed for money.

On June 2, Jassem al-Samarrai, a resident of the Mukeshfehah area of Samarra, reported that 50 civilians had been arrested by the Saraya Al-Salam militia, run by movement leader Muqtada al-Sadr. The arrests continued for three days, without any interference from government security services. Homes were raided, with militia members blasting doors open with bombs and live bullets—terrorizing children in the process. [...]

❖ [Euro-Mediterranean Human Rights Monitor, 30 human rights organizations call for ending enforced disappearance in Iraq, 11 June 2020](#)

[...] As of now, the fate of thousands of civilians, activists and peaceful opponents who were forcibly disappeared by Iraqi forces and armed militias is unknown. Reports suggest that some are held in secret detention centers throughout the country with no access to their families or lawyers, while others have been buried in mass graves, without the knowledge of their families.

[...] The Iraqi authorities should respond to calls to disclose information about missing persons and immediately release detainees held without charges in secret prisons, the petition demanded. [...]

❖ [The Arab Weekly, Iraqi PM orders investigation into use of secret prisons, 15 May 2020](#)

[...] Iraqi Prime Minister Mustafa al-Kadhimi ordered May 15 the formation of a fact-finding committee to look into allegations of secret government prisons being used to hold protesters.

The prime minister "decided to form a higher committee headed by Lieutenant General Othman Al-Ghanmi, the Minister of Interior to investigate the facts about the existence of secret government prisons in which demonstrators are being held," an office order signed by Kadhimi stated.

Kadhimi also authorised "the committee to send inspection teams, allowed to enter any security institution or building suspected of having a secret prison inside it." [...]

Information on detention facilities operated by militia groups and/or ISIS in 2017

❖ [Asaad Almohammad, Ahmet S Yayla and Anne Speckhard, International Center for the Study of Violent Extremism, The ISIS Prison System: Its Structure, Departmental Affiliations, Processes, Conditions, and Practices of Psychological and Physical Torture, August 2017](#)

[...] This paper endeavors to explore the ISIS prison system, the arrest or abduction, interrogation and confession and total detention processes; as well as the condition of detention facilities, and the physical and psychological torture taking place within the terrorist organization's jails.

[...] The accounts obtained from ISIS cadres, detainees and sources on the ground provided a chilling portrayal of ISIS' prison system. The detention facilities are run by different entities. These entities are namely: the Islamic police, military police, hisbah (morality police), raid squads, and Emni (security forces). Methods of detention, conditions, and torture and punishment varied across the aforementioned entities. Throughout their abduction/arrest and interrogation, detainees are subjected to a number of psychological methods of torture. These include the threat of execution, promises to receive similar fates as other tortured fellow detainees, solitary confinement, and the placement of severed heads in cages in which detainees are being held. Elaborate physical torture includes seven methods named as follows: Lashing, the Fuel, Bisat al-Rih (Flying Carpet), Shabeh (Ghost), German Chair, the Biter, and the Tire.

[...] Throughout detainees' time in shared cells, they were expected to participate in sharia courses. The first course was called Redemption. The sharia lectures were often delivered by highly ranked sharia figures. The courses are carried out to indoctrinate detainees in ISIS ideology prior to their release.

[...] The category of detainees that ISIS uses as sabaya or sex slaves include the Yazidis captured in Iraq, wives and daughters of captured Free Syrian Army and Jabhat al Nusra cadres. These women are either sold or given to foreign fighters, ISIS cadres or outsiders or held in detention facilities in both Syria and Iraq. Those held in detention centers are subjected to repeated rapes by ISIS cadres who are given access to them as a reward for service.

The report also demonstrates a level of sophistication in the organizational structure and governance of ISIS' prison system and interrogation processes.

Based on evidence provided throughout the paper, ISIS has been observed to move its detention facilities when fearing territorial loss. This trend may be informative in reading future movements of the terrorist organization. Alongside ISIS cash reserves and ISIS leadership, the cities of Mayadin and al-Bukamal, Deir ez-Zor received a significant number of detainees and hostages. The aforementioned indicators suggest the operational significance of the two cities in taking the fight to ISIS.

[...] The accounts of former detainees show a horrifying portrayal of ISIS detentions conditions many of which reflect the detention practices of Bashar al-Assad and Sadaam Hussain's security forces—using extreme forms of torture. The brutality of ISIS operatives inside the prisons ranged in intensity and duration across the facilities of the five entities that are described below.

Islamic Police

The Islamic police is an entity that reports to and cooperates with a number of ISIS directorates. This police unit is reported to be under the control of the ISIS Emni, or its intelligence apparatus.¹⁴ It also functions independently and refers cases to the hisbah (the morality police). This force carries out similar rules and functions of the former Syrian governorate law enforcement department. Under ISIS command, this force oversees the enforcement of ISIS laws from speed limits to sharia. Operatives of Islamic police are authorized to write tickets, give warnings, or arrest civilians for traffic or sharia offenses. This police force does not handle cases that involve arms trading, spying, or conspiring against ISIS.

[...] The main base for the Islamic police was located in the northern wing of al-Baladi Stadium (See Map 1) as of late April 2017 where there is also a detention facility. This entity does not hold detainees for more than a week. Former detainees of the Islamic police reported being detained in group confinement at this location where they endured physical abuse and insults. Individuals here were commonly detained by the Islamic police after the issuance of complaints from sharia judges for not paying traffic or business fines, or not paying utility fees.

[...] The ISIS military police is an entity that reports to both the ISIS Emni and the Directorate of Fighters. Up to May 2017, the emir of the military police was a Saudi national by the name Abdul al-Kafi al-Shmari (a.k.a., Abu Hajir).¹⁷ Interviewees reported that under his command the military police force oversaw the enforcement of sharia laws related to participation in jihad [holy war as defined by ISIS], that is arresting and detaining ISIS operatives who do not have legitimate reasons to abstain from jihad and military cases (e.g. cases against fighters). Interviewees reported that the ISIS military police runs its own detention facility that is designated to arrest ISIS operatives after the military police receive complaints from a sharia judge. The complaints, in some cases, are presented to the sharia judge by local civilians and are then sent from

the sharia judge to the emir of the ISIS military police. ISIS military police are used to punish ISIS operatives who are found guilty, these punishments used as a means to maintain strict discipline and obedience in the ranks of fighters and more importantly to maintain a strong, positive image among the locals.

During late March 2017, ISIS military police activities experienced a decline. ISIS leaders were no longer as concerned with winning locals hearts and minds and locals who had written complaints against ISIS operatives were no longer heeded, and instead humiliated and physically abused. As of mid-May 2017, Abu Rajiha al-Shami was the emir of the ISIS military police. He replaced Abdul al-Kafi al-Shamari. In that time period and with the change in military police leadership, the military police shifted their focus from ISIS members to locals.

Interviewees reported that as of mid-May 2017, members of the military police were seen patrolling the city stopping civilians so they could inspect their IDs and go through their phones checking for infringements in music, videos or communications that might threaten ISIS. Besides harassing civilians, the military police oversaw an operation to search for and arrest deserters. They were also in charge of vetting Medical Certificates (MCs) provided by fighters who want to abstain from combat roles. The military police was reported to push those with minor injuries to join the fight against the Syrian Democratic Forces (SDF).

The headquarters of the military police is located in Raqqa city (see Map 5) whereas the detention facility of the military police is run from a two-story building in Raqqa city.

[...] The hisbah's directorate captures, arrests, tortures, and fines individuals accused of or seen acting in manners that go against ISIS' morality codes. The headquarters of the hisbah used to be run from the old Environment Directorate in Raqqa, Syria. Their general detention facility was based at that headquarters. The hisbah's headquarters and jails moved between a number of schools for the period from mid-2016 to January 2017. As of mid-May 2017 the headquarters of the hisbah was reported to be run from a building in Raqqa city (see Map 7).

Women who are detained for activities other than conspiring against ISIS or cooperating with coalition forces are commonly held in facilities that belong to the hisbah. They get detained, interrogated, tutored, or executed by women of the hisbah.

[...] As of April 2017, the hisbah men's detention facility, which used to be based at Mawia School, was a target of an aerial attack. The current location of their detention facility is still unknown. Interviewees reported that detainees who survived the aerial attack were moved to an Emni prison in Raqqa city. Both men and women who were detained by the hisbah endured torture.

[...] As of January 2017, prisoners were only detained for short periods and then released after they received ISIS punishments, attended a sharia course, and paid fines. [...] Moreover, it was reported that individuals captured by the hisbah for major offences (e.g. Zina [sex outside of wedlock]) are no longer detained in facilities under the control of hisbah. As of mid-March 2017, those types of detainees have been held in an Emni prison in Raqqa city.

[...] Raid Squads (Mudahmah)

[...] The squads use black Jeeps. The doors of their vehicles have a sticker that reads Islamic Caliphate (Raid Squads). The squads have eight vehicles in Raqqa city. The emir of the squads does not drive a Jeep. His car is often parked in front of the squads' base. To detain targets they raid their houses and workplaces, set checkpoints, and ambush them in the streets. They often operate at night. Details obtained from former detainees and sources indicate that the squads run a number of detention facilities. It is unclear whether they cooperate with Emni operatives in managing their prisons.

As of late May 2017, the headquarters of the raid squads was obtained (see Map 8). Before mid-March 2017, the squads ran two facilities in Tabqa, Raqqa; one was based in al-Hai al-Awal and the other in the Tabqa's Dam. The squads were reported to have moved detainees from Tabqa to their headquarters in Raqqa as of mid-March 2017. The base at their headquarters had detention facilities. The operative who ran that prison is known by the alias Abu Hamza Karama. As of mid-May 2017, he was reported to be a key ISIS interrogator. Information obtained from former detainees indicated that he also interrogated, and participated in and ordered the torture of a number of detainees. A large portion of the detainees in the aforementioned facility were accused of trading arms with and/or supplying arms to rival forces.

[...] As of mid-May 2017, female operatives from Khadija Bintu Kwaïd Battalion, an entity that reports to the special operations office of the Emni²⁴, cooperated with the raid squads. Jointly they ran a female-only detention facility. This prison is designated to detain the foreign wives of ISIS operatives who are deemed as traitors. The operatives detained eighteen women on the suspicion of spying.

[...] This detention facility is made up of 5 rooms and a hall. Two female interrogators by the aliases Aum Bakr and Aum Khadija run the facility. Both operatives are married to French nationals. This joint operation is overseen from a base outside the prison facility (see Map 10). The husbands of the two operatives were

reported to belong to ISIS raid squads. Their husbands were seen in that building. It is also reported that besides suspected spies, there are a number of women who were detained after a failed attempt to escape to Turkey.

Furthermore, as of mid-May 2017, the raid squads were reported to be running two male-only detention facilities, besides the one in their headquarters. One of the prisons is located at Raqqa's Children Hospital (see Map 11).

[...] The Emni is ISIS' intelligence apparatus. Their operations are rather complex, spanning a number of functions that go beyond the collection of intelligence [for more on the Emni see 25]. The Emni runs its own detention facilities. Former detainees' accounts indicate that those held in such prisons had suffered extreme forms of torture and for longer periods compared to those detained elsewhere.

[...] One of the functions of the ISIS Emni is security, including vetting new recruits to the group. ISIS defectors recounted small facilities near the Turkish border run by the Emni in which foreign fighters arriving without any recommendation were held until they were deemed trustworthy and allowed into sharia and weapons training, the first steps to joining the group.

[...] Detainees in Emni jails generally fall into one or more of the following categories:

- Former members of rival fighting groups
- Conspirators: those suspected of taking actions or involved in activities that undermine ISIS.
- Those accused of or involved in providing support to members of groups that have battled or are still battling ISIS.
- Hostages.
- Those referred by the Islamic police, hisbah, military police, or raid squads.

[...] It is reported that the Emni is increasingly being put in charge of overseeing the detention of those held by other entities (e.g. the hisbah, military police, etc.). Information obtained in late May 2017 indicates that the Emni was running eight detention facilities across Raqqa and Deir ez-Zor, Syria. That said, based on accounts obtained from former detainees, the main Emni detention facility is located in Raqqa (see Map 13 [M: Male, F: Female]). That prison is divided between male and female wards. The male ward is managed by eighteen Emni operatives.

[...] As presented in an earlier section, ISIS was reported to be running a number of detention facilities.

[...] Detainees were arrested by differing entities (e.g. Islamic police, the hisbah, Emni, etc.) that processed them based on their purported offenses. The duration of detention and intensity of torture varied across facilities. Each prison is part of a larger structure involving a chain of command and departmental affiliation. However as of late May 2017, ISIS started to move those detained for long sentences (e.g. those accused of major breaches of sharia [murder, blasphemy, adultery, etc.]) to Emni facilities. Moreover, Abu Luqman, the Emni emir, reportedly ordered the release of those detained for minor offences. It was reported that ISIS is increasingly cutting the costs of their operations. The move by the Emni's emir is aimed at reducing the cost of running detention facilities. That is not to say that ISIS limited the operations and costs of prisons that involved entities other than the Emni. Data obtained on the May 27, 2017 indicate that the Islamic and military police, hisbah, and raid squads are still maintaining prisons in Raqqa city. However, their activities regarding new arrests experienced a decline.

Details presented in the earlier section showed that the Baladi stadium is the main and largest ISIS detention facility. On May 27, 2017 it was reported that the stadium hosted jails that belong to the Emni, Islamic police, and raid squads. As mentioned earlier, the Emni facility receives all prisoners who were accused by ISIS to have committed major offences. In the following section, descriptions of that prison facility, the conditions, and the procedures taken by ISIS are provided. The details were obtained from a number of interviewees and on the ground sources familiar with the facility.

As of mid-May 2017, the communal cells in the section designated to hold male detainees (see Map 13) had just over 1,290 prisoners. This section has 31 shared cells. At least 40 detainees were held at each of these cells. There are 30 solitary cells within the facility. They are next to each other. Each cell is 1.5 x 1 meter. Each cell has a toilet. In the female section of the facility, the northern side of the stadium (see Map 13), there were at least 120 female detainees. The majority of the detainees were accused of conspiring against ISIS. Some of the detainees were moved from hisbah facilities to the Emni prison. Those women were accused of major breaches of ISIS' sharia laws. The facility had 13 communal and 5 solitary cells. According to interviewees, ISIS serves the same meals in both sections. [...]

14 Speckhard, Anne, and Ahmet S. Yayla. "The ISIS Emni: Origins and Inner Workings of ISIS's Intelligence Apparatus." *Perspectives on Terrorism* 11.1 (2017) and Almohammad, Asaad & Speckhard, Anne. *The ISIS Emni: Its Organizational Structure, Current Leadership and Clues to its Inner Workings in Syria & Iraq*. ICSVE Research Report (April 12, 2017)

[...] 17 Almohammad, Asaad & Speckhard, Anne Reports The ISIS Emni: Its Organizational Structure, Current Leadership and Clues to its Inner Workings in Syria & Iraq. ICSVE Research Report (April 12, 2017)

[...] 24 Almohammad, Assad & Speckhard, Anne (April 22, 2017) The Operational Ranks and Roles of Female ISIS Operatives: From Assassins and Morality Police to Spies and Suicide Bombers. ICSVE Research Reports [...]

Overcrowding in prisons continued to occur, driven by terrorism-related detentions in 2017

- ❖ [Human Rights Watch, Flawed Justice: Accountability for ISIS Crimes in Iraq, 5 December 2017](#)
[...] The sheer scope of the undertaking by Iraqi and KRG judicial authorities is massive, with authorities holding ISIS suspects in conditions that are overcrowded, in some cases inhuman and leading to deaths in custody. [...]
- ❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)
[...] 4.5 Kurdistan Region of Iraq
[...] 4.5.4 Detention Standards
[...] UNAMI/OHCHR continues to be concerned about overcrowding in Asayish facilities, particularly in Erbil Governorate, and in the Anti-Terrorism Directorate facility in Erbil. In addition, the lack of or absence of beds in Asayish facilities is also of concern. The escalation of the conflict since June 2014 has caused a significant increase in the number of detainees being held in these facilities, with a significant number being held on suspicion of terrorism [...]

Overcrowding in prisons continued to occur, driven by terrorism-related detentions in 2018

- ❖ [Denmark, DIS, Norway, LandInfo Country report, Northern Iraq Security situation and the situation for internally displaced persons \(IDPs\) in the disputed areas, incl. possibility to enter and access the Kurdistan Region of Iraq \(KRI\), November 2018](#)
[...] Appendix I: Notes from meetings [...]
An official working in a UN office that has a presence in Iraq [...]
344. The source reported that conditions in detention facilities for general criminality in the Kurdistan Region are generally acceptable, but detention facilities holding terrorism suspects are overcrowded and services are strained, which raises concerns about radicalization of detainees. The source was concerned by numerous reports of torture or mistreatment at the time of arrest or interrogation. Terrorism suspects are held in facilities run by Asayish intelligence services, along with suspects for other security related crimes, drugs, and fraud [...]
- ❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)
[...] Arbitrary arrests and enforced disappearances
Thousands of men and boys who were arbitrarily arrested and forcibly disappeared by central Iraqi and Kurdish forces while fleeing IS-held areas between 2014 and 2018 remained missing. Security forces, including the PMU, regularly arrested and forcibly disappeared men with perceived IS ties, at times directly from IDP camps. Iraqi and KRG authorities continued to operate overcrowded detention facilities, some of them secret. Released detainees and witnesses reported inhumane conditions [...]

Instances of torture occurred in KRI prisons in 2017

- ❖ [Human Rights Watch, Flawed Justice: Accountability for ISIS Crimes in Iraq, 5 December 2017](#)
[...] The sheer scope of the undertaking by Iraqi and KRG judicial authorities is massive, with authorities holding ISIS suspects in conditions that are overcrowded, in some cases inhuman and leading to deaths in custody.
[...] There is widespread arbitrary detention of ISIS suspects, numerous allegations of torture in the course of security forces' interrogations, which appear primarily designed to extract confessions, and no sign that judges are intervening to dismiss these confessions.
[...] Iraq's criminal procedure code, as amended by the KRG in 2010, prohibits enforced confessions.¹⁵² However, an international aid worker with knowledge of counterterrorism cases said that while torture of

ISIS suspects during interrogations was prevalent, they had not seen a single instance of a judge ordering a medical examination of a detainee who had alleged torture.¹⁵³ [...]

152 Global Justice Project: Iraq, "Criminal Procedure Code 23 of 1971, Kurdistan region of Iraq (as amended to 14 February 2010)," <http://gjpi.org/wp-content/uploads/gjpi-cpc-1971-kurdish-v2.doc>, article 218.

153 Human Rights Watch interview with an international aid worker who requested anonymity, Erbil, July 5, 2017 [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)

[...] 4.5. Kurdistan Region of Iraq

4.5.1. Legislative Framework

[...] UNAMI/OHCHR continues to be concerned with the application of the Anti-Terrorism Law No.3 of 2006 (KR-I). The law was previously renewed every two years since its adoption, but expired on 18 July 2016. UNAMI/OHCHR welcomed the non-extension of the Law, but remains concerned that the law is still applied with respect to crimes allegedly committed before the law expired. [...]

Finally, and of significant concern, the Law does not impose an absolute prohibition on the use of torture or ill-treatment, and considers that confession extracted under duress may be admissible in judicial proceedings if supported by other lawfully obtained evidence¹¹. provision also breaches Article 37, paragraph 1 (c) of the Iraqi Constitution, which categorically prohibits torture for any reason and prohibits evidence obtained through torture to be relied on in judicial procedures.

[...] 4.5.3. Ill-Treatment and Torture

[...] UNAMI/OHCHR remains concerned by allegations that detainees are subjected to torture and/or other ill-treatment during the interrogation phase in order to force them to make confessions. UNAMI/OHCHR has previously noted that detainees are reluctant to report torture and/or other ill-treatment for fear of reprisals or difficulties in the legal procedures. It appears that there is no uniform and effective policy in place to deal with allegations of torture and other ill-treatment raised by the defendants before the courts. [...]

11 Article 13 of the Anti-Terrorism Law.

❖ [Amnesty International, Report 2017/18, The State of the World's Human Rights, 22 February 2018](#)

[...] Iraqi and Kurdish forces as well as government authorities arbitrarily detained, forcibly disappeared and tortured civilians suspected of being affiliated with IS.

[...] Men and boys suspected of being members of IS were subjected to enforced disappearance - cut off from their families and the outside world - in facilities controlled by the Iraqi Ministries of the Interior and Defence, the KRG and in secret detention centres. Detainees were interrogated by security officers without lawyers present and were routinely tortured. Common forms of torture included beatings on the head and body with metal rods and cables, suspension in stress positions by the arms or legs, electric shocks, and threats of rape of female relatives. Detainees faced limited access to medical care, which led to deaths in custody and amputations. They also endured harsh conditions, including severe overcrowding, poor ventilation and lack of access to showers or toilets. [...]

❖ [Human Rights Watch, Kurdistan Region of Iraq: Protesters Beaten, Journalists Detained, 15 April 2018](#)

[...] Kurdistan Regional Government (KRG) security forces detained at least 84 protesters and four journalists in late March, Human Rights Watch said today. Many of the detentions appeared to be arbitrary, either because persons were detained because they were exercising their right to freedom of peaceful assembly, or because their right under Iraqi law to be brought before a judge within 24 hours was ignored.

[...] Human Rights Watch interviewed nine protesters, all of whom said Asayish forces beat them as they were being detained. Two escaped and avoided arrest, while two others were released within two hours. Five were held for between 12 hours and two days; three of the five said they were not allowed to contact their families or a lawyer. Officers demanded that two give up their phone passcodes and Facebook passwords, and tried to unlock another's phone. Five said that upon release without charge, Asayish demanded that they promise not to participate in unlawful demonstrations. Three gave in, but two refused to sign the document. All denied using force against security force members. [...]

Instances of torture occurred in KRI prisons in 2018

❖ [Human Rights Watch, Kurdistan Region of Iraq: Detained Children Tortured, 8 January 2019](#)

[...] The Kurdistan Regional Government in northern Iraq is torturing children to confess to involvement with the Islamic State (ISIS), Human Rights Watch said today.

Children told Human Rights Watch that in 2017 and 2018, security officers, known as Asayish, used beatings, stress positions, and electric shock on boys in their custody. Most said they had no access to a lawyer and they were not allowed to read the confessions Asayish wrote and forced them to sign.

[...] Human Rights Watch interviewed 20 boys, ages 14 to 17, charged or convicted of ISIS affiliation, at the Women and Children's Reformatory in Erbil in November 2018, and three boys who had recently been released. The reformatory, a locked detention center encircled by high walls and concertina wire, is one of three facilities holding children in the Kurdistan Region of Iraq.

[...] Sixteen of the 23 children said that one or more Asayish officers had tortured them during interrogation at Asayish facilities, beating them all over their bodies with plastic pipes, electric cables, or rods. Three boys said that the officers used electric shocks. Others described being tied into a painful stress position called the "scorpion" for up to two hours. Several boys said the torture continued over consecutive days, and only ended when they confessed.

Four other boys said Asayish threatened them with torture during interrogation. "If you don't tell us the truth, I will call the guys and they will beat you and break your bones," a 17-year-old boy recalled his interrogator telling him.

[...] All but one of the boys interviewed said they eventually confessed. Most said they had no choice to stop the torture, and many said they had lied. "My confession says that I joined ISIS for 16 days, but actually, I didn't join at all," said a 16-year-old boy. "I said 16 days to stop the torture."

[...] Most of the boys said that their interrogators told them what they should confess. "First they said I should say I was with ISIS, so I agreed," said a 14-year-old boy. "Then they told me I had to say I worked for ISIS for three months. I told them I was not part of ISIS, but they said, 'No, you have to say it.'" He said that after two hours of interrogation and torture, he agreed.

[...] "Sadoon," 17, said the Asayish interrogated and beat him several times in late 2018 at Asayish headquarters. "Several times they said to me, 'If you don't confess, I will take you outside and beat you until you confess. We won't bring you to the reformatory until you confess.'"

"Shamal," 16, said the Asayish arrested him in early 2018 when he accompanied his mother to Erbil. At first, he denied any ISIS involvement. He said that when ISIS came to his community, his family took their sheep and left the area. He said that Asayish officers interrogated and beat him:

I think there were three officers, but I was blindfolded, so I am not sure. They kept saying, "You are ISIS," and hit me many times with long rods. On the second day, the same thing happened, so finally that day I confessed. They said to say that I was with ISIS for six months, but I said no, that I would only confess to two months. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] Kurdish security forces and armed individuals in civilian clothes violently dispersed peaceful protests in Erbil and Dohuk in March. Teachers, health workers and other public sector workers, as well as activists took to the streets across the Kurdistan Region of Iraq to protest against austerity measures and delays in payment of and cuts to salaries of state employees. Scores of protesters and several journalists were detained and said they were tortured or otherwise ill-treated and forced to sign pledges that they would not take part in demonstrations again.

[...] Those detained by central Iraqi and Kurdish forces were routinely tortured and subjected to other forms of ill-treatment during interrogation, often to extract "confessions". Former detainees reported witnessing other detainees die as a result of such abuse. [...]

Instances of torture occurred in KRI prisons in 2019

❖ [Alliance \(Ensan\) for the Human Rights - Third Session 2019, March 2019](#)

[...] The accused were subjected to torture and/or ill-treatment by anti-crime police in most cases or by the Asayish forces in order to obtain confessions, and remains the suspects for long periods in the phase of pre-

trial detention, defendants in the prisons of the Asayish administered by the Government of the territory sometimes spend more than six months in detention without trial.

[...] The activists, human rights defenders and journalists are subjected to documented cases of arrest, detention, torture and ill-treatment, sometimes without a warrant, (Ensan) alliance has documented dozens of cases of these attacks. [...]

❖ [Human Rights Watch, World Report 2020: Iraq, 14 January 2020](#)

[...] Throughout 2019 Human Rights Watch received reports of widespread use of torture, including of children, by Iraqi and KRG forces to extract confessions. One man had to have his arm amputated because of arterial damage caused by torture in custody.

A Human Rights Watch study of appeals court decisions in terrorism-related cases showed that in close to two dozen cases in 2018 and 2019 judges appeared to ignore torture allegations or to rely on uncorroborated confessions. Some of the torture allegations had been substantiated by forensic medical exams, and some of the confessions were apparently extracted by force. In each of these cases, the trial courts took the torture allegations seriously, found them credible, assessed the evidence, and acquitted the defendants. Despite this, on appeal, the Federal Court of Cassation appeared to ignore torture allegations or to rely on uncorroborated confessions and ordered a retrial. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] There were widespread reports of torture and other ill-treatment of detainees held by central Iraqi and KRG forces, particularly of those suspected of affiliation with IS, who were coerced to provide “confessions” during interrogation. Courts continued to allow torture-tainted evidence to be used in trials, especially in those of IS suspects. [...]

State of emergency declarations in 2017

❖ [The Baghdad Post, Abadi declares state of emergency in Kirkuk, 17 September 2017](#)

[...] Iraqi Prime Minister Haider al-Abadi declared the state of emergency in Kirkuk governorate and appointed General Nasser al-Ghanam as its new military governor.

This comes ahead of Kurdistan's independence referendum, as the autonomous region planned to include it in the referendum process. [...]

State of emergency declarations in 2018

❖ [Middle East Eye, At least five dead as Basra protests spread across southern Iraq, 16 July 2018](#)

[...] Demonstrations which began in the city of Basra on 8 July have spread to the provinces of Dhi Qar, Maysan, Babil, Karbala and Najaf, with the Iraqi government imposing a state of emergency as local government buildings were torched and security forces opened fire on protesters. [...]

❖ [GardaWorld, Iraq: State of emergency declared in Basra as violence escalates Sep. 7 /update 13, 7 September 2018](#)

[...] Iraqi security officials have declared a state of emergency in Basra and Baghdad and have reimposed a citywide curfew in Basra beginning at 21:00 (local time) on Friday, September 7, as the security situation in Basra deteriorates amid increasingly violent protests and clashes between protesters and militia groups [...] Basra Operations Command officials have not disclosed when the curfew will be lifted as of Friday evening but stated that anyone present in the street after the curfew will be arrested. [...]

❖ [Human Rights Watch, “Life Without a Father is Meaningless”: Arbitrary Arrests and Enforced Disappearances in Iraq 2014-2017, 27 September 2018](#)

[...] Under Iraqi criminal procedure, which remains fully in force because the government has not invoked a state of emergency, police may detain suspects only after a court-issued arrest warrant and must bring suspects before an investigative judge within 24 hours in order to mandate their continued detention. [...]

State of emergency declarations in 2019

❖ [Institute for the Study of War, Crisis Brief: Baghdad Protests: Overwatch Podcast Transcript, 2 October 2019](#)

[...] We are recording a crisis update briefing on the evolving situation in Iraq. Protests have now spread to eleven provinces in the Shi'a-majority south and have become violent and engaged in clashes with Iraqi Security Forces in multiple instances. Iraqi forces have used live-fire ammunition against protesters in multiple provinces causing casualties, including multiple deaths and hundreds of injuries. The protestors thus far have attacked government buildings in multiple provinces, including in Baghdad, in Maysan, in Dhi Qar, Najaf, and a number of others. The Iraqi Government has responded by declaring a state of emergency, cutting off internet access, and issuing a curfew in Baghdad starting at 5:00 AM local time tomorrow. At this time, protesters are currently engaged in clashes with Iraqi Security Forces at the Baghdad International Airport, where we have an active crisis situation unfolding. With an absence of internet access, reliable reports from Iraq have of course decreased, and ISW is going to continue to monitor the situation closely and will provide further updates as we gain more information tomorrow. [...]

❖ [Sada El Balad News, Iraq's PM Declares State of Emergency, Imposes Curfew in Baghdad, 3 October 2019](#)

[...] Iraq's Prime Minister Adil Abdul Mahdi has shortly declared a state of emergency and imposed curfew in Baghdad from 6 am on Thursday.

Five Protesters were killed and more than 200 others were injured on Wednesday during the wave of Iraq protests that started yesterday in a number of cities, including Baghdad, Basra, Najaf, Diyala and Kirkuk. Protesters are still blocking the main road to Baghdad airport.

Some protesters are posting on Facebook that they are blocking the road to airport to prevent any official from fleeing. [...]

❖ [Bas News, Iraq Declares State of Emergency Ahead of Planned Protests, 24 October 2019](#)

[...] Iraq declared on Thursday state of emergency ahead of the planned demonstrations expected to be staged on Friday (October 25).

People in capital Baghdad and 11 other cities are said to take to the streets on Friday to protest against corruption, poor public services, and unemployment.

Interior Ministry, apart from announcing the state of emergency, it also urged the security forces to exercise restraint during the expected protests, as the previous demonstrations resulted in the killing of over 100 people, while nearly 6,000 others were injured. [...]

State of emergency declarations in 2020

❖ [AA News, Iraqi president seeks state of emergency over COVID-19, 16 March 2020](#)

[...] Iraqi President Barham Salih and caretaker Prime Minister Adil Abdul-Mahdi called on parliament Sunday to declare a state of emergency in the country for 30 days in order to contain the novel coronavirus outbreak. [...]

Corruption influenced authorities' willingness to respect court orders in 2017

❖ [Freedom House, Freedom in the World 2018 – Iraq, 16 January 2018](#)

[...] Iraq consistently ranks as one of the world's most corrupt countries. Political parties, which siphon funds from the ministries they control and take kickbacks for government contracts, resist anticorruption efforts; whistle-blowers and investigators are subject to intimidation and violence. The judicial system, itself marred by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission.

[...] The judiciary is influenced by corruption, political pressure, tribal forces, and religious interests. Due to distrust of or lack of access to the courts, many Iraqis have turned to tribal bodies to settle disputes, even those involving major crimes. [...]

❖ [Transparency International, Corruption Perception Index 2017, 21 February 2018](#)

[...] Iraq: 2017
Rank: 169/180
Score: 18/100 [...]

Corruption influenced authorities' willingness to respect court orders in 2018

❖ [NPR, Following The Defeat Of ISIS, Iraq Pursues A Campaign Of Revenge, 19 December 2018](#)

[...] There's so much corruption in the Iraqi detention process that if you have a rich ISIS fighter in detention, he can buy his way out of prison. So you have hardcore jihadis who can get out if they can pay, and really poor people who have been swept up who are innocent, who are going to be executed in their stead [...]

❖ [Transparency International, Corruption Perception Index 2018, 29 January 2019](#)

[...] Iraq: 2018
Rank: 162/180
Score: 18/100 [...]

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] Corruption remains a major problem in Iraq. Political parties, which siphon funds from the ministries they control and take kickbacks for government contracts, resist anticorruption efforts, while whistleblowers and investigators are subject to intimidation and violence. The judicial system, itself hampered by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies. In response to widespread anticorruption protests in July 2018, the government referred several senior officials suspected of fraud to the Integrity Commission, and claimed that over 5,000 cases of corruption were being investigated. As of December, it was unclear whether any investigations had been referred for prosecution [...]

The judiciary is influenced by corruption, political pressure, tribal forces, and religious interests. The lines between the executive, legislative, and judicial branches are frequently blurred, and executive interference in the judiciary is widespread. Due to distrust of or lack of access to the courts, many Iraqis have turned to tribal bodies to settle disputes, even those involving major crimes. [...]

Corruption influenced authorities' willingness to respect court orders in 2019

❖ [Al Jazeera, 'I felt I was going to die': Battling domestic violence in Iraq, 13 July 2019](#)

[...] Iraq's penal code allows husbands to discipline their wives, and there is currently no law criminalising domestic violence. For almost a decade, women's rights groups have been pushing parliament to pass a law that would change that - but it has always stalled.

"The law in Iraq doesn't give women their rights," says Lena, a domestic violence survivor whose abuse left her with physical and psychological ailments.

"I tried so many times to leave [my ex-husband] ... At the end of the day, I felt that I was going to die," she says.

But the abuse was just the beginning of her ordeal. After she left her husband and filed a police report, he turned the tables against Lena and her family, accusing them of kidnapping him.

At the end of the day, Lena was found guilty and spent 16 months in prison.

Lena blames the wide-reaching corruption in the judicial system, "from the lowest clerk to the highest judge."

She says Iraqi women who are unemployed or not well educated, especially those who have children, are forced to "bear everything".

"We don't have laws in our society to prevent men from hurting women, and to protect women, and to put red lines for men not to cross," she says.

[...] "The life, the traditions, is so hard on the woman, on the girl," says Hanna Edwar, a longtime activist and founder of a non-profit social services group called al-Ammal.

She calls domestic violence "a national crisis" and attributes the increase to a number of factors, including political instability, poverty, conflict, outdated traditions and lack of rule of law. She says corruption also makes it difficult for victims and survivors to get justice. [...]

❖ [Transparency International, Corruption Perception Index 2019, 23 January 2020](#)

[...] Iraq: 2019
Rank: 162/180
Score: 20/100 [...]

❖ [Gain Integrity, Iraq Corruption Report, last updated February 2020](#)

[...] The Accountability Act criminalizes corrupt acts such as passive and active bribery, abuse of office and extortion, but the Iraqi government failed to implement anti-corruption laws effectively and public officials engage in corruption with impunity. Bribery and giving gifts to ‘get things done’ are widespread practices in Iraq, despite being illegal. [...]

❖ [Geneva Centre for Security Sector Governance \(DCAF\), International Security Sector Advisory Team \(ISSAT\), ISSAT Background Note: Security Sector Reform in Iraq, 25 February 2020](#)

[...] The criminal justice system in Iraq is described as weak and lacks resources and capabilities. The insecure and weak governance situation in the Iraq has created a politicised judiciary. Further, the system is understaffed, and staff lacks training and equipment to carry out their daily work and duties. Lack of resources causes lengthy delays before and during trials. Corruption is widespread among the judiciary, who are also under pressure from tribal and religious groups. Paramilitary groups have been able to commit serious crimes without being addressed by the judicial system.

[...] Confidence in justice system is low but improving. More Iraqis say the justice system is getting worse (48 percent) than better (41 percent), but positive views have improved since 2018. Views of the justice system across Baghdad, the South, and West are similar, with improvements in each region since October. Views toward the justice system in KRI are significantly worse and decreasing, with only 11 percent saying it is getting better. A majority of Iraqis do not trust the Human Rights Commission, although this may be a result of low public awareness of their activities.

One potential cause of the general lack of confidence in the formal justice system is an ongoing reliance on informal systems. Extrajudicial resolutions still occur regularly and are often viewed positively, especially when punishing anyone with ties to Daesh. [...]

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] The judicial system, itself hampered by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies.

[...] The judiciary is influenced by corruption, political pressure, tribal forces, and religious interests. The lines between the executive, legislative, and judicial branches are frequently blurred, and executive interference in the judiciary is widespread. Due to distrust of or lack of access to the courts, many Iraqis have turned to tribal bodies to settle disputes, even those involving major crimes. [...]

Corruption influenced authorities’ willingness to respect court orders in 2020

❖ [Gain Integrity, Iraq Corruption Report, last updated July 2020](#)

[...] Corruption also influenced authorities’ willingness to respect court orders: Interior Ministry and Justice Ministry employees often extorted bribes from detainees to release them even if the courts had already accorded them the right to be released. [...]

ISIS killed and abducted religious leaders who failed to support them in 2017

❖ [UN Assistance Missions for Iraq \(UNAMI\), Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017](#)

[...] Section 3

Phase 3: the Battle for Western Mosul

[...] In the afternoon of 2 April 2017, ISIL publicly shot and killed 20 civilian men in the ISIL-controlled Hawa al-Kanisa neighbourhood, western Mosul, for attempting to flee towards ISF positions in the Bawabat al-Sham neighbourhood. On the same date, ISIL killed an Imam in the same neighbourhood for refusing to issue a death sentence against the 20 civilians who had tried to flee towards ISF positions. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)

[...] ISIL targeted civilians deliberately; religious and community leaders, members of the Iraqi government, Iraqi security forces, and media, medical, education, and other professionals, particularly female professionals were all targets of their attacks. [...]

ISIS killed and abducted religious leaders who failed to support them in 2018

❖ [UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq, 20 June 2018](#)

[...] 24. ISIL imposed strict gender rules for social behaviour for both women and men, torturing and killing those they deemed not in conformity with those rules.

[...] ISIL targeted specifically those opposing or not aligning themselves with its *Takfiri* doctrines or attempting to flee its rule. Victims included leaders, members of religious and ethnic minorities, members of certain professions, in particular female teachers and doctors, as well as media professionals, lesbian, gay, bisexual, transgender and intersex persons, persons caught smoking or not praying correctly and anyone associated with the Government of Iraq. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] In November 2018, the UN Assistance Mission for Iraq and the Office of the UN High Commissioner Human Rights reported the discovery of over 200 mass graves in several governorates, adding that the graves contained individuals believed to have been killed for not conforming to IS rules. [...]

ISIS violations against children, including killing, maiming, recruitment and use of child soldiers or suicide bombers, sexual violence, attacks against schools, denial of humanitarian access for children, and abduction continued in 2017

❖ [CBS News, How ISIS-trained child soldiers are a ticking time bomb, 29 July 2017](#)

[...] Children were uniquely victimized by ISIS. First, as bystanders caught in a brutal war, but more shockingly, as soldiers who were recruited, indoctrinated with a deadly ideology, then trained to kill and fight on the battlefield. As they are freed from ISIS, traumatized and untreated, they're now melting back into society -- still heavily influenced by their experience.

[...] Perhaps the most insidious of all of ISIS' war tactics was implanting a dangerous mentality into ISIS cubs, to help endure their ideology lives on for generations -- effectively planting time bombs throughout the region and the world.

[...] Islamic State propaganda videos showing the cubs of ISIS are perhaps the most shocking legacies this war will leave. ISIS textbooks reveal their methods to indoctrinate kids as young as five. [...]

❖ [UN Assistance Missions for Iraq \(UNAMI\), Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017](#)

[...] Section 2

Phase 2: the Battle for Eastern Mosul

[...] Targeting civilians trying to flee areas controlled by ISIL

[...] On 6 February [2017], ISIL captured 11 people—including three women and four children— attempting to cross the Tigris River in a boat in western Mosul (no information available on the specific location). Later, ISIL reportedly shot and killed all of them.

[...] Section 3

Phase 3: the Battle for Western Mosul

[...] 3-A: Violations and abuses committed by ISIL § Killings

[...] In what appeared to be a new tactic, ISIL members disguised as ISF killed and abducted civilians who greeted them as liberators. For instance, in the morning of 24 April, ISIL members in a black military vehicle and wearing combat uniforms similar to those of the Iraqi Federal Police, arrived in the ISIL- controlled al-Maydan neighbourhood in western Mosul. Local civilians came out to welcome them believing that they

were ISF come to liberate the area. The ISIL members then opened fire, killing 17 of them, including six women and three children.

[...] Targeting of civilians trying to flee areas controlled by the group

[...] In the evening of 28 April, ISIL captured 63 civilians—women, men, and children—in the ISIL-controlled al-Haramat neighbourhood of western Mosul, while they were fleeing towards ISF locations. In the morning of 29 April, ISIL shot and killed—reportedly in public—all the men (29) in a street in al-Haramat area and took the remaining 34 women and children back to their homes in the same neighbourhood. The bodies of the men were reportedly left in the street.

On 11 May, ISIL captured 65 civilians—women, men, and children—in the ISIL-controlled Zanjilly neighbourhood, western Mosul, while they were fleeing towards the retaken al-Thawra neighbourhood of western Mosul. ISIL shot and killed 36 men (all of them above 30 years of age) in al-Baraka Market Street in the Zanjilly neighbourhood on the same day and took the remaining women and children back to their homes. In the evening of 12 May, the locals buried those bodies in the same neighbourhood, reportedly upon instruction from the local ISIL members.

In the morning of 26 May, ISIL shot at people on the Tigris River side in the ISIL-controlled al-Shifa neighbourhood, western Mosul, killing 27 civilians from four families, including 14 women and five children. Sources reported that the victims were fleeing towards the retaken al-Najar neighbourhood in western Mosul. In the evening of 28 May, the local residents buried the bodies in the same neighbourhood.

[...] In two incidents on 1 and 3 June 2017, ISIL killed more than 200 civilians while they were trying to flee from areas still controlled by the armed group and left the bodies lying on the streets for several days.

In the morning of 1 June, ISIL shot and killed at least 163 civilians, including women and children, in the street next to the Pepsi factory, while they were fleeing towards ISF positions in the ISIL-controlled al-Shifa neighbourhood, western Mosul. Armed clashes between ISIL and ISF were ongoing in this neighbourhood at the time of the incident and the civilians were reportedly targeted by ISIL to prevent them from fleeing fighting areas, as ISIL allegedly intended to use them as human shields. UNAMI/OHCHR also received reports of an unconfirmed number of missing civilians from this neighbourhood.

In the afternoon of 3 June, ISIL shot at and killed 41 civilians, including women and children, while they were fleeing towards ISF positions in the al-Shifa neighbourhood, western Mosul. Armed clashes between ISIL and ISF were ongoing at the time of the incident.

[...] In the morning of 23 June, an ISIL fighter departed from the Old City mingling with civilians who were fleeing the fighting and reached the ISF-controlled al-Mashahda neighbourhood in western Mosul, where he detonated his explosive belt. The explosion killed 12 civilians, including five women and two children, and wounded 23 others, including seven women and four children.

[...] Use of civilians as human shields

[...] On 5 March 2017, ISIL brought 51 civilians from seven local families to a house and placed them on the ground floor in al-the Samoud neighbourhood of western Mosul city. Later, ISIL reportedly moved them to the front lines while fighting with ISF. Sources reported that when ISF observed that civilians were present they ceased the engagement with ISIL. In the afternoon of 6 March, ISF managed to reach that house and were able to rescue 48 civilians alive, including three children wounded by the detonation of explosives used by ISF in the rescue operation to gain entry to the house.

[...] On 11 June, in the al-Shifaa neighbourhood of western Mosul, ISIL abducted 18 families (up to 73 men, women and children) at gunpoint from their homes and transferred them to the Dakkat Baraka neighbourhood in the Old City and used them as human shields. During the incident, ISIL shot and killed four young male abductees who had attempted to escape.

[...] Recruitment and use of children by ISIL

Children continued to be seen in ISIL propaganda published on social media and websites during the third phase of the operation. Numerous images published by the group showed a number of children who were claimed to be members of the “Cubs of the Caliphate”,³⁵ carrying out military drills with weapons.

On 7 June, a boy—reportedly 15-years-old—wearing an explosive vest attempted to blow himself up at the gate (main entry point) of the camp of the 16th battalion of the Federal Police in the retaken al-Nour neighbourhood of eastern Mosul. Following warnings the attacker did not stop and he was shot and killed before being able to detonate his explosive vest. [...]

35 Also called in some articles “Lions of the Caliphate” [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)

[...] ISIL also continued to subject women and children from minority ethnic and religious communities to conflict related sexual violence (CRSV), including rape and other forms of sexual violence of comparable gravity.

[...] Women, children, people with disabilities, aged persons, and members of Iraq's diverse ethnic and religious communities suffered disproportionately from the impact of armed conflict, violence and terrorism. Many individuals belonging to 'at risk' and vulnerable groups have been subjected to sexual and other forms of violence, including sexual slavery, and children reportedly continued to be subjected to indoctrination by ISIL and exploited to serve as fighters, to carry out suicide bombings, and to perpetrate other horrendous acts including beheadings. Such persons are in desperate need of basic services to assist them, including appropriate medical, psycho-social, financial and other forms of support. Of particular concern is the need for reintegration of women and children—who may have been subjected to sexual and other forms of violence—into their families and communities. Particularly vulnerable are; women and girls who were forcibly married to ISIL fighters, or enslaved and subjected to rape and other sexual and physical violence, and children who may have resulted from such violence [...]

❖ [Freedom House, Freedom in the World 2018 – Iraq, 16 January 2018](#)

[...] IS's market for Yazidi slaves, both women and children, continued to operate for much of 2017. Other forms of human trafficking and exploitation remained problems elsewhere in Iraq, with vulnerable populations including displaced people, foreign migrant workers, children engaged in forced begging, and child soldiers recruited by IS and certain militias. [...]

❖ [UN Human Rights Council, Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination et al., 14 February 2018](#)

[...] It is well known that ISIS does not hesitate to put children into combat roles. Children who are not used as child soldiers by ISIS are also likely to witness traumatizing events, getting tortured, or even killed. The international community is appalled by these grave violations and strongly condemns abuses committed by ISIS, which should be investigated to hold accountable the perpetrators of such crimes. [...]

❖ [Amnesty International, Report 2017/18, The State of the World's Human Rights, 22 February 2018](#)

[...] IS fighters forcibly displaced thousands of civilians into active conflict, used them as human shields on a mass scale, deliberately killed civilians fleeing the fighting, and recruited and deployed child soldiers [...]

ISIS violations against children, including killing, maiming, recruitment and use of child soldiers or suicide bombers, sexual violence, attacks against schools, denial of humanitarian access for children, and abduction continued in 2018

❖ [UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq, 20 June 2018](#)

[...] ISIL carried out numerous executions by, inter alia, beheading, hanging, stoning, drowning, shooting, burning and throwing persons off buildings, including following "sentences" issued by ISIL self-appointed courts. Executions were often preceded by enforced disappearances and the perpetrators of the executions included children who, following indoctrination, were forced to function as executioners. The remains of those killed were often put on public display as a warning to others not to oppose ISIL. The unthinkable and horrific examples of these executions of men, women and children are numerous.

[...] The Special Rapporteur heard accounts of brutal sexual enslavement, shooting, beheading, stoning and burning to death of men, women and children, including those perceived as lesbian, gay, bisexual, transgender or intersex, simply for defying the rigid gender policies of ISIL. [...]

ISIS violations against children, including killing, maiming, recruitment and use of child soldiers or suicide bombers, sexual violence, attacks against schools, denial of humanitarian access for children, and abduction continued in 2019

❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)

[...] 1. The present report, prepared pursuant to Security Council resolution 1612 (2005) and subsequent resolutions on children and armed conflict, provides information on grave violations against children committed by all parties to the conflict in Iraq between 1 July 2015 and 31 July 2019.

[...] 23. Children were affected in multiple and compounding ways as a result of all six grave violations. During the reporting period, the United Nations verified 2,114 grave violations against children: 296 children were recruited and used, 1,722 were killed or maimed, 10 were subjected to rape and other forms of sexual violence and 86 were abducted. A total of 236 attacks were conducted on schools and 24 were conducted on hospitals.

[...] 24. The United Nations verified the recruitment and use of 296 children (287 boys and 9 girls), 27 of whom were recruited in the second half of 2015, 114 in 2016, 109 in 2017, 39 in 2018 and 7 in the first half of 2019. The United Nations also received allegations of the recruitment and use of 652 children (522 boys and 130 of sex unknown) that could not be verified.

25. More than 50 per cent of the children were recruited and used by ISIL (151), followed by the Popular Mobilization Forces (70), Sunni tribal mobilization groups (42), HPG/PKK (19), the Sinjar Resistance Units (4), the Protection Force of Ezidkhan (1) and the Peshmerga Zeravani (1). Eight children were recruited and used by the Iraqi security forces, namely, the Iraqi police (5) and the Iraqi army (3).

26. A total of 199 of the children (67 per cent) were used as combatants, 37 (13 per cent) were used in support roles and 14 (5 per cent) were used to carry out suicide attacks with improvised explosive devices. A majority of the children (177, representing 60 per cent) were recruited and used in northern Iraq in Ninawa (126) and Kirkuk (51) Governorates; followed by the Kurdistan region (42), including Sulaymaniyah (23), Dahuk (10) and Erbil (9); and in central Iraq (43), including in Anba (11), Baghdad (9), Salah al-Din (9), Karbala' (6), Diyala (6), Babil (1) and Wasit (1) Governorates. The remaining children were recruited in southern Iraq (31), including in Basrah (15), Najaf (12), Dhi Qar (2), Maysan (1) and Muthanna (1).

Recruitment and use by Islamic State in Iraq and the Levant

27. The recruitment and use of children constituted a central component of the political, military and ideological aims of ISIL in Iraq, with 151 children (143 boys and 8 girls), some as young as 7 years old, verified as having been recruited and used, mainly in Ninawa and Kirkuk.

28. Methods employed by ISIL for recruiting children ranged from abduction to coercion, manipulation and inducement. Incidents of mass abductions of children for the purpose of recruitment were verified, often targeting the most vulnerable parts of the population.

[...] 30. Children also joined ISIL to support their families facing economic hardship. As the humanitarian situation deteriorated in ISIL-held areas, the number of children who joined ISIL for survival increased [...]

31. Most of the children, 68 per cent, were used by ISIL in active combat, with surges during the intensification of operations at the end of 2015 in Ninawa and Anbar and in Mosul in 2017. Children who rebelled were severely punished, including by being detained or executed. In January 2016, two boys were captured and executed by ISIL for escaping the battle for Ramadi in 2015.

32. A total of 12 per cent of the children were used in support roles, including manufacturing and planting improvised explosive devices, cooking, cleaning, transporting weapons or operating checkpoints. Children were used as informants, including on the political affiliations of Iraqis, often for subsequent punishment by ISIL.

33. Sexual violence was at the core of the ISIL operational strategy to spread terror, persecute ethnic and religious minorities and suppress communities opposing its ideology. Following its seizure of Mosul and surrounding areas in August 2014, ISIL instituted a pattern of sexual violence, abduction and human trafficking for sexual exploitation. During the Mosul operation, women and girls were forced to marry ISIL fighters, were sold and used as sex slaves, human shields and suicide bombers, were forced into early marriages and were executed in public. Multiple cases of girls being forced into marriage by their parents, including following threats, were verified, and girls were reportedly used in support roles, including for manufacturing explosive devices.

34. ISIL used children, many of them girls, to carry out suicide attacks, in particular as the military pressure and defections from its ranks increased. A total of 14 children were used for this purpose, often causing high numbers of civilian casualties. In some cases, the children were apprehended by the Iraqi security forces before they were able to detonate their vests [...]

45. The United Nations verified the killing (741) and maiming (981) of 1,722 children (1,062 boys, 462 girls and 198 of sex unknown), 387 of whom were killed or maimed in the second half of 2015, 408 in 2016, 750 in 2017, 132 in 2018 and 45 in the first half of 2019.

46. The largest number of children killed or maimed was attributed to ISIL (462), followed by the Iraqi security forces and the international counter-ISIL coalition in joint operations (142), the Popular Mobilization

Forces (9), the Peshmerga (34), TAF (2), unidentified armed elements (93) and explosive remnants of war (126). Over 40 per cent of the casualties occurred in Ninawa Governorate (716), followed by Diyala (283), Anbar (170), Kirkuk (160) and Salah al-Din (156) Governorates. The United Nations also received allegations of the killing or maiming of 1,068 children (438 boys, 104 girls and 526 of sex unknown) that could not be verified [...]

56. The fourth leading cause of killing and maiming of children was extrajudicial killings, torture and physical ill-treatment, resulting in the killing or maiming of 93 children (71 boys, 20 girls and 2 of sex unknown), more than 90 per cent of which were perpetrated by ISIL (85), followed by the Iraqi security forces (5), the Popular Mobilization Forces (2) and the Peshmerga Asayish (1). ISIL committed horrifying violence against children, using executions, amputations, physical mutilation and other brutalities to ensure obedience, instil fear and exert control and as a form of revenge and intimidation [...]

63. Throughout the reporting period, there were serious concerns related to attacks on civilian infrastructure by parties to conflict that may have violated international humanitarian law. However, the lack of access to conflict-affected areas during active hostilities and the crossfire nature of many incidents, as well as late verification, complicated the attribution of attacks to specific parties to conflict.

64. Elevated numbers of attacks on schools (236) and hospitals (24) were verified, as well as a high number of military uses of schools (79) and the military use of 1 hospital. The United Nations also received reports of 60 attacks on schools (35) and hospitals (25) and 7 military uses of schools (5) and hospitals (2) that could not be verified.

Attacks on schools

65. The United Nations verified 236 attacks on schools, 53 of which occurred in the second half of 2015, 10 in 2016, 151 in 2017, 21 in 2018 and 1 in the first half of 2019. The largest numbers of attacks on schools occurred in Anbar (78) and Salah al-Din (54). In most attacks (227), schools were damaged or destroyed in crossfire or as a result of the use of improvised explosive devices. Eight of the remaining attacks involved the targeting of education personnel and one involved threats by ISIL against education personnel to comply with the ISIL-imposed curriculum [...]

72. The United Nations verified the abduction of 86 children (65 boys, 14 girls and 7 of sex unknown), 6 of whom were abducted in the second half of 2015, 12 in 2016, 32 in 2017, 2 in 2018 and 34 in the first half of 2019. A total of 73 of the children (85 per cent) were abducted by ISIL (57 boys, 9 girls and 7 of sex unknown), and 13 were abducted by unidentified armed elements (8 boys and 5 girls). More than 70 per cent of the total number of children (62) were abducted in Ninawa Governorate, followed by 7 each in Anbar and Salah al-Din Governorates. The United Nations also received allegations of abductions of 160 children (27 boys, 4 girls and 129 of sex unknown) that could not be verified. The number of cases of abductions verified by the United Nations is estimated to be considerably lower than the actual number.

73. ISIL abducted children for various reasons, including for recruitment and use and forced military training, for ransom or as a means to punish children or their families for trying to flee ISIL-held areas. In February 2017, 2 families, including 32 children, fleeing an ISIL-held district in Anbar Governorate were abducted and taken to an unknown location by ISIL members. Some days later, seven of the children were found dead. During the reporting period, there were credible indications that the number of children abducted for the purpose of ransom decreased as ISIL diversified its funding. Many children abducted remain missing. [...]

ISIS violations against children, including killing continued in 2020

❖ [UN Security Council, Implementation of resolution 2522 \(2020\): Report of the Secretary-General, 8 February 2021](#)

[...] III. Update on the activities of the Mission and the United Nations country team

[...] C. Human rights and rule of law developments and activities

[...] Between 1 October and 31 December, UNAMI documented 58 incidents resulting in at least 104 civilian casualties (41 deaths, including 3 children and 3 women, and 63 injured, including 12 children and 7 women). A total of 71 civilian casualties (25 deaths and 46 injuries) were attributed to ISIL, and 29 civilian casualties (12 deaths and 17 injuries) to unidentified armed groups. [...] (p. 11)

❖ [UN Security Council, Implementation of resolution 2470 \(2019\): Report of the Secretary-General, 6 May 2020](#)

[...] III. Update on the activities of the Mission and the United Nations country team

[...] C. Human rights and rule of law developments and activities

[...] 59. The Mission documented the deaths of 36 civilians, including 5 women and 2 children, and injuries to 54 civilians, including 7 children, in security-related incidents between 1 February and 19 April. Most casualties resulted from the use of improvised explosive devices, explosive remnants of war, rocket or mortar rounds and small-arms attacks allegedly perpetrated by ISIL remnants. [...] (p. 10)

ISIS's violations against Christians, Faili (Shia) Kurds, Kaka'i, Sabaeen-Mandean, Shabaks, Shia Arabs, Turkmen, Yezidis and others in 2017 appeared to be part of a policy to suppress, permanently expel, or destroy these communities

❖ [Asaad Almohammad, Ahmet S Yayla and Anne Speckhard, International Center for the Study of Violent Extremism, The ISIS Prison System: Its Structure, Departmental Affiliations, Processes, Conditions, and Practices of Psychological and Physical Torture, August 2017](#)

[...] The category of detainees that ISIS uses as sabaya or sex slaves include the Yazidis captured in Iraq, wives and daughters of captured Free Syrian Army and Jabhat al Nusrah cadres. These women are either sold or given to foreign fighters, ISIS cadres or outsiders or held in detention facilities in both Syria and Iraq. Those held in detention centers are subjected to repeated rapes by ISIS cadres who are given access to them as a reward for service. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), 'Human Rights, Every Day, for All Iraqis': Promotion and Protection of Rights of Victims of Sexual Violence Captured by ISIL/or in Areas Controlled by ISIL in Iraq, 22 August 2017](#)

[...] Large numbers of women and girls but also some men and boys, mainly from Iraq's ethnic and religious communities, have been subjected to conflict-related sexual violence¹ by the so-called Islamic State of Iraq and the Levant (ISIL).

[...] According to the Ministry of Endowment and Religious Affairs, Office of Yezidi Administrative Affairs, between 3 August 2014 and 2 July 2017, approximately 6,417 persons from the Yezidi community were abducted by ISIL members (3,547 women and 2,870 men). By early July 2017, 3048 individuals from the Yezidi community had reportedly managed to escape from ISIL captivity (1,092 women; 334 men; 819 girls; 803 boys). At the same time, some 3,369 individuals from the Yezidi community remained in ISIL captivity, including 1636 woman and girls and 1733 men and boys.⁷

[...] Women and girls under the control of ISIL, in particular women from the Yezidi and other minority communities, have been especially vulnerable to abuses of human rights and violation of international humanitarian law, including, inter alia: forced displacement; abduction; deprivation of liberty; slavery;⁸ cruel, inhumane and degrading treatment; forced religious conversion; and sexual assault, rape and other forms of sexual violence. [...]

1 The term conflict-related sexual violence is defined under para. 21.

[...] 7 Statistics provided by the Ministry of Endowment and Religious Affairs, Office of Yezidi Administrative Affairs, 2 July 2017.

8 ISIL itself confirmed that sexual slavery was acceptable regarding female captives. ISIL refers to them as 'slaves' or 'spoils of war' in several public statements, using the phrase ma malakat aymanukum "that which your right hand possesses." For instance, see ISIL Dabiq, 1435, Issue 4: 'The Failed Crusade', p. 14, available at <http://media.clarionproject.org/files/islamic-state/islamic-state-isis-magazineIssue-4-the-failedcrusade.pdf>.

Additionally, in around October 2014, ISIL issued a pamphlet entitled "Questions and Answer on Taking Captives and Slaves". The document states that it is permissible to have sexual intercourse with a girl who has not reached puberty, and that the "slave" is considered as merely property of the owner that, after his death, could be distributed as part of his estate. The document is cited in English translation on the following website: <https://www.hrw.org/news/2015/09/05/slavery-isis-rules>.

❖ [Minority Rights Group International, Sabian Mandaeans, last updated November 2017](#)

[...] Sabean-Mandaeans feared that staying in ISIS-controlled areas would mean either forced conversions or death, since ISIS does not consider them to be 'People of the Book' and did not offer them the option of paying jizya as they did to Christians. At least 50 families were displaced, mostly from Ramadi in Anbar governorate. [...]

❖ [The Independent, Iraqi car bomb attack kills at least 24 people, 21 November 2017](#)

[...] A suicide bomber has killed at least 24 people and wounded 40 more in the northern Iraqi town of Tuz Khurmatu, the interior ministry has said.

[...] It was not immediately clear who was responsible for the attack - but suicide bombings in the area are usually the calling card of Isis militants.

[...] Tuz Khurmatu, south of Kirkuk city, is home to a diverse Arab, Kurdish and Turkmen population. Initial reports suggest it was mainly Turkmen who were affected by the blast. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)

[...] ISIL also continued to subject women and children from minority ethnic and religious communities to conflict related sexual violence (CRSV), including rape and other forms of sexual violence of comparable gravity.

[...] Throughout the protracted conflict, ISIL continually exposes Iraqi ethnic and religious communities to widespread and systematic attacks, their ultimate aim being the permanent suppression, expulsion or complete destruction of these communities in whole or in part. [...]

❖ [Freedom House, Freedom in the World 2018 – Iraq, 16 January 2018](#)

[...] IS's loss of territorial control during 2017 largely halted its active campaign to alter religious demography, though many Shiites and religious minorities who were displaced by the group remained unable to return to their homes, for both security and economic reasons.

[...] IS's market for Yazidi slaves, both women and children, continued to operate for much of 2017. [...]

❖ [Human Rights Watch, World Report 2018: Iraq, 18 January 2018](#)

[...] ISIS's struggle for power since 2011 has been marked by hundreds of suicide and car bombing attacks, killing thousands of civilians, including through the use of child soldiers. [...]

❖ [Amnesty International, Report 2017/18, The State of the World's Human Rights, 22 February 2018](#)

[...] IS killed and injured civilians across Iraq in suicide bombings and other deadly attacks that deliberately targeted civilians in markets, Shi'a religious shrines and other public spaces. On 2 January, bombings by IS in the predominantly Shi'a neighbourhood of Sadr City in the capital, Baghdad, killed at least 35 people and injured more than 60. Suicide attacks on 30 May outside an ice-cream parlour and a government building in Baghdad killed at least 27 people and wounded at least 50. An IS attack on a restaurant frequented by Shi'a pilgrims in Nasiriya on 14 September killed at least 84 people and injured 93.

[...] The UN reported in October that as many as 1,563 Yazidi women and children remained in IS captivity in Iraq and Syria. They were subjected to rape and other torture, assault and enslavement. Those who managed to escape or were freed after their relatives paid ransoms did not receive adequate remedies, including the necessary care and support required to help rebuild their lives. [...]

❖ [Asharq al-Awsat, Christian Leader Slams ISIS Crimes in Iraq, 14 March 2018](#)

[...] Rayan al-Kildani, leader of the PMF's Babylon Brigades, hinted that ISIS was the reason behind the latest crimes that targeted Christians in Baghdad.

He also said that there might be "options" that he did not explain in response to the continued killing of Christians and Iraqis in general.

Christians in Baghdad mourned in Chaldean churches on Tuesday the death of a doctor, his wife and mother, and another Christian youth, who was killed by gunmen two weeks ago.

"Today, we have the death of the family of the doctor, and before him there was the young Samer Salah al-Din ... We do not know who is behind the crime, but we think that ISIS is. In the end the result is one; death of innocent people," Kildani said. [...]

❖ [Kurdistan 24, IS executes Iraqi security members kidnapped on Kirkuk-Baghdad road, 25 March 2018](#)

[...] A few days ago, IS published additional footage online showing the killing of eight men who were said to be members of the Shia Turkmen militia within the pro-Iran Hashd al-Shaabi. [...]

ISIS's violations against Christians, Faili (Shia) Kurds, Kaka'i, Sabaeen-Mandean, Shabaks, Shia Arabs, Turkmen, Yezidis and others in 2018 appeared to be part of a policy to suppress, permanently expel, or destroy these communities

- ❖ [Kurdistan 24, IS claims responsibility for attempted assassination of Turkmen candidate in Kirkuk, 24 April 2018](#)
[...] The Islamic State (IS) claimed responsibility on Sunday for a car bombing that appeared to be an assassination attempt on a Turkmen candidate last week in the south of Kirkuk province. [...]
- ❖ [UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq, 20 June 2018](#)
[...] The Special Rapporteur believes that the many reported killings and other violations by ISIL are evidence of their systematic persecution of persons based on gender and gender expression, alone or in intersection with other identity markers, including religion and ethnicity. [...]
- ❖ [Kurdistan 24, Kakai minority in Kirkuk call on KRG, Baghdad, UN to protect them from IS, 29 June 2018](#)
[...] Members of the Kakai religious minority in the province of Kirkuk on Thursday called on the Kurdistan Regional Government (KRG), the federal government of Iraq, the United Nations (UN), and civil society organizations to protect them from being targeted by the Islamic State (IS) in the disputed province. In a statement received by Kurdistan 24, Kakais in Kirkuk state that their lives are in danger as the jihadist group continuously target them in the south of Kirkuk. They stated that IS executes and kidnaps civilian members of their community there, primarily in the villages of Kobani, Ali Sara, Topzawa, Zanqr, and Haftaghar. [...] "Since Oct. 16, except cities and towns, almost all the villages have been open to terrorists, especially in Daquq area," Sami Kakai, a member of Daquq district council, told local Kurdish news outlets on Thursday. Kakai mentioned that there is a large forest near Daquq that had become a hideout for the jihadist group. He accused Iraqi forces of failing to clear the area from IS militants, leading to the increase of security incidents in the region. [...]
- ❖ [ACLED, The Reconstitution of the Islamic State's Insurgency in Central Iraq, 5 July 2018](#)
[...] IS militants also target their attacks against civilians primarily at Shiites; Sunni tribesmen perceived as close to government-aligned militias; people believed to be collaborating with Iraqi security forces; and individuals who represent local governance structures, including government officials, village chiefs, and tribal elders [...]
- ❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)
[...] In areas under its control, ISIL engaged in mass killings, rapes, kidnappings, detentions and mass abductions, torture and forced conversions, and the enslavement and sex trafficking of women and girls from minority religious communities. At the time of publication, the Directorate of Yazidi Affairs within the Kurdistan Region Ministry of Endowment and Religious Affairs reported to UNAMI/OHCHR that some 3,117 Yazidis were believed to remain in ISIL captivity (1,452 women, including girls and 1,665 men, including boys). [...]
- ❖ [UNAMI Herald, Briefing to the Security Council by SRSG for Iraq, Ján Kubiš, on the situation concerning Iraq, Volume 5, Issue 6 November—December 2018, 13 November 2018](#)
[...] Most Da'esh movements in recent months have been reportedly through the extensive desert joining central Iraq and its Anbar and Ninewa provinces to the western border with Syria. In response, Iraq has deployed thousands of troops on its border with Syria to curb Da'esh, who remains in control of several areas across the borders in the Syrian Deir ez-Zor province. Also, Da'esh remains active in some other Iraqi provinces, notably in Kirkuk, Salah ad-Din and Diyala. As regards civilian casualties, the overall trend is their fall. In August, at least 90 civilians were killed and 117 were wounded. In September, at least 75 civilians were killed and 179 were wounded. In October, 69 Iraqi civilians were killed and another 105 injured, the lowest monthly casualty figures since UNAMI began

publishing them in November 2012. Notwithstanding this, terrorist attacks continue. On 23 October, a car exploded in a public market in Al-Qayara city, south of Mosul city in Ninawa governorate, killing six civilians and wounding twenty-five others, including children. On 4 November, at least 7 civilians were killed in a series of low-yield blasts in the predominantly Shia areas of Baghdad, at least one inside a minibus, as several times before. [...]

❖ [Amnesty International, Iraq: Islamic State's destructive legacy decimates Yazidi farming, 13 December 2018](#)

[...] As part of its brutal campaign against northern Iraq's Yazidi minority, the armed group calling itself Islamic State (IS) committed war crimes and crimes against humanity when it sabotaged irrigation wells and destroyed other farming infrastructure, Amnesty International said in a new report today.

A year after Iraq's government declared military victory over IS, *Dead Land: Islamic State's Deliberate Destruction of Iraq's Farmland* details how the armed group also burnt orchards, looted livestock and machinery and laid landmines in farming areas.

"The damage to Iraq's countryside is as far-reaching as the urban destruction, but the consequences of the conflict on Iraq's rural residents are being largely forgotten," said Richard Pearshouse, Senior Crisis Adviser at Amnesty International.

[...] "Our investigation reveals how IS carried out deliberate, wanton destruction of Iraq's rural environment around Sinjar Mountain, wreaking havoc on the long-term livelihoods of Yazidis and other agrarian communities. Today, hundreds of thousands of displaced farmers and their families can't return home because IS went out of its way to render farming impossible." [...]

❖ [UN Committee on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-second to twenty-fifth periodic reports of Iraq, 11 January 2019](#)

[...] Situation of ethnic and ethno-religious groups in the context of the armed conflict

17. The Committee notes with concern:

(a) That, according to the report of the Office of the United Nations High Commissioner for Human Rights (A/HRC/28/18, para. 78), Daesh may have perpetrated genocide against the Yazidi community, as well as crimes against humanity and war crimes;

(b) Reports of other grave human rights violations perpetrated by Daesh against ethnic and ethno-religious groups, including summary executions, enforced disappearances, torture, forced religious conversions, sexual and gender-based violence including rape and sexual slavery, and destruction and looting of their places of worship, homes and other properties, as well as reports that there are Yazidis and members of other ethnic and ethno-religious groups still being held captive by Daesh; [...]

❖ [Human Rights Watch, World Report 2019: Iraq, 17 January 2019](#)

[...] Human Rights Watch and other organizations documented a system of organized rape, sexual slavery, and forced marriage by ISIS forces of Yazidi women and girls. However, no ISIS member has been prosecuted or convicted for those specific crimes. [...]

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] IS's loss of territorial control in 2017 largely halted its campaign to alter religious demography, though many Shiite Muslims and religious minorities who were displaced by the group remain unable to return to their homes, for both security and economic reasons.

[...] After the military defeat of IS, many Yazidi women who had been forced into sex slavery remained missing. [...]

❖ [Kurdistan 24, Specter of ISIS in Iraq lingers for Kirkuk's Kakai minority, 5 March 2019](#)

[...] Despite the territorial collapse of the Islamic State in Iraq in late 2017, the group continues to menace members of the Kakai minority community in the disputed province of Kirkuk.

[...] Defensive capabilities, however, significantly deteriorated after the central Iraqi government overran Kirkuk and other disputed territories and drove Kurdish forces from them in response to the Kurdistan Region's independence referendum of September 2017.

Since then, the exodus of Kakais has continued, as residents feel the locally-stationed security forces have been ineffective at countering the Islamic State's continued insurgency in and around the area.

In June, members of the Kakai community called on the Kurdistan Regional Government (KRG), Baghdad,

the United Nations, and civil society organizations to protect them from being targeted by remnants of the Islamic State that has remained.

[...] Despite this, the population's resilience in the face of security uncertainty is palpable.

One example is a rural school where a limited staff continues educating children from a Kakai village. Saad Kakai, the headmaster of the Qilkhani elementary school, explained that it is common for roadside bombs, "planted daily," to detonate as vehicles pass. This, he said, is something he risks daily during his commute to and from school.

ISIS's violations against Christians, Faili (Shia) Kurds, Kaka'i, Sabaeen-Mandean, Shabaks, Shia Arabs, Turkmen, Yazidis and others in 2019 appeared to be part of a policy to suppress, permanently expel, or destroy these communities

❖ [NPR, Freed From ISIS, Few Yazidis Return To Suffering Families, Many Remain Missing, 14 March 2019](#)

[...] ISIS considers the Yazidis infidels and allowed its fighters to kill and kidnap thousands of them, holding many of the women and girls as sex slaves and the boys as fighters in training. Now, as the militant group loses territory, a trickle of captives are being freed, returning to shattered families. [...]

❖ [UN Human Rights Council, Written statement submitted by European Centre for Law and Justice, The / Centre Européen pour le droit, les Justice et les droits de l'homme, a non-governmental organization in special consultative status, 26 June 2019](#)

[...] As the ECLJ has submitted before, the actions ISIS has been carrying out against Christians and other religious minorities in Iraq and the Syrian Arab Republic clearly embody the definition of genocide as enshrined in the Convention on the Prevention and Punishment of the Crime of Genocide.¹

ISIS's systematic pattern of widespread murder and sexual abuse has forced thousands of Christians to flee from Iraq. These acts are leading to the wholesale destruction of Christians as a group in the region. Massive deportations, widespread killings, and countless rapes may be construed as steps in the process of 'gradual weakening of the population' that will result in a religious cleansing of all Christians from ISIS controlled territories.² [...]

1 Genocide is "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group." Convention on the Prevention and Punishment of the Crime of Genocide, art. II, 9 Dec. 1948.

2 Karadzic, Case Nos. IT-95-5-R61, IT-9-18-R61, at ¶ 63.

❖ [UN Human Rights Council, Summary of Stakeholders' submissions on Iraq: Report of the Office of the United Nations High Commissioner for Human Rights, 19 August 2019](#)

[...] 90. JS4 [Joint submission 4 submitted by: Assyrian Universal Alliance - Americas Chapter (AUA Americas)] stated that since the members of the so-called Islamic State (IS) captured Mosul in early June 2014, Assyrian Christians and other minorities in the city have endured targeted persecution in the form of forced displacement, sexual violence, and other egregious human rights violations.¹¹²

[...] 92. ADF International observed that Christian women captured by ISIS detailed experiences of rape, physical torture, forced conversion and forced abortion.¹¹⁴

93. AUA [Assyrian Universal Alliance] believed that the persecution of Assyrian Christians at the hands of the so-called Islamic State was compounded by a long-standing legacy of Ba'athist discrimination targeting minority communities within Iraq.¹¹⁵ [...]

112 JS4, para. 6.

[...] 114 ADF, page 4.

115 AUA, para.7.

❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)

[...] The United Nations received credible reports of systematic and large-scale sexual abuse of children by ISIL. The group deliberately targeted religious and ethnic minorities, including Yazidis, Christians, Turkmen

and Shabak, as well as Shi'a and Sunni populations, using sexual violence as a means of control and intimidation. Children were also trafficked, sold and traded by ISIL in Iraq as well as to the Syrian Arab Republic. [...]

❖ [Kurdistan 24, ISIS attack on religious minority in disputed Khanaqin leaves 2 dead, 10 injured, 3 February 2020](#)

[...] On late Wednesday night, the so-called Islamic State attacked a village of the Kurdish religious minority known as the Kakais in the disputed Khanaqin district, killing a father and a son, and injuring 10 others. [...]

ISIS's violations against Kaka'i in 2020 appeared to be part of a policy to suppress, permanently expel, or destroy this community

❖ [United States Institute of Peace, Threat to Kakai Community Poses Broader Challenges for Iraq's Democracy, 27 July 2020](#)

[...] Since early 2020, mortar strikes and targeted assassinations have pushed many Kakais to flee their homes and seven of their villages been abandoned. In late March, Kakai tombs in the Ninewa and Kirkuk governorates were destroyed by unknown persons. Dozens were murdered or wounded in May and June when gunmen reportedly connected to the Islamic State slaughtered defenseless civilians. [...]

❖ [Kurdistan 24, Kurdistan Region President warns of escalating 'terrorist attacks' in Iraq, because of 'security vacuum', 16 June 2020](#)

[...] On late Saturday night and early Sunday morning, suspected fighters of the so-called Islamic State struck the village of Dara in Iraq's disputed Khanaqin district, killing seven individuals, in what was yet another assault targeting the country's Kakai community.

Barzani referred to the attack on the Kurdish Kakai religious minority, saying that it "shows the extent of escalation of terror activities and violence in these areas and the necessity of taking quick steps to prevent their repetition." [...]

❖ [Minority Rights Group International, Kakais' anguish in search for security, 23 May 2020](#)

[...] Violence and threats forced Naji Khurshid Kakai to unwillingly abandon his warm house surrounded by his relatives and to begin living in displacement. However, he could not live in peace even in displacement and what he mostly feared happened to him; the loss of his beloved ones.

On May 10, at 9: 30 p.m., several gunmen raided the grain field of Khurshid's family, where they killed two farmers, burned three tractors, and set their wheat and barley crops on fire.

Khurshid is one of many members of Kakai minority in Iraq who are constantly under threat from different militant groups both at home and in displacement.

This attack happened at a time when the Iraqi forces are commanded to enforce a curfew, which is aimed at preventing the outbreaks of the novel coronavirus.

The raid took place in Mikhas village in Khanaqin district, north eastern Diyala province, where Khurshid Kakai and his family have settled for three years after abandoning their village, Zangari, in Daquq district, southern Kirkuk.

[...] The residents of Mikhas village told KirkukNow that they believe that "the perpetrators were members of the Islamic State groups (IS)," whose snipers shot the villagers until dawn the next day, which prevented other villagers from rescuing the farmers. The gunmen, however, set the driver of a harvester free before burning the grain fields. [...]

❖ [Kirkuk Now, 'Islamic State militants' kill two Kakai farmers and burn their grain fields, 12 May 2020](#)

[...] The dead bodies of the two killed Kakai farmers were found in Khanaqin district, Diyala province after their abduction. Their farms and tractors were also set on fire.

They were ambushed and abducted at 9:30 p.m. on the evening of Sunday, May 10 in Mikhas village, southern Kahanqin district. The residents of the village are Kakais, an Iraqi minority and were busy with harvesting their grain fields.

[...] The identity of the gunmen is still unknown, but the villagers claim that they were “IS militants.”
[...]

❖ [Kurdistan 24, ISIS attack on religious minority in disputed Khanaqin leaves 2 dead, 10 injured, 13 February 2020](#)

[...] In late Wednesday night, the so-called Islamic State attacked a village of the Kurdish religious minority known as the Kakais in the disputed Khanaqin district, killing a father and a son, and injuring 10 others.

The attack targeted the “Bahary Taza” village, which falls on the outskirts of Khanaqin district in the Diyala governorate. The area is considered one of the disputed areas between the Kurdistan Regional Government and Iraq’s central government.

A source in the area confirmed to Kurdistan 24 that “the attack led to the death of a father and son from the Kakai minority, while 10 individuals among civilians and Iraqi Security Forces (ISF) were injured.” [...]

1.3.2. Omissions in 2018

Discovery of mass graves of victims killed by ISIS in 2018

❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)

[...] 3. Background

Although this report focuses on mass graves resulting from atrocities perpetrated from 2014-17, mass graves have been present in Iraq since before the rise of ISIL in 2014. [...] Following the overthrow of Saddam Hussein, hundreds of mass grave sites were discovered, and continue to be found.⁷

[...] 5. Mass Graves in Iraq

[...] At the time of publication, UNAMI/OHCHR compiled information from various sources, including Iraqi authorities, and documented reports of 202 mass graves sites, with the largest number located in the governorates of Ninewa (95), followed by Kirkuk (37), Salah al-Din (36) and then Anbar (24), with others found in Babil and Baghdad governorates. The overwhelming majority of these graves are reported to contain the remains of victims of crimes perpetrated by ISIL. These figures should not be considered exhaustive as mass graves may continue to be discovered.

[...] The smallest mass grave was discovered on 24 January 2018 in west Mosul, containing the bodies of eight civilians.

[...] Salah al-Din Governorate

[...] On 21 March 2018, the 16th mass grave was discovered on the grounds of the former palace. On 2 April 2018, 159 bodies were exhumed from that site. According to authorities most of the victims appeared to be wearing civilian clothing and are believed to be army cadets. [...]

⁷ According to the Iraqi Mass Graves Directorate, the most recent discovery of a Saddam Hussein-era mass grave was on 27 April 2018 in Ali-al Garbi in Missan Governorate [...]

❖ [Al Jazeera, Mass grave discovered in Iraq’s northern Kirkuk province, 31 December 2018](#)

[...] Authorities in northern Iraq have announced the discovery of a mass grave containing the bodies of civilians believed to have been killed by the Islamic State of Iraq and the Levant (ISIL, also known as ISIS). Police said on Sunday residents found the bodies in a sparsely populated region near the town of Hawija in Kirkuk province after heavy rain in the area exposed the corpses. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] In November 2018, the UN Assistance Mission for Iraq and the Office of the UN High Commissioner Human Rights reported the discovery of over 200 mass graves in several governorates, adding that the graves contained individuals believed to have been killed for not conforming to IS rules. [...]

Discovery of mass graves of victims killed by ISIS in 2019

- ❖ [Kurdistan 24, In 2019, a total of 18 mass graves discovered in Iraq, 24 December 2019](#)
 [...] On Tuesday, Iraq announced that 18 mass graves containing members of several ethnic and religious groups were discovered in the country in 2019, some from recent years and others from conflicts that occurred decades ago.
 “The victims in the mass graves are from the crimes of Al-Qaeda, ISIS, and the previous Baath regime and are located in several provinces in the country,” said Dhaya Karim, from the Mass Graves Directorate of the Iraqi Martyr's Foundation, a government body under the Council of Ministers.
 Karim specified that among the provinces where mass graves were found are Najaf, Dhi Qar, Diyala, and Anbar, adding that officials expect to find multiple others in the coming months and years, due to the “high number of missing people.”
 The most recent was discovered north of Fallujah on Dec. 15 and reportedly contained at least 643 bodies, the same number of Sunni Iraqis that disappeared nearby in 2016 and for which international human rights organizations have accused sectarian Shia militias of the Popular Mobilization Forces (PMF) of being responsible for. [...]

Discovery of mass graves of victims killed by ISIS in 2020

- ❖ [VOA News, Iraq Discovers Remains of More Than 50 IS Victims in Mass Grave, 21 October 2020](#)
 [...] Iraqi officials say they have found a new mass grave that contains the remains of several dozen people who appear to have been executed on the spot by Islamic State in the disputed northern province of Kirkuk.

 Yehia Rasool, military spokesperson for Prime Minister Mustafa al-Kadhimi, announced Tuesday on Twitter that Iraqi forces found the corpses of more than 50 people by chance as they were pursuing the IS remnants in the Dawud Aluka village in Riyadh subdistrict. [...]
- ❖ [Diyaruna, More mass graves of ISIS victims found in Iraq, 19 August 2020](#)
 [...] Mass graves left behind by the "Islamic State of Iraq and Syria" (ISIS) have been found at six new sites in Ninawa province, Iraqi officials said, and there are expectations that more gravesites will be discovered.
 [...] As it works to locate ISIS victims, the Iraqi government continues to find new gravesites, said Zain al-Abdin Muslih Ali, deputy director of the Ninawa Martyrs Directorate.
 When local residents, volunteers or security forces discover a mass grave, he told Diyaruna, the directorate conducts a preliminary examination, and then a case file is opened with the Martyrs Foundation in Baghdad [...]
- ❖ [ABC News, New mass grave unearthed in Iraq's north from brutal IS rule, 2 July 2020](#)
 [...] The new mass grave was discovered on Monday in the village of Humeydat near the Badoush area west of the city of Mosul, six years after the IS group — at the height of its power — declared a caliphate that stretched across eastern Syria and much of northern and western Iraq.
 Dozens of bodies were found buried in a trench stretching hundreds of meters (yards) long. Forensics experts have carried out an initial investigation but the spread of the novel coronavirus has impeded excavations, medical officials in Mosul told The Associated Press.
 While an investigation is needed to identify the bodies, many believe they were Shiite convicts taken from the local Badoush prison by IS and killed by the militants, shortly after they seized Mosul in June 2014. [...]
- ❖ [Middle East Monitor, Iraq: Remains of 600 bodies discovered in mass grave. 1 July 2020](#)
 [...] A mass grave containing the remains of 600 corpses has been discovered in northern Iraq, authorities revealed yesterday.
 A brief statement issued by the Directorate of Martyrs of the Nineveh Governorate said the mass grave was found in Al-Kesk area, located between the cities of Mosul and the district of Tal Afar, Nineveh Governorate, containing the remains of 600 corpses. [...]

Information on the porous border and spillover of ISIS in Syria into Iraq and its members' movement of fighters and material across the respective borders in 2018

❖ [Xinhua News, News Analysis: Iraqi airstrikes target IS in Syria to prevent spillover effects, 26 April 2018](#)

[...] Iraq's recent spate of airstrikes targeting positions of Islamic State (IS) militants inside neighboring Syria has raised questions about Iraq's motives weeks ahead of its parliamentary elections.

In the latest preemptive airstrikes on April 19, Iraqi F-16 fighter jets killed 36 IS militants, including five of the group's leaders.

[...] When asked about the real motives of Iraqi airstrikes inside Syria, Nadhim al-Jubouri, an Iraqi political analyst, told Xinhua that several reasons are believed to be behind these attacks.

The first reason is that the Iraqi leaders have long worried about the spillover effects of the internal conflict in neighboring Syria.

[...] "Not only Daesh, there are also other groups that Iraq would not accept their presence near the borderline with Syria, such as the Kurdish People's Protection Units, the Sunni extremist al-Nusra Front and other militias out of the control of the Syrian government," Jubouri said.

The borderline between Iraq and Syria, which extends some 600 km west of the provinces of Nineveh and Anbar, has long been used by insurgents and IS militants for logistic support and to carry out cross-border attacks in Iraq since the U.S.-led invasion in 2003. [...]

❖ [The New Arab, Iraq reinforces border with Syria, fearing IS spillover, 3 November 2018](#)

[...] Iraqi troops reinforced on Friday their positions along the porous frontier with neighbouring war-torn Syria, fearing a spillover from clashes there between Islamic State group jihadists and US-backed forces.

For weeks, IS has fought back an assault by the US-backed Syrian Democratic Forces (SDF) on a key jihadist-held pocket in Syria's eastern Deir Ezzor province near the border with Iraq.

It managed to recapture some territory from the SDF around Hajin, prompting Baghdad to dispatch reinforcements to its own border, including paramilitary units from the Hashed al-Shaabi and the army.

"All measures have been taken: we have control towers, observation posts, dirt berms and trenches," Lieutenant Colonel Abbas Mohammad, the head of one border unit, said Thursday.

"The SDF's retreat will not be a threat to Iraq," he added.

Soldiers could be seen posted along a sand berm topped by barbed wire and decorated with Iraqi flags, according to an AFP videojournalist at the scene.

Military vehicles patrolled between barracks, and soldiers stationed at observation posts pointed their machine guns towards the Syrian border.

Helicopters and more armoured cars arrived throughout the day.

According to Iraqi General Qassem al-Mohammadi, who heads operations in Iraq's western Anbar province, IS fighters were just "five or six kilometres away, inside Syria." [...]

Information on the porous border and spillover of ISIS in Syria into Iraq and its members' movement of fighters and material across the respective borders in 2019

❖ [International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019](#)

[...] ISIS militants have difficulty travelling long distances undetected, though they may have greater freedom of movement in open desert.³⁴ Some have infiltrated Iraq via its desert Syrian border, which has remained to some extent porous.³⁵ ISIS units seem to be in communication with one another and follow top-level guidance – in one likely example, the targeting of mukhtars – but to operate largely autonomously.³⁶

[...] If Syria's north east erupts into open conflict, Iraq will be at risk.

[...] If eastern Syria spins into chaos, Iraq will invariably suffer, as fighters and materiel again flow across the border. As a Ninewa security official said: "If Syria gets a cough, Iraq gets the flu".¹⁹⁵ [...]

34 Crisis Group interviews, Anbar security official and senior Coalition official, May and June 2019.

35 Crisis Group interviews, Iraqi security officials and Western diplomats, Baghdad, Mosul and Washington, February-April 2019. A senior Iraqi security official said Iraqi forces could prevent large-scale infiltrations, but not small groups crossing. Crisis Group interview, Baghdad, 27 February 2019.

36 Crisis Group interviews, Iraqi security officials and Western diplomats, Washington, Baghdad, Kirkuk and Mosul, January-March 2019. The Coalition reports, however, that ISIS militants fleeing to Iraq from Syria “brought more funding for attacks, a more stable [command and control] node, and a logistics node for coordination of attacks”. See “Operation Inherent Resolve: Lead Inspector General Report to the United States Congress”, op. cit., p. 42.
[...] 195 Crisis Group interview, Mosul, March 2019.

Information on the porous border and spillover of ISIS in Syria into Iraq and its members’ movement of fighters and material across the respective borders in 2020

❖ [German Federal Office for Migration and Refugees \(BAMF\), Briefing Notes, Group 62 – Information Centre for Asylum and Migration, 15 February 2021](#)

[...] Iraq

[...] ISIS in Iraq

According to information provided by a Peshmerga commander on 15.02.21, almost 100 militant ISIS supporters have entered Iraq from Syria.

An Iraqi military spokesperson warned of the dangers of ISIS, especially in the disputed areas where neither Iraqi nor Kurdish troops are present.

On 20.02.21 it was reported that five ISIS militants had been killed by the Iraq Security Forces (ISF) together with the Popular Mobilisation Forces Hashd al Shaabi (PMF). [...] (pp. 6-7)

ISIS continued to abduct members of the security or police forces, members of ethnic and religious minorities, and other non-Sunni communities in 2018

❖ [Kurdistan 24, IS executes Iraqi security members kidnapped on Kirkuk-Baghdad road, 25 March 2018](#)

[...] The Islamic State (IS) published a video on Saturday of the group executing Iraqi security members who were kidnapped on the Kirkuk – Baghdad road despite Iraqi authorities declaring they had secured the area with checkpoints, and regular patrols.

The video shows eight militants wearing uniforms similar to those of Iraqi forces executing captives. The victims are believed to be members of the Iraqi federal police forces who were recently kidnapped on the Kirkuk – Baghdad road. [...]

❖ [Asharq al-Awsat, ISIS’ Kidnapping of Security Officials Turns into Public Opinion Case in Iraq, 28 June 2018](#)

[...] The Diyala Operations Command launched Wednesday a full-scale security operation in the governorate aimed at finding six persons who disappeared last week on a road linking Baghdad to Kirkuk and whose case turned into a public opinion.

“Joint groups of Armed Forces in collaboration with the military intelligence launched wide military operations in three hubs to find the six abductees in the area of Hamrin, located between the Qura Tiba village and the Baghdad-Kirkuk road,” a statement from the Diyala Operations Command said.

The search operation came few days after ISIS terrorists released a video showing six men with their faces covered in bruises, identifying themselves as either members of the police or the Popular Mobilization Forces. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)

[...] In areas under its control, ISIL engaged in mass killings, rapes, kidnappings, detentions and mass abductions, torture and forced conversions, and the enslavement and sex trafficking of women and girls from minority religious communities. At the time of publication, the Directorate of Yazidi Affairs within the Kurdistan Region Ministry of Endowment and Religious Affairs reported to UNAMI/OHCHR that some 3,117 Yazidis were believed to remain in ISIL captivity (1,452 women, including girls and 1,665 men, including boys). [...]

❖ [PBS, After Losing most of Its Control in Iraq, ISIS Is Starting to Reemerge, 2 December 2018](#)

[...] The jihadists thrive in the dark, attacking check points, kidnapping civilians and security officials, ransoming some and killing others. They also plant improvised explosive devices or IEDs [...]

- ❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] IS fighters abducted dozens of civilians and members of the security forces and summarily killed them. [...] IS fighters were reported to have abducted and killed dozens of civilians and members of Iraqi security forces in rural areas. Fake checkpoints manned by IS fighters in attire similar to that worn by security forces were reported on highways linking various governorates to the capital. In late June, the bodies of six members of the security forces were found in Salah al-Din governorate. A video circulated earlier in the week had shown the six captured by IS and included threats to kill the men if Iraqi authorities did not release female prisoners suspected of having links to IS. [...]

ISIS continued to abduct members of the security or police forces, members of ethnic and religious minorities, and other non-Sunni communities in 2019

- ❖ [Rudaw, Gunmen kill 5, wound 2 including Mukhtar in unstable Mosul, 9 May 2019](#)
[...] Between Mosul and Kirkuk, ISIS militants murdered an Asayesh (Kurdish security) member Bashdar Safar after kidnapping him and four friends who were searching for desert truffles earlier this month. [...]

- ❖ [Rudaw, Iraq launches 'New Dawn' operation against ISIS cells in southwest Kirkuk, 4 August 2019](#)
[...] ISIS was declared territorially defeated in Iraq in December 2017, but continues to pose a serious security threat. Militants have resumed their earlier insurgency tactics, taking advantage of the security vacuum between Iraqi and Kurdish forces in the disputed territories. There are near daily reports of ISIS militants carrying out hit-and-run attacks on security personnel and infrastructure, kidnapping and killing local officials and civilians. [...]

- ❖ [Kurdistan 24, ISIS attacks village in disputed Kirkuk, kills family member: police, 18 January 2020](#)
[...] Iraqi security forces have recently conducted several military campaigns to destroy Islamic State hideouts and neutralize the terrorist group's threat. However, the group continues to launch regular attacks, including bombings, kidnappings, and ambushes against Iraqi and Kurdish forces, and civilians in the area. [...]

ISIS continued to abduct members of the security or police forces, and other non-Sunni communities in 2020

- ❖ [Enabling Peace in Iraq Center \(EPIC\), Iraq Security and Humanitarian Monitor \(ISHM\): May 7- May 14, 2020, 14 May 2020](#)
[...] On May 10-11 ISIS militants kidnapped and executed two farmers in Diyala and set their farms on fire and torched farms elsewhere in Diyala and southwest of Erbil. [...]
- ❖ [Rudaw, ISIS kills five Iraqi security members in Kirkuk, Diyala: government, 20 April 2020](#)
[...] While searching for four Iraqi intelligence personnel abducted by the group's militants, two Iraqi soldiers were killed and 10 others wounded on April 13. [...]

Information on the number of rescued Yezidi men, women, and children from kidnapping and number of Yezidi men, women and children remaining in ISIS captivity in 2018

- ❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)
[...] At the time of publication, the Directorate of Yazidi Affairs within the Kurdistan Region Ministry of Endowment and Religious Affairs reported to UNAMI/OHCHR that some 3,117 Yazidis were believed to remain in ISIL captivity (1,452 women, including girls and 1,665 men, including boys). [...]
- ❖ [UNAMI Herald, Briefing to the Security Council by SRSF for Iraq, Ján Kubiš, on the situation concerning Iraq, Volume 5, Issue 6 November—December 2018, 13 November 2018](#)
[...] From over 6,400 Yezidi men, women and children enslaved by Da'esh only 3,300 have been saved. Some

350,000 Yazidis have been displaced in Iraq, out of whom only 65,000 have returned. Many of them remain in camps, notably in the Dohuk Governorate of the Kurdistan region and require assistance. UNAMI remains deeply concerned about the fate of more than 3,000 Yazidis still unaccounted for, particularly those who remain in Da'esh captivity. Returning the missing to their families is a top priority and no effort should be spared in achieving this. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] The UN stated that approximately 3,000 Yazidis were still missing as well as thousands of people from other religious minorities whom IS had also targeted. [...]

Information on the number of rescued Yazidi men, women, and children from kidnapping and number of Yazidi men, women and children remaining in ISIS captivity in 2019

❖ [The Financial Times, Yazidi hostages traded to criminals as Isis loses ground, 14 March 2019](#)

[...] Yazidi families — among Iraq's poorest people — are trying to locate a total of more than 3,000 missing relatives bought and sold by Isis members, according to Yazda, an advocacy organisation.

Ahmed Burjus, Yazda's deputy director, said the authorities had failed to help. "There is no plan from the international community or Iraq or Kurdistan government to rescue those people," he said. The Assad regime has no control of areas where kidnap victims are being held. [...]

❖ [Alliance of Iraqi Minorities \(AIM\), Iraq: Submission To The UN Universal Periodic Review Thirty-Four Session Of The UPR Working Group Of The Human Rights Council: October 2019, 27 March 2019](#)

[...] 1. AIM received through its organizations official statements and statistics received from an office of kidnapers (men and women) of Yazidis indicating that the organization of the preacher of the terrorist was captured for the purposes of slavery of (6,418) women, young men and children in the town of Sinjar Iraq. The latest statistics issued in March 2019, (3,371) women, children and men were rescued, but still holding a tight grip of (3,047) women and children are exposed daily for sale and enslavement.

2. Information obtained by AIM through its observatories indicates that the fate of approximately 400 Turkmen women and girls is not known, apparently through the statements that the Daa'esh organization had captured, sold and enslaved them, particularly from the Turkmen component of the Shiite community, most of them from Tal Afar, Tuzhurmatu and the outskirts of the city of Kirkuk. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] The fate of over 3,000 Yazidi women and girls abducted by the armed group remained unknown. [...]

Information on the number of rescued Yazidi men, women, and children from kidnapping and number of Yazidi men, women and children remaining in ISIS captivity in 2020

❖ [UN Security Council, Conflict-related sexual violence: Report of the Secretary-General, 30 March 2021](#)

[...] Iraq

[...] According to the Directorate of Yazidi Affairs of the Ministry of Endowment and Religious Affairs of the Kurdistan Regional Government, of the estimated 6,417 Yazidis who were abducted, 3,543 people (1,204 women, 1,044 girls, 956 boys and 339 men) have been rescued and 2,874 remain missing (1,574 men and 1,300 women). [...] (p. 13)

❖ [UN Security Council, Implementation of resolution 2522 \(2020\), Report of the Secretary-General, 11 August 2020](#)

[...] III. Update on the activities of the Mission and the United Nations country team

[...] C. Human rights and rule of law developments and activities

[...] On 13 June, the Minister of the Interior and his Kurdistan Region counterpart formed a joint committee to intensify the search for Yazidis still missing after their abduction by ISIL. [...] (p. 11)

- ❖ [Al Monitor, Tracking Missed Yazidis Increasingly Harder Six Years After IS Genocide, 7 August 2020](#)
[...] According to the Kidnapped Yazidis Rescue Office in Duhok, Kurdistan Region, 3,543 kidnapped Yazidis have been rescued with 2,800 still missing. [...]
- ❖ [Amnesty International, Legacy of Terror: The Plight of Yazidi Child Survivors of ISIS, 30 July 2020](#)
[...] 3. Background and Context
[...] 3.3. Abuse against Yazidis
The Kurdistan Regional Government's Office of Kidnapped Yazidis, based in Dohuk, estimated that as of February 2020, 2,884 Yazidi adults and children remain missing. Many of these adults and children are believed to still be in IS captivity.³² [...]

32 Interview on 25 February 2020.

ISIS continued to commit torture and ill-treatment in 2018

- ❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)
[...] In areas under its control, ISIL engaged in mass killings, rapes, kidnappings, detentions and mass abductions, torture and forced conversions, and the enslavement and sex trafficking of women and girls from minority religious communities. At the time of publication, the Directorate of Yazidi Affairs within the Kurdistan Region Ministry of Endowment and Religious Affairs reported to UNAMI/OHCHR that some 3,117 Yazidis were believed to remain in ISIL captivity (1,452 women, including girls and 1,665 men, including boys). [...]
- ❖ [UN Committee on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-second to twenty-fifth periodic reports of Iraq, 11 January 2019](#)
[...] Situation of ethnic and ethno-religious groups in the context of the armed conflict
17. The Committee notes with concern:
(a) That, according to the report of the Office of the United Nations High Commissioner for Human Rights (A/HRC/28/18, para. 78), Daesh may have perpetrated genocide against the Yazidi community, as well as crimes against humanity and war crimes;
(b) Reports of other grave human rights violations perpetrated by Daesh against ethnic and ethno-religious groups, including summary executions, enforced disappearances, torture, forced religious conversions, sexual and gender-based violence including rape and sexual slavery, and destruction and looting of their places of worship, homes and other properties, as well as reports that there are Yazidis and members of other ethnic and ethno-religious groups still being held captive by Daesh; [...]
- ❖ [Human Rights Watch, World Report 2019: Iraq, 17 January 2019](#)
[...] While many of the active battlefronts between Iraqi forces and the Islamic State (ISIS) had quieted by 2018, military operations continued against sleeper cells and rural ISIS holdouts. ISIS continued to capture and extrajudicially kill civilians and Iraqi armed forces throughout the year.
[...] Under the guise of fighting terror, Iraqi forces arbitrarily detained, ill-treated and tortured, and disappeared mostly Sunni men from areas where ISIS was active and failed to respect their due process and fair trial rights.
[...] In 2018, ISIS fighters captured and extrajudicially killed civilians, often targeting community leaders and Iraqi armed forces. They carried out dozens of explosive attacks on civilian-populated areas.
[...] Human Rights Watch and other organizations documented a system of organized rape, sexual slavery, and forced marriage by ISIS forces of Yazidi women and girls. However, no ISIS member has been prosecuted or convicted for those specific crimes. [...]

ISIS continued to commit torture and ill-treatment in 2019

- ❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)
[...] 1. The present report, prepared pursuant to Security Council resolution 1612 (2005) and subsequent

resolutions on children and armed conflict, provides information on grave violations against children committed by all parties to the conflict in Iraq between 1 July 2015 and 31 July 2019.

[...] 56. The fourth leading cause of killing and maiming of children was extrajudicial killings, torture and physical ill-treatment, resulting in the killing or maiming of 93 children (71 boys, 20 girls and 2 of sex unknown), more than 90 per cent of which were perpetrated by ISIL (85), followed by the Iraqi security forces (5), the Popular Mobilization Forces (2) and the Peshmerga Asayish (1). ISIL committed horrifying violence against children, using executions, amputations, physical mutilation and other brutalities to ensure obedience, instil fear and exert control and as a form of revenge and intimidation. [...]

Torture and abuse (incl. torture, rape, forced labor, forced marriage, forced religious conversion, material deprivation, and battery) by terrorist groups, in particular ISIS, was widespread in 2018

❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)

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Guards on occasion beat prisoners for talking to outsiders about poor conditions and mistreatment inside the prison in 2018

❖ [Human Rights Watch, Iraq: Judges Disregard Torture Allegations, 31 July 2018](#)

[...] Judges have also failed to transfer defendants from the custody of accused officers, the lawyers said. Any defendant who testifies in court that their interrogators tortured them is at risk of being tortured again when returned to prison to face the same guards. [...]

Guards on occasion beat prisoners for talking to outsiders about poor conditions and mistreatment inside the prison in 2019

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] In the context of the protests, activists, as well as lawyers representing protesters, medics treating injured ones and journalists covering the protests, faced a campaign of intimidation by intelligence and security forces, including factions of the PMU, who systematically targeted anyone speaking out against the conduct of security forces. In many cases, activists were threatened, beaten and forced to sign pledges to cease protesting, before being released from detention. Activists said that security forces warned them that they had been added to a list compiled by intelligence services. [...]

Some government forces and militia groups forced alleged ISIS sympathisers from their homes in 2018

❖ [Amnesty International, The Condemned: Women And Children Isolated, Trapped And Exploited In Iraq, 17 April 2018](#)

[...] Several women with perceived ties to IS reported being harassed due to their alleged affiliation by security forces present at the camp, camp authorities, staff members of humanitarian aid organizations and other camp residents. The forms of harassment described by the women interviewed for this report included general verbal harassment, sexual harassment and other forms of intimidation and abuse. [...]

❖ [The New Yorker, Iraq's Post-ISIS Campaign of Revenge, 17 December 2018](#)

[...] Noor was the only jihadi in his family—he told me that he had joined ISIS without his parents' knowledge or permission—but, last year, members of a Hashd group arrested his relatives, expropriated their home and property, and sent them to detention camps. [...]

❖ [Human Rights Watch, World Report 2019: Iraq, 17 January 2019](#)

[...] Iraqi families with perceived ISIS affiliation, usually because of their family name, tribal affiliation, or area of origin, were denied security clearances required to obtain identity cards and all other civil documentation. This impacted their freedom of movement, right to education, right to work, and right to apply for welfare benefits and obtain birth and death certificates needed to inherit property or remarry. Denial of security clearances also blocked families with perceived ISIS affiliation from being able to make claims to the governmental commission to compensate Iraqis affected by terrorism, military operations, and military errors; to bring court cases; or to challenge the seizure of property by Iraqi security forces or other local families [...]

Despite joint government and humanitarian efforts to facilitate the return of displaced persons to areas once held by ISIS, local decrees and other preventative measures prevented families with perceived ISIS affiliation from returning home to some areas, including in Anbar, Diyala, Nineveh, and Salah al-Din. In some

instances, these families were forced from their homes into camps by Iraqi armed forces or were forced into secondary displacement. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] Families with perceived ties to IS were regularly prevented from returning to their homes or places of origin as a result of threats from neighbours, tribal and local authorities, and Iraqi forces, including the Popular Mobilization Units (PMU) and Tribal Mobilization militias. Displaced families attempting to return to their home areas were turned back at checkpoints if they did not have the documentation deemed necessary or their relatives appeared on “wanted lists” of men affiliated with IS.

[...] Those who managed to return to their areas of origin said they were subjected to forced displacement, evictions, arrests, looting of their homes, house demolitions, threats, sexual abuse and harassment, and discrimination. Some families witnessed security forces attacking and arresting families affiliated with IS and so returned to the camps [...]

Some government forces and militia groups forced alleged ISIS sympathisers from their homes in 2019

❖ [Human Rights Watch, World Report 2020: Iraq, 14 January 2020](#)

[...] Iraqi families perceived to have ISIS affiliation, usually because of family name, tribal affiliation, or area of origin, were often denied security clearances required to obtain identity cards and all other civil documentation. This restricted their freedom of movement, right to education, and right to work, as well as access to welfare benefits and birth and death certificates needed to inherit property or remarry [...]

Forced returns and blocked returns of displaced persons persisted throughout 2019. In early July security forces launched screenings across camps for displaced people in Nineveh to determine their origins and possible links to ISIS. Over the next two months, authorities in Nineveh and Salah al-Din evicted hundreds of displaced people in camps outside of their governorate of origin, in some cases transporting them to their home communities despite families’ serious security concerns. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), The Right to Education in Iraq - Part One: The legacy of ISIL territorial control on access to education, 17 February 2020](#)

[...] Despite government and humanitarian efforts to facilitate the return to such areas, local ‘decrees’ and threats of violence prevent families with perceived ISIL affiliation from returning home to some areas, particularly Anbar, Diyala, Ninewa, and Salah al-Din governorates.⁴⁰ [...]

[...] 40 UNAMI interviews in displacement camp [exact location withheld] in Ninewa governorate, 15 - 23 July 2019.

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] Humanitarian agencies reported that an increased number of displaced Iraqis who had returned to their areas of origin were living in poor conditions. Some families, particularly those perceived to be affiliated with IS, were evicted from their homes by armed men, including local tribal militias, who then confiscated or destroyed the properties [...]

Some government forces and/or militia groups forced alleged ISIS sympathisers from their homes in 2020

❖ [Amnesty International, Report 2020/21: The State of the World’s Human Rights, 7 April 2021](#)

[...] Iraq

[...] Internally displaced people

[...] IDPs – mostly female-headed families – with perceived affiliation to IS, continued to face obstruction, evictions and confiscation and/or destruction of their homes when returning or attempting to return to their areas of origin. [...]

❖ [Just Security, Alexandra Saieh, Ignoring Iraq's Most Vulnerable Displaced Families Undermines US Stabilization Agenda in Iraq, 18 August 2020](#)

[...] Families Accused of ISIS Affiliation: Undocumented, Barred from Return, and Excluded from Society For the majority of Iraq's displaced, the highest barriers to return are the lack of support to rebuild homes and create jobs. But the absence of an inclusive national reconciliation plan or an inclusive IDP strategy manifests itself most acutely for those who are actively prevented from returning home, mostly families (by marriage or birth) of individuals accused of ISIS affiliation. These family members have not actually been accused of crimes themselves. Instead, they are punished for crimes allegedly committed by their relatives, barred from returning home by their former neighbors, community leaders, state-aligned militias, or state authorities themselves. These families are stuck in limbo: unable to return home yet unable to build a dignified life where they are. [...]

❖ [Newlines Institute for Strategy and Policy, ISIS in Iraq: The Challenge of Reintegrating 'ISIS Families', 7 July 2020](#)

[...] The governor of Kirkuk, Rakan al-Jubouri, supports the [ISIS] families' immediate return and says that Arab Sunni tribes, Sunni Turkmen, and the Kurds also endorse that policy. The main problem, he said, is with opposition from Shiite Turkmen and PMF; previous attempts to resettle families have failed in the villages of Amerli, Sulaiman Bek, Daqouq, Bashir, Dibis, and Tuz Khurmatu. To him, there are no legal, tribal, and economic obstacles for the return of these families; the main obstacles are security concerns from the PMF, especially Shiite Turkmen, even though the families in question have been cleared by the National Security Advisory and military intelligence.

In Hawija, southwest of Kirkuk, the tribes of Jubour and Shammar have decided in coordination with the PMF to force any family that included an ISIS member that had not previously surrendered to leave. These tribes and forces suspect these families of cooperating with ISIS members, including in recent attacks. [...]

Some Shia militias, including some under the PMF umbrella, committed abuses and atrocities against ISIS and also Sunni civilians in 2018, reportedly avenging ISIS crimes against the Shia community

❖ [Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons \(IDPs\) in the disputed areas, 5 November 2018](#)

[...] The PMUs are primarily targeting persons, who are suspected of being affiliated with ISIS or family members to those. These are most often Sunni Arab young men, but, in general, other Sunni Arabs and Sunni Turkmen also suffer from a form of collective abuses, killings, discriminations etc. The PMU are often reacting in retaliation for ISIS- incidents. One source said that the PMUs have the capacity to target whom they want. They have very good intelligence capabilities that reach out to most of the Iraqi society. The PMUs can target political or economic opponents, regardless of their religious or ethnic background. [...]

❖ [The New Yorker, Iraq's Post-ISIS Campaign of Revenge, 17 December 2018](#)

[...] Shiite paramilitary groups, some of which had carried out thousands of attacks against American troops in the previous decade, had mobilized to prevent ISIS from capturing Baghdad, but it was another two years before the Iraqi government integrated them into the armed forces. It was a Faustian bargain; the most powerful militias, which are collectively known as the Hashd al-Sha'abi, are trained, equipped, and funded by Iran's Revolutionary Guard, and have a reputation for carrying out the kinds of sectarian abuses that had led many Sunnis to welcome the jihadis in Mosul. "Without the Hashd al-Sha'abi, there would be no security in this country," the senior Iraqi intelligence official told me. "And yet, with them, there is no rule of law. They are above the Army, the law, and the sovereignty of Iraq."

[...] The most powerful Shiite paramilitary units have a similar relationship with the Iranian Revolutionary Guard. Security and intelligence officers from the Hashd still patrol the ruins of the Old City, occasionally making arrests. [...]

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] There have also been reports of Sunni Arabs being displaced from areas liberated from IS by Shiite militias. [...]

Some Shia militias, including some under the PMF umbrella, committed abuses and atrocities against ISIS and also Sunni civilians in 2019, reportedly avenging ISIS crimes against the Shia community

- ❖ [Minority Rights Group International and Ceasefire Centre For Civilian Rights, Submission to the United Nations Universal Periodic Review of Iraq: Thirty fourth Session of the Working Group on the UPR Human Rights Council, 4 November – 15 November 2019, 28 March 2019](#)

[...] PMF militias carried out repeated reprisals against Iraqi Sunnis for perceived affiliation with ISIS. [...]

- ❖ [The New Arab, The Iraq Report: Shia militia domination of Iraq feeds IS growth, 9 August 2019](#)

[...] During the war to defeat IS' "caliphate", Iraqi forces and allied PMF militias were accused by Human Rights Watch and others of having committed atrocities. Videos emerged of PMF troops battering children with sledgehammers, and PMF commanders openly stated that the battle for Mosul would be an opportunity to enact sectarian vengeance against Sunnis.

Since IS' defeat, and more recently, these sectarian abuses have continued, with large internment camps set up for "IS families" who have effectively been cut off from any future prospects, rampant torture to force false confessions of IS membership in Iraqi prisons, and thousands detained, including children, in degrading conditions.

Again, the vast majority of these abuses have come at the hands of the Iraqi security forces and allied PMF militants, and they have targeted the Sunni Arab demographic. Such a viciously sectarian approach does nothing to curtail IS, but in fact feeds their propaganda that Iraq is not a country for all Iraqis, but is in fact a sectarian nightmare designed to persecute the Sunnis. [...]

- ❖ [UN Human Rights Council, Joint written statement submitted by the International Organization for the Elimination of All Forms of Racial Discrimination \(EAFORD\), et al., 27 August 2019](#)

[...] There has been recent international political pressure to reduce the presence and role of militias in Iraq, especially those backed by the Islamic Republic of Iran to carry out sectarian killings in the Syrian Arab Republic and Iraq. Consequently, militias are now getting rid of the evidence of their activities – their detainees – through extrajudicial executions and covert, illegal mass burials. This is a very serious violation that can be characterized as a war crime and crime against humanity in accordance with international criminal law.

Information has recently come to light about the illegal burials of nearly 300 bodies that were transferred to a supposed non-governmental organization for burial. This information confirms that Iraqi authorities have begun, through its militias, to dispose of the bodies of hundreds of victims likely to have been forcibly disappeared for years in secret Iraqi militia detention camps. Worse yet, the latest evidence shows that the group now burying the bodies is not simply a non-governmental organization but actually a group belonging to a militia accused of attempts to induce demographic change and of keeping more than 7000 Iraqis in secret prisons in their main bases in Jurf al-Sakhar. [...]

- ❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] There have also been reports of Sunni Arabs being displaced from areas liberated from IS by Shiite militias. [...]

ISIS continued to kill minors in 2018

- ❖ [UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq, 20 June 2018](#)

[...] The Special Rapporteur heard accounts of brutal sexual enslavement, shooting, beheading, stoning and burning to death of men, women and children, including those perceived as lesbian, gay, bisexual, transgender or intersex, simply for defying the rigid gender policies of ISIL. [...]

ISIS continued to kill minors in 2019

- ❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)

[...] 1. The present report, prepared pursuant to Security Council resolution 1612 (2005) and subsequent

resolutions on children and armed conflict, provides information on grave violations against children committed by all parties to the conflict in Iraq between 1 July 2015 and 31 July 2019.

[...] 45. The United Nations verified the killing (741) and maiming (981) of 1,722 children (1,062 boys, 462 girls and 198 of sex unknown), 387 of whom were killed or maimed in the second half of 2015, 408 in 2016, 750 in 2017, 132 in 2018 and 45 in the first half of 2019.

46. The largest number of children killed or maimed was attributed to ISIL (462), followed by the Iraqi security forces and the international counter-ISIL coalition in joint operations (142), the Popular Mobilization Forces (9), the Peshmerga (34), TAF (2), unidentified armed elements (93) and explosive remnants of war (126). Over 40 per cent of the casualties occurred in Ninawa Governorate (716), followed by Diyala (283), Anbar (170), Kirkuk (160) and Salah al-Din (156) Governorates. The United Nations also received allegations of the killing or maiming of 1,068 children (438 boys, 104 girls and 526 of sex unknown) that could not be verified.

[...] 56. The fourth leading cause of killing and maiming of children was extrajudicial killings, torture and physical ill-treatment, resulting in the killing or maiming of 93 children (71 boys, 20 girls and 2 of sex unknown), more than 90 per cent of which were perpetrated by ISIL (85), followed by the Iraqi security forces (5), the Popular Mobilization Forces (2) and the Peshmerga Asayish (1). ISIL committed horrifying violence against children, using executions, amputations, physical mutilation and other brutalities to ensure obedience, instil fear and exert control and as a form of revenge and intimidation. [...]

Militias, criminal armed groups, ISIS, and other unknown actors kidnapped individuals in 2018 for financial gains

❖ [Finnish Immigration Service, Overview Of The Status Of Women Living Without A Safety Net In Iraq, 22 May 2018](#)

[...] Women are kidnapped in Iraq for reasons such as extracting a ransom and for human trafficking.¹⁷³ [...]

173 The UN Palermo Protocol defines human trafficking thus: ““Trafficking in persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”. Source: UNTC 2000

❖ [Centre for Strategic and International Studies, The Islamic State and the Persistent Threat of Extremism in Iraq, November 2018](#)

[...] Much like the insurgent tactics of Al Qaeda in Iraq (AQI), and the Islamic State in Iraq (ISI) - the Islamic State's predecessors - Islamic State militants are seizing on local grievances, taking advantage of ungoverned space by operating from cell structures to conduct hit and run attacks, kidnappings for ransom, targeted assassinations, and bombings using improvised explosive devices. [...]

❖ [Open Doors International and World Watch Research Unit, IRAQ: Compound structural vulnerabilities facing Christian women under pressure for their faith, November 2018](#)

[...] Most violence against Christians comes from aggressive Islamist groups or individuals. Christians may also face strong pressure from individuals, society, armed groups and government officials who try to persuade (or coerce) them to emigrate or convert/return to Islam. Additional issues affecting Christians include high levels of corruption, including through ransoms demanded of Christian hostages and theft of property belonging to Christians (especially those who have left the country). [...]

Militias, criminal armed groups, ISIS, and other unknown actors kidnapped individuals in 2019 for financial gains

❖ [The Financial Times, Yazidi hostages traded to criminals as Isis loses ground, 14 March 2019](#)

[...] Yazidi children and women abducted by Isis at the peak of its power are now being traded by criminal traffickers in Syria as the country's eight-year civil war morphs into an era of violent lawlessness.

Although the Syrian regime is claiming victory and Isis is close to losing its final scrap of territory, kidnap victims remained imprisoned in parts of northern Syria controlled by Turkish-backed rebels or jihadist militants, say families and would-be rescuers.

The kidnap victims are from Iraq's Yazidi minority — followers of an ancient monotheistic religion who Isis massacred and enslaved in 2014 in attacks the UN designated as a genocide.

Now new captors are capitalising on Isis's fall, taking control of victims who in some cases had been handed over by fleeing Isis fighters caught by other rebel groups. Captors are demanding up to \$30,000 for each Yazidi's release in a country where the average Iraqi earns \$6,000 to \$7,000 per year, according to the government.

The post-Isis kidnap market reflects a breakdown of order in parts of Syria where control has shifted from opposition councils to armed groups harbouring criminal gangs. In areas controlled by President Bashar al-Assad criminality is also rampant.

In Isis's self-declared caliphate — which once spanned Iraq and Syria — fighters enslaved Yazidis and traded their victims in meticulously organised markets. Women were forced into sexual slavery and children used as servants or quasi-adopted.

One young woman who fled Isis's shrinking territory in north-east Syria was snatched as she sought protection at a civilian home in Deir Ezzor, according to Hassan Sulaiman Ismail, an education official trying to retrieve her.

Yazidi families — among Iraq's poorest people — are trying to locate a total of more than 3,000 missing relatives bought and sold by Isis members, according to Yazda, an advocacy organisation.

Ahmed Burjus, Yazda's deputy director, said the authorities had failed to help. "There is no plan from the international community or Iraq or Kurdistan government to rescue those people," he said. The Assad regime has no control of areas where kidnap victims are being held.

[...] Launching rescue efforts in jihadist-held Idlib and areas of north-west Syria controlled by Turkish-backed rebels was harder than it had been in Isis areas, said Abdullah Shrem, a car parts trader turned smuggler who has saved almost 400 Yazidis. "They are bigger territories".

He estimates non-Isis members are holding about 200 women and children in Syria and hoping to profit by selling them. He is creating new informant networks in order to track them down.

About 25 victims have been bought back from new non-Isis captors during military operations by US-backed Syrian forces around Isis's last bastion in the north-east Syrian village Baghouz, Mr Shrem says.

Thousands of people have left Baghouz during the offensive, forcing military officials to admit that they underestimated their number. Escapers included a handful of Yazidis.

But for families who know their children have been trafficked out of Isis areas, the clock is ticking. After five years of separation, young children may be unrecognisable or unaware who their real parents are. Isis captors renamed many.

According to Amy Beam, an independent advocate, Yazidi children were originally sold in Isis markets for \$500. Kidnappers have ramped up those prices.

Amina's 13-year-old son is being ransomed for \$30,000 somewhere near Baghouz. She has hope that "as long as he is alive he will come back one day", but she has no way to pay. Her husband and 17-year-old son are still missing. [...]

ISIS continued to commit torture and ill-treatment in 2018

- ❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)

[...] In areas under its control, ISIL engaged in mass killings, rapes, kidnappings, detentions and mass abductions, torture and forced conversions, and the enslavement and sex trafficking of women and girls from minority religious communities. At the time of publication, the Directorate of Yazidi Affairs within the Kurdistan Region Ministry of Endowment and Religious Affairs reported to UNAMI/OHCHR that some 3,117 Yazidis were believed to remain in ISIL captivity (1,452 women, including girls and 1,665 men, including boys). [...]

- ❖ [UN Committee on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-second to twenty-fifth periodic reports of Iraq, 11 January 2019](#)

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(b) Reports of other grave human rights violations perpetrated by Daesh against ethnic and ethno-religious groups, including summary executions, enforced disappearances, torture, forced religious conversions, sexual and gender-based violence including rape and sexual slavery, and destruction and looting of their places of worship, homes and other properties, as well as reports that there are Yazidis and members of other ethnic and ethno-religious groups still being held captive by Daesh; [...]

❖ [Human Rights Watch, World Report 2019: Iraq, 17 January 2019](#)

[...] While many of the active battlefronts between Iraqi forces and the Islamic State (ISIS) had quieted by 2018, military operations continued against sleeper cells and rural ISIS holdouts. ISIS continued to capture and extrajudicially kill civilians and Iraqi armed forces throughout the year.

[...] Under the guise of fighting terror, Iraqi forces arbitrarily detained, ill-treated and tortured, and disappeared mostly Sunni men from areas where ISIS was active and failed to respect their due process and fair trial rights.

[...] In 2018, ISIS fighters captured and extrajudicially killed civilians, often targeting community leaders and Iraqi armed forces. They carried out dozens of explosive attacks on civilian-populated areas.

[...] Human Rights Watch and other organizations documented a system of organized rape, sexual slavery, and forced marriage by ISIS forces of Yazidi women and girls. However, no ISIS member has been prosecuted or convicted for those specific crimes. [...]

ISIS continued to commit torture and ill-treatment in 2019

❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)

[...] 1. The present report, prepared pursuant to Security Council resolution 1612 (2005) and subsequent resolutions on children and armed conflict, provides information on grave violations against children committed by all parties to the conflict in Iraq between 1 July 2015 and 31 July 2019.

[...] 56. The fourth leading cause of killing and maiming of children was extrajudicial killings, torture and physical ill-treatment, resulting in the killing or maiming of 93 children (71 boys, 20 girls and 2 of sex unknown), more than 90 per cent of which were perpetrated by ISIL (85), followed by the Iraqi security forces (5), the Popular Mobilization Forces (2) and the Peshmerga Asayish (1). ISIL committed horrifying violence against children, using executions, amputations, physical mutilation and other brutalities to ensure obedience, instil fear and exert control and as a form of revenge and intimidation. [...]

The use of checkpoints to prevent Yazidi IDP returns to Sinjar in 2018

❖ [Danish Immigration Service, Northern Iraq: Security situation and the situation for internally displaced persons \(IDPs\) in the disputed areas, incl. possibility to enter and access the Kurdistan Region of Iraq \(KRI\), 5 November 2018](#)

[...] Very few IDPs have returned to Sinjar district and the western part of Mosul. Iraqis who were internally displaced due to the conflict with ISIS must go through heavy clearance procedures in order to reach their area of origin.

[...] Restrictions on return to Sinjar

Very few IDPs have returned to Sinjar, including some few Yazidis. This is primarily caused by the unstable security situation and the presence of many different security actors in the area.²¹⁵

One source stated that the KRG prevents return of IDPs to Sinjar. Since the KRG control the movement out of KRI, where most Yazidis from Sinjar live in displacement, the KRG perceived as the KDP have full control over freedom of movement. The source also mentioned that the prevention of return also is done through pressure and incentives, which work because of limited shelter options.²¹⁶ [...]

215 Kirkuk Now: 215; US Consulate, Erbil: 244

216 International NGO working in Iraq: 12

❖ [Al Monitor, Sinjar road reconnects estranged Yazidis and Kurds with Baghdad, 17 December 2018](#)

[...] When the KRG broached the subject of reopening the Sihela road, Abadi demanded that checkpoints be staffed with Iraqi troops and that customs posts be run by personnel dispatched by the central government. Baghdad also insisted that the Kurds permit the unconditional return of Arabs displaced by the jihadi takeover, the sources briefing Al-Monitor said.

The KRG resisted, saying it wanted their names so as to net potential IS infiltrators in their midst.

The latter demand remains controversial. Rights groups have accused the KRG's Asayish security forces of making little effort to distinguish between IS members and ordinary civilians. Human Rights Watch alleged in a February report that Kurdish forces had executed IS prisoners en masse.

Van den Toorn argues that the KDP was in no rush to reopen Sihela because it did not want displaced Yazidis sheltering in Dahuk to return to Sinjar. "They want these Yazidis in the camps for political purposes, for example for votes in future provincial elections." Most of all, she continued, "If Sinjar starts to normalize it is a win for Baghdad as Sinjar is now under federal control, which the KDP wants to avoid at all costs." But a compromise was struck and an unfazed Abdul Mahdi signed the Sihela agreement on the eve of Murad's trip. [...]

The use of checkpoints to prevent Yazidi IDP returns to Sinjar in 2019

- ❖ [The Jerusalem Post, Iraq still struggling with helping Yazidis five years after genocide, 3 August 2019](#)

[...] Yazidis say that the security situation in Sinjar is still unstable and that rival militias, checkpoints and ISIS threats make it difficult to return. [...]

Information that ISIS continued to target the destruction of religious sites and hospitals in 2018

- ❖ [Iraqi News, 130 people killed, wounded as dual bomb attack targets Shiite mosque in Baghdad, 7 June 2018](#)

[...] At least 130 people were killed and wounded Wednesday in a deadly explosion near a Shiite mosque in the Iraqi capital Baghdad, a security source was quoted as saying.

"Two bombs went off near an ammunition cache placed in a Shiite mosque in the Shiite bastion of Sadr City in Baghdad, leaving 20 people killed so far," the source told Alghad Press.

"Up to 110 people were also wounded as a result of the explosion," the source pointed out, adding that security forces rushed to the blast site and opened a probe into the matter.

No group has so far claimed responsibility for the attack, but the Islamic State (IS) militant group, in most cases, is responsible for attacks targeting crowded areas, including markets, cafes and mosques across Iraq. [...]

Information that ISIS continued to target the destruction of religious sites and hospitals in 2019

- ❖ [United Nations General Assembly, Children and armed conflict: Report of the Secretary-General, 20 June 2019](#)

[...] Iraq

[...] 76. The United Nations verified 24 attacks on schools (21) and hospitals (3). [...] The three attacks against hospitals and medical personnel were attributed to ISIL and comprised the killing of one member of medical staff in Diyala, an attack on a medical centre in Kirkuk and the looting of supplies from Dara medical centre in Kirkuk. [...]

- ❖ [Rudaw, ISIS claims responsibility for Shiite mosque attack in Baghdad, 23 June 2019](#)

[...] The Islamic State (ISIS) claimed on Sunday that one of its militants carried out a suicide attack in a Shiite mosque in Eastern Baghdad on Friday amid an uptick of militant activity in Iraq.

Through telegram channels, ISIS claimed that a militant named Abo Ali al-Ansari had carried out a suicide attack on a Shiite mosque in the al-Baladiyat neighborhood in eastern Baghdad.

There were conflicting reports about the number of casualties of the Friday bombing, and there are no definite numbers. Iraq's Security Media Cell responsible for announcing security news was silent, while Saad Maan, the spokesperson for the Ministry of Interior, also was silent.

Reuters reported that seven people were injured in the bombing.

AFP on its part reported that there were two killed civilians and nine individuals were wounded.

Sky News Arabia citing Iraqi media al-Sumeria claimed that seven Iraqis were killed in the suicide bombing and more than 20 were injured.

ISIS on its part claimed that the attack killed and injured more than 40 individuals in the bombing.

The bombing is part of the uptick in ISIS activity across the country. [...]

❖ [The National, Explosion in Iraq near Shiite mosque kills 3, wounds dozens, 24 August 2019](#)

[...] Iraqi security officials say a motorcycle rigged with explosives went off near a Shiite mosque south of the capital Baghdad, killing three people and wounding 34.

The officials said on Saturday that the blast occurred the previous evening on a commercial street in the village of Mussayyib. They spoke on condition of anonymity in line with regulations.

ISIS claimed responsibility for the attack, saying it targeted "gatherings of Shiites" near a Shiite mosque.

Iraq declared victory against ISIS in late 2017, but the group continues to carry out attacks through sleeper cells, particularly in the country's north. [...]

❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)

[...] D. Attacks on schools and hospitals

[...] 63. Throughout the reporting period, there were serious concerns related to attacks on civilian infrastructure by parties to conflict that may have violated international humanitarian law. However, the lack of access to conflict-affected areas during active hostilities and the crossfire nature of many incidents, as well as late verification, complicated the attribution of attacks to specific parties to conflict.

64. Elevated numbers of attacks on schools (236) and hospitals (24) were verified, as well as a high number of military uses of schools (79) and the military use of 1 hospital. The United Nations also received reports of 60 attacks on schools (35) and hospitals (25) and 7 military uses of schools (5) and hospitals (2) that could not be verified [...]

Attacks on hospitals

69. The United Nations verified 24 attacks on hospitals, 9 of which occurred in the second half of 2015, 8 in 2016, 3 in 2017, 3 in 2018 and 1 in the first half of 2019. A total of 8 of the attacks were attributed to ISIL, 4 to the Iraqi security forces and their allies, 1 to the Popular Mobilization Forces and 11 to unidentified armed elements. The largest numbers of attacks occurred in Diyala (9) and Ninawa (5) and included the targeting of medical personnel (13) and damages caused by crossfire between the parties to conflict (10). [...]

1.3.3. Omissions in 2019

Information that the Asayish were also involved in arbitrary or unlawful killings in 2019

❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)

[...] 45. The United Nations verified the killing (741) and maiming (981) of 1,722 children (1,062 boys, 462 girls and 198 of sex unknown), 387 of whom were killed or maimed in the second half of 2015, 408 in 2016, 750 in 2017, 132 in 2018 and 45 in the first half of 2019.

46. The largest number of children killed or maimed was attributed to ISIL (462), followed by the Iraqi security forces and the international counter-ISIL coalition in joint operations (142), the Popular Mobilization Forces (9), the Peshmerga (34), TAF (2), unidentified armed elements (93) and explosive remnants of war (126). Over 40 per cent of the casualties occurred in Ninawa Governorate (716), followed by Diyala (283), Anbar (170), Kirkuk (160) and Salah al-Din (156) Governorates. The United Nations also received allegations of the killing or maiming of 1,068 children (438 boys, 104 girls and 526 of sex unknown) that could not be verified.

[...] 56. The fourth leading cause of killing and maiming of children was extrajudicial killings, torture and physical ill-treatment, resulting in the killing or maiming of 93 children (71 boys, 20 girls and 2 of sex unknown), more than 90 per cent of which were perpetrated by ISIL (85), followed by the Iraqi security forces (5), the Popular Mobilization Forces (2) and the Peshmerga Asayish (1). [...]

Information that the Asayish were also involved in arbitrary or unlawful killings in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 4. Complementary Protection Claims

[...] Extrajudicial Killings

Human rights observers report extrajudicial killings occur frequently in Iraq, often in conjunction with enforced disappearance [...]. A range of government and non-government actors have reportedly been responsible for such killings, including government and KRI security forces, PMF groups and non-state actors, particularly Da'esh. [...]

Torture cases were underreported because many detainees were afraid to file complaints in 2019

❖ [Civilians in Conflict, “We just want someone to protect us”: Civilian Protection Challenges in Kirkuk, December 2019](#)

[...] The whereabouts of hundreds of Arab men suspected of being affiliated with the Islamic State, who were detained by the Kurdish Asayish³⁴ and other Iraqi security actors, remain unknown.

[...] Complaint Mechanisms for Civilians

CIVIC has noted the lack of adequate channels for civilians to report incidents of civilian harm. While different security forces, such as the Federal Police, Local Police, Iraqi Army, and the KOC [Kirkuk Operations Command], have departments of civilian affairs, also called Citizen Affairs Offices, which are meant to gather and investigate civilian complaints about security forces, civilians report that their work has not led to changes in policy or any disciplinary action against officials involved in violations. This was also highlighted during a recent Civilian-Military (CIVMIL) dialogue in Kirkuk. Civilians noted that the myriad of armed actors performing security duties in Kirkuk confuse locals, who do not know to whom they should report concerns.¹⁰³

Moreover, civilians rarely use these mechanisms because they are not familiar with them, because they believe they are ineffective, or because they fear retaliation if they denounce a member of the security forces.¹⁰⁴ For these mechanisms to be effective, they need to be transparent to guarantee the anonymity and protection of the informants, and to integrate third parties that are able to be neutral in investigating and addressing the complaints presented. During the CIVMIL dialogue, participants suggested that a coordination mechanism should be created by the different security forces and include the creation of a specific agency to be responsible for receiving citizens' complaints regarding the security forces and following up on them. Hotlines should be available, and civilians should be encouraged to report protection threats and issues they experience while interacting with security actors through a government-led social media campaign.¹⁰⁵ [...]

34 Asayish is the Kurdish secret service.

[...] 103 CIVMIL dialogue facilitated by CIVIC in Kirkuk city, July 2019. See also footnote 29.

104 CIVIC interviews with civilians from Hawija, Daquq and Kirkuk districts, from July to October 2019.

105 See footnote 37 on the CIVMIL Dialogue organized by CIVIC in Kirkuk city, July 2019.

Some detainees were held more than six months without trial in the KRI in 2019

❖ [Alliance \(Ensan\) for the Human Rights - Third Session 2019, March 2019](#)

[...] The accused were subjected to torture and/or ill-treatment by anti-crime police in most cases or by the Asayish forces in order to obtain confessions, and remains the suspects for long periods in the phase of pre-trial detention, defendants in the prisons of the Asayish administered by the Government of the territory sometimes spend more than six months in detention without trial. [...]

❖ [Human Rights Watch, “Everyone Must Confess”: Abuses against Children Suspected of ISIS Affiliation in Iraq, 6 March 2019](#)

[...] In November 2018, at the time of Human Rights Watch's visit, 63 boys were detained at the Women and Children's Reformatory in Erbil for alleged ISIS association, including 43 who had been convicted, and 20 who were detained pending trial.⁸⁷ By February 2019, the number had increased to 84, including 20

girls.⁸⁸ In the reformatory, children charged with terrorism are segregated from other detainees. Between 12 and 20 boys share a large room with bunk beds around the perimeter. The boys reported that generally, they are treated and fed well. However, Human Rights Watch has grave concerns about excessive periods of confinement, lack of education and rehabilitation, abuse by some guards, inadequate medical care, and lack of family contact.

[...] All of the boys said they were not allowed to communicate with their families while in Asayish custody. Once at the reformatory, children were allowed family visits before trial, but most said they were denied phone calls until after sentencing. For some detainees, the inability to make phone calls meant that their families had no idea where they were. One boy had been detained for nearly two years without contact with his family. [...]

Some detainees were held more than six months without trial in the KRI in 2020

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
[...] 4. Complementary Protection Claims
[...] Arbitrary Arrest and Detention
[...] There are also reports of Iranian-aligned PMF groups arbitrarily or unlawfully detaining Kurds and Turkmen in Kirkuk and Christians and other minorities in western Ninewah and the Ninewah Plains. KRI law permits the extension of pre-trial detention for up to six months under court supervision. According to human rights observers, however, detainees are often held for longer periods without trial. [...]

Some home and property confiscations appeared to have ethnic or sectarian motives in 2019

- ❖ [Nineveh Center for Minority Rights and the Assyrian Universal Alliance Americas Chapter, Iraq: Thirty-Fourth Session of the Working Group on the Universal Periodic Review United Nations Human Rights Council: A Stakeholder Report, March 2019](#)
[...] 18. Systematic policies of unlawful expropriation, state-sanctioned efforts to effectively alter the demographic characteristics of indigenous territories, and extreme violence at the hands of ISIL have violated Constitutional safeguards and served to undermine the right of Assyrian Christians to own property free from discrimination. Illegal or unauthorized expropriation and occupation of Assyrian Christian land in Baghdad, Mosul, Basra and other Governorates continues to be a problem with very little judicial or other recourse.
[...] Notwithstanding the existence of constitutional protections against unlawful expropriation, targeted confiscation of Assyrian Christians' property in the Kurdistan Region as well as ineffective government mechanisms to address historic grievances result in both formal and substantive discrimination against Assyrian Christians.
[...] In sum, the three main issues obstructing displaced Assyrian Christians from enjoying the right to housing under Article 11(1) of the ICESCR, include: situational safety and discrimination; the extent of physical damage making it difficult (if not impossible) to resume residence in the property; and financial obstacles to being able to afford the cost of construction and renovation. To fully guarantee equal access to housing, the central government must prioritize the needs of Assyrian Christian IDPs and other disadvantaged groups by implementing necessary measures that will help overcome such threats to their physical and financial security. [...]
- ❖ [Minority Rights, Current issues: Iraq, last updated June 2019](#)
[...] There were also reports of Peshmerga units destroying property and harassing and expelling civilians in areas recovered from ISIS. [...]
- ❖ [Human Rights Watch, Kurdistan Region of Iraq: Arabs Not Allowed Home, 6 September 2019](#)
[...] The Kurdistan Regional Government (KRG) is preventing about 4,200 Sunni Arabs from returning home to 12 villages east of Mosul, Human Rights Watch said today. More than three years after the Hamdaniya district was retaken from the Islamic State (also known as ISIS), in one area KRG authorities have only allowed Kurdish residents and Arabs with KRG ties to return, in violation of international humanitarian law.
[...] The KRG's coordinator for international advocacy, Dr. Dindar Zebari, wrote on August 10 in response to a Human Rights Watch letter that in the 15 villages Human Rights Watch investigated, population counts

showed that there had been few or no returns to 6 of the villages and minimal returns to 2. In 4 villages, about half the population had returned. In only 3 villages had all or nearly all residents returned. Residents blocked from returning said that these 3 villages were either predominantly Kurdish or had Arab residents with strong KRG ties.

Zebari's information matched satellite imagery analysis from 2016 to 2019 that identified signs of reconstruction and needed reconstruction of many area buildings.

[...] KRG officials, in communications with residents, aid workers, and Human Rights Watch, have provided reasons for blocking returns to the district: inadequate services, unexploded ordnance, uncleared landmines (including those of an improvised nature), property destruction; social conflicts and property and land ownership issues, concerns about attacks by villagers who had joined ISIS, and security issues arising from the September 2017 KRG referendum on independence, which makes the area a front line if there is future fighting between Kurdish and Iraqi forces. [...]

Some home and property confiscations appeared to have ethnic or sectarian motives in 2020

❖ [Middle East Eye, In post-Islamic State northern Iraq, demographic changes raise concerns, 26 April 2020](#)

[...] Demographic changes in the town [Qaraqosh], which are perceived by some as forced, have led to frustration for many of the area's Christians and others.

[...] The Shabak presence in Bartella, Qaraqosh and other historically Christian towns significantly increased in the aftermath of the war with the Islamic State (IS) group, when expelled populations returned to their lands or moved from destroyed villages to larger towns.

Nineveh Plains residents disagree on whether demographic change occurring in the area is forced or not. The issue has pitted people who suffered at the hands of IS against each other. It has also highlighted disagreements over Iran and its militia allies' influence in Iraq.

[...] In the Nineveh Plains, Brigade 30 is one of the main PMF groups and its soldiers are mostly Shabak. Before the IS conflict, the Shabak community had no such military clout.

"After the liberation, Shabak had militias," the Shabak activist said.

Thousands of Christians fled the Nineveh Plains in advance of IS. Others were enslaved or killed. This prompted heavy emigration of Iraq's Christians from the country. The flight of Christians enabled Shabak to move to historically Christian towns, according to the activist.

"Many Christians left Iraq, so areas became Shabak and pictures of Imam Hussein appeared," he said. The activist said this was not a plan, but a desire to live in areas with better conditions. He blamed the government for the situation.

"It was a result, not a plan. We just wanted water, services, schools for the children," he said. "If the government had given us land, we would've never left our areas."

Even since the areas were liberated from IS control, the Christian population has not returned in the same numbers. This is due to the destruction of homes and the lack of basic services, making the areas almost uninhabitable, while others found work in other regions.

[...] "Christians left Iraq, and they accepted this because they had no sources from which to live," Isam Daaboul, the mayor of Hamdaniya, which includes Qaraqosh, told Middle East Eye.

[...] Many Christians from the area believe forced demographic change is taking place. In March, Christian news website ankawa.com published an article on the issue, using the provocative title "Daesh [IS] left and the Shabak came. And dread is there. Why are Christians afraid to return to their homes?". The article acknowledged Shabak suffering at the hand of IS as well, but accused members of the Shabak community of preventing Christians from coming back to the Nineveh Plains.

"Christians are afraid of returning because of the threat posed by the 'Shabak,'" the article read.

Some Christian politicians use similar language to refer to the situation. Hadaya said that Iran was backing elements of the Shabak community to alter the population makeup of the Nineveh Plains.

"There are big efforts to change the demographics from the residents and the government," he told MEE.

"Shabak people have control and they are close to Iran."

When Iraqis want to change homes, they must obtain papers from local authorities before they can do so legally. This is one way that people affiliated with pro-Iran entities can allegedly receive preferential treatment, thus enabling demographic change.

[...] Not all Christians believe the rumours that Shabak are taking their properties, though. In a small alley tucked away off Bartella's main road, Sliwa Elias and friends sit outside and talk.

"This isn't happening at all," Elias told MEE. "Christians and Shabak live normal lives as neighbours."

Another member of the group, John al-Sabagh, said that Shabak moving into Christian homes happens for economic reasons because of Christian emigration from the area.

[...] Many Shabak and other Shia in Bartella deny anyone in their community is taking houses, including those houses abandoned by Christians who fled IS.

[...] Marwa Hussein is a Shabak activist, also from Bartella. She adamantly denied anyone taking homes in an inappropriate way.

[...] "Christian houses being taken by the Hashd, other militias, or other components is a falsehood," she told MEE. Some Iraqis refer to ethnic and religious communities as "components". [...]

Judges and local officials took bribes to settle property disputes in 2019

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] Iraqis are legally free to own property and establish businesses, but observance of property rights has been limited by corruption and conflict. Business owners face demands for bribes, threats, and violent attempts to seize their enterprises. [...]

ISIS continued to detonate vehicle-borne IEDs and suicide bombs in 2019

❖ [The Jerusalem Post, Three ISIS suicide bombers detonate near Iraq's Sinjar, 25 March 2019](#)

[...] Three ISIS members surrounded by security forces and local paramilitaries blew themselves up on Sunday, in the northern Iraqi city of Sinjar.

The incident comes days after the US and Syrian Democratic Forces announced the defeat of ISIS in neighboring Syria. The incident illustrates the continued presence of ISIS threats in Iraq [...]

❖ [Iraqi News, Iraqi security defuse two explosive charges in Diyala, 19 May 2019](#)

[...] Iraqi security forces on Sunday defused two explosive charges in Diyala province as the country still faces growing bomb threats probably by the dormant Islamic State cells.

"The security forces were able to find two plastic containers full of the explosive TNT during a search operation in Diyala," Alghad Press quoted the Diyala police directorate as saying in a press statement.

The two explosive charges were remotely detonated, with no casualties reported, the statement read.

IS declared a self-styled "caliphate" in a third of Iraq and neighboring Syria in 2014. A government campaign, backed by a U.S.-led international coalition and paramilitary forces, was launched in 2016 to retake IS-held regions, managing to retake all havens, most notably the city of Mosul, the group's previously proclaimed capital. [...]

❖ [Kurdistan 24, Bomb targets Iraqi police in Kirkuk after arrest of ISIS 'leader' in area: reports, 26 June 2019](#)

[...] An improvised explosive device (IED) targeted an Iraqi Federal Police patrol unit in western Kirkuk Province on Tuesday, killing one officer and injuring four others in the blast, local media reported.

[...] On Monday, the Iraqi security communications center, Security Media Cell (SMC), announced in a statement the arrest of an alleged leader of the Islamic State group in central Kirkuk city, in the al-Wahda neighborhood, located about 40 kilometers northeast of the location of the bombing. [...]

❖ [Iraqi News, Four Iraqi mobilization members wounded in Diyala blast, 12 July 2019](#)

[...] Four members of the Iraqi Popular Mobilization Forces were wounded Friday in an explosion that occurred in Diyala province, north of Iraq, local media reported.

Iraqi al-Madar agency quoted a security source saying that the PMF's intelligence chief in Diyala and three lower-rank elements were wounded in an IED explosion in Diyala's Saadiya region.

The incident comes a few hours after PMF and army forces launched an operation to clear northeastern Diyala from remnant Islamic State cells.

Iraq announced late 2017 the recapture of all areas under IS control, but security forces continue to hunt for remnant cells of the group at desert areas. The group has since then carried out several attacks against security forces and civilians. [...]

❖ [Iraqi News, Security forces dismantle IED near Antar Square in Baghdad, 17 July 2019](#)

[...] A police source informed, on Wednesday, that security forces dismantled an improvised explosive device (IED) near Antar Square, in Azamiyah area in the capital, Baghdad. He also pointed out that the operation did not result in any casualties.

The source said in a press statement that security forces from the Bomb Squad dismantled a local-made improvised explosive device, which was emplaced near Antar Square, in Azamiyah area, in Baghdad.

[...] The Iraqi capital is witnessing numerous bombings and armed attacks against security members, paramilitary troops and civilians. The attacks escalated since the Iraqi government launched a wide-scale campaign to retake Islamic State-occupied areas. [...]

ISIS continued to detonate vehicle-borne IEDs and suicide bombs in 2020

❖ [German Federal Office for Migration and Refugees \(BAMF\), Briefing Notes, Group 62 – Information Centre for Asylum and Migration, 25 January 2021](#)

[...] Iraq

[...] Suicide bombings in Baghdad

On 21.01.21, twin suicide bombings took place on Tayaran Square in Baghdad at a market where mainly second-hand clothing is sold. The first bomber rushed into the market and gathered a crowd around him by claiming to feel sick and detonated an explosive belt when bystanders tried to help him; shortly afterwards, a second attacker detonated an explosive belt after others rushed to help the wounded. In total, 32 persons were killed and a large number of persons were injured. ISIS has claimed responsibility for the attack, the first of its kind to be carried out in Baghdad in almost three years. [...]

❖ [BBC News, Iraq bombing: IS says it was behind deadly suicide attacks in Baghdad, 22 January 2021](#)

[...] The Islamic State (IS) group has said it was behind a double suicide bombing in the Iraqi capital, Baghdad, on Thursday that killed at least 32 people and wounded more than 100.

The target had been Shia Muslims, a statement from the Sunni Islamist militant group's Amaq news agency said.

It was the biggest suicide attack in Baghdad for three years.

The bombers blew themselves up among a crowd of shoppers at a second-hand clothes market in Tayaran Square. [...]

❖ [UN Security Council, Implementation of resolution 2522 \(2020\): Report of the Secretary-General, 10 November 2020](#)

[...] III. Update on the activities of the Mission and the United Nations country team

[...] C. Human rights and rule of law developments and activities

[...] 63. ISIL continues to perpetrate violence against civilians. A total of 34 deaths and 51 injuries were attributed to ISIL and resulted from attacks with the use of small arms, the use of improvised explosive devices and rocket or mortar attacks. [...] (p. 11)

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 2. Background Information

[...] Security Situation

[...] Despite its territorial defeat in December 2017, Da'esh remains a major perpetrator of abuses and atrocities. These abuses are particularly evident in Anbar, Baghdad, Diyala, Kirkuk, Ninewah and Salah al-Din Governorates where Da'esh units have continued to attack electricity and water infrastructure, abduct and kill civilians and attack security forces. The group is consolidating its presence in Diyala, Kirkuk, and Salah al-Din provinces where it takes advantage of ungoverned spaces and the disputed areas between Federal Iraqi and Kurdish security forces. Improvised explosive device attacks in these areas target security forces' vehicles. [...] (p. 19)

❖ [Newlines Institute for Strategy and Policy, ISIS in Iraq and Syria: Rightsizing the Current 'Comeback', 12 May 2020](#)

[...] Significantly, ISIS claimed it detonated five improvised explosive devices in different parts of the capital Baghdad this Monday. The attacks were in close proximity to Baghdad International Airport — within 5 miles. [...]

❖ [International Crisis Group, When Measuring ISIS's "Resurgence", Use the Right Standard, 13 May 2020](#)

[...] The 1 May operation was apparently planned and complex. ISIS first attacked local tribal auxiliaries belonging to Iraq's paramilitary al-Hashd al-Shaabi (Popular Mobilisation) force south of the Salahuddin city of Tikrit. The jihadists assaulted and killed one group of six Hashd fighters, only to hit incoming reinforcements with an improvised explosive device (IED) the group claims it planted in advance, killing three more.

[...] On 28 April, ISIS attempted a suicide attack on an intelligence service headquarters in Kirkuk's provincial capital — an operation with scant precedent since 2017, given how the group has avoided suicide bombings and conserved manpower after losing its territorial control. Security personnel engaged the lone attacker as he approached, and he detonated his explosives before reaching the building. Several men were wounded but none killed. Delivering a single attacker equipped with an explosive belt for a failed attack thus mostly showcased the group's intentions, not its capabilities. [...]

❖ [US Department of Defense \(USDOD\), Lead Inspector General for Operation Inherent Resolve Report to the United States Congress, January, 1 – March 31, 1 May 2020](#)

[...] EVENTS IN IRAQ

STATUS OF ISIS IN IRAQ

[...] CJTF-OIR [Combined Joint Task Force-Operation Inherent Resolve] Reports No Change in ISIS Tactics

[...] According to open source data compiled by the DoD OIG, ISIS claimed more than 250 attacks in Iraq this quarter. These reports indicated that ISIS continued to use assaults, IEDs, and assassinations as its primary methods of violence. It also employed snipers and mortars.¹³¹ CJTF-OIR reported that to a much lesser extent, ISIS employed rockets, car bombs, sabotage, and kidnappings.¹³² (p. 23)

[...] According to attack data compiled by the DoD OIG [Department of Defense Office of Inspector General], ISIS attacks in Iraq this quarter also

included a February 28 killing of an Iraqi soldier in Kirkuk, a March 21 attack in Anbar that killed two Iraqi soldiers, and a March 23 attack in Salah ad Din province that killed an Iraqi police officer and two civilians. In addition, dozens of ISIS-claimed hit-and-run attacks, IEDs, and gun battles wounded dozens of Iraqis across northern and western Iraq, as well as Babylon province, south of Baghdad.¹⁴¹ [...] (p. 25)

131 Armed Conflict Location and Event Data Project (ACLED), data for Battles, Explosions, and Attacks against Civilians in Iraq, 1/1/2020-3/31/2020; Jane's Terrorism and Insurgency Centre, data for Non-State Armed Group Attack, Statement, and Action by Islamic State in Iraq, 1/1/2020-3/31/2020; Enabling Peace in Iraq Center, "Iraq Security and Humanitarian Monitor," 1/2/2020-4/2/2020.

132 CJTF-OIR, vetting comment, #100, 4/30/2020.

[...] 141 Armed Conflict Location and Event Data Project (ACLED), data for Battles, Explosions, and Attacks against Civilians in Iraq, 1/1/2020-3/31/2020; Jane's Terrorism and Insurgency Centre, data for Non-State Armed Group Attack, Statement, and Action by Islamic State in Iraq, 1/1/2020-3/31/2020; Enabling Peace in Iraq Center, "Iraq Security and Humanitarian Monitor," 1/2/2020-4/2/2020.

❖ [Institute for the Study of War, Iraq Situation Report: March 11 – 17, 2020, 20 March 2020](#)

[...] Mar 12: ISIS Likely Responsible for Wave of Six IEDs in Baghdad

Six IEDs have detonated in the northern neighborhoods of Gherai'at and Hurriyah, the eastern neighbourhoods of Sadr City and Ubaidi, and the southern neighborhoods of Ghadeer and the 5th Police District. ISIS has not claimed the attacks, which injured seven civilians, but is likely responsible. The exact targets of the bombs are unclear. A similar wave of attacks include seven IEDs in different neighbourhoods of Baghdad on February 22.

[...] Mar 16: ISIS Detonates Motorcycle-borne IED in Tuzk Khurmatu. Likely ISIS militants detonated a motorcycle-borne IED (MBIED) in a market in Tuzk Khurmatu, Salah al-Din Province, injuring six people. [...]

- ❖ [Institute for the Study of War, Iraq Situation Report: February 7-12, 2020, 21 February 2020](#)
 [...] Feb 8: ISIS Likely Responsible for Five IED Explosions in Baghdad
 ISIS is likely responsible for detonating five improvised explosive devices (IEDs) in public areas of Baghdad including in a café of Baghdad Jadida in the east of the city, a market in the southwestern neighborhood of Bayaa, and against unidentified targets in the northern neighborhoods of Johuk, Hurriya, and Qahira. ISIS's last attack in Baghdad was a motorcycle-borne IED (MBIED) in the Ghadeer neighborhood in Eastern Baghdad on January 11. [...]

Information on organised criminal gangs trafficking captured Yazidi women and children internationally, also being involved in organ trafficking in 2019

- ❖ [The Financial Times, Yazidi hostages traded to criminals as Isis loses ground, 14 March 2019](#)
 [...] Yazidi children and women abducted by Isis at the peak of its power are now being traded by criminal traffickers in Syria as the country's eight-year civil war morphs into an era of violent lawlessness. Although the Syrian regime is claiming victory and Isis is close to losing its final scrap of territory, kidnap victims remained imprisoned in parts of northern Syria controlled by Turkish-backed rebels or jihadist militants, say families and would-be rescuers.
 The kidnap victims are from Iraq's Yazidi minority — followers of an ancient monotheistic religion who Isis massacred and enslaved in 2014 in attacks the UN designated as a genocide. Now new captors are capitalising on Isis's fall, taking control of victims who in some cases had been handed over by fleeing Isis fighters caught by other rebel groups. Captors are demanding up to \$30,000 for each Yazidi's release in a country where the average Iraqi earns \$6,000 to \$7,000 per year, according to the government.
 The post-Isis kidnap market reflects a breakdown of order in parts of Syria where control has shifted from opposition councils to armed groups harbouring criminal gangs. In areas controlled by President Bashar al-Assad criminality is also rampant.
 In Isis's self-declared caliphate — which once spanned Iraq and Syria — fighters enslaved Yazidis and traded their victims in meticulously organised markets. Women were forced into sexual slavery and children used as servants or quasi-adopted.
 One young woman who fled Isis's shrinking territory in north-east Syria was snatched as she sought protection at a civilian home in Deir Ezzor, according to Hassan Sulaiman Ismail, an education official trying to retrieve her.
 Yazidi families — among Iraq's poorest people — are trying to locate a total of more than 3,000 missing relatives bought and sold by Isis members, according to Yazda, an advocacy organisation. Ahmed Burjus, Yazda's deputy director, said the authorities had failed to help. "There is no plan from the international community or Iraq or Kurdistan government to rescue those people," he said. The Assad regime has no control of areas where kidnap victims are being held.
 [...] Launching rescue efforts in jihadist-held Idlib and areas of north-west Syria controlled by Turkish-backed rebels was harder than it had been in Isis areas, said Abdullah Shrem, a car parts trader turned smuggler who has saved almost 400 Yazidis. "They are bigger territories".
 He estimates non-Isis members are holding about 200 women and children in Syria and hoping to profit by selling them. He is creating new informant networks in order to track them down.
 About 25 victims have been bought back from new non-Isis captors during military operations by US-backed Syrian forces around Isis's last bastion in the north-east Syrian village Baghouz, Mr Shrem says. Thousands of people have left Baghouz during the offensive, forcing military officials to admit that they underestimated their number. Escapers included a handful of Yazidis.
 But for families who know their children have been trafficked out of Isis areas, the clock is ticking. After five years of separation, young children may be unrecognisable or unaware who their real parents are. Isis captors renamed many.
 According to Amy Beam, an independent advocate, Yazidi children were originally sold in Isis markets for \$500. Kidnappers have ramped up those prices.
 Amina's 13-year-old son is being ransomed for \$30,000 somewhere near Baghouz. She has hope that "as long as he is alive he will come back one day", but she has no way to pay. Her husband and 17-year-old son are still missing. [...]

❖ [ECPAT International, ECPAT Country Overview: Iraq - A report on the scale, scope and context of the sexual exploitation of children, 9 April 2019](#)

[...] Details of elaborate systems established for trafficking women and girls have been reported in areas previously controlled by ISIL. [...]

❖ [CNN, They escaped ISIS. Then they got sucked into Baghdad's sex trafficking underworld, 3 July 2019](#)

[...] Nadia was living in Sinjar, northern Iraq, in 2014 when ISIS rounded up thousands of women and girls like her from the Yazidi ethnic minority and forced them into sexual slavery. But she says she managed to escape, fleeing with her family through scattered hills to an IDP camp in Iraqi Kurdistan. CNN is not using Nadia's real name out of concerns for her safety.

Still, she was haunted by the fate of others who were not as lucky. She said she started sending money to a man she believed was a trusted friend, who she had met while on the run from ISIS and who said he was coordinating humanitarian aid for other Yazidis. Encouraged by their conversations and propelled by her desire to help, she began organizing demonstrations at the camp, demanding the release of Yazidi women. [...] When she received a letter from an NGO supporting her application for asylum in the United States, she reached out to her friend, asking for help to get to the embassy in Baghdad. "He said, 'My sister, I can take you. I know a guy in the Iraqi parliament, I can take you to him.'"

[...] When they arrived in a rundown Baghdad neighborhood, notorious for its drug gangs, the unthinkable happened. The old man, who her friend had told her was a parliamentarian, greeted them in a dilapidated building. "He said to me, 'You are mine now, you are mine now.'" He was the head of a sex trafficking gang. Nadia was shocked. The friend she had trusted all along -- with her money and with her fears -- had sold her into sexual slavery.

"I started fighting ... I started hitting them. They both beat me hard," she said. She says they sedated her with an injection and everything went black.

When she came to, she said she was surrounded by empty bottles and dirty plates, naked and in pain from having been raped by multiple men. She says she thought it was as many as 10, judging by the mess they left behind. "I lost my life, I was destroyed," she said. "Three months they would torture me like this, every day."

[...] Nadia tried to run away, but each time her captors caught and beat her. One time they attacked her so brutally that she had internal bleeding and was taken to the hospital. She heard doctors talking about how they had to save her organs.

[...] When Nadia was released from hospital, she said another woman -- another victim of the gang -- was brought in to keep watch over her. Nadia begged the woman to let her go, but the woman just laughed.

The woman lifted her shirt, revealing a scar on her stomach she said she got when they stole one of her kidneys. "'This is what they did to me. I had two little children and they sold them,'" she told Nadia, before adding: "'you will be forced to stay with them, you will get used to this, all that is happening to you.'"

After months of abuse, just when Nadia thought her life would end, she was rescued. She said she wasn't sure who the men were that saved her, but they took her to a hotel run by a Yazidi and she was ultimately reconnected with her family.

[...] Statistics are difficult to come by due deficient identification guidelines and a lack of referral procedures in Iraq. A dearth of coordinated agencies tracking trafficking activities in the country also means that accompanying data is nearly nonexistent.

But by many accounts, human trafficking has become rampant in the refugee camps dotted across Iraq, as well as in cities like Baghdad, where modern day slavery and forced prostitution networks are growing. [...]

❖ [UN Human Rights Council, Summary of Stakeholders' submissions on Iraq: Report of the Office of the United Nations High Commissioner for Human Rights, 19 August 2019](#)

[...] 62. AIMN [Alliance of Iraqi Minorities Network Erbil (Iraq)] stated that according to its organizations official statements and statistics, 6,418 Yazidis (women, young men, and children) were captured for the purposes of slavery. As of March 2019, 3,371 women, children and men were reportedly rescued, but 3,047 women and children remained vulnerable to abuse and enslavement.⁷⁶

63. JS1 [Joint submission 1 submitted by: Alliance (Ensan) for Human Rights AEHR] warned that because of the inappropriate methodology through which the government collected data, the numbers of women and girls who have been trafficked remained unknown.⁷⁷ [...]

76 AIM, page 7.
77 JS1, page 6.

- ❖ [Geneva International Centre for Justice \(GICJ\), Shadow Report on Iraq submitted by Geneva International Centre for Justice \(GICJ\) to the Committee on the Elimination of All Forms of Discrimination Against Women, 74th Session, 21 October – 8 November 2019, 10 October 2019](#)
[...] Women in IDP camps and their children are at a higher risk of falling victim to trafficking as they attempt to escape dire conditions and are lured with promises of work or money. However, Iraq does not specify in its report the measures taken to address the vulnerability of IDPs, refugees and returnees. [...]

ISIS use of mortars against civilian areas in 2019

- ❖ [Reuters, Mortar attack kills three people in northern Iraq – police, 9 July 2019](#)
[...] At least three people were killed and four wounded when three mortar bombs hit the northern Iraqi town of Shirqat on Tuesday, police officials and hospital sources said.
Police officials in the area said Islamic State militants were involved in the attack and the mortars were fired from a nearby mountainous area where militants are still active. [...]
- ❖ [Asharq Al-Awsat, ISIS Mortar Attack on Soccer Field Kills 6 in Iraq, 25 August 2019](#)
[...] Police in Iraq say ISIS militants have fired mortar rounds at a soccer field near a shrine, killing six civilians and wounding nine others.
The attack occurred late Saturday in the village of Daquq, in Iraq's northern Kirkuk province, as people were exercising. [...]
- ❖ [ACLED, Regional Overview: Middle East 13 – 19 October 2019, 23 October 2019](#)
[...] In Iraq, IS has taken advantage of the security void as state forces tried to secure the three million Shiite pilgrims for Arbaeen and recuperate following weeks of deadly demonstrations. In one of the most prominent moves by the group this year, IS militants overtook the village of Mukhaysah in Diyala province. However, this move by IS was months in the making, as these areas in the Waqf basin have been under constant mortar and sniper attacks over the past two months. [...]
- ❖ [Civilians in Conflict, “We just want someone to protect us”: Civilian Protection Challenges in Kirkuk, December 2019](#)
[...] ISIS Infiltration in Rural Kirkuk
[...] CIVIC spoke to civilians from Umm Kusayr village, in Hawija district, which has been attacked at least three times since the beginning of 2019. Attackers have used both small arms fire and mortar rounds against houses and villagers in this location. In a June 2019 incident, the attackers launched mortars into the village and planted roadside IEDs, which detonated against a vehicle of the Federal Police, who were responding to the mortar attack. Locals declared that the village was a target because many of the residents were members of the local police or the tribal PMU and resided there with their families.⁴⁶
[...] ISIS cells, present mostly in Kirkuk's rural areas, have launched attacks against the population in the form of mortar attacks, arson, and targeted assassinations of civilians and community leaders. [...]

46 IVIC interviews with civilians and community leaders from Hawija, July 2019.

1.3.4. Omissions in 2020

Evidence Pershmerga, Asayish, non-gov militia (excluding PMF) and criminal groups committed enforced disappearance in 2020

- ❖ [Amnesty International, Urgent Action: Iraq/KRG: Journalists Must Be Released Immediately, 26 February 2021](#)
[...] Members of the Kurdish security forces [otherwise known as Asayish] arrested Sherwan Sherwani on 7 October 2020 in Erbil, the Kurdistan Region of Iraq's capital, and the other 4- Guhdar Zebari, Hariwan Issa, Ayaz Karam and Shvan Saeed - on 22 October 2020 in Duhok, another main city in the

KRG, in relation to their involvement in anti- government protests over unpaid wages and corruption. Throughout their detention, the five journalists and activists were forcibly disappeared, some for more than three months. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] KRG Security Agencies

[...] Human rights groups have regularly issued reports of Peshmerga forces committing human rights abuses, including conducting arbitrary or unlawful detention and conducting enforced disappearances. [...]

❖ [United Nations Assistance Mission for Iraq \(UNAMI\), Human Rights Special Report, Abductions: torture and enforced disappearances in the context of ongoing demonstrations in Iraq, Demonstrations in Iraq: 3rd update, May 2020](#)

[...] Background

[...] Between 1 October 2019 and 21 March 2020, UNAMI received 154 allegations of missing protestors and human rights activists who were presumed to have been abducted or detained. Of the 154 allegations, UNAMI verified 99 cases involving 123 missing persons. Of these cases, UNAMI confirmed the whereabouts of 98 persons, while 25 remain missing or are of unknown status. Of the 98 persons located, at least 28 individuals were abducted in circumstances indicating that the perpetrators may be armed actors commonly referred to as 'militia'; 33 individuals were arrested and detained by Iraqi Security Forces and did not or could not contact their families during their detention; and 37 individuals declined to share details with.

[...] Findings

[...] Alleged Perpetrators

[...] Whilst UNAMI has no means of investigating alleged perpetrators of crimes, the patterns identified from the accounts of abduction, disappearance and subsequent torture/ill-treatment of demonstrators suggest the involvement of armed actors with substantial levels of organization and access to resources. This assessment is based on factors including: the modus operandi of abductions and 'interrogation'; the profile of persons targeted; the general behavior of the perpetrators, use of language, and equipment; the perceived location of 'detention'; the nature of questioning and comments reportedly made to the victims while being questioned, and the striking similarities across the accounts received by UNAMI.⁹

Other factors indicate behavior and actions that do not suggest the involvement of Iraqi Security Forces. For example, as noted in the Modus operandi section, none of those interviewed were referred to an investigative judge or had access to lawyers or families. The involvement of 'ordinary' criminal gangs is also unlikely, as no requests for ransom or other criminal motives were reported. Interrogation, punishment and deterring involvement in the demonstrations appeared to be the main motivations for the abduction and torture/ill treatment.

[...] The disappearance of demonstrators and activists participating in protests started in October and is ongoing. Allegations of abduction and torture by groups referred to as 'militia' have been widely reported in the media (including social media) and in UNAMI's public reports and statements, and are also contained in official complaints of family members of those missing as well as in formal communications from United Nations Special Procedures and human rights Treaty bodies. [...]

9 For protection reasons, UNAMI is unable to list all reasons.

Evidence Asayish [KRI forces] continued to abuse and torture individuals in 2020

❖ [Amnesty International, Urgent Action: Iraq/KRG: Journalists Must Be Released Immediately, 26 February 2021](#)

[...] On 16 February, the Erbil Criminal Court sentenced activists and journalists Sherwan Sherwani, Guhdar Zebari, Hariwan Issa, Ayaz Karam and Shvan Saeed to six years in prison after a flagrantly unfair trial mired with serious allegations of torture and other ill-treatment, and based on apparently

trumped-up charges of “destabilizing the security and stability of the Kurdistan Region of Iraq (KR-I)” under Article 1 of Law No. 21 (2003).

[...] Members of the Kurdish security forces [otherwise known as Asayish] arrested Sherwan Sherwani on 7 October 2020 in Erbil, the Kurdistan Region of Iraq’s capital, and the other 4 journalists- Guhdar Zebari, Hariwan Issa, Ayaz Karam and Shvan Saeed - on 22 October 2020 in Duhok, another main city in the KRG, in relation to their involvement in anti-government protests over unpaid wages and corruption. [...] The five journalists told either their lawyers or family members that they had been subjected to torture and other ill-treatment. During the court hearing, all five journalists said that they had been forced to sign “confessions” under duress, but the court dismissed those claims. [...]

❖ [Committee to Protect Journalists, Iraqi Kurdish security forces raid broadcaster, detain and beat journalists, seize equipment, 14 August 2020](#)

[...] Yesterday, security forces beat and briefly detained journalists for various outlets covering protests in Duhok, according to news reports and journalists who spoke with CPJ.

[...] Yesterday, during a ceremony in Duhok to mark the death of Widad Hussein, Asayish security forces assaulted and detained a TV crew working for the broadcaster Gali Kurdistan consisting of reporter Karwan Sadiq and camera operator Burhan Haji, according to the Metro Center, news reports, and Sadiq, who spoke to CPJ via messaging app. Gali Kurdistan is affiliated with the opposition Patriotic Union of Kurdistan party (PUK).

“As soon as we arrived we were arrested by Asayish forces and held for 3 or four hours. During our detention we were slapped, kicked and insulted. They handcuffed us and dragged us into a car and they seized our equipment, which we haven’t yet gotten back,” said Sadiq.

At the same event, Asayish officers also arrested Metro Center representative Ayham Saeed and Umed Baroshky, a reporter for the news website PRS Media, which is affiliated with the opposition Kurdistan Islamic Union, according to Metro Center and Baroshky, who spoke to CPJ via messaging app.

Baroshky told CPJ that Asayish officers slapped and kicked him and Karwan Sadiq, causing bruises but no serious injuries.

“My hands are still hurting,” he said. [...]

❖ [Reporters Without Borders, Iraq : RSF and MRG ask UN experts to press for Kurdish journalist’s release, 1 December 2020](#)

[...] After ten plainclothesmen took Sherwani from his home in Erbil, the Kurdistan Region’s capital, on 7 October, his family and lawyer spent 19 days without knowing where or why he was being detained. It was only on 26 October that his lawyer was finally able to see him at the Kurdistan intelligence agency’s detention centre in Erbil, where he learned that Sherwani had been tortured during interrogation and was in solitary confinement. [...]

[Evidence that torture and abuse occurred in facilities under KRG control / Evidence of torture occurring in KRI / Evidence of instances of torture occurring in KRI detention centres and prisons in 2020](#)

❖ [Amnesty International, Urgent Action: Iraq/KRG: Journalists Must Be Released Immediately, 26 February 2021](#)

[...] On 16 February, the Erbil Criminal Court sentenced activists and journalists Sherwan Sherwani, Guhdar Zebari, Hariwan Issa, Ayaz Karam and Shvan Saeed to six years in prison after a flagrantly unfair trial mired with serious allegations of torture and other ill-treatment, and based on apparently trumped-up charges of “destabilizing the security and stability of the Kurdistan Region of Iraq (KR-I)” under Article 1 of Law No. 21 (2003).

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❖ [Euro-Mediterranean Human Rights Monitor, Protesters unlawfully detained and tortured in Iraqi Kurdistan, 8 February 2021](#)

[...] Since August 13, 2020, in an Internal Security Forces (Asayish) prison in Erbil, 26 activists and trade unionists are still in detention after being arrested by militants belonging to the Kurdistan Democratic Party (Hadak) and forces affiliated with the region's Prime Minister, Masrour Barzani.

[...] The detainees are suffering inhuman detention conditions, forced to confess to charges under severe physical and psychological torture at the hands of the Parastin – Hadak's intelligence service.

Civil activist Ayhan Saeed, brother of Shafan Saeed, a teacher who was detained, said: "My brother Shafan was arrested on October 22, 2020, illegally by an unknown disguised security force and he has been under arrest since then. He is in the Asayish prison and suffers poor detention conditions and constant physical and psychological torture; the lawyer, who was allowed to visit him, told us. We, his family, are not allowed to visit him until now".

"My brother is facing serious charges, including plotting coup against the regional authority," he added. "I also face the same charge, which forced me to move to Sulaymaniyah for fear of my arrest. In addition, there were attempts to pressure the court to issue a decision in absentia to pressure me to stop demanding my brother and the rest of the detainees' release.

[...] Journalist and human rights activist Niaz Abdullah told Euro-Med Monitor that "the detainees face very difficult conditions. For example, journalist Sherwan Sherwani was arrested from his home and in front of his children on October 7, 2020. He was kept for two months in solitary confinement. False confessions were taken from him under torture and were forced to open his phone, and personal computer and all the files in them were taken. He was only allowed to meet his lawyer once for a short period and under a security officer's supervision. His lawyer also said that the confessions written in the case file contain issues he did not confess. Sherwan's confession was extracted under torture, and today he faces charges of spying for foreign parties, in addition to facing great psychological pressure due to the death of his father while in prison". [...]

❖ [Reporters Without Borders, Iraq : RSF and MRG ask UN experts to press for Kurdish journalist's release, 1 December 2020](#)

[...] After ten plainclothesmen took Sherwani from his home in Erbil, the Kurdistan Region's capital, on 7 October, his family and lawyer spent 19 days without knowing where or why he was being detained. It was only on 26 October that his lawyer was finally able to see him at the Kurdistan intelligence agency's detention centre in Erbil, where he learned that Sherwani had been tortured during interrogation and was in solitary confinement. [...]

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Baroshky told CPJ that Asayish officers slapped and kicked him and Karwan Sadiq, causing bruises but no serious injuries.

"My hands are still hurting," he said. [...]

[Evidence that access to medical treatment was denied to detainees in 2020](#)

- ❖ [Watchlist on Children and Armed Conflict, Policy Note - Bridging the Gap: Bringing the Response to Children Formerly Associated with ISIL in Iraq in Line with International Child Protection Standards, 29 March 2021](#)

The influx of children has overwhelmed the juvenile justice system, leaving detainees in overcrowded facilities lacking in space, food, clean water and sanitation, and adequate mental health and psychosocial support. [...]

2 Statistics based on surveys conducted by a humanitarian organization. Watchlist email correspondence (name withheld), humanitarian organization, February 21, 2021.

- ❖ [UN Security Council, Implementation of resolution 2522 \(2020\): Report of the Secretary-General, 8 February 2021](#)

[...] III. Update on the activities of the Mission and the United Nations country team

[...] C. Human rights and rule of law developments and activities

[...] 47. [...] On 21 and 22 December, UNAMI visited the prison the first time UNAMI had gained full access to the prison in line with its mandate for the first time. The Mission observed overcrowded cells and noted that inmates had limited access to health care and communication with their families. [...]

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] International observers report prison and detention centre conditions are harsh and life-threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care. Some detention facilities do not have an onsite pharmacy or infirmary. When such facilities do exist, they are often undersupplied and authorities reportedly often withhold medication or medical care from prisoners and detainees. [...]

- ❖ [Euro-Mediterranean Human Rights Monitor, Horrific testimonies, secret prisons portend catastrophe in Iraq, 13 July 2020](#)

[...]g. The outbreak of the novel coronavirus is a particular threat to the thousands of detainees, since the prisons are overcrowded, unsanitary and lack even minimum health care.

[...] Iraqi authorities refuse to disclose the number of detainees, their health condition or recorded deaths, although multiple testimonies report poor health overall, rapid disease spread and medical neglect. A basic lack of hygiene makes the prisons a fertile environment for the spread of diseases such as asthma, tuberculosis and hepatitis. Inadequate ventilation exacerbates the crisis, along with an absence of sanitizers. [...]

Evidence of mistreatment of prisoners and detainees in the KRG occurred before their arrival at official detention facilities in 2020

- ❖ [Amnesty International, Urgent Action: Iraq/KRG: Journalists Must Be Released Immediately, 26 February 2021](#)

[...] Members of the Kurdish security forces [otherwise known as Asayish] arrested Sherwan Sherwani on 7 October 2020 in Erbil, the Kurdistan Region of Iraq's capital, and the other 4 journalists- Guhdar Zebari, Hariwan Issa, Ayaz Karam and Shvan Saeed - on 22 October 2020 in Duhok, another main city in the KRG, in relation to their involvement in anti-government protests over unpaid wages and corruption.

[...] According to information available to Amnesty International, Asayish forces raided the homes or place of work of all five journalists, arrested them and in some cases the arrests became brutal and inhumane. In one case, the Asayish pulled Guhdar Zebari from his bed, covered his eyes and handcuffed him without even presenting an arrest warrant. In another case, the Asayish and local Erbil police- arriving in six police cars and 4-wheel-drive cars- surrounded the home of Sherwan Sherwani at approximately 4:30pm on 7 October 2020, in the city of Erbil, and immediately trapped members of his family in a room in the house. Asayish members proceeded to raid Sherwan Sherwani's home,

confiscating electronics, including his laptop, camera, phone and documents before putting him in handcuffs. They held him at gun point and then dragged him out of the house. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] KRG Security Agencies

[...] Human rights observers report that Asayish generally acts with impunity in the KRI. Human rights groups have regularly issued reports of Asayish forces committing human rights abuses, including conducting arbitrary or unlawful detention, enforced disappearances, and abusing and torturing individuals (particularly Sunni Arabs) during arrest, pre-trial detention and after conviction [...].

Evidence of sexual exploitation incl. harassment by security forces in camps including of relatives of ISIS fighters in 2020

❖ [UN Security Council, Conflict-related sexual violence: Report of the Secretary-General, 30 March 2021](#)

[...] Iraq

[...] United Nations reports indicate that members of the Iraqi security forces harassed and sexually abused women in camps under their control, such as Ninawa. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Persons with Perceived Affiliations to Da'esh

[...] Families with perceived affiliations face many of the same obstacles to returning home as do other IDPs, including destroyed residences, landmines and other unexploded ordnance, and lack of livelihood opportunities. They also face additional obstacles related to stigmatisation. Camps hosting these families generally lack basic services and dignity, with consistent reports of sexual exploitation and abuse. [...]

❖ [UN OHCHR, End of Mission Statement by the United Nations Special Rapporteur on the human rights of internally displaced persons, Ms. Cecilia Jimenez-Damary, upon conclusion of her official visit to Iraq – 15 to 23 February 2020, 27 February 2020](#)

[...] 2. Sexual and gender-based violence

In the context of my visit, I also received disturbing reports of sexual and gender-based violence against internally displaced women and girls, including inside camps. Survival sex and early marriage have been reported as negative coping mechanisms for IDP families living in poverty and deprived of any source of income or livelihood opportunities. Women whose families are perceived as associated to ISIL such as widows of alleged "ISIL" members have reportedly been subjected to revenge sexual violence and harassment. Internally displaced women and girls from Yazidi communities who survived "ISIL" captivity and sexual exploitation and abuse require more dedicated support for trauma, healing and rehabilitation. [...]

Evidence of detainees separated from convicts and of prisoners facing terrorism charges isolated from detainee population and detained for longer periods than others in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] Authorities separate detainees from convicts in most cases. [...]

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] Prisoners facing terrorism charges are isolated from the general detainee population, and are more likely to remain in Ministry of Interior or Ministry of Defence detention for longer periods. [...]

Evidence of juvenile detainees being separated or mixed with adult prisoners in detention facilities or prison in 2020

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] Although authorities hold most juvenile pre-trial detainees and convicts in facilities operated by the Ministry of Labour and Social Affairs, there are reports that Ministry of Justice-administered prisons, Ministry of Interior police stations, and other Ministry of Interior detention facilities hold some juveniles in separate facilities or mixed with adult prisoners. [...]

Evidence that government-run prisons and detention centres lacked potable water, ventilation, lighting, medical care and medical facilities.

- ❖ [Watchlist on Children and Armed Conflict, Policy Note - Bridging the Gap: Bringing the Response to Children Formerly Associated with ISIL in Iraq in Line with International Child Protection Standards, 29 March 2021](#)

[...] In some cases, Iraqi and Kurdish authorities have detained CAAFAG [children associated with armed forces and armed groups] for their suspected association with ISIL, including instances where there is no evidence of a child committing a violent crime. Surveys conducted by a humanitarian organization suggest that, as of January 2021, approximately 2,294 children were detained in official Baghdad-controlled prisons for their involvement in ISIL.² [...] The influx of children has overwhelmed the juvenile justice system, leaving detainees in overcrowded facilities lacking in space, food, clean water and sanitation, and adequate mental health and psychosocial support. [...]

2 Statistics based on surveys conducted by a humanitarian organization. Watchlist email correspondence (name withheld), humanitarian organization, February 21, 2021.

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] Limited and ageing infrastructure worsens sanitation, and limited access to potable water leads to preparation of poor quality food in many prison facilities. [...]

- ❖ [Watchlist on Children and Armed Conflict, Policy Note - Bridging the Gap: Bringing the Response to Children Formerly Associated with ISIL in Iraq in Line with International Child Protection Standards, 29 March 2021](#)

The influx of children has overwhelmed the juvenile justice system, leaving detainees in overcrowded facilities lacking in space, food, clean water and sanitation, and adequate mental health and psychosocial support. [...]

2 Statistics based on surveys conducted by a humanitarian organization. Watchlist email correspondence (name withheld), humanitarian organization, February 21, 2021.

❖ [UN Security Council, Implementation of resolution 2522 \(2020\): Report of the Secretary-General, 8 February 2021](#)

[...] III. Update on the activities of the Mission and the United Nations country team

[...] C. Human rights and rule of law developments and activities

[...] 47. [...] On 21 and 22 December, UNAMI visited the prison the first time UNAMI had gained full access to the prison in line with its mandate for the first time. The Mission observed overcrowded cells and noted that inmates had limited access to health care and communication with their families. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] International observers report prison and detention centre conditions are harsh and life-threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care. Some detention facilities do not have an onsite pharmacy or infirmary. When such facilities do exist, they are often undersupplied and authorities reportedly often withhold medication or medical care from prisoners and detainees. [...]

❖ [Euro-Mediterranean Human Rights Monitor, Horrific testimonies, secret prisons portend catastrophe in Iraq, 13 July 2020](#)

[...]g. The outbreak of the novel coronavirus is a particular threat to the thousands of detainees, since the prisons are overcrowded, unsanitary and lack even minimum health care.

[...] Iraqi authorities refuse to disclose the number of detainees, their health condition or recorded deaths, although multiple testimonies report poor health overall, rapid disease spread and medical neglect. A basic lack of hygiene makes the prisons a fertile environment for the spread of diseases such as asthma, tuberculosis and hepatitis. Inadequate ventilation exacerbates the crisis, along with an absence of sanitizers. [...]

Evidence that women's prisons lacked adequate child-care facilities for inmates' children in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] National law permits the children of convicted women to remain with their mothers until age four, but women's prisons often lack adequate child-care facilities. [...]

Evidence that prisoners lacked exercise due to being confined in their cells for long periods, use of shower or sanitary facilities in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] Authorities reportedly keep prisoners confined in their cells for long periods without opportunities for exercise or use of showers or sanitary facilities. [...]

Evidence of detention facilities operated by militia groups and/or ISIS in 2020

❖ [Al Monitor, In dramatic move, Iraqi PM visits prisons in response to protester appeals, 13 August 2020](#)

[...] On July 30, Kadhimi made a surprise visit to al-Muthanna prison, which is located in a large camp housing Iraqi forces in northern Baghdad.

[...] Speaking to Al-Monitor, Donatella Rovera, senior crisis response adviser at Amnesty International, said, “Such brief visits that the officials make do not substitute for the needed type of investigation that shall determine the fate and whereabouts of thousands of people who disappeared after getting arrested by the Iraqi security forces and armed militias in the past years.”

She added, “The disappearances are not limited to the protests but also include the previous years. Thus, the right investigation [to identify] the disappeared detainees need to be conducted in any possible detention place — including the secret detention centers that are under the armed militias’ control or the so-called Popular Mobilization Units in the various parts of Iraq.”

Belkis Wille, senior researcher with the conflict and crisis division at Human Rights Watch, told Al-Monitor, “Al-Muthanna prison is a notorious prison complex where many armed groups have their different prisons. Most of the people I know and who have relatives who have disappeared are suspected to be in al-Muthanna. Thus, it makes sense that he [Kadhimi] goes there.” [...]

❖ [Euro-Mediterranean Human Rights Monitor, Horrific testimonies, secret prisons portend catastrophe in Iraq, 13 July 2020](#)

[...] Testimony documenting inhumane conditions in Iraqi prisons have been collected by the Euro-Mediterranean Human Rights Monitor, which warns of an imminent humanitarian catastrophe.

[...] More than 60,000 people, including about 1,000 women, are detained in 13 government prisons. In addition, there are dozens of secret prisons run by militias, political parties, and various tribal and other factions.

[...] Testimonies collected by Euro-Med indicate that these and other government practices are systematic and deliberate, not merely individual or random.

For example, A.A. is an Iraqi policeman who told Euro-Med about a secret prison in the Tahrawa area in the Nineveh Governorate that is run by a unit known as Brigade 30. It houses about 1,000 detainees arrested on malicious, sectarian charges. Leaders of Brigade 30 force families of the detainees to pay large sums of money in exchange for the release of their relatives.

K.TH.F., another Iraqi policeman, told us that Brigade 30 has other secret prisons in Nineveh. These prisons are mainly repurposed houses, in the Al-Qaraj area of the Kokjali neighborhood, where civilians from Mosul are kept in the basements. Their families are blackmailed for money.

On June 2, Jassem al-Samarrai, a resident of the Mukeshfehah area of Samarra, reported that 50 civilians had been arrested by the Saraya Al-Salam militia, run by movement leader Muqtada al-Sadr. The arrests continued for three days, without any interference from government security services. Homes were raided, with militia members blasting doors open with bombs and live bullets—terrorizing children in the process. [...]

❖ [United Nations Assistance Mission for Iraq \(UNAMI\), Human Rights Special Report, Abductions: torture and enforced disappearances in the context of ongoing demonstrations in Iraq, Demonstrations in Iraq: 3rd update, May 2020](#)

[...] Background

[...] Between 1 October 2019 and 21 March 2020, UNAMI received 154 allegations of missing protestors and human rights activists who were presumed to have been abducted or detained. Of the 154 allegations, UNAMI verified 99 cases involving 123 missing persons. Of these cases, UNAMI confirmed the whereabouts of 98 persons, while 25 remain missing or are of unknown status. Of the 98 persons located, at least 28 individuals were abducted in circumstances indicating that the perpetrators may be armed actors commonly referred to as ‘militia’; 33 individuals were arrested and detained by Iraqi Security Forces and did not or could not contact their families during their detention; and 37 individuals declined to share details with.

[...] Findings

[...] *Modus operandi*

[...] Alleged Perpetrators

and activists participating in protests started in October and is ongoing. Allegations of abduction and torture by groups referred to as 'militia' have been widely reported in the media (including social media) and in UNAMI's public reports and statements, and are also contained in official complaints of family members of those missing as well as in formal communications from United Nations Special Procedures and human rights Treaty bodies. [...]

Evidence that prison and detention center authorities delayed release of exonerated detainees or inmates in 2020

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 - [...] 5. Other Considerations
 - [...] State Protection
 - [...] Detention and Prison
 - [...] Prison and detention centre authorities reportedly sometimes delay the release of exonerated detainees or inmates due to lack of prisoner registration or other bureaucratic issues, or extort bribes from prisoners for release at the end of their sentence. [...]
- ❖ [Gain Integrity, Iraq Corruption Report, last updated July 2020](#)
 - [...] Corruption also influenced authorities' willingness to respect court orders: Interior Ministry and Justice Ministry employees often extorted bribes from detainees to release them even if the courts had already accorded them the right to be released. [...]

Evidence that authorities denied family visits to detainees and convicts in 2020

- ❖ [Human Rights Watch, World Report 2021: Iraq – Events of 2020, 13 January 2021](#)
 - [...] Fair Trial Violations
 - [...] Authorities systematically violated the due process rights of suspects, such as guarantees in Iraqi law that detainees see a judge within 24 hours and have access to a lawyer throughout interrogations, and that their families are notified and should be able to communicate with them during detention. [...]
- ❖ [United Nations International Convention for the Protection of All Persons from Enforced Disappearance, Committee on Enforced Disappearances: Observations on the additional information submitted by Iraq under article 29 \(4\) of the Convention, 1 December 2020](#)
 - [...] Fundamental legal safeguards
 - [...] Lastly, the Committee regrets that, according to the information provided by the delegation, the coronavirus disease (COVID-19) pandemic has obliged authorities to temporarily suspend visits to prisons (art. 17). [...]
- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 - [...] 5. Other Considerations
 - [...] State Protection
 - [...] Detention and Prison
 - [...] International and domestic human rights observers report authorities in numerous instances deny family visits to detainees and convicts, and guards allegedly often demand bribes or beat detainees when detainees ask to phone their relatives or legal counsel. [...]
- ❖ [Human Rights Watch, Letter: Dangers to Prisoners, Detainees and Staff Amidst COVID-19 Pandemic, 14 May 2020](#)
 - [...] A judge informed Human Rights Watch on March 18 that after the first confirmed cases of Covid-19 in Iraq in early March prison authorities halted family and lawyers' visits. An individual with knowledge of the prison system said that as a result of the cessation of family and lawyers' visits, some prisoners lost the ability to communicate with their families and lawyers because prison authorities did not provide them with alternative means to communicate. [...]

Evidence that the KRG allowed international human rights NGOs and intergovernmental organizations to visit prisons and detention facilities in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Detention and Prison

[...] The KRG generally allows international human rights NGOs and intergovernmental organisations, such as the UN Office on Drugs and Crime, to visit convicted prisoners and pre-trial detainees, but authorities occasionally delay or deny access to some individuals, usually in cases involving terrorism. Local NGOs report that they are generally more able to access prisons and detention facilities run by the KRG Ministry of Social Affairs than those run by the Asayish [...]. The Asayish reportedly sometimes denies holding prisoners to avoid granting independent observers access to them. [...]

❖ [MENA Rights Group, Evaluation Report of the Iraqi High Commission for Human Rights, 19 February 2021](#)

[...] 4.4 Visits to places of deprivation of liberty and challenges

According to the Paris Principles, NHRIs [national human rights institutions] are entitled to freely consider any situation falling within their competence and, for that end, to hear any person and obtain any information and any documents necessary for assessing the situation in question. This includes the ability to visit places of deprivation of liberty.¹⁷

According to NGOs who knew of this matter, the IHCHR sometimes visits places of detention. The IHCHR claims to have conducted 418 visits in 2020.¹⁸

[...] Accordingly, article 5(5) of the enabling law stipulates that it falls within the mandate of the IHCHR to carry out visits to prisons and similar detention facilities without the need for prior permission from the detention bodies, in order to meet with convicts and detainees, confirm cases of human rights violations, and inform the competent authorities to take appropriate legal measures. Moreover, according to article 6 of the enabling law, the ministries, agencies not associated with a ministry and all independent bodies have the obligation to provide documents, data, statistics and information related to the work and tasks of the Commission.

Until only recently (October 2020), article 45(4) of the Iraqi Act to Reform Inmates and Detainees No. 14 of 2018 stipulated that the members of inspecting bodies mentioned in article 45(1) of the same law, which includes the IHCHR, were only allowed to enter the prisons or detention centres on dates to be agreed upon with the Iraqi Reform Department. In addition, the IHCHR has denounced that for some prisons and pre-trial detention facilities, it needed to obtain approval from the competent authorities in advance and also to provide them with lists of names of persons they wish to visit.¹⁹ The IHCHR added that this makes sudden and unannounced visits to achieve the desired real assessment of the situation in a detention facility impossible.

When asked whether visits in detention centres were always unannounced, the IHCHR's president said that visits in detention facilities were indeed always unannounced, while adding that the Commission has faced some "non-institutional challenges". [...]

17 ICC SCA General Observations No. 2.10, p. 56.

18 Information provided by the president of the IHCHR.

19 See IHCHR, Shadow Report, Evaluation Report on Iraq's Compliance with the International Convention for the Protection of All Persons from Enforced Disappearance (hereinafter: IHCHR's Evaluation Report on Iraq's Compliance with the ICPED), 2020, available at: https://tbinternet.ohchr.org/Treaties/CED/Shared%20Documents/IRQ/INT_CED_NHS_IRQ_41963_E.pdf (accessed 19 February 2021), p. 5.

Evidence provincial police forces remained corrupt in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 5. Other Considerations

[...] State Protection

[...] Iraqi Police

[...] The police have historically been regarded as a secondary service by both the government and population, and have been under-resourced and under-paid. As a result, many police have supplemented their income through Corruption. According to surveys, one-third of Iraqis report having paid a bribe to the police. Many police also ‘moonlight’ in other occupations, including as PMF members. Deficiencies in training and resources mean that in many cases police are unable to carry out normal policing functions beyond staffing checkpoints and directing traffic.

[...] IPS [Iraqi Police Service] members are recruited locally and are generally reflective of the demographic of the neighbourhoods that they patrol. Local recruitment, however, can mean police are beholden to local PMF leaders. There is also a significant disconnect between the priorities of national police command and local police forces, many of which reportedly operate as independent fiefdoms. In-country sources report ordinary citizens are unlikely to receive recourse through official means in cases of abuse involving police personnel. [...]

❖ [LSE Middle East Centre, Jessica Watkins, From Green to Blue? Local Policing in Iraq Post-ISIL, 15 July 2020](#)

[...] his apportionment, which operates at both provincial and national levels, has naturally led to party-political, ethno-sectarian and tribal affiliations amongst the police. At the same time, the real number of serving policemen is unclear: reports of ‘ghost employees’ on payrolls are rife. The provincial police have also struggled to assert their authority over an array of other justice and security actors within Iraq, or to compensate for the shortcomings in the wider criminal justice system (including the process of criminal investigations, the courts and prisons). [...]

Evidence of number of children with alleged ISIS affiliation being detained by Iraqi and KRG authorities in 2020

❖ [UN Security Council, Conflict-related sexual violence: Report of the Secretary-General, 30 March 2021](#)

[...] II. Sexual violence as a tactic of war and terrorism: patterns, trends and emerging concerns

[...] In Afghanistan and Iraq, hundreds of “wives” and children of terrorist fighters continued to be held in prisons without due process. [...]

❖ [Watchlist on Children and Armed Conflict, Policy Note - Bridging the Gap: Bringing the Response to Children Formerly Associated with ISIL in Iraq in Line with International Child Protection Standards, 29 March 2021](#)

[...] In some cases, Iraqi and Kurdish authorities have detained CAAFAG [children associated with armed forces and armed groups] for their suspected association with ISIL, including instances where there is no evidence of a child committing a violent crime. Surveys conducted by a humanitarian organization suggest that, as of January 2021, approximately 2,294 children were detained in official Baghdad-controlled prisons for their involvement in ISIL.² Their sentences range, on average, from five to 15 years. [...]

2 Statistics based on surveys conducted by a humanitarian organization. Watchlist email correspondence (name withheld), humanitarian organization, February 21, 2021.

Evidence of the number of forced disappearance cases in 2020

❖ [UN Committee on Enforced Disappearances, Observations on the additional information submitted by Iraq under article 29 \(4\) of the Convention, 1 December 2020](#)

[...] Implementation of the recommendations of the Committee and new developments in the State party

[...] The Committee is concerned about the lack of reliable data on cases of enforced disappearance, the reduced number of convictions for this crime, and the large quantity of unidentified bodies and mass graves. [...]

❖ [International Committee of the Red Cross, Iraqi families of missing: The wounds that do not heal, 30 August 2020](#)

[...] In Iraq, decades of successive conflicts and periods of violence have led to one of the highest numbers of missing persons in the world. Hundreds of thousands of individuals remain unaccounted for, with nearly as many family members still looking for them and living in limbo due to uncertainty about their fate. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 4. Complementary Protection Claims

[...] Enforced or Involuntary Disappearances

[...] The International Committee of the Red Cross has reported Iraq has the highest number of missing persons anywhere in the world. According to the International Commission on Missing Persons, between 250,000 to 1 million people remain missing from decades of conflict and human rights abuses. Very few cases have been resolved. The Iraqi Supreme Criminal Tribunal convicted a number of former senior Ba'athist officials for enforced disappearance, although the number of perpetrators convicted and the number of victims involved remains unclear. [...]

❖ [Euro-Mediterranean Human Rights Monitor, 30 human rights organizations call for ending enforced disappearance in Iraq, 11 June 2020](#)

[...] As of now, the fate of thousands of civilians, activists and peaceful opponents who were forcibly disappeared by Iraqi forces and armed militias is unknown.

[...] The Iraqi authorities should respond to calls to disclose information about missing persons and immediately release detainees held without charges in secret prisons, the petition demanded. [...]

❖ [Human Rights Watch, Iraq: Human Rights Watch Submission to the Working Group on Enforced or Involuntary Disappearances, 121st session - May 2020, 17 May 2020](#)

[...] According to the International Committee of the Red Cross, Iraq has one of the highest numbers of missing people in the world. The International Commission on Missing Persons, which has been working in partnership with the Iraqi government to help recover and identify the missing, estimates that the number could range from 250,000 to one million. [...]

Evidence that homes were rented from local residents in Ninewa governorate to use as temporary detention in 2020

❖ [Euro-Mediterranean Human Rights Monitor, Horrific testimonies, secret prisons portend catastrophe in Iraq, 13 July 2020](#)

[...] Testimony documenting inhumane conditions in Iraqi prisons have been collected by the Euro-Mediterranean Human Rights Monitor, which warns of an imminent humanitarian catastrophe.

[...] K.TH.F., another Iraqi policeman, told us that Brigade 30 has other secret prisons in Nineveh. These prisons are mainly repurposed houses, in the Al-Qaraj area of the Kokjali neighborhood, where civilians from Mosul are kept in the basements. Their families are blackmailed for money. [...]

Evidence of the number of executions carried out in 2020

❖ [Amnesty International, Death Sentences and Executions 2020, 21 April 2020](#)

[...] Middle East and North Africa

Regional Trends

[...] Iraq

[...] 2020 Recorded Executions: 45+

[...] 2020 Recorded Death Sentences: 27+ [...]

Evidence from international NGOs of PMF groups forcibly displacing these families/ Evidence of PMF, Federal Police and local police refusing to allow IDPs to return to their homes despite having the necessary government clearance in 2020

❖ [Amnesty International, Marked for Life: Displaced Iraqis in Cycle of Abuse and Stigmatization, 24 November 2020](#)

[...] Obstacles to a Safe Future

[...] The first camp closures and consolidations took place in Ninewa governorate in September 2019 and already raised alarm bells; IDPs were reported to have been forcibly returned to their areas of origin despite serious humanitarian and security concerns. Since then, while some IDPs have been able to return to their areas of origin, others have been subjected to secondary displacement; they have been forced to move to other camps or to informal settlements. Some had faced threats from their communities in their areas of origin, while others were blocked by local authorities from entering their home areas, despite having received clearance prior to departure from the camps. [...]

❖ [Iraq Advisory Council, The impact of escalating terrorism operations on the return of Daesh families, 31 May 2020](#)

[...] Governor of Kirkuk supports immediate return, Arabic Sunni Tribes, Sunni Turkmen and Kurds also endorse that. The main problem is with the Shiites Turkmen and PMU of Shiites. All the attempts of returning families have failed in the villages of Amerli, SulaimanBek, Daqouq, Bisheer, Al-Dibis and Toz-Khormato. There are no legal, tribal and economic obstacles, but mainly security ones implied by PMU, specially Shiites Turkmen, even though those families have received security clearances from NSA and military intelligence. [...]

Evidence that ISIS routinely killed and abducted civilians and attacked security forces in 2020

❖ [UN Security Council, Implementation of resolution 2522 \(2020\): Report of the Secretary-General, 8 February 2021](#)

[...] III. Update on the activities of the Mission and the United Nations country team

[...] C. Human rights and rule of law developments and activities

[...] Between 1 October and 31 December, UNAMI documented 58 incidents resulting in at least 104 civilian casualties (41 deaths, including 3 children and 3 women, and 63 injured, including 12 children and 7 women). A total of 71 civilian casualties (25 deaths and 46 injuries) were attributed to ISIL, and 29 civilian casualties (12 deaths and 17 injuries) to unidentified armed groups. [...]

❖ [UN Security Council, Security Council Press Statement | Terrorist Attack in Baghdad, 23 January 2021](#)

[...] The members of the Security Council condemned in the strongest terms the cowardly terrorist attack in Baghdad, Iraq, on Thursday, 21 January 2021. The attack, which was claimed by Islamic State in Iraq and the Levant (ISIL/Da'esh) resulted in at least 32 deaths and at least 110 injured. [...]

❖ [Newlines Institute for Strategy and Policy, ISIS in Iraq: 'Smoking the Fox Out of its Den' Strategy, 14 July 2020](#)

[...] The rise of surprise ISIS attacks and the increasing number of raids on remote villages and barracks belonging to the Popular Mobilization Forces (PMF) and tribal mobilization forces in the last four months claimed the lives of dozens of Iraqis. [...]

❖ [Enabling Peace in Iraq Center \(EPIC\), Iraq Security and Humanitarian Monitor \(ISHM\): May 7-May 14, 2020, 14 May 2020](#)

[...] On May 9, an IED injured three ISF members in Salah ad-Din, while ISIS militants opened fire on firefighters and civilians trying to extinguish crop fires in Diyala. On May 10-11 ISIS militants kidnapped

and executed two farmers in Diyala and set their farms on fire and torched farms elsewhere in Diyala and southwest of Erbil. [...]

- ❖ [Rudaw, ISIS kills five Iraqi security members in Kirkuk, Diyala: government, 20 April 2020](#)
[...] While searching for four Iraqi intelligence personnel abducted by the group's militants, two Iraqi soldiers were killed and 10 others wounded on April 13. [...]
- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
[...] 2. Background Information
[...] Security Situation
[...] The US-led coalition temporarily suspended the anti-Da'esh campaign in January 2020 to focus on protecting itself from Iran-backed militias. Da'esh aims to exploit the confrontation between the US and Iran, attempting more complex attacks against security forces and energy assets in central and northern Iraq. [...] (p. 19)
- ❖ [Enabling Peace in Iraq Center \(EPIC\), Iraq Security and Humanitarian Monitor \(ISHM\): May 7-May 14, 2020, 14 May 2020](#)
[...] Between May 7-10, ISIS snipers killed two members Iraqi security forces (ISF) in Diyala and Babylon. Between May 8-10, the ISF killed seven ISIS militant and seized weapons in Anbar, Ninewa, Kirkuk and Diyala. On May 9, an IED injured three ISF members in Salah ad-Din, while ISIS militants opened fire on firefighters and civilians trying to extinguish crop fires in Diyala. [...] On May 12, ISIS attacks killed five ISF members in Salah ad-Din and Diyala. [...] On May 7, ISIS snipers killed one Iraqi policeman in an attack in the village of Shaikhi in northeast Diyala.
[...] On May 12, ISIS militants attacked a checkpoint for the Iraqi army on the road linking Salah ad-Din and Anbar provinces. The attack killed two Iraqi soldiers and injured another. [...]
- ❖ [International Crisis Group, When Measuring ISIS's "Resurgence", Use the Right Standard, 13 May 2020](#)
[...] On 28 April, ISIS attempted a suicide attack on an intelligence service headquarters in Kirkuk's provincial capital – an operation with scant precedent since 2017, given how the group has avoided suicide bombings and conserved manpower after losing its territorial control. Security personnel engaged the lone attacker as he approached, and he detonated his explosives before reaching the building. Several men were wounded but none killed. Delivering a single attacker equipped with an explosive belt for a failed attack thus mostly showcased the group's intentions, not its capabilities.
[...] ISIS's latest attacks are likely an attempt to force Iraqi security forces to retreat into fortified bases and cities, while intimidating local civilians into non-cooperation with the Iraqi state. [...]
- ❖ [Rudaw, Gunmen attack Iraqi intelligence office in Kirkuk, 28 April 2020](#)
[...] Gunmen attacked the office of the Iraqi directorate for counter-terrorism and intelligence in Kirkuk on Monday morning, security sources told a Rudaw reporter.
According to the source, three gunmen reportedly attacked the building in Qadisya neighbourhood, where two blew themselves up. One gunman reportedly managed to enter the building. Shooting ensued between the gunman and security forces, lasting around five minutes.
A statement from Iraq's security media cell confirmed that two people were injured after one of the gunmen detonated a suicide vest.
While no one has claimed responsibility for the attack, the Islamic State group (ISIS) has sharply increased its insurgent attacks in recent weeks, launching offensives on Iraqi security forces and Kurdish Peshmerga in the disputed territories, including in Kirkuk.
This is reported to be the fourth attack in Kirkuk in less than a month, three of which have been claimed by the Islamic State.
An Iraqi policeman was killed in an ISIS attack in Miriam Bag, Kirkuk province on April 20. [...]
- ❖ [Rudaw, ISIS kills five Iraqi security members in Kirkuk, Diyala: government, 20 April 2020](#)

[...] The Iraqi government announced Monday the deaths of five security members and wounding of three others by remnants of the Islamic State (ISIS) in three separate incidents in Diyala and Kirkuk provinces.

"As a result of clashes with Daesh militants in Mahbubiya village, Khan Bani Saad district [in Diyala province], a soldier from the army's 19th Infantry Division was martyred," announced the Iraqi Security Cell, using the Arabic acronym for the terrorist group.

"A backup security force immediately arrived at the scene of the fight. When arriving, a landmine was triggered, killing another three soldiers and wounding an officer and a soldier," the statement added. In a separate incident, a policeman from the Fifth Division of the Iraqi Federal Police, was killed by ISIS remnants in Mariam Bag village, Rashad sub-district in Kirkuk province, added the security cell statement.

A third attack took place near the town of Dibis, also in Kirkuk after "Daesh remnants opened fire on Iraqi forces, wounding a policeman from the Police Commando Division - Brigade 4."

These latest attacks mark the continuation of a wave of deadly assaults on Iraqi and Kurdish security forces in the disputed territories in recent weeks.

Concerns have been raised that extremist groups might exploit the upheaval created by the coronavirus pandemic to win over more supporters and strike harder than before.

While searching for four Iraqi intelligence personnel abducted by the group's militants, two Iraqi soldiers were killed and 10 others wounded on April 13.

ISIS militants also killed an Iraqi federal police officer at a checkpoint in Hawija, western Kirkuk on April 12, according to defense officials. [...]

❖ [Rudaw, ISIS militants kill police officer in Hawija checkpoint attack: military, 12 April 2020](#)

[...] Islamic State (ISIS) militants killed an Iraqi federal police officer at a checkpoint in Hawija, western Kirkuk late on Sunday, according to defense officials.

The unnamed officer was killed by an ISIS sniper at a checkpoint in Mansourieh al-Jabal, 45 km west of Kirkuk city.

"A member of the Iraqi federal police was martyred after the snipers of ISIS terrorist gangs opened fire at one of the checkpoints belonging to the first regiment of the 12th brigade in the third division of the Federal Police in the Mansourieh al-Jabal region in the Hawija district of the Kirkuk province," the Iraqi Security Media Cell said in a tweet.

This is the third deadly attack on Iraqi and Kurdish security forces in the disputed territories in the past week, indicating a rise in ISIS activity.

Two Peshmerga fighters were killed and another wounded in an ISIS attack on Kolajo on Tuesday night. The militants launched another strike on Thursday, killing two Hashd al-Shaabi fighters near al-Sadeq (Haliwa) military airport in Tuz Khurmatu. [...]

❖ [Anadolu Agency, Daesh/ISIS terrorists kill 4 Iraqi soldiers in Anbar, 5 April 2020](#)

[...] Four Iraqi soldiers were killed by Daesh/ISIS terrorist group in Iraq's western province of Anbar, a military source said.

"Daesh [/ISIS] terrorists targeted a military point of the Iraqi army west of Rutba town in the western part of Anbar province by light and medium weapons," an army source told Anadolu Agency on condition of anonymity as he is not authorized to speak to media outlets.

The attack resulted in the death of all four soldiers at the military point, and terrorists managed to leave the scene unscathed. [...]

[Evidence of PMF units and other Iran-backed units using child soldiers and central government facing challenges in exercising control in prohibiting this in certain PMF units/ units / Evidence of PKK, HPG and YBS militia in Sinjar, Ninewa Governorate and IKR continue to recruit and use children in 2020](#)

❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)

[...] Civil Liberties

[...] G. Personal Autonomy and Individual Rights

[...] G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1/4

[...] Exploitation of children, including through forced begging and the recruitment of child soldiers by some militias, is a chronic problem. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Children

[...] Human rights observers have also reported some PMF units in the southern Governorates of Najaf and al-Qadisiyah have engaged in child recruitment and sponsored military training camps for high school students under the age of 18; the Kurdistan Worker's Party (PKK) People's Defence Forces (HPG) and Shingal Resistance Units (YBS) Yazidi militia operating in Sinjar, Ninewah Governorate, and the KRI continued to recruit and use children; and some Iran-aligned PMF groups, particularly Asa'ib Ahl al-Haq (AAH) and Harakat Hezbollah al-Nujaba (HHN), continued recruiting males younger than age 18 to fight in Syria and Yemen. [...]

Evidence of forced expulsion of individuals from camps in Ninewa Governorate in 2020

❖ [UNOCHA, Humanitarian Needs Overview: Iraq, February 2021](#)

[...] Summary of Changes (October 2020 to 18 January 2021)

[...] Camp Closures and Reclassification

Between October 2020 and mid-January 2021, 14 formal IDP camps closed or were reclassified into informal sites by the GoI. [...] The 14 formal camps, which were closed or reclassified, include one in Al-Anbar,² three in Baghdad,³ three in Diyala,⁴ one in Kerbala,⁵ two in Kirkuk,⁶ three in Ninewa⁷ and one camp in Salah Al-Din. The closure of the Salamiyah camp in Ninewa Governorate on 12 January 2021 was the most recent camp closure.

[...] Similar to the tens of thousands of IDPs and returnees whose needs were assessed and analyzed in this HNO, the people departing camps with little or no notice are likely to find it difficult to start a safe and dignified life when faced with a lack of income, documentation and shelter; unable to meet basic food needs; and exposed to serious protection risks resulting from discrimination, marginalization and even physical harm on return to areas of origin. (pp. 3-5)

[...] 1.2 Shocks and Impact of the Crisis

[...] In late 2020, GoI resumed the closure of IDP camps and large informal displacement sites in areas under federal Iraq administrative control. The closures were not coordinated with the humanitarian community and often happened at short notice. With conditions in some areas of origin not conducive to return,³⁴ and many of those affected facing more significant barriers to return than previous cohorts of returnees, including fully destroyed housing and perceptions of affiliation to ISIL, about one-third of IDPs departing camps ended up in secondary displacement and one in five departees have not been able to find safe and dignified housing. [...] (p. 26)

2 Habbaniya Tourist City (HTC) Camp reclassified to an informal site on 11 November 2020.

3 Al-Ahel and Al-Nabi Younis camps closed on 18 and 21 October 2020, Zayona camp was reclassified to an informal site mid-November 2020.

4 Muskar Saad Camp, Al-Wand 1 and 2 camps closed on 27 October 2020, 11 November 2020, and 28 November 2020.

5 Al-Kawthar Camp closed on 18 October 2020.

6 Yahyawa and Laylan camps closed on 13 November 2020 and 30 November 2020.

[...] 34 IOM-DTM and CCCM Cluster analysis.

❖ [Human Rights Watch, Iraq: Camp Expulsions Leave Families Homeless, Vulnerable, 2 December 2020](#)

[...] From November 11 to 17, 2020, Human Rights Watch interviewed five residents of Hammam al-Alil (HAA) camp in Nineveh and three residents of Habbaniya Tourist City (HTC) camp, all of whom requested anonymity. The authorities closed HAA on November 14, forcing out at least 8,585 residents. [...] Before forcing camp residents out, security forces in HAA conducted a "security screening" of the residents, and as part of the process helped facilitate access to civil documentation for families missing identity documents.

[...] However, aid workers at HTC and HAA told Human Rights Watch that the authorities there had forced some families to engage in a process known as tabriya in order to get their security clearance before leaving the camp. The process of tabriya requires them to open a criminal complaint disavowing any relative suspected of having joined ISIS. After they file the complaint, the court issues them a document to present to security forces enabling them to obtain their security clearances.

After completing the screenings and issuing documents, security forces only gave camp residents Human Rights Watch interviewed between one and seven days to choose whether they would return home or settle elsewhere in the country, with most given only 24 hours. None of them got free government transportation if they were not returning to their homes, nor any financial support, although the government had promised to give all returnees a compensation package of US\$1,500. It is unclear whether families who did not return to their homes but resettled elsewhere will ever receive the package.

All of the families interviewed said they would not return home because of concerns for their personal safety. Some were able to move elsewhere, though they were struggling to afford the rent.

[...] A man with seven children from Shura district in Nineveh said that security forces gave him 24 hours' notice to leave HAA. "They gave us the option to go wherever we wanted, but they didn't give us time to prepare or even plan where to go," he said. "Many of us didn't have houses still standing to go back to, and some of us would face security risks if we went home to areas where there are tribal tensions." [...]

❖ [Norwegian Refugee Council, Iraq's camp closures leave 100,000 people in limbo, 9 November 2020](#)

[...] People in camps in Baghdad, Kerbala, Divala, Suleimaniya, Anbar, Kirkuk and Ninewa are being forced out with little notice, and are expected to return to their areas of origin. Many come from neighbourhoods that are still totally destroyed and they also risk being blocked at checkpoints, or even arrested, because of lack of security clearance and perceived affiliation with armed groups. [...]

[Evidence that families returning to their place of origin continued to be exposed to various abuses including evictions, arrests, looting, sexual abuse, and discrimination in 2020](#)

❖ [REACH, Rapid Assessment on Returns and Durable Solutions: Markaz Mosul Sub-district - Mosul District - Ninewa Governorate, Iraq, March 2021](#)

[...] In light of recent return and re-displacement movement dynamics, REACH conducted a ReDS assessment in Markaz Mosul Sub-district to provide an in-depth profiling of needs and understanding of social relationships between remainee,⁸ returnee,⁹ and/or IDP populations.¹⁰

[...] The findings are based on 42 key informant (KI) interviews conducted between 10 and 14 March 2021, combining qualitative and quantitative data collection methods adapted to the context. (p. 1)

[...] Markaz Mosul Sub-district

Assessment Key Findings

[...] While there were no groups reported to be unwelcome in Markaz Mosul, some IDPs from Markaz Mosul displaced outside the sub-district reported the fear of being perceived as ISIL-affiliated and the fear of inter-communal disputes, retaliation or harassment. Additionally, due to traditional naming practices in Iraq,²¹ some KIs also reported that some displaced people originally from Markaz Mosul could fear returning as their name may be similar to someone with suspected ISIL affiliation or accused of a crime.

[...] In addition, IDPs were also reportedly disadvantaged in access to compensation for housing and property rehabilitation as well as more at risk of eviction, alongside families with members with alleged links to ISIL and undocumented people who - as a result of not being able to prove their identity - could not access formal ownership/rental agreements.

[...] However, IDPs originally from Markaz Mosul displaced elsewhere reported concerns about outstanding inter-communal disputes as a barrier to return.

[...] KIs reported risks of evictions for all groups in the long term (17 KIs out of 42). Of these, IDPs were reportedly most at risk (11 KIs), followed by returnees (5 KIs) and remainees (1 KI).

Other groups reportedly at greater risk of eviction in the longer term were: families with members with alleged links to ISIL (3 KIs) and people lacking civil documentation who - as a result - had more limited access to formal rental/ownership agreements (2 KIs). [...]

8 For the purpose of this research, remainees (non-displaced persons) will be categorized as individuals or households who were not displaced from their AoO during the events of 2014 or after. They represent the host community members in their AoO.

9 For the purpose of this research, returnees will be categorized as an IDP returning to their AoO, where AoO is defined as the stated original sub-district of origin for the IDP as per the IOM returnee index. Given the complexity of (re)integration, this could mean that returnees still face challenges to their sustainable return to their AoO.

10 As clarified by the Iraq Inter-Cluster Coordination Group (ICCG) in 2018, secondary displacement covers multiple scenarios: 1) IDPs who are voluntarily or forcibly displaced to another displacement location; 2) IDPs who voluntarily or forcibly, return to their AoO, but are unable to achieve sustainable solutions and are consequently re-displaced to their first place of displacement or to a new location of displacement; and 3) IDPs who voluntarily or forcibly, return to their AoO, but are unable to resume habitation in their former habitual residence and cannot achieve sustainable solutions and are consequently re-displaced to a new location within their AoO.

[...] 21 “Similarity of names refers to the traditional way to name children in Iraq – based on male relatives, religion and inter-communal tradition – means that a lot of locals end up with similar names. The problem of the detention of people with names similar to wanted individuals was also going to be tackled. Remedies included the need to verify the arrested person’s mother’s name as well as the name of their paternal grandmother. Additionally, their place of residency would need to be verified. And finally, the informant that had given their name would need to be present on the day that the accused was brought into custody, in order to ensure that the right person had been arrested.” - Too Many Iraqis With Same Names As Terror Suspects, Mustafa Habib, Niqash.org, November 2014

❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)

[...] Political Rights

[...] C. Functioning of Government

[...] Add Q

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1

[...] Displaced families with perceived links to IS who continue to reside in and outside of camps and are particularly vulnerable to assault and sexual abuse. Many cannot return to their homes because their original communities reject their return or Iraqi authorities prohibit it. [...]

❖ [Protection Cluster Iraq, Protection Monitoring System Report 1, February 2021](#)

[...] 1. Introduction and Methodology

[...] This report presents the findings from the first round of data collection conducted between December 2020 and January 2021.

[...] In total, 2783 KI interviews were conducted across 18 governorates, 75 districts and 144 sub-districts in Iraq.¹

[...] 4. Right to Life and Physical and Mental Integrity

[...] Focus on camp closures: Families who departed from camps faced serious protection incidents, both in areas of return and of secondary displacement. In the district of Shirqat in Salah Al-Din governorate, the home of a family returning from Jeddah 5 camp was attacked by a grenade presumably as a warning to deter families with perceived affiliation with extremist groups from returning. In Jeddah 5 camp, some families hailing from Hawiga district in Kirkuk governorate were blocked from returning due to threats of physical harm.²³ [...]

[...] 7. Social Cohesion

[...] Focus on camp closures: Among the HHs who report not feeling safe at their locations of arrival, 23% cite community tensions as the third main reason for feeling unsafe, after the presence of armed actors and the risk of eviction. Social cohesion issues and rejection from IDPs with perceived affiliation to extremist groups by host communities resulted in returns to many areas being blocked. In Ninewa governorate, in the context of the closure of Jeddah 5 camp, HHs from Qayarah sub-district in Ninewa governorate and Makhmour sub-district in Erbil governorate were blocked from returning due to various issues, including the refusal by mayors to stamp their departure letter, the opposition from community and tribal leaders to their return, as well as widespread rejection among community members who often indicated that the safety of potential returnees could not be guaranteed.⁴⁶ (p. 8)

[...] 10. Housing, Land and Property

[...] Focus on camp closures: 20% of HHs report fearing eviction at their locations of arrival. The proportion of HHs fearing eviction is particularly high in Ninewa governorate (27%), especially in Hatra, Mosul and Baaj districts. Fear of eviction is also notably high in Anbar governorate (23%), especially in Kaim and Ramadi districts. Among the HHs who fear eviction, 55% cite their landlords as the main reason, indicating possible inability to pay rent, while 22% cite the authorities and armed actors.⁶¹ Only 20% of HHs who have departed closed camps report returning to houses that they own. 40% report renting accommodation, 19% staying with family or friends, and 16% staying in sub-standard shelter (tents, unfinished buildings, makeshift shelters). Fear of eviction is particularly high among those who are staying with family or friends or living in sub-standard shelter, highlighting the precariousness of this accommodation and risk of further displacement. DTM recorded over 800 HHs who have arrived to Mosul district from camps and are now in secondary displacement, the highest number among all districts.⁶² Given that families often cannot afford the cost of rent, there are concerns that the municipality and security actors could track their location and evict them if they were to form informal settlements. [...]

1 Profile of the KIs by gender: 81% of men and 19% of women. Profile of KIs by age: 9% in the age group 18-25 years old, 87% in the age group 25-60 years old and 4% over 60 years old. Profile of KIs by role in their community: 38% are IDP and returnees without specific roles, 20% are community or tribal leaders, 14% are outreach volunteers, 11% are private sector workers or professionals, 6% are professional from the education sector, 4% are government officials and 7% have other roles such as youth or women community leader, health professionals civil society organization, religious leader etc. Profile of IDPS by displacement status: 41% are IDPs, 43% are returnees, 15% are host communities and 1% preferred to not specify their displacement status.

[...] 23 National Protection Cluster, Minutes of Meeting, 11 February 2021.

[...] 46 National Protection Cluster, Minutes of Meeting, 11 February 2021.

[...] 61 27% of HHs who arrived to Ninewa governorate following departures from camps fear evictions at their locations of arrival. The proportion is particularly high in Hatra (33%), Mosul (34%) and Baaj (25%) districts. Fear of eviction is also notably high in Anbar governorate (23%), especially in Kaim (37%) and Ramadi (26%) districts.

❖ [UNOCHA, Humanitarian Needs Overview: Iraq, February 2021](#)

[...] Summary of Changes (October 2020 to 18 January 2021)

[...] Camp Closures and Reclassification

[...] Furthermore, about one-fifth of families who agreed to be contacted after camp departure, were now living in critical shelters, including in tents, makeshift shelters, or unfinished or damaged buildings, while a quarter of families reportedly feared eviction.¹⁷ Considering that only 11 per cent among out-of-camp IDPs and four per cent among returnees were identified by the HNO as living in critical shelters, it seems that ending up in critical shelters is more widespread, at least temporarily, among those affected by the recent wave of camp closures. [...]

[...] 1.1. Context of the Crisis

[...] Security Environment

[...] Targeted attacks on IDPs and vulnerable returnees persist, with patterns of violent attacks aimed at dissuading displaced Iraqis from returning home. During 2020, there were multiple reports of abductions, murder, threats and discharging weapons at returnees. [...]

[...] Ending Internal Displacement in Iraq: The Need for Harmonized Priority Determination across the Humanitarian, Stabilization, Development and Peace Nexus

[...] In addition, some armed groups or other actors in the communities of origin have blocked the return of IDP families to some areas. Even with government security clearances, IDPs are unable to return to these areas of origin due to the barriers established by other groups (as well as other factors in some cases). As a result, dozens of villages are now unofficially labeled as “no return areas”. According to the MCNA [Multi-Cluster Needs Assessment], fear of discrimination in areas of origin is a cause for continued displacement for around 10 per cent of IDP families, affecting those from Diyala and Ninewa most. [...]

17 IIC, CCCM and Protection clusters, Camp Departure Follow-up Survey, Sudden Camp Closure, Update 3, 14 October – 30 November 2020. Report available online here (accessed 11 January 2020), showed that 19 per cent of families report living in substandard shelter (tents, makeshift shelter, unfinished or abandoned buildings) with 25 per cent of all families reportedly fearing eviction.

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 - [...] 3. Refugee Convention Claims
 - [...] Groups of Interest
 - [...] Persons with Perceived Affiliations to Da'esh
 - [...] Despite joint government and humanitarian efforts to facilitate the return of displaced persons to areas once held by Da'esh, local decrees and other preventative measures have reportedly prevented individuals and families with perceived Da'esh affiliations from returning home to some areas, including in Anbar, Diyala, Ninewah and Salah al-Din. There have also been reports of attacks against some families who have tried to return home. While reconciliation efforts are underway in some areas, they are protracted and complex, while in Ninewah, individuals and families with perceived Da'esh affiliations have claimed denial of access to humanitarian assistance, usually by community leaders. Lawyers providing legal services to individuals and families perceived to have Da'esh affiliations have reported that security forces have threatened and in some instances detained them for providing these services. [...]
- ❖ [Norwegian Refugee Council, Three years after end of IS in Mosul, 9 July 2020](#)
 - [...] Three years after Mosul was recaptured from the Islamic State, 277,506 people from the city remain displaced, including 10, 000 living in the NRC run camp, Hammam al-Alil. While 1 million people have moved back to Mosul, lack of reconstruction and investment mean these returns are not sustainable without continued humanitarian support.
 - [...] Loss of livelihoods has put vulnerable households at risk of eviction, rent increase and unsafe housing arrangements. An NRC assessment in April 2020 in Mosul and Dohuk found that 64 per cent of respondents in rented accommodation predicted they would not be able to pay their rent in the next three months and 42 per cent of those respondents expected to be evicted as a result. [...]

Evidence that IDP families, especially those with perceived ties to ISIS, missed vital civil status documents in 2020

- ❖ [USAID, Iraq – Complex Emergency: Fact Sheet #2, 11 March 2021](#)
 - [...] Relief Actors Highlight Lack of Documentation as Barrier to Return
 - Lack of civil documentation, such as identity cards or birth certificates, among many IDPs and returnees remains a primary obstacle to returns and reintegration in Iraq, relief actors report. According to a REACH assessment, lack of civil documentation affected 2.1 million people in Iraq in 2020, with an estimated 55 percent of IDPs in camps, nearly 50 percent of IDPs in out-of-camp settings, and approximately 60 percent of returnees lacking at least one key identity document. Approximately 824,000 people, meanwhile, lack three or more core documents, according to the assessment. Lack of civil documentation limits access to formal employment and opportunities to own or rent property, and hinders the ability to utilize basic service such as education and health care. Many IDPs lost their documents fleeing from conflict, while parties to the conflict confiscated some households' documentation, and others possess invalid Islamic State of Iraq and Syria (ISIS)-issued documentation, humanitarian organizations report. Meanwhile, UNHCR identified cost barriers—including high transportation costs to physically access the courts or civil affairs directorates and the administrative fees to obtain new civil documentation—and complex court procedures as challenges involved in obtaining civil documentation. In response, USG implementing partners are providing legal support to IDPs to acquire civil documentation as a core focus of humanitarian programming. [...]
- ❖ [Protection Cluster Iraq, Protection Monitoring System Report 1, February 2021](#)
 - [...] 1. Introduction and Methodology
 - [...] This report presents the findings from the first round of data collection conducted between December 2020 and January 2021.
 - [...] In total, 2783 KI [key informant] interviews were conducted across 18 governorates, 75 districts and 144 sub-districts in Iraq.¹ (p. 3)
 - [...] 3. Safety and Security
 - [...] 6. Civil Status and Documentation

[...] Half of KIs report persons facing challenges related to obtaining or renewing civil documentation to varying degrees.³² Issues related to civil documentation appear most prevalent in Anbar, Ninewa and Salah Al-Din governorates.³³ The proportion of KIs who report that at least some or most people at their location face challenges in accessing civil documentation is the highest in camps, but is reported at similar levels in both out-of-camp locations and return areas.³⁴ The issue is reported in similar proportions by both female and male KIs.³⁵

13% of KIs report that the level of access to Civil Affairs Directorates (CADs) at their location is bad or very bad. KIs report the level of access to CADs as being bad or very bad in a total of 42 districts,³⁶ with the worst access reported in Sulaymaniyah, Ninewa and Anbar governorates.³⁷ The lack of access to CADs is most acute for IDP in camps, but is reported at similar levels in both out-of-camp displacement locations and return areas.³⁸

The main barriers for access to CADs are the administrative process to obtain or renew documentation — which is both lengthy and complex — and the physical distance and cost of transportation, both cited by a third of respondents. In areas of displacement, the main barriers relate to physical access, whereas in return areas it is the administrative process.³⁹

Focus on camp closures: 15% of HHs who departed camps report missing civil documentation. This proportion is particularly high among HHs who arrived in Kirkuk governorate (29%), especially in Hawiga and Kirkuk districts. The proportion of HHs missing civil documentation is also high in Mosul district (17%) in Ninewa governorate, as well as in Shirqat (47%) and Tikrit (20%) districts in Salah Al-Din governorate.⁴⁰

In Jeddah 5 camp, a survey conducted by camp management in November – December 2020 indicated that 1,800 individuals (20% of the camp population) were in need of civil documentation, half of them being children. Ahead of the anticipated camp closure, protection partners submitted a total of 879 civil ID cases to the mobile CAD mission, which issued and distributed a total of 739 IDs to IDPs hailing in majority from Qayyarah sub-district and Telafar district in Ninewa governorate. [...] (p. 7)

1 Profile of the KIs by gender: 81% of men and 19% of women. Profile of KIs by age: 9% in the age group 18-25 years old, 87% in the age group 25-60 years old and 4% over 60 years old. Profile of KIs by role in their community: 38% are IDP and returnees without specific roles, 20% are community or tribal leaders, 14% are outreach volunteers, 11% are private sector workers or professionals, 6% are professional from the education sector, 4% are government officials and 7% have other roles such as youth or women community leader, health professionals civil society organization, religious leader etc. Profile of IDPs by displacement status: 41% are IDPs, 43% are returnees, 15% are host communities and 1% preferred to not specify their displacement status.

[...] 32 Overall, 15% of KIs indicated that all or many people at their location are facing issues with obtaining or renewing civil documentation and 34% reported that at least some people do.

33 In Anbar governorate, 20% of KIs report that issues related to obtaining or renewing civil documentation affect all or many people at their locations and 51% report that they affect at least some people. In Ninewa governorate, these proportions are respectively 21% and 35%. In Salah Al-Din governorate the proportions are 18% and 30%.

34 In camps, 16% of KIs report that civil documentation issues affect all or many people and 48% report that they affect some people. In out-of-camp locations (including informal sites), the proportions are respectively 11% and 36%. In return areas, the proportions are 10% and 38%.

35 16% of female KIs report that civil documentation issues affect all or many people and 40% report that they affect some people. For male KIs, these proportions are respectively 15% and 32%.

36 The 42 districts are located in Duhok governorate (Zakho, Sumail and Duhok districts), Erbil governorate (Erbil and Makhmour districts), Sulaymaniyah governorate (Pshdar, Rania, Sharbazer, Sulaymaniyah, Chamchamal, Kalar and Halabcha districts), Ninewa governorate (Baaj, Sinjar, Telafar, Mosul, Hamdaniya and Shikhan districts), Kirkuk governorate (Hawiga, Kirkuk and Daquq districts), Diyala governorate (Khanaqin, Khalis and Baquba districts), Anbar governorate (Kaim, Ana, Ramadi and Fallujah districts), Salah Al-Din governorate (Shirqat, Samarra and Tooz Khumato districts), Baghdad governorate (Mahmoudiya district), Kerbala governorate (Kerbala district), Wassit governorate (Kut district), Qadissiya governorate (Afaq, Diwaniya and Shamiya districts), Muthanna governorate (Samawa district) and Basrah governorate (Zubair, Basrah, Shat Al-Arab and Abu Al-Khasseb district).

37 In Sulaymaniyah governorate, 36% of KIs assess the level of access to a Civil Affairs Directorate (CAD) at their location as bad or very bad. In Ninewa governorate, this proportion is 22% and in Anbar governorate it is 12%.

38 In camps, 22% of KIs assess the level of access to a CAD at their location as bad or very bad. By comparison, this proportion is 12% in out-of-camp displacement locations and 13% in return areas.

39 Overall, 32% of KIs cite the complexity, length or cost of administrative processes as the main barrier and 31% cite the distance and cost of transportation. At displacement locations (both camps and out-of-camps), 42% cite the distance and cost of transportation and 26% cite the complexity, length or cost of administrative processes. In return areas, 22% cite the distance and cost of transportation and 38% cite the complexity, length or cost of administrative processes.

40 The proportion of HHs who departed camp and who are still missing civil documentation is 29% in Kirkuk governorate, including 32% in Hawiga and 26% in Kirkuk districts. The proportion is 17% in Mosul district in Ninewa governorate and also 47% in Shirqat and 20% in Tikrit districts in Salah Al-Din governorate.

❖ [UNOCHA, Humanitarian Response Plan: Iraq, February 2021](#)

[...] 1.1 Humanitarian Conditions and Underlying Factors Targeted for Response

[...] People with perceived affiliation to ISIL are among the most vulnerable, and continue to be marginalized and subjected to rights violations, including denial of security clearances by security actors or requests to undergo the renunciation procedure of family members with a perceived affiliation, in order to obtain civil documentation, to exercise their rights, including returning to their areas of origin, or to access basic services. [...] (p. 21)

❖ [UNOCHA, Humanitarian Needs Overview: Iraq, February 2021](#)

[...] 1.4 Humanitarian Conditions, Severity and People in Need

[...] In-Camp IDPs

[...] Further compounding needs is the lack of civil documentation preventing families from accessing certain services and re-establishing their lives at home or elsewhere. More than half of all in-camp households are missing at least one key household or individual document. Some 24 per cent report missing two or more core documents, including identification cards, Public Distribution System (PDS) ration cards (entitling them to government food assistance), birth certificates or HLP documentation to document property ownership. Among these households, 5 per cent lack as many as three or more of their core documents. These households are in acute need of legal assistance. [...] (p. 37)

❖ [UNOCHA, Iraq: Humanitarian Bulletin, December 2020](#)

[...] Humanitarian Partners Mobilize to Provide Civil Documentation

[...] Missing civil documentation has been highlighted as one of the key barriers in the transition to durable solutions for internally displaced persons (IDPs) in Iraq. The loss or destruction of civil documentation is one of the main protection issues resulting from the years of Islamic State of Iraq and the Levant (ISIL) activity in Iraq. There are numerous causes: loss or destruction during fighting, confiscation at checkpoints or during security screenings, and deliberate misplacement due to fear of arrest. A lack of civil documentation may render many IDPs and returnees unable to access basic services such as education and health care. It can increase the risk of arrest and detention, prevent the formal registration of significant events such as births, marriages and deaths not possible and lead to exclusion from recovery and reconstruction programmes.

Slightly more than half of Iraqi households affected by displacement are missing at least one key individual or household document.¹ Female-headed households and children are particularly vulnerable. [...] (p. 1)

1 55 per cent of in-camp IDP households; 43 per cent of out-of-camp IDP households; 57 per cent of returnee households (SOURCE: Presentation on Multi-Cluster Needs Assessment (MCNA) VIII CROSS-CUTTING FINDINGS, October 2020, available here)

❖ [UNHCR, Iraq: UNHCR Civil Documentation for IDPs, July – September 2020, 6 December 2020](#)

[...] According to the Multi-Cluster Needs Assessment conducted in 2020 over 333,600 households reported missing at least one form of civil documentation, with female headed households particularly affected by missing documentation. Due to the lack of civil documentation, many IDPs and returnees are unable to access basic services such as education and health care, experience restrictions on their freedom of movement, are exposed to increased risk of arrest and detention, and may be excluded from recovery and reconstruction programmes. The lack of civil documentation may increase the risk of statelessness for undocumented children. IDPs and returnees cite various challenges in obtaining civil documentation, such as the high transportation cost to access government offices in their places of origin, the lengthy processing times, and difficulties in obtaining security clearance to travel and to obtain documentation. Furthermore, since the end of the first quarter this year, COVID-19 related precautionary measures and restrictions led to civil affairs offices either not functioning or functioning at reduced capacity thus exacerbating the challenges in obtaining civil documentation. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Persons with Perceived Affiliations to Da'esh

[...] Human rights observers report that authorities have denied security clearances (required to obtain a National Identity (ID) Card and all other forms of civil documentation) to individuals and families with a perceived affiliation to Da'esh, including on the grounds of the person's family name, tribal affiliation or area of origin. Denial of security clearances impacts on the individual's freedom of movement, right to education, right to work and right to apply for welfare benefits and obtain documentation necessary to inherit property or remarry. Denial of security clearances also prevents individuals and families from being able to make claims to the governmental commission to compensate Iraqis affected by terrorism, military operations and military errors; to bring court cases; or to challenge the seizure of property by security forces or other local families. [...] (p. 39)

❖ [UN General Assembly, Human Rights Council, Forty-fourth session, Visit to Iraq: Report of the Special Rapporteur on the human rights of internally displaced persons, 13 May 2020](#)

[...] IV. Critical humanitarian and human rights challenges

A. Assistance needs

[...] During her field visits, the Special Rapporteur received information concerning internally displaced persons who had left camps in attempted returns, including forced and coerced returns, and had undergone secondary displacement, and had not been readmitted to the camps owing to current policy. When they were readmitted, they were not reregistered and thus had no entitlement to services. Deprived of assistance and protection and left off records, such persons run the risk of sliding deeper into poverty and social marginalization. Internally displaced persons who wish to return to camps following a failed attempt to return to their area of origin are as entitled to humanitarian assistance as the rest of the displaced population, and must be accepted and registered for support and assistance.

[...] C. Civil documentation and access to services

25. Internally displaced persons face numerous barriers when they seek to obtain or renew civil documentation. Many have lost their documents or had them destroyed or confiscated in the course of displacement. Those having lived in areas controlled by ISIL might hold documents that are not recognized by the Government of Iraq. Iraqi law requires that civil documents be obtained in one's place of origin, to which internally displaced persons are often unable to travel. Civil documentation is fundamental to the enjoyment of a wide range of human rights, as it permits access to basic services, including health care and education,¹⁰ and civil services such as recognition of marital status and property rights, employment opportunities and freedom of movement, and existing compensation schemes and social protection benefits. The lack of civil documentation and consequent marginalization increase the vulnerability of internally displaced persons, including to sexual and gender-based violence. (pp. 5-6)

[...] V. Particularly vulnerable groups

[...] B. Displaced families with a perceived affiliation to Islamic State in Iraq and the Levant

[...] Entire families of internally displaced persons have faced allegations by the authorities, security actors and communities that they are associated with ISIL, without any evidence being presented or criminal charges brought against them. These allegations are often based on perceived tribal or family ties to an alleged ISIL member, or even on grounds of their place of origin. Families allegedly having such affiliation risk deprivation of their basic rights, discrimination and social marginalization.

On the pretext that they constitute a security threat, these displaced families, including women and children, have seen movement restrictions imposed on them and been deprived of access to civil documentation and basic services.

[...] The Special Rapporteur was extremely concerned to learn that security clearance has been required for internally displaced persons to obtain or renew civil documents, and is often denied to those belonging to families with a perceived affiliation to ISIL. In some cases, relatives of alleged ISIL members have been asked to disavow their family member so that they can be granted security clearance. Without civil documentation, these families have limited or no access to basic services, such as education and health care, housing, land and property rights, or social welfare benefits or

compensation. They are also at a greater risk of arbitrary arrest and detention by security forces, who may perceive persons without civil documentation as being affiliated to ISIL. This perception could also endanger internally displaced persons, including children, who lack civil documentation for reasons other than the denial of security clearance. Delinking the requirement to obtain security clearance from procedures to obtain civil documentation will allow the enjoyment of this constitutional and fundamental right, without discrimination. The Government of Iraq reported that the Prime Minister had ordered that civil documentation be issued for all Iraqis living in camps, regardless of the perceived ISIL affiliation of a family member. The Special Rapporteur welcomes this directive and calls for its full implementation, and that it also be extended to persons living outside camps. [...] (pp. 8-9)

[...] C. Internally displaced children

[...] 44. The extent to which internally displaced children inside and outside camp settings are deprived of education is extremely concerning.¹⁴ Unable to enrol in the formal education system owing to a lack of civil documentation or to restrictions on movement, a generation of marginalized children is emerging.

[...] 45. Displaced girls face additional challenges in their access to education due to existing social norms and gender stereotypes, and child marriage. Children who lived in areas controlled by ISIL now face additional barriers to enrolment due to discrimination and, in many cases, their inability to obtain civil documentation.

[...] 47. Discriminatory barriers impede the access of many internally displaced and returnee children to birth certificates and other civil documents. As the presence of a child's father in court or the presentation of his death certificate is required for the issuance of a birth certificate, displaced children who have lost or have been separated from their father but do not have a death certificate, or who were born out of an act of sexual violence, are unable to obtain birth certificates and other documents. Without civil documentation, they cannot enrol in formal education, have access to health care and basic services, apply for security clearances to move around the country or exercise their rights as children. Children who remained in areas controlled by ISIL often do not have birth certificates, or hold certificates that are not recognized by the Government of Iraq. [...] (p. 10)

10 See for example UNAMI/OHCHR, *The Right to Education in Iraq. Part One: The legacy of ISIL territorial control on access to education*, February 2020, pp. 11–12.

14 See also UNAMI/OHCHR, *The Right to Education in Iraq Part One: The Legacy of ISIL territorial control on access to education*.

❖ [UN OHCHR, End of Mission Statement by the United Nations Special Rapporteur on the human rights of internally displaced persons, Ms. Cecilia Jimenez-Damary, upon conclusion of her official visit to Iraq – 15 to 23 February 2020, 27 February 2020](#)

[...] 5. Perceived "ISIL" affiliated families

On the other hand, the situation of families who are perceived as affiliated to ISIL is also very concerning. These families face widespread discrimination by authorities and communities and have been subject to threats, harassment and violence, both in areas of displacement and in areas of origin.

[...] In addition, security clearances are required and often denied to members of families perceived as affiliated to extremist groups. Relatives of alleged "ISIL" members have been asked to disavow their family members so that they can be granted security clearance. Inasmuch as civil documentation is a constitutional right of all Iraqi citizens, delinking the requirement to obtain security clearance from procedures in accessing civil documentation will allow the implementation of this constitutional right.

[...] 6. IDPs freedom of movement

I am deeply concerned by the restrictions on freedom of movement imposed on IDPs. Security clearance must be obtained to travel through checkpoints, which is usually denied to families perceived as affiliated to ISIL, hampering their access to cities to access services, renew civil documents in the area of origin or return. [...]

2. Section 2. Respect for Civil Liberties

2.2.1. Improvements in 2017

Information that the asylum system can be described as ‘flawed’ in 2017

❖ [UNHCR, Relevant COI on the Situation of Palestinian Refugees in Baghdad, 30 March 2017](#)

[...] Although Palestinian refugees hold ID cards issued by the Permanent Committee for Refugee Affairs of the Ministry of Interior (PC-MoI) on the basis of a registration exercise undertaken in 2008, these ID cards can be distinguished from those held by Iraqi nationals, making Palestinian refugees easily identifiable targets, including at checkpoints run by state or non-state actors. Government ID cards issued to Palestinian refugees are reportedly often not recognized or respected at security checkpoints.

[...] Access to fair judicial proceedings and state protection is reported to be a particular challenge for Palestinians, which renders them easy targets for abuse and exploitation by militias and tribes, including for confiscation of properties and forced eviction from their homes.¹⁹ Palestinians are reportedly often reluctant to report incidents to the authorities for fear that this would negatively affect their situation due to either real or perceived links between perpetrators and state agents, or the real or perceived negative bias of the police towards Palestinians.²⁰ [...]

19 UNHCR information, March 2017. See also Asharq Al-Awsat, Iraq Continues to Deny Palestinian Refugees Right to Hajj, 1

September 2016, <http://bit.ly/2bFoGxU>.

20 UNHCR has learnt of numerous instances in which Palestinians did not approach the police for these reasons. In cases in which they reported security/protection incidents, Palestinians often either faced negative consequences or inaction by the police. Lack of access to efficient state protection leaves Palestinian refugees exposed to human rights abuses by both state and nonstate actors such as militias or tribes; UNHCR information, March 2017. See also Landinfo, Respons Irak: Palestinerne I Bagdad, June 2015, http://landinfo.no/asset/3158/1/3158_1.pdf, p. 3.

❖ [UNDP \(United Nations Development Programme\), UNHCR \(United Nations High Commissioner for Human Rights\), 3RP Regional Refugee & Resilience Plan 2018 - 2019, in Response to the Syria Crisis: Iraq, 12 December 2017](#)

[...] Access to asylum is hindered by application of immigration laws where Syrian new arrivals are admitted on a 15-day entry visa and continue to face challenges with application for asylum upon expiry of the entry visa. In the absence of a uniform refugee policy framework in Iraq, or more specifically in the KR-I, refugees face different standards of treatment and ad hoc policy changes affecting the realisation of their rights.

[...] Delays in issuance and renewal of residency permits by the authorities lead to restrictions on freedom of movement and access to basic services. [...]

Information that the asylum system can be described as ‘flawed’ in 2018

❖ [William K. Warda, et al., Hammurabi Human Rights Organization, Global Migration: Consequences and Responses Iraq – Country Report Legal & Policy Framework of Migration Governance, Paper 2018/06, May 2018](#)

[...] Iraq’s legislative framework, procedures, and policies in terms of management of migration and asylum are incapable of responding to the volume of refugees and displaced persons. Despite the efforts to further develop existing policies and institutions, the Iraqi political system must commit to the related international conventions and laws in the provision of protection to the displaced and asylum seekers, or at least to develop its national laws and legislation to live up to the international standards on migration and asylum.

[...] 3.2 Constitutional Entrenchment of the Principle of Asylum

[...] The Constitution of Iraq guarantees the right for political asylum in Iraq. Article 110 gives the federal government the exclusive power over governing issues of citizenship, naturalization, residency, and the right for political asylum.

[...] 4.1 The National Policy on Immigration and Asylum

While Iraq is not a party to the Refugee Convention of 1951 or its protocol of 1967, the Iraqi government has issued two legislative instruments related to refugees in Iraq: Law No 21 of 2009 establishes the Ministry of Migration and Displacement to provide assistance and services to both internally displaced persons and foreign refugees inside Iraq; and the Political Refugee Act No. 51 of 1971 regulating political asylum in Iraq. Nevertheless, Iraq does not have a national system for the protection of refugees and asylum seekers.

The government generally cooperates with the UNHCR and other humanitarian organizations to provide protection and assistance to the refugees, IDPs, asylum seekers, and stateless residents in the country. Since

the beginning of the crisis in 2014, after ISIL invasion of Iraq and Syria, the UNHCR took the lead in the registration and determination of refugee status for asylum-seekers.

The humanitarian community - under the leadership of the UNHCR, 10 UN sister agencies and some 34 partner organizations - has been working closely with the government of Iraq and the Kurdistan Regional Government in order to provide a coordinated response to the protection and access to services for Syrian refugees in Iraq. The Ministry of Migration and Displacement is a key government partner and the Ministry of Interior of the Kurdistan Regional Government is the main partner for the refugee response specific to the Kurdistan Region of Iraq, while the Ministry of Planning is playing an increasingly important and dynamic role in the design and monitoring of the refugee response programme.

The need for effective coordination between the UN and the KRG has resulted in the establishment of a Joint Crisis Centre (JCC) in May 2015, which has been operationally equipped with support from UNDP, the objective of which is to effectively coordinate government actions in response to the crisis and to liaise with the international community. (UNHCR, 2016)

Since January 2016, there are on-going efforts to handover responsibility of primary health care in camps to governmental health departments. The goal is to integrate provision of primary health care in the national system.

[...] UNHCR is leading the Registration process; Protection; Camp Coordination and Camp Management (CCCM); Shelter/Non-Food items clusters, as part of the cluster coordination mechanism for IDP response; and leading the humanitarian response for Syrian refugees in coordination with the authorities through the Regional Refugee and Resilience Plan (3RP).

The Government formed a Relief Committee, chaired by the Minister of Migration and Displaced, as well as support committees to facilitate procurement, camp constructions, and provision of health services.

[...] 4.3 The sub-National Legislation

[...] The central government does not issue residency permits, nor work permits to asylum seekers. While the Kurdistan Regional Government issues residency permits that grant the right to work; freedom of movement within the three governorates of Kurdistan region of Iraq; and the right to education free of charge in public schools on par with Iraqi nationals. Refugees holding a residency permit are also granted free access to health services in the Kurdistan region. Those without residency permits find free services in refugee camps. [...]

❖ [Council of Europe – Parliamentary Assembly, Committee on Migration, Refugees and Displaced Persons, The humanitarian situation of refugees in the countries neighbouring Syria, 7 June 2018](#)

[...] 3.4. Iraq

72. There are 267 000 refugees in Iraq which should be added to 2.2 million IDPs. The population of Iraq is 37 million. Refugees are mainly of Syrian, Iranian, Palestinian and Turkish origin. The number of Syrian refugees was 248 092 in February 2018. Furthermore, there are 47 630 stateless persons.

73. Iraq is not a signatory to the 1951 Geneva Convention.

74. The following legislation is relevant to refugees in Iraq: Law No. 21 of 2010 on internally displaced persons and refugees; Law No. 51 of 1971 on political refugees; ministerial decree No. 262 of 2008 on financial assistance to internally displaced victims of inter-religious violation; ministerial Resolution 202 of 2001 on reception of Palestinian refugees.

75. The UNHCR co-ordinates with the government, other United Nations agencies, and local and international partners in terms of its response for refugees including registration, protection monitoring and advocacy, legal and psychosocial aid, child protection, and ensures emergency relief. Its mandate in Iraq extends not only to Syrian and non-Syrian refugees and stateless persons, but also to IDPs. In all, there are approximately 5.5 million people of concern to the UNHCR in Iraq.

76. Refugees enjoy the same access to health care as Iraqi citizens.

77. All refugee children have the same access to education as Iraqi children. However, severe shortages in terms of teachers, schools and materials make this privilege somewhat illusory. Approximately 32% of refugee children do not attend school.

78. Access to work is granted with regard to the private sector. It is problematic in the public sector however.

79. The overall humanitarian situation in Iraq is very precarious. The continuing presence of IDPs is due to unsafe conditions in the areas of origin, destroyed houses and infrastructure, and lack of basic services. Retaken areas are not being fully cleared of explosive hazards. Road closures, checkpoints, curfews and military attacks are reportedly creating serious security challenges.

80. 97% of Syrian refugees in Iraq live in the Kurdistan region of Iraq. 37% reside in nine camps, with the remainder living in urban and peri-urban areas. As for IDPs, approximately 563 000 are hosted in 76 camps.
81. The UNHCR monitors the return of displaced persons to their areas of origin. Resettlement to third countries is pursued under the responsibility of the UNHCR for a small number of refugees with acute vulnerabilities. [...]

❖ [Norwegian Refugee Council \(NRC\): Future Prospects for Syrian Refugees in Iraq, January 2019](#)

[...] Erbil City and Dahuk City: Progress Towards IASC's Criteria On Durable Solutions

Since the start of the Syrian conflict, the Kurdistan Regional Government (KRG) has shown hospitality and positive efforts in accommodating the influx of Syrian refugees despite Iraq's domestic challenges and difficult circumstances. However, findings illustrate gaps in basic needs and protection for both Syrian refugees and the host community. Community tension could worsen if gaps, including perceived gaps, in access are not adequately addressed.

[...] • Access to mechanisms to restore Housing, Land and Property (HLP) rights: A considerable proportion of assessed Syrian refugee households in Erbil city (53%) and Dahuk city (26%) reported losing their property in Syria due to damage as a result of the conflict and/or displacement. This suggests refugees might be unable to return unless a mechanism to restoring HLP is in place.

• Access to and replacement of personal and other documentation: A majority of Syrian and Iraqi households reported having access to documents (e.g. birth certificates, marriage certificates and family booklet), with the exception that only 30% of assessed Syrian refugee households had passports. A few Syrian refugees reported that obtaining KRI residence permits was a lengthy bureaucratic process, where they waited in long queues and faced delays if they did not have the required supporting documents.

[...] Erbil City and Dahuk City: Decision-Making and Intentions

[...] However, despite progress made by Syrian refugees in the socio-cultural and economic dimensions of integration, the absence of citizenship (which can only be granted by the Government of Iraq) remains a significant barrier in achieving full integration. For refugees, it is paramount that there is political will to provide an adequate legal framework for integration or at least long-term protection of refugees.

[...] Anbar

[...] Finally, the lack of prospect in getting citizenship and Iraqi nationality was also reported as a barrier for local integration in the long term.

[...] On the policy level, it is unclear whether (and if so, how) the Syrian refugee population could be considered in the future of Iraq. [...]

❖ [United Nations Committee on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-second to twenty-fifth periodic reports of Iraq, 11 January 2019](#)

[...] Refugees and internally displaced persons

37. The Committee notes that the population in the Kurdistan region has increased dramatically owing to the reported influx of refugees and internally displaced persons from conflict-affected regions. The Committee commends the Kurdistan Regional Government for supporting and providing a safe haven for displaced communities. The Committee is concerned that:

(a) As the draft refugee law has not yet been finalized, there is no adequate legal framework for the protection of refugees; [...]

Information that the asylum system can be described as 'flawed' in 2019

❖ [UNHCR, 3RP Country Chapter 2019/2020: Iraq, 29 April 2019](#)

[...] However, the absence of a legal framework for refugee protection in Iraq continues to preclude longer-term residency rights to stay and other legal benefits for Syrian refugees.

[...] The majority of Syrian refugees in the KR-I enjoy a relatively favourable protection environment as authorities have granted temporary residency permits, freedom of movement and the right to work. Despite budget constraints and the economic crisis, the Kurdistan Regional Government (KRG) and host community remain accommodating to the refugee population. However, the needs of refugees, particularly those living in urban, peri-urban and rural areas, have increased due to the persistently poor socio-economic situation and reduced livelihood opportunities.

[...] Syrian refugees also face increasing obstacles in regularizing their legal status. Formal registration as asylum-seekers in the KR-I has become more difficult as a result of security-related, political and

administrative oversight and requirements. Advocacy will continue to adopt and implement the Iraqi Refugee Law, in line with international refugee and human rights standards. [...]

❖ [UNHCR, International Protection Considerations with Regard to People Fleeing the Republic of Iraq, May 2019](#)

[...] Palestinian refugees hold ID cards issued by the Permanent Committee for Refugee Affairs of the Ministry of Interior (PC-Mol).⁶⁸⁵ On the basis of a registration exercise undertaken in 2008, refugees who arrived in Iraq in 1948 (or later, but who were displaced in 1948 from that part of Mandate Palestine which became Israel, and who have been unable to return there) as well as their descendants obtained red ID cards, while those who arrived in 1967 or subsequently, as well as their descendants, received yellow ID cards. These ID cards can be distinguished from those held by Iraqi nationals, making Palestinian refugees easily identifiable, including at checkpoints. These ID cards are often not recognized or respected at security checkpoints, which can result in harassment, threats, physical and verbal abuse, investigation, arrest, and temporary detention at checkpoints.⁶⁸⁶

[...] b) Situation in Areas under Control of the KR-I

Most Palestinians in the KR-I either hold PC-Mol cards and/or a UNHCR refugee certificate. In either case, Palestinian refugees are generally granted access to public services and enjoy freedom of movement across the KR-I, although certain obstacles have been reported as local authorities, including at checkpoints, do not always recognize documentation held by the refugees.⁶⁹² [...]

685 The PC-Mol is in charge of registration and issuance of ID cards to Palestinians. Registration of Palestinians by PC-Mol started in mid-2008.

686 Such reports have been received from both Baghdad and Mosul; UNHCR information, April 2019.

[...] 692 UNHCR information, April 2019. See, for example, Al Jazeera, The Forgotten Generations: Palestinian Refugees in Iraq, 5 February 2017, <http://aje.io/rzgt>.

❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)

[...] 40. In line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women and general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party:

[...] (d) Accede to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto and the 1961 Convention on the Reduction of Statelessness, and amend its national legislation accordingly in order to strengthen the protection of refugee, asylum-seeking and stateless women and girls. [...]

❖ [Norwegian Refugee Council \(NRC\), Desperate measures: Syrians fleeing Turkey's military operation, 17 December 2019](#)

[...] Since 2012, nearly 250,000 Syrians, largely of Kurdish origin, have sought refuge in the KRI. Although the Government of Iraq (GoI) is not a signatory to the 1951 Refugee Convention, policies in the KRI have to date been largely favourable towards refugees from Syria.⁸ Though there are no formal pathways to citizenship or even the option of long-term residency⁹, Syrian refugees who have valid temporary residency permits issued by the KRG are typically able to access education, gain employment and, for the most part, move about freely.¹⁰ A study conducted on the Syrian refugees in the KRI prior to the new arrivals found that more than 90 per cent of registered Syrians have residency permits.¹¹ New Syrian refugee arrivals to the KRI are transferred to either Gawilan or Bardarash camp, which reopened in October 2019 to accommodate new arrivals. [...]

8 Far from Home: Future Prospects for Syrian Refugees in Iraq, Durable Solutions Platform, International Rescue Committee, Norwegian Refugee Council, Danish Refugee Council, IMPACT (January 2019), 10.

9 Regional Refugee and Resilience Plan (3RP) in Response to the Syria Crisis, Iraq Country Chapter 2019-2020, 11.

10 This residency permit is limited to the KRI. It does not enable one to travel to federal Iraq.

❖ [United Nations Security Council, Implementation of resolution 2470 \(2019\): Report of the Secretary-General, 21 February 2020](#)

[...] 70. Despite operational and security challenges, the United Nations continued to support humanitarian and development efforts in Iraq, which also received significant numbers of Syrian refugees during the

reporting period. As of 26 December, a total of 18,776 individuals had arrived in Iraq from the Syrian Arab Republic, the majority in the Kurdistan Region.

71. Following extensive advocacy by the Office of the United Nations High Commissioner for Refugees, the Permanent Committee for Refugee Affairs in Iraq of the Ministry of Interior, the federal Government entity mandated to register and document refugees in Iraq, continued the process of registering Syrian refugees in the central and southern governorates, which had started in November 2019. [...]

Information that the asylum system can be described as ‘flawed’ in 2020

❖ [3RP Syria Crisis, 3RP Country Chapter 2021-2022, 31 March 2021](#)

[...] Executive Summary

[...] Advocacy for an effective legal framework for refugee protection and to maintain or enhance the favourable protection environment remains a priority to ensure safe and unhindered access to territory, safety, asylum and freedom of movement for refugees with a Kurdistan Regional Government (KRG) residency permit, including new arrivals and extending this freedom of movement throughout other governorates in Iraq. Resettlement options remain limited for refugees in Iraq in comparison to the overall requirements.

[...]

❖ [3RP Syria Crisis, Regional Strategic Overview 2021-2022, 31 December 2020](#)

[...] Iraq

[...] However, the absence of an effective legal framework for refugee protection in Iraq continues to preclude longerterm residency rights and other legal benefits for Syrian refugees. [...]

2.2.2. Improvements in 2018

KRG security authorities and militias prevented journalists from reporting; citing security pretexts in 2018

❖ [Committee to Protect Journalists, Security forces detain TV crews and shut down broadcaster’s office in Iraqi Kurdistan, 28 January 2019](#)

[...] The Committee to Protect Journalists today condemned the closure by Kurdish security forces of the Iraqi independent broadcaster NRT’s office in Dohuk, Iraqi Kurdistan, and urged the Kurdish regional government to immediately allow NRT to resume its work.

[...] The detentions and office raid came as a response to NRT’s January 26 coverage of a protest at a Turkish military facility in Silazdeh and of the arrival of injured protesters at the Dohuk Emergency Hospital, according to the broadcaster.

At least two civilians were killed by a Turkish airstrike in Duhok governorate on January 24, according to news reports. The casualties sparked a protest at the facility in Silazdeh on January 26, which resulted in one protester being killed and several being injured, news reports said.

The prime minister of the Kurdish regional government, Nechirvan Barzani, told NRT on January 27 that the government would deal severely with television channels that interfered with security issues in the region. [...]

❖ [Committee to Protect Journalists, Journalist detained for weeks in Iraqi Kurdistan, accused of anti-state acts, 21 February 2019](#)

[...] The Committee to Protect Journalists today condemned the prolonged detention without charge of freelance journalist Sherwan Amin Sherwani by Kurdish authorities in northern Iraq and called for his immediate release.

Sherwani, a Kurdish journalist and outspoken critic of the region’s ruling Kurdish Democratic Party, was arrested by party-affiliated security forces in the Iraqi Kurdistan city of Dohuk on January 28, and was accused by the Asayish intelligence service of committing acts against the security of the state; if charged and convicted, he faces a lifetime prison sentence, according to news reports and his lawyer, Xetab Omer, who spoke with CPJ.

[...] On February 1, Sherwani was moved to Zirka Prison in Duhok, which is run by the Asayish intelligence service, Omer told CPJ. According to his lawyer, the intelligence service has accused Sherwani of violating Article 156 of the 1969 Iraqi Penal Code—an accusation more severe than violating Iraqi Kurdistan’s press laws—which states that anyone who willfully violates the independence, unity, or security of the country can be punished with life imprisonment. Asayish agents have cited Sherwani’s posts on social media in their accusations, according to Omer. [...]

KRG security authorities and militias prevented journalists from reporting; citing security pretexts in 2019

❖ [Committee to Protect Journalists \(CPJ\), In Iraqi Kurdistan, journalists are victim of political tension, 21 March 2019](#)

[...] Sherwani was arrested by security forces affiliated with the ruling Kurdistan Democratic Party (KDP) on January 28, while on his way to a protest in Duhok over the Turkish presence in Iraqi Kurdistan. The journalist takes photos and live streams videos at protests, which he shares on Facebook with over 10,000 followers. [...] “Sherwani is neither a professional journalist, nor a member of the press syndicate. He has been previously convicted for defamation. He is sick. He has been accused of inciting violence in Duhok through back channels and being a threat to national security,” Zebari [the government advocacy coordinator] told me in his office, which is decorated with dozens of photos of him with heads of state and international organizations.

Zebari added, “He is sabotaging the country and is supported by non-Iraqi foreign agencies to destabilize the country. Sherwani has misused his freedom and is making up stories to become famous. Asayish told me that he has confessed to committing acts against the state.” [...]

❖ [Committee to Protect Journalists, Assyrian journalist detained in Iraq for 13 days after reporting trip to Syria, 13 November 2019](#)

[...] Kurdish Asayish security forces detained William Bnyameen Adam, an Assyrian journalist, for 13 days after the contributor to the California-based broadcaster Assyrian National Broadcasting (ANB) returned from a two-week assignment in northern Syria, the journalist told CPJ. The journalist said that security forces confiscated his equipment, beat him, and questioned him about his reporting.

[...] Bnyameen told CPJ he was moved to Sahela Prison, near Zakho, where he was kept incommunicado for three days. Bnyameen said he was accused of being a member of the militant group Islamic State and was interrogated about his trip to Syria and his relationship with the People’s Protection Units (YPG). [...]

❖ [Iraqi Journalist Freedom Observatory \(JFO\), Communication and Media Commission Decides to Suspend and Warn 14 TV Stations, 23 November 2019](#)

[...] The National Communications and Media Commission decided to suspend and warn local and foreign TV stations. Accordingly, the security forces in Iraq received orders from the government authorities to suspend the activities of 9 local and international prominent TV stations and warn 5 other stations due to their coverage of the local protests in cities in southern and central Iraq.

A fellow journalist working in the Communications and Media Commission said that the Board of Trustees, Chaired by Ashraf Al-Dahan, discussed on Tuesday government recommendations related to media affairs. The Board also discussed the technical monitoring report pertinent to the performance of satellite channels and the violation of the articles of media broadcasting regulations list. The Board recommended that the Executive Management should take the necessary legal action against them which is “suspending and warning”.

The Journalist Freedom Observatory (JFO) got acquainted with a document sent by the Communications and Media Commission to the Prime Minister’s Office and the Ministry of Interior that recommending security forces to prevent 14 prominent Iraqi and foreign media institutions/outlets from operating in different areas in the country, including Kurdistan Region.

The document stipulated a resolution voted by members of the Board of Trustees stating: “suspending Dijlah, Al-Sharqiya, NRT, Kurdish NRT, Al-Rasheed, Al-Fallujah, Hona Baghdad, Al-Arabiya Al-Hadath, Al-Hurra and Anb TV channels; for violating articles of the media broadcasting regulations list.”

The same document, which was exclusively circulated between the Executive Management Office of the Communications and Media Commission, the office of the Prime Minister and the Minister of the Interior,

also stated: “warning Sky News Arabia, Al-Sumaria, Asia, Rudaw and Ur, to be careful in dealing with the demonstrations and adherent to the articles of media broadcasting regulations list.”

The National Communications and Media Commission issued circulations last month threatening the media, it described as inciting to violence, with administrative and legal sanctions. The Commission demanded the media to take into account the responsibilities in the current sensitive circumstances the country is going through, and to be accurate and professional at dealing the demonstrations, discussing and publishing their realistic; news and not to allow circulation of fabricated news or rumors via social media websites as considering them reliable sources.

The Journalist Freedoms Observatory (JFO) finds that the list of circulations shows that the restrictions on the content are as rudimentary, vague, loose and easily misused.

The list of circulations specifies that media organizations should “refrain from broadcasting any content inciting violence” without providing clear guidelines on what is included in the definition as inciting to violence.

In previous years, the Communications and Media Commission has obliged media organizations to sign regulations that have been described by international organizations as new restrictions. The regulations set by the Commission have given it unlimited power to suspend media broadcasting, shut down media institutions, confiscate equipment, withdraw licenses, impose heavy fines on media institutions and provide lists of all employees and equipment. [...]

KRG security authorities and militias prevented journalists from reporting; citing security pretexts in 2020

❖ [Reporters Without Borders, Three jailed reporters charged with “undermining national security”, 15 February 2021](#)

[...] Reporters Without Borders (RSF) calls for the immediate release of five journalists arrested during the past six months in northern Iraq’s autonomous Kurdish region, three of whom appeared in court for the first time today and were accused of “undermining national security,” a charge carrying a possible life sentence.

Update (February, 16th 2021): the three independent journalists Sherwan Sherwani, Guhdar Zebari and Ayaz Karam were found guilty of "undermining national security" and sentenced to six years in prison by the Erbil Criminal Court on Tuesday February, 16th. Sherwan Sherwani is notably accused of having worked for Iran.

[...] During a press conference on 10 February, the KRG referred to the situation of journalists and activists who have been jailed in recent months. Without naming anyone, KRG Prime Minister Masrour Barzani said “some individuals were agents for foreign intelligence services” and others “were armed and were plotting to blow up buildings and attack foreign citizens” – crimes punishable by life imprisonment.

[...] In the same press conference, Barzani said the KRG “supports journalism and the rights of journalists in all forms” and but warned that the authorities needed to prevent “illicit activities carried out under the banner of journalism.” [...]

❖ [Committee to Protect Journalists, Iraqi Kurdish security forces raid broadcaster, detain and beat journalists, seize equipment, 14 August 2020](#)

[...] On August 12, Iraqi Kurdish Asayish security forces raided the offices of local broadcaster NRT in the western city of Duhok, and held staffers inside for several hours, according to the Iraqi press freedom group the Press Freedom Advocacy Association in Iraq and NRT Duhok correspondent Taeif Goran, who spoke to CPJ via messaging app.

Also that day, Kurdish security forces in Erbil briefly detained an NRT crew covering protests in the city, according to the association statement and Mohammed Amir, one of the reporters, who spoke to CPJ via messaging app.

Yesterday, security forces beat and briefly detained journalists for various outlets covering protests in Duhok, according to news reports and journalists who spoke with CPJ.

[...] Goran told CPJ that security forces held five NRT employees at the Duhok office during the raid: reporters Bewar Helmy and Bryar Nerway, camera operator Wahab Binyamin, video editor Rewar Ali, and driver Sherif Pasi.

“They held them from 10 a.m. to 7 p.m. and prevented them from leaving the premises on the grounds that they were protecting them from protesters. As a result of this they couldn’t cover the protests that were taking place in Duhok and across Kurdistan,” he told CPJ. [...]

2.2.4. Improvements in 2020

Evidence of some NGOs registered in Baghdad being able to operate in the IKR

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 - [...] 3. Refugee Convention Claims
 - [...] Groups of Interest
 - [...] Civil Society Activists
 - [...] NGOs operating in the KRI require a separate registration. As a result, some NGOs registered only in Baghdad could not operate in the KRI, while those registered only in Erbil could not operate outside the KRI and KRG-controlled disputed territories. [...]

Evidence IDPs and refugees do not have freedom of movement in the KRI in 2020

- ❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)
 - [...] Political Rights
 - [...] C. Functioning of Government
 - [...] Add Q
 - Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group? -1
 - [...] Kurdish authorities encouraged local and sub-state forces to prevent thousands of Arab families displaced by the IS conflict from returning to villages near the Syria-Iraq border and in disputed areas under de facto KRG control, in an apparent attempt to change the region’s demography. [...]
- ❖ [Protection Cluster Iraq, Protection Monitoring System Report 1, February 2021](#)
 - [...] 1. Introduction and Methodology
 - [...] This report presents the findings from the first round of data collection conducted between December 2020 and January 2021.
 - [...] In total, 2783 KI [key informant] interviews were conducted across 18 governorates, 75 districts and 144 sub-districts in Iraq.¹
 - [...] 5. Liberty of Movement
 - 16% of KIs report that people at their locations face restrictions on freedom of movement to other districts or governorates sometimes or frequently, with restrictions at the local level stated as less prevalent. This proportion is highest in Anbar governorate, with 45% of KIs reporting this issue. Restrictions on freedom of movement are also prevalent in Sulaymaniyah, Kirkuk and Salah Al-Din governorates.²⁴ Restrictions on freedom of movement are most severe in IDP camps than in any other type of displacement location or area of return.²⁵ Overall, IDPs are most commonly cited as the group most affected by restrictions on freedom of movement, compared to returnees.²⁶ The proportion of female KIs who report that people at their locations face restrictions to their freedom of movement is also significantly higher than for male KIs.²⁷
 - Three main barriers to freedom of movement are reported at the national level, including: need to prove legal identity, cost of transportation and need to obtain security clearance.²⁸ In areas of return, the need to obtain security clearance is ranked as the second main barrier, before the cost of transportation. In contrast, the cost of transportation is ranked as the main barrier in out-of-camp displacement locations.²⁹ [...]

1 Profile of the KIs by gender: 81% of men and 19% of women. Profile of KIs by age: 9% in the age group 18-25 years old, 87% in the age group 25-60 years old and 4% over 60 years old. Profile of KIs by role in their community: 38% are IDP and returnees without specific roles, 20% are community or tribal leaders, 14% are outreach volunteers, 11% are private sector workers or professionals, 6% are professional from the education sector, 4% are government officials and 7% have other roles such as youth or women community leader, health professionals

civil society organization, religious leader etc. Profile of IDPS by displacement status: 41% are IDPs, 43% are returnees, 15% are host communities and 1% preferred to not specify their displacement status.

24 27% of KIs in Sulaymaniyah governorate, 20% of KIS in Kirkuk governorate and 19% of KIs in Salah Al-Din governorate report that people at their locations face restrictions on movement to other districts or governorates sometimes or even frequently.

25 34% of KIs in IDP camps report that people at their locations face restrictions on movement to other districts or governorates sometimes or even frequently, compared to 19% in informal sites, 17% in return areas and 11% in other out-of-camp displacement locations.

26 19% of KIs cite IDPs as the group most affected by restrictions on freedom of movement while 13% cite returnees.

27 22% of female KIs report that people at their locations face restrictions on movement to other districts or governorates sometimes or even frequently, compared to 15% among male KIs.

28 Overall, 28% of KIs cite the need to show one's civil ID as one of the main barriers to freedom of moved, compared to 23% citing the cost of transportation and 1% citing the need to obtain security clearance.

29 In camps, the three main barriers are the need to show a civil ID, the need to provide justification and the cost of transportation. In out-of-camp displacement locations, the main barriers are the cost of transportation, the need to show a civil ID and the need to have a security clearance. In return areas, the main barriers are the need to show a civil ID, the need to have a security clearance and the cost of transportation.

Evidence KRG did not focus on preserving rights of minorities as top priority in 2020

❖ [Christian Solidarity Worldwide, Iraq: General Briefing, March 2021](#)

[...] Local community leaders and activists have reported intensified efforts by the KRG to 'Kurdify' their territories by making it difficult for individuals displaced by IS violence to return. Tactics employed by the KRG have included forcibly appropriating land and property, and using intimidation, while also attempting to 'divide and rule' by offering financial and status privileges to selected political and religious figures within these communities. Many Yazidi activists report increased pressure from the KRG on the Yazidi community to identify as Kurds, even when they do not wish to do so. The KRG has also reportedly intensified efforts to impose Kurdish identity on the region's Christian community. [...]

❖ [Iraqi Thoughts, Security in the Nineveh Plains: What it Means for Assyrians, 19 January 2021](#)

[...] Since the insurgency, politicians have vocalized the importance of ethnic and religious inclusiveness in Iraq. Yet, Assyrian civilians, activists and representatives are infrequently consulted on matters regarding security in their own land. Instead of meeting their demands to expand the operations of the Nineveh Plains Protection Units, the government favors proposals made by KDP and Badr Organization officials, who often have no connection to the region itself. Inevitably, the outcome is damaging. Assyrians face injustice at the hands of forces authorized by the government, furthering their lack of trust in the state and providing them with little incentive to remain in Iraq. This is a counterproductive approach in which authorities liberate lands from an occupier, but then continue to make them inhospitable for their original residents. [...]

2.3.1 Omissions in 2017

Family members of journalists being targeted by a range of perpetrators wishing to limit the flow of news in 2017

❖ [Press Freedom Advocacy Association Iraq, A Journalists house and family attacked in Erbil by VIP forces, 2 July 2017](#)

[...] A force affiliated to Deputy President of KRG, Kusort Rasul, attacked a member of Kurdistan Newy Journal editing staff.

Sertib Jawhar, the journalist, told Press Freedom Advocacy Association in Iraq, that an armed force affiliated to the above mentioned person attacked his house at a time when he was absent, so one of his brothers was abducted. [...]

Family members of journalists being targeted by a range of perpetrators wishing to limit the flow of news in 2019

❖ [France 24, Mysterious attacks on Baghdad news bureaus spark fears of press intimidation, 7 October 2019](#)

[...] Throughout the week, bloggers and activists across the south also reported receiving text messages and phone calls threatening them and their families over their coverage. [...]

❖ [Rudaw, Sulaimani police say journalist and family died in ‘murder-suicide’, 16 October 2019](#)

[...] Forensic investigators have concluded that a Sulaimani journalist, his wife, and their baby son were killed in a “murder-suicide” on Wednesday night, police said Thursday.

NRT journalist Amanj Baban was found dead in his car alongside his wife former Kurdsat anchor Lana Muhammed and their baby son Hano on the Sharazur Terminal road between Sulaimani and Halabja road late on Wednesday.

An initial statement from the Kurdistan Regional Government (KRG) suggested unknown gunmen had targeted Baban and his family and were still at large.

[...] According to Sulaimani Provincial Police, the coroner’s report has concluded Baban likely shot his family before turning the gun on himself.

[...] Despite the police statement, speculation remains rife on social media suggesting Baban was in fact targeted for his journalism. [...]

The KRG authorities continued to try, convict, and take legal action against journalists in 2018

❖ [Amnesty International, Iraq: Fist around freedom of expression tightens, 5 March 2018](#)

[...] Journalists and activists in the KR-I told Amnesty International that while the Region has a protest law and a press law, arrests are rarely made on the basis of these laws. Rather the amended 1969 Iraq Penal Code is utilized, which can carry lengthy prison sentences. One Kurdish journalist told the organization: “I have never been arrested on the basis of the press or protest law. It is always the Penal Code. The authorities are forever looking for loopholes in the law in search of the heaviest punishment. This is not only unjust, it also encourages self-censorship.” [...]

The KRG authorities continued to try, convict, and take legal action against journalists in 2019

❖ [Committee to Protect Journalists, Press freedom on ‘brink of extinction’ in Iraqi Kurdistan, journalists say, 9 September 2019](#)

[...] Tired of abuse, pressure, and a lack of protection for local journalists, Zebari, who is based in Bahdinan, in the northwestern province of Duhok, said he was considering leaving Iraqi Kurdistan.

[...] Impunity in cases of violence against the press and a lack of a truly independent judiciary and press regulation body have left journalists feeling vulnerable and at heightened risk of attack.

[...] Since the independence referendum, CPJ has documented detentions, harassment, assaults and attacks perpetrated by both sides.

[...] Neither the Kurdish Justice Ministry nor the Kurdistan Regional Government’s media office responded to CPJ’s email requesting comment, sent on September 5.

Hardi said that the lack of an independent judiciary means that laws that are supposed to protect journalists are either not enforced or are implemented in accordance with the parties’ interests. He added that the co-optation by political parties of civil society organizations, including the Journalists’ Syndicate—a government-funded body set up to defend journalists’ rights—leaves reporters unprotected.

The Journalists’ Syndicate of Kurdistan did not respond to CPJ’s emailed request for comment, sent on August 8. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] On 26 January, protests broke out near a Turkish military base in the area of Shiladze, Dohuk governorate, after civilian casualties were reported to have occurred as a result of Turkish air strikes carried out on 24 January. Local media and activists reported that a number of protesters stormed the base and started fires and that two of them were killed. On 27 January, the Asayish, the KRG security agency, arrested dozens of protesters, activists, journalists and individuals who may have been bystanders. Some were released without charge on the same day, while others were charged. Of these, most were released on bail in the subsequent days and weeks. Also on 27 January, the Asayish arrested a journalist and two activists,

who, according to their relatives, were on their way to a gathering in the city of Duhok in support of the Shiladze protests; they were charged and released on bail at the beginning of March.⁶ [...]

6 Amnesty International, Iraq: Fist around freedom of expression tightens (Index: MDE 14/9962/2019). <https://www.amnesty.org/en/documents/mde14/9962/2019/en/> [...]

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] According to media watchdogs, over 200 incidences of threats, harassment, and legal action were taken against journalists working in 2019 in the Kurdish region. [...]

The KRG authorities continued to try, convict, and take legal action against journalists in 2020

❖ [Amnesty International, Urgent Action: Iraq/KRG: Journalists Must Be Released Immediately, 26 February 2021](#)

[...] On 16 February, the Erbil Criminal Court sentenced activists and journalists Sherwan Sherwani, Guhdar Zebari, Hariwan Issa, Ayaz Karam and Shvan Saeed to six years in prison after a flagrantly unfair trial mired with serious allegations of torture and other ill-treatment, and based on apparently trumped-up charges of “destabilizing the security and stability of the Kurdistan Region of Iraq (KR-I)” under Article 1 of Law No. 21 (2003). They are now awaiting the appeal verdict, expected to be delivered by 16 March.

[...] Members of the Kurdish security forces [otherwise known as Asayish] arrested Sherwan Sherwani on 7 October 2020 in Erbil, the Kurdistan Region of Iraq’s capital, and the other 4 journalists- Guhdar Zebari, Hariwan Issa, Ayaz Karam and Shvan Saeed - on 22 October 2020 in Duhok, another main city in the KRG, in relation to their involvement in anti-government protests over unpaid wages and corruption.

[...] Amnesty International has received a copy of the verdict which stated that all five men were sentenced to prison based on the provisions of Article 1 of Law No. 21 of 2003 issued by the Parliament of the Kurdistan Region and Articles 47, 48 and 49 of the Iraqi Penal Code. The court also decided to place them under police surveillance for a period of five years after the completion of their sentences, and to confiscate their mobile phones, laptops and cameras. Following the sentencing of the five journalists, the court issued an arrest warrant for the brother of Shvan Saeed, Ayhan Saeed. Two additional arrests warrants were also issued for journalist Difaa Harki and activist Qaidar Hussein. All three arrest warrants mention charges of national security under the Law 21. [...]

❖ [International Federation for Human Rights \(FIDH\), Iraq: Sentencing of journalists Sherwan Sherwani, Ayaz Karam Bruji and Kohdar Mohammed Amin Zebari, 26 February 2021](#)

[...] The Observatory has been informed by the Gulf Centre of Human Rights (GCHR) about the sentencing of freelance journalists Sherwan Sherwani, Ayaz Karam Bruji and Kohdar Mohammed Amin Zebari as reprisals for their social media coverage of the wave of protests that have been held in the Kurdistan Region of Iraq since August 2020.

On February 16, 2021, the Second Criminal Court of Erbil sentenced Messrs. Sherwani, Bruji and Zebari to six years of imprisonment for “destabilizing the security and stability of the Kurdistan Region” (Article 1 of Law 21/2003 of the Parliament of the Kurdistan Region and Articles 47 and 48 of the Iraqi Penal Code) in relation with their conversations on social media and a discussion group they created on Facebook, in which they criticised the local government. The Second Criminal Court further imposed them a period of five years of police surveillance upon completion of their sentences and ordered the confiscation of their personal mobile phones, laptops and cameras. Messrs. Sherwani, Bruji and Zebari are currently being detained in the General Directorate of the Kurdish Internal Security Forces (Asayish) prison in Erbil. They have appealed the decision before the Kurdistan Court of Cassation. [...]

❖ [Reporters Without Borders, Three jailed reporters charged with “undermining national security”, 15 February 2021](#)

[...] Reporters Without Borders (RSF) calls for the immediate release of five journalists arrested during the past six months in northern Iraq’s autonomous Kurdish region, three of whom appeared in court for the first time today and were accused of “undermining national security,” a charge carrying a possible life sentence.

Update (February, 16th 2021): the three independent journalists Sherwan Sherwani, Guhdar Zebari and Ayaz Karam were found guilty of "undermining national security" and sentenced to six years in prison by the Erbil Criminal Court on Tuesday February, 16th. Sherwan Sherwani is notably accused of having worked for Iran.

[...] During a press conference on 10 February, the KRG referred to the situation of journalists and activists who have been jailed in recent months. Without naming anyone, KRG Prime Minister Masrour Barzani said "some individuals were agents for foreign intelligence services" and others "were armed and were plotting to blow up buildings and attack foreign citizens" – crimes punishable by life imprisonment.

[...] In the same press conference, Barzani said the KRG "supports journalism and the rights of journalists in all forms" and but warned that the authorities needed to prevent "illicit activities carried out under the banner of journalism." [...]

❖ [Human Rights Watch, "We Might Call You in at Any Time": Free Speech Under Threat in Iraq, 15 June 2020](#)

[...] Law to Prevent the Misuse of Telecommunications Equipment in the Kurdistan Region (no. 6/2008)
[...] Goran Daibky is the lawyer of Hemin Mamand, a freelance journalist in the Kurdistan Region. Daibky told Human Rights Watch that on March 23, Mamand posted on his Facebook page that if the Covid-19-related lockdown across the Kurdistan region persisted and the KRG continued to withhold the salaries of public servants, something the government has been doing for years, people would likely break the rules.⁶⁷ Daibky said that at midnight the next night, police officers arrested Mamand at his home. They detained him for 13 days before releasing him upon payment of a fee, but arrested him again 24 hours later on April 5, after he posted on Facebook that the police had arrested him without presenting an arrest warrant or identifying themselves. Authorities charged Mamand under article 2 of the Law to Prevent the Misuse of Telecommunications Equipment for encouraging people to break the lockdown and for defaming the police under article 433 of the Penal Code. Daibky said authorities had not allowed him to visit Mamand because Covid-19 measures prevented prison visits, and that they had only allowed Mamand one telephone call to call Daibky between April 5 and 20. Authorities released him after he paid a fee, pending charges, on April 26.⁶⁸ [...]

67 Human Rights Watch telephone interview with Goran Daibky, lawyer, Erbil, April 20, 2020

68 "Journalist Hemin Mamand released on bail after spending month in jail," NRT, April 26, 2020 <http://www.nrttv.com/EN/News.aspx?id=20926&MapID=1> (accessed April 28, 2020).

❖ [Committee to Protect Journalists, Security forces in Iraqi Kurdistan detain 8 journalists in Duhok covering protest; charge 4, 18 May 2020](#)

[...] On May 16, Kurdish security forces arrested at least eight journalists working for media outlets affiliated with the Kurdistan Islamic Union (KIU) and the Patriotic Union of Kurdistan (PUK) opposition parties while they were covering a protest by public officials against unpaid salaries in Duhok, a city in western Iraqi Kurdistan, according to the local press freedom organization Metro Center for Journalists' Rights and Advocacy, the Iraqi press freedom group Press Freedom Advocacy Organization in Iraq, and Abdulkareem Ahmed, general manager of the KIU-affiliated broadcaster Speda TV, who spoke to CPJ via messaging app yesterday and today.

Those arrested were Speda TV reporters Azad Mukhtar, Ali Shali, and Akram Guli; Speda TV cameraman Hajar Salman; director of the KIU-affiliated broadcaster Khabir TV, Maher Sakfan; director of the KIU-affiliated Khabir Radio, Ahmad Sharnakhi; reporter for KIU-affiliated news website PRS Media, Omed Haji; and Karwan Sadiq, a reporter for the PUK-affiliated broadcaster Gali Kurdistan, according to the Metro Center and Abdulkareem Ahmed.

The same sources and Ramadhan Artesey, the lawyer representing the journalists, said the security forces also seized the journalists' equipment; held Mukhtar, Salman, Sadiq, and Sali for several hours; and held the remaining four until today, when they were released on 2 million Iraqi dinars (\$1,680) bail after being charged under Law 11 regulating the organization of demonstrations.

[...] The lawyer Artesey told CPJ that Akram Guli, Maher Sakfan, Omed Haji, and Ahmed Sharnakhi appeared before a court today along with teachers and activists under Law 11 regulating the organization of protests. That law requires advance permission for protests from the Interior Ministry, according to Human Rights Watch.

[...] “The journalists were not tried under the Kurdistan Press Law and they were released today on bail of 2 million Iraqi dinar. The case isn’t over yet and the journalists will have to attend future trials,” he said. [...]

Non-issuance of travel documents to Iraqi citizens awaiting deportation from the United States in 2017

❖ [Deutsche Welle, US judge halts deportation of Iraqi nationals in Trump travel ban blow, 25 July 2017](#)

[...] The judge said the Iraqi nationals detained during recent immigration sweeps had a right to appeal to a higher court before deportation. The ruling effectively stops all deportations of Iraqis for several months [...]

The ACLU [American Civil Liberties Union] said that some of those impacted arrived in the United States as children and committed crimes decades ago, but were allowed to stay because Iraq failed to issue them travel documents [...]

Non-issuance of travel documents to Iraqi citizens awaiting deportation from the United States in 2018

❖ [HRW, US Deporting Iraqis Without Valid Documents, 20 December 2018](#)

[...] The United States government has deported at least 30 of a planned 1,400 people originally from Iraq back to their country, in some cases threatening long imprisonment if they don’t consent, Human Rights Watch said today. In all cases that Human Rights Watch is aware of, the deportees lack valid identity documents, putting them at risk of arbitrary detention and mistreatment in Iraq [...]

People without identification documents or travel papers are likely to be detained if they are stopped at a checkpoint. That puts them at risk of detention and torture, something pervasive in Iraq’s detention facilities [...]

If people want to return, Iraqi authorities should issue them full civil documentation to ensure their ability to return to and live in the country safely. Until Iraqi authorities are willing to do so, US authorities should release Iraqi immigration detainees. [...]

Many stateless Baha’i were not able to register for identity cards, in 2017 which prevented them from enrolling in public school, registering marriages, and gaining access to some government services

❖ [Minority Rights, Iraq: Bahá’í Profile, last updated November 2017](#)

[...] In 1970, Law No. 105 was passed prohibiting the Bahá’í faith, which was followed in 1975 by Rule No. 358 issued by the Directorate of Civil Affairs proscribing the recording of ‘Bahá’í’ as a religion in the civil status records. Consequently, unless they made false statements about their religious beliefs and denied their identity, the Bahá’í could not acquire identity documents, passports, or birth, death and marriage certificates. Many Bahá’í were imprisoned and sentenced to death during this period.

In 2007, the Ministry of Interior repealed Rule No 358. Thereafter, a number of Bahá’í managed to obtain ID cards stating ‘Bahá’í’ in the field of religion. However, Law No. 105 of 1970 was never revoked. Some Bahá’í were afraid to indicate their true religion on their identity cards as this could open them to discrimination in their dealings with government officials. After 2007, the Ministry of Interior again put a halt to the issuance of Bahá’í identity cards, citing Law No. 105 and the Law of Civil Affairs, which prohibits conversion away from Islam, which applies to those who had previously obtained identity documents stating Muslim as their religion.

Current issues

Many Bahá’í still lack identity documentation or have identity cards stating that they are Muslim. Without identity documentation, Bahá’í cannot access rights and services related to citizenship such as education, property ownership and medical care. The majority of Bahá’í marriages are not registered officially, so the children of such marriages cannot obtain identification. Bahá’í do not benefit from any recognition or special measures under the Iraqi constitution, but they are recognized as a religious minority by the Kurdistan Regional Government’s Ministry of Endowment and Religious Affairs. [...]

Many stateless Baha’i were not able to register for identity cards, in 2018 which prevented them from enrolling in public school, registering marriages, and gaining access to some government services

❖ [Al Monitor, Iraqi official denies Baháism as religion, 11 December 2018](#)

[...] Baha’is today are not just asking for the annulment of the mentioned law, but also asking for the removal of all instructions to implement it in the first place, namely Regulation 358 of 1985 of the Department of Civil Status Affairs. The latter prohibits the issuance of new identity cards to Baha’i faith followers and alters their civil status so that they register as Muslims. [...]

Many stateless Baha’i were not able to register for identity cards, in 2019 which prevented them from enrolling in public school, registering marriages, and gaining access to some government services

❖ [European Asylum Support Office, Country Guidance Iraq, June 2019](#)

[...] h. Baha’i COI summary [Targeting, 3.4.9]

[...] According to Regulation 258 from 1975, Baha’i were denied access to birth and marriage registration, passports, employment, entry into university, and the possibility to buy and sell housing and property. Although this regulation was revoked in 2008, the Baha’i still cannot register their faith on their ID cards and Baha’i people are at risk of statelessness. In order to be issued an ID, Baha’i have to list ‘Muslim’ on identity documents. Without identity documentation, the Baha’i cannot access rights and services related to citizenship, such as education, property ownership and medical care. The majority of Baha’i marriages are not registered officially, so the children of such marriages cannot obtain identification [...]

Evidence on whether the Baha’i were particularly disadvantaged in registering for identity cards in 2020

❖ [KirkukNow, Iraqi Baha’is still deprived of religious freedom, 2 January 2021](#)

[...] “Despite the change of the governing regime in Iraq, we, the Baha’i, are still deprived of the right to declare religion or practice our rituals in public. We can’t even put our religious affiliation on our official documents like other religions,” said Ahmad.

[...] Before mentioning that even on ID card he is counted as ‘Muslim,’ Ahmad’s first words were: “If things go on like this, we will be extinct.”

[...] The Baha’is also would also get identification cards with their faith written on it like other religions.

[...] Turning point

Hatim said that the crackdown on the Baha’is started after the 1963 coup, and that in 1975 their inclusion in government population registers was stopped.

And with that they were prevented from registering marriage contracts in the civil status records, and deprived of civil status cards, and consequently from passports, government employment, entry to universities, and the sale and purchase of homes and properties.

This led to some of them to register as having other religions.

Hatim says that after so many years and so many changes, the Baha’is are still unable to practice their religion. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Religion

[...] Baha’i

[...] The Ministry of Interior repealed Rule No. 358 in 2007, but Law No. 105 remains unrevoked and proscribes ten years’ imprisonment for anyone practising the Baha’i faith. Authorities have reportedly cited the law and the Law on Civil Affairs (1959; amended 2017) which prohibits conversion away from Islam, as a justification to refuse to issue Baha’i identity documents, including to those who had previously obtained identity documents stating Islam as their religion. Without identity documentation, Baha’is cannot access rights and services related to citizenship such as education, property ownership

and medical care. The majority of Baha'i marriages are not registered officially, so the children of such marriages cannot obtain identification. [...]

2.3.2. Omissions in 2018

Information on whether Sunni Arab IDPs continued to be denied access to Kirkuk in 2018

❖ [IOM, Reasons To Remain: Categorizing Protracted Displacement In Iraq, November 2018](#)

[...] 3 SOCIAL COHESION

[...] Geographically targeted studies in conflict-affected areas in Iraq indicate that both displaced and returning populations have concerns related to discrimination, marginalization, population change and revenge or retaliatory acts occurring within their places of origin.⁵⁵ In some cases, across identity groups there also seems to be a sense of pervasive collective blame and mistrust cast upon them and a feeling that their own group's suffering (past and present) is not acknowledged by the state or other communities.

[...] 3.1 Community tensions in place of origin, including fear of revenge or retaliatory acts

The best proxy indicator for community tensions within the datasets available related to fear of discrimination is captured in the MCNA VI.⁵⁸ Examining this indicator in detail reveals that 17% of IDPs list fear of discrimination as one of three reasons why they do not plan to return to their places of origin within the coming year.

[...] More telling findings are revealed when highlighting the districts of origin where fear of discrimination rates are significantly higher than the average listed above, particularly because in many districts this is a factor of influence in relation to return. The districts where this rate is particularly high include: Kirkuk Centre (42%), Baquba (37%), Muqadadiya (36%), Balad (33%), Hamdaniya (30%), Musayab (29%), Sinjar (26%) and Baaj (20%). What these districts have in common is that they are highly polarized in terms of ethno-religious diversity within or surrounding them. Thus, while open conflict or violence may not be taking place, hostilities or tensions between communities is considerably noticeable.

[...] 3.2 Fear of population change in area of origin

In ILA III, key informants reported that for 20% of IDPs, fear of ethno-religious change in place of origin is a first, second or third reason for not returning.⁵⁹ This is particularly true for those originally from Kirkuk, Baghdad, and Ninewa governorates – a finding that roughly aligns with data presented above related to districts where discrimination is perceived as high. [...]

55 IOM, RWG, and Social Inquiry, "Return Index Findings Round 1."

[...] 58 REACH, MCNA VI.

59 IOM, ILA III.

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] There have also been reports of Sunni Arabs being displaced from areas liberated from IS by Shiite militias. [...]

Information on whether Sunni Arab IDPs continued to be denied access to Kirkuk in 2019

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] KRG authorities continued to prevent displaced Arabs from returning to their home towns and villages in disputed territories controlled by the KRG. Many men and unaccompanied boys living in camps in the Kurdistan Region of Iraq following their release from KRG detention for alleged affiliation with IS – either without charge or after being convicted and sentenced – did not return to their home areas in territories controlled by the central Iraqi authorities due to risks of arrest and harassment by security forces there. [...]

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] There have also been reports of Sunni Arabs being displaced from areas liberated from IS by Shiite militias. [...]

Persons who did not register as IDPs sometimes faced limited access to services in 2018

❖ [OCHA, Iraq: Humanitarian Needs Overview 2019 \(November 2018\), 16 December 2018](#)

[...] Impact of the Crisis [...]

As communities cope with the aftermath of the conflict, limited access to social protection programmes impact the abject poor and erode community resilience. Access to relevant social protection networks, including the monthly public distribution system (PDS) ration system and the Cash Transfer Social Protection Programme of the Ministry of Labour and Social Affairs (MoLSA), remains challenging for both displaced people and returnees. Obstacles include a lack of necessary civil documentation for enrolment in social programmes, inadequate assessment capacity of the authorities and complicated registration procedures [...]

Part II Multi-purpose cash assistance [...]

The access to government social protection networks remains challenging for both IDPs and returnees. Lack of the necessary civil documentation for enrolment in social protection schemes, limited absorption and assessment capacity by relevant government partners and complicated registration procedures are among the main obstacles impeding access by affected populations to avail themselves of the complementary governmental protection programmes [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] In IDP camps, many were denied access to food, water and health care. They were also refused new or replacement identity cards and other civil documents, often meaning that they could not work, collect family pensions or send their children to school. In addition, their freedom of movement was severely restricted because of their lack of documentation or by camp authorities who prevented them from leaving camps, placing them in de facto detention.

[...] Displaced families attempting to return to their home areas were turned back at checkpoints if they did not have the documentation deemed necessary or their relatives appeared on “wanted lists” of men affiliated with IS. [...]

Persons who did not register as IDPs sometimes faced limited access to services in 2019

❖ [Human Rights Watch, Iraq: School Doors Barred to Many Children, 28 August 2019](#)

[...] The Iraqi government is denying thousands of children whose parents have a perceived Islamic State (also known as ISIS) affiliation of their right to access an education, Human Rights Watch said today. The children, who were born or lived in areas under the control of ISIS between 2014 and 2017, lack the civil documentation the Iraqi government requires for school enrollment and the government is making it difficult for them to acquire it. [...]

❖ [NRC, Iraq: Displaced families being forced out of camps with nowhere to go, 29 August 2019](#)

[...] On 24 August, 35 families were forcibly returned to Anbar. Thousands more are expected to be forcibly transferred in the next days.

Speaking from the camp where families were being forced onto buses, NRC's media coordinator in Iraq, Tom Peyre-Costa said: "Hundreds of families have already been forced to leave their camps and return to their area of origin, often in unsafe conditions [...] Many were being transferred without civil documents, which prevents them from receiving food, healthcare and education." [...]

❖ [Norwegian Refugee Council \(NRC\), Urgent measures needed to stop Iraq's displaced children being left behind, 3 December 2019](#)

[...] Schools, particularly in displacement camps, are chronically understaffed and in many instances teachers are still not being paid. Classes are extremely overcrowded, there is often a shortage of teachers, and children missing civil documentation are denied the opportunity to receive an education altogether. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), The Right to Education in Iraq - Part One: The legacy of ISIL territorial control on access to education, 17 February 2020](#)

[...] The report was prepared by the Human Rights Office of the United Nations Assistance Mission for Iraq (UNAMI) and the United Nations Office of the High Commissioner for Human Rights (OHCHR) and is based on consultations, interviews and focus group discussions conducted between November 2018 and January 2020 with 237 persons. These took place in six camps for IDPs in Ninewa governorate and in the cities of

Mosul and Erbil.⁵

[...] The key findings indicate that children and young adults who lived in areas controlled or influenced by ISIL have accumulated a substantial gap in their academic knowledge due to years of missed education and also face challenges in obtaining the civil documentation required to enrol in formal schooling. As such, in the post-conflict context, children from these communities continue to experience a range of barriers to their access to education. After missing years of education under ISIL, these children or now young adults are further disadvantaged by insufficient numbers of schools which tend to be under- equipped and with inadequate teaching hours. Those residing in camps also suffer from movement restrictions and a lack of civil documentation.

[...] The report provides a series of recommendations to the Government aimed at targeted education interventions for children and young adults who lived in areas controlled or influenced by ISIL, including provisions to enable them to enrol without the required documentation, receive additional assistance to sit exams, and obtain certificates, including in IDP camps.

[...] Human Rights Watch estimated that in June 2019 250,000²⁸ Iraqis remained unable to return to their place of origin because federal or local authorities and communities have perceived them to be affiliated with ISIL. Stating that humanitarian actors identified 94 areas where no Sunni families have returned due to a *de facto* ban at the local level on returns, as a form of punishment, against those, the security forces perceive as having been sympathetic to ISIL, or as having a relative who was sympathetic to the group.²⁹ These families mainly reside in IDP camps and face severe movement restrictions. In addition, those living in camps with segregated areas for families perceived to be affiliated to ISIL typically face restricted access to the civilian documentation that would enable their movement in and out of those camps and allow them to access key services, including education.

[...] 16-year-old Mohamed* has lived in a camp since his family fled the fighting in Mosul in 2017. He passed the sixth-grade test so was placed into an age-appropriate grade in the camp school. He explained to UNAMI that he dropped out after only a few months as the camp school did not fulfil his needs.

“The camp school is not serious. I needed to get my 12th grade certificate. But I stopped going. I was trying to catch up, but it was impossible. How can I go from 6th to 12th grade with nothing in between? I will never catch up, so I stopped. It feels like my future has been stolen.”

[Focus Group with a group of 12 boys aged 15-18, at a displacement camp in Ninewa governorate, 22 July 2019.]

[...] UNAMI found that the years of missed education under ISIL control, explained in the background section of this report, combined with a current lack of adequate post-primary education has left many children and young adults with a significant gap in their academic learning. Although the Government of Iraq and international community have devoted significant resources and efforts toward education, the programmes offered to address gaps in education caused by the armed conflict are insufficient to address the specific circumstances of young people residing in IDP camps and those living in areas formerly controlled by ISIL.

In October 2017, the Ministry of Education’s Directorate of Education issued a directive advising teachers to adhere to standard ‘placement test’ policies to enable children to re-enter the formal education system. Children who wish to resume their studies take an assessment test and are placed according to their age if they pass. Those who fail the test are placed in a lower grade deemed appropriate to their level of study. According to UNAMI’s consultations with children, young adults and teachers, students living in IDP settings are more commonly held back from joining age appropriate grades and placed with younger children. Participants in focus groups highlighted a significant sense of shame associated with this, which has led to high dropout rates in the intermediate and secondary school age bracket (12-18), especially for boys.

[...] In addition to the challenges relating to placement, children and young adults living in IDP camps face additional barriers to access education, mainly involving insufficient provision of classroom time. Teachers described additional challenges, including overcrowded classrooms, limited lesson time and the impact on learning of untreated societal and individual trauma. For example, children living in two IDP camps in Ninewa informed UNAMI that camp schools offer just six hours of classes per week for secondary-aged boys, rather than the 30 hours per week that students should receive in a fully functioning formal education system.³¹ Moreover, a United Nations led Camp Coordination and Camp Management Cluster mapping exercise conducted in May 2019 documented ten IDP camps in Iraq without any form of school provision.³² Outside of camps, teachers reported to UNAMI that schools in Mosul operate up to three shifts, leaving just four hours of classroom time a day for each shift. such conditions, children’s ability to learn, let alone catch up, is extremely limited.

[...] Young adults, who were children while living under ISIL control both in the IDP camps or in areas formerly controlled by ISIL, face additional challenges in catching up on their missed education. They are now past

the legal age limit of schooling. In such situations, the only available route to complete education is through night classes. However, young adults explained that the night classes do not resolve their situation. Typically, night classes are designed as a means for young people to retake their Year 12, which is the final one in Iraq, exams if they have failed them and, as such, are not intended to be a complete introduction to the course content. These young adults, on the other hand, lack the foundational understanding of course content due to years of missed schooling, and thus require specialised courses. In addition, life situations or circumstances such as poverty, early marriage and/or labour have limited their opportunities to study. Respondents highlighted additional barriers for girls to access such classes, due to security concerns and more restrictive social norms. Finally, displaced youth residing in Iraqi camps face extreme restrictions on their freedom of movement, which substantially limit the ability to travel to the nearby towns to attend night school.

[...] The Ministry's Department of Non-formal Education oversees an existing Accelerated Learning Programme (ALP) for out-of-school children aged between 12 and 18 in governorates across the country. The programmes provide accelerated learning courses and catch-up classes as an alternative to formal education for children and young adults who have missed years of education due to armed conflict, however, for the primary curriculum only.

[...] Secondly, these programmes are often based in Iraqi cities, and therefore inaccessible to the majority of those who are living in camps or rural areas and largely lack the necessary means or freedom of movement to travel to nearby towns.

[...] Approximately nearly one in five households living outside of camps has reported having children with documentation issues.³⁶ Most families who lived under ISIL are missing at least one of their essential civil documents, which were lost, confiscated, destroyed or never issued. This has serious implications for accessing social services and is a key impediment to enrolling children in school. According to existing directives by the Ministry of Education registration requires several types of civil documentation, including the identification cards of both parents and the student. In the case of a deceased father, an official death certificate must also be provided to the school administration, proving the circumstances of the death. There are no provisions in place to address the absence of civil documentation for fathers who are missing or detained.

[...] Furthermore, according to the Civil Status Law,³⁹ identification documents must be renewed in the applicant's place of origin, requiring IDPs to return to their hometown for this purpose. During UNAMI's focus group consultations, IDPs reported problematic restrictions in traveling to their places of origin especially to areas once held by ISIL. Despite government and humanitarian efforts to facilitate the return to such areas, local 'decrees' and threats of violence prevent families with perceived ISIL affiliation from returning home to some areas, particularly Anbar, Diyala, Ninewa, and Salah al-Din governorates.⁴⁰

[...] During consultations in Mosul, teachers revealed that many of them were fearful of accepting the enrolment of children without civil documentation, regardless of the ministerial directive. The absence of documentation has been known to generate community suspicion and consequent stigmatisation of families based on their perceived affiliation with ISIL. Indeed, families described their own reluctance to attempt to enrol children without the correct papers due to fear of their child being labelled as associated with ISIL and vulnerable to revenge attacks.⁴⁵ [...]

5 IDPs in these camps originate from a number of other governorates.

[...] 28 See: Human Rights Watch, Iraq: Not a Homecoming (June 2019) available at <https://www.hrw.org/news/2019/06/14/iraq-not-homecoming>

29 Ibid.

[...] 31 UNAMI Focus groups conducted with 12 boys aged 15-18 in Ninewa camp [exact location withheld] November 2019

32 See: Camp Coordination and Camp Management Cluster: Humanitarian services Available in camps (May 2019) available at https://gallery.mailchimp.com/b4d2a23bd327c3445e980d09d/files/6f9b677b-1e68-4dcb-ab12-2949e04bff26/Partners_Presence_Mapping_FSMT_May_2019.01.pdf?utm_source=CCCM+Iraq+Mailing+List&utm_campaign=7ab28792a5EMAIL_CAMPAIGN_2019_07_18_10_46&utm_medium=email&utm_term=0_2571ab1b07-7ab28792a5-511113

[...] 36 See: NRC Barriers from birth: Undocumented adolescent in Iraq sentenced to a life on the margins (April 2019) available at <https://www.nrc.no/resources/reports/barriers-from-birth/> (hereinafter NRC Barriers from birth).

[...] 40 UNAMI interviews in displacement camp [exact location withheld] in Ninewa governorate, 15 - 23 July 2019.

[...] Focus Group with 13 teachers (8 male and 7 female) [exact location withheld] Mosul, 19 November 2018; Focus Group with 49 teachers (28 male and 21 female) [exact location withheld] Mosul, 19 -21 November 2018 (UNESCO data on file with UNAMI).

Persons who did not register as IDPs sometimes faced limited access to services in 2020

❖ [Amnesty International, Marked for Life: Displaced Iraqis in Cycle of Abuse and Stigmatization, 24 November 2020](#)

[...] 6.1 Problems with civil documents

[...] Many displaced families who lived under IS control are now living without one or more of their civil documents, including identity cards, nationality cards, Public Distribution System (PDS) cards and housing cards; passports; and birth, death and marriage certificates.¹⁰⁴ In July 2020, the International Organization for Migration recorded that 49% of all IDPs in Iraq had reported that at least one member of their family was missing at least one essential civil document, concluding that further assistance was needed for families to obtain such documents.¹⁰⁵ These documents are vital for IDPs' ability to exercise their right to freedom of movement and access to employment, education, pensions and other state services and benefits. For IDPs, the absence of proper documentation also heightens the risk of harassment and arrests at checkpoint when seeking to move within the country (see chapter 5). Women whose children were missing their civil documents expressed particular concern regarding their future and access to formal education. [...]

¹⁰⁴ See Amnesty International, *The condemned*.

❖ [UN General Assembly, Human Rights Council, Forty-fourth session, Visit to Iraq: Report of the Special Rapporteur on the human rights of internally displaced persons, 13 May 2020](#)

[...] IV. Critical humanitarian and human rights challenges

A. Assistance needs

[...] The Special Rapporteur met mothers of children with disabilities who had no access to the health services they required inside the camp, and were unable to obtain medicinal prescriptions or treatment because they lacked documentation and transportation. (p. 5)

[...] During her field visits, the Special Rapporteur received information concerning internally displaced persons who had left camps in attempted returns, including forced and coerced returns, and had undergone secondary displacement, and had not been readmitted to the camps owing to current policy. When they were readmitted, they were not reregistered and thus had no entitlement to services. Deprived of assistance and protection and left off records, such persons run the risk of sliding deeper into poverty and social marginalization. Internally displaced persons who wish to return to camps following a failed attempt to return to their area of origin are as entitled to humanitarian assistance as the rest of the displaced population, and must be accepted and registered for support and assistance.

[...] C. Civil documentation and access to services

[...] Civil documentation is fundamental to the enjoyment of a wide range of human rights, as it permits access to basic services, including health care and education,¹⁰ and civil services such as recognition of marital status and property rights, employment opportunities and freedom of movement, and existing compensation schemes and social protection benefits. The lack of civil documentation and consequent marginalization increase the vulnerability of internally displaced persons, including to sexual and gender-based violence.

[...] V. Particularly vulnerable groups

[...] B. Displaced families with a perceived affiliation to Islamic State in Iraq and the Levant

[...] Entire families of internally displaced persons have faced allegations by the authorities, security actors and communities that they are associated with ISIL, without any evidence being presented or criminal charges brought against them. These allegations are often based on perceived tribal or family ties to an alleged ISIL member, or even on grounds of their place of origin. Families allegedly having such affiliation risk deprivation of their basic rights, discrimination and social marginalization.

On the pretext that they constitute a security threat, these displaced families, including women and children, have seen movement restrictions imposed on them and been deprived of access to civil documentation and basic services.

[...] The Special Rapporteur was extremely concerned to learn that security clearance has been required for internally displaced persons to obtain or renew civil documents, and is often denied to those

belonging to families with a perceived affiliation to ISIL. In some cases, relatives of alleged ISIL members have been asked to disavow their family member so that they can be granted security clearance. Without civil documentation, these families have limited or no access to basic services, such as education and health care, housing, land and property rights, or social welfare benefits or compensation. They are also at a greater risk of arbitrary arrest and detention by security forces, who may perceive persons without civil documentation as being affiliated to ISIL. This perception could also endanger internally displaced persons, including children, who lack civil documentation for reasons other than the denial of security clearance. Delinking the requirement to obtain security clearance from procedures to obtain civil documentation will allow the enjoyment of this constitutional and fundamental right, without discrimination. The Government of Iraq reported that the Prime Minister had ordered that civil documentation be issued for all Iraqis living in camps, regardless of the perceived ISIL affiliation of a family member. The Special Rapporteur welcomes this directive and calls for its full implementation, and that it also be extended to persons living outside camps. [...]

10 See for example UNAMI/OHCHR, *The Right to Education in Iraq. Part One: The legacy of ISIL territorial control on access to education*, February 2020, pp. 11–12.

Evidence on whether the government dismissed unauthorised protests or restricted protests for security reasons in 2020

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 [...] 3. Refugee Convention Claims
 [...] Groups of Interest
 [...] Protestors and Demonstrators
 [...] Human rights observers reported that authorities launched a coordinated campaign to end the occupation of city squares in Baghdad, Basra, Najaf and Nasiriya in late January 2020. The campaign followed an announcement by prominent Shi'ite cleric Moqtada al-Sadr that he was withdrawing his support for the protests, which had 'taken the wrong path'. Sadr subsequently said the protests needed to be 'cleansed'. Witnesses in the cities reported armed men in unmarked uniforms arrived in vehicles typically used by security forces and attacked protesters, beating and detaining people and burning their tents. There were numerous reports of security forces and militias firing live ammunition into crowds. A medic in Baghdad reported that his medical team transported 13 gunshot victims to hospital during the protests. There were numerous reports that armed militia groups had abducted and arbitrarily detained high profile demonstrators and activists [...].

Evidence of the treatment of protesters in the KRI in 2020

- ❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)
 [...] Civil Liberties
 [...] E. Associational and Organizational Rights
 E1 0-4 pts
 Is there freedom of assembly? 0/4
 [...] Authorities in Iraq, particularly in Kurdistan, exploited COVID-19 lockdowns to ban protests and restrict the ability of individuals to reach protest sites. In May 2020, KRG security forces in Dohuk opened fire and arrested protesters who were demanding improvement in living conditions, an end to corruption, and payment of unpaid state salaries.
 [...] E2 0-4 pts
 Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2/4
 [...] In October and December, activists were arrested in the Kurdistan region for calling and engaging in protests against the region's ruling parties. [...]
- ❖ [Amnesty International, Urgent Action: Iraq/KRG: Journalists Must Be Released Immediately, 26 February 2021](#)

[...] In January 2020 Asayish members carried out a wave of arrests in the governorate of Duhok, of tens of protesters, activists, journalists, and individuals who may have been bystanders during a protest. Asayish members also arrested a journalist and two online activists in the area of Baadre, Duhok governorate, who according to their relatives, were on their way to Duhok to join a peaceful gathering. [...]

❖ [Human Rights Watch, World Report 2021: Iraq – Events of 2020, 13 January 2021](#)

[...] Excessive Force against Protestors

[...] In May, security forces in Iraq's Kurdistan Region arrested dozens of people planning to participate in protests against delayed government salaries, a persistent issue since 2015. At August 2020 protests by civil servants in the Kurdistan Region demanding unpaid wages, Kurdistan Regional Government (KRG) security forces beat and arbitrarily detained protesters and journalists. [...]

❖ [UN Security Council, Implementation of resolution 2522 \(2020\): Report of the Secretary-General, 8 February 2021](#)

[...] II. Summary of key political developments

A. Political situation

[...] 14. From 2 to 12 December [2020], demonstrations also took place in Sulaymaniyah Governorate. Protesters initially gathered in the city of Sulaymaniyah, calling for the payment of public sector salaries, criticizing the lack of government transparency and accountability, and demanding basic services and jobs. Security personnel forcibly dispersed demonstrators. The protests then spread within the governorate and became violent, with protesters setting fire to political parties' offices and government buildings.

[...] III. Update on the activities of the Mission and the United Nations country team

[...] C. Human rights and rule of law developments and activities

[...] During demonstrations in Sulaymaniyah Governorate, security forces used live ammunition in response to violence by protesters, resulting in 9 dead and 85 injured from 2 to 12 December, according to information verified by UNAMI. [...]

❖ [Washington Institute, Reform, Not Violence, Will Ease Iraqi Kurdish Protests, 10 December 2020](#)

[...] Over the past week, protests against delayed salaries broke out in more than a dozen towns in Sulaymaniyah, an eastern border province in the Kurdistan Region of Iraq (KRI). So far, eight protesters have been shot and killed by security officers guarding party and government offices, and many other people have been wounded, including security personnel. In response, authorities shut down the opposition media network Nalia Radio and Television (NRT), limited local Internet access, imposed a curfew, and halted oil exports from the Gazprom-operated Sarqala field. [...]

❖ [Euro-Mediterranean Human Rights Monitor, Iraqi Kurdistan: Partisan bullets kill protesters with official cover, 10 December 2020](#)

[...] The Kurdish authorities in Iraqi Kurdistan are responsible for attacks by political parties' headquarters' guards against peaceful demonstrations in several governorates since it is their responsibility to maintain security and order in the region, the Euro-Mediterranean Human Rights Monitor said in a statement on Thursday

From 7-9 December, seven protesters were killed, including two children (13 and 15 years old), and others were injured or arrested at the hands of the guards of the headquarters of the Patriotic Union of Kurdistan, the Kurdistan National Party, and the Gorran Movement. Demanding their unpaid salaries and the overthrow of the regional government, the demonstrators came under direct fire during their gathering near the headquarters of the three parties in different areas of the Sulaymaniyah governorate.

[...] The authorities have been carrying out attacks on the renewed demonstrations in Sulaymaniyah since the beginning of this month. On December 3, the security forces attacked the demonstrators using live and rubber bullets and tear gas and arrested 23 activists and 12 teachers, who were released shortly after. [...]

❖ [NRT, Protesters in Kurdistan Region Call for Government to Step Down, Early Elections, 8 August 2020](#)

[...] Protesters gathered in cities across the Kurdistan Region on Wednesday (August 12) to demand that the Kurdistan Regional Government (KRG) step down and that early elections be held under the auspices of the United Nations, but were prevented from congregating in several locations.

Primarily organized by the New Generation Movement, successful protests were held in Sulaimani, Halabja, Said Sadiq, Ranya, Qaladze, Kalar, Chamchamal, and Darbandikhan.

NRT reporters in Duhok and Erbil said that the security forces in those cities had prevented demonstrators from gathering in the designated locations.

[...] While the protests passed off peacefully in most locations, the security forces in Erbil and Duhok governorates closed down strategic locations to prevent protesters from congregating in public spaces. In Duhok city and Shiladze town, municipal officials closed the main bazaars, justifying doing so by saying that they needed to be sanitized as a measure against the coronavirus outbreak, which prevented protesters from gathering there.

New Generation Movement lawmaker in the Kurdistan Parliament Sipan Amedi posted a video online saying that the Duhok Asayish had hit him and had prevented protesters from gathering.

The security forces prevented NRT reporters in Duhok from leaving their office for several hours, forcing them to cover the protests by communicating remotely with participants.

Three New Generation members were arrested in Zakho, including a member of the Movement's High Council.

In Erbil city, several dozen protesters who did manage to gather were later dispersed by police. An NRT camera operator was briefly detained while covering the demonstration and the reporting team's equipment seized.

There was a three-hour internet disruption, particularly affecting the O3 network in Erbil during the late afternoon, according to internet outage monitor Netblocks.

The Movement said several of its members were arrested in Erbil as well, but did not immediately provide an exact number or whether they had been released from custody.

An NRT reporting team was detained for several hours in Koya along with their vehicle by the Erbil Eastern Asayish. [...]

❖ [Human Rights Watch, Kurdish Authorities Clamp Down Ahead of Protests, 19 May 2020](#)

[...] Kurdistan Regional Government (KRI) authorities have just hammered another nail into the proverbial coffin of free expression in Iraq, arresting dozens in an effort to prevent a planned protest.

[...] On May 13, a group of mostly teachers submitted a request to the Dohuk governor's office to hold a protest on May 16 calling for salaries to be paid. The requirement to request permission to protest – which conflicts with international law's protection of the right to peaceful assembly – stipulates that if authorities do not respond to the request within 48 hours, permission is automatically granted.

On May 15, the governorate posted a statement on its Facebook page saying it had seen "propaganda and calls for a protest" but that there was no permission for the protest and threatened "legal consequences" if it proceeded. But it did not actually respond to the formal request, a protest organizer said, nor invoke Covid-19-related restrictions as a reason for not granting permission.

On May 16, security forces set up checkpoints and barriers to close off the park designated as the protest location. On May 15 and 16, security forces arrested dozens of protesters – at least two from their homes and many more who turned out on May 16. They also arrested at least eight journalists. Authorities released most of those arrested within five hours, but only after preventing this most recent attempt to peacefully protest.

On May 19, Dr. Dindar Zebari, the regional government's coordinator for international advocacy, acknowledged that the arrests were for "organizing unauthorized demonstrations" and justified the arrests by stating that the protests had violated Covid-19 prevention measures, even though local authorities had lifted almost all movement restrictions and did not mention any gathering restrictions at the time.

Both Zebari and the Dohuk governor in a video stated that political groups were behind the demonstrations. If this accusation were true, so what? Since when was it illegal for protesters to have political leanings? These statements are dangerous in suggesting that in the KRI, you are not allowed to publicly represent your political views if they are different to those of the authorities in the area. [...]

2.3.3. Omissions in 2019

Banning of books in the KRI in 2019, especially for the annual Erbil International Book Fair

- ❖ [Ekurd Daily, 14th Erbil international book fair kicks off in Iraqi Kurdistan capital, 3 April 2019](#)
[...] The 14th Erbil International Book Fair, scheduled to go on for ten days, began on Wednesday in Iraqi Kurdistan Region's capital, Erbil.
Director of Communications and Prints at the Ministry of Culture and Youth Mohammed Gardi said during a press conference on Tuesday that up to one million titles would be featured in the 14th Erbil International Book Fair.
The fair is launched in cooperation with Al Mada Foundation, he added.
"All the books have been filtered to avoid banned books and those on violence," he said. [...]
- ❖ [Kurdistan 24, Erbil's 14th intl. book fair begins with senior Kurdish, Iraqi leaders present, 3 April 2019](#)
[...] The 14th Erbil International Book Fair, scheduled to go on for ten days with Kurdistan 24 as its media sponsor, opened its doors on Wednesday morning with a number of senior Kurdish and Iraqi leaders attending the commencement ceremony.
[...] With an almost 20 percent increase from last year, some 300 publishing companies from over 21 countries are participating in the event, the event's director, Hardi Omar, claimed on Monday.
At the fair, publishing houses shelve books in multiple languages and on various topics, with the ones on religious, namely Islamic, affairs usually being the biggest sellers.
In efforts to combat the spread of extremist ideology, the regional government has banned books it sees as promoters of such doctrine. As explained by Omar, a board of experts monitors the fair to ensure such a thing does not happen. [...]

Numbers available in 2019 of individuals who used the internet and the number of households who had internet access at home in 2018 and/or 2019

- ❖ [CIA World Factbook, Internet Listings: Iraq, last updated July 2018](#)
[...] This entry gives the *total* number of individuals within a country who can access the Internet at home, via any device type (computer or mobile) and connection. The *percent of population* with Internet access (i.e., the penetration rate) helps gauge how widespread Internet use is within a country. Statistics vary from country to country and may include users who access the Internet at least several times a week to those who access it only once within a period of several months.
[...] Iraq
Total: 18,364,390
percent of population: 49.36% (July 2018 est.) [...]
- ❖ [Internet World Stats, Iraq Profile, undated](#)
[...] 21,276,000 Internet users in Dec, 2019, 52.9% penetration, per IWS.
21,276,000 Facebook subscribers in Feb, 2020, 52.9% penetration rate. [...]
- ❖ [Datareportal, Digital 2019: Iraq, 31 January 2019](#)
[...] Iraq
[...] Total Population: 39.88 million
[...] Mobile subscriptions: 38.22 million, vs. population: 96%
[...] Internet users: 19.68 million, penetration: 49%
[...] Active social media users: 19.00 million, penetration: 48%
[...] Mobile social media users: 18.00 million, penetration: 45% [...]
- ❖ [Datareportal, Digital 2020: Iraq, 18 February 2020](#)
[...] Internet users in Iraq
There were 29.82 million internet users in Iraq in January 2020.

The number of internet users in Iraq increased by 11 million (+55%) between 2019 and 2020. Internet penetration in Iraq stood at 75% in January 2020.

Social media users in Iraq
There were 21.00 million social media users in Iraq in January 2020.

The number of social media users in Iraq increased by 1.9 million (+9.8%) between April 2019 and January 2020.

Social media penetration in Iraq stood at 53% in January 2020.

Mobile connections in Iraq
There were 40.89 million mobile connections in Iraq in January 2020.

The number of mobile connections in Iraq increased by 1.0 million (+2.6%) between January 2019 and January 2020.

The number of mobile connections in Iraq in January 2020 was equivalent to 103% of the total population. [...]

Out of-camp IDP population and poor school attendance in 2019

❖ [Norwegian Refugee Council \(NRC\), Barriers from birth: Undocumented children in Iraq sentenced to a life on the margins, 30 April 2019](#)

[...] Yet a recent study by NRC and others show that nearly one in five households living outside of camps who reported having children with documentation issues faced challenges registering their children in school.^{xvi} This problem is likely even worse in camps, where documentation issues amongst displaced children are more acute. [...]

xvi. Forthcoming publication, "Unlocking Iraq's Civil Documentation System," Norwegian Refugee Council, Danish Refugee Council, International Rescue Committee, May 2019.

❖ [Harvard Humanitarian Initiative \(HHI\), Never Forget: Views On Peace And Justice Within Conflict-Affected Communities In Northern Iraq, December 2019](#)

[...] This study captures the needs, perceptions and attitudes of conflict-affected communities in northern Iraq as they relate to peacebuilding, transitional justice efforts, and ethno-religious relations after the military defeat of the Islamic State.

[...] Data were collected from January to March 2019 among four key population groups

[...] One in three IDPs in camps (32%) indicated having no formal education, compared to 21% among IDPs not in camps, 8% among Mosul city residents and 7% among residents outside of Mosul city [...]

Out of-camp IDP population and poor school attendance in 2020

❖ [UNOCHA, Humanitarian Response Plan: Iraq, February 2021](#)

[...] 1.1 Humanitarian Conditions and Underlying Factors Targeted for Response

[...] Out-of-camp IDPs

[...] Additionally, many out-of-camp IDPs struggle to make ends meet and the average reported debt value is highest among out-of-camp IDP households, compared to returnee households and in-camp IDP households. Many out-of-camp IDPs are unable to afford rent, putting them at risk of eviction and potentially ending up in critical shelters. This is complicating their access to critical services, such as health care and education, already difficult to afford by this population group who cited high costs as the main barrier to accessing both education and health services. [...]

❖ [UNOCHA, Humanitarian Needs Overview: Iraq, February 2021](#)

[...] 1.4 Humanitarian Conditions, Severity and People in Need

[...] Out-of-Camp IDPs

[...] Coping Strategies

The pandemic has hit out-of-camp IDPs the hardest. Compared to the other two population groups, out-of-camp IDPs use negative coping mechanisms more frequently to meet basic food needs. They also engage overall in more harmful behaviours. It was the only population group experiencing an

increase in the use of emergency strategies, such as school drop-out, forced marriages and in some isolated cases migration, between 2019 and 2020. [...]

❖ [Protection Cluster Iraq, Protection Monitoring System Report 1, February 2021](#)

[...] 1. Introduction and Methodology

[...] This report presents the findings from the first round of data collection conducted between December 2020 and January 2021.

[...] In total, 2783 KI [key informant] interviews were conducted across 18 governorates, 75 districts and 144 sub-districts in Iraq.¹

[...] 3. Safety and Security

[...] 6. Civil Status and Documentation

[...] The proportion of KIs who report that at least some or most people at their location face challenges in accessing civil documentation is the highest in camps, but is reported at similar levels in both out-of-camp locations and return areas.³⁴ [...]

1 Profile of the KIs by gender: 81% of men and 19% of women. Profile of KIs by age: 9% in the age group 18-25 years old, 87% in the age group 25-60 years old and 4% over 60 years old. Profile of KIs by role in their community: 38% are IDP and returnees without specific roles, 20% are community or tribal leaders, 14% are outreach volunteers, 11% are private sector workers or professionals, 6% are professional from the education sector, 4% are government officials and 7% have other roles such as youth or women community leader, health professionals civil society organization, religious leader etc. Profile of IDPs by displacement status: 41% are IDPs, 43% are returnees, 15% are host communities and 1% preferred to not specify their displacement status.

[...] 34 In camps, 16% of KIs report that civil documentation issues affect all or many people and 48% report that they affect some people. In out-of-camp locations (including informal sites), the proportions are respectively 11% and 36%. In return areas, the proportions are 10% and 38%. [...]

❖ [UNOCHA, Humanitarian Needs Overview: Iraq, February 2021](#)

[...] 1.4 Humanitarian Conditions, Severity and People in Need

[...] Out-of-Camp IDPs

[...] Missing documentation is reported as a key concern for 43 per cent of out-of-camp IDP households, compared to 55 per cent of in-camp IDP households and 57 per cent of returnee households. The lack of documentation hampers families' access to services and limits the possibility of finding solutions that would resolve their displacement. The situation is especially difficult for the 16 per cent of households who report missing two or more core documents (identification cards, PDS ration cards (entitling them to government food assistance), birth certificates or HLP documentation to prove property ownership).⁷⁰ [...]

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❖ [Human Rights Watch, World Report 2021: Iraq – Events of 2020, 13 January 2021](#)

[...] Collective Punishment

[...] For years authorities have prevented thousands of children without civil documentation from enrolling in state schools, including state schools inside camps for displaced people. [...]

Iraqi government returning IDPs to unsafe areas in 2019

❖ [Amnesty International, Iraq: Stop forced returns of hundreds of internally displaced people, 28 August 2019](#)

[...] Responding to news that hundreds of internally displaced Iraqis, mostly women and children, have been forcibly returned today from a northern camp, Hammam al-Alil, to their hometown in Hawija despite serious humanitarian and security concerns, Amnesty International's Middle East Research Director, Lynn Maalouf said:

"These reports that hundreds of internally displaced Iraqis are being loaded onto buses and taken to Hawija are extremely disturbing – much of the city is in ruins. Many of these people don't have homes to go back to, and will struggle to access essential services such as health care and schooling and may not afford access to water and electricity. Until the government has established a framework to ensure their safe, voluntary return, the Iraqi government must refrain from sending anyone back.

“These returns are clearly premature. In addition to the extensive destruction, lack of adequate infrastructure and services, there are other serious obstacles to consider. In recent years, families returning to their place of origin have been exposed to a catalogue of abuse including evictions, arrests, looting, sexual abuse, and discrimination. We also have evidence that displaced families, especially those with perceived ties to the armed group calling itself Islamic State (IS), are routinely blocked from obtaining new or replacement identity cards. As a result, many – sometimes entire families – are missing vital civil status documents without which they can’t work or move freely.

“The Iraqi authorities have always assured Amnesty International that any returns they carry out are voluntary; this sudden change in policy is worrisome and is contrary to international human rights law and standards, as well as to international humanitarian law. We urge the authorities to immediately halt these forced returns.” [...]

❖ [NRC, Iraq: Displaced families being forced out of camps with nowhere to go, 29 August 2019](#)

[...] Hundreds of displaced families in Iraq are being forced by authorities to leave their camps and transferred back to their areas of origin even if they have nowhere to return or may face possible persecution.

The Norwegian Refugee Council is releasing B-roll with interviews and photos of more than 600 displaced people from Hawija in northern Iraq being boarded onto buses from Hammam Al-Alil camp as they were evicted by Iraqi authorities yesterday.

This is only one instance of forced returns of displaced people to unsafe areas in what looks like a worrying policy of emptying displacement camps even if the families' original neighbourhoods are still in ruins after years of war with the Islamic State group. In addition, many of these families fear return due to perceived affiliation with IS resulting in stigmatisation and community violence.

On 24 August, 35 families were forcibly returned to Anbar. Thousands more are expected to be forcibly transferred in the next days.

Speaking from the camp where families were being forced onto buses, NRC's media coordinator in Iraq, Tom Peyre-Costa said: "Hundreds of families have already been forced to leave their camps and return to their area of origin, often in unsafe conditions. Most of these families depend heavily on humanitarian support to survive. Many don't have any home to return to or face community violence if they return. In fact, forcing them back might undermine prospects for social cohesion and stability because of existing community tensions that are still not dealt with. Several families told me that they feared return to their areas of origin, some saying they received threatening messages from community members. Many were being transferred without civil documents, which prevents them from receiving food, healthcare and education." [...]

❖ [OHCHR and UN Resident and Humanitarian Coordinator in Iraq, Press Release: United Nations expresses concern over return of IDPs from Ninewa to AlAnbar, Kirkuk and Salah al-Din governorates, 2 September 2019](#)

[...] Humanitarian Coordinator of the United Nations in Iraq Marta Ruedas expressed her concerns regarding the means and methods of transfers of internally displaced persons (IDPs) living in camps in Ninewa Governorate over the past ten days. Since 23 August, Ninewa governorate authorities have begun repatriating IDPs who are not from Ninewa to their governorates of origin, often with little notice or apparent planning.

[...] The first round of returns took place on 23 August from Hammam Al-Alil 1 and 2 camps to Al-Anbar governorate, and was characterized by lack of information sharing and coordination between authorities in Ninewa and Anbar. Protection partners advocated on behalf of those IDP families who expressed fears regarding their personal safety if compelled to return to areas of origin, but such apprehensions were reportedly disregarded by Ninewa authorities. Some families were subsequently denied security clearances by Anbar authorities to enter camps in the province, and have since been secondarily displaced. [...]

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] Iraqi authorities abruptly closed camps for internally displaced people in Anbar and Ninewa governorates, forcing those affected to move to nearby consolidated camps or return to their areas of origin. This violated their right to voluntary, dignified and safe return. [...]

❖ [Global Protection Cluster, Not wanted anywhere Conflict-affected communities at growing risk in Iraq, March 2020](#)

[...] About 4 million people who fled during the conflict have returned to their homes or surroundings. Some did so voluntarily and are benefitting from important progress in the resumption of basic services and reconstruction of infrastructure, such as bridges and roads. Others, who were forced or coerced to return following the rushed closure of IDP camps at the end of 2019, are living in precarious conditions. [...]

Attacks and arrests of refugees in 2019

❖ [UNHCR, International Protection Considerations with Regard to People Fleeing the Republic of Iraq, May 2019](#)

[...] UNHCR continues to record targeted attacks against Palestinian refugees mainly in Baghdad based on their nationality and perceived affiliation with ISIS. Recorded attacks include harassment, threats, arbitrary arrest and prolonged detention, torture, abduction, extortion and killing at the hands of both state and non-state actors.⁶⁷⁷ [...]

677 In 2017, UNHCR recorded 42 security incidents involving Palestinian refugees (of which 13 took place before 2017, but were only reported in 2017). These incidents include: 31 cases of threats to life, five (attempted) abductions, two robberies, two cases of arbitrary detention (with one detainee tortured), one murder and one disappearance. Between 1 January 2018 and 31 March 2019, UNHCR recorded 44 security incidents (of which seven took place before 2018, but were only reported in 2018), including 39 threats to life and security, two murders, two cases of arbitrary detention and one abduction. It should be noted that most cases are likely to go unreported; UNHCR information, April 2019. See also, Asharq Al-Awsat, Iraq Continues to Deny Palestinian Refugees Right to Hajj, 1 September 2016, <http://bit.ly/2bFoGxU>; The Palestinian Information Center, Iraqi Militia Kills Palestinian Refugee near Baghdad, 18 June 2016, <https://bit.ly/2HtxyjE>; The New Arab, Palestinian 'Kidnapped by Militias' Found Dead in Iraq, 24 May 2016, <http://bit.ly/2msaE67>.

2.3.4. Omissions in 2020

Evidence public officials influenced content by rewarding positive reporting with bribes, providing money, land, access to venues, and other benefits to journalists, particularly to members of the pro government Journalists' Syndicate in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Media

[...] Conversely, public officials reportedly influence content by rewarding positive reporting through providing pro-government journalists with money, land, access to venues and other benefits, particularly to members of the pro-government Journalists' Syndicate. [...]

Evidence legal aid from UN and other humanitarian organisations continued to exist in order to assist IDPs in obtaining documentation and registering with authorities in 2020

❖ [USAID, Iraq – Complex Emergency: Fact Sheet #2, 11 March 2021](#)

[...] Lack of civil documentation, such as identity cards or birth certificates, among many IDPs and returnees remains a primary obstacle to returns and reintegration in Iraq, relief actors report. [...] In response, USG [US Government] implementing partners are providing legal support to IDPs to acquire civil documentation as a core focus of humanitarian programming. During 2020, State/PRM [Population, Refugees, and Migration] partner UNHCR provided legal assistance to 46,400 people across Iraq, helping more than 14,000 individuals secure vital civil documents. [...]

❖ [UNHCR, Iraq: Fact Sheet, March 2021](#)

[...] Main Activities

[...] Protection

[...] IDPs – Direct interventions are undertaken with local, regional, and national authorities to ensure that the displaced can access safety in camps and non-camp locations. Protection monitoring teams have been deployed to identify protection and assistance needs, including in areas of return, which directly inform protection responses like: provision of legal assistance on a range of issues such as missing civil documentation [...]

❖ [UNOCHA, Humanitarian Response Plan: Iraq, February 2021](#)

[...] Crisis Context and Impact

[...] 1.2 Strategic Objectives, Specific Objectives and Response Approach

[...] Strategic Objective 3: Vulnerable IDPs in camps, acutely vulnerable out-of-camp IDPs and returnees are supported to establish lives in safety and dignity.

[...] Humanitarian partners will deliver a comprehensive response to improve safe and dignified living conditions for the most vulnerable IDPs and returnees. This includes support to improve physical living environments through CCCM services, provision of shelter and NFI support in and out of camps, legal assistance to obtain documentation and resolve land and property disputes, and provision of specialized protection services and mental health and psychosocial support (MHPSS) to cope with trauma, stress and anxiety.

[...] Specific objectives and response approach

[...] 3.2 Vulnerable IDPs in camps, out-of-camp IDPs and returnees in acute need are supported to have access to legal assistance and documentation to enjoy their fundamental rights and to access services, remedies and entitlements and thus contribute to solving displacement and help re-establish lives.

[...] Humanitarian organizations will deliver an integrated package of legal assistance, including: legal assistance related to family law; for obtaining essential documentation, such as personal identification papers and proof of housing, land and property ownership; legal assistance and counselling for detention representation, and for obtaining birth certificates and support GBV survivors. Partners will coordinate and advocate with the relevant GoI departments to facilitate access for vulnerable populations to services such as registrations and applications for civil documentation. [...]

❖ [UNOCHA, Iraq: Humanitarian Bulletin, December 2020](#)

[...] Humanitarian Partners Mobilize to Provide Civil Documentation

[...] Humanitarian organizations, in cooperation with government and civil society, have implemented and supported a number of projects to enable IDPs and returnees to learn about the legal requirements and procedures to obtain or renew civil documentation.³ They have also provided material and technical support to government counterparts where necessary. Ensuring that all IDPs and returnees have access to the necessary documentation to resume their lives is a critical step to obtaining sustainable solutions to displacement and facilitating an end to the need for humanitarian assistance. [...]

³ <https://reliefweb.int/report/iraq/iraq-unhcr-civil-documentation-idps-july-september-2020>

❖ [UNHCR, Press Release: Thousands of internally displaced Iraqis obtain civil documentation thanks to EU support, 9 December 2020](#)

[...] UNHCR, the UN Refugee Agency, has provided legal assistance to over 64,400 people from January 2019 to June 2020, including legal counselling and representation before administrative and judicial instances, thanks to the support of donors such as the European Union (EU). [...]

❖ [UNHCR, Iraq: UNHCR Civil Documentation for IDPs, July – September 2020, 6 December 2020](#)

[...] Given the grave consequences and challenges faced by IDPs and returnees, UNHCR, in cooperation with government and civil society partners, has implemented and supported a number of projects to enable IDPs and returnees to access civil documentation. The projects include infrastructure support and rehabilitation of civil affairs directorate centre (CAD), and UNHCR has also provided furniture, generators and, occasionally computers and specialized IT equipment. For example, in Ninewa seven CAD centres have been rehabilitated, while three centres are currently being under implementation.

[...] Updates on Legal Assistance

[...] The lack of knowledge of the legal requirements and procedures to obtain/renew civil documentation is often a barrier for IDPs and returnees to access documentation. Moreover, complex court procedures as well as de facto requirements such as obtaining security clearance from government authorities are also cited as barriers to documentation. As such, UNHCR has mobilized legal assistance partners so that IDPs and returnees have access to accurate information and quality legal advice and representation.

[...] Between July and September 2020, UNHCR and partners provided legal assistance to 11,729 IDP individuals (1,927 girls, 2,052 boys, 3,455 women, and 4,295 men), resulting in a total of 2,494 individuals (510 girls, 543 boys, 416 women, and 1,025 men) successfully securing civil documentation. Since the beginning of 2020, a total of 29,070 individuals were provided with legal services, and 4,324 individuals were issued with civil documentation. [...]

❖ [Amnesty International, Legacy of Terror: The Plight of Yazidi Child Survivors of ISIS, 30 July 2020](#)

[...] 4. Challenges for Child Survivors

[...] 4.5 Civil Documentation

[...] Several NGOs, such as the Norwegian Refugee Council (NRC) and Yazda, as well as the UN and government offices, have established initiatives and offer services to help address the barriers faced by Yazidi children and their caregivers in obtaining replacement or updated civil documents. This includes arranging pro-bono legal assistance and establishing mobile courts and mobile documentation teams so that documents can be issued in IDP camps. While such services have certainly made progress in addressing this issue, Amnesty International documented 12 child survivors who needed new or replacement civil documents, based on interviews with caregivers or the child survivors. Eight were unable to access such services, were not aware of them or found them to be inadequate. [...]

Evidence IDPs faced difficulty with registration in 2020

❖ [Amnesty International, Marked for Life: Displaced Iraqis in Cycle of Abuse and Stigmatization, 24 November 2020](#)

[...] Obstacles to a Safe Future

[...] Iraqi authorities, especially security actors, present at civil status directorate offices have hindered or blocked displaced men, women and children with perceived affiliation to IS from obtaining, renewing or replacing civil documents. Security forces present at civil status directorates screen IDP applicants for IS affiliation by checking their names against a “wanted list” and subjecting them to an interrogation. This procedure is not applied to Iraqi citizens who are not displaced.

Women IDPs interviewed by Amnesty International said that one way to obtain civil status documents if they were not cleared by the security screening was to disown absent male relatives who were perceived to be affiliated with IS. Some also said that security and intelligence officers harassed and insulted them and their deceased or missing male relatives. Sometimes the treatment led the women to stop engaging in the process altogether. Some of those providing legal assistance to IDPs told Amnesty International that they experienced harassment from security and intelligence officers in civil status directorate offices when they sought to help IDPs obtain civil documents. Financial constraints have also hindered displaced families from travelling to the civil status directorate office in their area of origin in order to renew, replace or obtain civil documents. [...]

❖ [UN General Assembly, Human Rights Council, Forty-fourth session, Visit to Iraq: Report of the Special Rapporteur on the human rights of internally displaced persons, 13 May 2020](#)

[...] IV. Critical humanitarian and human rights challenges

A. Assistance needs

[...] During her field visits, the Special Rapporteur received information concerning internally displaced persons who had left camps in attempted returns, including forced and coerced returns, and had undergone secondary displacement, and had not been readmitted to the camps owing to current policy. When they were readmitted, they were not reregistered and thus had no entitlement to services. Deprived of assistance and protection and left off records, such persons run the risk of sliding deeper into poverty and social marginalization. Internally displaced persons who wish to return to camps following a failed attempt to return to their area of origin are as entitled to humanitarian

assistance as the rest of the displaced population, and must be accepted and registered for support and assistance.

[...] C. Civil documentation and access to services

25. Internally displaced persons face numerous barriers when they seek to obtain or renew civil documentation. Many have lost their documents or had them destroyed or confiscated in the course of displacement. Those having lived in areas controlled by ISIL might hold documents that are not recognized by the Government of Iraq. Iraqi law requires that civil documents be obtained in one's place of origin, to which internally displaced persons are often unable to travel.

[...] V. Particularly vulnerable groups

[...] B. Displaced families with a perceived affiliation to Islamic State in Iraq and the Levant

[...] Entire families of internally displaced persons have faced allegations by the authorities, security actors and communities that they are associated with ISIL, without any evidence being presented or criminal charges brought against them. These allegations are often based on perceived tribal or family ties to an alleged ISIL member, or even on grounds of their place of origin. Families allegedly having such affiliation risk deprivation of their basic rights, discrimination and social marginalization.

On the pretext that they constitute a security threat, these displaced families, including women and children, have seen movement restrictions imposed on them and been deprived of access to civil documentation and basic services.

[...] The Special Rapporteur was extremely concerned to learn that security clearance has been required for internally displaced persons to obtain or renew civil documents, and is often denied to those belonging to families with a perceived affiliation to ISIL. In some cases, relatives of alleged ISIL members have been asked to disavow their family member so that they can be granted security clearance. Without civil documentation, these families have limited or no access to basic services, such as education and health care, housing, land and property rights, or social welfare benefits or compensation. They are also at a greater risk of arbitrary arrest and detention by security forces, who may perceive persons without civil documentation as being affiliated to ISIL. This perception could also endanger internally displaced persons, including children, who lack civil documentation for reasons other than the denial of security clearance. Delinking the requirement to obtain security clearance from procedures to obtain civil documentation will allow the enjoyment of this constitutional and fundamental right, without discrimination. The Government of Iraq reported that the Prime Minister had ordered that civil documentation be issued for all Iraqis living in camps, regardless of the perceived ISIL affiliation of a family member. The Special Rapporteur welcomes this directive and calls for its full implementation, and that it also be extended to persons living outside camps. [...] (pp. 8-9)

Evidence of government requiring children born to Muslim men and non-Muslim women to be registered as Muslim in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 2. Background Information

[...] Stateless Persons

[...] The government has enforced a law requiring any non-Muslim women who bore children of Muslim men to register the children as Muslim, regardless of the mother's religion or the circumstances of the child's conception. [...]

❖ [Amnesty International, Legacy of Terror: The Plight of Yezidi Child Survivors of ISIS, 30 July 2020](#)

[...] Executive Summary

[...] Challenges for Family Members of Child Survivors

[...] The situation of Yezidi women who gave birth to children as a result of sexual violence by IS requires the urgent attention of the national authorities and the international community. [...] Due to many factors, including the stance of the Yezidi Supreme Spiritual Council and the current legal framework of Iraq, which mandates that any child of a Muslim or "unknown" father be registered as Muslim, these children have been largely denied a place within the Yezidi community. [...]

4. Section 4. *Corruption and Lack of Transparency in Government*

4.3.1 Omissions in 2017

Widespread and pervasive corruption continued to be major problems in the KRI in 2017

- ❖ [DFAT, Country Information Report Iraq, 26 June 2017](#)
[...] Corruption, patronage and nepotism affect most aspects of day-to-day life in Iraq and the Kurdish region. [...]
- ❖ [Ekurd Daily, Iraq launched a probe into Kurdistan's lucrative oil revenues, 9 October 2017](#)
[...] Iraq's central government on Monday unleashed a legal barrage against Kurdish officials and sought to seize key businesses in a fresh bid to tighten the screws over a disputed independence referendum.
[...] Now, in a new round of attempts to ratchet up pressure, Baghdad's National Security Council announced that a probe has been launched into Kurdistan's lucrative oil revenues and officials in the region who might have illegally monopolised the market.
"The corrupt will be exposed and the funds recovered," said a statement from the council, headed by Prime Minister Haider al-Abadi.
The council also said that "a list of names" of Kurdish officials who helped organised the referendum had been compiled and "judicial measures have been taken against them", without giving more details.
Kurdistan considered as the most corrupted part of Iraq. According to Kurdish lawmakers billions of dollars are missing from Iraqi Kurdistan's oil revenues.
A Kurdish lawmaker said in March 2017 the amount of \$1.266 billion from oil exports and Iraqi Kurdistan's revenue has gone missing over the last three months.
Massoud Barzani, whose term as President of the Kurdistan Region ended on August 20, 2015 but refused to step down and remains unofficially in official and closed the Kurdish parliament, has been accused by critics of amassing huge wealth for his family instead of serving the population. Barzani's son is the Kurdistan region's intelligence chief and his nephew Nechirvan Barzani is the prime minister.
Also the Talabani family including Jalal Talabani's wife, Hero Ibrahim and her sons Bafel and Qubad and their relatives alongside other PUK leaders accused by critics of amassing huge wealth from oil business.
According to local and international analysts the lack of control mechanisms in Kurdistan Region makes it a paradise for illegal financial activities by the Kurdish ruling leaders. [...]
- ❖ [Freedom House, Freedom in the World 2018, Key Developments in 2017, 16 January 2018](#)
[...] C2 0-4 pts
Are safeguards against official corruption strong and effective? 0/4
Iraq consistently ranks as one of the world's most corrupt countries. Political parties, which siphon funds from the ministries they control and take kickbacks for government contracts, resist anticorruption efforts; whistle-blowers and investigators are subject to intimidation and violence. The judicial system, itself marred by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission. The KRG suffers from similar problems, and Barzani's wealthy family remains a powerful political and economic force in the region. Among other relatives in key positions, his son serves as the KRG's intelligence chief and his nephew as prime minister [...]

Widespread and pervasive corruption continued to be major problems in the KRI in 2018

- ❖ [The Conversation, Why Iraqi Kurdistan could be on the brink of revolution, 10 April 2018](#)
[...] As the referendum's promise faded, attention turned back to the failures of the Kurdish ruling elite. The KRG is dominated by two nepotistic ruling parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). The two have been siphoning off oil revenue since the inception of the KRG. Their corrupt misrule has financially crippled Iraqi Kurdistan; they govern the region undemocratically, and in defiance of the values of the 2005 Constitution of Iraq. Both parties control their own security forces, and both have abused them for political ends.
[...] Over the years, KRG security forces have violently attacked and killed many protesters demanding an end to corruption. [...]

❖ [Carnegie Endowment For International Peace, Kurdistan Politics at a Crossroads, 26 April 2018](#)

[...] From March 25 to 30, Kurds demonstrated in Sulaimaniya, Erbil, and Dohuk in an unprecedented wave of protests against public salary cuts.

[...] But the latest demonstrations—in December 2017 in Sulaimaniya and March 2018 across the Kurdistan region—differ significantly from past ones. The protests appear to represent an important shift in the Kurdish public's view of the political leadership. Moreover, the March 2018 protests took place not just in Sulaimaniya, but in Erbil as well, the thus-far placid seat of the KRG and the center of power for Masoud Barzani's KDP, which maintains extensive patronage networks there. The sight of KDP-affiliated security forces attacking local civil servants, journalists and activists marked a significant deterioration in the KDP's relations with the Kurdish public.

The anger the protests expressed against Kurdistan's ruling elites—the Barzani and Talabani family duopoly—is a result of a combination of factors. The KRG's growing fiscal crisis, which has resulted in three years of unpaid salaries and rising public debt to local creditors, has certainly contributed to local anger. With the war against the self-proclaimed Islamic State mostly over, Erbil no longer has the luxury of pointing to the security emergency to justify the accumulating debt and dwindling savings many Kurds face. On March 19, just before the Erbil protests took place, Baghdad did transfer \$267 million to the KRG's ministry of finance to cover public salaries, but this was too little, too late for KRG civil servants. The sense that they are suffering while political elites continue to enjoy the fruits of corruption has led to rising bitterness among the Kurdish population.

[...] As a result, Kurds have less tolerance for the mismanagement that plagues the regional administration. Iraqi Kurds have stomached massive corruption (billions of dollars are missing in oil revenue) and nepotism (Barzani and Talabani family members and their cronies fill every major post) since 2003 because they were going to be independent, or at the very least they were on a trajectory that gave them more autonomy from Iraq. But since Baghdad reasserted control over disputed territories in October 2017, Erbil can no longer offer any meaningful justification for the corruption and the nepotism. The sense of infallibility that surrounded the KDP and the PUK all but disappeared, and Kurdish willingness to endure economic hardship receded. [...]

❖ [Ekurd Daily, Massoud Barzani's wealth is \\$48 billion: Saudi paper, 5 August 2018](#)

[...] Saudi Arabia's Al Watan newspaper reported on Saturday a story claiming that ex-Kurdistan president and Kurdistan Democratic Party KDP leader Massoud Barzani held \$48 billion in investments and property. The newspaper reported the existence of a report detailing corruption in Iraq and Kurdistan Region that has not yet been released, but includes the names of a number of wealthy politicians and Iraqi officials, who are worth in excess of \$200 billion.

According to the story published in the liberal Saudi newspaper, sources close to international regulatory bodies that monitor the transnational movement of money have revealed the existence of a report on corruption in Iraq that implicates a number senior politicians and officials, with Nuri al-Maliki and Massoud Barzani topping the list

The newspaper reported that "the amount of assets that were corruptly obtained in Iraq amounted to more than \$200 billion and took the form of liquid funds, as well as real estate and investments in Arab and foreign countries."

The report continued by saying that "sources close to the regulatory bodies confirmed that there is a list of wealthy politicians and Iraqi officials, which includes current Vice President of Iraq, State of Law Coalition leader, and Secretary General of the Islamic Dawa Party Nuri al-Maliki, who has \$50 billion in cash and property."

"Former president of the Kurdistan Region and leader of the KDP Party Massoud Barzani holds \$48 billion worth of bonds, real estate, and investments in Swiss, German, and Italian companies."

It added that "according to sources, there are other people on the list with holdings that amount to about \$173 billion in property and gold coins." [...]

❖ [Ekurd Daily, Public Servants Should be Politically Neutral in Kurdistan of Iraq, 11 August 2018](#)

[...] A good example of biased public servants who are dependent to political party and work in the interest of his own political party while serving in a government department, would be the case of land and property registration office clerks of Duhok province in Kurdistan.

According to reports that have been published in different Media outlets that thousands acres of government land have been illegally occupied across Kurdistan by various political party members and government authorities of Kurdistan of Iraq. Public servant from land and property registration office have definitely had a hand in facilitating the land corruption to occur. They have helped their co- party members especially the top and prominent members of both ruling political parties, the Kurdistan Democratic party and Patriotic Union of Kurdistan to steal thousands acres of government land.

As you drive around in the city, towns and villages in the province of Duhok, you will see how much land has been taken and owned only by few persons who are top and key members of KDP political party. The owners of these huge pieces of land are new. They didn't own these huge plots of land three decades ago. They have attained the land illegally through secret orders given by powerful members of their own political party and their relative government officials of Kurdistan regional government and with the help of bribing public servants such as clerks from land and property registration department of Duhok.

The stolen land has either been personally used for housing complexes such as Villas, apartment, mansion, or for farming, business building, markets or fenced for future commercial or residential development or put for sale.

Millions of dollars have been profited from this illegal business by both the corrupt civil servants from land registration office and from top KDP political party members in the province of Duhok. [...]

❖ [Ekurd Daily, Corrupt Kurdish government officials protected by dictatorship laws in Iraqi Kurdistan, 3 September 2018](#)

[...] Journalists struggle to obtain official documents in practice to prove corruption cases committed by key government officials.

[...] In areas under KRG control, the Kurdistan Press Law does on paper say that it protects journalists' right to obtain information of importance to citizens and relevant to the public interest. This law also requires officials to investigate incidents if the life of journalists is put in danger or if journalists are injured or killed as a result of their work. However, few journalists' deaths have been investigated and the killers of all journalists killed in Kurdistan have not been identified and prosecuted in the court of justice. Instead, Kurdish public officials have rather and often used the region's dictatorship penal code (226) to arrest, jail and sue journalists for libel, usually for stories writers write about corruption in government of Kurdistan.

[...] Basically the penal code 226 is a shield that is used and practiced by corrupt Kurdistan regional government (KRG) officials against journalists and critics to protect themselves from being exposed by journalists when they seek evidences or write about their involvement in corrupt activities in government institutions. [...]

❖ [Open Democracy, Corruption corrodes Kurdish education, 15 October 2018](#)

[...] Since 2014 not a single school has been built in the city of Sulaimani which has a population of 2 million. A spokesperson of the Ministry of Education said that they need to construct 250 to 300 hundred schools each year in order to meet the schooling needs. The Ministry of Education started constructing forty five schools in the city of Sulaimani for students of elementary, basic and high schools in 2010 but 8 years later, not a single building has been finished. Moreover, 34 schools and 24 kindergarten buildings were supposed to be constructed inside modern residential areas but none has been built emphasizing a high level of ignorance of KRG officials when it comes to the education process. In the Kurdistan region, almost all the projects of construction are either controlled by a certain political party or a small circle of corrupt elite politicians or those who work for them. KRG consists of 21 ministries all of which are monopolized. Likewise, presidents of universities, deans of colleges, and heads of departments and even school managers in Hawler (Erbil) and Duhok provinces are either employed by, or are members of KDP; and in Sulaimani and Halabja provinces they are mostly hired by PUK. This phenomenon is a continuation of the fifty-fifty division and mentality of the 1990s civil war.

[...] Since 2008, graduates from humanities departments such as geography and history are not employed by the KRG. Whereas a common graduate has zero chance to get employed, relatives of elite politicians just need their connections or "wasta" to find a job. It has become a norm that sons and daughters of elite politicians occupy high ministerial posts. They do not work as teachers, for instance. Favouritism plays a major role in the employment process. Similarly, graduates from departments like Islamic Education, Sharia Law, history, geography, and Kurdish and Arabic languages have almost zero chance to get a job both in the

private or public sectors. Successive KRG cabinets have failed to address the issues of favouritism and waste in the public sector and oligarchy in the private one. [...]

❖ [Freedom House, Freedom in the World 2019, Key Developments in 2018, 4 February 2019](#)

[...] C2 0-4 pts

Are safeguards against official corruption strong and effective? 0/4

Corruption remains a major problem in Iraq. Political parties, which siphon funds from the ministries they control and take kickbacks for government contracts, resist anticorruption efforts, while whistle-blowers and investigators are subject to intimidation and violence. The judicial system, itself hampered by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies [...] The KRG suffers from similar corruption problems. [...]

Widespread and pervasive corruption continued to be major problems in the KRI in 2019

❖ [Freedom House, Freedom in the World 2020, Covering events in 2019 – Iraq, 4 March 2020](#)

[...] C2 0-4 pts

Are safeguards against official corruption strong and effective? 0/4

Corruption remains a major problem in Iraq, and was a key contributor to the protest movement in Baghdad and other cities that erupted in 2019. Political parties, which siphon funds from the ministries they control and take kickbacks for government contracts, resist anticorruption efforts, while whistle-blowers and investigators are subject to intimidation and violence. The judicial system, itself hampered by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies. The KRG suffers from similar corruption problems. [...]

❖ [Oil Price, Rampant Corruption In The World's Last Oil Frontier, 20 August 2019](#)

[...] It seems that as fast as any positive news appears about the massive and under-developed oil and gas resources of the semi-autonomous region of Kurdistan in northern Iraq, more negative manifestations of its endemic corruption quickly follow. OilPrice.com can exclusively reveal that a lawsuit has been brought against the government of Kurdistan (the KRG) – and also personally against the former Minister of Natural Resources, Abdullah Abdul Rahman Abdullah (commonly known as Ashti Hawrami) - alleging a range of illegal practices.

This lawsuit was filed on 14 August at the U.K. Royal Courts of Justice (specifically, The High Court of Justice, Queen's Bench Division, Commercial Court) by the Dynasty Company for Oil & Gas Trading Limited (Dynasty Petroleum). It alleges, among others: 'Conspiracy to injure Dynasty by unlawful means', 'Unlawful interference', 'Unlawful intimidation', and 'Inducement to breach contract'.

Although the case unusually seeks to indict Hawrami personally, OilPrice.com understands from a separate anonymous source that the allegations made by Dynasty Petroleum are entirely in line with the standard modus operandi Hawrami has employed since he first became the Minister of Natural Resources in 2006. Dynasty Petroleum's problems began when it refused to pay any illegal payments.

Such practices of seeking to secure such illegal payments, OilPrice.com understands, occurred with the full knowledge of the ruling political parties. Indeed, following the appointment of Masrour Barzani on 10 July as prime minister of the KRG - his cousin, Nechirvan is president, and the former president (and father of Masrour) Masoud Barzani remains the driving power behind the throne – Hawrami was appointed as the top official for energy affairs in the KRI, being widely regarded as the architect of the region's entire oil and gas sector. [...]

❖ [Ekurd Daily, Corruption one of 'biggest issues' facing Iraqi Kurdistan's institutions: Erbil governor, 1 December 2019](#)

[...] The Governor of Erbil said Sunday that corruption is one of the "biggest issues" that has faced Iraqi Kurdistan Regional Government's (KRG) institutions.

His remarks came during an event in Erbil organized by the Kurdistan Region's Commission of Integrity to highlight its campaign to fight corruption.

Governor Firsat Sofi said that he would try to be on the front lines of the government's reform effort.

"We must engage this fight with courage so as to confront corruption. It will become harder [if] we postpone it," he said.

For many years, transparency organizations, lawmakers, and international organizations have accused senior KRG officials of corruption, especially with regard to expropriation of the Kurdistan Region's oil income. The government has long promised action to combat graft, but has never made much headway. There have been few high-level corruption prosecutions resulting in substantive penalties.

On November 20, Kurdistan premier Masrour Barzani said the KRG had managed to reduce corruption significantly in the Region, adding that the KRG had completely stopped bribery and the use of relationships to unfairly influence bureaucratic procedures, but offered little to back up his assertion.

Earlier in November, a US magazine said the Barzani family had purchased two mansions in Beverly Hills for \$47 million. But Barzani's office denied these allegations. [...]

❖ [Ekurd Daily, Corruption at Iraqi Kurdistan's border crossings costs nearly \\$40 million monthly: MP, 18 December 2019](#)

[...] The cost of the corruption that occurs at Iraqi Kurdistan Region's border crossings amounts to nearly \$40 million per month, a lawmaker from the Change Movement (Gorran) said on Wednesday.

During a press conference outside the Kurdistan Parliament, Ali Hama Salih said that the figure was revealed as a part of a three-month investigation by lawmakers.

He noted that the Kurdistan Regional Government (KRG) Council of Ministers had formed committees to investigate the issue, but said that the problem remained pervasive.

The lawmaker claimed that several companies had been granted amnesties in order to pay millions of dollars in taxes they had failed to pay, but argued that this itself presented problems.

"No companies producing oil have paid taxes," he continued. "There was a company that has been amnestied, but granting an amnesty is not within the power of any government official."

"There have been companies which have received \$10 million or \$5 million without doing any serious work."

On Tuesday, head of Iraq's border crossings directorate Kadhim al-Iqabi told NRT TV that activities at the border crossings were not subject to political or partisan interference, but noted that there were occasionally issues at some of the crossings that "are far from the central government."

Salih said lawmakers would keep monitoring the government's plans to reform the border crossings and ensure that all revenue collected there goes to public coffers.

Referring to corruption in the oil fields, Salih said that security contracts had been given to sons of senior officials, despite the fact that there is an official security force stood up for the purpose.

"The consequence is that part of the oil revenue does not return [to the government]," he added. [...]

❖ [Kurdistan 24, Kurdistan Region sentences 41 public servants to prison for corruption, 24 December 2019](#)

[...] The Kurdistan Regional Government's (KRG) Commission of Integrity on Tuesday announced that 41 public servants accused of financial and administrative corruption had been sentenced to prison.

Musher Rashid, Director General of the commission's legal department said in a press conference, "There are currently 130 cases of corruption at the specialized courts of law, 55 cases go back to the previous years and haven't been settled yet." He added that "75 of the total cases were referred to the judicial system this year."

In the statement, Rashid also mentioned that out of the 75 cases of corruption in the courts of law, 41 were found guilty and sentenced to prison, while 34 of the accused were released after the trials.

"59 of the corruption cases are from Erbil governorate, 43 from Sulaimani governorate, and 24 cases are from Duhok," added Rashid.

Anti-corruption efforts remain one of the primary calls from citizens in the Kurdistan Region and Iraq.

In early December, the commission announced that, since 2016, it had referred 737 corruption cases to court and prevented the loss of 17.79 billion IQD (just under \$15 million) from the government's revenue.

The figures were released in a statement by the commission's chairman, Ahmed Anwar. Since 2014, he said, the body had also investigated 523 high-ranking officials, including ministers and lawmakers, and worked on 83 cases that involved governors, director-generals, and advisors.

The commission estimates that 423.29 billion IQD (\$355.7 million) has been lost to corruption in the Kurdistan Region since 2016.

The Prime Minister of the Kurdistan Region, Masrour Barzani, has often stated that fighting corruption is a top priority of his cabinets' plan, arguing that corruption damages the economy and undermines people's belief in the region.

Over the past few years, senior Kurdish leaders have repeatedly stressed that combating corruption is no less important than the fight against the so-called Islamic State. [...]

❖ [Ekurd Daily, Iraq, Kurdistan Region among world's most corrupt nations: Transparency Int'l, 23 January 2020](#)

[...] Anti-corruption watchdog Transparency International released its Corruption Perceptions Index 2019 on Thursday with Iraq placing at the 17th most corrupt state in the world, near the bottom of the rankings, reinforcing the fact that graft is an endemic problem in the country.

Overall, the organization found that “a staggering number of countries are showing little to no improvement in tackling corruption.”

Iraq, including the Kurdistan Region, ranked 162 out of 180 countries examined in the annual study. It earned 20 out of available 100 points, putting it on par with Chad and Cambodia. Its ranking rose six places from the previous year.

[...] For many years, transparency organizations, lawmakers, observers, and international organizations have accused senior Iraq's Kurdistan Regional Government KRG officials of corruption, especially with regard to expropriation of the Kurdistan's oil income.

Kurdistan considered as the most corrupted part of Iraq. According to Kurdish lawmakers and leaked documents billions of dollars are missing from Iraqi Kurdistan's oil revenues.

The ruling Barzani clan have been routinely accused by critics and observers of nepotism and amassing huge wealth from oil business for the family instead of serving the population. KDP party leader and ex-president Massoud Barzani remains the most powerful leader in the shadow according to analysts. Massoud's son Masrour is the Kurdistan region's prime minister and his nephew Nechirvan Barzani is president of Kurdistan.

Also the ruling Talabani family and its allies have been routinely accused by transparency organizations and observers of corruption and amassing huge wealth from oil business in the the areas controlled by the Patriotic Union of Kurdistan party.

The Kurdish government has long promised action to combat graft, but has never made much headway.

Politicians in Iraq and the Kurdistan Region frequently cite their rhetorical support for anti-corruption measures, but have made little headway towards solving the problem. [...]

❖ [Al Jazeera, Corruption and partisan politics can bring down the KRG, 1 March 2020](#)

[...] In early February, the oil- and gas-rich Kurdistan Region of Iraq (KRI) woke up to a major energy crisis. Its residents faced an acute shortage of propane gas canisters for cooking and heating, which led to prices jumping threefold. The crisis hit in the middle of winter as temperatures dropped below zero, stirring public anger.

[...] KRI residents had every right to be angry. Like many previous failures in basic service provision in the region, this one also had to do with corruption and clashing business interests of powerful political blocs.

The problem started on February 1, the date that the Sur Gas company, which in 2019 won a tender to distribute liquefied petroleum gas (LPG) from the Khor Mor gas field in Sulaymaniyah province, was supposed to begin operations.

First, the office of the company was raided by unknown armed men and then its trucks were shot at and stopped, cutting off the supply of gas to the rest of the region.

According to media reports, the attacks were related to a dispute over the tender between the people who stood behind Sur Gas and Golden Jaguar, the company that held the contract previously. The two companies are allegedly tied to different factions within the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) – the two most powerful parties in the KRI.

The Kurdistan Regional Government (KRG) threatened to send police units to the gas field to secure the area and make sure the trucks make it through. The issue was eventually resolved after the intervention of Deputy Prime Minister Qubad Talabani of the PUK, which allegedly led to the conclusion of a deal between the various sides to the dispute.

In statements, various officials admitted for the first time that mafias were in control of the energy sector and that needed to change. For years, the KRI has suffered from the fragmentation of public authority due to deep partisanship, which has led to the emergence of multiple centres of power, especially in the regions controlled by the PUK – namely Sulaymaniyah province.

The security sector has been weakened by the continuing division along partisan lines within the intelligence, police and Peshmerga, the KRI's military force. Apart from the Peshmerga units loyal to the

KDP and the PUK, there are various powerful figures within the political elite who have their own private militias.

This has made the formal government institutions and police powerless in holding to account politically connected individuals who act outside of the law. It has also allowed for unhinged corruption propagated by vast clientelistic networks which swallow much of the funds accumulated from the sale of the KRI's natural resources.

As a result, public infrastructure projects and social provision in the KRI have suffered, which has angered the local population. Despite KRG officials constantly promising 24-hour electricity, the KRI still gets only an average of six hours of power from the government, roads are in bad shape, there are severe problems with water utilities and sewage, and poverty and unemployment are on the rise.

[...] If the corruption and infighting between Kurdish officials over the control of natural resources continue, they could undermine the stability of the KRI and damage its reputation on the global stage.

[...] The KDP and the PUK have been dragging their feet about taking action against corruption and the politicisation of security institutions. The KRG's signature legislation – the Reform Law – does not really address the issue of corruption in the natural resources sector despite the new cabinet's anti-corruption mantra since its formation last year.

In addition, powerful figures within these parties have also sought to hinder the unification of the Kurdish security forces, including interior ministry forces, counterterrorism forces, intelligence, and the Peshmerga, because they want to retain personal control over them in order to continue their corrupt profiteering. [...]

Widespread and pervasive corruption continued to be major problems in the KRI in 2020

❖ [Euro-Mediterranean Human Rights Monitor, Cracking down on protesters in Iraqi Kurdistan legitimizes corruption, 25 August 2020](#)

[...] The Kurdistan Regional Government (KRG) of Iraq should respond effectively to the demands of protestors and improve living conditions in the oil-rich region which produces about 15% of Iraq's oil, Euro-Mediterranean Human Rights Monitor said on Tuesday, 25 August 2020.

[...] The protesters demanded putting an end to corruption, paying salaries of employees and retirees, opening an investigation into the wealth of members of the two main parties in the region, the Kurdistan Democratic Party led by Masoud Barzani (Head of the KRG), and the Patriotic Union of Kurdistan party, led by the family of Jalal Talabani.

M. N., who asked to be identified by his initials, an activist participating in the protest, said: "activists decided to continue protesting until corruption and hegemony of the two parties that share jobs, power, and the oil-money end."

[...]

❖ [The New York Times, Inside the Iraqi Kleptocracy, 29 July 2020](#)

[...] The political bosses who preside over this graft are well known; some are staunch American allies. The Barzani and Talabani families of Kurdistan have used their control over that region's contracts and its central bank to become immensely rich. [...]

❖ [The News Republic, How Taxpayer Dollars May Have Bought a Kurdish Strongman's Beverly Hills Mansions, 24 July 2020](#)

[...] Bribing one politician is bad. Bribing all the politicians is worse. The U.S. Department of Justice is investigating a group of companies in Kurdistan, Iraq's semi-independent northern region, that appears to be doing the latter in order to secure a monopoly on Pentagon fuel contracts worth hundreds of millions of dollars.

[...] According to Kurdish government documents provided to the Government Accountability Project, where I work, additional shell companies also connect the fuel-fleecing to the Kurdistan Democratic Party, the region's other major political faction, led by former President Massoud Barzani and his powerful family, a clan of American-sponsored kleptocrats. The billionaire Barzanis are Kurdistan's "unofficial monarchs," said Kamal Chomani, a nonresident fellow at the Tahrir Institute for Middle East Policy and editor in chief of the Kurdistan Times, an independent news outlet. "We always referred to them as the Mafia," said a former U.S. government adviser in Iraq, who requested anonymity to speak candidly.

The Barzani family's assets span the globe. "It was never practical to keep track of that stuff," a former U.S. anti-corruption official said about the vast Barzani holdings, which were spread from Syria to Switzerland. And, in an awkward twist, some of the millions swindled from the U.S. military may have ended up as investments in California's luxury real estate market.

While the scope of the Barzanis' wealth is vast, its source is simple: The money comes from Kurdistan's rich oil and gas industry and deals like the Pentagon fuel purchases. [...]

❖ [The News Republic, Why Is the Pentagon Still Paying \\$10 a Gallon for Gas?, 6 May 2020](#)

[...] On March 12, the Pentagon's Defense Logistics Agency signed a contract with a Virginia-based warzone logistics company, DGCI, to deliver 333,000 gallons of jet fuel to the Erbil International Airport in Kurdistan, Iraq's semi-independent northern region. Even though crude oil costs less to produce in Iraq than almost anywhere else in the world, the DLA agreed to pay DGCI \$10.04 per gallon of jet-propulsion fuel 8, or JP-8. That's three to five times more than the worldwide average price, \$2 to \$3 per gallon, that the DLA had paid for JP-8 earlier in March

[...] Sources say the company, based in McLean, Virginia, can charge a premium because of its cozy relationship with a Kurdish firm, Triple Arrow, whose political patronage gives it effective control over the supply of fuel coming into Kurdistan. "All refined products coming into Erbil can only come through Triple Arrow," said a source in the oil industry who asked to remain anonymous for their safety.

[...] "The kind of arrangement that you're talking about is not unusual, it pervades the Kurdistan region," said the former State Department official. "It's like a giant Mafia."

The Defense Logistics Agency also acknowledges this reality: "DLA Energy made a decision to obtain the fuel from the only known company eligible to receive government contracts that had demonstrated the capability to expedite fuel deliveries to the required locations," Mackin said.

This monopoly couldn't have been cheap. Shipping fuel across the Kurdish border "must take a lot of bribes to look the other way," said Charles Tiefer, a law professor at the University of Baltimore and member of the post-9/11 congressional oversight commission on wartime contracting. [...]

❖ [Al Jazeera, Corruption and partisan politics can bring down the KRG, 1 March 2020](#)

[...] In early February, the oil- and gas-rich Kurdistan Region of Iraq (KRI) woke up to a major energy crisis.

Its residents faced an acute shortage of propane gas canisters for cooking and heating, which led to prices jumping threefold. The crisis hit in the middle of winter as temperatures dropped below zero, stirring public anger.

[...] In statements, various officials admitted for the first time that mafias were in control of the energy sector and that needed to change. For years, the KRI has suffered from the fragmentation of public authority due to deep partisanship, which has led to the emergence of multiple centres of power, especially in the regions controlled by the PUK – namely Sulaymaniyah province.

[...] The KDP and the PUK have been dragging their feet about taking action against corruption and the politicisation of security institutions. The KRG's signature legislation – the Reform Law – does not really address the issue of corruption in the natural resources sector despite the new cabinet's anti-corruption mantra since its formation last year.

In addition, powerful figures within these parties have also sought to hinder the unification of the Kurdish security forces, including interior ministry forces, counterterrorism forces, intelligence, and the Peshmerga, because they want to retain personal control over them in order to continue their corrupt profiteering. [...]

4.3.2. Omissions in 2018

[Integrity Courts investigating corruption cases involving government ministries in 2018](#)

❖ [Asaf Zilberfarb \(Mideast Mindset\), Iraq's Amnesty Law and Its Dangerous Repercussions, 31 October 2018](#)

[...] Just when we thought that Iraqi politics could not get more cynical, it has been revealed that an undisclosed Iraqi parliamentarian, who is on trial for several corruption cases, has recently been appointed to Iraq's Commission of Integrity, tasked with investigating corruption at all levels of the Iraqi government. This member of the parliament has supposedly embezzled over \$70 million of Iraqi taxpayers' money in the

past few years. I personally believe that the outrage should not be over this individual's appointment to the Commission, but rather over his appointment to parliament in the first place. This reveals a huge problem with the Iraqi political system, which was created in the aftermath of the passing of the 2016 amnesty law [...]

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] The judicial system, itself hampered by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies. In response to widespread anticorruption protests in July 2018, the government referred several senior officials suspected of fraud to the Integrity Commission, and claimed that over 5,000 cases of corruption were being investigated. As of December, it was unclear whether any investigations had been referred for prosecution. [...]

Integrity Courts investigating corruption cases involving government ministries in 2019

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] The judicial system, itself hampered by politicization and corruption, takes action on only a fraction of the cases investigated by the Integrity Commission, one of three governmental anticorruption bodies. The KRG suffers from similar corruption problems. [...]

Integrity Courts investigating corruption cases involving government ministries in 2020

❖ [The Arab Weekly, Iraqi court slaps former electricity minister with travel ban, 13 August 2020](#)

[...] Iraq's Al-Karkh Investigation Court, which deals with integrity issues, ordered a travel ban on former Iraqi Electricity Minister Luay Al-Khateeb over charges of corruption and waste of public funds.

According to a document seen by media, the court issued a travel ban on Khateeb and Falah Al-Dulaimi, the former head of the financial and administrative department at the electricity minister.

News of the travel bans were confirmed Thursday by Iraq's Integrity Commission.

"Regarding the details of the investigated case that were referred to the judiciary, the Investigation Department at the Commission confirms that Al-Karkh Investigation Court, which is specialised in integrity issues, issued a travel ban against the former Minister of Electricity and the head of the Ministry's Financial and Administrative Department," the Integrity Commission said in a statement.

"The travel bans come against the background of violations committed in the procedures for hiring 82,555 employees on a daily basis, in contravention of the law and instructions, and without the need for these employees' input," the statement added.

The commission also indicated that "its investigations into the case revealed the committed violations cost the state about 36 million dollars, which was paid from the ministry's expenditures every month."

[...]

5. Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

5.2.4 Improvements in 2020

Evidence that Erbil registered NGO operating outside IKR and KRG disputed territories with or without permit from Baghdad in 2020

❖ [ACAPS, Humanitarian Access Overview, December 2020](#)

[...] The federal government and the Kurdistan Region of Iraq (KR-I) government function separately in regard to humanitarian operations. For instance, NGOs registered in KR-I cannot operate in federal Iraq. As a result, humanitarian actors operating in the disputed territories between the federal government and the Kurdistan Regional Government face challenges in coordination between the two governments. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Civil Society Activists

[...] NGOs operating in the KRI require a separate registration. As a result, some NGOs registered only in Baghdad could not operate in the KRI, while those registered only in Erbil could not operate outside the KRI and KRG-controlled disputed territories. [...]

6. Section 6. *Discrimination, Societal Abuses, and Trafficking in Persons*

6.2.2. Improvements in 2018

Percentage of women in central and southern Iraq being subjected to FGM/C in 2018

❖ [UNICEF and MICS \(Multiple Indicator Cluster Surveys\), Iraq: Multiple Indicator Cluster Survey 2018: Survey Findings Report, February 2019](#)

[...] Table PR.5.1: Female genital mutilation (FGM) among women

[...] Percentage of women age 15-49 years by FGM status and percent distribution of women who had FGM by type of FGM, Iraq, 2018

[...] Percentage of women who had any form of FGM¹: Total: 7.4; Kurdistan: 37.5; South/Central Iraq: 0.4

[...] 1 MICS indicator PR.9 - Prevalence of FGM among women; SDG indicator 5.3.2

[...] Number of women age 15- 49 years: Total: 30,660; Kurdistan: 5,778; South/Central Iraq: 24,882

[...] Percent distribution of women age 15-49 years who had FGM:

[...] Had flesh removed: Total: 84.3; Kurdistan: 86.3; South/Central Iraq: 46.2

[...] Were nicked: Total:6.0; Kurdistan: 4.6; South/Central Iraq: 36.0

[...] Were sewn closed: Total: 1.3; Kurdistan: 1.3; South/Central Iraq: 2.4

[...] Form of FGM not determined: Total: 8.4; Kurdistan: 7.9; South/Central Iraq: 19.0

[...] Number of women age 15-49 years who had FGM: Total: 2,270; Kurdistan: 2,167 South/Central Iraq: 104

[...] Table PR.5.2: Approval of female genital mutilation (FGM)

[...] Percentage of women age 15-49 years who have heard of FGM, and percent distribution of women according to attitudes towards whether the practice of FGM should be continued, Iraq, 2018

[...] Percentage of women who have heard of FGM: Total: 44.9; Kurdistan: 84.9; South/Central Iraq: 2.4

[...] Number of women age 15-49 years: Total: 30,660; Kurdistan: 5,778; South/Central Iraq: 24,882

[...] Percent distribution of women who believe the practice of FGM should be:

[...] Continued¹: Total: 2.6; Kurdistan: 5.8; South/Central Iraq: 0.9

[...] Discontinued: Total: 93.6; Kurdistan: 89.3; South/Central Iraq: 96.0

[...] Depends: Total: 1.2; Kurdistan: 1.9; South/Central Iraq: 0.9

[...] DK/missing: Total: 2.5; Kurdistan: 3.0; South/Central Iraq: 2.2

[...] Number of women age 15-49 years who have heard of FGM: Total: 13,764; Kurdistan: 4,908; South/Central Iraq: 8,856

[...] Table PR.5.3: Female genital mutilation (FGM) among girls

[...] Percentage of daughters age 0-14 years by FGM status and percent distribution of daughters who had FGM by type of FGM, Iraq, 2018

[...] Percentage of daughters who had any form of FGM¹: Total: 0.5; Kurdistan: 3.2; South/Central Iraq: 0.0

[...] 1 MICS indicator PR.11 - Prevalence of FGM among girls

[...] Number of daughters age 0-14 years: Total: 24,438; Kurdistan: 4,004; South/Central Iraq: 20,434

[...] Percent distribution of daughters age 0-14 years who had FGM:

[...] Had flesh removed: Total: 88.8; Kurdistan: 89.4; South/Central Iraq: (*)

[...] Were nicked: Total:9.1; Kurdistan: 8.5; South/Central Iraq: (*)

[...] Were sewn closed: Total: 1.0; Kurdistan: 1.0; South/Central Iraq: (*)

[...] Form of FGM not determined: Total: 1.1; Kurdistan:1.1; South/Central Iraq: (*)

[...] Number of daughters age 0-14 years who had FGM: Total: 128; Kurdistan: 127; South/Central Iraq: 1

[...] (*) Figures that are based on fewer than 25 unweighted cases [...]

❖ [UN Women, UNFPA and UNICEF, Protecting Girls in Iraq from Female Genital Mutilation, 6 February 2019](#)

[...] According to the UN-supported 2018 Multiple Indicator Cluster Surveys (MICS) for Iraq, a total of 7.4 per cent of girls get mutilated every year. Although the numbers are relatively low in comparison to the region, one is too many: our goal is to protect all girls from such harmful practices. [...]

Percentage of women in central and southern Iraq being subjected to FGM/C in 2019

❖ [UNICEF and MICS \(Multiple Indicator Cluster Surveys\), IRAQ 2018: Sample & Survey Characteristics, 4 May 2019](#)

[...] Female Genital Mutilation: SDG 5.3.2 Age Disaggregate

[...] Percentage of girls age 15 to 19 years who have undergone FGM, by age group *Age disaggregate of SDG 5.3.2: Prevalence of FGM among women age 15-49

[...] 15-19: 3.5

[...] 18-19: 3.9

[...] 15-17: 3.2

[...] Attitudes towards Female Genital Mutilation

[...] Percentage of boys and girls age 15-19 who have heard about FGM, by their attitudes on if the practice should continue

[...] Think FGM should continue: 2.6

[...] Think FGM should stop: 93.6

[...] Say it depends/not sure: 1.2

[...] Don't know/missing: 2.5

[...] Female genital mutilation is a human rights issue that also affects girls and women. Adolescence, in particular, is a vulnerable period for girls who have undergone FGM because they may experience heightened consequences of the procedure as they become sexually active and begin childbearing.

[...] Female Genital Mutilation (FGM), SDG 5.3.2 Age Disaggregate

[...] FGM among girls 10-14 (mother's report)^a: 1.4

FGM among adolescent girls 15-19 (self-report)^b: 3.5

[...] a Percentage of girls age 10-14 whose mothers report they have undergone FGM b Percentage of adolescent girls age 15-19 who report having undergone FGM

FGM refers to all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons.

[...] Level & Disaggregates of FGM Among Women 15-49

[...] Percentage of girls and women age 15 to 49 years who have undergone FGM, by residence and wealth quintile

*SDG 5.3.2

[...] Total: 7.4

[...] Rural: 8.3

[...] Urban: 7.0

[...] Richest: 21.7

[...] Poorest: 1.4

[...] Kurdistan: 37.5

[...] South/Central Iraq: 0.4

[...] Disaggregates of FGM Among Daughters 0-14 years

[...] Percentage of girls age 0 to 14 years who have undergone FGM (as reported by their mothers), by residence, mother's education and wealth quintile

[...] Total: 0.5

[...] Rural: 0.4

[...] Urban: 0.6

[...] Pre-primary or none: 1.6

[...] Primary complete: 0.3

[...] Upper secondary +: 0.1

[...] Richest: 2.1

[...] Poorest: 0.0

[...] Kurdistan: 3.2

[...] South/Central Iraq: 0.0

[...] The results of the survey showed that 7.4% of women aged (15-49) underwent FGM. The majority of cases occur in Kurdistan region (37.5%), compared with only 0.4 percent in Central and Southern Iraq.

The results show that the percentage of girls aged 0-14 years who have undergone FGM has dropped to 0.5% in the past 14 years, most of them in Kurdistan Region (3%). In urban areas and in girls whose mothers did not receive formal or uneducated education and from wealthier families. It is clear that the highest percentage (12%) of women who have undergone FGM in the age group (40-44) years and over the years has fallen to 4% of women in the age group (15-19) years.

Ninety four percent of women aged 15-49 years reported the need to stop the FGM practice.

[...] Trends in FGM

[...] Percentage of girls and women age 15 to 49 years who have undergone FGM, by age cohort

[...] 45-49 years: 9

[...] 40-44 years: 12

[...] 35-39 years: 10

[...] 30-34 years: 9

[...] 25-29 years: 6

[...] 20-24 years: 7

[...] 15-19 years: 4

[...] Type of FGM

[...] Percentage distribution of girls and women age 15 to 49 years who have undergone FGM, by type

[...] Sewn closed: 1

[...] Flesh removed: 84

[...] Nicked: 6

[...] Form not determined: 6

[...] Attitudes to FGM

[...] Percentage distribution of girls and women age 15 to 49 years who have heard about FGM, by their attitudes about whether the practice should continue

[...] Think FGM should continue: 3

[...] Think FGM should stop: 94

[...] Say it depends / are not sure: 1

[...] Don't know / missing: 3

[...] Percentage of girls and women age 15 to 49 years who have heard about FGM and think the practice should continue, by wealth quintile, education, residence and age

[...] Rural: 4

[...] Urban: 2

[...] Richest: 4

[...] Poorest: 3

[...] Pre-primary or none: 8

[...] Upper secondary +: 1

[...] 45-49: 4

[...] 35-39: 2

[...] Kurdistan: 6

[...] South/Central Iraq: 1 [...]

❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)

[...] Stereotypes and harmful practices

19. The Committee is concerned at the persistence of discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society, which perpetuate the subordination of women to men and are exacerbated by the sectarian and religious divisions in the State party. It is deeply concerned about:

(a) The persistence of harmful practices that discriminate against women, such as child marriage, temporary marriage (mut'ah marriage, in which marriage is terminated after a specified period), forced marriage, female genital mutilation and crimes committed in the name of "honour";

[...] (c) The prevalence of female genital mutilation in certain regions of the State party, in particular in rural areas [...]

6.3.1 Omissions in 2017

Due to social stigma and societal and often familial retribution against both the victim and perpetrator, victims of sexual crimes did not usually report it to authorities or pursue legal remedies in 2017

❖ [Human Rights Watch, Iraq: Sunni Women Tell of ISIS Detention, Torture Describe Forced Marriage, Rape, 20 February 2017](#)

[...] Experts from four international organizations, including two medical organizations, working with survivors of sexual assault in northern Iraq told Human Rights Watch it is difficult to assess the prevalence of ISIS' gender-based violence against women who have fled territory under their control. They said that victims and their families remain silent to avoid stigmatization and harm to the woman or girl's reputation. One foreign aid worker said she had seen cases mostly of forced marriage and rape, but she believed that very few of the victims in the displaced communities she works with have come forward. She said some women try to hide the incident from their own families out of fear they will be stigmatized or punished by their relatives or community [...]

Several local and international organizations are providing support to victims of gender-based violence. However, not enough is being done to tackle the stigma around sexual violence, and there is a lack of awareness about appropriate services and psychosocial or mental health support, medical professionals and service providers in Kirkuk said [...]

A psychiatrist at an international organization providing psychosocial support in one of the larger displaced people's camps in the Kurdistan Region of Iraq said that too little has been done to inform men about how to support female victims of gender-based violence. She said that very often, male relatives will forbid women from getting behaviour and vocational training, even if the women want the services. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), 'Human Rights, Every Day, for All Iraqis': Promotion and Protection of Rights of Victims of Sexual Violence Captured by ISIL/or in Areas Controlled by ISIL in Iraq, 22 August 2017](#)

[...] Women who were raped and subjected to sexual slavery and other forms of sexual violence by ISIL, and children born as a result, are also stigmatized by their own communities upon their return. In addition to abuses by ISIL, it must also be borne in mind that the displacement of civilians has exacerbated already high levels of domestic violence that existed before the armed conflict in Iraq, and increase the risk of sexual violence.⁹

[...] UNAMI/OHCHR has consulted with local community leaders to understand their views regarding the treatment of women and girls who were married to ISIL members. According to them, where a woman consented to the marriage, the matrimonial contract could be confirmed subsequently in the federal court if needed; this would serve not to recognize ISIL as an entity that had originally endorsed the contract, but rather to recognize the contract of marriage between two consenting adults in the presence of two witnesses under Iraqi law. While such confirmation may be controversial both in terms of the law and Shari'a, religious leaders have noted that the failure to do so could lead to accusations of adultery against people who were 'married' in areas under the so-called 'authority' of ISIL (as these marriages would not be recognized under Iraqi law unless ratified by civil courts) and would potentially lead to children of such marriages being classed as 'illegitimate' under Iraqi law [...]

⁹ There are no statistics on levels of sexual and gender-based violence in Iraq with the exception of the KR-I, where there has been a proactive effort by the KRG to encourage women to come forward to report incidents of such violence and to provide them with protection and support.

❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)

[...] There is a lack of financial or in-kind support to shelters or other safe spaces where women and children can safely escape domestic violence or other life threatening situations. Many of these women are unjustly incarcerated as "prostitutes" or threatened with honour killings by members of their own families.

[...] In Basra, a shelter offers refuge to the victims of sex trafficking who were unjustly incarcerated as

“prostitutes” and threatened with “honour killings” upon release by their own families [...]

Due to social stigma and societal and often familial retribution against both the victim and perpetrator, victims of sexual crimes did not usually report it to authorities or pursue legal remedies in 2018

❖ [Finnish Immigration Service, Overview Of The Status Of Women Living Without A Safety Net In Iraq, 22 May 2018](#)

[...] Sexual violence against both men and women is a criminal offence (Chapter 9, part 1). Under Article 398, charges against the offender shall be waived if the offender marries the victim. Conjugal rape is not an offence:

*“If the offender mentioned in this Section then lawfully marries the victim, any action becomes void and any investigation or other procedure is discontinued and, if a sentence has already been passed in respect of such action, then the sentence will be quashed (...)”.*⁹⁶

[...] Activists championing women’s issues are trying to effect a change in this. They are planning demonstrations in the run-up to the election in May 2018.⁹⁸ According to those who defend the aforementioned Article, the rapist marrying the victim is to the victim’s advantage, because the marriage restores the honour of the victim’s family and thereby eliminates the risk of an honour killing. The provision perpetuates the shame and stigma associated with rape and may jeopardise the victim’s safety in that it requires the victim to remain married to the rapist for at least three years.⁹⁹ [...]

96 Penal Code 111 of 1969 as amended to 14 March 2010, [translation: Iraqi Local Governance Law library], Article 398; HRW 2018.

[...] 98 Thomson Reuters Foundation News / Kansa, Heba, 29 Mar 2018.

99 UNAMI & OHCHR 2017, p. 12.

❖ [Open Doors International and World Watch Research Unit, IRAQ: Compound structural vulnerabilities facing Christian women under pressure for their faith, November 2018](#)

[...] Informants report Christian women, particularly of Muslim background, being kidnapped and raped, then shamed by having the rape made public. They are forced into converting to Islam and marrying their attacker, the marriage viewed as already consummated.

[...] Women’s lower social status within a patriarchal culture makes them an easy target for violence which not only causes physical and psychological trauma, but also inflicts humiliation. The stigmatization of victims is a major challenge, and where a family’s honor resides in the perceived sexual behaviour of the women, an attack on a woman is seen as an attack on the whole family and even the community. Blaming victims also leads to their silence and isolation out of fear of shame, reprisals and honor violence, with no way to deal with the trauma they have suffered. [...]

❖ [UNICEF and MICS \(Multiple Indicator Cluster Surveys\), Iraq: Multiple Indicator Cluster Survey 2018: Survey Findings Report, February 2019](#)

[...] 9.8. Attitudes towards domestic violence

[...] Iraq 2018 MICS assessed the attitudes of women age 15-49 years towards wife beating by asking the respondents whether they think that husbands are justified to hit or beat their wives in a variety of situations. The purpose of these questions is to capture the social justification of violence (in contexts where women have a lower status in society) as a disciplinary action when a woman does not comply with certain expected gender roles. The responses to these questions can be found in Table PR.8.1W for women.

[...] Percentage of women age 15-49 years who believe a husband is justified in beating his wife in various circumstances, Iraq, 2018

[...] Percentage of women age 15-49 years who believe a husband is justified in beating his wife:

[...] If she goes out without telling him: Total: 28.6; Kurdistan: 14.7; South/Central Iraq: 31.9

[...] If she neglects the children: Total: 25.3; Kurdistan: 14.9; South/Central Iraq: 27.7

[...] If she argues with him: Total: 27.7; Kurdistan: 13.7; South/Central Iraq: 30.9

[...] If she refuses sex with him: Total: 23.4; Kurdistan: 12.5; South/Central Iraq: 25.9

[...] If she burns the food: Total: 13.5; Kurdistan: 3.2; South/Central Iraq: 15.8

[...] For any of these five reasons¹: Total: 36.5; Kurdistan: 21.7; South/Central Iraq: 40.0

[...] 1 MICS indicator PR.15 – Attitudes towards domestic violence

[...] If he feels she is wasteful: Total: 20.6; Kurdistan: 10.2; South/Central Iraq: 23.0
 [...] If she leaks house secrets: Total: 33.8; Kurdistan: 18.6; South/Central Iraq: 37.4
 [...] For any of these seven reasons: Total: 39.9; Kurdistan: 23.4; South/Central Iraq: 43.7
 [...] Number of women age 15-49 years: Total: 30,660; Kurdistan: 5,778; South/Central Iraq: 24,882 [...]

Due to social stigma and societal and often familial retribution against both the victim and perpetrator, victims of sexual crimes did not usually report it to authorities or pursue legal remedies in 2019

❖ [Iraqi Women Network, Women, Peace and Security: Recommendations for the UPR of Iraq, March 2019](#)

[...] Women survivors of sexual violence experience stigma, rejection by the family and community, or honour killings, as well as poverty, sexual exploitation and harassment. Most of these women remain in situations of violence and dependence, as they are afraid to report incidents or seek protection.

[...] Social and tribal norms, fear of stigma and further violence (particularly honour killings) deter women and girls from reporting violence. Law enforcement is weak and cases tend to be resolved by tribal hearings and family negotiations with no regard for the rights of victims. [...]

❖ [UNICEF and MICS \(Multiple Indicator Cluster Surveys\), IRAQ 2018: Sample & Survey Characteristics, 4 May 2019](#)

[...] Attitudes about wife beating serve as a marker for the social acceptability of intimate partner violence. Acceptance of wife beating among adolescent girls and boys suggests that it can be difficult for married girls who experience violence to seek assistance and for unmarried girls to identify and negotiate healthy and equitable relationships.

[...] Attitudes toward Domestic Violence

[...] Percentage of adolescents age 15-19 years (girls) who justify wife beating for any of the following reasons: she goes out without telling him; she neglects the children; she argues with him; she refuses sex with him; she burns the food, by sex and age group

[...] 15-17: 34

[...] 8-19: 35

[...] Attitudes toward domestic violence

[...] Percentage of adults age 15-49 who justify wife beating for any of the following reasons: she goes out without telling him; she neglects the children; she argues with him; she refuses sex with him; she burns the food, by sex, wealth quintile and area

[...] Total: 37

[...] South/Central Iraq: 40

[...] Kurdistan: 22

[...] Thirty seven percent of women aged 15-49 years justify beating wife for various reasons such as leaving the house without telling the husband, neglecting the children, burning the food, etc. This percentage in Central and Southern Iraq is almost double what it is in the Kurdistan region and nearly three times higher among women in poorer families than in wealthier women and in rural areas than in urban areas. [...]

❖ [National Democratic Institute, Iraq Post-Daesh: Improved Social Cohesion, but Iraqis Remain Dissatisfied with Government: National Survey Findings, July 2019](#)

[...] More than 1 in 3 Iraqis also state that they know a family member or close friend who has been a victim of domestic violence and 14 percent of women state they have been a victim themselves, although the real figure is likely to be higher as women respondents may not be willing to admit to interviewers that they have been a victim, especially since past research has shown how strong the sense of shame can be. [...]

❖ [BBC, Are men the main target of sexual harassment in Iraq?, 11 July 2019](#)

[...] But Dr Kathrin Thomas, a research associate on the Arab Barometer, the research network that carried out the survey, cautions that women experiencing sexual harassment may prefer to remain silent.

[...] "Women may be more prone to under-report harassment compared to men."

Belkis Wille, senior Iraq researcher for Human Rights Watch, agrees.

"Women are often reluctant to come forward and categorise their experiences as domestic or sexual violence. Even the terminology can be unfamiliar," she says.

This tendency has been noticed in Iraqi hospitals, she points out. By law the hospitals have security officers present at all times, and doctors are obliged to inform them if a woman says she is the victim of abuse. "So often women will lie and protect the perpetrators, especially if they are known to them, as they are scared to trigger a criminal investigation which might put them at risk of retribution," she says [...]

- ❖ [Geneva International Centre for Justice \(GICJ\), Shadow Report on Iraq submitted by Geneva International Centre for Justice \(GICJ\) to the Committee on the Elimination of All Forms of Discrimination Against Women, 74th Session, 21 October – 8 November 2019, 10 October 2019](#)
[...] 9. Article 3 of the criminal procedure code establishes the prosecution for rape. There is a three-month limitation for filing a complaint about rape: The complaint must be lodged within three months of the victim becoming aware of the crime (unless there was a compelling excuse that stopped them from coming forward) or they lose their right to justice. If the victim drops the charges she is no longer entitled to criminal justice. In a conservative society like Iraq where shame, virginity and honour seem to be highly valued even in the eyes of the judicial system, victims may not come forward immediately as they are ashamed or fear they will bring dishonour to their families. By putting such limitations on the filing of a rape complaint, Iraq is punishing the victims. Even after filing a complaint, the victim may be pressured into dropping the charges to avoid shame or stigma or due to threats of retaliation for reporting the crime. [...]
- ❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)
[...] Gender-based violence against women
[...] However, the Committee notes with deep concern:
[...] (b) That a number of factors continue to contribute to the underreporting of cases of gender-based violence against women, such as cultural barriers and the impunity of perpetrators, as well as the scarcity of human, technical and financial resources available to police family protection units; [...]

Evidence of social stigma and societal and familial retribution against both victim and perpetrators of rape and domestic violence in 2020

- ❖ [UN Security Council, Conflict-related sexual violence: Report of the Secretary-General, 30 March 2021](#)
[...] Iraq
[...] Conflict-related sexual violence remains underreported owing to a lack of trust in the justice system, a fear of reprisals, pressure from family members, and stigma codified in the law, which allows perpetrators to quash a criminal case by marrying their victims. [...] Service providers recorded 30 cases perpetrated by armed actors in 2020, primarily against women. The United Nations also reported a case of sexual violence against a man while he was in detention. The man later relocated to another city, after receiving threats. Mothers who have children conceived as a result of rape continued to face barriers to obtaining identity cards and gaining access to services. Deeply rooted stigma, combined with gaps in service coverage and a lack of psychosocial support, continued to prevent survivors from coming forward to seek redress. (p. 13)
[...] Christian, Shia and Yazidi religious leaders endorsed a statement stressing the importance of supporting survivors of sexual violence, combating stigma and holding members of ISIL accountable for their crimes. However, comprehensive legislation and social support for children born of sexual violence remain lacking. [...] (p. 14)
- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
[...] 3. Refugee Convention Claims
[...] Groups of Interest
[...] Women
[...] Violence Against Women
[...] Article 398 of the Criminal Code requires authorities to drop a rape case if the perpetrator marries the victim, with a provision providing that the rape prosecution will resume if the husband divorces the victim within the first three years of marriage. Human rights observers report victims' families sometimes agree to this arrangement to avoid the social stigma attached to rape. [...] (p. 4)

❖ [Iraqi Civil Society Solidarity Initiative, Girls and Women: Caught between Lockdown and Domestic Violence, 16 June 2020](#)

[...] Responding to cases of violence

In Iraq, Mr. Jumaa [lawyer and activist focused on women's and children's issues, and legal advisor to several Iraqi civil society organizations] explained, responses to violence are often so delayed that women effectively lose their rights! [...] Additionally, social norms and customs—like parents blaming the victim for her abuse and trying to prevent her from filing a complaint—has obstructed effective responses to violence. Women may even choose to tolerate violence for the sake of their children or the reputation of their families. [...]

❖ [UN General Assembly, Human Rights Council, Forty-fourth session, Visit to Iraq: Report of the Special Rapporteur on the human rights of internally displaced persons, 13 May 2020](#)

[...] V. Particularly vulnerable groups

[...] D. Sexual and gender-based violence

[...] Cases of sexual and gender-based violence are largely underreported, which is probably due to the lack of access to judicial or administrative mechanisms, fear of stigmatization or retaliation, and lack of criminal accountability for perpetrators and protection mechanisms for survivors. The Ministry of the Interior reported having established mechanisms to receive complaints of sexual and gender-based violence inside camps, such as mobile units deployed to camps and the opening of a hotline to report domestic violence. Although these efforts are most welcome, they must be combined with greater criminal accountability for perpetrators, protection measures for survivors and awareness-raising efforts to combat stigmatization. [...] (p. 11)

❖ [United Nations Iraq, Safety at home, an illusion for far too many women in Iraq \(OHCHR\), 13 May 2020](#)

[...] The 'humiliation' of being exposed in front of neighbours and the community has often led to under-reporting of domestic violence. Victims do not always seek support, for fear of publicly shaming their family. This is exacerbated by home confinement.

"Throughout Iraq, entire families are confined together," notes [Danielle] Bell [Head of UN Human Rights in Iraq]. "Quite frequently, there is a pressure to resolve family disputes – including domestic violence - without any intervention from a third party due to shame and stigma associated with such violence. Resolutions are therefore fraught, and the cycle of violence just continues." [...]

[Domestic violence often went unreported and unpunished, with abuses customarily addressed within the family and tribal structure in 2017](#)

❖ [HRW, Iraq: Strengthen Domestic Violence Bill, 19 March 2017](#)

[...] The Iraqi parliament should set penalties for the crime of domestic violence, remove provisions that prioritize reconciliation over justice, and improve victim protections in a domestic violence bill, Human Rights Watch said today in a letter and memorandum to the speaker of parliament.

[...] The draft law calls for the parties to be referred to family reconciliation committees and for prosecutions of abusers to be dropped if reconciliation is reached. But women in Iraq are often under tremendous social and economic pressure to prioritize the family unit over their own protection from violence [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), 'Human Rights, Every Day, for All Iraqis': Promotion and Protection of Rights of Victims of Sexual Violence Captured by ISIL/or in Areas Controlled by ISIL in Iraq, 22 August 2017](#)

[...] 23. With respect to specific legislation, it is noted that the draft Family Protection Law, the text of which as currently stands substantively fails to meet Iraq's obligations under international law, remains pending before the Council of Representatives. The draft shelter policy for victims of domestic violence is also still under review. The Criminal Code No. 111 of 1969 continues to permit "honour" as a lawful defense in crimes alleging violence against women and family members, even when it is reported that many hundreds of women die from so-called "honour" killings each year. Additionally, it allows perpetrators to marry their rape victims to quash a criminal case. The Iraqi Criminal Procedures Code (ICPC) no. 23 of 1971 views the

initiation of criminal proceedings in relation to a number of crimes as the personal right of the victim – and it is arguable under Article 3 of ICPC that this includes allegations of rape. In conservative societies such as Iraq, women who have been subjected to rape and other forms of sexual violence may be unwilling to initiate such proceedings.

[...] Victims of sexual violence including rape and enslavement

33. With respect to women and girls who have been subjected to sexual enslavement, rape and other forms of sexual violence, the primary concern is to ensure their access to appropriate medical, psychosocial, financial and other means of support. Following these immediate needs, Iraq has the duty, pursuant to domestic law and to core international human rights instruments to which is a party, to ensure that all victims of these violations have access to justice and reparations.¹⁷

34. This obligation includes ensuring accountability of the alleged perpetrators of such crimes through trials conducted before independent and impartial tribunals established by law in accordance with the law and facts of the case and in full respect of due process and fair trial standards. In addition, the State must ensure that all proceedings are conducted in a gender sensitive manner so as not to perpetuate the victimization or to 'revictimize' women and girls subjected to such crimes. This includes ensuring: i) that mechanisms are put in place that facilitate women's and children's access to justice; ii) that female police officers undertake interviews with women and children who have been subjected to sexual violence; iii) appropriate policies are in place to ensure that women and children are respected and protected throughout such proceedings; iv) that the proceedings are conducted with the best interests of the woman or child as the primary consideration, and v) that the women and children concerned have access to appropriate psycho-social, medical and other appropriate support and means of protection.

[...] Ensuring individual criminal accountability for persons accused of perpetrating or having contributed to sexual and other forms of violence against women and children under ISIL will be of paramount importance. However, in light of the existing gaps in the legal and policy frameworks of the criminal justice system, which largely fails to ensure the appropriate respect and protection of women and children who have been subjected to sexual and other forms of violence, significant legislative and institutional changes are needed to facilitate access to justice, and the care and protection of victims through such proceedings. In this regard, informal justice mechanisms which are fully compliant with relevant international human rights standards may be considered to complement formal justice as a means to ensuring adequate accountability and reparations processes. [...]

17 These include, for example, Iraq's Law No. 28 of 2012 Combating Trafficking in Persons, and the right of equal protection of the law under Article 26 of the International Covenant on Civil and Political Rights. The obligations of States with respect to reparations have been further examined in "Guidance Note of the Secretary-General: Reparations for Conflict-Related Sexual Violence," June 2014, available at <http://www.ohchr.org/Documents/Press/GuidanceNoteReparationsJune-2014.pdf>.

❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)

[...] Recommendations for the Government of Iraq

[...] Revise the draft Family Protection Law to ensure that it includes measures to prevent sexual and gender-based violence (SGBV), offers protection to the survivors of SGBV, and ensures accountability of the perpetrators of such violence, in compliance with international standards, and ensure its earliest adoption.

[...] Review relevant legislation, including the Iraqi Penal Code No. 111 of 1969 to ensure full compliance with international human rights obligations in relation to promoting and protecting women's rights. Priority should be given to removing 'honour' as a mitigating factor in the commission of crimes of violence against women and family members, as well as provisions of criminal law that permit individuals accused of rape or sexual assault to quash criminal cases against them by marrying victims.

[...] Issue directives that require officials responsible for law enforcement and administration of justice to promptly, thoroughly, independently and impartially investigate all allegations of violence against women, in particular suspected "honour crimes," to ensure that the perpetrators of such acts are held accountable.

[...] At present, Iraq does not have adequate legislative frameworks to prevent or protect women and children from domestic, sexual and gender-based violence or provide safe spaces to survivors of such violence. There is a lack of financial or in-kind support to shelters or other safe spaces where women and children can safely escape domestic violence or other life threatening situations. Many of these women are unjustly incarcerated as "prostitutes" or threatened with honour killings by members of their own families. Additionally, there are no accountability mechanisms in place for the perpetrators of domestic and sexual

violence against Iraqi women. UNAMI/OHCHR remains troubled by the lack of movement in the Council of Representatives to push through domestic violence legislation that is in accordance with international human rights norms and standards. The draft Family Protection Law remains stalled in Parliament, as the current iteration of the draft law prioritises family reconciliation over justice and protection of survivors of abuse. The draft law also fails to offer long-term protection for victims, penalise offenders, or establish obligations for police and prosecutors to respond to domestic violence incidents.

[...] 6. Rights of Women

Women in Iraq continue to face discrimination, which adversely impacts on their ability to fully and equally participate in the political, social and economic life of Iraq. Throughout the ongoing armed conflict in Iraq, women and children continue to be subjected to violence of all forms, including in particular sexual and gender-based violence. There are currently no effective legal or policy frameworks which prevent sexual and gender-based violence or protect the survivors of violence, or laws that ensure accountability for the perpetrators of violence.

[...] As described below, the draft Family Protection Law has remained stalled before the Council of Representatives for over four years, and many of its provisions do not comply with international standards.

[...] Combating crimes of violence committed against women and girls remains particularly problematic. UNAMI/OHCHR continues to advocate for the passage of the draft Family Protection Law (with appropriate revisions as discussed below) and ensure its earliest adoption including measures to prevent sexual and gender-based violence, offer protection to survivors of SGBV, and ensure accountability of perpetrators of violence, in compliance with international standards, including the Convention on the Elimination of All Forms of Discrimination against Women and other international laws that safeguard women's rights. Unfortunately, the draft Family Protection Law has remained stalled before the Council of Representatives for more than four and a half years. Moreover, in its current iteration, the draft law is designed to protect the family as a whole, rather than the victim of domestic violence. Many provisions in the draft law must be amended to ensure compliance with international standards.

[...] Whilst Iraq's Penal Code No. 111 of 1969 includes provisions on physical assault; it lacks explicit reference to domestic violence. Though sexual assault is criminalised in the Penal Code, Article 398¹⁸ provides that charges may be dropped if the assailant marries the victim. Defenders of this provision argue that it protects the interests of the victim because it allows the act of marriage to restore honour to the family and thus prevent the risk of an "honour crime" against the victim by her family or community. However, the provision institutionalises the shame and stigma associated with rape and can jeopardise the safety and life of the victim by requiring her to remain married for a minimum of three years to a man who sexually assaulted her. UNAMI/OHCHR is also concerned by Article 41 of the Penal Code, which permits domestic violence by allowing the punishment of a wife by her husband "within certain limits prescribed by law or by custom."

[...] UNAMI/OHCHR remains concerned by the draft Family Protection Law. The first draft of the law appears to prioritise family reconciliation over justice and protection for the victims of abuse. It does not provide sufficient penalties for offenders, establish obligations for police and prosecutors to respond to domestic violence incidents, or offer long-term protection for victims. The current draft does not go far enough to protect victims and, in fact, could put them in danger if forced to return to family to reconcile. Additionally, the draft law makes no reference to the types of evidence that can be admissible for domestic violence cases. [...]

18 As outlined in Article 398 an assailant accused of rape or sexual assault may be cleared of his crime if he marries the victim. In the absence of any contrary provision, this mechanism can even be implemented if the victim is a minor.

❖ [Freedom House, Freedom in the World 2018 – Iraq, 16 January 2018](#)

[...] Rapists can avoid prosecution if they marry their victims [...]

❖ [Human Rights Watch, World Report 2018: Iraq, 18 January 2018](#)

[...] Women have few legal protections to shield them from domestic violence. Iraq's criminal code includes provisions criminalizing physical assault, but lacks any explicit mention of domestic violence. While sexual assault is criminalized, article 398 provides that such charges be dropped if the assailant marries the victim. [...] In 2015, Iraqi officials published a deeply flawed draft domestic violence law, but parliament has yet to pass it or to consider a range of amendments for which women's rights advocates have been petitioning. [...]

❖ [Amnesty International, The Condemned: Women and Children isolated, trapped and exploited](#)

[in Iraq, 17 April 2018](#)

[...] 5.5.3 Nowhere to turn

[...] Women targeted for sexual violence, including rape and sexual exploitation, are often unable to take action to end these abuses. Several obstacles prevent victims, other camp residents and humanitarian organizations from reporting incidents and threats of sexual violence. Perhaps most importantly, Iraqi women subjected to sexual violence can be stigmatized by their families, other camp residents or camp authorities, who may blame the women for the treatment they have received. Women who complain about sexual violence and exploitation are also at risk of being penalized by camp authorities or others in positions of power in the camp, who are able to withhold aid, restrict their movement, confiscate their documents or even subject them to more intense sexual violence after receiving complaints. Several women told Amnesty International that, after complaining members of the camp administration about their treatment, they had faced retribution or punishment. [...]

[Domestic violence often went unreported and unpunished, with abuses customarily addressed within the family and tribal structure in 2018](#)

❖ [Finnish Immigration Service, Overview Of The Status Of Women Living Without A Safety Net In Iraq, 22 May 2018](#)

[...] Many offences, whose victims are specifically women (such as rape, polygamy or adultery), are complainant offences, meaning that the victim herself or her legal counsel must file a report in order to bring charges. Women who become victims may be unwilling to file a report of a criminal offence for fear of repercussions. The offender may have coerced the woman not to report the offence, or the woman may be concerned about the honour of her family. If the sanction prescribed by law for an offence is no more than one year's imprisonment or a fine, the matter may be settled out of court. A settlement is also possible in cases where the prescribed sanction is imprisonment for more than one year, although the matter must nevertheless be brought to court. This being an option, victims may be pressured towards settlement. Offenders may compromise a criminal investigation so that the evidence obtained is not impartial. Female victims, on the other hand, may find it difficult to attend sessions in court. Eye witnesses do not have the right to refuse to testify. Women may be afraid of testifying on behalf of other women due to repercussions or compromising the honour of their family. Because the authorities cannot enter a woman's home without an order from the investigating judge, prompt help is unavailable even in emergency situations. An arrest warrant must include detailed information on the suspect. [...]

❖ [UNFPA, Government of Iraq and United Nations Launch National Strategy to Combat Violence Against Women in Iraq, 9 December 2018](#)

[...] The Government of Iraq and the United Nations in Iraq launched today a national strategy to combat violence against women, a significant step towards achieving women's rights.

❖ [...] Despite achievements in the field of women's protection and empowerment, significant challenges remain, such as the lack of parliamentary endorsement of a Law to Protect Families from Domestic Violence. The delay in the approval of this law hinders the journey towards gender equality and women's empowerment as well as overall national sustainable development and peace-building. [...]

❖ [Human Rights Watch, World Report 2019: Iraq, 17 January 2019](#)

[...] Human Rights Watch and other organizations documented a system of organized rape, sexual slavery, and forced marriage by ISIS forces of Yezidi women and girls. However, no ISIS member has been prosecuted or convicted for those specific crimes.

[...] Women have few legal protections to shield them from domestic violence. Iraq's criminal code includes provisions criminalizing physical assault but lacks any explicit mention of domestic violence. While sexual assault is criminalized, article 398 provides that such charges be dropped if the assailant marries the victim. [...]

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] Rapists can avoid prosecution if they marry their victims [...]

Domestic violence often went unreported and unpunished, with abuses customarily addressed within the family and tribal structure in 2019

❖ [Iraqi Women Network, Women, Peace and Security: Recommendations for the UPR of Iraq, March 2019](#)

[...] Women survivors of sexual violence experience stigma, rejection by the family and community, or honour killings, as well as poverty, sexual exploitation and harassment. Most of these women remain in situations of violence and dependence, as they are afraid to report incidents or seek protection.

[...] Social and tribal norms, fear of stigma and further violence (particularly honour killings) deter women and girls from reporting violence. Law enforcement is weak and cases tend to be resolved by tribal hearings and family negotiations with no regard for the rights of victims. [...]

❖ [Global Justice Center, Iraq: Submission to the United Nations Universal Periodic Review Thirty-Fourth Session of the UPR Working Group of the Human Rights Council 4–15 November 2019, 29 March 2019](#)

[...] Iraq's criminal laws as rendered fail to provide protections for women and girls in violation of this requirement. Specific examples where legal reform is needed include amending provisions regarding rape, forced marriage, torture, as well as domesticating the international crimes of genocide, crimes against humanity, and war crimes in line with international standards. The definitions of these crimes leave out various forms of violence against women that are protected under CAT, ICCPR, CEDAW, and the Geneva Conventions. Until these criminal laws are reformed, Iraq will continue to be in violation of its human rights obligations.

Not only are women and girls entitled to non-discriminatory application of the rights contained within these treaties, but so too are they entitled to non-discriminatory reparations in the event that those rights are infringed.⁷ If Iraq's criminal laws are left unchanged, Daesh's female victims will be unable to achieve meaningful justice or seek proper redress for the unique harms they faced on the basis of their gender and sex.

[...] Iraq's definition of rape, forced marriage, and torture are a few examples of how the country's criminal laws collectively fail to fully define, deter, prevent, punish, or redress sexual and gender-based violence crimes. Clearly defining these crimes in line with international standards is an important step in implementing the Iraqi Government's obligations to eliminate discrimination against women.

[...] 11. Iraq's rape laws are not in line with international standards and do not encompass the number of ways that rape was perpetrated and used by Daesh against the Yazidis. Specifically, Iraq's Penal Code Article 393 defines rape as "*sexual intercourse with a female without her consent or...buggery with any person without their consent.*" Article 393 is not gender-neutral and is limited only to acts of "sexual intercourse" (vaginal intercourse)—leaving out Daesh's serious violent and invasive sexual crimes that were beyond "sexual intercourse or buggery" (e.g. by including penetration by objects and other body parts). "Consent" is central to Iraq's definition of rape (rape only occurs where there is lack of consent).¹² However, the term "consent" is not defined, clarified, or otherwise described anywhere in the Penal Code's rape provision. Prosecutions focusing on "consent" inherently focus on semantics about the victims' words or actions and do not properly consider victims whose enslavement, age, or subjection to threats or coercive environments prevented genuine consent.¹³

[...] Reporting Rape

13. Article 3 of Iraq's Criminal Procedure Code establishes that prosecution for rape only begins if the victim affirmatively acts.¹⁵ Complaints relating to rape will not be accepted more than three months after the victim "*became aware of the offence or from the disappearance of any compelling excuse*" which prevented the complainant's submission of the complaint.¹⁶ If the victim withdraws their complaint, they "*lose their right to criminal justice.*"¹⁷ Penal Code Article 385 criminalizes "*any person who has carnal knowledge of a girl to whom he is not married with her consent when she has not yet reached the age of 18.*"¹⁸ A prosecution of this crime, however, "*may only be brought on the basis of a complaint by the victim or her ancestor, descendant, brother or sister.*" [...]

7 UN Guidance Note of the Secretary-General: Reparations for Conflict-Related Sexual Violence, p. 4 (June 2014).

[...] 12 Penal Code art. 393(1). "Consent" is not otherwise defined or qualified in the Iraq Penal Code or Criminal Procedure Code. The Penal Code's description of sexual assault as "without his or her consent and with the use of force, menaces, deception or other means" may suggest that consent and force/coercion are distinct concepts in Iraq law.

Penal Code art. 396(1); see also Penal Code art. 393 (describing perpetrators' authority over the victim, the victim's age, and multiple perpetrators as aggravating circumstances rather than circumstances affecting potential consent.)
 [...] 15 Criminal Procedure Code art. 3(A)(iii) (in cases of rape where the victim is a spouse or descendent of the perpetrator); Penal Code art. 385 (complaint must be brought by victim or ancestor). The Criminal Procedure Code also specifies that the right to submit a complaint does not transfer to heirs. Criminal Procedure Code art. 9(D). See also, U.N. ASSISTANCE MISSION FOR IRAQ & OFFICE OF THE HIGH COMM'R FOR HUMAN RIGHTS, PROMOTION AND PROTECTION OF RIGHTS OF VICTIMS OF SEXUAL VIOLENCE BY ISIL/ OR IN AREAS CONTROLLED BY ISIL IN IRAQ ¶ 23 (Aug. 22, 2017), http://www.uniraq.com/index.php?option=com_k2&view=item&task=download&id=2237_d4579691236af63a6d57621c51d8aa35&Itemid=650&lang=en [UNAMI, PROMOTION AND PROTECTION OF RIGHTS OF VICTIMS OF SEXUAL VIOLENCE BY ISIL].
 16 Criminal Procedure Code art. 6.
 17 Criminal Procedure Code art. 9(F). Article 8 also specifies that complaints will be dismissed if not "followed up on" by complainants within three months in cases where submitting a complaint is required. Criminal Procedure Code art. 8.
 18 Penal Code art. 385.

❖ [Al Jazeera, 'I felt I was going to die': Battling domestic violence in Iraq, 13 July 2019](#)

[...] Iraq's penal code allows husbands to discipline their wives, and there is currently no law criminalising domestic violence. For almost a decade, women's rights groups have been pushing parliament to pass a law that would change that – but it has always stalled.
 "The law in Iraq doesn't give women their rights," says Lena, a domestic violence survivor whose abuse left her with physical and psychological ailments.
 "I tried so many times to leave [my ex-husband] ... At the end of the day, I felt that I was going to die," she says.
 But the abuse was just the beginning of her ordeal. After she left her husband and filed a police report, he turned the tables against Lena and her family, accusing them of kidnapping him.
 At the end of the day, Lena was found guilty and spent 16 months in prison.
 Lena blames the wide-reaching corruption in the judicial system, "from the lowest clerk to the highest judge."
 She says Iraqi women who are unemployed or not well educated, especially those who have children, are forced to "bear everything".
 "We don't have laws in our society to prevent men from hurting women, and to protect women, and to put red lines for men not to cross," she says.
 [...] "The life, the traditions, is so hard on the woman, on the girl," says Hanna Edwar, a longtime activist and founder of a non-profit social services group called al-Ammal.
 She calls domestic violence "a national crisis" and attributes the increase to a number of factors, including political instability, poverty, conflict, outdated traditions and lack of rule of law. She says corruption also makes it difficult for victims and survivors to get justice.
 Edwar has taken the lead on the effort to raise awareness about domestic violence and is pushing to pass the law offering victims greater protection.
 "This year we are really very optimistic about it [passing]," she says. "Because it's not only our demand as civil society. It is now the demands of the government [as well]." [...]

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] Rapists can avoid prosecution if they marry their victims [...]

Domestic violence often went unreported and unpunished, with abuses customarily addressed within the family and tribal structure in 2020

❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)

[...] Civil Liberties
 [...] G. Personal Autonomy and Individual Rights
 [...] G3 0-4 pts
 Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? ¼

[...] Rapists can avoid prosecution if they marry their victims; spousal rape is not prohibited. The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice. [...]

- ❖ [MADRE, Organization for Women's Freedom in Iraq \(OWFI\), Human Rights and Gender Justice Clinic, City University of New York School of Law, Seeking Accountability for Gender Based Violence and Human Rights Violations In Iraq: A Report for the United Nations Committee Against Torture, 9 November 2020](#)

[...] 2. Sexual and Gender-Based Violence (SGBV) as Torture (Arts. 1, 2, 4, 12, 13, 14, 16)

[...] A. Domestic Violence During the COVID-19 Pandemic

[...] Movement restrictions in the COVID-19 context, and the requirement that victims lodge an in-person domestic violence complaint with Family Protection Units to receive services are exacerbating barriers to reporting.²⁰ [...]

20 UN Women, Security Council Informal Experts Group on Women, Peace and Security Responding to the COVID-19 Pandemic, at 6 (Apr. 29, 2020) (on file with MADRE).

- ❖ [Iraqi Civil Society Solidarity Initiative, Girls and Women: Caught between Lockdown and Domestic Violence, 16 June 2020](#)

[...] Responding to cases of violence

In Iraq, Mr. Jumaa [lawyer and activist focused on women's and children's issues, and legal advisor to several Iraqi civil society organizations] explained, responses to violence are often so delayed that women effectively lose their rights! Protective measures for abused women are complicated; there are multiple steps to file a complaint, each of which requires official approval. Additionally, the existing general law is not designed to provide urgent response and treatment, especially during official holidays. The existing options are impractical since their application is so difficult, tiresome, and slow. In fact it can add to the psychological stress of the abused woman. Additionally, social norms and customs—like parents blaming the victim for her abuse and trying to prevent her from filing a complaint—has obstructed effective responses to violence. Women may even choose to tolerate violence for the sake of their children or the reputation of their families. [...]

- ❖ [UN General Assembly, Human Rights Council, Forty-fourth session, Visit to Iraq: Report of the Special Rapporteur on the human rights of internally displaced persons, 13 May 2020](#)

[...] V. Particularly vulnerable groups

[...] D. Sexual and gender-based violence

[...] Cases of sexual and gender-based violence are largely underreported, which is probably due to the lack of access to judicial or administrative mechanisms, fear of stigmatization or retaliation, and lack of criminal accountability for perpetrators and protection mechanisms for survivors. The Ministry of the Interior reported having established mechanisms to receive complaints of sexual and gender-based violence inside camps, such as mobile units deployed to camps and the opening of a hotline to report domestic violence. Although these efforts are most welcome, they must be combined with greater criminal accountability for perpetrators, protection measures for survivors and awareness-raising efforts to combat stigmatization. Protection, legal, medical and psychosocial support services should be strengthened, especially inside camps, for women and girl survivors of sexual and gender-based violence. [...]

- ❖ [United Nations Iraq, Safety at home, an illusion for far too many women in Iraq \(OHCHR\), 13 May 2020](#)

[...] In mid-April, the United Nations in Iraq confirmed multiple reports of horrific abuse, including the rape of a woman with special needs, spousal abuse, sexual harassment of minors, and suicide due to domestic abuse. Iraq's High Judiciary Council subsequently issued a circular calling on judges to use all legal provisions for deterrence, but this won't close the loopholes.

[...] The 'humiliation' of being exposed in front of neighbours and the community has often led to under-reporting of domestic violence. Victims do not always seek support, for fear of publicly shaming their family. This is exacerbated by home confinement.

“Throughout Iraq, entire families are confined together,” notes [Danielle] Bell [Head of UN Human Rights in Iraq]. “Quite frequently, there is a pressure to resolve family disputes – including domestic violence - without any intervention from a third party due to shame and stigma associated with such violence. Resolutions are therefore fraught, and the cycle of violence just continues.”

[...] In situations where perpetrators have been brought to account, they have often simply been forced to sign a document to say they will not repeat the offence. Another favoured ‘solution’ is that victims are asked to ‘reconcile’ with the perpetrators. [...]

❖ [Human Rights Watch, Iraq: Urgent Need for Domestic Violence Law, 22 April 2020](#)

[...] Speaking of Iraq, Naji, of the Women for Peace Organization said, “Now you might have three families living together, 20 people, all in one small home, and we have no adequate system to be monitoring the potential escalation of domestic violence cases because they aren’t being reported.” [...]

Number of cases of violence against women, of self-immolation, suicides, homicides, rape and sexual abuse reported in the KRI in 2017

❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)

[...] In March 2017, the General Directorate of Combatting Violence against Women (GDCVAW) released the violence against women (VAW) statistics for November and December 2016 on its website. With the final statistics for 2016, a decrease is observed in the number of cases from 2015 (8,002) to 2016 (7,123). This comes after a general increase between 2013 and 2015. It is not known whether this reflects a decrease in the incidence of violence or only a decrease in reporting. The total of 7,123 VAW cases for 2016 covers the six Directorates of Combatting Violence against Women (Erbil, Sulaymaniyah, Dohuk, Raparin, Garmian, and Soran). This figure includes 119 cases of killing and suicide, 317 cases of burning and self-immolation, 6,579 cases of verbal or physical abuse, and 108 cases of sexual violence. Notably, statistics for January-May 2017 (the most recent available) show an increase in the number of VAW cases (3,789 cases) compared to the same period in 2016 (2,642 cases).²⁵ [...]

²⁵ The official site of General Directorate of Combatting Violence against Women: <http://bgtakrg.org/index.php/statics> [accessed on 30 June 2017].

Number of cases of violence against women, of self-immolation, suicides, homicides, rape and sexual abuse reported in the KRI in 2018

❖ [Al-Monitor, Iraqi Kurdistan struggles to end violence against women, 18 December 2018](#)

[...] Head of the General Directorate of Combating Violence Against Women Kurda Omar told NRT channel on Nov. 6 that in the first 10 months of 2018, violence against women has increased both at home and at work, particularly sexual violence. In the first nine months of this year, 91 women were killed or “committed suicide” in the Kurdistan region, 203 women either “burned themselves” or were burned, 87 sexual assault cases were recorded, and 7,191 women complained about being subjected to violent acts, according to official statistics quoted by NRT.[...]

Number of cases of violence against women, of self-immolation, suicides, homicides, rape and sexual abuse reported in the KRI in 2019

[Alliance \(Ensan\) for the Human Rights - Third Session 2019, March 2019](#)

[...] 6- Violence against Woman in Kurdistan region:

6-1- During the three months only (November and December 2018 and January 2019), noted the increase in cases of arson, suicide, violence and sexual abuse. The directorates of combating violence against women in Kurdistan (Erbil, Sulaymaniyah, Dohuk, Rabreen, Karamian and Suran) reported 23 cases of murder and suicide, 50 cases of burning and self-sacrifice, 2138 cases of verbal or physical abuse, and 20 cases of sexual violence. [...]

Due to social conventions and retribution against both the victim and perpetrator of sexual harassment, victims of sexual harassment usually did not pursue legal remedies in 2017

❖ [Freedom House, Freedom in the World 2018 – Iraq, 16 January 2018](#)

[...] Sexual harassment in the workplace is prohibited, but it is reportedly rare for victims to pursue formal complaints. [...]

❖ [Amnesty International, The Condemned: Women And Children Isolated, Trapped And Exploited In Iraq, 17 April 2018](#)

[...] Several women with perceived ties to IS reported being harassed due to their alleged affiliation by security forces present at the camp, camp authorities, staff members of humanitarian aid organizations and other camp residents. The forms of harassment described by the women interviewed for this report included general verbal harassment, sexual harassment and other forms of intimidation and abuse.

Many women told Amnesty International that they faced routine verbal harassment in the camp.¹⁰⁷

[...] Some women interviewed for this report also reported that relatives, members of the community or armed actors had approached the entrance of the camp to threaten or sexually harass them.

[...] Several women with perceived IS ties reported being sexually harassed by medical workers and humanitarian aid workers.

[...] Due to this harassment, as well as the sexual violence and sexual exploitation outlined below, many women reported that they felt extremely unsafe in the camps.

[...] Women targeted for sexual violence, including rape and sexual exploitation, are often unable to take action to end these abuses. Several obstacles prevent victims, other camp residents and humanitarian organizations from reporting incidents and threats of sexual violence. Perhaps most importantly, Iraqi women subjected to sexual violence can be stigmatized by their families, other camp residents or camp authorities, who may blame the women for the treatment they have received. Women who complain about sexual violence and exploitation are also at risk of being penalized by camp authorities or others in positions of power in the camp, who are able to withhold aid, restrict their movement, confiscate their documents or even subject them to more intense sexual violence after receiving complaints. Several women told Amnesty International that, after complaining members of the camp administration about their treatment, they had faced retribution or punishment. [...]

107 This was consistently reported in interviews conducted with female-headed households in IDP camps in December 2017 and January 2018.

Due to social conventions and retribution against both the victim and perpetrator of sexual harassment, victims of sexual harassment usually did not pursue legal remedies in 2018

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] Sexual harassment in the workplace is prohibited, but it is reportedly rare for victims to pursue formal complaints. [...]

Due to social conventions and retribution against both the victim and perpetrator of sexual harassment, victims of sexual harassment usually did not pursue legal remedies in 2019

❖ [BBC, Are men the main target of sexual harassment in Iraq?, 11 July 2019](#)

[...] Dr Kathrin Thomas, a research associate on the Arab Barometer, the research network that carried out the survey, cautions that women experiencing sexual harassment may prefer to remain silent.

"Asking about a sensitive topic, such as harassment, comes with a few caveats," she says.

"People tend to under-report the prevalence of harassment, as it may be embarrassing and unpleasant for them to talk about it, or reporting harassment may potentially have negative consequences for them.

"Women may be more prone to under-report harassment compared to men."

Belkis Wille, senior Iraq researcher for Human Rights Watch, agrees.

"Women are often reluctant to come forward and categorise their experiences as domestic or sexual violence. Even the terminology can be unfamiliar," she says.

This tendency has been noticed in Iraqi hospitals, she points out. By law the hospitals have security officers present at all times, and doctors are obliged to inform them if a woman says she is the victim of abuse. "So often women will lie and protect the perpetrators, especially if they are known to them, as they are scared to trigger a criminal investigation which might put them at risk of retribution," she says [...]

❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)

[...] Employment

31. The Committee expresses concern about:

[...] (f) The lack of data on reported cases of and prosecutions for sexual harassment in the workplace.

32. The Committee recommends that the State party:

[...] (f) Ensure that sexual harassment crimes are reported and perpetrators are prosecuted, in accordance with articles 10 and 11 of the Labour Act (No. 37 of 2015). [...]

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] Sexual harassment in the workplace is prohibited, but it is reportedly rare for victims to pursue formal complaints. [...]

[Due to social conventions and retribution against both the victim and perpetrator of sexual harassment, victims of sexual harassment usually did not pursue legal remedies in 2020](#)

❖ [KirkukNow, Sexual Harassment: The trauma of the Iraqi female journalists, 24 April 2020](#)

[...] Laws are not enough

The fear of filing complaints is immense as it jeopardizes the reputation of women in the society. This was the fear Hiba, 30, had when she was sexually harassed by one of her employers at an Iraqi television station newsroom.

"I applied for job as a presenter, and after I was tested and accepted for the job, the news director said I should visit him at his apartment or he would not offer me the job as a presenter at his newsroom."

Hiba, who used her real name in her conversation with KirkukNow her real name because she has never worked in any media institution, said "I did not file a lawsuit for the harassment I faced because eventually; whatever the case may be, people say you created the opportunity for the person to harass you."

The negligence of the security forces when a victim turns to them is another primary reason that women avoid filing complaints.

Raja Abd Ali, a lawyer, recalled, "I worked with Iraqi Female Journalists Forum to address many lawsuits of sexual harassment of Iraqi women. We won some of the cases, and the others were settled. Despite that, the victims wanted their cases to remain anonymous because of the fear of society, authority, and the retaliation of their harasser, as well as the possible defamation and scandal of victimhood." [...]

❖ [Raseef 22, Harassing Iraqi Women In Media Is Always On the Menu, 8 February 2020](#)

[...] Behind the glitz of media and celebrity in Iraq lay secrets that few people want to speak about. Many women who work in media suffer similar incidents but prefer not to speak out. They feel that speaking out against sexual harassment and abuse may jeopardize their career and instigate social stigma and shame on them. [...]

[...] Harassment by the Police

Ezzat Akram, a human rights activist, explains that victims choose not to report harassment because "the harassment laws and provisions are often reduced by the authorities who are in position of protecting victims and stopping this phenomenon".

Akram further explains that the role of the community police is not enforced properly. According to her, the provisions are available but are not enforced, and in some cases members of the police and army commit harassment".

[...] The Community Police

Brigadier Khaled Al-Muhanna, Director of Community Police at the time of the investigation, the spokesperson for the Ministry of Interior, admits that "harassment is growing due to the lack of awareness among some police personnel. The community police department was established in 2008 in order to address problematic cultural concepts such as harassment.

Al-Muhanna notes that "part of the problem is the fact that the majority of women are afraid to inform the police, their relatives or their employers". He adds that "the Ministry of Interior is planning to address the phenomena and educate the police in order to serve citizen in a better way". [...]

Couples and individuals have the right to decide the number, timing, and spacing of their children; manage their reproductive health; and couples have access to the information and means to do so, free from discrimination, coercion, or violence in 2017

❖ [BBC News, Saving Mosul's mothers-to-be, 4 April 2017](#)

[...] The US has withdrawn \$32.5m (£26m) in funding for the United Nations Population Fund (UNFPA), an agency that promotes family planning in more than 150 countries.

The state department believes the UNFPA "supports or participates in" coercive abortion programmes.

But the agency says all of its work protects the rights of individuals and couples to make their own decisions, free of discrimination.

Some of their most important projects help women give birth safely in war zones like IS-occupied Mosul, where maternity care has been crippled.

[...] Without drugs or doctors they risk dying in childbirth along the way, as well as the hazards facing all escapees: Being shot, blown up by landmines, or captured and tortured by IS thugs. Unsurprisingly, miscarriages are common.

Their best hope comes from humanitarian groups in the area - notably the United Nations Population Fund (UNFPA), which works to help pregnant women caught in emergencies.

Ramanathan Balakrishnan, the UNFPA Representative for Iraq, told the BBC there are four mobile clinics serving Mosul which follow those fleeing the district, bringing qualified medics and a safe environment to those in need.

"Whether women are on the move or not, the need for obstetric care doesn't go away. So wherever women are going, they go."

[...] Many of the doctors at the Qayyara clinic are graduates of Mosul University, a once-proud institution that was among the best research centres in the Middle East. Recent pictures of the library reveal a burnt-out shell - another casualty of IS brutality.

Dr Badri, a gynaecologist, left the city with her son. She says being pregnant there is hell, as IS has erased women's rights and confined them to their homes without pre-natal care. Treating pregnancy complications is nigh-on impossible.

"I had no medical equipment and only limited medical supplies in stores," she sighs. [...]

❖ [World Health Organization \(WHO\), Human Reproduction Programme \(HRP\) and United Nations \(UN\), Global Abortion Policies Database, Country Profile: Iraq, last updated: 7 May 2017](#)

[...] Abortion at the woman's request – Iraq: No

[...] Legal Ground and Gestational Limit – Iraq

[...] Economic or social reasons: No

[...] Foetal impairment: Yes

[...] Rape: No

[...] Incest: No

[...] Intellectual or cognitive disability of the woman: No

[...] Mental health: Yes

[...] Physical health: No

[...] Health: Yes [...]

❖ [Minority Rights Group International, Crossroads: The future of Iraq's minorities after ISIS, June 2017](#)

[...] Women and children

Conditions in IDP settlements have always been worse for women and children. In addition to living in physical danger, they struggle with lack of adequate health care and education. A study conducted with women and children, aged 15 and under, among a sample of this IDP population in Kirkuk, Baghdad and Karbala governorates, explored in-depth the main challenges they face. Among other things, it revealed the particularly problematic issue of maternal health. [...] Poor conditions at the time of delivery are also common, as confirmed by respondents for this report.

'My wife gave birth to our daughter in Erbil via caesarean. The doctors were rough through the procedure and they ended up breaking the baby's hips and injuring her arm. She risked not being able to walk any more, so we had to operate her. She is just a baby. We had to pay for the surgery and we spent everything we had to do it.'

Yezidi IDP, Khanke Camp, Dohuk, February 2017 [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), 'Human Rights, Every Day, for All Iraqis': Promotion and Protection of Rights of Victims of Sexual Violence Captured by ISIL/or in Areas Controlled by ISIL in Iraq, 22 August 2017](#)

[...] In its capacity as a State party to the CEDAW and other international treaties, and in accordance with the health-related rights enshrined in Articles 30 and 31 of the Iraqi Constitution, the Government of Iraq has obligations pertaining to health care towards women and girls. . As part of these obligations, the Government of Iraq therefore must provide access to the full range of medical and psychological support and sexual and reproductive health information to women and girls; to guarantee full, unhindered access to services, information and assistance without discrimination; and to ensure that third parties do not obstruct enjoyment of the right to health by women and girls. In every respect, the Government of Iraq should focus on appropriate forms of psychosocial, medical, financial, and other forms of support, meaning community-based care, which empowers women and girls to reach their maximum potential.

46. Iraq must also respect, protect and fulfil the right of women to access specific educational information to ensure the health and wellbeing of their families, including information and advice on family planning. Assistance and support must be offered to pregnant women and girls on the full range of their reproductive rights and make available services to assist them with whatever choices they make. With respect to the latter, the Government of Iraq needs to clarify what law is applicable to the termination of unwanted pregnancies for women and girls who were subjected to sexual violence, ensuring that the law and its implementation are in accordance with the rights of women and girls under national and international law. [...]

Couples and individuals have the right to decide the number, timing, and spacing of their children; manage their reproductive health; and couples have access to the information and means to do so, free from discrimination, coercion, or violence in 2018

❖ [Amnesty International, The Condemned: Women And Children Isolated, Trapped And Exploited In Iraq, 17 April 2018](#)

[...] RISKS FOR WOMEN'S HEALTH

Because sexual exploitation is so widespread in the camps, humanitarian workers are now concerned that sexually transmitted infections, unwanted pregnancies and unsafe abortions will emerge as the next challenges in the IDP camps. An international aid worker told Amnesty International: "I am concerned about these women's reproductive health. The men are forcing them into sex, and there is no plan in place to prevent sexually transmitted infections or pregnancy... The issues will keep evolving. In the spring, we will be talking about self-induced abortion."¹⁴¹ These fears were shared by the victims of sexual exploitation. "Tala" told Amnesty International that she needed to have three abortions after engaging in multiple relationships with men:

I got pregnant three times in nine months... [One of the men who pressured me into sex] gave me drugs for an abortion. He gave me a vial of something yellow, and then they injected it into me at the health centre. I told the doctor it was a multivitamin that I had been given. All of the women who I know who were doing this work also became pregnant and then took the same drugs to get rid of the pregnancy. All of us were doing this. We would all do it in the first or second month of the pregnancy.¹⁴² [...]

141 Interview with staff member of international humanitarian organization on 13 December 2017. 2018

142 Interview with "Tala" on 16 January 2018.

❖ [Finnish Immigration Service, Overview Of The Status Of Women Living Without A Safety Net In Iraq, 22 May 2018](#)

[...] Under Article 417, abortion is a punishable offence, the maximum sanction being one year of imprisonment and a fine.¹⁰³ [...]

103 Penal Code 111 of 1969 as amended to 14 March 2010, [translation: Iraqi Local Governance Law library], Article 417.

❖ [REACH Initiative and RWG \(Iraq>Returns Working Group\), Baashiqra Area Based Assessment, Iraq, July 2018](#)

[...] Furthermore, health KIs reported that for specialised, maternity, and trauma care, residents needed to travel outside of Baashiqra, as the facilities within the town did not contain sufficient supplies, equipment, or staff for these treatments. Therefore, most residents were reportedly traveling to hospitals in Mosul, which was said to take around 45 minutes driving, as the road to the hospital in Sheikhan to the north was reported to be closed. [...]

❖ [REACH Initiative and RWG \(Iraq>Returns Working Group\), Rapid Overview of Areas of Return \(ROAR\) Rawa and Surrounding Areas: Anbar Governorate, Iraq, July 2018](#)

[...] Healthcare

[...] There was reportedly no capacity for surgeries or services for pregnant women at the healthcare centre. A humanitarian organisation was said to be providing prenatal care in Rawa, but for delivery, women needed to travel to Ana or Ramadi. [...]

❖ [OCHA, Iraq: Humanitarian Needs Overview 2019, November 2018](#)

[...] IRAQ, MULTI-CLUSTER NEEDS ASSESSMENT (MCNA) September 2018

[...] In camp IDPs

[...] 38% lack access to reproductive health services

[...] Out-of-camp IDPs

[...] 12% lack access to reproductive health services

[...] Returnees

[...] 37% lack access to reproductive health services [...]

❖ [UNESCWA, Gender, Justice and the Law: Iraq – Country Summary, December 2018](#)

[...] Abortion for rape survivors

Article 417 of the Penal Code criminalizes abortion. There is no specific exception permitting abortion for rape survivors. It is considered a legally mitigating circumstance for a pregnant woman to procure an abortion because of shame. [...]

❖ [CRC \(Community Resource Centre\) and REACH Initiative, Hawija City Area-Based Assessment from October to November 2018, February 2019](#)

[...] Healthcare facilities in Hawija were said not to provide maternity care, treatment for chronic diseases, or psychological care. KIs with expert knowledge of healthcare in Hawija city (Health KIs) and community leader KIs as well as CGD participants reported that residents had to travel to Kirkuk to access this type of healthcare, which reportedly cost between IQD 7,000 and 25,000 (between USD 6 and 21).⁶² KIs reported that there were no mobile medical services or rehabilitation services available in Hawija city, for which people have to travel to Kirkuk. [...]

62 Prices converted using www.xe.com on 24 January 2019

❖ [Iraq High Commission for Human Rights \(IHCHR\), Report on Iraq's compliance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, March 2019](#)

[...] Internally displaced women and girls, returnees and refugees (13 and 14)

The Commission, through its field monitoring teams, has indicated the following:

[...] 3. The Ministry of Health lacks productive family planning programs, which led to the continuation of cases of early marriage and polygamy and reproduction inside IDPs camps.

[...] Health (42, 43)

[...] IHCHR has launched the new Reproductive Health Strategy after the completion of the previous strategy 2014-2017 but has been included in the Ministry of Health plan for 2018. It has not been issued as an independent strategy and is considered a negative indicator because it does not give this profile privacy in planning and disbursement.

The Commission noted that the citizen bears the fees of the provision of health service in public hospitals which are not commensurate with the possibility of limited income. The IHCHR recorded that one of the young mothers died due to obstetric complications because her parents were unable to pay the fees and they had to return her to give birth at home. This was in a hospital in the districts of Baghdad and the hospital administration proposed to approve the exception of the dangerous cases. IHCHR has addressed the Office of the province of Baghdad and the health ministry to develop alternative solutions.

The Ministry of Health participated in the survey on maternal, child and newborns health in cooperation with UNICEF for the period 2016-2017 and the Ministry of Planning. The results of the survey are as follows: the rate of stillbirths (8.5 per 1000 live births), female to male ratio (11.6%), postpartum (33.0%), maternal mortality rate per 100,000 live births (30.1 for 2014, 32 for 2015, 36.1 for 2017). Congenital malformations are the second most common among the top ten causes of child mortality according to the survey, and the percentage of this classification to the rest is 10.1% and 11.9% according to the Ministry of Health's 2017 statistical report.

[...] IHCHR noted that the Poverty Reduction Strategy 2018-2022 set only two targets: for women's reproductive health (training of midwives in poor areas at a cost of \$ 600 million and comprehensive health awareness campaigns at a cost of \$ 750 million) secured by international grants and government funding. The Iraqi Penal Code criminalizes abortion in accordance with the provisions of Articles 417, 418 and 419 by punishing a woman who deliberately aborts herself, as well as those who cause abortions, and forbids women from aborting themselves except in specific cases, as the pregnancy is a danger to her life, but the freedom of abortion to determine birth or marital differences is not allowed at all and at the level of social custom pregnancy is still no matter how many children are there is a matter of pride of the family and so the alternative is to intensify family planning programs followed by The Ministry of Health in the primary health centers, especially in areas marked ignorant and poor.

Recommendations:

- Urge the government to adopt an independent and specialized reproductive health strategy.
- Urge the government to take into account the beneficiaries of health services in public hospitals and exempting needy families from fees.
- Training specialized medical personnel to be able to deal with minor mothers.
- The government should adopt educational and awareness programs to encourage women to conduct an annual periodic checkup for early detection of potential breast diseases, open specialized centers in the provinces to treat breast cancer patients, intensify family planning programs of the Ministry of Health in primary health centers, especially in rural areas to dealing with abortions.

[...] About our maternity centres in west Mosul

More than two year since the battle between the Islamic State (IS) group and the Iraqi forces officially ended in Mosul, Iraq, the healthcare system remains fragile with thousands of families struggling to access quality affordable health care and even the community's primary health care needs remaining unmet. Among the most vulnerable are pregnant women, many of whom have been pushed to deliver at home with untrained traditional midwives, either because they cannot afford the fee for delivery or because maternity services are overcrowded or completely absent in their area, as well as their newborn babies who cannot wait for care because the health system is not ready for them. [...]

Couples and individuals have the right to decide the number, timing, and spacing of their children; manage their reproductive health; and couples have access to the information and means to do so, free from discrimination, coercion, or violence in 2019

❖ [Norwegian Refugee Council \(NRC\), Barriers from birth: Undocumented children in Iraq sentenced to a life on the margins, 30 April 2019](#)

[...] Health Services

[...] In practice, the documentation requirements in hospital and medical facilities around the country vary greatly. In one case documented by NRC, Eman, a woman from west Mosul whose husband was missing, could not give birth in two different hospitals because she did not possess a valid civil ID or a marriage certificate.

She told NRC she was questioned about whether her husband was affiliated with IS or if her child was conceived outside of a marriage. The hospital staff also threatened to keep her new born in the hospital until the father presented himself. Eman gave birth at home without a doctor to supervise the process.

[...] Undocumented newborns in Hawija, Kirkuk denied vaccinations

According to a local health directorate official in Hawija, women without documentation are allowed to give birth in hospitals in the area. However, hospitals will not issue a birth certificate for the child unless both parents are carrying their civil IDs. Without a birth certificate, one health official said that newborns are not able to receive vaccinations, reportedly resulting in the emergence of diseases amongst children, such as leishmaniasis, scabies and measles, that were not present in the area before the IS period. Further exacerbating the challenges facing women to obtain birth certificates for their children is the ability to reach a hospital, particularly for women living in rural areas. The road between Hawija city and the surrounding villages is closed after 19:00, so women who go into labour in the evenings have no choice but to give birth at home. [...]

❖ [The Jerusalem Post, Framing the abortion picture in the Arab world, 22 May 2019](#)

[...] "Islam has some different ideas regarding abortion," Zhiman Hussein, a project manager at Nujeen, told The Media Line. "[In Iraq], only unsafe abortions are available. There are no service providers for abortions except [for] those women and girls who were released from Islamic State's rule."

Hussein said her organization had opened the clinic so that women would have access to safe abortions.

"This process happened secretly because abortion is still illegal in Iraq," she explained. "We've opened a clinic if [women and girls released from ISIS captivity] want to visit."

In Iraq, abortion is prohibited in almost all cases and is punished by imprisonment and fines, according to Nujeen. [...]

❖ [Nujeen NFDO, SAAF narrative report first, second and third period, 25 July 2019](#)

[...] For security reasons and social considerations related to stigma, most of the survivors were concentrated in the Qadia camp, located 35 kilometers from the city center of Duhok, with a sense of responsibility and in response to the achievement of our first goal: to improve the capacity of abortion service providers to ensure increased access to safe abortion service for the Yazidian women in Sharya area by end of the project in 2020. We went to Qadia Camp to provide safe abortion services and provide health care to survivors who were raped by the ISIS. In Coordination (DoH) and the Gynecology and Obstetric Hospital to provide some doctors specialists in the abortion and midwives, and also in coordination with some pharmacies and drug stores to provide treatment free. [...]

❖ [Médicins Sans Frontières \(MSF\), Mosul's expectant mothers just can't wait, 11 September 2019](#)

[...] More than two years after the battle for Mosul was officially declared over, normal life has in many ways returned to the city's streets but the health system has been very slow to recover. Many of Mosul's highly regarded doctors and other medical staff fled the city or the country during the fighting, and mothers and babies still struggle to access care.

[...] While there are no official figures for home births in recent years, patients in MSF's maternity units in Mosul often tell similar stories. Even women who have previously undergone caesareans, and are therefore at high risk of complications, often deliver at home, either because they cannot afford the fee charged by local facilities and are unaware of free services like MSF's, or because their families believe it is better for them to deliver at home attended by a traditional midwife.

Most pregnant women in Mosul receive no care before giving birth, even those who have paid for an ultrasound scan at a private clinic.

[...] Women at risk

"Almost none of the women we see have had proper antenatal care, so we have no idea about how the pregnancy is progressing when they arrive at our door," says Emily Wambugu, an MSF midwife with over 20 years' experience around the world.

"They're often persuaded to pay for expensive ultrasounds in private clinics but, with no real antenatal care – not even vaccinations or vitamins – it seems these ultrasound clinics are taking advantage of these vulnerable women and doing little more than telling them the gender of their unborn baby."

Many women delivering at MSF's maternity facilities in Mosul come from families who struggle financially. With unemployment running high across the city, many families cannot afford even daily essentials like food and housing, and some of the expectant mothers are clearly suffering from malnutrition.

In MSF's maternity units in Mosul, the youngest mothers are in their early teens while the oldest are in their mid to late 40s, sometimes pregnant with their fourteenth or fifteenth baby. The very young women whose bodies are not ready for childbirth, as well as those older women who have had upwards of 10 babies, are at very high risk of complications during pregnancy, labour, delivery and post-partum. [...]

- ❖ [Geneva International Centre for Justice \(GICJ\), Shadow Report on Iraq submitted by Geneva International Centre for Justice \(GICJ\) to the Committee on the Elimination of All Forms of Discrimination Against Women, 74th Session, 21 October – 8 November 2019, 10 October 2019](#)

[...] 16. Unsurprisingly, the same leniency is, however, not extended to women when they seek or get abortions. Article 417 of the Penal Code criminalizes abortion.⁸ No exceptions or mitigation are provided even in cases of rape or foetal impairment.⁹ It is considered a legally mitigating circumstance if the pregnancy brings shame. In the eyes of the Iraqi law, an unborn child (even if it is the result of rape) and “honour” are deemed more valuable than the life of a woman or her wellbeing. With widespread systematic rape and sex trafficking going on, women are seeking unsafe procedures to terminate unwanted pregnancies, resulting in serious health risks including sepsis, haemorrhaging and death. In fact, laws concerning abortion in Iraq have become more restrictive over the years. [...]

8 Iraq: Gender, justice & the law
https://www.unescwa.org/sites/www.unescwa.org/files/events/files/iraq_country_summary_-_english.pdf

9 abortion policies and reproductive health around the world
<https://www.un.org/en/development/desa/population/publications/pdf/policy/AbortionPoliciesReproductiveHealth.pdf>

- ❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)

[...] Health

33. The Committee notes the State party’s efforts to improve access for women to health care and health-related services, especially with regard to the prevention of breast cancer and through the implementation of the national strategy for reproductive, maternal and child health (2013–2017). Nevertheless, it notes with concern:

- (a) That rural women, women with disabilities, internally displaced women and refugee women in camps in the State party continue to lack adequate access to basic health-care facilities, clean water, sanitation, high-quality medical care and psychological support;
- (b) The lack of information and statistical data on women and girls living with HIV/AIDS;
- (c) The high maternal mortality ratio of 79 deaths per 100,000 live births in 2017 and the inadequacy of prenatal and postnatal care in the State party;
- (d) That, under articles 417 to 419 of the Penal Code, abortion is permissible only in cases in which there is a risk to the life of the pregnant woman;
- (e) That, despite the adoption of Act No. 38 of 2013 on the care of people with disabilities and special needs, women with disabilities have difficulty obtaining access to health-care services and that the health-care system often fails to provide reasonable accommodation for such women. [...]

- ❖ [Oxfam, Protection Landscapes in Diyala and Kirkuk, Iraq, 5 March 2020](#)

[...] HEALTHCARE

Respondents in both Kirkuk and Diyala consistently reported access to health services as an area of high need. Respondents to the household survey in Diyala and Kirkuk reported having better access to basic health services, such as emergency care and in-patient treatment, than to vaccinations, medication and reproductive healthcare. While Diyala reported slightly higher levels of access to health services in general, both governorates suffer greatly in this area.

While the vast majority of communities reported access to healthcare as a major gap in services, eight communities in both governorates (five in Diyala, three in Kirkuk) considered it the most pressing need. All but one of those communities reported the lack of medical personnel, specialized treatment and health facilities in nearby areas as the major causes of health challenges.

[...] Respondents in six communities stated that the lack of access to health services is having a particular impact on women, especially pregnant women. This is also related to the acute lack of female doctors reported in both governorates. Also, as we have seen, limitations on freedom of movement that are caused by the lack of cash on one hand, and from checkpoints and curfews on the other, combined with the fear of being attacked or harassed, may deter women from visiting medical facilities except as a last resort. [...]

Due to general insecurity in the country and attendant economic difficulties, many women nonetheless received inadequate medical care in 2017

❖ [Médecins Sans Frontière, Iraq: Crisis update Mosul - May 2017, 8 May 2017](#)

[...] While MSF continues to provide lifesaving emergency and surgical care to men, women and children wounded in the ongoing battle for Mosul, northern Iraq, our teams are now extending their response in order to cover gaps in hospital care, left by the severe destruction of the local health system.

“Most hospitals in Mosul have been damaged or destroyed,” said Marc van der Mullen, MSF Head of Mission. “In West Mosul, medical services are severely disrupted and the ongoing fighting is causing many injuries and deaths. In East Mosul, medical facilities slowly get back on their feet but there are gaps in medical services such as post-operative care, mother and child care, and inpatient care so MSF is working on addressing them.” [...]

❖ [Médecins Sans Frontières, Iraq: From chaos to the provision of care, 23 November 2017](#)

[...] Mosul has gone through an excruciating and painful process to reach the point where it is today. There is a lack of access to healthcare and a lack of services. This includes a lack of equipment, medical staff and medication. The number of returnees is increasing but very few hospitals are functioning. It's a dire situation.

The east of the city is less affected and life is slowly returning to normal. However, the west of the city has been destroyed. For someone returning to Mosul it is very difficult to access healthcare. Most of the hospitals are closed, most of the primary healthcare clinics are not up to standard – in terms of personnel and supplies – and patients have to pay a fee to enter the hospitals.

For us, a fee of 2,000 Iraqi dinars (1.45 euros) to enter a hospital is nothing, but for a returnee, it is a lot of money. If they have children who need medical assistance, they probably wouldn't be able to afford to treat them. Also, many people have to travel long distances on foot to reach medical facilities because they can't afford to take a taxi or public transport. This means it's hard for people to complete the trip in one day.

[...] The people living in the west side of Mosul face the biggest challenges. MSF runs one of only two functional hospitals there, but access to healthcare is still a challenge as the number of people returning is well above the capacity of the health infrastructure in that part of the city. Many can't afford to pay for taxis or public transport to get to Al Khansaa in east Mosul if they need to, and we faced many problems following up on patients who couldn't afford much-needed trips to the hospital. [...]

❖ [Médecins Sans Frontières \(MSF\), Iraq: Crisis update – December 2017, 18 January 2018](#)

[...] In West Mosul, Anbar, Hawija and Salaheddin, homes, infrastructure and services have been almost completely destroyed. In West Mosul and Hawija, the healthcare system remains in a dire situation. Most hospitals and clinics were bombed and there is a severe lack of services, equipment, medical staff and medication. The city of Hawija is still virtually empty as people wait for the area to be cleared of improvised explosive devices, mines and unexploded ordnance. In many post-conflict areas unemployment is also high and people struggle to cover basic living costs.

[...] Since West Mosul was retaken from IS, people have started to return to the city. However, much of the west side of the city is destroyed and there is a dire lack of healthcare services. MSF's hospital in West Mosul is only one of two functioning hospitals in the west and is operating around the clock to keep up with demand. In December, we assisted 261 deliveries and admitted 2,370 patients in our emergency room. We have expanded our sexual reproductive programme to offer antenatal, postnatal and family planning services.

In Zummar, the frontline has been stabilised allowing more than 2,600 families to return to the area. As a result, we've seen an increase in the number of patients at our maternity unit. In November, we provided 1,642 sexual reproductive health consultations, assisted 287 deliveries and made 70 emergency referrals to Mosul for specialised medical assistance. [...]

Due to general insecurity in the country and attendant economic difficulties, many women nonetheless received inadequate medical care in 2018

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] Yazidi women who had survived prolonged IS captivity and enslavement continued to lament the lack of an accessible and unified system of medical and psychosocial care. In August, Yazidi women who had recently escaped IS captivity in Syria and returned to Iraq told Amnesty International that they had struggled to pay for medical and psychological care and often felt let down by the international community. [...]

Due to general insecurity in the country and attendant economic difficulties, many women nonetheless received inadequate medical care in 2019

❖ [UN Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Iraq, 23 October 2019](#)

[...] Health (art. 25)

45. The Committee is concerned that: [...]

(c) Women and girls with disabilities face challenges in accessing health-care services, including sexual and reproductive health services, as a result of the considerable distances to health-care centres, the physical, financial and attitudinal barriers and the lack of accessible information on health-care services; [...]

❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)

[...] Health

33. The Committee notes the State party's efforts to improve access for women to health care and health-related services, especially with regard to the prevention of breast cancer and through the implementation of the national strategy for reproductive, maternal and child health (2013–2017). Nevertheless, it notes with concern:

(a) That rural women, women with disabilities, internally displaced women and refugee women in camps in the State party continue to lack adequate access to basic health-care facilities, clean water, sanitation, high-quality medical care and psychological support;

(b) The lack of information and statistical data on women and girls living with HIV/AIDS;

(c) The high maternal mortality ratio of 79 deaths per 100,000 live births in 2017 and the inadequacy of prenatal and postnatal care in the State party;

(d) That, under articles 417 to 419 of the Penal Code, abortion is permissible only in cases in which there is a risk to the life of the pregnant woman;

(e) That, despite the adoption of Act No. 38 of 2013 on the care of people with disabilities and special needs, women with disabilities have difficulty obtaining access to health-care services and that the health-care system often fails to provide reasonable accommodation for such women. [...]

Sexual and reproductive health services, trauma counselling centers, and reintegration support were severely limited in 2017, including in the IKR, where the majority of returned captives lived, often having suffered severe trauma at the hands of ISIS

❖ [Médecins Sans Frontières, Iraq: Mental health needs mount after years of war, 15 June 2017](#)

[...] The importance of a strong psychological support system

MSF's clinic in Amriyat Al Fallujah camp is one of the few health facilities in Anbar governorate that provides psychological and psychiatric treatment for moderate and severe mental health conditions, in addition to its medical activities.

People's needs for mental healthcare are tremendous, yet Anbar governorate is a neglected area, with most attention currently focused on Mosul. But, as with Mosul, the population of Anbar has suffered intense violence over recent years, leaving thousands of people with physical and psychological scars. [...]

❖ [Inter-Agency Standing Committee \(IASC\), Support Mission Report and MHPSS Situational Analysis: IDP and Refugee Crisis - Kurdistan, Northern Iraq \(KRG\) and Mosul-response, Iraq, 5 July 2017](#)

[...] (iii) Mental Health policies and strategies in Iraq

The mental health policy exists and was last revised in 2004 with the establishment of a national Mental Health Council that developed a draft national strategy and plan. These were further refined, with the support of WHO colleagues and now form the theoretical basis for mental health reform in the country. Priorities include developing community mental health services, downsizing institutional psychiatric

hospitals, developing acute care units in general hospitals, and integrating mental health into primary healthcare. Administratively, a special section for PHC [primary healthcare] was established by the MoH [Ministry of Health] in Baghdad and theoretically a primary mental care unit was established in every general directorate of health in all Governorates of the country. The practical application and impact of these initiatives on direct service provision remains patchy. There is no specific budget allocation for mental healthcare in Iraq, and none specified within the humanitarian response plan either.

[...] **Problem Analysis**

Coordination structures: [...] The Baghdad based Mental Health WG, led by the Ministry of Health does not appear to be functioning as well as the four aforementioned groups. There are less international NGOs operating from the Baghdad side, the security restrictions are much more limited (in terms of people being able to attend meetings outside of the Green Zone), there is no technical WHO Mental Health presence in Baghdad, who may be able to support the Government with this coordination function, and there are no known ToRs for this group.

[...] *Human Resources*

[...] The Social Work and Psychology sectors are relatively new in Iraq and KRG-Iraq and as such there are few public professionals providing these services. The author is not aware of any accreditation boards for Social Work or Psychology within the country. There are however, promising initiatives to build the local capacity of Psychotherapists and MHPSS practitioners in Dohuk, through a Master's degree funded by the State of Baden-Wurrttemberg in Germany in collaboration with Dohuk University, the Koya University/ SEED Master's programme and an upcoming IOM Master's programme.

Mapping of MHPSS actors

[...] *Referrals*

A significant number of MHPSS actors spoke of the 'referral disease' that has plagued many organisations operating in the KRG-Iraq area. There are clear incidences of over-referral of individuals and families for specialised psychiatric services, before 'lower-level' interventions have been tried. Notable examples of this include child protection and PSS actors referring children showing aggressive tendencies within a classroom or a CFS tent, to a psychiatrist for treatment, resulting in an over-medicalisation of PSS problems that should be managed at the level of the classroom, school, family, or within the CFS without requiring a referral to a mental health professional. Similarly, many female survivors of GBV have also been referred to a psychiatrist for 'treatment'. PSS is one of the four key wrap around services (along with physical protection/ shelter, legal advice and medical care) offered to survivors of GBV. The MHPSS needs of GBV survivors should be able to be met by GBV Case Workers trained in additional psychosocial interventions or psychological approaches (such as Interpersonal therapy or Problem Management+). It is the same case for General Practitioner doctors or MHPSS case workers over-referring their clients to a psychiatrist for 'treatment' rather than adapting a triage approach to care where psychiatric intervention is viewed as a last resort. The volume and phenomenon of over-referrals is placing an unnecessary strain on the limited number of Psychiatrists in the country.

[...]. There is a persistent misconception by Government officials, the donor community and MHPSS actors in Iraq and KRG-Iraq regarding specialised services. Unfortunately, specialised services in this context are understood as *only specialised mental health care*, to the detriment of other *equally important* non-medical specialised services. Examples of other specialised services include those carried out by traditional healers or spiritual leaders (important for the Yazidi community for example), legal services/ lawyers supporting survivors of sexual violence, physical protection such as safe zones in camps, shelters for survivors of GBV, special needs teachers working with children with autism spectrum disorders and other disabilities, and Case Workers managing the re-integration of children and other fighters formerly associated with ISIS. [...]

❖ [Médicins Sans Frontières \(MSF\), Iraq: Crisis update – November 2017, 30 November 2017](#)

[...] The needs in Iraq remain extremely high. Many cities retaken from the Islamic State (IS) group are severely damaged or destroyed. Thousands of people returning home confront a desperate lack of access to medical care. In addition, many are living without clean water or electricity.

The security situation is still very fragile. Violence is still being recorded daily. In many places, it's dispersed and unpredictable.

Many trauma patients will need several surgeries, regular sanitary dressing changes, pain management and in many cases, physiotherapy, to regain use of damaged limbs and muscles. MSF, alongside other actors, is providing post-operative and rehabilitation services in Mosul and early physiotherapy in Baghdad, but the needs far surpass the availability of services.

The psychological and emotional scars of war are immense and thousands of people need mental health assistance. Mental health is a key component of many MSF projects. Our teams of psychiatrists, psychologists and counsellors provide vital care and support for moderate and severe cases, including post-traumatic stress syndrome, depression, schizophrenia and severe anxiety. [...]

Sexual and reproductive health services, trauma counselling centers, and reintegration support were severely limited in 2018, including in the IKR, where the majority of returned captives lived, often having suffered severe trauma at the hands of ISIS

- ❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2018 - Iraq, 26 February 2019](#)

[...] Yazidi women who had survived prolonged IS captivity and enslavement continued to lament the lack of an accessible and unified system of medical and psychosocial care. In August, Yazidi women who had recently escaped IS captivity in Syria and returned to Iraq told Amnesty International that they had struggled to pay for medical and psychological care and often felt let down by the international community. [...]

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- ❖ [UNICEF, WHO, UNFPA and UNICEF reiterate their commitment to Universal Health Coverage for every person, anywhere, anytime in Iraq, 7 April 2019](#)

[...] Women and girls in particular are still unable to realize their sexual and reproductive health and rights and suffer from gender-based violence. Protracted displacement places an extra burden, making them unable to access reproductive health services in a timely manner, leading to life-threatening risks during pregnancy and delivery [...]

- ❖ [UN Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Iraq, 23 October 2019](#)

[...] Health (art. 25)

45. The Committee is concerned that: [...]

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- ❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)

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Perpetrators of ‘honour killings’ were rarely punished in 2017

❖ [Reuters, Buried alive by her family, Iraqi woman fears for her life as murders go unpunished, 12 July 2017](#)

[...] Once only common in rural areas, women’s rights campaigners are concerned the practice of murdering women for what some see as “immoral acts” has also become commonplace, and accepted, in Iraq’s cities and towns but the exact numbers are unknown.

Anecdotally it seems the numbers are rising despite increased awareness of the crime, educational policies and an expanded school system with campaigners calling for more action by the authorities to stop these murders.

“According to the official data from the government this year there were 24 cases of honor killing cases until the end of May,” said Khanim Rahim, director of the women’s rights group Asuda for Combating Violence against Women in Iraqi Kurdistan.

“But you need to bear in mind that there are cases that are not registered or reported to the authorities.” [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), ‘Human Rights, Every Day, for All Iraqis’: Promotion and Protection of Rights of Victims of Sexual Violence Captured by ISIL/or in Areas Controlled by ISIL in Iraq, 22 August 2017](#)

[...] With respect to specific legislation, it is noted that the draft Family Protection Law, the text of which as currently stands substantively fails to meet Iraq’s obligations under international law, remains pending before the Council of Representatives. The draft shelter policy for victims of domestic violence is also still under review. The Criminal Code No. 111 of 1969 continues to permit “honour” as a lawful defense in crimes alleging violence against women and family members, even when it is reported that many hundreds of women die from so-called “honour” killings each year. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), Report on Human Rights in Iraq: January to June 2017, 14 December 2017](#)

[...] Review relevant legislation, including the Iraqi Penal Code No. 111 of 1969 to ensure full compliance with international human rights obligations in relation to promoting and protecting women’s rights. Priority should be given to removing ‘honour’ as a mitigating factor in the commission of crimes of violence against women and family members, as well as provisions of criminal law that permit individuals accused of rape or sexual assault to quash criminal cases against them by marrying victims.

[...] Issue directives that require officials responsible for law enforcement and administration of justice to promptly, thoroughly, independently and impartially investigate all allegations of violence against women, in particular suspected “honour crimes,” to ensure that the perpetrators of such acts are held accountable.

[...] The criminal law continues to contain provisions that are discriminatory against women and children (such as provisions accepting “honour” as mitigation for crimes of violence against family members), or that criminalise certain acts (such as criminal libel and defamation) that may be exploited to affect the legitimate enjoyment of certain rights. [...]

❖ [Freedom House, Freedom in the World 2018 – Iraq, 16 January 2018](#)

[...] So-called honor killings are also seldom punished. [...]

Perpetrators of ‘honour killings’ were rarely punished in 2018

❖ [UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq, 20 June 2018](#)

[...] B. Killings of women and girls [...]

40. The Special Rapporteur also focused on the issue of honour killings, meaning the arbitrary deprivation of life of women and girls (but possibly also men and boys) by (male) family members or tribal members, because they are deemed to have brought shame or “dishonour” on the family or tribe. While the scale of honour killings is unknown due to severe underreporting, the latest estimate indicates that several hundreds of girls and women become victims of honour killings in Iraq each year (A/HRC/30/66, para. 28). The Special Rapporteur was informed that this issue affects all parts of the country, cutting through religious and ethnic divides, with a strong tribal element and linked with the strong patriarchal society.

41. Iraq lacks proper legislation to prevent and punish honour killings. Article 409 Penal Code permits “honour” as mitigation for crimes of violence committed against family members. In connection herewith, while sexual assault is criminalized, article 398 Penal Code provides that charges may be dropped if the assailant marries the victim. It appears that this provision can also be applied in case the victim is a minor.³² This creates a nightmare type “catch 22” situation whereby the victim risks her life either way: in case she marries her assailant she may become victim of lethal domestic violence and, in case she does not, she may fall victim to honour killing by her family or tribe. The Special Rapporteur heard of cases where the sentence for honour killing was reduced to one or two years in prison, including suspended sentences.

42. The KRG passed a law in 2004 prohibiting mitigating sentences for perpetrators of honour crimes. It has also enacted a separate piece of legislation, the Law for Combatting Domestic Violence in KR-I No. 8 of 2011, which includes as part of its definition of domestic violence acts not only physical violence but also the marriage of minors. The Special Rapporteur learned that a draft amendment remains pending before the KRG Parliament and that parts of it need to be brought in line with international standards. Furthermore, the Special Rapporteur heard of a range of measures taken to strengthen investigations into honour killings in the Kurdistan region, including obligatory forensic investigations into all reported deaths of women

[...] 44. The safeguards against arbitrary deprivation of life apply to killings by non-State actors. Iraq incurs international responsibility when it fails to act with due diligence to prevent, investigate, sanction and offer reparations for honour killings. In this regard, the mitigating effect of article 409 Penal Code may be seen as an almost complete failure to sanction honour killings resulting in impunity for such acts. The lack of a proper legislative framework in place - coupled with the harassment of those working to protect women and girls against honour killings and the absence of authorization to run shelters – indicates that the State is not only failing to act with due diligence; it is failing to respect women’s right to life [...]

❖ [Human Rights Watch, Bride’s Killing in Iraq Shows New Law Needed, 8 August 2018](#)

[...] The horrific case of an Iraqi woman apparently murdered at home should prompt Iraq’s new parliament, once formed, to finally pass a draft domestic violence law which has been pending since 2015.

According to Iraqi media and BBC Arabic, one day last week a bridegroom returned his bride to her parents the day after their wedding, complaining that she was not a virgin. Media reports claim that upon hearing the accusation, a family member beat her to death. Media reports say that police have arrested a male relative.

While the man will likely now face trial for murder, it is possible that he may benefit from a reduced sentence under a provision in Iraq’s penal code allowing for shorter sentences for violent acts – including murder – for so-called “honorable motives.” [...]

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice. [...]

Perpetrators of ‘honour killings’ were rarely punished in 2019

❖ [Iraqi Women Network, Women, Peace and Security: Recommendations for the UPR of Iraq, March 2019](#)

[...] Social and tribal norms, fear of stigma and further violence (particularly honour killings) deter women and girls from reporting violence. Law enforcement is weak and cases tend to be resolved by tribal hearings and family negotiations with no regard for the rights of victims. [...]

- ❖ [Geneva International Centre for Justice \(GICJ\), Shadow Report on Iraq submitted by Geneva International Centre for Justice \(GICJ\) to the Committee on the Elimination of All Forms of Discrimination Against Women, 74th Session, 21 October – 8 November 2019, 10 October 2019](#)
 [...] 15. This happens even though Articles 128, 130 and 131 of the Penal Code have been amended to read that honour killing is not a justification for mitigation of sentence. Yet, the state report talks of “all honourable motives” as justification for mitigation. The report also refers to Sharia law and the conservative nature of the Iraqi society. Article 409 of the Penal Code stipulates that if a man catches his wife or close female relative in an act of adultery and kills her, he may be granted mitigating circumstances. In addition, judges can exercise discretion when handing out a sentence and can use “honour” as mitigating circumstances based on the facts of the case. Therefore, given that 1) most judges sitting on the bench are men, and 2) Iraqi society is deeply rooted in patriarchy, and 3) these particular articles are based on Sharia law, it is very probable that the judge may side with the male and grant mitigation in cases of honour killings or any honour crimes committed. [...]

- ❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)
 [...] Stereotypes and harmful practices
 19. The Committee is concerned at the persistence of discriminatory stereotypes about the roles and responsibilities of women and men in the family and in society, which perpetuate the subordination of women to men and are exacerbated by the sectarian and religious divisions in the State party. It is deeply concerned about:
 (a) The persistence of harmful practices that discriminate against women, such as child marriage, temporary marriage (mut’ah marriage, in which marriage is terminated after a specified period), forced marriage, female genital mutilation and crimes committed in the name of “honour”;
 (b) Discriminatory provisions in the Penal Code that allow perpetrators to invoke the defence of honour as a mitigating circumstance for homicide (arts. 128, 130, 131 and 409);
 [...]20. Recalling its previous concluding observations (CEDAW/C/IRQ/CO/4-6, para. 26) and joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:
 (a) Adopt a comprehensive strategy to eliminate discriminatory stereotypes and all harmful practices, such as child marriage, temporary marriage (mut’ah marriage), forced marriage, female genital mutilation and crimes committed in the name of “honour”, which includes awareness-raising and educational efforts targeting the general public, religious and community leaders and the media, in collaboration with civil society and women’s organizations;
 (b) Repeal articles 128, 130 and 131 of the Penal Code to ensure that perpetrators of crimes committed in the name of “honour” cannot invoke the defence of honour as a mitigating circumstance for homicide [...]

- ❖ [Human Rights Watch, World Report 2020: Iraq, 14 January 2020](#)
 [...] Iraq’s criminal code, applicable in both Baghdad-controlled territory and the Kurdistan Region of Iraq, criminalizes physical assault but lacks any explicit mention of domestic violence. Instead, article 41(1) provides that a husband has a legal right to punish his wife, and parents can discipline their children within limits prescribed by law or custom and the penal code also provides for mitigated sentences for violent acts including murder for so-called “honorable motives” or if catching his wife or female relative in the act of adultery/sex outside of marriage. [...]

- ❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)
 [...] The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice. [...]

Perpetrators of ‘honour killings’ were rarely punished in 2020

- ❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)
 [...] G3 0-4 pts
 Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1/4

[...] The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice. [...]

❖ [Human Rights Watch, Iraq: Urgent Need for Domestic Violence Law, 22 April 2020](#)

[...] The death on April 18 of a 20-year-old woman in Najaf, possibly at the hands of her husband, should act as a wake-up call for Iraqi legislators to pass a law against domestic violence, Human Rights Watch said today.

[...] On April 12, a video surfaced on social media of the woman in a hospital with severe burn wounds. Her mother told Human Rights Watch that eight months ago her daughter married a police officer who had only allowed her to visit her parents once since then. On April 8, her mother said, the husband called to tell her that his wife had a “slight burn accident” and was in the hospital.

The mother could hear her daughter screaming. She rushed to the hospital, where the husband’s mother blocked her from seeing her daughter. Police took the young woman’s statement while her mother was blocked from the room, the mother said. On April 11, when she was able to enter the hospital room, her daughter told her that her husband had beaten her so badly on April 8 that she poured gasoline on herself and warned him that unless he stopped, she would light herself on fire.

“I still don’t know if he lit her on fire or she did it herself, but she told me she burned for three minutes while he just watched, and finally his father, also a policeman, came in and put out the fire,” the mother said. “She begged them to take her to the hospital but they waited for over an hour before doing so. Her father-in-law then pretended to the police that he was her father and said to them the fire had been an accident.”

The young woman died on April 18. Najaf’s governor, Loai al-Yasiri, told Human Rights Watch on April 15 that the authorities had established an investigation committee and arrested the husband, father-in-law, and the husband’s uncle. Al-Yasiri said that this case would likely be resolved through a mediation in which the husband’s family’s ashira (clan) would negotiate with Samira’s family’s ashira to reach a non-judicial settlement.

[...] Iraq’s criminal code, applicable in both Baghdad-controlled territory and the Kurdistan Region, criminalizes physical assault but lacks explicit mention of domestic violence. Instead, article 41(1) gives a husband a legal right to “punish” his wife, and parents to discipline their children “within limits prescribed by law or custom.” The penal code provides for mitigated sentences for violent acts, including murder, for “honorable motives” or for catching one’s wife or female relative in the act of adultery or sex outside of marriage.

[...] [Shatha] Naji [head of the Women for Peace Organization] said that victims of domestic violence in Iraq rarely make criminal complaints via the police. Instead, the community police play a mediatory rather than a law enforcement role, and focus on reconciling victim and the abuser in line with community practices. [...]

Information on the reasons why IDP children were prevented from attending schools in 2017 (e.g. A lack of available schools, lack of identification documents, limited income with which to purchase required supplies, and a lack of transportation)

❖ [Minority Rights Group International, Crossroads: The future of Iraq’s minorities after ISIS, June 2017](#)

[...] Education also remains inaccessible for more than 2 million displaced children and children from host communities who are currently out of school. Language barriers pose a distinct challenge when it comes to educating the IDPs. In the KR-I, school curricula are followed in the Kurdish language, whereas the curriculum in central government-run schools is in Arabic. This is a major issue for the large number of non-Kurdish IDPs in the KR-I. For example, an Assyrian IDP reported that in order to keep his children in Assyrian schools, he has had to spend USD 35 per month on transportation because the only schools near his family were Kurdish. Many families chose to enrol their children in government-run schools that teach in Arabic simply to avoid having a Kurdish education.¹¹⁷ [...]

117 Interview with Christian leader, Ainkawa. February 2017.

❖ [UNHCR and UNICEF, Iraq Child Protection Sub-Cluster: Secondary Data Review, 31 August 2017](#)

[...] Denied access to education/forced return: In Bzeibez in Anbar, children coming from areas considered as “safe to return” are being expelled from official schools, as a way to force families to return. The issue is increasing each month as new areas are being officially considered as safe to return. Protection Monitoring Report - May 2017 [...]

❖ [Amnesty International, The Condemned: Women And Children Isolated, Trapped And Exploited In Iraq, 17 April 2018](#)

[...] Many women are particularly concerned about the lack of educational opportunities for their children in the camps. A few IDP camps in Iraq offer educational programmes that are recognized by Iraq’s official educational curriculum or allow students to travel to schools near the camp. However, most camps offer either curriculums that are not recognized by the Iraqi educational system, informal “play spaces” for children that offer only rudimentary educational training, or no educational options at all.

“Zeinab” shared her concerns: “At the current moment, our priority is to get the kids in school and to get them an education. Our number one priority now is education. There is no real school here. There is not an official school in the camp. All of my children – aged eight, nine and 10 – they don’t know even how to write their names.”¹⁷⁸ “Wafa” expressed a similar worry: “My youngest son should be in school,” she said. “He just wants to read, or even to remind himself of reading. He picks up any box or piece of paper and pretends to read it.”¹⁷⁹ “Sara” told Amnesty International her hope for the future: “All I want is safety, stability and for my children to go back to school.”¹⁸⁰

[...] In Iraq, having a legal identity registered in a national identity card and other civil documents – such as welfare cards, passports, and certificates of birth, death and marriage – allows a person to hold other rights under law, such as moving freely within the country and accessing basic services such as health care and education. For Iraqis, having a legal identity also enables access to humanitarian assistance for displaced persons as well as family pensions and welfare. In Iraq, children without birth certificates may be considered stateless.

The consistent refusal by the Iraqi authorities to allow families with perceived ties to IS to obtain new or replacement civil identity documents may constitute a violation of these families’ rights to be recognized as a person before the law. This refusal is also a violation of these families’ rights to equality and non-discrimination.

[...] Accordingly, the abuses and risks highlighted in this report are extremely likely to increase. International organizations’ diminished role in the management of IDP camps will mean that armed actors have an even more prominent role there, and that sexual violence including sexual exploitation is likely to become even more rampant. International organizations will be unable to invest in long-term programming, such as providing education for children. [...]

178 Interview with “Zeinab” (real name withheld) on 20 January 2018.

179 Interview with “Wafa” (real name withheld) on 17 January 2018.

180 Interview with “Sara” (real name withheld) on 19 January 2018.

[Information on the reasons why IDP children were prevented from attending schools in 2018 \(e.g. A lack of available schools, lack of identification documents, limited income with which to purchase required supplies, and a lack of transportation\)](#)

❖ [UNICEF, Iraq Humanitarian Situation Report, November 2018](#)

[...] Education

[...] Actual or apparent shortages of teachers is a recurrent challenge since the start of the new school year, particularly in IDP camps, as displaced people have returned to their places of origin. UNICEF plans to support 400 volunteer teachers in the IDP camp schools in southern Mosul district, and continues to work with the MoE and the DoE Ninewa to overcome this issue. Delivery of certain education supplies – specifically Back to School campaign materials – faced challenges in November due to the new customs checkpoints/regulations; in this case, a federal GoI tax exemption letter is required to move supplies from UNICEF’s Erbil office to partner offices in Kirkuk. At time of reporting, the needed exemption letter has been pending for one month [...]

❖ [OCHA, Iraq: Humanitarian Needs Overview 2019, November 2018](#)

[...] Education

[...] Overview

Even though active conflict has ended, millions of children in Iraq continue to face challenges in accessing quality education in 2018, with thousands missing out on formal education altogether—32 per cent of school-aged IDP children (6-17) in camps and 26 per cent of those living out-of-camp have no access to formal education opportunities.

[...] On average, across all population groups, 25 per cent of children have limited or no access to formal learning opportunities in former conflict-affected governorates. Adolescents and girls are particularly affected by economic, physical, psychological, cultural and policy barriers to accessing education. Schools are often in poor condition, unsafe and inadequately equipped to serve large numbers of students. Review of secondary data indicate that more than 50 per cent² of schools in former conflict-affected areas need rehabilitation. Schools have been forced to host multiple shifts to accommodate students. The quality of instruction is also a concern, with teacher shortages, unequal distribution of teachers between schools, low and irregular salaries and teachers who are not adequately trained in terms of subject matter or effective pedagogy. Schools often lack sufficient teaching and learning materials to support effective learning, while learners do not master the basic literacy and numeracy skills they need to survive, thrive and rebuild their communities.

Both the federal and KR-I Ministries of Education, as well as the different Directorates of Education across the country, are struggling to cope with population movements, large-scale infrastructure destruction and economic challenges, and require data to allow them to develop evidence-based policies and practices to fill the education gaps created by the years of conflict.

[...] Analysis of humanitarian needs

Children in Iraq urgently need improved access to education. Large numbers of IDP, returnee, remainee and refugee children face challenges in accessing education, because of the inability to pay for education-related expenses (30 per cent), a general lack of interest in school (10 per cent), disability or health concerns preventing attendance and participation, or the need to contribute to family finances by engaging in income generating activities. Barriers to educational participation disproportionately affect girls; statistics gathered by partners indicate that by sixth grade, girls represent less than half of students.

Improved teaching quality remains a key concern going into 2019. Placement and payment of teachers is a challenge. The Ministries of Education for KR-I and federal Iraq indicate sufficient teachers on their payrolls, however displacement has resulted in a shortage of qualified teachers in some areas. Partner surveys indicate that in certain locations up to 38 percent of teachers are IDPs and travel long distances to school. As teachers arrive late and have to leave early, instructional time is reduced. Existing data indicates a teacher gap of 32 per cent. Education partners are paying incentives to 3,734 volunteer teachers for IDPs and 1,230 teachers for refugees. This is not a durable solution. Shortages of teachers and the subsequent use of untrained teachers impact the quality of education provided, and in many conflict affected areas class size exceed minimum education standards.

Improving learning environments is critical to minimize security and safety concerns, the main barrier to accessing education in areas of return and newly retaken areas. Through the Monitoring and Reporting Mechanisms (MRM) on the grave violations against children for Iraq, presence of explosive remnants of war (ERW) were confirmed in at least five schools, with six children killed and an additional nine injured. MRM further identified 166 schools as being damaged in attacks. Over half of existing schools need some form of rehabilitation or provision of equipment to offer a safe, protective and conducive learning environment. Further, the shortage of adequate facilities means that schools host two or even three shifts of children, which reduces learning time and leaves few or no opportunities for any extra-curricular activities, including psychosocial support and social emotional learning. Students attending afternoon shifts may receive poorer education because both students and teachers are tired and less productive.

Improving learning outcomes is required to ensure that all children have a fair chance to be successful as adults. Limited teaching and learning materials, coupled with illprepared teachers, have resulted in poor foundational literacy and numeracy skills. Surveys done by partners indicate that large numbers of IDP, returnee and refugee children do not possess the basic literacy and numeracy skills which are the foundation of academic success. A recent ASER assessment¹⁰ on the literacy and numeracy skills of 1,731 children across five conflict-affected governorates in Iraq, established that less than half (48 per cent) of children aged 14 were able to read at second-grade level, with literacy rates worsening by age group: 41 per cent of 13-year-olds, 33 per cent of 12-year-olds, 22 per cent of 11-year-olds and less than 10 per cent of 10-year-olds. Only 5 per cent of the 8 to 9 year-old cohort were able to read and solve math problems at an appropriate grade level. Nearly half (45 per cent) of 8-year olds could not identify a minimum of four Arabic letters (out of ten required). Education actors need to focus on the quality of interventions to ensure that

children acquire the necessary skills to enable them to rebuild their communities and compete economically [...]

Information on the reasons why IDP children were prevented from attending schools in 2019 (e.g. A lack of available schools, lack of identification documents, limited income with which to purchase required supplies, and a lack of transportation)

❖ [Norwegian Refugee Council \(NRC\), Barriers from birth: Undocumented children in Iraq sentenced to a life on the margins, 30 April 2019](#)

[...] More than one year since former Iraqi Prime Minister Haidar Al-Abadi declared ‘victory’ over the Islamic State (IS) group, an estimated 870,000 Iraqi children today remain displaced. Thousands were born under IS rule. About 45,000 children displaced in camps today do not have Iraqi-state issued birth certificates or other civil documents proving their legal identity. This is depriving them of their most basic rights as Iraqi citizens. Children without these documents are at high risk of being sentenced to a life on the margins of Iraqi society – creating a neglected generation unable to travel between Iraqi cities and towns, barred from attending formal schools and obtaining educational certificates, and denied access to health care or state social welfare programs.

[...] In displacement camps alone, about 45,000 children, or one in every five children, are now estimated to be missing birth certificates.^{vii}

[...] Many displaced families, including women, reported having their IDs arbitrarily confiscated by Iraqi security actors and intelligence officials after fleeing IS controlled areas and upon arriving or residing in camps, often leaving them confined to camps with nothing to prove their identity.^{xii} Others lost their documents as they fled during the Iraqi and Coalition-backed military operations to retake territory from IS. These factors have all contributed to the number of people missing some form of civil document.

[...] Registering children in Iraqi schools requires several types of civil documents, including the ID of the student, as well as the IDs of both of his or her parents. Sitting exams or obtaining graduation certificates is often not allowed without a civil ID. In the case of a deceased or missing father, an official death certificate must be provided to the school administration proving the circumstances of the death. Families who do not possess these documents today almost immediately raise questions or suspicions of association with IS group, stigmatising them within their own community.^{xiv} [...]

vii. Calculations based on IDP Camp Profiling- Round XI Dataset, REACH, Iraq, 18 March 2019. National level analysis was weighted per REACH’s weighting guidelines; about 49% of the population was below 18 years old. When adjusted for national level analysis, the weighted national average of minors is 48% of the formal camp population in Iraq. Based on the Formal Site Monitoring Tool, 442,531 individuals remain in formal camps in Iraq as of February 2019. Based on these calculation, 212,415 individuals are children. Across the sites surveyed in REACH’s February 2019 camp profile, 20.39% of adult respondents with children under 18 reported their children to be missing their birth certificates. Adjusting for national analysis, the national average for children in formal sites missing birth certificates is 21.28%, which when applied to the 212,415 children in formal camps, NRC estimates is approximately 45,202 individuals.

[...] xii. The Condemned: Women and Children Isolated, Trapped and Exploited in Iraq, Amnesty International, 2018.

[...] xiv. Barriers for Mothers Seeking Civil IDs for their Children in formerly IS-controlled Territories of Iraq, Proximity International, Norwegian Refugee Council, October 2018.

❖ [Amnesty International, Nobody wants us: The plight of displaced female-headed families in Iraq, 11 June 2019](#)

[...] Amnesty International and other organizations have continuously documented the collective punishment of displaced families, especially female-headed families. Many are perceived as supporters of the Islamic State armed group (IS) due to factors outside their control - such as being related, however distantly, to men who were somehow involved with IS - and are ostracized by the rest of society. Such families have reported being forcibly displaced, evicted, arrested, had their homes demolished or looted or faced threats, sexual abuse and harassment, and discrimination after returning to their places of origin.

Today, left in the camps, they continue to face obstacles in accessing identity cards and other official documents. Without these, women are unable to work, move freely or inherit property or pensions, and their children are often unable to attend school or obtain medical care and are at risk of becoming stateless. [...]

❖ [Human Rights Watch, Iraq: School Doors Barred to Many Children, 28 August 2019](#)

[...] The Iraqi government is denying thousands of children whose parents have a perceived Islamic State (also known as ISIS) affiliation of their right to access an education, Human Rights Watch said today. The children, who were born or lived in areas under the control of ISIS between 2014 and 2017, lack the civil documentation the Iraqi government requires for school enrollment and the government is making it difficult for them to acquire it.

A September 2018 document signed by senior Education Ministry officials endorsed a discussion that appears to allow children missing civil documentation to enroll in school. But officials are instructing school principals and aid groups providing support services for education that undocumented children are still barred from enrolling in government schools.

[...] The principal of a primary school adjacent to a camp for displaced families 30 kilometers southeast of Mosul said that the ministry instructed schools to expel students whose parents failed to carry through on their pledge. At least 1,080 children of school age are living in the camp next door to the school, camp management told Human Rights Watch, but only 50 of these children, all with valid documentation, were enrolled at the school.

The principal of a school in a camp 30 kilometers south of Mosul said that since 2018 he had been allowing all children in the camp to enroll but that after he received the ministry's new instructions, "at least 100 kids stopped coming to school. Either their parents couldn't afford to go to Mosul to make the pledge, or they didn't see the point because they knew that they would not be able to get civil documentation for them within 30 days."

A 13-year-old girl who had been in 6th grade at the school said she had to stop attending in January. Her mother has no death certificate for the girl's father who, the mother said, joined ISIS and died, and thus cannot get her daughter a valid identity card. "I like to learn and I want to keep studying and become a teacher but I don't know if I will be allowed to," her daughter said.

[...] When in control of territory, ISIS regularly confiscated Iraqis' civil documentation and issued their own, which the Iraqi authorities do not recognize. Iraqi security forces also confiscated some families' documents as they fled fighting or when they arrived at camps for displaced people. [...]

- ❖ [OCHA, Humanitarian Needs Overview Iraq, November 2019](#)
[...] The educational needs of IDP children are consistently not being met, as education is largely reliant on volunteer teachers, and in some cases the donation of educational spaces by local authorities or NGOs. [...]
- ❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)
[...] The Committee notes that, according to the United Nations Children's Fund, there are approximately 3.2 million school-aged Iraqi children currently not enrolled in education, in particular in governorates affected by the conflict, such as Salah al-Din and Diyala, where 90 per cent of children are not enrolled. It also notes with concern that approximately 355,000 displaced children are not attending school. The Committee is further concerned about the lower rate of enrolment of girls at the primary, intermediate and secondary levels and about the higher dropout rates for girls, which are directly proportional to the level of education. The Committee further notes with concern that minority and rural women and girls, women and girls with disabilities and women and girls who lived under ISIL occupation have extremely limited access to education. [...]
- ❖ [Wadi, School Education for Refugees in Northern Iraq, 19 November 2019](#)
[...] The ongoing conflicts in the region have led to continuous waves of displaced persons from Syria and Southern Iraq seeking refuge in Northern Iraq. This displacement and all the issues that come with it have placed children and adolescents aged 6-17 at the highest risk of not starting or continuing their education. The reasons why these students are not being schooled are as diverse as their circumstances. Some students left their schools because of the lack of transportation, others left because of the lack of governmental support for the schools in camps (due in part to the economic crisis in the Kurdish Region). Those students who are in schools are suffering from low level of learning materials, poorly trained teachers and inadequate basic school supplies (notebooks, pens, books) which leads to poor performance and high drop out rates. [...]
- ❖ [Norwegian Refugee Council \(NRC\), Urgent measures needed to stop Iraq's displaced children being left behind, 3 December 2019](#)

[...] Nearly two years since the defeat of the Islamic State group (IS) in Iraq, children in areas formerly controlled by the group are facing an education crisis. More than 2.5 million children in Iraq today need assistance to access education.

Schools, particularly in displacement camps, are chronically understaffed and in many instances teachers are still not being paid. Classes are extremely overcrowded, there is often a shortage of teachers, and children missing civil documentation are denied the opportunity to receive an education altogether. To make matters worse, humanitarian appeals for education are far from adequately funded, with support from the Iraqi authorities and international donors falling short. These factors have resulted in more than 240,000 children being unable to access education in Iraq in the last year. [...]

❖ [OCHA, Humanitarian Response Plan Iraq, January 2020](#)

[...] The Education Cluster will increase access to quality formal and non-formal learning opportunities for 66,506 children in IDP camps, 85,450 children in out-of-camp locations and 178,548 children in returns areas, which will allow for transition into recognized educational pathways. Children living in IDP camps, in out-of-camp locations and in returns areas face diverse challenges in accessing quality education. These include the limited availability of physical structures, teaching materials, qualified personnel and high education-related costs.

Vulnerable children in IDP camps will be prioritized for assistance in this response. Displaced children in out-of-camp locations and vulnerable children in areas of return require stronger linkages with social protection safety nets to ensure access to education. Children who had long absences and are now unable to re-enter formal schooling will also be specifically prioritized with relevant programmes enabling them to fully participate in daily life and contribute to improved living standards. The response is designed to meet the needs identified and expressed by the different population groups.

[...] For 66,506 displaced children in camps, the cluster will establish formal schools and support staffing with qualified teachers, complemented by teacher capacity development. Children unable to enter formal schools will be provided with non-formal school pathways.

[...] For 85,450 children living in temporary and informal settlements, the cluster will provide teaching and learning materials and teacher capacity development programmes in schools within localities hosting IDPs. The cluster will provide cash for transportation and other education-related costs. In the MCNA VII, IDPs in out-of-camp locations cited costs associated with school attendance as one of the barriers to accessing education.

[...] The cluster will continue to advocate that all children, including those without adequate documentation, have access to education. [...]

❖ [UN Assistance Mission for Iraq \(UNAMI\), The Right to Education in Iraq - Part One: The legacy of ISIL territorial control on access to education, 17 February 2020](#)

[...] The report was prepared by the Human Rights Office of the United Nations Assistance Mission for Iraq (UNAMI) and the United Nations Office of the High Commissioner for Human Rights (OHCHR) and is based on consultations, interviews and focus group discussions conducted between November 2018 and January 2020 with 237 persons. These took place in six camps for IDPs in Ninewa governorate and in the cities of Mosul and Erbil.⁵

[...] The key findings indicate that children and young adults who lived in areas controlled or influenced by ISIL have accumulated a substantial gap in their academic knowledge due to years of missed education and also face challenges in obtaining the civil documentation required to enrol in formal schooling. As such, in the post-conflict context, children from these communities continue to experience a range of barriers to their access to education. After missing years of education under ISIL, these children or now young adults are further disadvantaged by insufficient numbers of schools which tend to be under-equipped and with inadequate teaching hours. Those residing in camps also suffer from movement restrictions and a lack of civil documentation.

[...] The report provides a series of recommendations to the Government aimed at targeted education interventions for children and young adults who lived in areas controlled or influenced by ISIL, including provisions to enable them to enrol without the required documentation, receive additional assistance to sit exams, and obtain certificates, including in IDP camps.

[...] Human Rights Watch estimated that in June 2019 250,000²⁸ Iraqis remained unable to return to their place of origin because federal or local authorities and communities have perceived them to be affiliated with ISIL. Stating that humanitarian actors identified 94 areas where no Sunni families have returned due to

a *de facto* ban at the local level on returns, as a form of punishment, against those, the security forces perceive as having been sympathetic to ISIL, or as having a relative who was sympathetic to the group.²⁹ These families mainly reside in IDP camps and face severe movement restrictions. In addition, those living in camps with segregated areas for families perceived to be affiliated to ISIL typically face restricted access to the civilian documentation that would enable their movement in and out of those camps and allow them to access key services, including education.

[...] 16-year-old Mohamed* has lived in a camp since his family fled the fighting in Mosul in 2017. He passed the sixth-grade test so was placed into an age-appropriate grade in the camp school. He explained to UNAMI that he dropped out after only a few months as the camp school did not fulfil his needs.

“The camp school is not serious. I needed to get my 12th grade certificate. But I stopped going. I was trying to catch up, but it was impossible. How can I go from 6th to 12th grade with nothing in between? I will never catch up, so I stopped. It feels like my future has been stolen.”

[Focus Group with a group of 12 boys aged 15-18, at a displacement camp in Ninewa governorate, 22 July 2019.]

[...] UNAMI found that the years of missed education under ISIL control, explained in the background section of this report, combined with a current lack of adequate post-primary education has left many children and young adults with a significant gap in their academic learning. Although the Government of Iraq and international community have devoted significant resources and efforts toward education, the programmes offered to address gaps in education caused by the armed conflict are insufficient to address the specific circumstances of young people residing in IDP camps and those living in areas formerly controlled by ISIL.

In October 2017, the Ministry of Education’s Directorate of Education issued a directive advising teachers to adhere to standard ‘placement test’ policies to enable children to re-enter the formal education system. Children who wish to resume their studies take an assessment test and are placed according to their age if they pass. Those who fail the test are placed in a lower grade deemed appropriate to their level of study. According to UNAMI’s consultations with children, young adults and teachers, students living in IDP settings are more commonly held back from joining age appropriate grades and placed with younger children. Participants in focus groups highlighted a significant sense of shame associated with this, which has led to high dropout rates in the intermediate and secondary school age bracket (12-18), especially for boys.

[...] In addition to the challenges relating to placement, children and young adults living in IDP camps face additional barriers to access education, mainly involving insufficient provision of classroom time. Teachers described additional challenges, including overcrowded classrooms, limited lesson time and the impact on learning of untreated societal and individual trauma. For example, children living in two IDP camps in Ninewa informed UNAMI that camp schools offer just six hours of classes per week for secondary-aged boys, rather than the 30 hours per week that students should receive in a fully functioning formal education system.³¹ Moreover, a United Nations led Camp Coordination and Camp Management Cluster mapping exercise conducted in May 2019 documented ten IDP camps in Iraq without any form of school provision.³² Outside of camps, teachers reported to UNAMI that schools in Mosul operate up to three shifts, leaving just four hours of classroom time a day for each shift. Such conditions, children’s ability to learn, let alone catch up, is extremely limited.

[...] Young adults, who were children while living under ISIL control both in the IDP camps or in areas formerly controlled by ISIL, face additional challenges in catching up on their missed education. They are now past the legal age limit of schooling. In such situations, the only available route to complete education is through night classes. However, young adults explained that the night classes do not resolve their situation. Typically, night classes are designed as a means for young people to retake their Year 12, which is the final one in Iraq, exams if they have failed them and, as such, are not intended to be a complete introduction to the course content. These young adults, on the other hand, lack the foundational understanding of course content due to years of missed schooling, and thus require specialised courses. In addition, life situations or circumstances such as poverty, early marriage and/or labour have limited their opportunities to study. Respondents highlighted additional barriers for girls to access such classes, due to security concerns and more restrictive social norms. Finally, displaced youth residing in Iraqi camps face extreme restrictions on their freedom of movement, which substantially limit the ability to travel to the nearby towns to attend night school.

[...] The Ministry’s Department of Non-formal Education oversees an existing Accelerated Learning Programme (ALP) for out-of-school children aged between 12 and 18 in governorates across the country. The programmes provide accelerated learning courses and catch-up classes as an alternative to formal education for children and young adults who have missed years of education due to armed conflict, however, for the primary curriculum only.

[...] Secondly, these programmes are often based in Iraqi cities, and therefore inaccessible to the majority of those who are living in camps or rural areas and largely lack the necessary means or freedom of movement to travel to nearby towns.

[...] Approximately nearly one in five households living outside of camps has reported having children with documentation issues.³⁶ Most families who lived under ISIL are missing at least one of their essential civil documents, which were lost, confiscated, destroyed or never issued. This has serious implications for accessing social services and is a key impediment to enrolling children in school. According to existing directives by the Ministry of Education registration requires several types of civil documentation, including the identification cards of both parents and the student. In the case of a deceased father, an official death certificate must also be provided to the school administration, proving the circumstances of the death. There are no provisions in place to address the absence of civil documentation for fathers who are missing or detained.

[...] Furthermore, according to the Civil Status Law,³⁹ identification documents must be renewed in the applicant's place of origin, requiring IDPs to return to their hometown for this purpose. During UNAMI's focus group consultations, IDPs reported problematic restrictions in traveling to their places of origin especially to areas once held by ISIL. Despite government and humanitarian efforts to facilitate the return to such areas, local 'decrees' and threats of violence prevent families with perceived ISIL affiliation from returning home to some areas, particularly Anbar, Diyala, Ninewa, and Salah al-Din governorates.⁴⁰

[...] During consultations in Mosul, teachers revealed that many of them were fearful of accepting the enrolment of children without civil documentation, regardless of the ministerial directive. The absence of documentation has been known to generate community suspicion and consequent stigmatisation of families based on their perceived affiliation with ISIL. Indeed, families described their own reluctance to attempt to enrol children without the correct papers due to fear of their child being labelled as associated with ISIL and vulnerable to revenge attacks.⁴⁵ [...]

5 IDPs in these camps originate from a number of other governorates.

[...] 28 See: Human Rights Watch, Iraq: Not a Homecoming (June 2019) available at <https://www.hrw.org/news/2019/06/14/iraq-not-homecoming>

29 Ibid.

[...] 31 UNAMI Focus groups conducted with 12 boys aged 15-18 in Ninewa camp [exact location withheld] November 2019

32 See: Camp Coordination and Camp Management Cluster: Humanitarian services Available in camps (May 2019) available at https://gallery.mailchimp.com/b4d2a23bd327c3445e980d09d/files/6f9b677b-1e68-4dcb-ab12-2949e04bff26/Partners_Presence_Mapping_FSMT_May_2019.01.pdf?utm_source=CCCM+Iraq+Mailing+List&utm_campaign=7ab28792a5EMAIL_CAMPAIGN_2019_07_18_10_46&utm_medium=email&utm_term=0_2571ab1b07-7ab28792a5-511113

[...] 36 See: NRC Barriers from birth: Undocumented adolescent in Iraq sentenced to a life on the margins (April 2019) available at <https://www.nrc.no/resources/reports/barriers-from-birth/> (hereinafter NRC Barriers from birth).

[...] 40 UNAMI interviews in displacement camp [exact location withheld] in Ninewa governorate, 15 - 23 July 2019.

[...] Focus Group with 13 teachers (8 male and 7 female) [exact location withheld] Mosul, 19 November 2018; Focus Group with 49 teachers (28 male and 21 female) [exact location withheld] Mosul, 19 -21 November 2018 (UNESCO data on file with UNAMI).

❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] Humanitarian funding continued to dwindle; residents in camps for internally displaced people reported deterioration of medical, education and other services. [...]

Information on the reasons why IDP children were prevented from attending schools in 2020 (e.g. A lack of available schools, lack of identification documents, limited income with which to purchase required supplies, and a lack of transportation)

❖ [UNOCHA, Humanitarian Response Plan: Iraq, February 2021](#)

[...] 1.1 Humanitarian Conditions and Underlying Factors Targeted for Response

[...] Out-of-camp IDPs

[...] Additionally, many out-of-camp IDPs struggle to make ends meet and the average reported debt value is highest among out-of-camp IDP households, compared to returnee households and in-camp IDP households. Many out-of-camp IDPs are unable to afford rent, putting them at risk of eviction and

potentially ending up in critical shelters. This is complicating their access to critical services, such as health care and education, already difficult to afford by this population group who cited high costs as the main barrier to accessing both education and health services. [...]

❖ [UNOCHA, Humanitarian Needs Overview: Iraq, February 2021](#)

[...] 1.4 Humanitarian Conditions, Severity and People in Need

[...] In-Camp IDPs

[...] Coping Strategies

[...] To meet their basic needs, families resort to harmful activities that reach stress, crisis or emergency-levels. Stress strategies, such as selling property, buying food on credit, or reducing non-food expenditure were more widespread in camp settings in 2020. Some 71

per cent of all households reported employing at least one such negative strategy in 2020, compared to 50 per cent in 2019.⁶¹ Although the use of more severe strategies decreased slightly from 2019 to 2020, 8 per cent of in-camp households still resort to crisis

strategies (e.g. selling means of transport; child labour), while 9 per cent employ the most severe emergency strategies to meet basic needs (e.g. school dropout; child/adult forced marriage). Negative coping strategies are especially hard on children. Reducing expenditure

on health and education (stress coping strategy); children under age 18 working to provide resources (crisis strategy); and children dropping out of school or entering forced marriages (emergency coping strategies) directly affect the physical and mental wellbeing of adults and children. (p. 37)

[...] Out-of-Camp IDPs

[...] Education gaps and needs have also increased dramatically as IDPs in camps and out-of-camp locations face difficulties accessing internet and electronic devices to follow online classes. (p. 39)

[...] 3.2 Education

[...] Before COVID-19, IDP and returnee children already faced challenges accessing education. While policies exist to ensure access to education, policy implementation falls short of meeting the education needs of displaced children. Lack of civil documents and challenges to acquiring them prevent children from enrolling in schools. A total of 460,000 children are estimated to lack national identity cards necessary to access essential services, including school registration, in places of displacement or return areas. Insufficient quantity and inadequate training of teachers, shortages of learning materials and large class sizes have resulted in poor educational outcomes.

[...] While efforts have been made to continue education through remote learning, IDP and returnee children face serious challenges in accessing these programmes because of the lack of reliable connectivity and the inability to afford equipment for remote engagement.

Unreliable electricity supply also makes it difficult to access education programmes on television. Girls remain disadvantaged; even before the pandemic, girls' access to technology was low. Children with disabilities, especially in larger households, risk having their education needs further deprioritized as virtual learning requires additional support from caregivers. Furthermore, the unexpected demands of supporting learners with unfamiliar distance learning modalities and psychosocial support presents an additional challenge to teachers who lack the skills necessary to support children and parents with distance learning, while burdening parents and caregivers with teaching responsibilities. [...]

61 MCNA VII and VIII comparison.

❖ [United Nations Assistance Mission for Iraq \(UNAMI\) and Office of the United Nations High Commissioner for Human Rights, The Right to Education: Part Two – Obstacles to Girls' Education after ISIL, 24 January 2021](#)

[...] 5.4 Perceived Protection Concerns

[...] Gender-specific protection risks were also frequently referenced as significant impediments to girls' access to education. For instance, the close proximity to others that comes with living in an IDP camp was deemed to be problematic by many displaced parents. The perceived inability in these circumstances to protect girls by enforcing strict gender segregation has led many parents to reduce their daughters' mobility and freedom, directly impacting their access to education and enjoyment of other rights. Girls also expressed concern over their own safety and comfort and noted frequent verbal harassment from boys both inside and outside of camps when on their way to or from school. Such harassment not only had a negative impact on the interviewees themselves, but also contributed to a

perceived need by families to protect their 'honor' in light of potential interactions with such groups of boys and keep their girls in the home. [...]

❖ [UNICEF, Iraq Humanitarian Situation Report \(IDP\), End of Year 2020, 20 January 2021](#)

[...] Summary Analysis of Programme Response

[...] Education

[...] One of the biggest challenges of 2020 was the mass closure of IDP camps and the lack of civil documentation, which prevented children from being enrolled in the formal system. In Ninawa only, UNICEF partners recorded 600 children having no documentation and being unable to attend formal education. [...]

❖ [UN General Assembly, Human Rights Council, Forty-fourth session, Visit to Iraq: Report of the Special Rapporteur on the human rights of internally displaced persons, 13 May 2020](#)

[...] V. Particularly vulnerable groups

[...] C. Internally displaced children

[...] 44. The extent to which internally displaced children inside and outside camp settings are deprived of education is extremely concerning.¹⁴ Unable to enrol in the formal education system owing to a lack of civil documentation or to restrictions on movement, a generation of marginalized children is emerging. Many internally displaced children have missed years of education because of the conflict and now struggle to resume their studies. As children are enrolled according to their age and not their educational level, children who have missed years of schooling risk being unable to follow content and often have no access to classes to catch up with their education. Others are considered too old to be admitted back into the formal school system.

45. Displaced girls face additional challenges in their access to education due to existing social norms and gender stereotypes, and child marriage. Children who lived in areas controlled by ISIL now face additional barriers to enrolment due to discrimination and, in many cases, their inability to obtain civil documentation. Where education is available, the number of teachers and the classroom time are often insufficient, leading to poor learning outcomes. In camp settings, teachers are usually volunteers from the community who, although well-intentioned, lack the required qualifications.

46. Without education, children are deprived of the opportunity to develop to their full potential and of future livelihood opportunities, perpetuating social exclusion and inequalities, and to take on their eventual responsibilities as Iraqi citizens. Children out of school are also at a higher risk of exploitation and abuse. A 10-year-old displaced girl told the Special Rapporteur that she dreamed of becoming a doctor, but that she wished she could have more than two hours of classes a day. Another displaced girl said that she could not go to school because she had no identification documents, so she had no dreams at all.

47. Discriminatory barriers impede the access of many internally displaced and returnee children to birth certificates and other civil documents. As the presence of a child's father in court or the presentation of his death certificate is required for the issuance of a birth certificate, displaced children who have lost or have been separated from their father but do not have a death certificate, or who were born out of an act of sexual violence, are unable to obtain birth certificates and other documents. Without civil documentation, they cannot enrol in formal education, have access to health care and basic services, apply for security clearances to move around the country or exercise their rights as children. Children who remained in areas controlled by ISIL often do not have birth certificates, or hold certificates that are not recognized by the Government of Iraq. [...]

¹⁴ See also UNAMI/OHCHR, The Right to Education in Iraq Part One: The Legacy of ISIL territorial control on access to education.

Traditional cultural practices and economic hardship motivated IDP and Syrian refugee families to marry girls at a young age in 2017

❖ [UNICEF, Child Marriage in the Middle East and North Africa, November 2017](#)

[...] In the MENA region, where child marriage is practiced in peacetime, its prevalence increases during violent conflict. [...] This is also true of girls affected by the conflict in Syria, as evidenced by the growing number of Syrian refugee girls being married in Jordan, Lebanon, Iraq and Turkey. [...]

Traditional cultural practices and economic hardship motivated IDP and Syrian refugee families to marry girls at a young age in 2018

❖ [Public Radio International, Early marriage figures for Iraq are startling. Child advocates worry it could rise even more, 13 August 2018](#)

[...] Iraq's religious and ethnic conflicts have dispersed more than 2 million civilians, forcing families to flee their homes, separating breadwinners from their traditional trades and compelling children to drop out of school.

A 2017 study by the global, anti-poverty group, Oxfam, found a direct correlation between the rise of child marriage in Iraq and war-induced poverty and terror.

Many survey participants said arranging girls to marry their cousins was a coping mechanism to prevent daughters from wedding ISIS fighters. Others said giving daughters as child brides to jihadists would ensure their safety, access to public services in occupied territories and livelihood opportunities for the entire family.

[...] In those circumstances, marrying off a mouth to feed makes sense, said Basma Habib, a feminist activist from Sulaymaniyah, a part of Iraqi Kurdistan where ISIS cells still operate despite the military collapse of the caliphate in the past year.

"There's a reason we see higher rates for early marriage in displaced persons camps," said Habib. "Poverty also forces parents to get rid of their daughters, thinking that she might obtain a better life and protection of a man."

Some Muslim societies place a high value on a woman's "honor" before marriage, she added. "Families want to marry daughters off earlier to get rid of the danger that their girls might get a bad reputation." [...]

❖ [OCHA, Iraq: Humanitarian Needs Overview 2019, November 2018](#)

[...] Key Humanitarian Needs

[...] Women and children continue to be exposed to multiple protection risks; child labour and child marriage among IDP and returnee children is more prevalent than in recent years, while over 10 per cent of children are reported to experience psychosocial distress.²

[...] Of those able to be credibly assessed, it is estimated that 24 per cent of IDP families are using emergency negative coping mechanisms to address their most basic needs, including children dropping out of school to work, criminal acts, child marriage and forced marriage.

[...] Impact of the Crisis

[...] In 2019, an estimated 2.1 million children may be at serious risk of not being able to access essential services due to lack of civil documentation; they may also face discrimination, psychological distress, domestic violence, child labour, and sexual violence including child marriage.

[...] Education

[...] Lack of access and participation in education increases protection risks for children and youth. The largest percentage of children out-of-school are adolescent boys and girls (68 per cent) with parents and caregivers reporting child labour, child marriage and psychosocial distress as major concerns (11, 2 and 13 per cent respectively of surveyed population).¹² Disengaged adolescents are more likely to engage in negative coping mechanisms including early marriage and participation in armed groups, as well as being more likely to be employed in higher-risk occupations.¹³

[...] Protection

[...] In 2018, a high prevalence of poverty-induced child protection risks, such as child labour and child marriage, were observed both among IDP and returnee children, compared to past years.

[...] In 2018, prolonged displacement and lack of access to livelihoods in the areas of return significantly increased the incidence of certain child protection issues, such as child labour (including the recruitment into pro-government armed groups), as well as child marriage and other forms of sexual violence and exploitation.³² [...]

2 Education Cluster analysis based on Multi Cluster Needs Assessment (MCNA) Round VI, August 2018.

[...] 12 MCNA VI, 2018.

13 Save the Children, 'Youth Labour Market Assessment: Salah al-Din, Central Iraq,' 2018.

[...] 32 One of the major negative coping mechanism of HH for food insecurity is children (under age of 18) work to provide resources (MCNA VI, 2018).

Traditional cultural practices and economic hardship motivated IDP and Syrian refugee families to marry girls at a young age in 2019

- ❖ [Iraq High Commission for Human Rights \(IHCHR\), Report on Iraq's compliance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, March 2019](#)
[...] Internally displaced women and girls, returnees and refugees (13 and 14)
The Commission, through its field monitoring teams, has indicated the following:
[...] 3. The Ministry of Health lacks productive family planning programs, which led to the continuation of cases of early marriage and polygamy and reproduction inside IDPs camps. [...]
- ❖ [UNICEF, UNICEF Iraq Monthly Humanitarian Situation Report, 31 July 2019](#)
[...] Prolonged displacement and limited financial resources raise particular protection concerns related to negative coping mechanisms such as child marriage or survival sex. [...]
- ❖ [OCHA, Humanitarian Needs Overview Iraq 2020, November 2019](#)
[...] Negative coping strategies, including child labor, child marriage and survival sex further account for deteriorating well-being, living standards and erosion of resilience of the displaced population. [...]
- ❖ [Oxfam, Protection Landscapes in Diyala and Kirkuk, Iraq, 5 March 2020](#)
[...] In seven research locations out of the ten in Diyala, participants reported that child marriage is common in their communities. Girls can be married off at 14 years of age, or sometimes even as young as 12. Among the FGD respondents, 60% see child marriage as a traditional practice, rooted in religious principles, that should be maintained. In some locations, including IDP camps, child marriage is described as the only measure available for protecting girls from the risk of harassment or of being abducted and raped by armed groups or militias. In all cases, respondents from rural or displacement areas associated child marriage with meeting practical needs, especially for families burdened by lack of income or debt and with a large number of children. In these cases, child marriage can be seen as a measure for 'relieving' the family's financial pressure. In all the locations, child marriage was also associated with girls' lack of access to education, either because there is no high school close to the community or because of the reportedly traditional stances on girls' education, according to which girls do not need an education, especially at secondary level. [...]

Traditional cultural practices and economic hardship motivated IDP and Syrian refugee families to marry girls at a young age in 2020

- ❖ [UNHCR, WFP, UNICEF and UNFPA, Ten years on, Syrian refugees' lives in Iraq are growing tougher, and past gains might be lost, 15 March 2021](#)
[...] Almost a quarter of a million Syrian refugees and asylum-seekers are still living in Iraq under tough living conditions since the beginning of the Syrian humanitarian crisis.
Protection risks, including child labour and early marriage, are becoming more acute, especially with the devastating impact of the COVID-19 pandemic. [...]
- ❖ [3RP Syria Crisis, Regional Strategic Overview 2021-2022, 31 December 2020](#)
[...] Iraq
[...] Lack of access to sustainable employment and livelihood opportunities remains the main vulnerability reported by Syrian refugees and the root cause of protection issues, such as child labour and child marriage.
[...] The limited access to livelihood opportunities also increased the risk for some forms of SGBV and had a negative impact on the overall child protection environment, leading to an increase in cases of child abuse, neglect and labour. [...]

LGBTI+ organisations did not operate openly due to stigma, intimidation and potential harm in 2017

❖ [OHCHR, End of visit statement of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her visit to Iraq, 24 November 2017](#)

[...] People whom I met reported frequent incitement to hatred against gay men, in public media and on social media, and told me of attacks against activists and NGOs supporting the human rights of LGBTQI. [...]

❖ [Middle East Eye, 'The world is changing': Iraqi LGBT group takes campaign to streets, 13 April 2018](#)

[...] However, a group of activists in the northern city of Sulaymaniyah have set out to challenge the idea that gay, lesbian, bisexual and trans issues should not be discussed or are not relevant to their communities. The human rights organisation Rasan is set to cover the walls of their city in new murals, designed to raise awareness of the rights of LGBT people and encourage dialogue within their mainly Sunni Kurdish society.

[...] He said Rasan reached out to community leaders and had managed to corral a support base that included members of the Kurdistan Regional Government's (KRG) Ministry of Education, lawyers, doctors and religious figures.

[...] The group's activism has, however, highlighted a stark contrast in attitudes to LGBT issues across Iraq, as well as the ability of campaigners to publicly raise them.

Notably, Rasan has been given permission to carry out their mural campaign by local government authorities in Sulaymaniyah.

The city has long held a reputation as the most socially liberal city in Iraq and, while LGBT individuals still face much social pressure, there is a space that does not exist in other parts of the country.

[...] Despite the difficulties that LGBT people face, both Rasan and other pro-LGBT groups such as IraQueer have managed to establish small networks and hold (usually clandestine) meetings where LGBT Iraqis can discuss their sexuality.

"The biggest thing you need for any meeting of LGBT people is a safe place," one Iraqi, who wished to remain anonymous, told MEE.

"At the moment it is very difficult to find a place for such meetings, because of the dangerous situation in Iraq at the moment.

"Because of this, we hold small meetings from time to time. They are held in private locations far from either the militias or the state."

Despite the hostility they often face, he said that they usually managed to attract a reasonable number of both LGBT and non-LGBT people who were interested in the issue.

[...] In spite of this grim picture, Shalal remains optimistic that history is on his side.

"The reason that we got support [from Sulaymaniyah] is because we proved to people, day-by-day, that what we are doing is right. Our allies are increasing. LGBT people are being more visible," he said

"The world is changing, it's being more open and everything is going towards our interests." [...]

❖ [Human Rights Watch, Audacity in Adversity: LGBT Activism in the Middle East and North Africa, 16 April 2018](#)

[...] An Iraqi activist living in another country in the region said that although he is "out" as gay to a broad circle of friends, he must be cautious when organizing events that could out him more publicly—not out of fear of what might happen to him in his host country, but because of what might happen if he is ever returned to Iraq.⁵⁵

[...] In Iraq, in response to killings and torture by the Asa'ib Ahl al-Haq and other non-state actors, an organization provides temporary shelter for LGBT people who have to flee their areas of residence because of threats.¹⁰⁹

[...] In some countries, LGBT activists work within organizations with broader objectives, such as in the Kurdistan Region of Iraq, where Rasan Organization, a women's rights organization, also formally took on LGBT rights in 2012. In Baghdad, where LGBT groups cannot have a public presence due to the risk of violence, partnerships with other human rights organizations have also been essential to carrying out day-to-day work.

[...] Some Iraqi activists are focusing on training Iraqi media in order to change the conversation around LGBT rights, starting with the vocabulary.

[...] In Iraq, an organization took its message directly to the public by clandestinely putting up posters in the streets of Baghdad at night that read "I am equal to you. Difference is the basis of life." One of the activists behind the campaign acknowledged:

We had to do this in secret so nobody can see us hanging the posters anywhere. We leave it in a place and leave because it is very dangerous and nobody will protect us. We can be killed by militias.¹⁸² [...]

55 Human Rights Watch interview with Omar R., Beirut, October 2, 2017.

[...] 109 Human Rights Watch telephone interview with Semo A. (pseudonym), July 19, 2017.

[...] 182 Human Rights Watch interview, 2017, date and location withheld.

❖ [Step Feed, We talked to the activist leading Iraq's first queer movement, 26 January 2018](#)

[...] IraQueer also partners with some local organizations interested in fighting for LGBTQ+ rights. Although Ashour says many Iraqi rights group have shown little or no concern for the queer community, some youth organizations have been willing partners. However, there are risks for any group or person who openly takes a stand for LGBTQ+ rights.

"One of our main Iraqi partners, which is a feminist organization – it's not a queer organization – they always face threats and violence because they stand up for queer issues as well," Ashour said. [...]

LGBTI+ organisations did not operate openly due to stigma, intimidation and potential harm in 2018

❖ [Iraqueer, Fighting for the Right to Live The State of LGBT+ Human Rights in Iraq, June 2018](#)

[...] Even LGBT+ friendly spaces like cafes and restaurants have rarely existed in Iraq.

[...] Violent threats are also directed toward activists who voice concern about issues related to LGBT+ rights. Several LGBT+ and women's rights activists have been targeted by the different extremist groups. Many of those activists have been forced to flee the country weakening the national LGBT+ movement. Salah from Baghdad told IraQueer, "We are unable to print posters promoting LGBT+ rights as printing houses report us to the authorities, and we could face imprisonment. We could go to jail simply because we printed a poster."

[...] This report was done in partnership with another Iraqi organization that chose to remain anonymous for safety reasons. [...]

❖ [France 24, In Baghdad, a daring poster campaign to defend LGBT rights, 22 June 2018](#)

[...] In the streets of Baghdad, people have been anonymously putting up posters and banners supporting LGBT rights since the beginning of June. Their presence in the city has caught the attention of social media. It's a daring campaign – and a risky one in a country where gay people are regularly victims of violence.

[...] Iraqueer is an NGO based in Sweden that works to promote the rights of Iraqi LGBT people. They told FRANCE 24 that they had begun this publicity campaign in cooperation with a local NGO in Baghdad. Amir Ashour is the president of the organisation.

"This is the second year in a row that we've led this poster campaign about LGBT rights. The NGO that we work with on this prefers to remain anonymous. If they openly admitted to being behind the campaign, there's a risk that they would lose support for their other projects from the state and other bodies.

[...] In Baghdad, it is very difficult for an NGO to openly defend the rights of homosexuals because of the risk of violent reprisals. Omar Al-Alouani is the president of the NGO Haq and one of the few activists to have shared photos of the LGBT campaign. However, he says he's against the initiative.

"I shared the photos in a Facebook group for human rights activists. I accompanied the photos with a simple question: 'Is society ready?' I didn't say anything further because it could be problematic for me.

My organisation doesn't work specifically on LGBT themes. But we try to help them if they come to us asking for help. A few weeks ago, a homosexual man came to us asking for help because he had been harassed and beaten up by people in the street. We offered him psychological support, and gave him advice on how to dress, how to wear his hair, etc. We have to ask these people to be as discreet as possible – it's for their own safety.

We believe being discreet is the best way to protect yourself. That's why we don't agree with this poster campaign. We're worried, in fact, that it's going to reawaken hate against the LGBT community, and actually cause violent reprisals, attacks, or even murders. [...]

❖ [The Daily Beast, ISIS Is Beaten. But Iraq Is Still Hell for LGBT+ People, 25 June 2018](#)

[...] Omar's experience is one of 257 LGBT+ Iraqi testimonies that form the basis of *Fighting for the Right to Life: The State of LGBT+ Human Rights in Iraq*.

The report was compiled by advocacy group [IraQueer](#) and a partner group that wishes to remain anonymous for safety reasons. [...]

❖ [DFAT, Country Information Report Iraq, 9 October 2018](#)

[...] LGBTI

[...] Local and international groups report that violence against people on the grounds of their sexual orientation or gender expression occurs, sometimes at the hands of state actors, and can include kidnapping and murder. NGOs and activists working on behalf of the LGBTI community may attract similar violence. [...]

❖ [IraQueer, Press Release: October 2018, 10 October 2018](#)

[...] IraQueer members are heartbroken after confirming the killing of two LGBT+ individuals in the last three days in Iraq. The 17 year old Hamoudi Al Mutairi whose photo was circulated on social media was stabbed to death in Zaafaranyah neighborhood in Baghdad on October 7th, 2018, and was filmed while dying. The second victim whose identity will be kept anonymous his boyfriend's request was shot in the head in Kirkuk city on October 8th, 2018 by someone who shouted "I'll clean up my city" before shooting the victim. Based on the information IraQueer has at this moment, these crimes seem to be purely homophobic attacks against people who are perceived to be LGBT+. [...]

❖ [IraQueer, MADRE, and OutRight Action International, Violence and Discrimination based on Sexual Orientation and Gender Identity in Iraq: A submission to the United Nations Human Rights Council for the Universal Periodic Review of IRAQ, Thirty-fourth Session of the UPR Working Group of the Human Rights Council, March 2019](#)

[...] Violence and discrimination against LGBT individuals in Iraq continues to flourish, and victims are guaranteed virtually no protection or redress.

[...] Faced with the ever-present possibility of discrimination, extreme violence, torture, and murder, being perceived as LGBT in Iraq places one in immediate danger. The state-sanctioned culture of anti-LGBT discrimination permeates Iraq's institutions and society. Perpetrators of egregious anti-LGBT human rights violations include victims' family members, militia fighters and religious militants from various groups, as well as government officials. Members of the security forces and police are, at best, non-responsive to human rights violations committed on the basis of sexual orientation or gender identity, and at worst, active participants in them. People in Iraq can count on virtually no protection or recourse for anti-LGBT violence and discrimination.

[...] The mere perception of being LGBT is extremely dangerous in Iraq and living openly as an LGBT person is nearly impossible.

[...] IraQueer has received reports from several individuals who have experienced instances of verbal, physical, and sexual abuse at various checkpoints across Baghdad and other cities. IraQueer is also in possession of several videos showing the police humiliating and physically abusing trans people, while filming the injustices themselves.^{xiv} Similarly, LGBT individuals especially men and women who are deemed to defy gender roles by being perceived as either too "masculine" or too "feminine", as well as trans people, have faced physical abuse in Northern Iraq under the Kurdistan Regional Government. [...]

[LGBTI+ organisations did not operate openly due to stigma, intimidation and potential harm in 2019](#)

❖ [IraQueer, MADRE and OutRight Action International, Violence and Discrimination based on Sexual Orientation and Gender Identity in Iraq: A submission to the United Nations Human Rights Council for the Universal Periodic Review of IRAQ Thirty-fourth Session of the UPR Working Group of the Human Rights Council, March 2019](#)

[...] For this reason, in the fall of 2017, advocates, supported by anonymous human rights organizations whose identities were concealed for reasons of safety, filed a communication^{xxxvii} – the first of its kind – to the International Criminal Court (ICC) to advance the protection of the rights of women and of LGBT people or those perceived to be LGBT. [...]

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] Same-sex sexual relations are not explicitly prohibited, but LGBT people risk violence if they are open about their identity. [...]

LGBTI+ organizations did not operate openly due to stigma, intimidation and potential harm in 2020

❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)

[...] Civil Liberties

[...] F. Rule of Law

[...] F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0/4

[...] Same-sex relations are not explicitly prohibited, but LGBT+ people risk violence if they are open about their identity. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Sexual Orientation and Gender Identity

[...] LGBTI individuals often do not report abuse for fear of further victimisation or acts of discrimination or violence that may result from them admitting their sexuality or gender orientation.

[...] When the EU Mission to Iraq raised a rainbow flag in its compound (co-located with the UK Embassy) in May 2020, accompanied by a tweet (supported by the UK and Canada) to mark International Day Against Homophobia, Biphobia, Intersexism and Transphobia, Iraq's Ministry of Foreign Affairs (MOFA) protested strongly. Following considerable public backlash and the MOFA statement, the tweet was removed from social media. According to an Iraqi LGBTI NGO, an uptick in violence against the community followed the incident, with nine LGBTI people killed in just two months. [...]

❖ [The New Arab, 'We are here': The LGBT activists on the frontline of Iraq's revolution, 27 March 2020](#)

[...] Since 1 October, protesters have poured onto the streets of the Iraqi capital Baghdad and other southern provinces to demand fundamental changes to the political system.

LGBT activists are a key part of this movement and have played a prominent role in protest zones, with many of them medics, cameramen and activists seeking basic rights.

While these protesters say they will keep demonstrating alongside their brothers and sisters, they do not want to display their sexual orientation for fear of violence from the state security forces and various religious-affiliated militias.

If targeted by the latter, their lives could be in danger.

While interviewing various LGBT protesters at Baghdad's Tahrir Square The New Arab had to observe a great deal of caution in order to protect the interviewees' safety.

Among them is 25-year old Jafaar Al-Qarahghuli, a Baghdad-based activist who joined the protests taking place at Tahrir Square in early October, when the so-called Tishreen Revolution began.

"We do not carry logos or special flags or anything indicating our identities to avoid being an easy target for armed groups," he told The New Arab. "We attend the protests in high numbers to show that we are part of this, as part of the community".

[...] Earlier this year, an LGBT Arabic page launched a campaign on Facebook under the name 'One of you'.

"We launched this campaign in order to let people in the Arab world know that LGBTQ people are a part of their communities. The campaign involved taking a picture in a public place and writing the phrase 'one of you' while showing the colours of the rainbow," someone involved with the LGBT Arabic team, who requested anonymity, told TNA.

The Iraqi LGBT community was among the first to participate in the campaign, despite the violence they face on a daily basis since joining the protests.

[...] Earlier in 2020, the Iraqi government submitted a report to the UN connecting sexual orientation and the right to life, highlighting their commitment to holding killers accountable.

According to Article 3, paragraph 12, the report stated that Iraq's constitution has no provisions that discriminate against persons of any specific category on the basis of sexual orientation or gender, and it does not sanction or approve the use of violence of any kind against them.

Al Uboodi said the report was designed to placate the UN and the international community at a time where the Iraqi government was under threat from millions of civilians demanding a revolution.

However, now that it has been publicly announced, the government must follow and act upon their report.

[...] "This is a positive development. Now, any LGBTQ person can use this statement to defend themselves in court or to push for further recognition and protection" he added: "I think it is great and amazing that LGBTQ Iraqis are deeply involved. Previously, LGBTQ people were portrayed as party-goers that just indulged in the Western lifestyle and isolated themselves from their local community".

"That view is slowly shifting with Iraqi society opening up and with these protests showing that LGBTQ Iraqis are just as invested and committed to helping their nation as anyone else".

Some protesters even updated their Facebook profiles with photos showing their sexual orientation. One of them was Karar Ahmed, a 17-year-old from the conservative city of Najaf.

"My profile photo represents my identity, despite this I face harassment by people on a daily basis just because I chose to declare my orientation" Ahmed said. "Militia leaders and their TVs incite the community against us and spoil the revolution by spreading inflammatory words, but I do not care what they are doing, I will not hesitate to keep saying that I am here".

"Today by putting a photo with rainbow colours on Facebook, tomorrow by announcing it in public. If we do not fight, we will get nothing," he added. [...]

Community activists continued to report about being affected by violence and intimidation in 2017

❖ [Step Feed, We talked to the activist leading Iraq's first queer movement, 26 January 2018](#)

[...] Violence is a daily reality for Iraqi LGBTQ+ individuals and allies

Ashour himself is all too aware of the disturbing reality of threats and violence faced by queer Iraqis. Due to his activism, he was forced to apply for political asylum in Sweden. [...]

Community activists continued to report about being affected by violence and intimidation in 2018

❖ [IraQueer, Fighting for the Right to Live The State of LGBT+ Human Rights in Iraq, June 2018](#)

[...] Violent threats are also directed toward activists who voice concern about issues related to LGBT+ rights. Several LGBT+ and women's rights activists have been targeted by the different extremist groups. Many of those activists have been forced to flee the country weakening the national LGBT+ movement. Salah from Baghdad told IraQueer, "We are unable to print posters promoting LGBT+ rights as printing houses report us to the authorities, and we could face imprisonment. We could go to jail simply because we printed a poster."

[...] Recommendations to the Iraqi Government

[...] Protect human rights activists who are working on human rights of LGBT+ people. [...]

❖ [DFAT, Country Information Report Iraq, 9 October 2018](#)

[...] LGBTI

[...] Local and international groups report that violence against people on the grounds of their sexual orientation or gender expression occurs, sometimes at the hands of state actors, and can include kidnapping and murder. NGOs and activists working on behalf of the LGBTI community may attract similar violence. [...]

Community activists continued to report about being affected by violence and intimidation in 2019

❖ [IraQueer, MADRE and OutRight Action International, Violence and Discrimination based on Sexual Orientation and Gender Identity in Iraq: A submission to the United Nations Human Rights Council](#)

[for the Universal Periodic Review of IRAQ Thirty-fourth Session of the UPR Working Group of the Human Rights Council, March 2019](#)

[...] Iraqi non-governmental service providers and human rights activists, including victims of anti-LGBT discrimination and violence, take great risks to record human rights violations committed on the basis of sexual orientation and gender identity. [...]

6.3.2. New omissions in 2018 (compared to 2017 and 2016), all omitted in 2019

ISIS kidnapped women and girls in 2018 to sell, rent, or gift them as forced “brides” (a euphemism for forced marriage or sexual slavery)

❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)

[...] In areas under its control, ISIL engaged in mass killings, rapes, kidnappings, detentions and mass abductions, torture and forced conversions, and the enslavement and sex trafficking of women and girls from minority religious communities [...]

❖ [UN Committee on the Elimination of Racial Discrimination, Concluding observations on the combined twenty-second to twenty-fifth periodic reports of Iraq, 11 January 2019](#)

[...] Situation of ethnic and ethno-religious groups in the context of the armed conflict

17. The Committee notes with concern:

(a) That, according to the report of the Office of the United Nations High Commissioner for Human Rights (A/HRC/28/18, para. 78), Daesh may have perpetrated genocide against the Yazidi community, as well as crimes against humanity and war crimes;

(b) Reports of other grave human rights violations perpetrated by Daesh against ethnic and ethno-religious groups, including summary executions, enforced disappearances, torture, forced religious conversions, sexual and gender-based violence including rape and sexual slavery, and destruction and looting of their places of worship, homes and other properties, as well as reports that there are Yazidis and members of other ethnic and ethno-religious groups still being held captive by Daesh; [...]

❖ [Human Rights Watch, World Report 2019: Iraq, 17 January 2019](#)

[...] Human Rights Watch and other organizations documented a system of organized rape, sexual slavery, and forced marriage by ISIS forces of Yazidi women and girls. However, no ISIS member has been prosecuted or convicted for those specific crimes. [...]

ISIS kidnapped women and girls in 2019 to sell, rent, or gift them as forced “brides” (a euphemism for forced marriage or sexual slavery)

❖ [NPR, Freed From ISIS, Few Yazidis Return To Suffering Families, Many Remain Missing, 14 March 2019](#)

[...] ISIS considers the Yazidis infidels and allowed its fighters to kill and kidnap thousands of them, holding many of the women and girls as sex slaves and the boys as fighters in training. Now, as the militant group loses territory, a trickle of captives are being freed, returning to shattered families. [...]

❖ [The Financial Times, Yazidi hostages traded to criminals as Isis loses ground, 14 March 2019](#)

[...] Yazidi families — among Iraq’s poorest people — are trying to locate a total of more than 3,000 missing relatives bought and sold by Isis members, according to Yazda, an advocacy organisation.

Ahmed Burjus, Yazda’s deputy director, said the authorities had failed to help. “There is no plan from the international community or Iraq or Kurdistan government to rescue those people,” he said. The Assad regime has no control of areas where kidnap victims are being held. [...]

❖ [Alliance of Iraqi Minorities \(AIM\), Iraq: Submission To The UN Universal Periodic Review Thirty-Four Session Of The UPR Working Group Of The Human Rights Council: October 2019, 27 March](#)

2019

[...] 1. AIM received through its organizations official statements and statistics received from an office of kidnappers (men and women) of Yazidis indicating that the organization of the preacher of the terrorist was captured for the purposes of slavery of (6,418) women, young men and children in the town of Sinjar Iraq. The latest statistics issued in March 2019, (3,371) women, children and men were rescued, but still holding a tight grip of (3,047) women and children are exposed daily for sale and enslavement.

2. Information obtained by AIM through its observatories indicates that the fate of approximately 400 Turkmen women and girls is not known, apparently through the statements that the Daa'esh organization had captured, sold and enslaved them, particularly from the Turkmen component of the Shiite community, most of them from Tal Afar, Tuzhurmatu and the outskirts of the city of Kirkuk. [...]

ISIS's sexual exploitation of Yazidi children continued in 2018; this abuse included rape and sexual slavery

❖ [UN Assistance Mission for Iraq \(UNAMI\), Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL, 6 November 2018](#)

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❖ [UN General Assembly Security Council, Children and armed conflict in Iraq, 23 December 2019](#)

[...] The United Nations received credible reports of systematic and large-scale sexual abuse of children by ISIL. The group deliberately targeted religious and ethnic minorities, including Yazidis, Christians, Turkmen and Shabak, as well as Shi'a and Sunni populations, using sexual violence as a means of control and intimidation. Children were also trafficked, sold and traded by ISIL in Iraq as well as to the Syrian Arab Republic. [...]

Persons with disabilities experienced discrimination due to social stigma in 2018

❖ [Center for Financial Inclusion, Why We Serve People with Disabilities: Lessons from Iraq, 31 October 2018](#)

[...] We realized that there were huge negative misperceptions around and persistent stigmas associated with PwDs. People who are blind, deaf, partially paralyzed, have missing limbs, or have other special needs were mostly excluded from parts of society. Successive governments have failed to address the problem and the stigma has remained. [...]

Persons with disabilities experienced discrimination due to social stigma in 2019

❖ [Minority Rights Group International, Alternative Report to the Committee on the Rights of Persons with Disabilities \(CRPD\): Review of the Initial Report of Iraq, Geneva, 26th August – 20th September 2019, 9 August 2019](#)

[...] The barriers to PwDs are not only administrative or physical, but also psychosocial, with heavy stigmas attached to disability in Iraq. As a result, people with disabilities suffer job loss, restricted access to education, poorer health, fewer economic opportunities and increased poverty rates, as well as marginalization from social and political participation. Law No. 38 on the Welfare of Persons with Disabilities and Special Needs (2013), as well as Kurdish Regional Government (KRG) Law No. 22 on the Rights and Privileges of the Disabled and Persons with Special Needs seek to address some of these challenges, but PwDs complain of a notable lack of implementation. The marginalisation of PwDs is furthered by legislative definitions which approach the disability as a cause of impairment, rather than a result of the impairment's interaction with social barriers which can be altered.

[...] Heavy stigma and stereotypes attached to disability in Iraq also act as a significant deterrent for enrolment in education as well as a cause of withdrawal.

[...] Employment of PwDs in the private sector is scarce – a result of stigma, discrimination, and physical barriers to accessing the employment field. Despite Council of Ministers Decision No. 205 of 2013, requiring 3 percent of posts in all ministries, non-ministerial agencies and governorates to be reserved for PwDs, it is reported that PwDs employed in government offices are also very few and are often placed in low-ranking positions, although PwD representation in the KRG is more prevalent.¹⁰

[...] 19. There is pervasive discrimination, and extensive practical obstacles, against minorities, women and persons with disabilities in access to state aid. The Law for the Care of Persons with Disabilities and Special Needs (2013) and Social Protection Act (2014) both provide for cash transfer benefits and specialised services entitlements of vulnerable Iraqis living below the poverty line – of which PwDs are a specific target group – from the Ministry of Labour and Social Affairs (MOLSA). Compensation schemes for people injured

or disabled by conflict in Iraq are also available. However, many PWDs are not fully aware of these entitlements or face many obstacles in accessing basic welfare payments due to bureaucratic processes.

[...] Due to women with disabilities being subject to particularly strong stigmatization and marginalization in Iraq, female PWDs are socially excluded to a far greater extent.

[...] Heavy social stigma regarding disability has a great impact on PWD inclusion in community. For instance, members of the community will often refuse to marry PWDs or even their siblings out of fear of passing on disabilities to their children. What is more, many people do not allow their disabled family members to appear in public often, either due to shame or as a form of protection. As a result, the government along with many civil society organisations lack accurate data on the number of PWDs and their needs. This in turn has affected both the quantity and quality of habilitation programs designed to target PWDs, whether by the government or by non-governmental organisations. [...]

10 Unpublished study conducted by Iraqi Media Organisation Kurdistan (IMOK) on behalf of Minority Rights Group International, July 2019.

❖ [UN Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Iraq, 23 October 2019](#)

[...] B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

11. The Committee is concerned that:

(a) Discrimination against persons with disabilities remains widespread, especially against persons with psychosocial or intellectual disabilities and women with disabilities, and that limited progress has been made in combating multiple and intersecting forms of discrimination on the basis of, among other grounds, age, gender, ethnicity and geographical location, especially rural areas;

(b) National legislation does not recognize the denial of reasonable accommodation as a form of discrimination.

[...] 12. The Committee recalls its general comment No. 6 (2018) on equality and non-discrimination and recommends that the State party:

(a) Strengthen mechanisms for persons with disabilities exposed to discrimination to obtain redress, including compensation, and rehabilitation and for perpetrators to be sanctioned, ensure that such mechanisms are accessible to persons with disabilities and raise awareness among persons with disabilities, public officials and service providers on the available legal remedies;

[...] 16. The Committee recommends that the State party:

[...] (b) Ensure that children with disabilities enjoy all the rights under the Convention and address stigma and discrimination against and stereotypes that are harmful to children with disabilities, particularly children with disabilities facing multiple and intersectional forms of discrimination;

[...] 42. The Committee recommends that the State party:

[...] (b) Adopt measures to support parents with disabilities to raise their children at home and to eliminate social stigma against persons with disabilities regarding marriage and parenthood. [...]

❖ [UN Committee on the Elimination of Discrimination against Women, Concluding observations on the seventh periodic report of Iraq, 12 November 2019](#)

[...] Women with disabilities

37. The Committee is concerned about:

(a) The lack of mainstreaming of a gender perspective into disability-specific policies and the lack of mainstreaming of the disability perspective into gender legislation and policies;

(b) The insufficient implementation of measures to combat multiple and intersecting forms of discrimination, in particular against women with disabilities living in rural areas, women with disabilities who are internally displaced, refugees or migrants, and women with disabilities belonging to ethnic, religious or linguistic minorities, including in the Kurdistan Region;

(c) The limited information on policies and strategies to ensure the development, advancement and empowerment of women and girls with disabilities in the political, social and economic spheres. [...]

Persons with disabilities experienced discrimination due to social stigma in 2020

- ❖ [UNOCHA, Humanitarian Needs Overview: Iraq, February 2021](#)
 [...] Part 3 Sectoral Analysis
 [...] Child Protection
 [...] Children with disabilities also face challenges to properly integrate due to lack of proper services, social stigma and barriers in accessing education. As a result, psychosocial trauma, stress and anxiety are second among reported protection issues for children. [...]

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 [...] 3. Refugee Convention Claims
 [...] Groups of Interest
 [...] Children
 [...] Despite the constitutional and legal protections, and the high rate of Iraqis either with a disability or with a personal connection to a PWD, in-country sources report there is little understanding or awareness at either an official or societal level of the challenges and needs faced by PWDs. Negative attitudes and accessibility challenges continue to limit the extent to which PWDs are able to participate in the workplace and in general society. Stigma, distance and access reportedly prevent many PWDs from registering for benefits.
 Discrimination against PWDs is reportedly highly prevalent in educational settings. A 1950s law still on the books reportedly requires deaf children to leave school after the fourth grade, while other laws and practices prevent those with other forms of disability from accessing education at all levels. In one case, a primary school principal reportedly refused to enrol a child with disabilities because the child ‘would frighten the others’. Other constraints to education include a lack of appropriate learning materials in schools and a shortage of teachers qualified to work with children with developmental or intellectual disabilities.
 Women with disabilities face particular stigma, with their disability widely perceived as them ‘bringing shame on their family’. Many are not permitted to leave the house or to be seen by outsiders. Women with intellectual disabilities or mental health issues are at extremely high risk of gender-based violence or sexual abuse. The families of women with physical disabilities reportedly refuse to allow them to be seen by male technicians at factories producing prosthetics, thus preventing them from accessing equipment that would enable them more freedom of movement. The equipment available to those with physical disabilities (such as wheelchairs, crutches and sticks) is reportedly of a very low standard and limited shelf life. [...]

- ❖ [Handicap International, Barriers to Accessing Services for Persons with Disabilities in Basra Governorate Iraq, July 2020](#)
 [...] 9. The Right to Inclusion in the Community
 9.1 Support Systems
 [...] If persons with disabilities are able to leave their house, they might be confronted with discrimination from community members. While some persons with disabilities and stakeholders report that communities are supportive of persons with disabilities, the majority reports that communities hold negative views towards persons with disabilities. It is not uncommon that those with disabilities are being mocked by community members and that they are being referred to by derogatory terms. Society generally sees persons with disabilities as a burden and women are being discriminated more often.¹³⁹
 [...] 11. Recommendations
 [...] Females have virtually no options to access employment in the private sector due to the stigma and barriers they face with regard to transportation. (p. 51) [...]

139 Reported by Government Officials, Community Leaders, Disabled Persons’ Organizations, Civil Society Actors and Organizations, Service Providers, Persons with Disabilities, and Family Members of Persons with Disabilities

Societal discrimination in employment, occupation, and housing based on sexual orientation, gender identity, and unconventional appearance in 2018

- ❖ [Iraqueer, Fighting for the Right to Live The State of LGBT+ Human Rights in Iraq, June 2018](#)

[...] The Lesbian, Gay, Bisexual, Transsexual, and other (LGBT+) community is one of the most invisible communities in Iraq. Members of this group are forced to live in the shadows for fear of losing basic rights to health and education, and even their right to life.

[...] The injustices queer people face extend to their daily lives. Several individuals have been denied employment or have been fired for looking “too feminine” or for refusing to engage in sexual practices with their employers.⁸ Sexual advances from employers occur very often, and are always unreported. LGBT+ individuals do not only lack legal protection, but also fear the possibility of being legally persecuted for redefining social norms and “damaging the public honor.”⁹ This was the case for Rawa, a 26-year-old gay man living in Duhok. He stated in an August 2017 interview with IraQueer that he’s been unable to sustain a job because of the harassment he faces. “I’ve been raped by my boss when I was working as a barista,” he said. “He then threatened that he will report me to the police if I said anything. I had no choice but to escape.” [...]

8 IraQueer interviews with 257 LGBT+ individuals — 2017 - 2018.

9 Articles 403, 430 and 431 of the Iraqi Penal Code

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] LGBT (lesbian, gay, bisexual, and transgender) people are unable to enjoy equal political rights in practice due to harsh societal discrimination, and the main political parties do not advocate for the interests of LGBT people in their platforms. [...]

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Discrimination faced by LGBTI+ in accessing education or health care in 2018

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❖ [DFAT, Country Information Report Iraq, 9 October 2018](#)

[...] LGBTI

[...] LGBTI individuals that do identify publicly often face abuse and violence from within their families and communities. They may be denied services including health care. [...]

Discrimination faced by LGBTI+ in accessing education or health care in 2019

❖ [IraQueer, MADRE and OutRight Action International, Violence and Discrimination based on Sexual Orientation and Gender Identity in Iraq: A submission to the United Nations Human Rights Council for the Universal Periodic Review of IRAQ Thirty-fourth Session of the UPR Working Group of the Human Rights Council, March 2019](#)

[...] This submission documents four main areas of concern: [...] (iii) lack of access to safe employment and necessary health services for LGBT people in Iraq;

[...] Discrimination in employment and healthcare dramatically impact the lives of LGBT individuals in Iraq.

[...] Members of the trans community face extreme danger simply by existing, especially those who choose to undergo hormone treatment and show physical changes, and Iraqi law denies them gender-affirming healthcare. Hormone treatments are not legal and make transitioning even more dangerous.^{xxiii} In addition, the law does not permit sex change operations.^{xxiv}

[...] Multiple sectors of society are implicated in these human rights violations, including civilians, militia members, religious leaders, police and security forces, government officials, healthcare workers and others. [...] F. The Government of Iraq should take measures to guarantee that all LGBT people have access to safe and stable employment opportunities, as well as full and equal access to health services. [...]

xiii IraqQueer, *Fighting for the Right to Live: The State of LGBT+ Human Rights in Iraq*, p. 9 (2018).
Xxiv IraqQueer, *Fighting for the Right to Live: The State of LGBT+ Human Rights in Iraq*, p. 9 (2018).

Evidence of societal discrimination in access to health care in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Women

[...] Sexual Orientation and Gender Identity

[...] Individuals perceived to be LGBTI often face abuse and violence from within their families and communities and may face denial of services, including health care. [...]

❖ [IraqQueer, Blog: Healthcare and Medical Services Sought by Iraqi Queers: Doctors Point of View, 24 March 2021](#)

[...] In general, medical care in Iraq isn't the best compared to other countries and with having homophobia spread among doctors, nurses, and pharmacists who work in the hospitals, the medical needs of the Iraqi LGBT+ community are rarely met.

When we talk about health issues, we don't mean simple tooth pain or flu. LGBT+ members need surgeries, STD tests, or mental health services that are unavailable anywhere in the country. For that, most homosexuals avoid visiting doctors or when they do, they avoid telling them about their sexuality because some doctors don't only refuse to offer their help but also put the patients in more trouble and cause stress by insulting them or threatening them.

[...] David (Fake name) is an Iraqi General Practitioner and a homosexual man. David's journey started as several people from the LGBT+ community reached out to him to ask about their health problems that were related to their sexualities or their sexual practices. David says that the ones who asked him for help were too afraid to check with another doctor because of their worries that the doctor would turn to be homophobic.

"I noticed that the LGBT+ community was lacking the proper medical services, including the very basic and simple ones so that was the beginning of my journey to becoming a doctor who offers these services.

Throughout my experience, I noticed that the quality of the medical services varies based on the sexuality of the patient. The type of medical service, the way the patient is treated, and the treatment that is given to the patient all vary significantly based on their sexuality.

Unfortunately, homophobia is common among health personnel including doctors, pharmacists, nurses, and so on. And that homophobia makes some of the medical service providers use the power they have to threaten LGBT+ members on social media or use bad language with them. [...]

6.3.3. Omissions in 2019

Information on the number of number of Yazidi women and children remaining in ISIS captivity in 2019

❖ [The Financial Times, Yazidi hostages traded to criminals as Isis loses ground, 14 March 2019](#)

[...] Yazidi families — among Iraq's poorest people — are trying to locate a total of more than 3,000 missing relatives bought and sold by Isis members, according to Yazda, an advocacy organisation.

Ahmed Burjus, Yazda's deputy director, said the authorities had failed to help. "There is no plan from the international community or Iraq or Kurdistan government to rescue those people," he said. The Assad regime has no control of areas where kidnap victims are being held. [...]

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- ❖ [Amnesty International, Human Rights in the Middle East and North Africa: Review of 2019 - Iraq, 18 February 2020](#)

[...] The fate of over 3,000 Yazidi women and girls abducted by the armed group remained unknown. [...]

Information on the number of number of Yezidi women and children remaining in ISIS captivity in 2020

- ❖ [UN Security Council, Conflict-related sexual violence: Report of the Secretary-General, 30 March 2021](#)

[...] Iraq

[...] According to the Directorate of Yazidi Affairs of the Ministry of Endowment and Religious Affairs of the Kurdistan Regional Government, of the estimated 6,417 Yazidis who were abducted, 3,543 people (1,204 women, 1,044 girls, 956 boys and 339 men) have been rescued and 2,874 remain missing (1,574 men and 1,300 women). [...] (p. 13)

- ❖ [Yazda, The Sixth Annual Commemoration of the Yazidi Genocide: Joint Statement by Amal Clooney and Yazda, 2 August 2020](#)

[...] The suffering of the Yazidi community is ongoing, as hundreds of thousands of civilians remain in squalid IDP camps across northern Iraq, unable to return to their ancestral lands. Almost 3,000 of their loved ones remain missing, with many women and children still thought to be held captive. [...]

- ❖ [Amnesty International, Legacy of Terror: The Plight of Yezidi Child Survivors of ISIS, 30 July 2020](#)

[...] 3. Background and Context

[...] 3.3. Abuse against Yazidis

The Kurdistan Regional Government's Office of Kidnapped Yazidis, based in Dohuk, estimated that as of February 2020, 2,884 Yezidi adults and children remain missing. Many of these adults and children are believed to still be in IS captivity.³² [...]

³² Interview on 25 February 2020.

Continued practice of fasliya, whereby family members, including women and children, are traded to settle tribal disputes, in 2019

- ❖ [ECPAT International, ECPAT Country Overview: Iraq - A report on the scale, scope and context of the sexual exploitation of children, 9 April 2019](#)

[...] Forced marriage is observed among tribes in Iraq where the tradition of *fasliya* is widely practiced, in which tribal disputes are resolved by 'gifting' a female family member to another tribe. The incidence of *fasliya* marriages is highest in rural and poor areas, particularly in the southernmost provinces of Iraq, and often involves underage girls. [...]

- ❖ [Arab News, In Iraq, tribal traditions rob women, girls of rights, 18 April 2019](#)
 [...] In one tribal custom known as “fasliya,” women are married off as restitution for blood spilt between two tribes.
 [...] “Fasliya” is still being practiced.
 [...] Meanwhile, tribal customs are becoming further entrenched, according to Maytham Al-Saadi, a professor at Misan University.
 “In the past, fasliyas would be proposed only in cases needing blood money, but in recent decades they’ve been used to end the simplest disputes between tribes,” he said.
 “It’s modern slavery.” [...]
- ❖ [Jiyon Foundation for Human Rights, Women’s Legal Assistance Organization and ECPAT International, Sexual Exploitation of Children in Iraq: Submission for the Universal Periodic Review of the Human Rights Situation in Iraq, 28 March 2019](#)
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- ❖ [Geneva International Centre for Justice \(GICJ\), Shadow Report on Iraq submitted by Geneva International Centre for Justice \(GICJ\) to the Committee on the Elimination of All Forms of Discrimination Against Women, 74th Session, 21 October – 8 November 2019, 10 October 2019](#)
 [...] Forced marriage
 7. There is no age restriction and such a law leaves room for physical and psychological abuse to occur with the victims having no recourse to justice. Article 9(2) stipulates “No relative or other person has the right to force marriage on anyone, male or female, without their consent.” Again, the article is too vague. It does not stipulate any age limit and can therefore also be a loophole for forced child marriages where a girl or woman is forced by her family to enter a marriage due to societal or economic factors such as poverty or “honour” or when women are given in marriage to settle tribal disputes (fasliyah).
 [...] Recommendations
 [...] Put an end to harmful practices such as temporary marriages *muta’ah* and *fasliyah* (giving women away to resolve tribal disputes) in conformity with articles 2 and 5 of the Convention. Prosecute perpetrators of such marriages or any marriage contracted outside court, as those practices strip women of their civil rights.
 [...]
- ❖ [Geneva Centre for Security Sector Governance \(DCAF\), International Security Sector Advisory Team \(ISSAT\), ISSAT Background Note: Security Sector Reform in Iraq, 25 February 2020](#)
 [...] Iraqis often turn to tribal and religious dispute settlement mechanisms due to lack of trust in the public sector and weak access to justice. However, tribal justice mechanisms in Iraq, include practices that could be against basic human rights and gender equality principles such as exchange of women as dispute resolution measures or collective violent punishments. [...]

KRG authorities continued to discriminate against minorities, including Turkmen, Arabs, Yazidis, Shabaks, and Christians, both in the disputed territories and in the three provinces that officially make up the Kurdistan region in 2019

- ❖ [Nineveh Center for Minority Rights and the Assyrian Universal Alliance Americas Chapter, Iraq: Thirty-Fourth Session of the Working Group on the Universal Periodic Review United Nations Human Rights Council: A Stakeholder Report, March 2019](#)
 [...] 10. One of the biggest issues facing the Iraqi Assyrian population’s ability to fully participate in political life is the structural composition of the Iraqi electoral law, specifically with reference to the electoral quota system. Assyrians are allotted a minority quota of five seats in the Iraqi Parliament, a figure that was determined at the time of the quota’s introduction to electoral law in 2008. This system is intended to ensure the representation of Iraq’s vast and numerous minority communities, but has consistently failed to serve its purpose due to the weak protections against non-minorities voting for minority candidates and lists. While in theory, the minority quota is intended to encourage minorities to vote, run for, and hold office; the

reality is that political parties, particularly the Kurdistan Democratic Party (KDP), manipulate the quota system to achieve political gains, later on other Shiite political parties followed suit.

[...] 21. In the KRG-controlled Governorate of Dohuk, Assyrian Christians have complained that Kurdish officials and tribal leaders have illegally occupied and used their agricultural lands for commercial and investment purposes.

[...] Notwithstanding the existence of constitutional protections against unlawful expropriation, targeted confiscation of Assyrian Christians' property in the Kurdistan Region as well as ineffective government mechanisms to address historic grievances result in both formal and substantive discrimination against Assyrian Christians.

[...] In sum, the three main issues obstructing displaced Assyrian Christians from enjoying the right to housing under Article 11(1) of the ICESCR, include: situational safety and discrimination; the extent of physical damage making it difficult (if not impossible) to resume residence in the property; and financial obstacles to being able to afford the cost of construction and renovation. To fully guarantee equal access to housing, the central government must prioritize the needs of Assyrian Christian IDPs and other disadvantaged groups by implementing necessary measures that will help overcome such threats to their physical and financial security. [...]

❖ [Alliance of Iraqi Minorities \(AIM\), Iraq: Submission To The UN Universal Periodic Review Thirty-Four Session Of The UPR Working Group Of The Human Rights Council: October 2019, 27 March 2019](#)

[...] No quotas have been allocated so far (for Yazidis, Kakayis, Zardashtin and Baha'is) seats at the level of the People's Assembly in Kurdistan - Iraq, despite the continuous demands to amend the law and the need to represent them along the lines of both Christians and Turkomans and Armenians.

[...] 2. AIM organizations express their dissatisfaction with the continued imbalance in the real representation of members of the religious and ethnic minorities in the Iraqi security and military system, including the police and army, including the Peshmerga forces in the Kurdistan Region of Iraq, and according to the monitoring of the AIM organizations that they are still no position of leadership and decision-making security and military corps in the areas of minority existence is not in the hands of the people of these areas, despite the expulsions suffered after the expropriation of those areas by the recent encouragement and liberalization. [...]

❖ [Minority Rights Group International and Ceasefire Centre For Civilian Rights, Submission to the United Nations Universal Periodic Review of Iraq: Thirty fourth Session of the Working Group on the UPR Human Rights Council, 4 November – 15 November 2019, 28 March 2019](#)

[...] The Kurdistan Regional Government (KRG) refuses to recognise Shabak as a distinct ethnic group, considering them to be of Kurdish ethnicity. While some Shabak do identify as Kurds, many do not.

[...] The KRG does not reserve seats for Yezidi, Shabak, Black Iraqis or religious minorities other than Christians. The 2015 KRG Law on the Protection of the Rights of Components recognises various ethnic and religious minorities but contains no protections for Kaka'is and fails to criminalise hate speech. Furthermore, Sabaeen-Mandaeans now residing in the Kurdistan Region of Iraq (KRI) are unable to obtain official documentation from the KRG to prove they are living there yet are simultaneously unable to transfer residence from Baghdad. Without being able to solidify their presence through documentation providing proof of residence, Sabaeen-Mandaeans cannot access rights stipulated in the 2015 Law, such as the right to run for parliament.²¹ Increasing reports also suggest that minority political representatives are targeted if they are critical of the main Kurdish political parties. [...]

21 Religious Minority Representative in KRG, Erbil, January 2019

❖ [Assyrian Aid Society-Iraq, The land grabbing on the Assyrian lands in Iraq: Report to the Universal Periodic Review of the State of Iraq, 29 March 2019](#)

[...] There are more than 70 Assyrian villages and towns that have been either completely or partially land grabbed, or confiscating of some lands of the Assyrian villages after the genocide of the Assyrian Christians in 1933 known as the Semele Massacre by the Iraqi government during the kingdom era, Neither the Iraqi government nor the Kurdistan Regional Government has addressed this important issue, and most of Assyrian lands and rights are still being expropriated against their will.

[...] There are cases of land grabbing for the entire villages and prevent their owners from returning to them

for many years dating back to the sixties of the last century or the seventies, mostly of these cases were done by the neighboring Kurdish tribes.

[...] Cases of land grab on some lands in the villages; many residents of the towns or the owners of villages and Assyrian territories in the areas of the Kurdistan Regional Administration of Iraq requests to address these cases, but unfortunately the vast majority has not been solved to the moment, including cases in villages of Nahla, Barwari Bala, Amadiyah, Zakho and others regions. Some of these cases, the landowners had recourse to the court seeking for justice, but court orders were not decided in their favor or were decided in their favor but not implemented.

[...] Several cases of the Assyrian Christian villages and towns were documented that have been exploited illegally by PKK militants for several years, which is preventing the Assyrian Christian landowners and others from returning to their areas of origin, this is occurring in areas related to districts of Amadiyah, Aqra and Zakho, and there are fears among the Assyrians of making a demographic change in these land grabbed towns or villages.

[...] Continuing of land grabbing cases after the formation of the Kurdistan Regional Government after 1991, which included the housing of many Kurdish families in the areas and territories of the Assyrians, which undermined the confidence of the people in the administration and its promises to address cases of land grab in the areas under its control significantly including land grab by acquisition of the Assyrian lands to construct of buildings and government departments. [...]

❖ [The Atlantic, The Impossible Future of Christians in the Middle East, 23 May 2019](#)

[...] For many Christians living in northern Iraq, discrimination is a part of life: Many non-Christians won't hire Christians at their businesses. Families closely monitor their daughters out of fear that they'll be targeted for sexual violence [...]

❖ [London School of Economics \(LSE\) Blog, Dylan O'Driscoll and Irene Costantini, Minorities, Displacement, and Citizenship in Northern Iraq, 3 July 2019](#)

[...] Iraq witnessed more than three million IDPs as a consequence of the advancement of the Islamic State (IS), which has had a considerable impact on already strained intercommunity relations. Ethnic and religious minorities in northern Iraq – particularly Christians, Shabaks and Yazidis – were caught in the wave of violence as a result of IS and many escaped to the Kurdistan Region of Iraq (KRI) due to its proximity and relative stability. These minorities were left at the crossroad between citizenship and the competition for power in Iraq. Due to its status as a quasi-state, entering the KRI meant entering an altogether differently defined territory within Iraq, where IDPs have been subject to bureaucratic and administrative procedures in many ways similar to those faced by refugees.

[...] Additionally, the homogenisation of people's movement extended to humanitarian assistance to IDPs, with the creation of ethnosectarian uniformed camps or areas within them. Checkpoints also became borders, drawing new lines between communities and representing selective, arbitrary, or discriminatory practices impeding the movements of some over others.

[...] In the political spaces created by mass displacement, practices of citizenship emerged that reflected the precarious position of IDPs in the construction of the Iraqi state. IDPs associate displacement with being a second-class citizen due to the limits it has on their inclusion in the political community as well as the obstacles it imposes on daily life, such as extra bureaucratic procedures and limited economic opportunities. For example, in the KRI, IDPs have to apply for residency just as any international would do based on a thorough security screening and decision by the Kurdish security apparatus. They also have issues registering land, and to obtain lost legal documents IDPs often have to travel to their governorate of origin or Baghdad, which can be a significant financial burden as well as a security risk. This is even more pronounced when considering that Syrian Kurdish refugees find easier access to the labour market in the KRI than Iraqi IDPs. These practices of exclusion originate from a very different understanding of what Iraqi citizenship means in the KRI, given its aspiration for independence. [...]

❖ [UN Human Rights Council, Summary of Stakeholders' submissions on Iraq: Report of the Office of the United Nations High Commissioner for Human Rights, 19 August 2019](#)

[...] 110. AASI [Assyrian Aid Society, Dohuk (Iraq)] stated that Assyrian Christian villages and towns have been exploited illegally by PKK militants for several years, which was preventing the Assyrian Christian landowners and others from returning to their areas of origin. This is occurring in areas related to districts of Amadiyah, Aqra and Zakho, and there are fears among the Assyrians of making a demographic change in these land

grabbed towns or villages.¹³³ [...]

133 AASI, page 2.

- ❖ [Human Rights Watch, Kurdistan Region of Iraq: Arabs Not Allowed Home, 6 September 2019](#)
[...] The Kurdistan Regional Government (KRG) is preventing about 4,200 Sunni Arabs from returning home to 12 villages east of Mosul, Human Rights Watch said today. More than three years after the Hamdaniya district was retaken from the Islamic State (also known as ISIS), in one area KRG authorities have only allowed Kurdish residents and Arabs with KRG ties to return, in violation of international humanitarian law. The Arab families seeking to return home had fled primarily to ISIS-controlled Mosul during fighting in 2014. Approximately 3,400 Sunni Arabs have been residing in camps for the displaced with dwindling services, according to aid workers. Affected families said they have been blocked from their homes and farmland and unable to earn a living. A KRG official wrote in an email to Human Rights Watch that residents were free to return to their homes, but provided Human Rights Watch with a list of Nineveh villages that were difficult to return to, identifying six from Hamdaniya as “blocked” for return.
“The Kurdistan Regional Government is preventing thousands of Arab villagers from returning home without a lawful reason,” said Lama Fasih, acting Middle East director at Human Rights Watch. “The fact that the KRG is permitting Kurdish and well-connected Arab residents back suggests that these villagers are being improperly punished.” [...]

[KRG authorities continued to discriminate against minorities, including Turkmen, Arabs, Yazidis, Shabaks, and Christians in the three provinces that officially make up the Kurdistan region in 2020](#)

- ❖ [Christian Solidarity Worldwide, Iraq: General Briefing, March 2021](#)
[...] Local community leaders and activists have reported intensified efforts by the KRG to ‘Kurdify’ their territories by making it difficult for individuals displaced by IS violence to return. Tactics employed by the KRG have included forcibly appropriating land and property, and using intimidation, while also attempting to ‘divide and rule’ by offering financial and status privileges to selected political and religious figures within these communities. Many Yazidi activists report increased pressure from the KRG on the Yazidi community to identify as Kurds, even when they do not wish to do so. The KRG has also reportedly intensified efforts to impose Kurdish identity on the region’s Christian community. [...]
- ❖ [Iraqi Thoughts, Security in the Nineveh Plains: What it Means for Assyrians, 19 January 2021](#)
[...] Since the insurgency, politicians have vocalized the importance of ethnic and religious inclusiveness in Iraq. Yet, Assyrian civilians, activists and representatives are infrequently consulted on matters regarding security in their own land. Instead of meeting their demands to expand the operations of the Nineveh Plains Protection Units, the government favors proposals made by KDP and Badr Organization officials, who often have no connection to the region itself. Inevitably, the outcome is damaging. Assyrians face injustice at the hands of forces authorized by the government, furthering their lack of trust in the state and providing them with little incentive to remain in Iraq. This is a counterproductive approach in which authorities liberate lands from an occupier, but then continue to make them inhospitable for their original residents. [...]

[LGBTI persons faced abuse and violence from government and nongovernmental actors in 2019 that the government did not effectively investigate](#)

- ❖ [IraQueer, MADRE, and OutRight Action International, Violence and Discrimination based on Sexual Orientation and Gender Identity in Iraq: A submission to the United Nations Human Rights Council for the Universal Periodic Review of IRAQ, Thirty-fourth Session of the UPR Working Group of the Human Rights Council, March 2019](#)
[...] Violence and discrimination against LGBT individuals in Iraq continues to flourish, and victims are guaranteed virtually no protection or redress.

[...] Faced with the ever-present possibility of discrimination, extreme violence, torture, and murder, being perceived as LGBT in Iraq places one in immediate danger. The state-sanctioned culture of anti-LGBT discrimination permeates Iraq's institutions and society. Perpetrators of egregious anti-LGBT human rights violations include victims' family members, militia fighters and religious militants from various groups, as well as government officials. Members of the security forces and police are, at best, non-responsive to human rights violations committed on the basis of sexual orientation or gender identity, and at worst, active participants in them. People in Iraq can count on virtually no protection or recourse for anti-LGBT violence and discrimination.

[...] The mere perception of being LGBT is extremely dangerous in Iraq and living openly as an LGBT person is nearly impossible.

[...] IraQueer has received reports from several individuals who have experienced instances of verbal, physical, and sexual abuse at various checkpoints across Baghdad and other cities. IraQueer is also in possession of several videos showing the police humiliating and physically abusing trans people, while filming the injustices themselves.^{xiv} Similarly, LGBT individuals especially men and women who are deemed to defy gender roles by being perceived as either too "masculine" or too "feminine", as well as trans people, have faced physical abuse in Northern Iraq under the Kurdistan Regional Government. [...]

xiv These videos have been taken in cities such as Baghdad, Basrah, and Kirkuk.

❖ [BBC, Are men the main target of sexual harassment in Iraq?, 11 July 2019](#)

[...] Human Rights Watch is also aware of instances of sexual violence perpetrated against gay men and trans women in Iraq - though it seems that these too are often not reported to the police.

"Gay and trans men continue to experience sexual harassment in Iraq. Those who look and sound more 'feminine' [based on local stereotypes] are often the subject of sexual violence," says Amir Ashour, the founder of IraQueer - a Sweden-based NGO that focuses on the experiences of LGBT people in Iraq.

"These crimes continue to be under-reported because social norms do not allow for men to talk about these things, and the fact that reporting it might also reveal that the victims are gay, which could lead to more violence and discrimination."

Sami echoes this, adding that even though male rape is against the law, police, and society generally, have little sympathy with the victims.

"If someone files a complaint with the police about the rape of a man, the policeman is likely to laugh at you," he says [...]

❖ [UN Human Rights Council, Summary of Stakeholders' submissions on Iraq: Report of the Office of the United Nations High Commissioner for Human Rights, 19 August 2019](#)

[...] 20. JS18 [Joint submission¹⁸ submitted by: OutRight Action International] noted that the mere perception of being LGBT was extremely dangerous in Iraq and that there were no viable recourse mechanisms to victims.²⁵ [...]

25 JS18, paras. 5 and 6.

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] Same-sex sexual relations are not explicitly prohibited, but LGBT people risk violence if they are open about their identity. [...]

LGBTI persons faced abuse and violence from government and nongovernmental actors including family members in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Women

[...] Sexual Orientation and Gender Identity

[...] In addition to legal constraints, local and international groups report there is little to no societal understanding or acceptance in any part of Iraq towards consenting adults who consciously embrace

same-sex attraction or alternative gender identity as a key part of their personal identity. Individuals perceived to be LGBTI often face abuse and violence from within their families and communities and may face denial of services, including health care. LGBTI individuals often do not report abuse for fear of further victimisation or acts of discrimination or violence that may result from them admitting their sexuality or gender orientation. (p. 46)

[...] When the EU Mission to Iraq raised a rainbow flag in its compound (co-located with the UK Embassy) in May 2020, accompanied by a tweet (supported by the UK and Canada) to mark International Day Against Homophobia, Biphobia, Intersexism and Transphobia, Iraq's Ministry of Foreign Affairs (MOFA) protested strongly. Following considerable public backlash and the MOFA statement, the tweet was removed from social media. According to an Iraqi LGBTI NGO, an uptick in violence against the community followed the incident, with nine LGBTI people killed in just two months. [...]

❖ [Al Monitor, Rainbow flags over Baghdad fan debate, spur fear, 27 May 2020](#)

[...] The embassies of Canada and the United Kingdom and the offices of the World Bank and the European Union raised rainbow LGBTQ flags in Baghdad to mark the International Day Against Homophobia and Transphobia on May 17.

Though welcomed by liberals, the gesture prompted an online backlash, strenuous objections by Islamic parties and PMU militias and spurred fear among Iraq's LGBTQ community. The fierce online commentary from conservatives forced the embassies to delete tweets that showed the colorful flag fluttering alongside the flags of the European Union, Canada and Iraq.

The hashtag #No_to_LGBT_flag_in_Iraq trended on Twitter, particularly among supporters of controversial Shiite cleric Muqtada al-Sadr. Many users shared a photograph of a rainbow flag being burned, warned its hoisting would have consequences, called to bring back the death squads that used to kill gay men with concrete blocks and religious posts condemning homosexuality. [...]

❖ [Shafaq News, Gunmen assassinate "Gay" person in Baghdad, 21 May 2020](#)

[...] Gunmen killed a person on Wednesday with silencer guns in Baghdad's Sadr City, leaving behind, a "warning message" that might be a prelude to homosexual assassinations in Iraq.

"An armed group killed a person with silencers in Sadr City," a police officer told Shafaq News Agency. "Preliminary information indicates that the victim is homosexual," noting that "a letter was found near his body saying: a warning message ... To the genuine Iraqi families, your children must be followed up from practicing homosexuality".

The incident comes days after the European Union mission in Baghdad raised the rainbow flag above its headquarters on the occasion of the International Day Against Homophobia, for the first time in the history of Iraq.

The European Union Mission wrote on its Facebook page: "In conjunction with the Canadian embassy and the British embassy in Iraq, we are joining today in Baghdad European Union missions around the world in raising the rainbow flag to celebrate the World Day against homophobia, sexual transformation and highlighting the rights of gays and transgender / Bisexual (LGBT) people

Raising the flag sparked widespread angry reactions from Iraqi political parties, considering that this matter contradicts the traditions of conservative Iraqi society.

Human rights organizations say that homosexuals have been vulnerable to murder in Iraq by unknown armed men for many years. [...]

Information on the seizure of Christian properties in 2019

❖ [Assyrian Aid Society-Iraq, The land grabbing on the Assyrian lands in Iraq: Report to the Universal Periodic Review of the State of Iraq, 29 March 2019](#)

[...] Several cases of the Assyrian Christian villages and towns were documented that have been exploited illegally by PKK militants for several years, which is preventing the Assyrian Christian landowners and others from returning to their areas of origin, this is occurring in areas related to districts of Amadiyah, Aqra and Zakhko, and there are fears among the Assyrians of making a demographic change in these land grabbed towns or villages. [...]

❖ [EASO, Country Guidance: Iraq, June 2019](#)

[...] c. Situation of Sunni Arab in Baghdad

Militias in Baghdad are frequently accused by Sunnis of directing violence against them. Sunnis primarily fear being targeted for extortion, kidnapping, or having their property taken away by Shia militias in Baghdad.

[...] Assyrian Christians have complained of land appropriations by ethnic Kurds, which may have occurred with the 'blessing, or tacit consent' of Kurdish officials. Complaints about appropriation of Christian land by ethnic Kurds are long-standing and originate mainly from Dahuk and Erbil governorates. A law was issued in 2015 by the Kurdistan parliament to address the issue, however sources report that the law has not yet been enforced. [...]

Information on the seizure of Christian properties in 2020

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Religion

[...] Christians

[...] Some Christians have complained that the Peshmerga and other security forces took over homes and at least one town abandoned by Christians fleeing from Da'esh. Christians from the Ninewah Plains area who were forced to leave their homes during the Da'esh occupation have reported being prevented from returning to their homes by PMF groups. [...]

Evidence that women in IDP camps in the KRI with alleged ties to ISIS faced abuse, including rape, by government forces in 2020

❖ [UN Security Council, Conflict-related sexual violence: Report of the Secretary-General, 30 March 2021](#)

[...] Iraq

[...] United Nations reports indicate that members of the Iraqi security forces harassed and sexually abused women in camps under their control, such as Ninawa. (p. 13)

[...] In October 2020, an agreement was reached between the federal Government and the Kurdistan Regional Government to provide security and services in order to facilitate the return of Yazidis to Sinjar. At the same time, the Government closed or reclassified 16 camps and informal sites for internally displaced persons, 78 per cent of whom were women and children, who are highly vulnerable to economic shocks and protection risks, including sexual violence. [...]

❖ [UN General Assembly, Human Rights Council, Forty-fourth session, Visit to Iraq: Report of the Special Rapporteur on the human rights of internally displaced persons, 13 May 2020](#)

[...] V. Particularly vulnerable groups

[...] D. Sexual and gender-based violence

[...] Reports have also been received of cases of women whose families are perceived to be associated to ISIL, such as widows of alleged ISIL members, being subjected to harassment and sexual violence. Some of the cases reportedly took place in checkpoints or in the context of security clearances, or were committed by security actors inside camps. The Special Rapporteur recalls that no armed personnel should be allowed inside camps, which must have their civilian and humanitarian character protected. Because of the fear of sexual and gender-based violence in camps and areas hosting internally displaced persons, women and girls feel insecure and may avoid going to markets, schools, service delivery points or crossing checkpoints, compounding their marginalization, economic hardship and consequent vulnerability. [...]

Evidence that the criminal justice system was unable to provide protection for women in 2020

❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)

[...] Civil Liberties

[...] G. Personal Autonomy and Individual Rights

[...] G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1/4

[...] In 2020, Iraq witnessed a spike in domestic violence cases. Renewed efforts by Iraqi women's rights organizations to compel the parliament to pass a law banning gender-based violence have been unsuccessful. Rapists can avoid prosecution if they marry their victims; spousal rape is not prohibited. The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice. [...]

❖ [Human Rights Watch, World Report 2021: Iraq – Events of 2020, 13 January 2021](#)

[...] Women's Rights, Gender Identity, Sexual Orientation, Morality Laws

[...] While Iraq's criminal code criminalizes physical assault, article 41(1) gives a husband a legal right to "punish" his wife and parents to discipline their children "within limits prescribed by law or custom." The penal code also provides for mitigated sentences for violent acts, including murder, for "honorably motives" or for catching one's wife or female relative in the act of adultery or sex outside of marriage. Iraqi parliamentary efforts to pass a draft law against domestic violence stalled throughout 2019 and 2020. The 2019 version of the draft anti-domestic violence law seen by Human Rights Watch includes provisions for services for domestic violence survivors, protection (restraining) orders, penalties for their breach, and the establishment of a cross-ministerial committee to combat domestic violence. However, the bill has several gaps and provisions that would undermine its effectiveness, including that it prioritizes reconciliation over protection and justice for victims. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Women

[...] Violence Against Women

[...] There is no law at the federal level criminalising domestic violence, and attempts to pass such a law have been stymied by opposition from conservative political parties and religious groups. Human rights observers have noted the draft anti-domestic violence law currently being considered by parliament fails to address significant problems, including enabling NGOs to run women's shelters and repealing Article 41 of the Criminal Code. The draft law also contains problematic provisions, including a preference for families to address violence through 'reconciliation committees' rather than through prosecution, which means in practice affected women would likely be returned to their abuser. [...]

❖ [Iraqi Civil Society Solidarity Initiative, Girls and Women: Caught between Lockdown and Domestic Violence, 16 June 2020](#)

[...] Responding to cases of violence

In Iraq, Mr. Jumaa [lawyer and activist focused on women's and children's issues, and legal advisor to several Iraqi civil society organizations] explained, responses to violence are often so delayed that women effectively lose their rights! Protective measures for abused women are complicated; there are multiple steps to file a complaint, each of which requires official approval. Additionally, the existing general law is not designed to provide urgent response and treatment, especially during official holidays. The existing options are impractical since their application is so difficult, tiresome, and slow. In fact it can add to the psychological stress of the abused woman. [...]

❖ [UN General Assembly, Human Rights Council, Forty-fourth session, Visit to Iraq: Report of the Special Rapporteur on the human rights of internally displaced persons, 13 May 2020](#)

[...] V. Particularly vulnerable groups

[...] D. Sexual and gender-based violence

[...] Cases of sexual and gender-based violence are largely underreported, which is probably due to the lack of access to judicial or administrative mechanisms, fear of stigmatization or retaliation, and lack of criminal accountability for perpetrators and protection mechanisms for survivors. The Ministry of the Interior reported having established mechanisms to receive complaints of sexual and gender-based violence inside camps, such as mobile units deployed to camps and the opening of a hotline to report domestic violence. Although these efforts are most welcome, they must be combined with greater

criminal accountability for perpetrators, protection measures for survivors and awareness-raising efforts to combat stigmatization. Protection, legal, medical and psychosocial support services should be strengthened, especially inside camps, for women and girl survivors of sexual and gender-based violence. [...]

❖ [Human Rights Watch, Iraq: Urgent Need for Domestic Violence Law, 22 April 2020](#)

[...] Iraqi parliamentary efforts to pass a draft law against domestic violence stalled throughout 2019 and 2020. Wahda Jumaili, a member of the parliament's human rights committee, told Human Rights Watch that some members blocked the law because they do not believe that the state should punish honor killings or parents' corporal punishment of their children. Shatha Naji, head of the Women for Peace Organization, said one member of parliament told her, "Do you really want to make our society just like a Western one, where I cannot even punish my son if he comes home late?"

The 2019 version of the draft anti-domestic violence law seen by Human Rights Watch includes provisions for services for domestic violence survivors, protection (restraining) orders, penalties for their breach, and the establishment of a cross-ministerial committee to combat domestic violence. However, the bill has several gaps and provisions that would undermine its effectiveness.

One major problem is that the draft law prioritizes reconciliation over protection and justice for victims. Naji said that victims of domestic violence in Iraq rarely make criminal complaints via the police. Instead, the community police play a mediatory rather than a law enforcement role, and focus on reconciling victim and the abuser in line with community practices. [...]

Evidence that minimal progress was made in implementing UN Security Council Resolution 1325 on women, peace, and security (e.g. no allocation of a budget) in 2020

❖ [UNAMI, Deputy SRSG Irena Vojáčková-Sollorano's Remarks at the International Women's Day Commemoration, 8 March 2021](#)

[...] As the UN, we are pleased that the second National Action Plan on 1325 was launched last December. Supported by the UN, key emphasis has been on supporting national efforts to promote women's engagement in decision making. Some efforts have been undertaken to promote women's participation, particularly at the community level. The UN, for example, has established women peace committees in governorates previously under ISIL control and three "Women for Peace" groups in Anbar, Diyala, and Ninewa governorates were formed with a total of 72 members. They were introduced to social innovation and entrepreneurship models and engaged in a participant-led process using conflict analysis and innovation principles to design solutions within their communities. Initiatives in 2020 included a release of a high-profile web series on communal peace and social cohesion, launch of a Women's Book Club, and various campaigns combating gender-based violence and hate speech. In 2021, the UN launched the Iraqi Coalition on Youth, Peace, and Security where young women are offered a platform to engage in decision-making for peace and reconciliation process. [...]

❖ [Iraq Foundation, Promoting Women's Political Participation in Iraq, 2 March 2021](#)

[...] I. Situational Analysis

[...] 3. Conflict: an unsafe environment for women

[...] Despite the adoption by Iraq of a national action plan to implement Security Council resolution 1325 in 2014, women have been excluded from political negotiations, committees of national reconciliation, and initiatives attempting to achieve civil peace. [...]

❖ [United States Institute for Peace, Driven from Their Homes By ISIS, Minorities Face a Long Road Back in Iraq, 1 July 2020](#)

[...] Back to 'Step Zero' on Women's Rights

As Iraq has grappled with political and economic crises, and, more recently, the COVID-19 pandemic, women's rights have fallen by the wayside, said Susan Aref, director of Women Empowerment Organization in Erbil, Iraq.

In October 2000, the United Nations Security Council adopted Resolution 1325, which acknowledged the importance of women in the prevention and resolution of conflicts. "We cannot say because we have a national action plan for the U.N. Security Council Resolution it means we are responding to

women's needs and achieving peace and security," said Aref. "Unfortunately, we are heading backwards in terms of women's rights and peace and security."

What's more, she added, the women's agenda has become politicized, by women. While quotas have allowed a greater representation of women in political bodies, these women are focused on implementing their parties' agenda at the cost of women's rights, said Aref.

Minority women, meanwhile, are suffering the effects of the atrocities committed by ISIS. The stigma associated with reporting incidents of sexual violence has meant that women's ability to find jobs and justice has been severely hampered, said Aref.

Aref suggested that the perspective of female minorities and survivors of sexual violence is needed at the table in order to change laws in a way that benefits society. Peace will be out of reach if women and minorities are marginalized, she said, adding, "So, no peace with no rights."

She also emphasized the need to institutionalize women's rights. In the absence of this, she said, "we are back to step zero" with every new government. [...]

❖ [Iraqi Civil Society Solidarity Initiative, Girls and Women: Caught between Lockdown and Domestic Violence, 16 June 2020](#)

[...] The effect of signing the UN Security Council Resolution 1325 in Iraq

Next human rights activist, Intissar Al-Mayali explained how Iraq's signing of UN Security Council Resolution 1325 relates to the issues of violence against women that the other speakers addressed. The Resolution calls on all states experiencing conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse. Additionally, it calls for the equal participation and full involvement of women in all efforts to promote and maintain peace and security after conflict. Iraq's national plan to implement special measures to protect women and girls was largely unsuccessful. During the period of Daesh rule, many women and girls in the occupied areas became victims of violence, terrorism, rape, and sexual slavery. However, Ms. Al-Mayali, reported the Ministry of the Interior, did encourage the Family and Child Protection Department to investigate cases of violence, and the Ministry supported efforts by the community police, thus adding a new option for filing a complaint. Nevertheless, the effects of custom and tradition have prevented many women from speaking out or reporting acts of violence. This fear of the tribe and the repercussions women may face greatly limits shedding light on cases of violence, especially because the law is weak and does not protect victims. Abused women receive no justice. Increasingly, the activists and organizations working on their behalf also face threats and fear retaliation. [...]

❖ [UN Security Council, Implementation of resolution 2470 \(2019\): Report of the Secretary-General, 6 May 2020](#)

[...] III. Update on the activities of the Mission and the United Nations country team

[...] D. Humanitarian assistance, stabilization and development [...] Furthermore, UN-Women submitted the Iraqi national action plan for the implementation of Security Council resolution 1325 (2000) to the Office of the President for endorsement. The plan includes components related to the protection of women in conflict and emergency situations, such as the COVID-19 outbreak. [...]

❖ [Middle East Research Institute, Weavers of the Social Fabric: Securing the Participation of Women in Iraq's Reconciliation Program, 8 January 2020](#)

[...] I. Momentum for Change: The Women, Peace, & Security (WPS) Agenda

In October of 2000, the landmark passing of UN Security Council Resolution 1325 catapulted women's experiences of conflict and their contributions to peace and security into the international limelight. This watershed moment inaugurated a worldwide movement to secure women's meaningful inclusion at all levels of influence and at every stage of the conflict resolution cycle. In the intervening years, a total of nine resolutions have been passed, which together comprise the Women, Peace, & Security (WPS) agenda.

[...] V. Policy Recommendations

The Cross-Sector Task Force on 1325 must ensure that women's inclusion in reconciliation features prominently in the new INAP, and the federal government must allocate sufficient budgeting for its full and comprehensive implementation. [...]

xxxvi O’Driscoll, Women’s participation in peacebuilding, 5; Zeynep Kaya, Women, Peace and Security in Iraq: Iraq’s National Action Plan to Implement Resolution 1325, LSE Middle East Centre Report (London, UK: LSE Middle East Centre, 2016), 8, <http://eprints.lse.ac.uk/67347/1/WPSIraq.pdf>.

xxxvii Cross Sector Task Force 1325, Report: Implementation of Iraq National Action Plan for UNSCR 1325: 2014-2018 (New York, NY: United Nations, 2018), 16.

xxxviii O’Driscoll, Women’s participation in peacebuilding, 5; Kaya, Women, Peace and Security, 8; Aisling Swaine, Balancing Priorities: Lessons from Iraq, Jordan and Palestine for NAP-1325 Drafting Teams, Guidance Note (New York, NY: UN Women, 2018), 19, 34.

Evidence that the only the government operated shelters for victims of gender-based crimes are located central Iraq/ Evidence that shelters for victims of gender-based crimes were subject to attacks/ Evidence that NGOs who operated unofficial shelters faced legal penalties for operating without a license in 2020

- ❖ [Al Jazeera, Iraqi women struggle to escape abuse as domestic violence rises, 12 February 2021](#)
[...] Currently, there is one government-run shelter in Baghdad, but it only provides accommodation on a judge’s order. That would require filing a police case, something many women are reluctant to do because of the stigma associated with entering a police station. [...]
- ❖ [Al Jazeera, Iraqi women struggle to escape abuse as domestic violence rises, 12 February 2021](#)
[...] Underground shelters
Some rights groups run underground shelters, despite serious legal and security risks.
“We face many challenges and difficulties to operate shelters that protect women,” said Ibtisam Mania from the Organization for Women’s Freedom in Iraq, which runs several shelters for women in Baghdad. [...]
- ❖ [Al Jazeera, Iraqi women struggle to escape abuse as domestic violence rises, 12 February 2021](#)
[...] Underground shelters
Some rights groups run underground shelters, despite serious legal and security risks.
“We face many challenges and difficulties to operate shelters that protect women,” said Ibtisam Mania from the Organization for Women’s Freedom in Iraq, which runs several shelters for women in Baghdad. [...]
“We often face issues with tribes. When they know a woman from their tribe is in our shelter, it’s as if they start a war against us. The police has also assaulted several of our shelters.”
[...] “Maybe they will find my location. I’m scared to sleep at night. I’m afraid of the tribes,” said one woman who had taken refuge there. [...]

Evidence that the law continues to prohibit sexual relations outside marriage in 2020

- ❖ [Human Rights Watch, World Report 2021: Iraq – Events of 2020, 13 January 2021](#)
[...] Women’s Rights, Gender Identity, Sexual Orientation, Morality Laws
Article 394 of Iraq’s penal code makes it illegal to engage in extra-marital sex, a violation of the right to privacy that disproportionately harms lesbian, gay, bisexual, and transgender (LGBT) people, as well as women, as pregnancy can be deemed evidence of the violation. Women reporting rape can also find themselves subject to prosecution under this law. [...]

Evidence that women victims of sexual harassment were detained 'for their own protection' or became homeless in 2020

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
[...] 3. Refugee Convention Claims
[...] Groups of Interest
[...] Women
[...] Violence Against Women

[...] In the absence of shelters, authorities often detain or imprison sexual harassment victims for their own protection. Some victims, without alternatives, reportedly become homeless. [...]

Evidence that PMF, PKK, HPG, YBS militias recruited and used child soldiers in 2020

- ❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)
 - [...] Civil Liberties
 - [...] G. Personal Autonomy and Individual Rights
 - [...] G4 0-4 pts
 - Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1/4
 - [...] Exploitation of children, including through forced begging and the recruitment of child soldiers by some militias, is a chronic problem. [...]

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 - [...] 3. Refugee Convention Claims
 - [...] Groups of Interest
 - [...] Children
 - [...] Human rights observers have also reported some PMF units in the southern Governorates of Najaf and al-Qadisiyah have engaged in child recruitment and sponsored military training camps for high school students under the age of 18; the Kurdistan Worker's Party (PKK) People's Defence Forces (HPG) and Shingal Resistance Units (YBS) Yazidi militia operating in Sinjar, Ninewah Governorate, and the KRI continued to recruit and use children; and some Iran-aligned PMF groups, particularly Asa'ib Ahl al-Haq (AAH) and Harakat Hezbollah al-Nujaba (HHN), continued recruiting males younger than age 18 to fight in Syria and Yemen. [...]

Evidence of poverty levels and unemployment rate of persons of African descent, who predominately lived in the southern parts of Iraq in 2020

- ❖ [Freedom House, Freedom in the World 2021: Iraq, 3 March 2021](#)
 - [...] Civil Liberties
 - [...] F. Rule of Law
 - [...] F4 0-4 pts
 - Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0/4
 - [...] People of African descent suffer from high rates of extreme poverty and discrimination. [...]

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)
 - [...] 3. Refugee Convention Claims
 - Race/Nationality
 - [...] Iraqis of African Descent ('Black Iraqis')
 - [...] Black Iraqis continue to face systematic discrimination and marginalisation. They are continually referred to by the slur 'slave' and their communities have disproportionately high illiteracy and unemployment rates. [...] Many Black Iraqis cannot find employment other than as labourers or domestic workers. [...]. Neighbourhoods inhabited by Black Iraqis, particularly in Basra's al-Zubeir district, are reportedly characterised by extreme poverty and neglect. Many Black Iraqis reportedly live in single room mud-brick houses that sometimes hold 15 persons or more. Many of their neighbourhoods reportedly lack a clean water supply and proper sewage facilities, and are prone to electricity shortages. [...]

Data on crimes against LGBTI persons and evidence of lack of investigations on discrimination and violence against LGBTI persons in 2020

- ❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Women

[...] Sexual Orientation and Gender Identity

[...] When the EU Mission to Iraq raised a rainbow flag in its compound (co-located with the UK Embassy) in May 2020, accompanied by a tweet (supported by the UK and Canada) to mark International Day Against Homophobia, Biphobia, Intersexism and Transphobia, Iraq's Ministry of Foreign Affairs (MOFA) protested strongly. Following considerable public backlash and the MOFA statement, the tweet was removed from social media. According to an Iraqi LGBTI NGO, an uptick in violence against the community followed the incident, with nine LGBTI people killed in just two months. [...]

❖ [Shafaq News, Gunmen assassinate "Gay" person in Baghdad, 21 May 2020](#)

[...] Gunmen killed a person on Wednesday with silencer guns in Baghdad's Sadr City, leaving behind, a "warning message" that might be a prelude to homosexual assassinations in Iraq.

"An armed group killed a person with silencers in Sadr City," a police officer told Shafaq News Agency. "Preliminary information indicates that the victim is homosexual," noting that "a letter was found near his body saying: a warning message ... To the genuine Iraqi families, your children must be followed up from practicing homosexuality".

The incident comes days after the European Union mission in Baghdad raised the rainbow flag above its headquarters on the occasion of the International Day Against Homophobia, for the first time in the history of Iraq.

The European Union Mission wrote on its Facebook page: "In conjunction with the Canadian embassy and the British embassy in Iraq, we are joining today in Baghdad European Union missions around the world in raising the rainbow flag to celebrate the World Day against homophobia , sexual transformation and highlighting the rights of gays and transgender / Bisexual (LGBT)people

Raising the flag sparked widespread angry reactions from Iraqi political parties, considering that this matter contradicts the traditions of conservative Iraqi society.

Human rights organizations say that homosexuals have been vulnerable to murder in Iraq by unknown armed men for many years. [...]

❖ [Australian Government Department of Foreign Affairs and Trade \(DFAT\), DFAT Country Information Report Iraq, 17 August 2020](#)

[...] 3. Refugee Convention Claims

[...] Groups of Interest

[...] Women

[...] Sexual Orientation and Gender Identity

[...] According to NGOs, Iraqis who experienced severe discrimination, torture, physical injury, and the threat of death on the basis of real or perceived sexual orientation, gender identity and expression, and sex characteristics have no recourse to challenge those actions via courts or other state protection agencies. [...]

7. Section 7. Worker Rights

7.3.1 Omissions in 2017

[Information on violations against labor activists including arrests of labor leaders and activists; arbitrary fines on workers for labor rights activities in 2017](#)

❖ [Freedom House, Freedom in the World 2018 – Iraq, 16 January 2018](#)

[...] In practice, some state officials and private employers discourage union activity with threats, demotions, and other deterrents. [...]

Information on violations against labor activists including arrests of labor leaders and activists; arbitrary fines on workers for labor rights activities in 2018

❖ [The Conversationist, Iran: national teachers' strike could herald new era of dissent, 19 October 2018](#)

[...] Several unionists arrested in the past few months have faced serious charges such as “conspiracy against national security”.

[...] Unsurprisingly, the government reacted by arresting more members of the CCTU teachers' union. But it seems that the CCTU was using this two-day strike to evaluate its ability to mobilise and prepare for a joint general strike with other civil servants. As the CCTU warned in its statement, a bigger strike is likely in the near future. [...]

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] Some state officials and private employers discourage union activity with threats, demotions, and other deterrents. [...]

Information on violations against labor activists including arrests of labor leaders and activists; arbitrary fines on workers for labor rights activities in 2019

❖ [UN Human Rights Council, Summary of Stakeholders' submissions on Iraq: Report of the Office of the United Nations High Commissioner for Human Rights, 19 August 2019](#)

[...] 66. JS19 [Joint submission 19 submitted by: RFA] also noted that a number of union leaders were arrested, threatened and their homes were broken and recommended Iraq to abolish Law 52 that hinders the freedom of association in Iraq and in Kurdistan Region.⁸¹ [...]

81 JS19, page 2.

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] Some state officials and private employers discourage union activity with threats, demotions, and other deterrents. [...]

Families sent their children to beg in the streets in 2017

❖ [Freedom House, Freedom in the World 2018 – Iraq, 16 January 2018](#)

[...] Other forms of human trafficking and exploitation remained problems elsewhere in Iraq, with vulnerable populations including displaced people, foreign migrant workers, children engaged in forced begging, and child soldiers recruited by IS and certain militias. [...]

❖ [UNHCR and UNICEF, Iraq Child Protection Sub-Cluster: Secondary Data Review, 31 August 2017](#)

[...] As already reported in other target areas, the most common activities children are engaged in are small business in the streets (i.e. selling mobile credit, water and soft drinks) and working in restaurants, shops and mechanical workshops. Protection Monitoring Report - March 2017

[...] Both FGDs and KIIs continued to confirm that child labor is a very common practice in the community. The most common type of daily labor children are engaged in are small street business, such as selling tissue boxes, gadgets on the road (in stop lights), and cleaning cars' windscreens. Lack of job opportunities for the HoHHs represents the main cause of child labor. Protection Monitoring Report - April 2017

Cases of children working have been identified in our areas of operation in Baghdad, Kerbala, and Diyala. These are mostly children 15-17 years old, working in various jobs such as daily labor, in shops or restaurant, in construction, as a blacksmith, and peddling on the streets. Protection Monitoring Report - April 2017

[...] Child Labor: High number in Anbar, children are working in shops, markets and as street sellers in both HTC and AAF. In families where the head of household suffers from sickness or disability, children have become the sole providers for their families. Cases of child labor continue to be identified in Kerbala, Najaf and Diyala, yet numbers are much lower than in Anbar. Protection Monitoring Report - May 2017

[...] The Child Protection team identified 9 cases of child labor this month. While some of them work for no more than two hours a day, the majority work for half a day. They work on the street, in a shop, or both. All of them attend school except one; [...] Protection Monitoring Report - March 2017

[...] In Tikrit, begging is more often seen as well as selling items on road sides. This child labor not only affects the children's wellbeing but also puts them at risk of exploitation. The main increase in child labor seen through monitoring this month has been from children living in complexes. Due to a lack of livelihood opportunities within the area for adults, the children are forced to beg or work outside the relative safety of the complexes where they live. Protection Monitoring Report - July 2017 [...]

Families sent their children to beg in the streets in 2018

❖ [The New Arab, Begging to survive: Mosul's vulnerable street children are being exploited, 12 July 2018](#)

[...] Every day little Mohammed Salem roams the streets of Mosul, left with no choice but to hawk tissues after his father was killed by extremists who overran Iraq's second city.

A year on from Iraqi forces announcing the "liberation" of Mosul from the Islamic State group, the scars of the bloody nine-month offensive to oust the militants are still visible in the city.

After losing parents either in the battle or during IS's brutal three year occupation of Mosul, dozens of children have turned to street peddling or begging to survive.

"I sell tissues... I go out every day from seven in the morning to 10 at night," 12-year-old Salem said, wiping sweat from his face as the sun beats down on the Nabi Yunis junction in Eastern Mosul.

His mother's only child, Salem hopes to scratch out a living for the two of them. His father was killed by militants before the push to retake Mosul began, leaving the family without a breadwinner.

[...] Nineveh provincial council member Khalaf al-Hadidi said that "until now, there is no real project or study either from the federal or local government to deal with this phenomenon".

Finding a solution was becoming increasingly important, he said, "especially as the street children are exposed to various kinds of exploitation".

[...] Residents say gangs are turning the street children into organised groups, or forcing them to pay a fee to beg in public places. [...]

❖ [Freedom House, Freedom in the World 2019 – Iraq, 4 February 2019](#)

[...] Exploitation of children, including through forced begging and the recruitment of child soldiers by some militias, is a chronic problem. [...]

❖ [Xinhua Net, Feature: Street children shape growing problem in war-torn Iraq, 18 February 2019](#)

[...] Every day, seven-year-old Maryam wanders in the streets of Baghdad begging for alms, just like thousands of Iraqi children who are living under catastrophic impact of the country's conflict.

"My father is dead, my mother is ill and I have three sisters, we have to do our best for living," she said, who usually spends more than half of the day in the streets.

[...] Many of those displaced families were forced to send their children to the streets to make their living from every possible mean, including selling simple things to people in markets.

"We came to Baghdad from Mosul," said Sirwan, a 10-year-old boy who's the only breadwinner in his family of seven.

"My father is disabled, and we don't have anyone here, our house was destroyed in Mosul, and our relatives are either dead or in refugee camps."

"A man helped us, when we came here in Baghdad; he offered us a shelter and cleaned the basement of his building for us," Sirwan told Xinhua.

"I really want to go to school, but I can't. My family needs me. I would never leave them to starve," he said. [...]

Families sent their children to beg in the streets in 2019

❖ [Women's Legal Assistance Organization \(WOLA\), Jiyan Foundation for Human Rights and ECPAT International, Statement: UPR Pre-Session in Iraq, Geneva, 10 October 2019](#)

[...] Begging or force begging among the most commonly cited cases of TIP involving children was forced begging. Informants described cases of children being "rented" by family members to begging. Victims of

forced begging include both boys and girl, with IDP and refugee children and those with disabilities cited as at higher risk. [sic] [...]

❖ [Freedom House, Freedom in the World 2020 – Iraq, 4 March 2020](#)

[...] Exploitation of children, including through forced begging and the recruitment of child soldiers by some militias, is a chronic problem. [...]

7.3.3. Omissions in 2019

Number of workers who died due to unsafe work in construction projects in 2019

❖ [Rudaw, Workers want insurance as 2 die on labor day in Kurdistan Region, 2 May 2019](#)

[...] Two workers died on Wednesday as groups in the Kurdistan Region and Iraq demanded health and life insurance in order to incentivize domestic labor.

"At 10 a.m., a 25-year-old died when an old wall fell on top of him while working with his father," Koya Police Chief Amed Ali told Rudaw.

The other incident happened in Takya town in Chamchamal when a 60-year-old man died while working, according to Ayub Hama, the deputy head of the local health department.

[...] As the economy of the Kurdistan Region shows positive indicators, more foreign workers are expected to arrive, promoting new controls. [...]