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No Place to Turn: Violence against women in the Iraq conflict



A woman walks in Kawrgosk camp,
Iraq, August 2013.
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Introduction

The international community is increasingly recognizing that gender-based violence is a constant feature in conflict situations. In military confrontations, women's bodies often become one of the terrains of war. Physical, emotional and sexual violence perpetrated against women and girls has been used to impose political agendas, humiliate opponents, and destroy entire communities. Violence against women is not merely a side effect of conflict, but an integral part of it. The situation that women in Iraq are facing today is a stark illustration of this phenomenon.

Once heralded as a leading example of women's advancement in the region, Iraq's descent into conflict has had disastrous consequences for women. Human rights groups first drew attention to the startling rate at which the streets of Iraq's major cities became emptied of women in the immediate aftermath of the 2003 US invasion. The breakdown of the rule of law that followed the invasion saw the rise of armed groups acting with impunity in the streets of Baghdad, seeking to impose their sectarian ideologies through violence. The risk of kidnapping, sexual assault, bombings and assassinations became so high that

families often refrained from allowing women and girls to leave the house alone, attend school, or go to work.

When sectarian violence reached its peak in 2006-2007, women were kidnapped, raped and killed on an almost daily basis. After a temporary reduction in violence, the sectarian conflict has escalated again. The rise of the Islamic State of Iraq and al-Sham (ISIS) and the collapse of the Iraqi Security Forces in Mosul in June have led the federal government to revive its dependence on militias to help fight the growing insurgency. Meanwhile, ISIS has

imposed a reign of terror in the areas in control, imposing strict moral codes on women, massacring unarmed civilians, and kidnapping minority women and girls on a massive scale.

The fighting in Iraq has generated mass population displacement and created tens of thousands of widows and female-headed households. Often driven to economic desperation due to the loss of male breadwinners, and cut off from community support structures, displaced women and their children are at high risk of sexual abuse and being trafficked into prostitution by criminal gangs. Women who fall prey to sexual exploitation can easily become trapped in cycles of abuse. Because of the stigma associated with kidnapping, sexual assault and involvement in prostitution (even if forced), many women do not have the choice of returning to their families.

Women are threatened by all sides of the conflict: by the armed groups which threaten, kill, and rape them; by the male-dominated security and police forces which fail to protect them and are often complicit in violence against them; and by criminal groups which take advantage of their desperate circumstances. They are simul-

taneously betrayed by a broader political, legal and cultural context that allows perpetrators of gender-based violence to go free and stigmatizes or punishes victims.

Although men are victims of certain violations such as extra-judicial executions in larger numbers, women suffer in particular ways. They are disadvantaged before the judicial system due to discriminatory legislation and the indifference of authorities towards gender-based violence. Because of concerns of family honour, women face continuing stigma long after their ordeals, which prevents them from returning to a normal life. In the worst cases, women who have been victims of serious violations face the risk of further violence from their relatives when they return home.

This report documents violence against women directly related to the conflict in Iraq, with a particular focus on violations perpetrated during the upsurge in violence throughout 2013 and 2014. It covers violations perpetrated by all parties to the conflict, including the Iraqi army and police forces, militias with direct or indirect government support, and armed groups fighting against the government, such as ISIS.

It should be noted that the so-called private sphere is a major site of violence for Iraqi women. The issue of violence perpetrated within the realm of the family, while often connected to the conflict situation, is a momentous challenge in Iraq that merits treatment on its own. As a re-

sult, issues such as domestic violence, so-called honour crimes, forced marriage and female genital mutilation will not be covered in this report and will be treated separately in a subsequent publication.

Legal and policy framework

International framework

Iraq is party to many of the main international human rights instruments, including the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the International Covenant on Civil and Political Rights (ICCPR), and the Convention on the Rights of the Child (CRC). Iraq is also subject to the provisions of international humanitarian law (IHL), including the Geneva Conventions, regulating the conduct of hostilities and protecting the victims of conflict. IHL is binding on all parties to the conflict and it is increasingly recognized that in situations of armed conflict human rights provisions too are binding on non-state actors in the areas they control.¹

CEDAW is a comprehensive document that requires state parties to undertake measures to eliminate discrimination against women in the political, economic, social, and cultural

spheres. Iraq acceded to CEDAW in 1986, but stated reservations to article 2 (f) and (g), which call for state parties to abolish laws which discriminate against women, as well as articles 9 (1) and (2), 16 and 29. Iraq's reservation to article 16 was based on the justification that it contradicts Islamic Shari'a law. The continued presence of these reservations means that the government has been able to avoid taking action that would implement the goals of CEDAW to the fullest extent. Iraq has not ratified the Optional Protocol to CEDAW, establishing an international mechanism for hearing individual complaints under the convention.

In 2008, Iraq ratified the Convention against Transnational Organized Crime and in 2009 ratified its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the Palermo Protocol). The Palermo Protocol defines human trafficking as 'the recruitment, transportation, transfer, harboring 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 of a position of vulnerability or of the giving and receiving of payments or benefits to achieve the consent of a person having control over another person, for purpose of exploitation'.

Domestic framework

The 2005 Constitution of Iraq guarantees equality between the sexes. Article 14 states that 'Iraqis are equal

before the law without discrimination based on gender, race, ethnicity, nationality, origin, colour, religion, sect, belief or opinion, or economic or social status.'² Article 29 prohibits all forms of violence and abuse in the family, school, and society. Moreover, article 37 forbids forced labour, slavery, trafficking in women and children, and the sex trade.²

However, the rights stated in the constitution are often not guaranteed, since laws bringing constitutional provisions into force have not been passed. For example, until recently, Iraq did not have any legislation criminalizing human trafficking. The ambiguity over which actors or bodies were responsible for tracking, prosecuting and preventing trafficking meant that in practice, human trafficking could not be prosecuted.

The Iraqi Penal Code of 1969 criminalizes rape, sexual assault, murder, abduction and other forms of violence. However, it contains several provisions that discriminate against women and provide legal avenues for perpetrators of violence against women to evade prosecution. Rape is considered a private offence and therefore the State cannot initiate action without the consent of the victim or the victim's guardian. The Penal Code specifies maximum penalties for rape, but no minimum penalties. Furthermore, marital rape is not considered a criminal offence. Under Article 393, prosecutors can consider a victim's sexual history in rape cases. Most controversially of all, Article 398 excuses rapists from punishment if they marry their victims

for a minimum period of three years. The same provision applies in cases of abduction.

The government of Iraq has made some efforts to improve its stance towards gender issues. The Ministry of Women's Affairs was established in 2003. However, the Ministry is underfunded and under-staffed, which led former Minister for Women's Affairs Nawal al-Samaraie to resign from her post in 2009.³ In 2007, the government established Family Protection Directorates in each governorate to deal with cases of gender-based violence. However, it has been reported that these directorates are mostly staffed by male police officers lacking training on gender-based violence.⁴

In 2012, the federal government finally passed a long-awaited law against human trafficking. The law imposes maximum penalties including life imprisonment and fines up to 25 million dinars for trafficking of women, minors, victims with disabilities, or victims who are related to the

trafficker. However, the law has been criticized for not being comprehensive enough, since the definition of trafficking used does not cover all forms of human trafficking. For example, facilitating child prostitution is not considered an act of trafficking.⁵ Since the passing of the law, the government has also created an anti-trafficking department as a division of the Ministry of the Interior, formed the inter-ministerial Central Committee to Combat Trafficking in Persons, and set up an anti-trafficking hotline.

In 2013, the Council of Ministers approved the National Strategy on Combating Violence against Women and is expected to initiate a process of review and reform of discriminatory legislation.

The Kurdistan Regional Government (KRG) has made significant progress in addressing gender-based violence at the level of legislation and policy in the last few years. An inter-ministerial Commission on Violence against Women was formed in 2007 and

tasked with streamlining gender policy across all the government ministries. In 2011, the government passed a law against domestic violence and established the Police Directorate of Combatting Violence against Women. In 2013, High Committees of Combating Violence against Women and Families were established in all three Kurdish governorates. However, the KRG still does not have law criminalizing human trafficking.

1

Female victims of armed conflict

The overall levels of insecurity in Iraq since 2003 have led to the violent deaths of over 130,000 civilians. A large proportion of attacks by armed groups and government forces are carried out in civilian areas, leading to high casualty levels among men, women and children alike. The highest casualty figures are to be found in the years 2006 and 2007, at the height of sectarian violence in Iraq. Analyzing gender data where possible for reported deaths in Iraq helps to tell part of the story of the impact of the conflict on women.

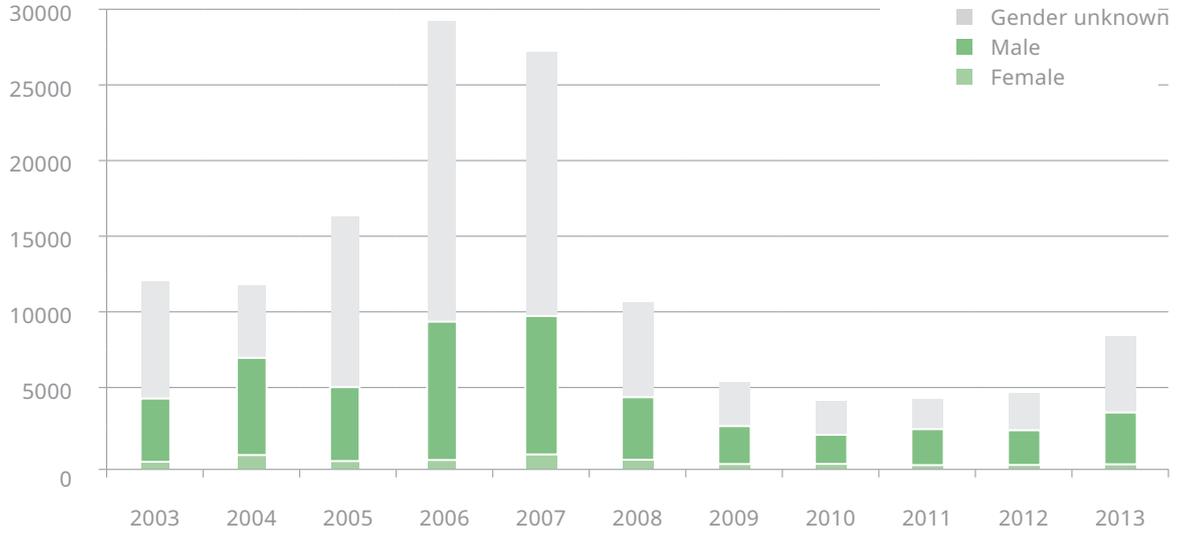
Death tolls disaggregated by gender

In research undertaken for the Ceasefire project, the monitoring group Iraq Body Count Project analysed comprehensive data on reported civilian deaths in violent incidents from the US-led invasion of Iraq in March 2003 up until November 2013, based on information drawn from crosschecked media reports, hospital, morgue, NGO and official figures.

The figures show a total of 132,205 civilians died in violent incidents during the time period.

But there are large gaps in the collection of gender-disaggregated data on civilian deaths. On average, for the period 2003-2013, gender information was only available for 39 per cent of the casualties documented by Iraq Body Count. The table below shows civilian deaths for which the gender is known, compared to total documented civilian deaths.

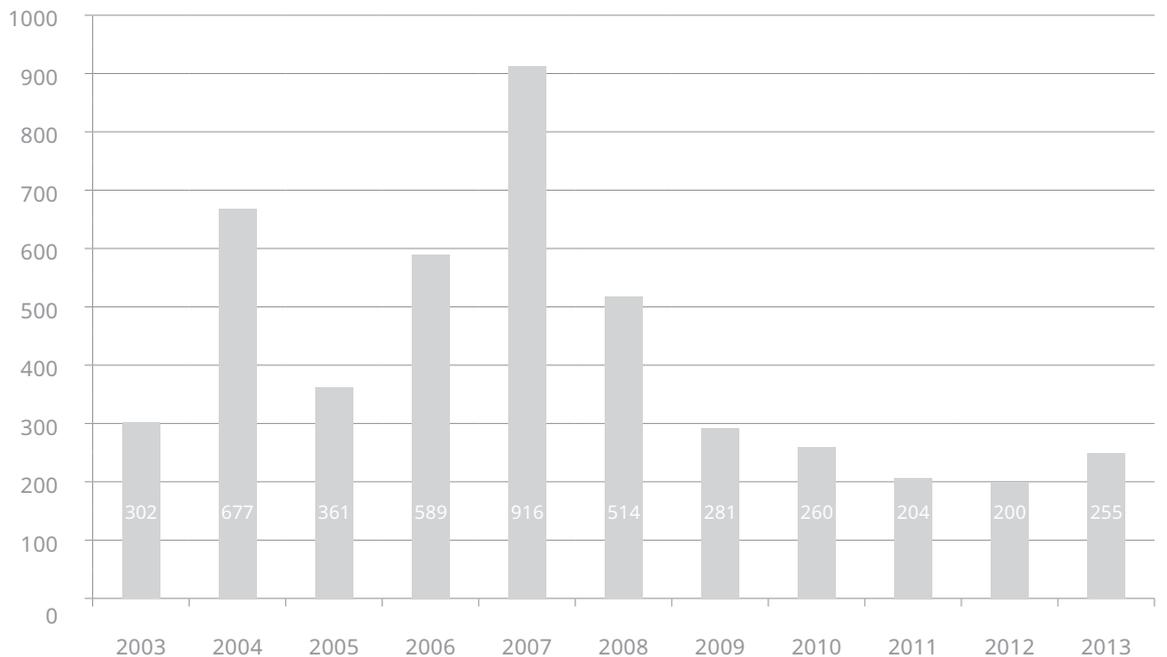
Civilian deaths March 2003 – Nov 2013, disaggregated by gender



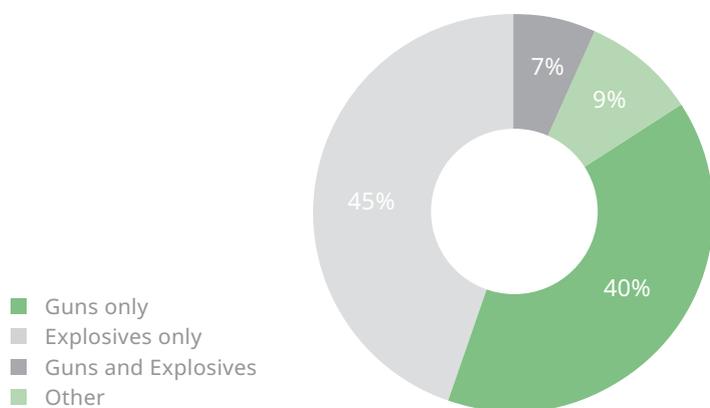
For the casualty figures for which gender information is available, women made up 10.1 per cent of adult victims on average. This is equivalent to 4,733 adult women killed over the time period of March 2003 – November 2013. The majority of the deaths were caused by violent

incidents involving guns, explosives, or a combination of the two, as the chart shows. The largest proportion of women victims were killed in Baghdad governorate, followed by Ninewa, Diyala, and Anbar.

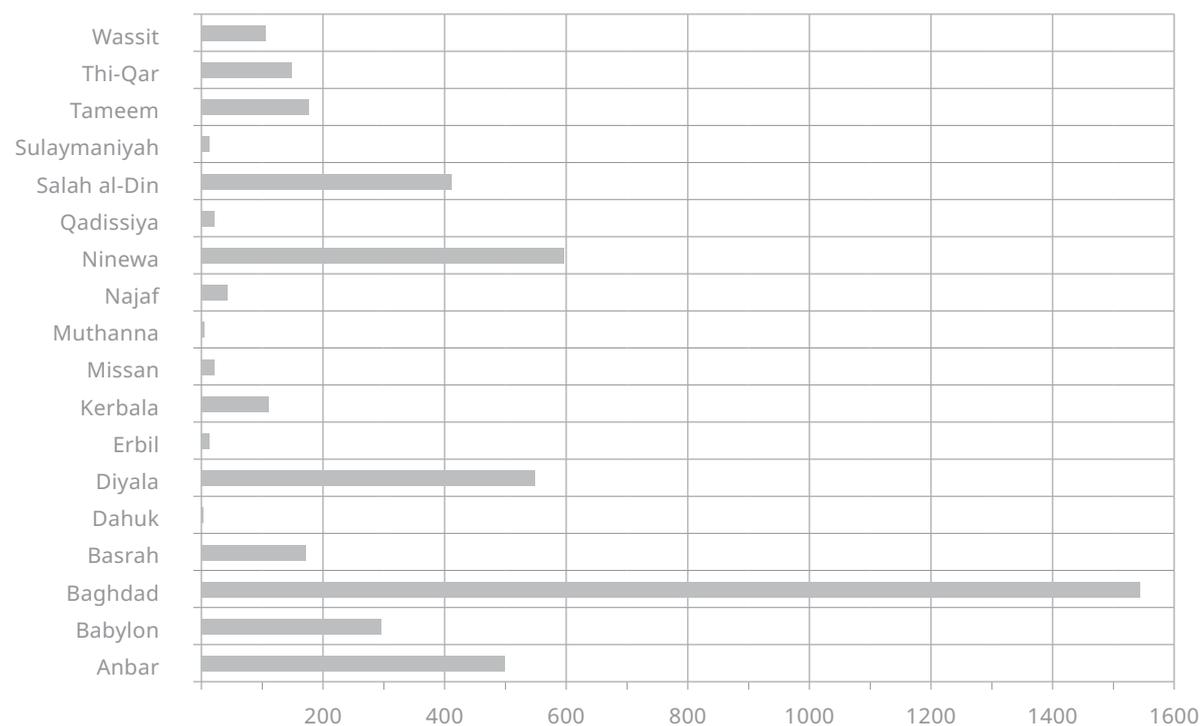
Documented adult female civilian deaths, 2003-2013



Documented women civilian casualties by cause of death



Documented women deaths by governorate, 2003-2013

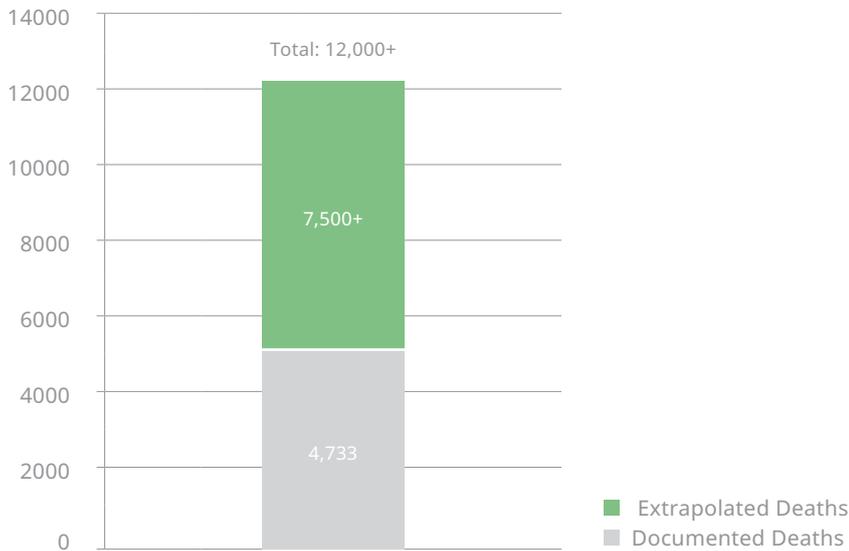


Source: Iraq Body Count, for the Ceasefire project

Given that women made up 10.1 per cent of adult deaths for which gender data was available, extrapolating the same ratio to the total number of victims, after excluding children (approximately 6,450), leads to the estimate that at least 7,500 of the victims without gender information

were women. Added to the known number of women victims, this leads to the conclusion that over 12,000 women have been killed as a result of conflict between 2003 and 2013, as the table below shows.

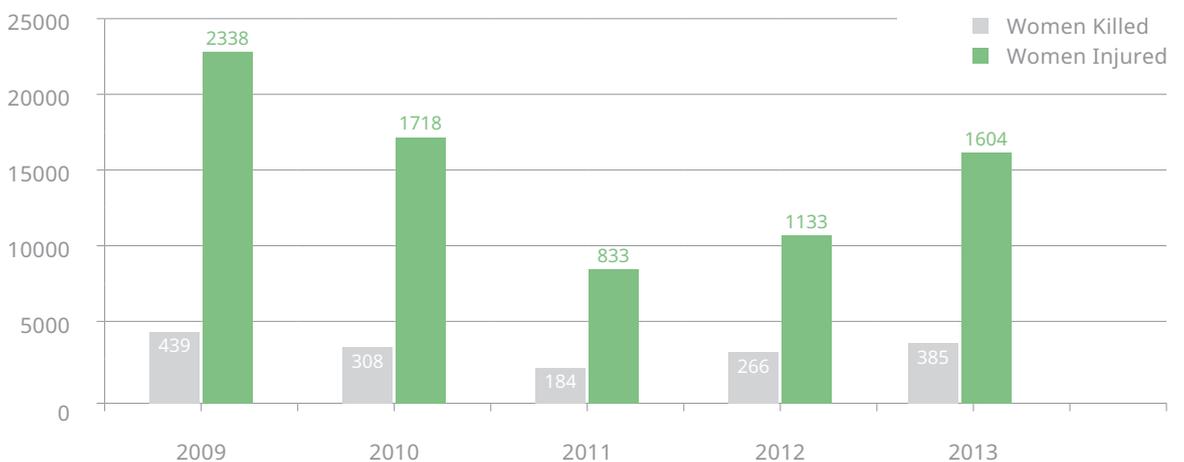
Estimated total adult female deaths from conflict, 2003-2013



The Iraqi Ministry of Human Rights releases an annual report on the victims of ‘terrorist’ violence for the year, disaggregated by gender. The overall trend in deaths of adult women matches the above analysis, although the numbers reported by the Ministry are considerably higher in some years. It is not immediately clear what

methodology the report uses or which types of incidents are classified as terrorist violence. The Ministry also records the number of women injured in violence each year. The table below shows the number of female victims in all Iraqi governorates (excluding the KRG) for the years 2009-2013.

Women victims of terrorist attacks, 2009-2013



Source: Iraq Ministry of Human Rights

None of the above data include the casualty figures for the year 2014, which has seen a dramatic escalation in violence. The spread of armed conflict, which began with ISIS victories in Anbar governorate in January 2014 and accelerated with the occupation of Mosul on 10 June and the subsequent advance of ISIS forces into the Ninewa plain, has led to very high civilian death tolls. In many cases, ISIS has openly targeted unarmed civilian populations, especially from Shi'a communities and religious minorities, for large-scale massacres. According to Iraq Body Count, whereas 9,742 people were killed in 2013, a staggering 17,073 were killed in 2014.⁶

Gender-disaggregated casualty figures are not yet available for most of these deaths. However, if women victims formed a similar proportion of deaths in 2014 as in the rest of the conflict, the total estimated death toll for women would be approximately 14,000.

Other conflict-related mortality factors

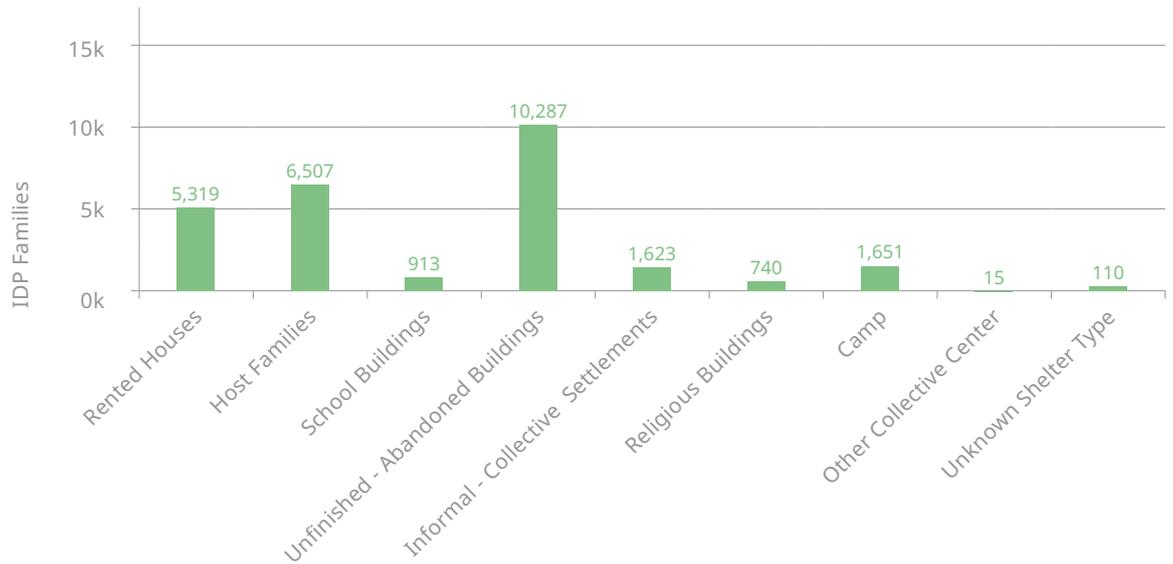
In addition to civilians who have been killed as a direct result of violent conflict, as reflected in the numbers above, many more have died from the after-effects of violence and displacement, including failure of essential services, hunger, dehydration, disease, and lack of medicines or basic supplies. (Estimating the extent of such wider conflict-related mortality has proved controversial and is not attempted in this report.) Health care services have been disrupted in the conflict zones due to physical damage to infrastructure, supply chain interruptions, fuel shortages, and problems retaining staff. According to the World Health Organization, over 50 per cent of specialized health care staff have fled the governorates of Anbar, Diyala, Ninewa, and Salahuddin since June 2014.⁷ After taking con-

trol of Mosul in June, ISIS cut off the supply of water and electricity to many areas of Ninewa governorate, forcing residents to drink contaminated well water.⁸ In the Turkmen town Amerli, which was besieged by ISIS from 15 June until 31 August, 10,000 out of the 13,000 residents who were not able to flee the town were women and children.⁹

According to the International Organization for Migration (IOM), approximately 2.1 million Iraqis have been displaced due to the conflict in 2014 alone.¹⁰ The three Kurdish governorates are hosting the largest proportion of the displaced families, while others have fled to the southern and central governorates of Iraq. These areas are struggling to manage the massive displacement crisis and living conditions for displaced families are very poor. Many families fled from conflict zones with little more than the clothes on their backs, and are lacking basic necessities. As the table below shows, a large proportion of families are living in unfinished or uncovered building frameworks, which are unsuitable for rainy and winter weather conditions.

Women who have been displaced or who are living in conflict areas face particular vulnerabilities because of their gender. According to the United Nations Population Fund (UNFPA), as many as 19,000 displaced women are currently pregnant and there are an estimated 300 childbirths every week among displaced women in the Dohuk governorate alone.¹¹ Access to reproductive healthcare is a serious challenge for displaced women, as many camps are located far away from health centres, with health care being provided instead by mobile medical teams, which are staffed by volunteer doctors and are unable to reach all IDPs.¹² One human rights organization reported that 133 women displaced since ISIS's takeover of Ninewa have given birth in the streets, camps, or school buildings because they were unable to go to medical centres.¹³ Another organization reported multiple

IDP Families by Type of Shelter



Source: International Organization for Migration (IOM)

cases of miscarriage, hemorrhaging, and other health complications among women living in IDP camps.¹⁴

Access to women's healthcare is also a pressing concern for women on their way from conflict zones, or who are still living in areas affected by the conflict. On 1 July 2014, a woman gave birth at the Kelek checkpoint when the Peshmerga forces refused to allow her entry to Erbil to go to a hospital, resulting in the death of the baby.¹⁵ On 29 July, a woman who was six months preg-

nant suffered from a miscarriage at a checkpoint outside Erbil, and was made to wait twelve hours before being allowed entry.¹⁶

According to an IOM survey, many women living in the central region indicated that while medical services were available, healthcare for women's issues was lacking.¹⁷ An assessment carried out in May 2014 found that 96 per cent of healthcare sites assessed in Anbar governorate lacked essential equipment and suitable healthcare for women.¹⁸

2

Assassinations and ‘moral’ crimes

In addition to forming a significant portion of overall civilian casualties, women are also deliberately singled out for assassination on account of their gender. Post-invasion Iraq has seen the rise of both Sunni and Shi’a militias, each seeking to impose their own political and moral order. Since women are often seen as key bearers of honour and morality, control over women’s bodies has been an important method by which militias have exerted their dominance. So-called ‘moral crimes’, where women have been harshly punished for transgressing perceived moral codes as defined by militias and other armed actors, have been a prominent feature of the post-invasion landscape.

Militia imposition of moral codes

Since 2003, the various militias patrolling the neighbourhoods of Iraq’s cities have imposed their own dress codes in the areas they control in accordance with their ideologies.¹⁹ Many observers have noted that it is impossible for a woman to walk unveiled in some areas of Baghdad. University students have been harassed and intimidated

at the gates of Baghdad, Mosul and Basra universities for not wearing the hijab.²⁰

In 2007, at the height of the militia violence, 133 women were killed in Basra for allegedly transgressing moral codes. The bodies of most of the women were found mutilated and showing signs of torture, and were accompanied by notes warning against ‘violating Islamic teachings’.²¹ Residents of the city believe that the total number of woman killed that year for ‘moral crimes’ is much

higher than reported. In 2008, graffiti could be seen sprayed on the walls of Basra warning, 'Your makeup and your decision to forgo the headscarf will bring you death'.²² The same year, an estimated 150-200 women were killed in Diyala.²³

After the withdrawal of American troops at the end of 2011, violent campaigns by both Shi'a and Sunni armed groups continued. According to the United Nations Assistance Mission for Iraq (UNAMI), Iraqi NGOs reported at least 60 women killed during 2013 for 'moral' reasons.²⁴ On 22 May 2013, seven women and five men were killed by silenced weapons at a brothel in the Zayouna district of Baghdad.²⁵ In June 2013, gunmen shot dead seven women in Basra, who had previously received threats accusing them of prostitution.²⁶ On 10 July, three women were killed in their home in Baghdad's Zayouna district, and another three women were killed in Ur district on 18 July. On 3 August, three women were killed by unknown gunmen in Buhriz district, Diyala. On 31 October, three women were shot and killed in Baghdad. On 29 November, the bodies of three women were found in Baghdad, showing signs of torture. On 30 November, two women and two children were killed when gunmen attacked their home in the Doura district of Baghdad.²⁷

On 4 September 2013, gunmen massacred sixteen members of the same Shi'a family in Latifiya, south of Baghdad. Of the victims, eight were women and six were children.²⁸

Since early 2014, the rising threat posed by ISIS has meant the revival of many Shi'a militias, encouraged by the Maliki government as partners in the fight against ISIS. After the mass desertion from the Iraqi Security Forces in June, the mobilisation quickly gained pace. According to one women's rights activist, at least twelve new militias have been formed.²⁹ There have been many recent spates of violence targeting wom-

en, especially in the capital. On 7 January 2014, seven women, presumed to be prostitutes, were killed in the Zayouna district of eastern Baghdad along with five men.³⁰ In early June 2014, it was reported that armed men entered a restaurant in central Baghdad, singled out the female waitresses, and shot them one by one.³¹ On 13 July 2014 twenty-eight women and five men were found massacred in two apartments, again in the Zayouna district.³² It is widely believed that Shi'a militias were behind the massacre of the women, who were suspected of being prostitutes, although no charges have been made.

When ISIS took control of Mosul in June 2014, they quickly imposed their own moral order on the city. In a charter for the city issued shortly after the takeover, ISIS specified a series of rules for the city's residents along with harsh penalties for disobedience. Many of the rules directly target women, such as making wearing the veil mandatory, forbidding women from wearing gold, and preventing women from leaving the home unless accompanied by a male relative.³³ ISIS has also reportedly forbidden women from wearing 'Western' clothes, such as trousers.

The armed group has set up checkpoints throughout the city to ensure adherence to these rules. An Assyrian news agency reported that a man was threatened with death at one of the checkpoints if he did not make his wife wear the veil.³⁴ On 21 August, women were reportedly beaten with sticks for not wearing the veil in the city's markets.³⁵ There have also been reports of parents and brothers of girls who went out without wearing the face veil being whipped on the streets and bridges of the city.³⁶ In hospitals and government departments, some of the few places where women are still permitted to work, ISIS inspectors ensure that staff members are adhering to the dress codes, which includes the face veil and gloves for women.³⁷ Female doctors have complained that these restrictions inhibit them from performing their work properly.

ISIS has also set up its own self-styled Shari'a courts in the city, where it has convicted a number of women to death on a variety of morality-related offences. For example, on 21 August, a woman accused of prostitution was publicly beheaded.³⁸ ISIS executed three other women on 5 September and a further two women on 9 September, for reasons which are unclear.³⁹

Killings of women by ISIS have also been reported from Anbar governorate, although some reports are unconfirmed. On 16 December, the Iraqi Ministry of Human Rights released a statement asserting that ISIS had massacred 150 women in Fallujah for refusing to marry ISIS fighters. The victims, which included pregnant women, were reportedly buried in mass graves.⁴⁰

Assassinations of politicians, journalists and professionals

Female professionals throughout Iraq have also been directly targeted for taking on active public roles, whether as lawyers, doctors, journalists, politicians or activists. In the post-invasion social and political culture in Iraq, it has become dangerous for women to take on roles outside the home. This represents a stark contrast to Iraq of the 1980s, when women made up 46 per cent of teachers, 29 per cent of doctors, 46 per cent of dentists and 70 per cent of pharmacists.⁴¹ The Iraqi Women Journalists Forum has documented 28 cases of female journalists assassinated between 2003 and 2013.⁴² In addition, many more journalists have been assaulted, threatened, abused or displaced.

On 22 July, a female parliamentary candidate was killed in her home in Sderat village, Ninewa

governorate by ISIS members.⁴³ The following day, ISIS entered the home of a candidate in the last election for the Ninewa Provincial Council, killing her and abducting her husband.⁴⁴ On the same day, ISIS abducted a candidate in the parliamentary elections from her home in Sumer, east Mosul.⁴⁵ On 13 August, Ghada Shafiq, a doctor, was killed when ISIS militants attempted to drag her from her home south of Mosul.⁴⁶ She had previously participated in a strike against ISIS-imposed dress codes in hospitals.⁴⁷

On 20 August, Najlaa Al-Omari, a lawyer who was also a candidate in the April 2014 parliamentary elections, was assassinated.⁴⁸ On 17 September, ISIS abducted human rights lawyer Samira Salih Ali al-Nuaimy and tortured her for five days, before executing her publicly in Mosul on 22 September.⁴⁹ She had previously criticized ISIS's destruction of religious sites on social media. On 30 September, deputy attorney general Ibtihal Al-Hayali, who had also been a candidate in the last elections, was killed.⁵⁰ ISIS returned her body to her family and forbade them from holding a funeral.⁵¹

On 6 October, ISIS assassinated Iman Mohammed Younis al-Salman, a Turkmen former member of parliament for Ninewa governorate, and dumped her corpse in a well near Tel Afar.⁵² Salman had been a human rights activist, a journalist, and the first woman elected to parliament from her district. On 8 October, ISIS shot and killed eight women in the centre of Mosul without providing any reason. The eight women included two doctors, Dr. Maha Sabhan and Dr. Lamia Ismail.⁵³ On 25 November, ISIS executed two more female candidates from the last parliamentary elections, Ibtisam Ali Jarjis and Miran Ghazi.⁵⁴

3

Abductions

Abduction of both women and men has been widely practised since the outbreak of the conflict, including enforced disappearances, kidnapping for ransom, and abductions for trafficking (see chapter 5). Even if the victim is later released, abduction has particularly severe consequences for women. Concerns of family honour dictate that women and girls who have been kidnapped will likely face long-lasting stigma at best and murder at the hands of their families at worst, since it will often be assumed that a woman who has been abducted has been sexually assaulted, whether or not that was actually the case.

The Iraqi Ministry of the Interior registered 732 abductions of women between 2003 and 2006 as well as 197 cases in the year 2009 alone.⁵⁵ The true numbers are likely to be much higher since many families conceal the fact that their daughters have been abducted.

In a recent example, in September 2014, members of the Shi'a militia Asa'ib Ahl al-Haq kidnapped Sara Hamid Niran, the wife of deputy prime minister Roz Nuri Shaways, from the city of Basra. The militia demanded a

ransom of \$1.66 million for her release, but she managed to escape from a window after being moved to Baghdad, leading to a gunfight between police and members of the militia.⁵⁶

ISIS has practised abduction on a mass scale throughout 2014 as a method of controlling populations, spreading fear, and procuring wives for its fighters. On 28 June, ISIS kidnapped two Chaldean nuns, Sister Miskintah and Sister Utoor Joseph, from an orphanage in Mosul as well as

two girls, Hala Salima and Sarah Khoshaba, and a boy, Aram Sabah. They were held in Badoush prison for more than two weeks before being released.⁵⁷ On 20 July, seven women were kidnapped from al-Jamasa district of Mosul when ISIS fighters raided their homes.⁵⁸

Throughout the month of June, ISIS slaughtered men and kidnapped women from Shabak and Turkmen villages, including Qiba and Shrikhan in Telkeif and the village of al-Shamsiyat near Namrud.⁵⁹ On 3 July 2014, a woman known as Umm Samir was kidnapped from the village of Kokjali. She was found dead two days later, with her head severed.⁶⁰ Also on 3 July, ISIS kidnapped three women and thirty-six men from the village of Umarkan and took them to an unknown location.⁶¹ On 27 July, three Shabak homes were attacked in Al-Jaza'ir district of Mosul and all the family members taken hostage and detained for two days, during which time they suffered physical and verbal abuse.⁶²

A 55-year old Shabak woman who was kidnapped by ISIS in Mosul describes her place of detention:

*The hall was filled with women and children and masked fighters were walking among the women after ordering them to wear the burqa or hijab which covers the face completely except for the eyes. They provided three meals in addition to milk for nursing children and they would say to the women, we are forced to detain you here because we are carrying out orders.*⁶³

Yezidi women in particular became the targeted victims of abduction on a massive scale after ISIS swept through Sinjar and other parts of Ninewa governorate in early August, taking thousands of women hostage from areas which fell under its control. An activist working with Yezidi returnees from detention explains:

*... they took children from the age of seven, especially they were interested in girls and women, so from the age of seven until age forty. They were not interested in old people.*⁶⁴

The Sinjar Crisis Management Team, a voluntary group, has compiled a list, seen by the Ceasefire project, containing the names and other details of 4,351 Yezidi hostages currently being held by

ISIS. The human rights activists who compiled the list believe it to be incomplete, maintaining that the true total number of Yezidi hostages is closer to 7,000. More than half the hostages on the list are women. Other organizations have provided varying estimates of the total number of hostages being held by ISIS. One human rights organization reported the number of kidnapped women as 3,070 as of November 2014.⁶⁵ The Iraqi human rights minister, Mohammed Mahdi Al-Bayati, said in December that the number of women and girls abducted by ISIS was ‘not less than 4,000’.⁶⁶

The kidnapped women were apprehended from various areas of Sinjar and the Ninewa plains throughout the course of ISIS’s advance, and continuing after they established control. On 2 August, ISIS abducted women from the village of Maturat, southern Sinjar. On 3 August, ISIS took 450-500 women to Tel Afar Castle from where many were taken to Syria.⁶⁷ On 15 and 16 August, ISIS carried out a massacre in Kocho, southern Sinjar, killing hundreds of men and boys and taking at least one hundred women captive.⁶⁸ A further 500 women and children were abducted from Ba’aj and 200 or more from Tel Banat.⁶⁹ On 27 August, ISIS took seven hostages from Qaraqosh.⁷⁰

Many victims of kidnapping describe a similar story: very soon after being captured, the female family members were separated from the men. As an activist who was in communication with many hostages describes,

What ISIL did first was to take away all the girls from their families, because in most of the cases when they captured people, they captured them in the whole family. They were escaping from the mountain or were escaping their houses because they did not have cars, to walk to the mountain, so ISIL basically took the whole family. And just the first day, they separated the women, they

separated girls from the family. And they kept them in different locations.⁷¹

Hostages were held in several locations, including Tel Afar New Hospital, Tel Afar Castle, houses in Tel Afar, Q-West Airfield, the town of Ba’aj, Badoush Prison, and various locations within Mosul. The hostages were moved frequently between locations, especially if their captors realized their location of detention had become known to outside parties. Some hostages were held in abandoned Shi’a homes that had been taken over by ISIS, in terrible conditions:

After the Shi’a left, their homes were looted and nothing was left inside the homes, and they put all the Yezidi hostages inside those houses – so no blankets, no mattresses. A lot of animals were dead because they were not fed when the Shi’a left, and they said the animals, the way it smells, the smell of death everywhere, the insects... we are very worried that some of the very old diseases will come, because of the dead animals....⁷²

Two Yezidi sisters who were among the first to escape from ISIS captivity after being captured while attempting to flee to Sinjar mountain on 3 August, recount their story:

They transferred us to Shengal then to Mosul. They separated the men and then the children and then from Mosul to Ba’aj we stayed 15 days, they transferred us to the village of Rambousi and we stayed there nine days. We were three girls in one house, they brought us food, and we noticed that the guard would snore and sleep deeply at night, so we stole his mobile and weapon and broke the door, then we escaped to the mountain with hearts full of faith, this was at 11pm. We were discovered by a Da’ash patrol after some distance, they fired shots on us and chased behind us and we were running barefoot, they were not able to catch us because of the

*hilly terrain, God saved us from the shots and we were able to reach the edge of the mountain.*⁷³

A large number of hostages were also taken across the border to Syria. A 20 year-old Yezidi girl kidnapped from the village of Kocho describes her experience:

*We were assembled in Kojo [Kocho] school on Friday 15 August. They killed the men and took us to Tel Afar, and then to Qizl Qiu, a Shia village south of Tel Afar. One day, they took a group of the girls to Raqqa in Syria. I was with my sisters and relatives. We entered the prison of Raqqa, which had two floors. A man bought me and I was separated from my sisters, then he took me to an underground prison... I saw there six Yezidi girls and 15 Muslim girls in one room, and in total 22 girls. They imprisoned them for not following Islamic teachings, and they were given lessons and religious sermons and a woman was released after she confirmed that she would adhere to the Islamic teachings on women.*⁷⁴

The girl was eventually bought by another man and taken to his family's house, from where she was able to escape. The girl's uncle negotiated with a Syrian family to transport her across the border to Turkey for a sum of \$5,000, from where she proceeded to Iraqi Kurdistan.

According to one activist, there are also about 100 Shi'a women being held captive, while another activist puts the number at at least 300, most of them from the Turkmen minority. According to the Turkmen Rescue Foundation, ISIS is holding 250 Turkmen women and girls from Mosul captive, in addition to 160 women from Tel Afar and smaller numbers from other locations.⁷⁵

While some hostages reported being treated well in captivity, many others were sold as sexual slaves or forcibly married to ISIS fighters. After

being sold or married, many reported violations including rape, physical and verbal abuse, deprivation of basic necessities, and various forms of torture. Some of these violations are discussed in more detail in the following chapter.

The location of many of the hostages is or was previously known, but activists claim the government is not making serious efforts to free them. According to one,

*The only thing that Kurdistan has been doing for Yezidis is to give money, to free the women. They have not even held a hearing inside the parliament while thousands of Yezidi women are out. The Iraqi parliament has not even held a single hearing about this... the Iraqi government has not spent one single cent, they have not even offered a dollar to free Yezidi hostages, the Iraqi government has not taken a single step to free hostages, or to do anything for the Yezidis.*⁷⁶

As of December 2014, approximately 300 female hostages had escaped through various means. Some were purchased by tribal leaders who delivered them to their families, and others were bought back by their families through intermediaries.⁷⁷ The Kurdish Regional Government has also made some funds available to facilitate buying back hostages. The remaining hostages are still missing.

4

Rape and sexual assault

Accurate statistics on sexual assault are difficult to find in any context, but the issue is particularly sensitive in Iraq where deeply-rooted beliefs in chastity and family honour prevent the vast majority of sexual assault victims from reporting their experiences, not least of all to their own family members. Iraqi families have been known to take punitive action against female relatives who have been sexually assaulted, or to negotiate with the rapist to marry the victim, a solution that absolves the rapist from punishment under the Iraqi Penal Code.⁷⁸

The police, security forces and militias

As an indication of the prevalence of rape, the Ministry of the Interior recorded more than 200 cases in the year 2009.⁷⁹ However, it is widely acknowledged that available statistics on sexual assault cases represent only a tiny proportion of the true numbers. According to the Iraqi Women Integrated Social and Health Survey, a mere 2.8 per cent of women feel comfortable reporting incidents of gender-based violence to the police. When asked about

their reasons for not going to the police, 51.4 per cent of women stated fear of creating a scandal as their primary reasons, while 30.8 per cent believed the police would be unable to solve the problem, and a further 16.9 per cent stated the police might take advantage of their situation.⁸⁰

Members of the police are known to be perpetrators of gender-based violence. Sexual assault is frequently used during police interrogation as a method of extracting confessions, and is also widespread within the detention system. According to a report released by Human Rights Watch, some prisons administer a pregnancy test before

admitting women to the facility because the likelihood of a woman being raped in the pre-detention phase is so high.⁸¹ The threat or actual rape of female family members is also used as a method of torture for male detainees. Many women who have been unable to give information about the whereabouts of their husbands, fathers or brothers have also been detained and subject to physical and sexual abuse based on allegations of ‘covering up’ terrorist activities.⁸²

Members of the Iraqi army are also guilty of perpetrating rape. On 16 August 2012, an off-duty soldier named Akram al-Mayahi kidnapped and raped four-year old Banin Haider before bludgeoning her to death with a brick in Zubair, near Basra. In December 2012, an army officer raped a minor girl on the outskirts of Mosul.⁸³ Other egregious cases involving child victims have led to public concern at the failure of the police to prevent sexual violence. On 11 October 2012, five-year old Abir Ali was raped by several people before being bludgeoned on the head and strangled with a shoelace, near Basra.⁸⁴ On 27 February 2013, three men raped seven-year old Samah Ali Hussein near a police station in Al-Washash, west of Baghdad.⁸⁵

Militias on all sides of the conflict have been known to use sexual violence as a method exerting control and humiliating their opponents. At the height of the sectarian conflict, organizations reported that Shi’a and Sunni militias were taking revenge on one another by raping women from the other sect.⁸⁶ With the renewed increase in militia activity over the past year, there are worries about the consequences for women:

When the Shi’a militias who are supported by the government, when they are going to the Western cities of Iraq like Samarra and other places, they find it very easy and sometimes they find it as part of their job to humiliate the Sunni population there, to detain the youth there, and I would not be surprised if reports come out that they do make many women subject to sexual violence.⁸⁷

According to UN Women, the frequency of sexual violence has increased in Ninewa, Najaf and Karbala.⁸⁸ On 10 September 2014, militias loyal to the government stormed a house in Babil governorate and raped a 20-year old mother of two. Earlier, six women were raped and killed in the same governorate when the Saraya Al-Salam, Asa’ib Ahl al-Haq and Badr militias

blockaded the region as part of a military campaign against ISIS.⁸⁹

Violations by ISIS

The ISIS takeover of Mosul on 10 June 2014 opened a new chapter in sexual violence Iraq. In the first week of ISIS's occupation of Mosul, women's activists reported that fighters had raped 18 women, leading to the suicide of four of the women as well as the brother of one of the women.⁹⁰ The Iraqi Ministry of Human Rights claims that it has evidence of many more rapes, but that many cases are being kept quiet due to Mosul's conservative culture.⁹¹ There have also been reports of ISIS fighters physically and sexually assaulting Christian residents of Mosul at checkpoints as they were trying to leave the city.⁹²

When ISIS forces entered the Turkmen village of Bashir in early June, they reportedly kidnapped nine women, raped and killed them, and then hung their mutilated bodies on lampposts.⁹³ They also gang-raped a 12-year old girl and hung her body on an electricity pole. When residents tried to bring her body down at night, fifteen men were killed by sniper fire.⁹⁴ When ISIS took control of Turkmen villages around Tuz Khurmatu on 18 June, they reportedly raped victims in groups, taking photographs.⁹⁵

When Kurdish Peshmerga forces re-took Mosul Dam from ISIS in August, they found two women, naked and bound, who had been raped repeatedly.⁹⁶ In a statement released on 23 August, the Iraqi Women Network alleged that women being held in Badoush Prison in Mosul were being subject to 'torture, beatings, whipping and sexual persecution'.⁹⁷

In addition to these attacks, ISIS has introduced and legitimated the practice of sexual slavery on an unprecedented scale. Unknown num-

bers of women and girls abducted by ISIS have been forcibly married to fighters under what is known as jihad al-nikah, or sold as sex slaves or malak-yamiin. Several international organizations have condemned these practices as war crimes or crimes against humanity. According to one activist:

This is a war weapon. They know how they can harm people and they can harm the government through this kind of psychological war. This is a weapon, and this weapon was used in Bosnia, it was used in Bangladesh, it was used in many other countries. So its purpose...[is] to destroy people. And they can make people weak. And now, people are scared [...] for example, two months ago, when they said [ISIS] is coming, we all wanted to evacuate from our cities, and at least to bring our families to a safe place, because of the way they took girls, these girls and these women, and all this news how they are raping them and taking them, made everyone to be scared.

According to Yanar Mohammed, President of the Organization of Women's Freedom in Iraq, these practices amount to something more far-reaching than a mere tactic of war.

They [ISIS] are reverting to methods used almost 1,200 years ago, and they have declared it openly, that in Islam slavery and taking women from other tribes is acceptable. So for them it's not only avenging their enemy, it's not only a method of war as much as giving credibility and authenticating slavery altogether, when it is a subject of the enemy.

In November 2014, a manual entitled 'Questions and Answers on Taking Captives and Slaves', purportedly published by the ISIS 'Research and Fatwa Department', was circulated by pro-ISIS social media accounts. The manual legitimizes

the practice of taking ‘unbelieving’ women as slaves and authorizes men to have intercourse with their female slaves regardless of whether they have reached the age of puberty or not. The manual also states that ‘a male or female slave’s running away [from their master] is among the gravest of sins’ and advises that runaway female slaves should be ‘reprimanded [in such a way that] deters others like her from escaping’. The manual goes on to say that ‘it is permissible to buy, sell, or give as a gift female captives and slaves, for they are merely property.’⁹⁸

Although the authenticity of the manual cannot be confirmed, ISIS practices with female hostages conform with what is prescribed in the document. There have been reports of ISIS members inspecting female captives to isolate the most beautiful ones, and selling them or marrying them to ISIS fighters.⁹⁹ According to UNAMI, ISIS told married women who had converted to Islam that their previous marriages were void under Islamic law and that they would be allocated to ISIS fighters as wives along with single women who had converted.¹⁰⁰ Human Rights Watch reported that ISIS fighters conducted group weddings between kidnapped Yezidi women and fighters.¹⁰¹ Another human rights organization reports that many hostages were subject to gang rapes, with one survivor stating she been raped more than thirty times.¹⁰²

A Yezidi human rights organization which has been in contact since August with hostages held by ISIS reported to the Ceasefire project that many hostages they spoke to over the phone recounted instances of rape, sexual assault and forced marriage:

Talking to a hostage, she told me that women are getting raped in the next room. Women are getting raped and I am here, they are screaming, and [ISIS] is raping them one after another. While talking to hostages in Tel Afar, they told

me that [ISIS] is basically taking women, and telling me some of the horrible stories, including one of the stories that a girl who was only 13 years old was given to an ISIL fighter... and that girl was talking to her mother in captivity, that was held in this village that we had the location with, and she said I've been raped.

On 9 August, a woman being held in Badoush Prison reported to the same organization that seven women had been taken out of the room in the night and had returned with signs of sexual assault on their bodies. On 14 August, a girl held in Ba’aj reported that ISIS was forcing all the girls to take showers, having informed them that Arab men were coming to buy them. Two girls committed suicide while in the shower to avoid their fate. On 20 August, an 18-year old girl detained in Mosul claimed that 300 girls were being held in the same neighborhood, with 2-3 girls in each room. ISIS fighters would ask the girls to shower and rape them on a daily basis. Many hostages begged for airstrikes on their locations, saying they would rather be killed than undergo rape at the hands of ISIS fighters.

Another Yezidi human rights organization provided testimonies collected from girls who had escaped from the hands of ISIS and are now living in Dohuk. A 17-year old Yezidi girl from Tel Afar reported undergoing various forms of physical and sexual torture while in captivity:

I was apprehended by fighters the night of 3 August after being stuck with many other families at the foot of the mountain. She was detained in Ba’aj for three days before being moved to Tel Afar. After a week, her captors demanded her to convert to Islam and accept marriage to a man in his seventies from Tel Afar. When she refused the marriage, they raped her more than one time under torture, and after three days they moved her to Fallujah, where she stayed for 35 days. There, she underwent various types of psy-

*chological and physical torture and was raped tens of times before she was able to escape from the window and seek help in a nearby village. She is currently living in Dohuk in the framework of a house with one of her relatives, and is suffering from physical and psychological trauma as well as a broken wrist and a dislocated shoulder sustained as a result of torture.*¹⁰³

Several Yezidi girls and women who managed to escape from ISIS have recounted testimonies to the Yezidi Fraternity and Solidarity League of being transported to Syria to be sold to fighters there:

N was apprehended the night of 3 August with several families. After being moved between Sinjar, Tel Afar, and Badoush Prison in Mosul, N was taken to Manbij, Syria with 350 other girls. There, they were displayed and sold in the streets in front of the public, as if in a chicken market. In the night, the militants threatened them with death and raped them repeatedly despite their supplications and screams. N tried more than once to commit suicide but was unsuccessful. Any girl who tried to commit suicide or escape was tortured with electrical cables. The militants put narcotic substances in the food and exploited them sexually. Many of the girls were sold to fighters from Syria, Saudi Arabia, Qatar, Chechnya or Afghanistan.

S was eventually able to escape and seek help from a family, who disguised her as an Arab and were able to facilitate her transportation to Iraqi Kurdistan.

A 15-year old girl from Tel Qosb also recounted being taken to Syria to be sold:

D was apprehended the night of 3 August along with her family as they were trying to reach the mountain. After a week, the fighters separated the men from the women and moved D and seven other girls to a hotel in Mosul where they

*were detained for more than 70 days. During this time D underwent threats, torture, and repeated rape by several militants, most of them foreigners. This caused D to have a nervous breakdown and lose consciousness from time to time. The girls were then moved to al-Raqqqa, Syria and sold to foreign fighters. D was purchased by a fighter from Hasakah who took her to live in his house with his family, who physically and verbally abused her.*¹⁰⁴

The father of the girl was eventually able to secure her release by paying smugglers \$20,000 to take her to the border with Iraqi Kurdistan. Seven other members of her family are still detained by ISIS. Many other girls have reported being traded repeatedly between ISIS fighters, thereby undergoing multiple instances of rape. According to a Yezidi former member of parliament and human rights activist working with girls who have escaped from captivity,

*There was one girl who was 14 years old, she was raped by the first guy that took her, and then after about 10 days he gave her to another person, to another ISIL person, she was raped by him too. And then to a third person. So within 30 days, every 10 days she was given to a different person.*¹⁰⁵

One activist who had been actively communicating with women in captivity told the Ceasefire project that whenever a hostage escaped, the rest of the hostages would be punished in various ways, whether through the withholding of food, verbal insults, or physical assault. Hostages were also beaten for other reasons:

*A lot of women are getting beaten up. I spoke to a mother, she was inside one of the villages, [name withheld] in Tel Afar, she told me, they are beating two of my children in front of my eyes, forcing me to convert to Islam and to accept marriage with one of the ISIL fighters.*¹⁰⁶



**Over 3 million
people are
internally
displaced in Iraq,
leaving many
girls to grow up
in a precarious
situation.**

Photo:

A displaced girl from Sinjar who fled the ISIS advance with her family, December 2014, Ninewa, Iraq. © Mark Lattimer/Ceasefire

Another activist reports:

*The last woman who escaped from Mosul, she is seven months' pregnant... she was bought by this person, who was a doctor, and there were also marks of physical abuse on her body, because she resisted the rape, and she wanted to escape, so they beat her up...*¹⁰⁷

A doctor working at a hospital in Ba'aj, where many Yezidi hostages were transported, reported encountering girls who had attempted to commit suicide and escape their fate by drinking gasoline.¹⁰⁸

IDP and refugee camps

Women who have managed to escape from ISIS captivity face a very difficult situation. After having been victims of forced marriage, rape, torture and other violations, most of the escapees have made their way to the Kurdish governorates, where, like other IDPs, they have found shelter in tents, unfinished building structures, and other temporary living arrangements. In addition to the trauma they have been through, these women and girls' psychological recovery is impeded by the fact that many of them have family members who have been killed or are still being held hostage by ISIS.

Many of the returned women and girls are in desperate need of emergency medical treatment in addition to psychosocial support and counselling. However, indications show that very little is being done on the part of the authorities to provide them with these services. According to the Yezidi Fraternity and Solidarity League, none of the 175 female returnees from ISIS captivity they interviewed had been registered by any official agencies or offered any type of

support services from the government. Instead, various humanitarian and non-governmental organizations, many staffed by volunteers, are attempting to tend to the needs of these women.

The incidence of depression and other mental illnesses is very high among women who have returned from captivity.¹⁰⁹ In addition, there have been several confirmed suicides of women living in shelter arrangements in the KRG.¹¹⁰ In the words of one activist,

*It's two parts. Freeing the girls, and taking care of the ones who are here. But from what we see here, there is no real work done here for taking care of the ones who returned.*¹¹¹

Sadly, women and girls who have sought refuge in camps for the displaced are not safe from further sexual violence. Sexual exploitation has long been a concern within the Syrian refugee camps in Kurdistan. In a study carried out by UN Women, 54 per cent of female Syrian refugees surveyed believed there was a very high risk of being sexually harassed in Kurdistan.¹¹² Some women reported non-Syrian men entering their tents in hopes of catching them alone or undressed, while others recounted being pressured or offered money to engage in sexual relationships.¹¹³ In early 2014, a 16-year old Syrian Kurdish refugee girl was kidnapped and raped by six people in Erbil, leading more than 500 Syrian refugees to protest outside the Kurdish parliament for more protection for refugees from exploitation.¹¹⁴

Since the beginning of the latest crisis, there have been anecdotal reports of women in the camps being harassed, sexually exploited, or blackmailed for sex.¹¹⁵ According to UN Women, unsegregated living arrangements and inadequate security within the shelter arrangements are opening women and girls to the risk of gender-based violence.¹¹⁶ Moreover, men have been

returning to their towns and villages to check on the situation, leaving their female family members vulnerable. According to one activist,

*We all know this is an international problem. Whenever you have this amount of refugees, there will be many social and psychological problems... and all these people are mixed in the camps, in many camps there is no good security, so everyone can enter and go. And even if you want to kidnap a, let's say, a child, or do whatever.... I think it's easy. The way in which the camps are designed is not good.*¹¹⁷

There have been worries that girls may also face violence and exclusion from their families after returning from ISIS captivity. However, the response of the Yezidi community appears to have been supportive overall. The spiritual leader of

the Yezidi community, Baba Sheikh, has called on the community to welcome back female abductees and not to punish them.

An activist explains:

*I think everyone understands that those people were forced to this, they were taken hostages, they did not go voluntarily [...] of course it's very difficult for a father, to know that his daughter who is 12 years old, or 11 years old, or 13 years old has been raped by a monster, while he was dreaming to see his daughter getting married, having a normal life, having children. Of course it is devastating for the Yezidi people [...] but there is great openness, the people are actually very happy to take those girls back and support them, they have very strong emotional attachment to them.*¹¹⁸

5

Trafficking in women and girls

Once a relatively unheard-of phenomenon in Iraq, human trafficking has mushroomed in recent years. Prolonged conflict has created conditions ripe for traffickers, including displacement, economic desperation and the breakdown of law and order.

Vulnerability factors

Displaced women, especially widows and female-headed households, are particularly vulnerable to trafficking. According to the Internal Displacement Monitoring Centre, there are currently at least 3,067,000 internally displaced persons (IDPs) in Iraq.¹¹⁹ This figure includes the 1.967 million displaced between December 2013 and November 2014 alone, added to the 1.1 million still displaced from the sectarian fighting of 2006-2007. An unknown number of people are likely still displaced from the 2003 invasion and its aftermath. In addition, there are currently 228,484 registered Syrian refugees living in Iraq, mostly in Erbil and Dohuk.¹²⁰

There were approximately 1,600,000 widows in Iraq at the beginning of 2014 and even more female-headed households.¹²¹ During the height of the sectarian violence, an estimated 90-100 women became widows every day.¹²² Approximately 33 per cent of displaced widows had not received any humanitarian assistance and 76 per cent do not receive a pension.¹²³ These figures are likely much higher now given the latest wave of displacement. The dire economic situation of widows means that many are pushed to engage in temporary marriages to sustain themselves or fall prey to sexual exploitation.

Another category of women vulnerable to trafficking are women and girls who have run away from home to escape domestic violence, forced marriages or honour killings. They often head for transportation centres looking

to escape, and in their desperate situation are more likely to accept help from a stranger. Traffickers prey specifically on this demographic. In one case of sexual trafficking followed by the Heartland Alliance, girls who had left their homes were brought to brothels by taxi drivers where they were forced into prostitution.¹²⁴ According to the Organization of Women's Freedom in Iraq, some traffickers deliberately scope out underage runaway girls in busy public places, such as markets.¹²⁵

In other cases, families have knowingly or unknowingly sold their own daughters into prostitution out of economic desperation. Often, families will arrange to marry their daughters to older men, who end up pushing the girls into prostitution once the marriage is concluded.¹²⁶ In other cases, families have sent their daughters to work in Gulf countries as domestic workers, and the girls are forced into sex work upon arrival.¹²⁷

The prison system is another place where recruiters are known to operate. Traffickers will post bail for an incarcerated woman, then force her into prostitution to pay back her debt.¹²⁹

Patterns of trafficking

Accurate statistics on the total number of women trafficked in Iraq on a yearly basis are impossible to come by, due to an historic lack of official interest in combatting trafficking and the fact that border officials lack training on recognizing the signs of human trafficking. The number is likely to be in the thousands since 2003.¹³⁰ According to the Organization of Women's Freedom in Iraq, 4,000 women and girls were trafficked in the first seven years following the invasion.¹³¹ According to another estimate, 150 Iraqi children are kidnapped annually by gangs specializing in trafficking.¹³² In a single day, 6 November 2012, 21 children were kidnapped from various locations in Baghdad.¹³³

For reasons mentioned earlier, families may be unwilling to report that their daughters have been kidnapped. A common technique used by traffickers to keep their victims in prostitution is to film the rape of women and girls and threaten to show the recording to their families.¹³⁴ This prevents them from going back to their families,

as families will disown a woman who has been raped or involved in prostitution, even if forced.

Women who fall into forced prostitution are either trafficked domestically or internationally. Within Iraq, the majority of trafficked women are thought to end up in Baghdad, where they are forced to work in brothels in the al-Bai'a and al-Battaween districts.¹³⁵ In addition, large numbers of women from the southern and central regions of Iraq are trafficked northwards to Tikrit, Erbil, Dohuk and Sulaymaniyah.¹³⁶ According to the President of the Organization of Women's Freedom in Iraq, the domestic trafficking industry has been growing at an alarming rate:

*There is a huge trafficking industry, we know for sure that in the city of Baghdad, the so-called 'entertainment industry' has grown so strongly in the last five years. Tens of – they call them 'night clubs', but they are the gateway to the huge number of brothels – that are open in Baghdad and in Erbil and in Sulaymaniyah... And widows, and orphans, female orphans of war do not have much choice than to be recruited into these places. And the way they are treated is devastating.*¹³⁷

Outside of Iraq, the most common destination countries for trafficked women are Syria, Jordan and the United Arab Emirates.¹³⁸ A common method for trafficking women across borders is for a man to marry his victim through a temporary (mut'a) marriage and travel with her outside of Iraq. Officials do not raise many questions about a married woman travelling with her spouse, and upon reaching the destination the man divorces the woman, forces her into prostitution, then returns to Iraq and repeats the process.¹³⁹ Traffickers are also able to provide forged passports for their victims or bribe officials to turn a blind eye to their operations.¹⁴⁰ In 2011 it was estimated that 95 per cent of prostitutes working in Syrian brothels were Iraqis, many of them minor girls.¹⁴¹

Prostitution is a lucrative business. Women and girls trafficked outside of Iraq have been sold for prices ranging from \$10,000 - \$20,000.¹⁴² Within Iraq, pimps generally make \$100 per session from their prostitutes.¹⁴³ The Organization of Women's Freedom in Iraq reports that in Sulaymaniyah, clients pay \$200-500 for a night with a virgin girl.¹⁴⁴ In some cases, girls have been forced to undergo hymen reconstruction operations so that they can be trafficked once again as virgins.¹⁴⁵

As detailed in other sections of this report, ISIS has become a major actor in the buying and selling of women and girls. According to some media reports, ISIS depends on human trafficking as a major source of funding as well as a technique to attract male recruits.¹⁴⁶ According to UNAMI, ISIS opened an office in the Al-Quds district of Mosul where they have been selling Yezidi women to local men.¹⁴⁷ One human rights organization received reports that Yezidi women were being sold near the Grand Mosque in Mosul.¹⁴⁸ There were also reports of women being sold in Ramadi and Fallujah. A large number of kidnapped women and girls were transported to al-Raqqa and al-Hasakah in Syria to be sold. There were also reports of Yezidi girls being sold in the town of al-Houl as well as 300 girls sold in Aleppo.¹⁴⁹

Sexual trafficking is also a growing concern in many of the camps for refugees and IDPs in the Kurdistan region. The large numbers of Syrian refugees living in Iraqi Kurdistan are particularly vulnerable to trafficking since their lack of work permits restricts their ability to find legal employment. In 2013, there were several reported cases of taxi drivers facilitating the trafficking of young Syrian refugee girls in the Kurdistan region.¹⁵⁰

The official response

Despite the passing of an anti-trafficking law in 2012, the government of Iraq has consistently shown that it does not take the problem of human trafficking seriously. The 2014 Global Slavery Index ranks Iraq as 158th out of 167 countries for having one of the weakest government responses to slavery.¹⁵¹ In 2013, although the government initiated several sex trafficking investigations, it did not prosecute any offenders. The government also did not make any efforts to identify victims of trafficking or to refer victims to protection services, such as shelters.¹⁵²

The Kurdistan Regional Government has not passed any anti-trafficking legislation. According to one activist,

*...trafficking is a big issue here, but it's not visible. And here the government tries not to identify it, not to solve it. And even until now we don't have a law for trafficking.*¹⁵³

Many activists believe the lack of government action is due to the high level of official complicity in the problem. Trafficking brings in big profits, and many officials are easily persuaded to turn a blind eye to trafficking cases because of the generous bribes they receive from traffickers.¹⁵⁴ Police officers are also known to be clients of prostitutes who have been forced into sex work. In some cases, women who escaped from prostitution were forcibly returned to their brothels by police officers.¹⁵⁵

Women who have been forced into prostitution are more likely to be treated as criminals by the justice system than as victims of trafficking. A large number of women who have escaped from trafficking have been convicted on charges of prostitution, which is illegal under Iraqi law, or for other offences such as possession of forged documents.¹⁵⁷ More than half of the detainees in

Al-Kadimiyah women's prison in Baghdad are charged with prostitution, and it is believed that many of them may have been forced.¹⁵⁸

*Women who are in the brothels, they are the ones who are thrown in the prisons, they are the ones who are thought of as perpetrators. Usually the men – or sometimes the traffickers are not men, they are women – the traffickers have their way, they have established very strong connections with the policing system, and they have their way of paying a bribe and stepping out while the trafficked women, the arrested women, they are the ones that take at least one year in prison.*¹⁵⁹

Iraq's male-dominated police and security forces lack the gender-sensitivity training needed to deal effectively with allegations of trafficking or to recognize its signs. The judicial system is also unlikely to be sympathetic to victims of trafficking. The Heartland Organization, which has followed many legal cases involving defendants who had been forced into prostitution, documented numerous instances where police officers and judges have mocked or verbally abused victims of trafficking, insulted lawyers for defending clients involved in prostitution, and downplayed the relevance of gender-based violence as a factor in investigations.¹⁶⁰

There is a pronounced shortage of shelters or other support services for victims of trafficking. A few NGOs run shelters in the Kurdistan region, but there are very few similar facilities in other parts of Iraq.¹⁶¹ The federal government has prevented NGOs from operating shelters, while making scant efforts to establish functioning government-run shelters.¹⁶² The government allocated a building in Baghdad to be used as a shelter for trafficking victims in 2013, but at year's end had not been able to identify or refer any victims to this service.¹⁶³ Many victims of trafficking who are serving prison sentences prefer to stay in prison past their sentences than to leave and risk being trafficked again or punished by their families.¹⁶⁴

Recommendations

To the federal government of Iraq

- Amend the Penal Code to include minimum sentences for rape and sexual assault and repeal Article 398 which allows rapists to evade punishment by marrying their victims;
- Withdraw reservations to Articles 2 (f) and (g), 9 (1) and (2), 16 and 29 of the Convention on the Elimination of All Forms of Discrimination against Women;
- Carry out thorough and impartial investigations into crimes against women, including crimes committed by members of the police, security forces, and non-state militias;
- Provide all police units with gender-sensitivity training, including proper interviewing techniques for victims of sexual violence, and establish protocols for providing rape victims with forensic medical attention and appropriate support services; and take measures to increase the recruitment of women in the police force, especially in units for dealing with gender-based violence;
- Improve efforts to implement the Human Trafficking Act No. 28 of 2011, including by establishing a database of traffickers and trafficking routes, training police and security forces to recognise the signs of trafficking, increasing efforts to identify victims and refer them to protection and rehabilitation services, and prosecuting offenders; and strengthen cooperation with destination and transit countries to improve mechanisms for fighting trafficking;
- Increase the number of shelters available to women fleeing violence and exploitation, and extend support to non-governmental organizations providing such services;
- Work with the KRG to secure the release of hostages still under the custody of ISIS;
- Take all necessary measures to avoid civilian casualties in the course of any military action against ISIS and other insurgent groups.

To the Kurdistan Regional Government

- Pass a comprehensive anti-trafficking law;
- Work with the federal government to secure the release of hostages still under the custody of ISIS;
- Improve the provision of services such as counselling and psychological support to female IDPs who have experience sexual violence;
- Provide assistance to non-governmental organizations operating shelters for victims of gender-based violence.

To the international community

- Take measures to prevent the transfer of arms and financial resources to groups committing gross human rights abuses against women;
- Consider the specific needs of displaced women within humanitarian aid programmes; increase the provision of medical, emotional and psychological support to victims of sexual violence; and promote the collection of gender-disaggregated data in all operations, including specific mechanisms for monitoring violence against women;
- Promote the accountability of those responsible for serious violations of international law, including through referring the situation in Iraq to the International Criminal Court;
- Ensure that any international military action taken against ISIS and other insurgent groups in support of the Iraqi government adheres to international humanitarian law and to international human rights law and in particular prohibit any aerial bombing which may be expected to result in loss of civilian life or damage to civilian objects which would be excessive in relation to the concrete and direct military advantage anticipated.

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No Place to Turn: Violence against women in the Iraq conflict

In brief

The armed conflict in Iraq has led to the violent deaths of approximately 14,000 women since 2003. Whether driven by political, 'moral' or sectarian motives, attacks on women have become a tactic of war used by parties on both sides of the conflict.

In addition to the women killed in bombings, shelling and air attacks on civilian areas in Iraq, women have been deliberately targeted for assassination by both pro-and anti-government militias across the country. Shi'a and Sunni militias have also perpetrated mass extra-judicial executions of women for perceived transgression of moral codes.

A further 5,000–10,000 women and girls are estimated to have been abducted or trafficked for sexual slavery, prostitution or ransom. Both fear of the police and considerations of family 'honour' contribute to widespread under-reporting of female disappearances and prevent more precise estimates of the scale of the problem, but hundreds every year are trafficked in Baghdad, northern cities and onwards to Syria or the Gulf states. At least 3,000 women and girls were kidnapped in 2014 by the Islamic State of Iraq and Al-Sham (ISIS), but over six months later there is little evidence of any concrete measures taken by either the Iraqi federal government or the Kurdistan regional government to secure their release.

140-character summary

Ceasefire @minorityrights uncovers scale of violence against women by all parties in #Iraq - 14,000 women killed <http://bit.ly/1E8iNLB>

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The fighting in Iraq has generated mass population displacement and created tens of thousands of widows and female-headed households, escalating women's vulnerability. Weaknesses in the Iraqi laws criminalizing violence against women are compounded by systematic failures by the Iraqi police and justice system. Once a woman becomes a victim of sexual violence or is forced to flee her home, she has no place to turn.

This report recommends:

- Reforming the Iraqi Penal Code to ensure that violence against women is adequately penalized
- Carrying out thorough and impartial investigations into crimes against women, including crimes committed by members of the police, security forces, and non-state militias
- Increasing the recruitment of women in the police force, and providing all police units with appropriate training
- Implementing recent legislation to combat human trafficking and treating trafficked women as victims rather than penalizing them
- Improving cooperation between the Iraqi federal government and the KRG to secure the release of women and girls abducted by ISIS.