MRT RESEARCH RESPONSE

Research Response Number: IRQ35194
Country: Iraq
Date: 14 July 2009

Keywords: – Iraq – Women – Living conditions – Human rights – Security situation

Questions
1. What is the position for women in Iraq (whether they suffer discrimination or worse)? Please also provide a brief update on country conditions including general information on living conditions and human rights and, in particular, information on the current military situation. Please provide extracts from the usual sources and a couple of media reports on the military/insurgency situations.

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Country Conditions

The US Department of State human rights report for 2008 provides extensive information about the country conditions, living situation and human rights situation in Iraq, as follows:

During the year, the following significant human rights problems were reported: a climate of violence; misappropriation of official authority by sectarian, criminal, and extremist groups; arbitrary deprivation of life; disappearances; torture and other cruel, inhuman, or degrading treatment or punishment; impunity; poor conditions in pretrial detention and prison facilities; denial of fair public trials; delays in resolving property restitution claims; immature judicial institutions lacking capacity; arbitrary arrest and detention; arbitrary interference with privacy and home; other abuses in internal conflicts; limitations on freedoms of speech, press, assembly, and association due to sectarianism and extremist threats and violence; restrictions on religious freedom; restrictions on freedom of movement; large numbers of internally displaced persons (IDPs) and refugees; lack of protection of refugees and stateless persons; lack of transparency and widespread, severe corruption at all levels of government; constraints on international organizations and nongovernmental organizations’ (NGOs) investigations of alleged violations of human rights; discrimination against and societal abuses of women, and ethnic and religious minorities; human trafficking; societal discrimination and violence against individuals based on sexual orientation; and limited exercise of labor rights.
During the year kidnappings and disappearances remained a severe problem; many individuals disappeared and incidents of child kidnapping increased in the latter half of the year. Unlike in the previous year, the majority of the reported cases were not sectarian related. According to UNAMI’s January-June human rights report and government sources, almost all of the cases during the year appeared to be motivated by monetary reasons. Police believed that the great majority of cases were unreported.

The constitution expressly prohibits torture in all its forms under all circumstances, as well as cruel, inhuman, or degrading treatment. During the year there were documented instances of torture and other abuses by government agents and similar abuses by illegal armed groups. The government’s effectiveness in adhering to the rule of law in these circumstances was hampered by ongoing large-scale violence, corruption, sectarian bias, and lack of civilian oversight and accountability, particularly in the security forces and detention facilities.

The constitution mandates that homes not be entered or searched except with a judicial order issued in accordance with the law. The constitution also prohibits arbitrary interference with privacy. In practice, security forces often entered homes without search warrants and took other measures interfering with privacy, family, and correspondence.

Violence against the media, primarily by militia and insurgency groups, was commonplace. Media workers reported that they refrained from producing stories on insurgency and militia activity for fear of retaliatory attacks. On February 12, police found the body of Hisham Mijawet Hamdan, a board member of the Young Journalists’ Association. Hamdan, whose body showed signs of torture, had been kidnapped two days earlier. On February 27, the head of the Iraqi Journalist Syndicate, Shihab Al-Tamimi died after being shot by unknown gunmen. In April, the Society for Defending Press Freedoms in Iraq, a domestic NGO, reported that JAM was threatening to kill journalists in southern Iraq if they portrayed Sadrist terrorists in a negative light. According to the NGO Society for Defending Press Freedoms, JAM elements set fire to homes of journalists and launched rockets at the Ahwar local TV station in Amara.

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. Internet access was generally low for direct access due to a lack of infrastructure in homes. However, the prevalence of internet cafes contributed to extensive usage among Iraqi youth.

There were no government restrictions on academic freedom or cultural events. However, social and religious as well as political pressures restricted the exercise of freedom of choice in academic and cultural matters. In all regions, various groups reportedly sought to control the pursuit of formal education and the granting of academic positions. During the year extremists, insurgents and terrorists targeted cultural figures such as doctors, academics, and scientists.

In the central and southern parts of the country, there were a number of reports of threats by militia, extremists, or insurgent groups against schools and universities, urging them to modify activities, favor certain students, or face violence. Educational institutions often complied with the threats.

While the government generally respected the right of individuals to worship according to thought, conscience, and belief, private conservative and radical Islamic elements continued
to exert tremendous pressure on other groups to conform to extremist interpretations of Islam’s precepts.

...Religious extremists, including terrorist groups and special group members, targeted many individuals because of their religious identity. Others were targeted because of their secular leanings. Religious-based violence between Shia and Sunni Arabs continued to decline since mid-2007. The reduction in sectarian violence enabled Shia pilgrims to travel to Samarra and visit the remains of the Al-Askariya Shrine.

...During the year, discrimination against ethnic minorities was a problem. There were numerous reports of Kurdish authorities discriminating against minorities in the North, including Turkmen, Arabs, and Assyrians. According to these reports, authorities denied services to some villages, arrested minorities without due process and took them to undisclosed locations for detention, and pressured minority schools to teach in the Kurdish language. Ethnic and religious minorities in Tameem (Kirkuk) frequently charged that Kurdish security forces targeted Arabs and Turkmen.

...There were continued reports of societal discrimination and reported violence against individuals based on sexual orientation (US Department of State 2009, Country Reports on Human Rights Practices for 2008 – Iraq, February, Introduction, Sections 1b, 1c, 1f, 2a, 2c, 5 – Attachment 1).

Amnesty International’s 2009 annual report describes “gross human rights abuses” committed by both sides of the ongoing conflict in Iraq, despite “a marked reduction in violence.” In addition, the humanitarian situation is described as “alarming,” with the unemployment rate at 50 percent, and millions of Iraqi citizens lacking adequate food, clean drinking water and access to health care:

Thousand of civilians, including children, were killed or injured, mostly in suicide and other bomb attacks carried out by armed groups opposed to the government and the US-led Multinational Force (MNF). Civilians were also killed by MNF and Iraqi government forces. The MNF and the Iraqi authorities both held thousands of detainees; most were held without charge or trial, some for up to five years. Government security forces, including prison guards, were reported to have committed torture, including rape, and unlawful killings. The authorities made extensive use of the death penalty. More than 4 million Iraqis were displaced; 2 million were refugees abroad and others were internally displaced within Iraq. The Kurdistan region remained less affected by the conflict but there were continuing reports of abuses by the security forces and violence against women.

... The humanitarian situation remained alarming. According to the UN, at least 4 million Iraqis still did not have enough food, around 40 per cent of the population did not have access to clean drinking water, and 30 per cent did not have access to adequate health care services. The education system was near collapse with schools and universities lacking essential materials such as books, and teachers and students terrorized by violence. Many schools were bombed. The unemployment rate remained extremely high at 50 per cent or even higher.

... Armed groups fighting against the government and US-led forces committed numerous gross human rights abuses, as did militia groups affiliated to Shi’a religious groups and political parties represented in the Iraqi parliament. The abuses included kidnapping, torture and murder. The groups also carried out bombings and other indiscriminate attacks against civilians, causing numerous deaths and injuries. Many attacks were apparently carried out by al-Qa’ida in Iraq. Those targeted for kidnapping or killing included members of religious and
ethnic minorities, such as Christians and Palestinians; members of professional associations, such as doctors, lawyers and journalists; and women.

… Government forces committed gross human rights violations, including torture and extrajudicial executions. Prison guards and security forces were reported to have tortured and otherwise ill-treated detainees, including juveniles. Methods alleged included beating with cables and hosepipes, prolonged suspension by the limbs, electric shock torture, breaking of limbs, removal of toenails with pliers, and piercing the body with drills. Detainees held by Interior Ministry officials were particularly at risk of torture.


Some general information on Iraq obtained from the CIA World Factbook (updated on 26 June 2009) indicates that life expectancy in 2009 was assessed as 68.6 years for males and 71.34 years for females. The Factbook also provides the following information on Iraq’s economy:

Decreasing insurgent attacks and an improving security environment in many parts of the country are helping to spur economic activity. Iraq’s economy is dominated by the oil sector, which has traditionally provided over 90% of foreign exchange earnings. Oil exports are around levels seen before Operation Iraqi Freedom. Total government revenues have benefited from high oil prices in recent years; however, revenues have declined significantly since the oil price drop in fall 2008. Iraq is making some progress in building the institutions needed to implement economic policy. In March 2009 Iraq concluded a Stand-By Arrangement (SBA) with the IMF that details economic reforms. The SBA allows an 80% reduction of the debt owed to Paris Club creditor nations (Central Intelligence Agency 2009, *The World Factbook – Iraq*, 26 June https://www.cia.gov/library/publications/the-world-factbook/geos/IZ.html – Accessed 14 July 2009 – Attachment 3).

Security Situation

The US Department of State human rights report cited above also outlines the security situation in Iraq, indicating that “the general security situation in the country substantially improved. Violence has decreased to the lowest level since 2004.” However, “attacks on military, police, and civilians continued.”

According to Multinational Force-Iraq (MNF-I), civilian deaths from violence during the year fell 72 percent to approximately 15 per day; Iraqi Security Forces (ISF) deaths from violence fell by 57 percent to five per day, compared to the previous year. Successful ISF operations contributed to decreasing violence by establishing government control of areas previously dominated by Shia special groups and other extremists. Throughout the year the Shia militia Jaysh al-Mahdi (JAM) or Mahdi’s Army reorganized, repudiating violence against Iraqis, and “Sons of Iraq” (SOI) neighborhood security forces -- many affiliated with Sunni tribal groups -- continued to combat insurgents and terrorists. These developments undermined the terrorist group Al-Qa’ida in Iraq (AQI) and Sunni insurgent influence, contributing to even further reductions in violence.
During the year, the Ministries of Interior (MOI) and Defense (MOD) increased the numbers of trained security forces. At the end of the year there were over 590,000 trained security forces, an increase from 430,000 in November 2007. The strengthened ISF led successful operations, often jointly with the MNF-I, against insurgents and terrorists in Basrah, Maysan, Baghdad, Diyala, Ninewa, Qadisiyah, and Wasit Provinces. Civilian authorities generally maintained control of the ISF, although sectarian and party-affiliated militias, which sometimes controlled local security, at times failed to provide even-handed enforcement of the law and acted independently. Although reduced, continuing violence, corruption, and organizational dysfunction undermined the government’s ability to protect human rights.

… Insurgent and extremist violence, coupled with weak government performance in upholding the rule of law, resulted in widespread and severe human rights abuses. Although their influence and ability to attack was significantly weakened since 2007, terrorist groups such as AQI and other extremist elements continued to launch attacks against Shia and Sunnis, fueling sectarian tensions and undermining the government’s ability to maintain law and order. Extremist and AQI attacks against Sunni SOI and tribal leaders and offices rose during the year. Extremists and AQI also conducted high-profile bombings near Shia markets and mosques and killed Shia religious pilgrims. Shia militias and armed paramilitary groups, some substantially incorporated into the ISF, also frequently attacked civilians and government officials. Religious minorities, sometimes labeled “anti-Islamic,” were caught in the violence. Amidst attacks, Shia armed groups fought each other and against government forces for control of the nine provinces in the South, especially in Basrah. Insurgents also carried out a number of attacks against civilians and ethnic and religious minorities. During the year, despite some reconciliation and easing of tensions in several provinces, the government’s human rights performance consistently fell short of according citizens the protections provided for by the law.

…During the year, there were numerous reports that the government or its agents committed arbitrary or unlawful killings in connection with the ongoing conflict. Security forces under government control killed armed fighters or persons planning to carry out violence against civilian or military targets. According to personal accounts and numerous press reports, these forces caused civilian deaths during these operations. The UN Assistance Mission for Iraq (UNAMI) cited reports that the ISF in January Basrah battles and April Sadr City battles against Shia militia failed to distinguish sufficiently between combatants and civilians, and often used disproportionate force.

…Insurgent and terrorist bombings, executions, and killings were a regular occurrence throughout all regions and sectors of society. In Baghdad there were 92 persons killed in September, 86 in October, 82 in November, and 56 in December. The attacks were sometimes targeted at police stations or Army patrols, but often were indiscriminate, killing morning rush-hour commuters and market-goers. The Ministry of Human Rights (MOHR) annual report on Victims of Terrorism reported that 6,787 civilians were killed by terrorist attacks during the year, and 20,178 were wounded.

…In Erbil, Sulaymaniyah, and Dohuk, the three provinces comprising the majority of the area under the jurisdiction of the Kurdish Regional Government (KRG), there were significantly fewer reports of sectarian violence than elsewhere in the country (US Department of State 2009, Country Reports on Human Rights Practices for 2008 – Iraq, February, Introduction, Sections 1a, 1d – Attachment 1).

The UK Home Office report for 2009 indicates that despite “improvements in the security environment…continued [human rights] violations pose serious concerns for Iraqi civilians.”
8.01 The UNSC report of 28 July 2008 noted that “The human rights situation in Iraq remains serious, although violations were less widely reported. Despite improved security conditions in Baghdad, Amarah and Mosul after operations against armed militias, UNAMI remained concerned about the physical safety and legal protection of hundreds of suspects arrested, as well as detention conditions and lack of due process following detention. Those apparently rounded up as suspects included a number of children.” [38q] (p7) The UNSC report of 6 November 2008 further noted that:

“Overall, the improvements in the security environment in recent months have proved positive with respect to human rights in Iraq, but continued violations pose serious concerns for Iraqi civilians and remain a priority of the United Nations. A significant decrease in violent, high-visibility, high-casualty attacks by militias or criminal gangs was witnessed during the current reporting period. Nonetheless, grave and systematic human rights violations remain constant, but are less visible and less widely reported … The broader situation regarding women’s rights and conditions has also shown no significant overall improvement and alleged suicides and suspected ‘honour crimes’ continue to be reported with alarming regularity.” [38r] (p11)

The report continues with an outline of the general security situation in Iraq:

9.01 The UNSC report of 28 July 2008 stated “A combination of political and military efforts has contributed to continued improvements in security across Iraq during the past three months. Although civilian casualties as a result of violence remain unacceptably high, both the frequency of violent incidents and casualty figures have continued to decline and there has been increased cooperation from local communities in preventing acts of violence.” [38q] (p1) The UNSC report of 6 November 2008 further mentioned the decrease in security incidents, although reported an increase in threats against leaders of religious minorities, particularly Christians, and the targeted assassination of journalists, political activists, public officials and pilgrims still remained a grave concern. [38r] (p1)

9.02 The BBC reported, on 10 November 2008, that in spite of reported security improvements and decreased incidents, attacks still occur daily, particularly in Baghdad. “Of particular concern has been the increased use of small bombs attached to the underside of vehicles with magnets or glue – which are much easier to get past security checks. No-one is clear who is behind these attacks, but the continuing violence is a reflection of the fact that there has been no peace agreement or real reconciliation between Iraq’s different factions.” [4dm]

9.04 The UNSC report of 28 July 2008 …noted: “Nationally, the number of violent incidents recorded declined during the reporting period to 40 to 50 attacks a day, excluding areas of declared military operations. The impact has been particularly notable in Baghdad, where much of the day-to-day fighting has now subsided.” [38q] (p13) This decrease has been attributed to the increase in Iraqi force capability, the Mahdi army ceasefire and the take over of the Sons of Iraq forces (Awakening Councils) by the Iraqi government.

“Moreover, the multinational force in Iraq formally transferred security responsibilities to the Iraqi army in Al-Anbar Governorate in September, Babil Governorate on 23 October and Wasit Governorate on 27 October, bringing the number of provinces under Iraqi security control to 13.” (UNSC, 6 Nov 2008) [38r] (p1)
9.08 The UN warned returning Iraqi refugees that it still may not be safe to return, as the situation remains too insecure. (BBC News, 8 December 2007) [4au] Other reports suggested that Iraqis were being forced to return home because they were running out of money and visa restrictions. (BBC News, 20 Mar 2008) [4cz] A report by Refugees International, published 15 April 2008, further commented that since January 2008, the rate Iraqis were returning from Syria had slowed dramatically. [119c] (p9) The most recent IOM report, published November 2008, also noted that “Overall, returns are continuing at a slow but significant rate, while displacement is still slowed nationwide, limited to isolated events such as the recent displacement of Christian families in Mosul.” [111l] (p1)

9.09 The UNHCR report of December 2007, also noted that: “Violence is perpetrated by both state and non-state actors. Both the MNF and the ISF have been accused of inflicting torture and inhuman and degrading treatment upon individuals whom they have arrested and detained. Shi’ite-dominated militias and parts of the ISF, particularly the Ministry of Interior, also are accused of committing serious violations of human rights, including kidnappings and unlawful arrests, torture and extra-judicial killings, against individuals perceived to be supporters of Sunni-dominated insurgency groups. The insurgency groups have also been involved in the kidnapping, torture and extra-judicial killings of civilians.” [40l] (p26) (UK Home Office 2009, Country of origin information report: Iraq, January, Chapters 8 & 9, pp. 37-39 – Attachment 4).

A 2009 report on security in Iraq published by the US Department of Defense states that “violence has dropped dramatically in the last two years, and normal life continues to return to the country.” However, it is also claimed that “the insurgency in Iraq...remains dangerous.” The report provides the following assessment of the overall security environment in Iraq:

1.3 Security Environment

The security environment in Iraq continues to improve, as violence has dropped dramatically in the last two years, and normal life continues to return to the country. Many residents now express greater hope for the future and are demanding a better standard of living. The elections were an indicator of ISF progress since 2005, when Coalition forces played the primary role securing elections. However, for the January 31, 2009 provincial elections, the ISF were in the lead, with Coalition support, deploying outside polling centers in 14 of 18 provinces to ensure a safe and secure electoral process for Iraqi citizens. While progress has been significant, much work remains to be done.

The year 2009 will be a year of enormous opportunity for Iraq, and the GoI must capitalize on recent security gains and work to foster cooperation between political factions, resolve long-standing disputes, and improve the standard of living for its citizens. The events of 2009, which may culminate in national elections, are critical in consolidating the fragile security gains of the past two years and building the foundation for sustainable stability in Iraq.

Overall Assessment of the Security Environment

The insurgency in Iraq continues to decline but remains dangerous. Of primary concern are various Shi’a militia groups, including Asa’ib Al-Haq (AAH) and Kataib Hezbollah (KH), Sunni resistance groups, and AQI. Coalition and ISF operations continue to impede AQI’s and other insurgents’ and militants’ freedom of movement and re-supply capabilities. Security gains in Baghdad are allowing residents to enjoy an improved sense of personal freedom. Cafés remain open after dark and families now frequent public parks, in marked contrast to 2006 and 2007. ISF are taking the lead in operations in northern Iraq, and U.S. forces now carry out fewer missions in the lead, and instead, assist the ISF in supporting roles.
Security operations in Basrah, Baghdad, Ninewa, Maysan, and Diyala have produced encouraging results that further degraded the capabilities of AQI and reduced the activities of militias. Iraqi and Coalition forces have significantly extended control in more areas of Iraq, and ongoing operations have severely degraded AQI activities, finances, and supply networks, leading to the capture of several high-value individuals. Although Iraq has achieved progress, AQI retains limited capability to conduct high-profile attacks targeting civilians and ISF, mostly in the North.

… Attack Trends and Violence

Attacks have decreased dramatically from an average of 29 per day in September 2008 to 13.75 per day in February 2009, a 52% reduction. Civilian deaths across Iraq have also declined slightly to an average of 20 per week during this reporting period, but even a small surge in high-profile attacks could cause a spike in civilian deaths and potentially destabilize the environment. During this reporting period, there were 35% fewer civilian deaths than during the last reporting period, and Iraq’s reported murder rates have dropped below levels that existed before the start of Operation Iraqi Freedom. Although periodic high-profile attacks continued throughout the reporting period, these attacks have not rekindled a cycle of ethno-sectarian violence.

Since the last reporting period, the average number of attacks executed daily has decreased or remained relatively constant in all provinces. Of the 18 total provinces, Baghdad, Diyala, Ninewa, and Salah ad Din contain approximately half of Iraq’s population and previously accounted for 78% of all attacks. Daily average attacks in Baghdad Province decreased 37%. The daily average attacks in the northern provinces—Ninewa, Diyala, Tamim, and Salah ad Din—decreased 50%, largely due to ISF-led operations (US Department of Defense 2009, Measuring Stability and Security in Iraq, March, pp. 19-22 http://www.defenselink.mil/pubs/pdfs/Measuring_ Stability_and_Security_in_Iraq_March_2009.pdf – Accessed 22 May 2009 – Attachment 5).

The US State Department report on terrorism for 2008 also provides an assessment of the security situation in Iraq:

Iraq remained a committed partner in counterterrorism efforts. The Iraqi government, with support from Coalition Forces, continued to make significant progress in combating al-Qa’ida in Iraq (AQI) and affiliated terrorist organizations, as well as Shiite militia elements engaged in terrorism. The significant reduction in the number of security incidents throughout much of Iraq, beginning in the last half of 2007, continued in 2008, with an even further decrease in civilian casualties, enemy attacks, and improvised explosive device (IED) attacks.

Terrorist organizations and insurgent groups continued attacks on Coalition and Iraqi security forces using IEDs, including vehicle-borne improvised explosive devices, and suicide bombers. Beginning in November 2007 and through July 2008, improvised rocket-assisted mortars were used in attacks on Coalition Forces resulting in both military and civilian casualties. AQI and its Sunni extremist partners also increasingly used Iraqi nationals and females as suicide bombers. Coalition Forces conducted a full spectrum of operations to defeat the adaptive threats employed by AQI, by, with, and through Iraqi forces.

…Foreign terrorists from North Africa and other Middle Eastern countries who were sympathetic to Sunni extremists continued to flow into Iraq, predominantly through Syria. Their numbers, however, were significantly fewer than in the previous year. Terrorism committed by illegal armed groups receiving weapons and training from Iran continued to endanger the security and stability of Iraq, however incidents of such violence were markedly lower than in the previous year.
The Iraqi government increased its bilateral and multilateral efforts to garner regional and international support against the common threat of terrorism. The Expanded Neighbors Process continued to provide a forum in which Iraq and its neighbors could address the political and security challenges facing Iraq and the region.

The Iraqi government pressed senior Iranian leaders to end support for lethal aid to Iraqi militias, and the Iraqi army defeated extremists trained and equipped by Iran in Basra, Baghdad, and other areas. For example, in the Charge of the Knights operation in April in Basra, Prime Minister Maliki ordered Iraqi security forces to combat extralegal Iranian-supported militias. Iraqi forces arrested violent extremists, confiscated arms, and helped to reestablish the rule of law in Basra. The operation was Iraqi-led, while small British and American Military Transition Teams were in place to provide Iraqi leaders with advice, access to surveillance, and the ability to call for additional resources as needed.

The Iraqi security forces continued to build tactical and operational momentum and assumed responsibility for security in all of Iraq’s 18 provinces. On November 17, the Governments of Iraq and the United States signed a Security Agreement that provided the legal basis for continued security cooperation, which will help Iraq build its capacity to fight terrorist organizations, and established formal mechanisms for ensuring that future security operations are conducted in accord with the Security Agreement. Continued international support will be critical for the Iraqi government to continue building its capacity to fight terrorist organizations. Iraq’s intelligence services continued to improve in both competency and confidence, but will require ongoing support before they will be able to adequately identify and respond to internal and external terrorist threats (US Department of State 2009, Country Reports on Terrorism for 2008, April, pp. 115-117 – Attachment 6).

In addition, Human Rights Watch’s world report for 2009 indicates that although reducing in number, attacks on civilians by Sunni and Shia armed groups occurred across the whole of Iraq. Sectarian violence and bombings also continued throughout 2008:

Human rights conditions in Iraq remain extremely poor. Security gains in 2008 did little to ease Iraq’s crisis of displacement, with about 2.8 million Iraqis displaced within the country and another 2 million abroad, mainly in Syria and Jordan.

The government continues to rest on a narrow political and ethnic/sectarian base, though Tawafuq, a Sunni bloc, returned to its ranks in July after a year-long boycott. The government was to incorporate into state forces up to 100,000 mainly Sunni paramilitaries paid by US forces to provide local security, but government officials disputed their numbers and threatened to arrest some leaders, casting doubt over the plans.

...Civilians remained the targets of attacks by Sunni and Shia armed groups across the country, though the number of such attacks fell after the US and Iraqi security offensive (“surge”) in 2007. In February 2008 Muqtada al-Sadr extended a freeze on the activities of his Jaysh al-Mahdi (Mahdi Army) militia; many Iraqis attributed the reduced level of violence in Iraq to the halt in the militia’s armed activities in 2007 following bloody clashes with rival Shiite forces.
In Baghdad, twin bombings in a crowded commercial district on March 7, 2008, killed as many as 71 people, a June 18 truck bomb in a neighborhood where Sunnis have been displaced by Shiite militias killed as many as 63 people, a female suicide bomber targeting Shia pilgrims killed at least 32 people on July 28, and two separate waves of attacks before and during the Eid al-Fitr holiday in early October killed at least 48 people. A car bomb in Dujail, north of Baghdad, killed as many as 32 people on September 12. A second female suicide bomber on July 28 in Kirkuk killed about 25 people during a Kurdish protest over the provincial elections law.

Displacement born of sectarian violence continued, but economic pressures and difficulties maintaining legal status in Syria, Jordan, and Egypt induced some refugees to return, and Iraq’s government periodically announced financial incentives for returnees. (For the situation of the largest Iraqi refugee population, and of Palestinians fleeing Iraq and stuck at the Syrian border, see Syria chapter.) In Baghdad, returnees were seldom able to reclaim their former homes, though a campaign launched by security forces to evict squatters from homes they occupy was aimed at paving the way for returns. In Baghdad and elsewhere, orders for squatters to vacate public properties threatened to compound displacement (Human Rights Watch 2009, World Report – Iraq, January – Attachment 7).

A recent article on security in Iraq published by the Economist discusses the potential stability of Iraq following the withdrawal of American troops:

BARACK OBAMA’s administration has promised to withdraw all American troops from all of Iraq’s towns by the end of this month. As the deadline looms, people are again asking whether Iraq’s forces will be able to cope on their own. On cue, a fresh bout of violence has erupted. On June 20th, a huge lorry bomb exploded in Taza, a Turkmen town just south of the disputed city of Kirkuk, killing at least 70 people. Two days later at least seven bombs went off in and around Baghdad, including a roadside blast, a car bomb and a suicide attack, killing some 30 people altogether. And on June 24th another big bomb killed at least 70 people in Baghdad, perhaps the single deadliest attack in Iraq this year. The insurgents, knowing that the Americans are poised to pull out, are aiming to make Iraq as unstable as ever.

They have also staged some spectacular assassinations that have threatened to restart a cycle of sectarian reprisals. Earlier this month the head of the main Sunni bloc in parliament, Harith al-Obeidi, a noted campaigner for human rights, was gunned down by a teenager in a Baghdad mosque after he had led Friday prayers. In Mosul, the biggest city of the north, where the coach of Iraq’s karate team was recently shot dead, bombings are still going on, though at a reduced rate.

Yet, despite this nerve-racking spasm, the recorded figures suggest that the violence is still in retreat. Fewer civilians were killed in May than in any month since 2003. Both Iraqi and American officials had predicted a surge in attacks as the deadline for withdrawal neared.

The prime minister, Nuri al-Maliki, told Iraqis not to be dismayed by violence here and there. The country’s own forces, he insisted, could maintain security, as they already were. Besides, American tanks and armies were no use in what had become a counter-insurgency intelligence game, which the Iraqis were better equipped to play than were the Americans. “We’re absolutely certain the withdrawal will not make our security worse,” said Mr Maliki. In any event, he said, the withdrawal of American troops from the towns would be a “great victory” for Iraq.

Similarly, a recent analysis by Strategic Forecasting (STRATFOR) assesses Iraq’s future security following the withdrawal of US troops:

U.S. forces withdrew from Iraqi cities June 30, turning security responsibilities over to Iraqi security forces. Some 130,000 U.S. troops will remain in Iraq, and some will remain at urban outposts to assist with security in cities if needed, but the coming weeks and months will be a test for Iraqi security forces seeking to maintain relative calm in the country.

Analysis
After more than six years of war, foreign occupation and civil strife in Iraq’s attempt to rebuild itself as a nation, Iraqi security forces on June 30 celebrated the handing over of responsibility for security in the country’s cities from U.S. forces. Only in the weeks and months ahead, however, will it become evident whether much has actually changed in the war-torn nation.

Newspapers’ front pages featured Iraqi security forces celebrating the June 30 deadline for the withdrawal of U.S. forces from Iraq’s cities, but the U.S. military had been preparing for this moment for months by withdrawing or making preparations for withdrawal. Still, some 130,000 U.S. troops remain on the ground in Iraq, and that troop level is not expected to change until at least September. This is roughly the same number of troops that was in Iraq three years ago, before the surge. Some are remaining at urban outposts beyond the deadline, while others are available to reinforce the cities if the security situation warrants — all at Baghdad’s request, of course.

But the Iraqi government and the United States are deeply concerned about sustaining security gains made since the surge. And though Gen. Ray Odierno — the top U.S. military officer in Iraq — has expressed confidence in the Iraqi security forces despite a recent spate of deadly suicide bombings, these concerns are genuine. There are powerful near-term incentives for elements of Iran’s Islamic Revolutionary Guard Corps, as well as al Qaeda in Iraq and other foreign jihadists remaining in Iraq, to carry out attacks at this time in order to call into question Iraqi security forces’ capabilities and try to reignite the sectarian bloodshed of 2006. A June 30 car bombing in Kirkuk that left more than 20 people dead as U.S. troops withdrew from the city served as a critical reminder of this threat.

In the coming weeks and months, the world will first see whether the Iraqi security forces prove themselves capable of maintaining day-to-day security. This will take several forms. One is proficiency — the security forces’ capability to adhere to basic doctrine, maintain security and execute tactical maneuvers. Another is their willingness to do so. If the security forces can keep above the sectarian strife they were so embroiled in years ago and enforce security in a relatively even-handed, uncorrupt manner, they may be able to make a positive contribution to overall security, rather than fan the sectarian flames. But it is far from clear whether the key security organs have overcome their sectarian roots and issues.

It then remains for Baghdad to wield these forces fairly and effectively. Given the amount of sectarian tension that still colors debates over oil revenues, the integration of Sunni irregular forces into the security apparatus, the fate of Kirkuk and other issues, this cannot be taken for granted. And political attempts to capitalize on the passing of the deadline will only cloud matters further.
This will all be happening as the United States begins to relinquish some of its responsibilities and freedom of action. Trainers, advisers and even some combat forces will remain, and the stipulations of the Status of Forces Agreement likely will be loosely interpreted in favor of maintaining security. Nevertheless, day-to-day operations are shifting into Iraqi hands as the United States transitions from a tactical to a more operational and strategic overwatch. In addition, the United States will be losing ground in terms of intelligence and situational awareness as it pulls back. Since the surge, U.S. forces have had sustained, day-in, day-out personal contact at the tactical level with the local populace. This contact has given U.S. forces significant intelligence and situational awareness — enough to act as a buffer between different sects. Some erosion of this intelligence capability is almost inevitable, and it may become significant.

Overall, the United States wants out of Iraq — and Iraqis want the United States out. Both Baghdad and Washington are invested in making this work. Washington’s challenge is that its forces are stretched thin; it is already delaying the Afghan surge in order to keep sufficient troops in Iraq to keep a lid on security should tensions flare up again. But the United States must move quickly to reduce its commitment in Iraq in order to free itself up not only for the campaign in Afghanistan, but also for dealing with emerging challenges in Iran and across the Russian periphery.

The real question underlying this range of issues is whether Iraq can function as a federal entity. It struggled to do so in the years before the surge and descended into chaos. The surge of U.S. forces was decisive in re-establishing security. What matters is not the change that happened June 30; the official withdrawal from Iraq’s cities was symbolic. What matters is whether Baghdad’s governance and security forces can maintain security and gain the confidence of Iraq’s people, across the sectarian spectrum, in ways that truly make the security situation manageable for the long term (‘Iraq: U.S. Forces Withdraw From Cities’ 2009, STRATFOR Global Intelligence, 30 June http://www.stratfor.com/analysis/20090630_iraq_u_s_forces_withdraw_cities – Accessed 14 July 2009 – Attachment 9).

In addition, an article from the BBC News dated 12 July 2009 describes a series of recent car bombings and insurgent attacks in Iraq, which, according to “a senior general in Iraq’s military…could be expected to continue for several more years.” It is reported that comments such as this may indicate that “Iraqi leaders are expecting continued sporadic attacks by militant cells after the US pulls out combat forces from Iraq by the end of 2011.”

A car bomb outside a church in eastern Baghdad has killed four people and injured 21, Iraqi police say.

The bomb went off on Sunday evening and could be heard around the city.

The attack was most deadly of six bombs which have hit Christian targets in Baghdad since Saturday evening. The bombs injured at least 10 people.

There are some 750,000 people in Iraq’s Christian community. Christian targets have been attacked in the past, but are spared much of Iraq’s deadly violence.

They have been targeted in some areas of the country, mainly in Baghdad and in the northern city of Mosul.

However, most of the violence in Iraq is sectarian in nature and targets either Sunni or Shia Muslims.
The worst attack took place near a church on Palestine Street, the Reuters news agency said.

Most of the bombs detonated through Saturday night and Sunday were hidden in cardboard boxes, the BBC’s Gabriel Gatehouse reports from Baghdad. One bomb caused seven injuries but no-one was killed, while two hurt no-one.

A fifth bomb in the evening in southern Baghdad injured another three people.

The attacks came on the day a senior general in Iraq’s military said insurgent attacks could be expected to continue for several more years.

Levels of violence have dipped sharply in recent years, but the remarks suggested Iraqi leaders are expecting continued sporadic attacks by militant cells after the US pulls out combat forces from Iraq by the end of 2011 (‘Baghdad church bombing kills four’ 2009, BBC News, 12 July http://news.bbc.co.uk/2/hi/middle_east/8146922.stm – Accessed 14 July 2009 – Attachment 10).

Women

The US Department of State human rights report for 2008 cited earlier provides the following information regarding the situation for women in Iraq, indicating that discrimination against women was evident throughout the year:

During the beginning of the year, threats against secular female students were occasionally posted on billboards and spray-painted on the walls of Basrah University. A female university professor reported that there were no more threats after the ISF operations in March in Basrah.

…During the year there were a number of reports indicating that women were pressured to wear veils or face security threats, regardless of the individual’s religious affiliation.

…the constitution provides for equal treatment before the law without discrimination based on gender; however, in practice, discrimination existed, and enforcement of equal treatment was uneven.

The general lack of security in the country and increasingly conservative societal tendencies had a serious, negative impact on women. Women’s rights activists continued to be targeted by militant groups. On December 18, Nahla Hussain, the leader of the women’s league of the Kurdish Communist Party, was killed by gunmen in Kirkuk. The MOHR reported in its annual Victims of Terrorism report that 580 women were killed and 1,940 wounded in various acts of violence during the year. UNAMI reported in its January-June human rights report that kidnapping of young women increased in the second quarter of the year. UNAMI received information of 26 kidnapping cases of women aged 11 and older. Most of the women were released within days; there was no further information into the circumstances of the kidnappings.

The penal code prohibits rape, does not address spousal rape, and imposes a maximum sentence of seven years’ imprisonment on perpetrators. It was difficult to estimate the incidence of rape or the effectiveness of government enforcement of the law; however, there were many allegations of rape at police stations during the initial detention of prisoners.
The constitution prohibits all forms of violence and abuse in the family, school, and society. Anecdotal evidence from local NGOs and media reporting indicated that domestic violence often went unreported and unpunished by the judicial system, with abuses customarily addressed within the family and tribal structure. Harassment of legal personnel working on domestic violence cases, as well as a lack of police and judicial personnel, further hampered efforts to bring perpetrators to justice.

There are no specific laws that concern domestic violence. Under the Penal Code, a husband is legally entitled to punish his wife “within certain limits prescribed by law or custom.” Existing laws were widely unenforced, including those on domestic violence.

During the year, NGOs reported that domestic violence against women increased, although no reliable statistics existed. On June 23, the NGO Iraqi Women’s Network reported that violence against women increased in the first half of the year. Throughout the year 72 women were reportedly killed in Basrah for various reasons, according to local statistics. According to statistics from the Basrah Police Directorate Statistics Division, 147 women were killed in 2007, the majority due to terrorism.

“Honor killings” were a serious problem. Legislation in force permits “honor” considerations to mitigate sentences. During the first three months of the year before ISF operations in Basrah, 35 women were killed. From April to December 37 women were killed, including six honor killings and nine killings from domestic violence. On December 19, the Basrah Police spokesman reported that honor killings had dropped 90 percent during the year compared to 2007 due to the improved security situation. Rand Abdel-Qade was killed by her father on March 16 for befriending a British soldier. Her mother, Leila Hussein was killed on May 17 after denouncing and divorcing her husband. On December 19, national media reported that two women were killed in honor crimes in Basrah.

Honor killings were also widespread in the Kurdish region. The KRG minister of human rights reported on December 16 that the KRG does not consider an honor killing legally different from murder, thus making punishment for an honor killing equal to punishment for murder. The KRG MOHR reported that between January and August, 77 women were killed in honor killings. During this period, 211 women were burn victims. According to the Erbil hospital, 154 women were killed in Erbil between January and November. On April 2, three persons accused of an honor killing in Sulaymaniyah were arrested by the Asayish, according to press reports, but were later released. The suspects reportedly fled the country. The KRG reported that there were 528 honor killings in 2007; civil society observers and UNAMI in its human rights report considered the number to err on the low side. During the year, there were anecdotal reports from an NGO that between 200 and 250 women self-immolate in the region each year.

…Private shelters for women exist; however, space was limited. Information regarding their locations was closely held. Some NGOs worked with local provincial governments to train community health workers to treat victims of domestic violence. Victims of domestic violence received no substantive assistance from the government. On May 11, armed gunmen attacked the women’s shelter Asuda, a Sulaimaniyah-based women’s NGO that provided shelter for victims of violence and abuse, seriously wounding one of the shelter’s residents. Asuda had worked since 2000 to highlight the plight of female victims of violence, domestic abuse, and tribal honor killings.
...Although the constitution forbids discrimination on the basis of gender, in practice
**conservative societal standards impeded women’s abilities to exercise their rights.** Throughout the country women reported pressure to wear veils. Women were targeted for undertaking normal activities, such as driving a car, and wearing trousers, in an effort to force them to remain at home, wear veils, and adhere to a conservative interpretation of Islam.

**Islamic extremists reportedly continued to target women in a number of cities,** demanding they stop wearing Western-style clothing and cover their heads while in public. On April 30, according to international press reports Basrah police acknowledge that 15 women a month were killed for breaching Islamic dress codes. In December 2007, Basrah’s police chief Major General Abdul Jalil Khalaf, who has since been replaced with Adil Daham in June, confirmed that police documented that 57 women were killed and their bodies dumped in the streets of Basrah since mid 2007 for behavior deemed un-Islamic.

Women’s NGOs reported that during the beginning of the year warning messages were posted in public areas in Basrah threatening women against wearing makeup or appearing in public without a headscarf. Several sources suggested the restrictions against women significantly decreased since the March ISF operations in Basrah.

**The MOI’s Passport Office maintained a national policy requiring women to obtain the approval of a close male relative before receiving a passport.**

...Weak labor laws and the **lack of an equal opportunity employment law** left women vulnerable to arbitrary dismissal. The deteriorating security situation disproportionately affected women’s ability to work outside the home.

The MOLSA Social Care Directorate administered a variety of social care institutions, among them institutions for orphans and the elderly. No substantive shelter assistance was offered for victims of domestic violence. Women who were heads of single-parent households received a minimal cash stipend from the ministry; however, the budget for this assistance did not meet the need.

...**Female genital mutilation (FGM) is not illegal** and was reported in the rural areas of the Kurdish region. The government offered no substantive assistance for victims of FGM.

Although there were no statistics, a tradition of marrying young girls (14 or older) continued, particularly in rural areas (Researcher’s emphases) (US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – Iraq*, February, Sections 2a, 2c, 5 – Attachment 1).

The Human Rights Watch report mentioned earlier also claims that “[v]iolence against women and girls in Iraq continues to be a serious problem,” describing reports of attacks on women for engaging in ““immoral” or “un-Islamic” behavior.”

Violence against women and girls in Iraq continues to be a serious problem, with members of insurgent groups and militias, soldiers, and police among the perpetrators. Even in high-profile cases involving police or security forces, prosecutions are rare. Insurgent groups operating in Basra and Baghdad have specifically targeted women who are politicians, civil servants, journalists, and women’s rights activists. They have also attacked women on the street for what they consider “immoral” or “un-Islamic” behavior including not wearing a headscarf. The threat of these attacks keeps many Iraqi women at home. “Honor” killing by family members also remains a prevalent physical threat to Iraqi women and girls. While
dozens of cases were reported in 2008, few resulted in convictions (Human Rights Watch 2009, *World Report – Iraq*, January – Attachment 7).

The 2009 Amnesty International report cited above provides similar information as follows:

Women were threatened and attacked for not complying with strict codes of behaviour, including dress codes, and the authorities did not afford women adequate protection against violence, including by other family members. Some women were killed apparently by male relatives whom the authorities failed to bring to justice.

- Leila Hussein was shot dead on 17 May in Basra while walking with two other women, who were injured. Her life was known to be in peril because she had denounced and parted from her husband after he allegedly killed their teenage daughter, Rand Abd al-Qader, in March because of her friendship with a British soldier. No prosecutions for either murder were known to have been initiated.

The report also outlines violence against women in the Kurdistan region of Iraq:

There were reports of domestic violence and burnings and killings of women, including killings by male relatives. Women human rights defenders were threatened because of their work, including by male relatives of women they were assisting. In some cases the authorities failed to identify or arrest perpetrators of violence against women.


In addition, the UK Home Office report for 2009 provides extensive information on the situation of women:

26.01 A report by AI, published March 2008, stated that “Iraq is a state party to the UN Convention on the Elimination of All Forms of Discrimination against Women. Under the Convention, the Iraqi government has a duty to protect women from violations by agents of the state as well as by private actors such as armed groups.” [28o] (p18) The UNSC report, of 6 November 2008, recorded that “The broader situation regarding women’s rights and conditions has also shown no significant overall improvement …” [38r] (p11)

26.02 The UNAMI human rights report for 1 July-31 December 2007, noted that “… gender-based violence continued to be reported in many locations in Baghdad and other governorates including Basra and Diyala. …

“In November and December [2007], further reports emerged of scores of so-called ‘honor crimes’ being perpetrated with regularity in Basra by armed groups or militia. Basra police records on 44 of the victims killed in 2007 showed multiple gunshot wounds to various parts of the body … Notes were reportedly found next to some victims’ bodies, accusing them of adultery or of ‘un-Islamic’ conduct, such as failure to follow certain dress codes or to veil appropriately.” [39l] (p14)
26.06 The UNHCR August 2007 report stated:

“Since the fall of the previous regime, the security, human rights and economic situation of women has dramatically declined and continues to deteriorate. Widespread fear of abduction for sectarian or criminal reasons, rape, forced prostitution, (sex) trafficking and murder limit their freedom of movement, their access to education, employment and health, and their ability to participate in public life more generally. Observers say that the kidnapping and killing of women is on the rise.” [40j] (p120-121)

…LEGAL RIGHTS

26.08 Following the overthrow of Saddam Hussein in March 2003, conservative Shi’ite leaders on the US-appointed Iraq Governing Council (IGC) voted to cancel the Personal Status Law, placing such issues under the rules of Sharia. This was particularly significant, as it had afforded rights to women under secular, albeit brutal, Baathist rule. It had set the marriage age at 18, prohibited arbitrary divorce, restricted polygamy and it required that men and women be treated equally for purposes of inheritance. (Council on Foreign Relations, January 2006) [8h] (p3)

26.09 Shi’ite leaders voted on Resolution 137 following the annulment of the Personal Status Law, which was “worryingly vague” about what form of Islamic legislation would replace the old laws, worrying women’s groups among others that an Islamic free for all would aggravate sectarian tensions. [8h] (p3)

26.10 On 13 December 2007, The Guardian reported on the new Iraqi Constitution, under which “a quarter of the 275 seats are reserved for women, making the level of female representation among the highest in the world.” Despite this, one MP noted the hazards for getting to work; in 2005 one female MP was shot dead on her door step. A committee of 27 members, two of which were women, reviewed the constitution at the end of 2007, with a draft due at the end of the year. “… An alliance of women’s organisations has been lobbying for the removal of article 41, under which the old statutory family law will be replaced with a new system where marriage, divorce, custody and inheritance will be determined according to the different religions and sects in Iraq. Campaigners argue that this would strengthen the control of religious institutions and give ‘constitutional legitimacy to sectarianism’. Most of all they fear an explosion in violence against women as traditional tribal codes take hold.” [6af] (p2)

26.11 The Guardian also reported that “The Iraq penal code prescribes leniency for those who commit such crimes for ‘honourable motives’, enabling some of the men involved to get off with no more than a fine.” [6af] (p2) The UNAMI report, covering the period 1 July-31 December 2007, stated that “…both women’s rights activists and victims expressed little faith in the ability of the judicial system to protect the lives and rights of abused women. [39l] (p15)

26.12 The Women for Women Institute Iraq report for 2008 noted that:

“Another complicating factor directly tied to women’s legal rights and status is that when a husband is kidnapped or a woman is divorced, she does not have the right to register her children, which means they cannot attend school. By some estimates, there are currently 2 million widows in Iraq and 6 million orphans, which in a country of 27 million people is nearly a third of the population. Unless this situation is remedied, the country will be faced with a generation of uneducated children.” [130] (p25)
...POLITICAL RIGHTS

26.14 As stated in a DFID report, dated July 2005, “Historically Iraq has had one of the best gender equality records in the Middle East, with women playing an active and visible role in political and economic life…. Yet years of conflict, isolation from the international community, economic mismanagement and brutal government have had a very negative impact on Iraqi women. Women now suffer multiple forms of deprivation – social, economic and political.” [59a] (p1)

...26.16 UNAMI further reported, on 16 July 2008, that “UNAMI is encouraged by the continued inclusion of protections in the draft law that provides quotas and mechanisms for women’s inclusion on party lists. This will ensure Iraqi women are given the opportunity to serve on governorate councils.” [39o]

...SOCIAL AND ECONOMIC RIGHTS

26.18 The June 2007 Forced Migration Review Special on Iraq stated:

“The threat of Islamist militias now goes beyond dress codes and calls for gender segregation at university. Despite, indeed partly because of, the US and British rhetoric about liberation and rights, women have been pushed into the background and into their homes. Women with a public profile (doctors, academics, lawyers, NGO activists, politicians) are threatened and targeted for assassination. There are also criminal gangs who worsen the climate of fear by kidnapping women for ransom, sexual abuse or sale into prostitution outside Iraq.” [49b] (p42)

26.19 Sources reported that due to the ongoing insecurity, many women were unable to leave their homes with a male escort. (UNHCR, August 2007) [40j] (p121) (The Guardian, 13 December 2007) [6af] UNHCR’s August 2007 Eligibility Guidelines paper further reported that “Women have reportedly also been targeted as a means to punish or pressure other members of the family, both by armed groups/militias as well as the ISF.” [40j] (p121) In addition to not being able to leave the house without a male relative, the USSD report for 2007 recorded that “The MOI’s Passport Office maintained a policy of requiring women to obtain the approval of a close male relative before being issued a passport.” [2l] (p18) The problem was compounded by the fact that, according to UNAMI, “70,000 [women] have been widowed in the past 4-5 years.” [39p]

26.20 On the subject of Islamic dress, particularly the wearing of headscarves (hijab), a number of organisations recorded that women – including non-Muslims – were increasingly pressured to wear a headscarf. (USSD International Religious Freedom report 2008) [2n] (p5) (USSD 2007) [2l] (p18) (AI, Mar 2008) [28o] (p2) (UNAMI, 1 Jul-31 Dec 2007) [39l] (p14) (UNHCR, Aug 2007) [40j] (p122) (MRG, Feb 2007) [121a] (p23) A report by MADRE, an International Women’s NGO, published March 2007, commented that “Across Iraq, cities were soon plastered with leaflets and graffiti warning women against going out unveiled, driving, wearing make-up, or shaking hands and socializing with men.” [143a] (p7)

26.21 The USSD International Religious Freedom report of 2008 also stated that “Women and girls were often threatened for refusing to wear the hijab, for dressing in Western-style clothing, or for failing to adhere sufficiently to strict interpretations of conservative Islamic norms governing public behavior. Numerous women, including Christians, reported opting to wear the hijab for security purposes after being harassed for not doing so.” The USSD report further noted that Basrah police reported that 40 women were murdered in 2007 for not covering their heads and conforming to a conservative Muslim style of dress, regardless of their religion. [2n] (p5)
26.25 The UNHCR December 2007 report noted that:

“Reportedly, measures of social control have grown more intense since the withdrawal of UK forces from Basrah City. Women … said that ‘they no longer dared venture on to Basra’s streets without strict Islamic attire.’ … ‘At least 10 women [are] killed monthly, some of them are later found in garbage dumps with bullet holes while others are found decapitated or mutilated’. Police were often afraid to conduct proper investigations into the killings.” [40l] (p40-41)

26.26 The Organisation of Women’s Freedom in Iraq (OWFI), 5 January 2008, stated that: “The southern cities of Iraq which are totally under the grip of Islamist parties have turned into no-woman zones. Female physical appearance is not acceptable in the streets, educational institutions, or at work places. Although veiled and passive, death awaits women around street corners, in the market, and visits them inside their homes daily in the city of Basra.” [123a] Corresponding with this, the Women for Women International Iraq report for 2008, noted that of the 1,513 Iraqi women surveyed, 86% of respondents felt they were unable to walk down the street as they pleased and 48.6% were not able to work outside their homes. [130] (p17)

26.27 The Iraq Family Health Survey (IFHS), published 9 January 2007, stated that “17.3% of Iraqi women aged 15 to 49 have had no education. The remainder of the women attended at least primary school, with 42.5% attending at least intermediate school, 22.5% attending at least secondary education and 11.7% attending higher education. Overall, 65.7% of women aged between 15 and 49 in the survey are literate. 12.0% are partially literate, while 22.0% cannot read at all. The percentage of illiterate women is higher than the percentage of women who do not attend school. This may reflect the poor quality of education at the primary level.” [23d] (p17)

26.28 The IFHS also noted that “a very high percentage (86.7%) of interviewed women is not currently working. … The highest proportion (4.8%) work in agriculture, handicrafts or street sales, while 4.4% work in professional, technical or managerial positions.” [23d] (p17)

26.30 The Constitution states that “All forms of violence and abuse in the family, school, and society shall be prohibited.” [82a] (p10) However, an AI report of March 2008, noted “Violence against women and girls has increased dramatically in the past five years.” [28o] (p17) According to a report by Women for Women International, published 3 March 2008, poor security throughout Iraq, chaos and a lack of law has left the majority of women of the opinion that their lives were better under Saddam Hussein. [130] (p19) The UN Security Council report of 28 July 2008, stated that “A database containing more than 400 published reports revealed more than 21,000 cases in Iraq over the past five years. Given the severe and often fatal consequences for victims who report acts of sexual violence, the analysis indicates that only a fraction of the incidents are known.” [38q] (p8)

26.37 The 2008 Women for Women International Iraq report, noted that of the 1,513 Iraqi women surveyed, 63.9% thought that violence against women in Iraq was generally increasing. [130] (p20) The report also stated that 74.5% of women surveyed avoided going out of their homes, 64.5% avoided markets and other crowded areas and 57% avoided travel. [130] (p18)
Domestic violence

…26.40 The UNAMI report for the period 1 July-31 December 2007, commented that instances of domestic violence in the Region of Kurdistan were “violations of women’s right to life and liberty…” [39l] (p15)…The UNAMI report also stated:

“According to the Minister of State for Interior Affairs, **women are reluctant to report spousal or domestic abuse for fear of retributive violence, divorce or even murder.** He added that further efforts were needed to enhance public awareness and to deal with social and religious components of gender-based violence, and that the KRG authorities had conducted activities and supported civil society organizations in this regard.” [39l] (p16)

…26.45 The IFHS, published 9 January 2008, reported it was the first national survey in Iraq to investigate domestic violence, and stated that “**Collection of data on domestic violence is challenging due to a culture of silence that surrounds the topic … Overall, 21.2% of women experience physical violence.** There are few differences in the percentage by age, education or residence, although there are marked differences between Kurdistan and the South/Centre. 22.7% of women report at least one form of physical abuse in the South/Centre in contrast with less than half of this percentage, 10.9%, in Kurdistan.” [23d] (p24,25)

…Sexual violence and abuse

26.47 The UNHCR August 2007 report noted that:

“**Not only is there a threat of being sexually assaulted, women also fear the aftermath of such assaults. In fact, women who survive sexual assaults are likely to be subjected to additional acts of violence from their own family members,** particularly from their male relatives who perceive them as having brought shame on the family. Accordingly, women who are victims of sexual violence are reluctant to contact the police because they fear being killed by relatives who may act to restore the ‘family honour.’ At times, the mere possibility that a woman has been sexually assaulted after she was abducted or detained may be sufficient to bring shame to the family. With rumours of the (sexual) abuse of abducted women running high, female detainees may be subject to violence at the hands of their families after their release.” [40j] (p121-122)

…‘Honour’ killings/crime

…26.53 The UNHCR August 2007 report noted that “**The Iraqi Penal Code, as applicable in Central and Southern Iraq, provides for lenient punishments if the killing was provoked or done with ‘honourable motives.’** Women who fear ‘honour killings’ will not be protected within their communities by their tribes in view of the increasing weakness of tribal structures and mediation systems as a result of the overall situation of violence in Central and Southern Iraq.” [40j] (p13) On 13 December 2007, the Guardian also reported that “**The Iraqi penal code prescribes leniency for those who commit such crimes for ‘honourable motives’, enabling some of the men involved to get off with no more than a fine. The Kurdish authorities … have removed these provisions for leniency from the code – but the killings continue to mount.”** [6af] (p1)
Forced marriage and Mut’a (temporary marriage)

26.67 The UNHCR August 2007 paper stated that forced marriages between Christian and Sabaean-Mandaean women with Muslim men had been reported, and also within the Yazidi sect. [40j] (p61, 73, 81) The UNHCR report also noted that: “The right of men and women to enter into marriage only if they freely and fully consent is not enshrined in the Constitution.” [40j] (p124) Further:

“Under Iraq’s Personal Status Law, forced marriage is prohibited and punishable by up to three years’ imprisonment. The legal age for marriage is 18, however a 1979-amendment to the Personal Status Law lowered the minimum age for marriage to 15 years with the consent of the parents, an adult brother or an adult married sister. **Despite these legal provisions, many women and young girls are forced to marry and risk enduring violence if they reject their families’ choice, including ‘honour killings’**. Marriages of girls below the age of 15 are done according to religious customs and are not legally recognized. In rural areas of Northern Iraq, a practice called Jin bi Jin, meaning ‘a woman for a woman’, can be a form of forced marriage as it involves the exchange of women between two families where no bride price is paid. Similar practices can also be found in other areas of Iraq. Another custom, known as ‘exchange-for-blood marriage’, involves giving a girl or woman in marriage to another family as compensation for a killing.” [40j] (p125)

SINGLE WOMEN

26.79 UNHCR’s August 2007 paper noted:

“[Single women and female heads of household] are typically targets of kidnapping, rape or other forms of sexual harassment and abuse, including forced prostitution and human trafficking. Women who do not benefit from any type of family network or tribal links to protect them are even more at risk and are likely to be prime targets for traffickers. Those who have no means of livelihood are further likely to fall prey to trafficking and prostitution in order to survive.” [40j] (p124) (Researcher’s emphases) (UK Home Office 2009, *Country of origin information report: Iraq*, January, Chapter 26, pp. 156-170 – Attachment 4).

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REFINFO (IRBDC (Canada) Country Information database)
ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)
MRT-RRT Library Catalogue

List of Attachments


