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World Report 2023



Iraq

Events of 2022

A fisherman walks across a dried patch of land in the marshes of southern Iraq in Dhi Qar province, September 2, 2022. Iraq's marshlands are rapidly receding due to drought, domestic water mismanagement, and diversion from neighboring countries.

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After federal elections were held in October 2021, Iraq was marred in a protracted government-formation process for more than a year. The early elections were a key demand of protesters in a popular uprising in central and southern Iraq that [forced the resignation](#) of Iraq's government at the end of 2019.

Political dialogue and stalemate were occasionally broken by [violent conflict between the most powerful political figures and blocs](#) involved in negotiations, namely Muqtada al-Sadr and his movement, and the Coordination Framework parties. These groups clashed violently in Baghdad in fighting last August that [left 30 people dead](#) and tens more injured. In October, just over a year after the 2021 federal elections, political elites finally agreed on the [appointment](#) of Mohammed Shia al-Sudani as prime minister; he subsequently formed a cabinet.

In 2022, the Iraqi government under former Prime Minister Mustafa al-Kadhimi struggled to deliver on key demands made by protesters, leading to what the UNDP describes as a further [breakdown in the social contract](#) between rulers and ruled. In Erbil, Kurdistan Regional Government (KRG) authorities continued to threaten basic human rights and targeted civil society actors despite announcing a [new five-year plan](#) to address human rights issues in the Kurdistan Region of Iraq (KRI).

Uprising, Violence, and Accountability

In October 2019, hundreds of thousands of protesters took to the streets in central and southern Iraq demanding basic improvements to everyday life, including improved public services and employment opportunities, particularly among [an expanding youth population](#). State security forces and armed groups affiliated with the state (including those that help comprise the Popular Mobilization Forces, or *al-hashd al-sha'abi*), [opened fire](#) on demonstrators and [killed at least 487 protesters](#) during the uprising.

Former Prime Minister Mustafa al-Kadhimi came into power in May 2020 [promising](#) legal accountability for the violence. In October 2020, [he established](#) a fact-finding committee to investigate the violence that occurred and those responsible. But between 2020 and October 2022, in the cases of killings, assassinations, kidnappings, and injuries Human Rights Watch investigated, barely any of the legal complaints filed by families and individuals had progressed towards achieving justice.

In cases of killing, maiming, and disappearance of protesters investigated by Human Rights Watch, no legal accountability had been achieved, even for high-profile assassinations of activists such as [Reham Yacoub](#) in Basra in August 2020. In 2021, former Prime Minister al-Kadhimi [touted the arrest](#) of the alleged killer of well-known security analyst Hisham al-Hashimi, but the presiding judges in the case have on multiple occasions [postponed the trial](#) without arraighing the suspect.

The Iraqi government also promised compensation for those who had family members killed, and for those individuals injured while protesting. Human Rights Watch found that the government has succeeded in offering compensation, largely in the form of one-off payments for those killed, as well as monthly payments for families of those killed and some who have been injured. However, the compensation process has been slow and cumbersome for most seeking funds, with some injured having to wait more than two and a half years for compensation, and only receiving monies after hiring expensive lawyers to help process claims quicker. This compensation has no bearing on admission of guilt from the government or any state security personnel implicated in the violence.

Targeting of Government Critics

On February 3, a legal complaint was [filed](#) against a member of Iraq's High Commission for Human Rights (IHCHR), Dr Ali al-Bayati, because he sought to investigate allegations of torture of detainees—part of IHCHR's institutional mandate. Al-Bayati's legal case is one of many in which government critics and human rights advocates have been targeted with [broadly defined defamation laws](#).

In the KRI, Kurdish authorities in 2022 used vaguely worded laws to target critics [for expressing criticism and opinions](#) they object to. In August, Kurdish authorities [arrested dozens](#) of journalists and activists in advance of planned protests called for by KRG critics. Three of those arrested and briefly detained were members of the Iraqi parliament. Similarly, in 2021, the Erbil Criminal Court [sentenced](#) three journalists and two activists to six years in prison after they were convicted in court proceedings marred by serious fair trial violations and political interference—a trend in the KRI [dating back years](#).

Women's Rights

In addition to being targeted for playing a [central role](#) in the 2019-2020 protest movement, women continue to struggle against [patriarchal norms](#) embedded in Iraq's legal system. Some survivors of [human trafficking](#) are tried and convicted for prostitution. More generally, women survivors of [gender-based violence](#) have [limited access to shelter or justice](#). While there are a small number of underground shelters for women in federal Iraq, run by local nongovernmental organizations, they

are not widely supported, often criticized, and sometimes attacked by families and authorities as they do not consider them to be legal.

Women's rights groups remain committed to passing an [anti-domestic violence law](#), but these efforts have stalled partly due to the prolonged government-formation process settled in October. Iraq's penal code enables impunity for male violence against women, including provisions that allow the husband to punish his wife, parents to discipline their children, and mitigated sentences for violent acts including murder for so-called honorable motives, or if a husband catches his wife or female relative in the act of adultery/sex outside marriage. The penal code also allows perpetrators of rape or sexual assault to escape prosecution or have their sentences quashed if they marry their victim.

Sexual Orientation and Gender Identity

Lesbian, gay, bisexual, and transgender (LGBT) people in Iraq [experience systematic violent targeting](#) because of their sexual orientation. This violence includes killings, abductions, torture, and sexual violence. The systematic, cyclical nature of this violence highlights a climate of impunity from which perpetrators of violence benefit.

This impunity is aided by a political context in which political elites with control of armed groups—some that are tied to the [Popular Mobilization Forces](#), nominally under the authority of the prime minister—have authorized violent attacks against LGBT people. But Iraqi authorities have also targeted LGBT people using a [range of vague provisions](#) in Iraq's penal code aimed at policing morals and public indecency and limiting freedom of expression.

On September 4, members of the Kurdistan Regional Government [proposed a bill](#) to the Kurdish Parliament that would punish any individual or group who advocates for the rights of LGBT people. A majority of Kurdish lawmakers signed onto the bill, which, if it were to become law, would [penalize](#) those who “promote” the rights of LGBT people with jail time and fines.

Civil Documentation

In September, seven aid groups [found](#) that nearly five years after the government [declared victory](#) over the extremist armed group Islamic State (also known as ISIS), up to 1 million Iraqis—displaced by the armed group's seizure of swaths of Iraqi territory and the battle to recapture them—remain unable to obtain basic civil documentation. The documents they cannot obtain include certificates of birth, marriage, and death, as well as Iraq's relatively new [unified national identification card](#).

Such documents are essential for access to vital public services for displaced citizens, including monthly food disbursements [and children's access to education](#). Difficulty accessing civil documentation is [closely linked](#) to persistent perceptions among Iraqi authorities and segments of the public that the displaced were or are affiliated with ISIS. Such perceptions often ignore the fact that most displaced persons fled their homes to avoid or escape the armed group's rule.

Repatriations from Northeast Syria

Iraqis make up a majority of the 66,000 Syrian and foreign detainees indefinitely and arbitrarily held as ISIS suspects and family members in camps and prisons in northeast Syria. As of September, an [estimated](#) 28,000 Iraqis, most of them women and children, were detained in camps while another 3,000 were held in prisons, all in life-threatening and often inhumane conditions. Iraq continues to [slowly repatriate](#) Iraqis from Syria, having accepted or helped bring home [about 3,100 nationals](#) in 2021 and 2022. For example, the government [announced](#) in June that it had repatriated nearly 500 families to [Jadaa camp](#) south of Mosul, and a month later said it was poised

to repatriate [another 150 families](#). Aid workers told Human Rights Watch that the repatriated children included more than 250 boys who had been held in a prison for adult males, all or most of them suffering from tuberculosis.

Yazidi Community

Human Rights Watch and other organizations [documented](#) a system of organized rape, sexual slavery, and forced marriage by ISIS forces of Yazidi women and girls. However, Human Rights Watch found no cases where an ISIS member has been prosecuted or convicted for those specific crimes, including where the crimes against them amounted to war crimes, crimes against humanity, or genocide against the Yazidis. Almost 3,000 Yazidi women and children [remain missing](#) following abductions by ISIS, but there has been no [systematic](#) effort by the Iraqi authorities to rescue them or ensure their return. Instead, families and Yazidi volunteers have largely driven all such rescue efforts.

In March 2021, the Iraqi parliament [passed](#) the Law on Yazidi Female Survivors. The law [recognized as genocide](#) many crimes committed by ISIS including kidnapping, sexual enslavement, forced marriage, pregnancy, and abortions forced upon women and girls who were Yazidi, Turkmen, Christian, or Shabak. The law provides for compensation for survivors, as well as measures for their rehabilitation and reintegration into society.

However, [effective implementation](#) of this law has [yet to be achieved](#), in part because of the impasse over forming a new government and in part because of inadequate funding. In August, the United Nations International Organization for Migration (IOM) [reported](#) that more than 200,000 Yazidi survivors remained displaced from their homes.

Environmental and Health Alarm

Iraq is reportedly the [fifth most vulnerable](#) country to global warming and climate change. The impacts of [rising temperatures](#), [worsening droughts](#), and increasing number of [sandstorms](#) are exacerbated by political conditions. Poor governance, including [water mismanagement](#), has contributed to the effects of the drought.

Meanwhile, Iraq's budget is dependent almost entirely on [oil revenues](#). Oil output [predictions](#) suggest Iraq will deepen this dependency at a time when global activism around climate change and the [push away from fossil fuels](#) are growing. Increased oil output is also raising concerns around gas flaring in Iraq, [the burning of gaseous byproducts](#) that occurs during the oil production process. Worsening health conditions of residents living around gas flaring sites are [raising questions](#) for the Iraqi government and its partner oil companies about the persistence of this practice and who or what may be responsible.

Key International Actors

Two decades on from the US- and UK-led invasion of Iraq in March 2003, international actors continued to be implicated in human rights abuses in the country. In December 2021, the *New York Times*, examining the Pentagon's own records, [found](#) that the US military's bombing of Iraq in its fight against ISIS led to "the deaths of thousands of civilians, many of them children." The report corresponded with [previous](#) Human Rights Watch findings that the US failed to take adequate precautions to spare civilians while bombing purported ISIS targets.

Similarly, a [Pax for Peace report](#) published in April showed how residents of Hawija, in northern Iraq, continued to suffer from a June 2015 Dutch bombing of a munitions factory that killed at least 85 civilians and injured dozens more. Residents are demanding an apology, compensation, and a meaningful explanation of what occurred.

In May, the UK government [sought to deport](#) by chartered plane up to 30 Kurdish asylum seekers and refugees to the KRI, some of whom had been residing in the UK for more than 20 years. The UK government still deems Iraq so dangerous that it [advises against all travel there](#), including the KRI. The UK government was ultimately [forced to abandon its efforts](#) at the eleventh hour in the face of safety concerns and widespread protest from rights groups in the UK and Iraq, and resistance from federal Iraqi authorities in Baghdad.

In July, an [artillery attack](#) on a water resort in Dohuk province killed 9 tourists and wounded at least 20 others. The attack was widely attributed to Turkey, suspected of targeting members of the Kurdistan Workers' Party (PKK), which Ankara calls a terrorist group. Turkey [denied](#) responsibility and placed blame on the PKK.

In September, Iranian drone and missile [attacks](#) targeting Iranian-Kurdish opposition groups based inside Iraq killed 13 people and injured many others. Human Rights Watch found some of the strikes, such as in Koya, east of Erbil, [killed civilians](#). The attacks occurred weeks into [mass protests](#) inside Iran prompted by the death of Mahsa Amini on September 16, two days after Iran's "morality police" [detained](#) her for "improperly" wearing her hijab.