

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	1392
Land:	Irak
Kilde:	USDOS
Titel:	Trafficking in Persons
Udgivet:	1. juli 2021
Optaget på baggrundsmaterialet:	17. september 2021

Document #2055124

USDOS – US Department of State

2021 Trafficking in Persons Report: Iraq

IRAQ: Tier 2

The Government of Iraq does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The Iraqi government demonstrated overall increasing efforts compared to the previous reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore Iraq remained on Tier 2. These efforts included convicting more traffickers, including complicit officials; bolstering the capacity of the Ministry of Interior’s (MOI) anti-trafficking directorate with additional funding and staff; and increasing law enforcement training to improve officials’ knowledge of anti-trafficking laws. The Iraqi government continued to identify and refer victims to protective services, which for the first time included referrals to NGOs. The Kurdistan Regional Government (KRG) established specialized anti-trafficking police units in each of its governates in the autonomous Iraqi Kurdistan Region (IKR), and it continued to facilitate the release of Yazidis from ISIS captivity. However, the Iraqi government and the KRG did not meet the minimum standards in several key areas. Deficiencies in identification and referral procedures, coupled with authorities’ lack of understanding of trafficking, continued to prevent many victims from receiving appropriate protection services. Authorities did not proactively identify trafficking victims among vulnerable populations, which resulted in the continued punishment of some victims for unlawful acts traffickers compelled them to commit, such as immigration and prostitution violations. The government also lacked adequate protection services for victims of all forms of trafficking. In addition, the KRG did not report prosecuting or convicting any traffickers during the reporting period.

PRIORITIZED RECOMMENDATIONS:

Ensure trafficking victims are not punished for unlawful acts traffickers compelled them to commit, such as prostitution and immigration violations. • Prevent the recruitment and use of child soldiers by all armed groups, including units of the Popular Mobilization Forces (PMF) and independent militias, and provide appropriate protection services to demobilized child soldiers. • Develop and institute guidelines for proactive victim identification and referral to protection services for all relevant officials, and train officials on these procedures. • Allow all relevant authorities to officially identify potential trafficking victims and refer them to care, not solely investigative judges via a court order. • Ensure victim identification and protection measures are provided independent of the prosecution of a trafficker. • Significantly increase unhindered access to adequate protection services for victims of all forms of trafficking and their children, including trauma and psycho-social counseling, medical care, long-term shelter, legal aid, translation and interpretation services, reintegration services, employment training, and financial assistance. • Protect victims from re-traumatization during trial, including by allowing alternative means for victim and witness testimony. • Make significant efforts to investigate, prosecute, convict, and stringently sentence traffickers, including complicit government officials and staff and guards at government-run shelters, even when victims do not participate in legal proceedings against their trafficker. • Amend the anti-trafficking law to ensure that a demonstration of force, fraud, or coercion is not required to constitute a child sex trafficking offense, in accordance with the 2000 UN Trafficking in Persons Protocol (Palermo Protocol). • Finalize regulations to enable full implementation of the anti-trafficking law. • Establish a legal framework for NGOs to operate shelters for victims, and provide financial resources, facilities, and trained personnel to such organizations.

PROSECUTION

The Iraqi government increased law enforcement efforts. It reported an increase in convictions of traffickers, including complicit officials; increased the capacity of the MOI’s anti-human trafficking directorate; and expanded law enforcement training to address gaps in officials’ understanding of the anti-trafficking law. Additionally, the KRG established specialized trafficking units in each governate within the IKR. Iraq’s 2012 anti-trafficking law criminalized forced labor and some forms of sex trafficking. Inconsistent with the definition of trafficking under international law, the anti-trafficking law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking offense and therefore did not criminalize all forms of child sex trafficking. The anti-trafficking law prescribed penalties of up to 15 years’ imprisonment and a fine of up to 10 million Iraqi dinar (IQD) (\$8,790) for trafficking offenses involving adult male victims, and up to life imprisonment and a fine of 15 million to 25 million IQD (\$13,180 to \$21,970) if the offense involved an adult female or child victim. These penalties were sufficiently stringent, and with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. Article 399 of the penal code criminalized “the prostitution of a child” and provided a penalty of up to 10

years’ imprisonment, which was sufficiently stringent, although not commensurate with the penalties prescribed for rape. The MOI submitted a draft amendment to the 2012 anti-trafficking law in December 2020 that included provisions to establish a court specialized in combating human trafficking in each appellate jurisdiction, establish a legal defense fund to assist victims, require referral of all victims to state-run shelters instead of police stations for the duration of criminal proceedings, allow for issuance of residence visas to all trafficking victims, prohibit penalization of victims of any criminal charges resulting from their trafficking, and strengthen legal penalties for trafficking offenses to allow for seizure of movable and immovable property by perpetrators. At the close of the reporting period, the amendment remained pending review by Parliament. The government continued to lack implementing regulations for the anti-trafficking law, hindering its ability to enforce the law, bring traffickers to justice, and protect victims. The KRG did not develop the regulatory and enforcement framework required to fully implement the 2012 Iraqi anti-trafficking law, which the IKR’s regional parliament approved in 2018.

During the reporting period, the MOI’s anti-trafficking unit arrested and detained 394 individuals for alleged involvement in trafficking crimes; the unit arrested 199 of these alleged traffickers after conducting 37 raids on massage parlors, coffee shops, and other establishments known for human trafficking activities. Of the 394 individuals, authorities referred 35 for prosecution under the 2012 anti-trafficking law, while it acquitted 82 and released 21 on bail; the remaining 256 individuals remained under investigation at the close of the reporting period. The government convicted and sentenced 127 traffickers in 18 cases under the anti-trafficking law and sentenced them from five to 15 years in prison. For the first time, the government reported the type of trafficking crimes for which these individuals were convicted; out of the 127 convictions, 80 were convicted for sex trafficking, 28 for forced labor, nine for both sex and labor trafficking and 10 for child trafficking. In the previous reporting period, the government reported it detained 504 alleged traffickers, referred 105 to prosecution, and convicted and sentenced 67. As in the previous reporting period, the KRG made an unknown number of arrests but did not report prosecuting or convicting any traffickers during the reporting period.

Concerns of alleged official complicity in trafficking crimes remained; however, the government reported it convicted eight servicemen—including six MOI officers and two Iraqi military officers—for child sex trafficking and sentenced each official to eight to 10 years’ imprisonment. Some NGOs continued to report that government officials in key security positions protected traffickers from investigation and prosecution. Further, during the reporting period, an NGO reported allegations from trafficking victims of abuse by staff and guards at government-run shelters. The government did not report efforts to investigate or prosecute continued allegations that security and camp management personnel in IDP camps were complicit in the sexual exploitation and trafficking of women and girls, particularly those with ties to alleged ISIS members. However, during the reporting period, the government cooperated with an international organization and NGOs to address sexual exploitation concerns in IDP camps. The Iraqi government did not investigate or hold criminally accountable non-compliant militia units affiliated with the PMF that operated under the Popular Mobilization Committee (PMC), a component of the Iraqi security forces (ISF), including for child soldiering offenses. Furthermore, some foreign governments with large numbers of migrant workers in Iraq continued to report Iraqi officials sometimes forced them to pay bribes, along with immigration fees, to release their citizens who were trafficking victims from detention and to repatriate them.

The MOI’s anti-trafficking directorate continued to report that its many responsibilities limited its ability to conduct trafficking investigations; lack of resources and weak coordination among governmental ministries also hindered trafficking investigations. Additionally, Iraqi government and KRG officials—including police officers and investigative judges—continued to lack a general understanding of trafficking and the ability to recognize trafficking indicators. Local NGOs reported KRG law enforcement experienced reduced working hours and limited salaries due to pandemic-related government closures and the ongoing financial crisis in the country; a lack of staff and resources also contributed to police units’ low capacity to investigate trafficking crimes. Despite a six-month nationwide pandemic-related lockdown that closed all government agencies except some law enforcement and health services, the MOI took steps to address some of these shortfalls during the reporting period.

The government reported it facilitated an increased number of anti-trafficking trainings for MOI, Ministry of Justice (MOJ), and Ministry of Labor and Social Affairs (MOLSA) personnel on Iraq’s anti-trafficking law, best practices for investigating and prosecuting trafficking cases with a victim-centered approach, and victim identification and protection through train-the-trainer programs. In total, the Central Committee to Counter Trafficking (CCCT) conducted 18 virtual training programs for police officers and judges; the MOI held 27 online workshops on investigation best practices and conducted 27 train-the-trainer programs on victim identification and protection for community policing officers and counter-trafficking investigators, among others. Several local and international NGOs noted Iraqi officials demonstrated an increased understanding of Iraq’s anti-trafficking law during the reporting period. Following the MOI’s upgrade of its anti-human trafficking unit to the equivalent of a directorate in March 2020, the government reported it allocated substantial additional financial and human resources to the directorate during the reporting period; this included the creation of additional units—one that focused on professional training for all staff, run by specialized investigators and educators with expertise in trafficking crimes, and another focused on tracking potential trafficking crimes perpetrated through social media, a trend that increased due to the pandemic. The KRG did not report providing anti-trafficking training for its personnel. However, during the reporting period, the KRG established fully operational anti-trafficking police units in all four governorates of the IKR, as well as in the two independent administrations of Garmiyān and Rapārīn. Some NGOs reported the anti-trafficking unit in Erbil improved its identification of trafficking cases during the reporting period and often coordinated with courts in Erbil to move trafficking cases through the legal system. However, other NGOs continued to report the KRG generally underestimated the actual number of trafficking cases in the region and judicial actors

lacked the necessary capacity to identify and investigate trafficking crimes. Local NGOs also reported KRG law enforcement lacked a clear reporting system for trafficking crimes and many government actors tasked with handling trafficking lacked specialized training for identifying and investigating potential cases.

PROTECTION

The government maintained mixed efforts to protect victims. Despite the pandemic-related closure of the Iraqi government-operated shelter for six months during the reporting period, the government continued to identify trafficking victims and refer them to shelter. For the first time, the government informally referred victims to NGOs for protection services. It also worked with an NGO to provide training to shelter staff for the first time; however, it continued to penalize trafficking victims for unlawful acts traffickers compelled them to commit and did not establish standardized identification and referral procedures, rendering some potential victims unidentified and therefore unable to receive care. The MOI reported it identified 58 total trafficking victims, which included five female victims of sex trafficking, one child trafficking victim, 14 victims of forced labor, and four victims of forced begging; the government did not provide data on the type of trafficking for the remaining 34 victims identified. During the previous reporting period, the MOI identified 72 total trafficking victims. Of the 58 identified victims in this period, the Iraqi government referred 18 adult female victims to the MOLSA-run trafficking shelter in Baghdad, three child victims to orphanages, and four adult female victims to health care facilities. For the first time, the Iraqi government reported it referred the remaining 34 victims to NGOs to receive protection services; further, several NGOs reported government attitudes toward organizations running shelters significantly improved during the reporting period. Additionally, MOLSA and an NGO launched a collaborative training program for trafficking shelter staff for the first time, which represented a shift towards greater government cooperation with NGOs addressing trafficking. The Iraqi government did not have victim identification guidelines for all officials, including first responders, who came in contact with potential trafficking victims among vulnerable groups, including undocumented foreign migrants and persons in commercial sex. The Iraqi government also did not have a national victim referral mechanism, and the government continued to have an ad hoc referral process. Civil society organizations reported some Iraqi officials, including district-level police officers, did not proactively identify trafficking victims because officials lacked a general understanding of the crime. NGOs reported some police officials proactively identified foreign labor trafficking victims, but they did not adequately screen for victims among Iraqi citizens, including those that were internally displaced, or during investigations of prostitution crimes. Investigative judges were the only officials who could officially identify and refer a trafficking victim to protection services via a court order, including the government-run shelter in Baghdad; however, because judges required victims to testify in front of their perpetrators in court, many victims did not come forward due to fear of retaliation. Because of this requirement and the resulting absence of victim witnesses, judges determined in many cases there was insufficient evidence to officially classify a person as a trafficking victim, thereby denying victims’ access to protection services. Furthermore, the Iraqi government did not have specialized judges or courts that were trained or dedicated to handling trafficking cases; both NGOs and international organizations continued to report that the lack of specialized investigative judges hindered the official determination of trafficking victims, and some victims may have been unidentified and unable to receive protection services. An international organization reported authorities frequently held trafficking victims in detention facilities while an investigative judge determined their status as a victim; due to pandemic-related restrictions and the government lockdown, authorities held some victims for extended periods of time without the ability to receive protection services.

Some officials continued to criminalize and punish trafficking victims. Authorities arrested, imprisoned, deported, and financially penalized trafficking victims in Iraq, including in the IKR, for unlawful acts traffickers compelled them to commit, such as prostitution and immigration violations and child soldiering. Foreign migrant workers, including foreign labor trafficking victims, faced regular discrimination in the criminal justice process, re-victimization, and retaliation from traffickers. Police at times inappropriately arrested and detained foreign trafficking victims, rather than the perpetrators, after employers and recruitment agents filed false claims of theft against the victim in retaliation for victims reporting allegations of trafficking to the police. Although employers were legally responsible to pay immigration fees or liabilities related to foreign workers under Iraq’s sponsorship system, in practice authorities penalized workers, including identified and unidentified trafficking victims, for failing to pay; additionally, an international organization reported officials sometimes waived residency fines, but the decision-making process appeared arbitrary and highly personalized. In an effort to address this issue, in March 2020, the Higher Judicial Council (HJC) advised its judges to waive all fines for trafficking victims who were in violation of Iraq’s residency laws. Likely as a result of this decision, an NGO reported a substantial reduction in the number of vulnerable migrant workers detained for their inability to pay residency fines; in 2020, authorities detained 35 vulnerable workers for not paying fines, compared to 300 workers detained in 2019. Another NGO reported that within IKR, KRG authorities also improved the process for waiving fines that trafficking victims would otherwise be subject to for working in Kurdistan without legal documentation; however, as this process was informal, some trafficking victims may not have benefitted from the change. NGOs continued to report the Iraqi government increasingly recognized that people arrested for prostitution crimes could be victims of trafficking and should be treated as such; however, despite these improvements, other NGOs reported authorities continued to charge sex trafficking victims on prostitution violations. During the reporting period, an NGO reported the KRG arrested 33 individuals for prostitution but failed to screen for trafficking indicators, and therefore may have penalized potential sex trafficking victims. In addition, Iraqi and KRG authorities continued to inappropriately detain and prosecute without legal representation children allegedly affiliated with ISIS—some of whom were victims of forcible recruitment and use—and used abusive interrogation techniques and torture to gain children’s confessions; the Iraqi government did not report screening these children as potential trafficking victims or referring them to protection services. However, in December 2020, an NGO reported an Iraqi special judicial committee that

adjudicated cases of children with alleged ISIS links appeared to comply with international human rights standards; the committee reviewed individual cases and ordered the release of 75 alleged child offenders for lack of evidence to prevent double jeopardy, and per provisions of Iraq’s amnesty law, during the reporting period.

The Iraqi government provided limited protection services to trafficking victims and did not operate shelters specifically for male trafficking victims. By law, the Iraqi government was the only authority permitted to provide shelter to trafficking victims; however, NGOs reported greater cooperation with the Iraqi government during the reporting period and received referrals from the MOI to assist trafficking victims for the first time. In 2020, the Iraqi government allocated funds from different MOI and MOLSA accounts to fund the government shelter; however, it still partially relied on donations from civil society and international organizations. Previously, the Iraqi government did not allocate funding in its budget specifically for victim protection services. MOLSA continued to operate a trafficking shelter in Baghdad for female trafficking victims; during the reporting period, 18 trafficking victims, the majority of whom were sex trafficking victims, utilized the shelter, an increase from seven victims that were assisted at the shelter in the previous reporting period. MOLSA—in coordination with the Ministry of Health (MOH)—provided victims at the shelter with psycho-social, trauma, and reintegration services and medical care; MOH reported it dedicated two doctors for trafficking victims at the shelter. NGOs and an international organization reported that overall services fulfilled victims’ basic physical needs, but a lack of resources, staffing, and case management training limited shelter staff’s ability to provide psycho-social and medical care and vocational training specifically for trafficking victims. However, during the reporting year, MOLSA reported it had developed a distinct case management system and clinical psychology tracks for different categories of trafficking victims; it also reported the MOLSA shelter began providing vocational training to trafficking victims in 2020. In most cases, officials did not allow female victims to freely enter and exit shelters because they were referred via a court order and officials limited victims’ ability to communicate with anyone outside of the shelters. An international organization reported foreign victims could not easily access services outside of the shelter while they awaited repatriation; instead, foreign victims often relied on their embassies for support. The embassies of the Philippines, Bangladesh, and Indonesia reportedly provided shelter for their nationals while they awaited repatriation during the year. Conversely, the CCCT reported it provided full support to all known foreign trafficking victims, and the MOI reported providing identical physical and mental services and legal assistance to both Iraqi and non-Iraqi citizen trafficking victims. During the reporting period, an NGO reported allegations that staff and guards at Iraqi government-operated shelters abused trafficking victims. To address this, MOLSA reported it installed a monitoring system to prevent any violations by shelter staff against victims during the year, in addition to conducting physical checks when the victims were admitted to the facility and discharged in order to detect and document any potential abuse against the shelter occupants. The Iraqi government did not provide specialized care for rape victims, including trafficking victims who were also victims of rape; due to social norms, rape victims were often encouraged by Iraqi government authorities or sometimes forced by their families to marry their rapists. The Iraqi government did not report providing funding or in-kind assistance to NGOs that provided victim care during the year; however, unlike previous reporting periods, NGOs reported government attitudes towards organizations operating trafficking shelters improved significantly throughout the year. During the previous reporting period, officials of the Council of Ministers General Secretariat (COMSEC) filed a lawsuit against an NGO that provided support to female trafficking victims in an effort to dissolve the NGO. However, the NGO won a final appeal on the case in February 2021.

The KRG continued to operate four shelters in the IKR for women; the shelters could provide services to female trafficking victims but rarely did so during the reporting period. Victims needed to obtain a court order to leave the shelters, which significantly restricted their movement, and shelter space was limited. The KRG did not report how many trafficking victims received services at these shelters during the reporting period. During the previous reporting period, the KRG gave official permission to an Erbil-based NGO to operate the first trafficking shelter in IKR, which could house as many as 38 victims at one time. A local NGO reported the shelter was almost always at capacity, and during the reporting period, 43 trafficking victims received shelter services. The KRG continued to facilitate the release of Yazidis held captive by ISIS, most of whom were likely trafficking victims and reported it coordinated with NGOs and an international organization to provide essential psycho-social and protective services to these victims. The Iraqi government did not report efforts to provide protection services to demobilized child soldiers of ISIS, the PMF, or other armed groups, thus failing to prevent re-victimization or re-recruitment of these children.

Neither the Iraqi government nor the KRG provided adequate protections to victims or witnesses to encourage their assistance in investigations and prosecutions of traffickers. However, the MOI reported 27 identified victims voluntarily assisted law enforcement authorities during the investigation and prosecution of their traffickers. The Iraqi government did not allow trafficking victims to work, move freely, or leave the country during trials. The MOI reported any foreign or Iraqi trafficking victim could file a civil lawsuit against a trafficker, but an NGO reported no victims filed such lawsuits in 2020, likely due in part to authorities’ poor investigative techniques for trafficking cases and the overall lack of protections provided to victims during trial. Courts did not protect the privacy or identity of victims when testifying against their trafficker; during the reporting period, NGOs reported courts required victims to testify in front of their traffickers, as well as—at times—in front of an entire courtroom of other people waiting for their cases to be heard. Iraqi courts also did not provide translation and interpretation services for foreign trafficking victims, which delayed cases for months; in some cases, courts used unqualified interpreters, which harmed the credibility of victims’ testimonies. Labor courts in the IKR did not provide translation and interpretation services for foreign workers, including foreign labor trafficking victims, creating difficulties for victims to sue abusive employers. Although the Iraqi anti-trafficking law allowed for the government to provide special residency status benefits to foreign trafficking victims, the government did not report offering this assistance to any victims during the reporting period. The KRG did not offer special residency status to victims during the

reporting period either, but it reportedly continued to refrain from deporting victims. The Iraqi government and the KRG provided foreign victims relief from deportation or offered legal alternatives to their removal to countries in which they may have faced hardship or retribution. The Iraqi government and KRG reportedly cooperated with an international organization to repatriate an unknown number of foreign trafficking victims during the reporting period.

PREVENTION

The government increased its efforts to prevent human trafficking. Political unrest, including mass protests, budget shortfalls, understaffing, a stagnant economy, and the pandemic-related government lockdown for six months of the reporting period limited the Iraqi government and KRG’s ability to coordinate anti-trafficking efforts and dedicate resources to combat trafficking. Nevertheless, the CCCT continued to meet nearly every month during the reporting period. The KRG’s anti-trafficking committee—established in 2016—which was led by the Kurdistan Ministry of Interior (KMOI) and included 17 government ministries did not meet during the reporting period due to the pandemic. The Iraqi government maintained a national anti-trafficking action plan but acknowledged that the pandemic slowed its implementation. The government did not report whether it dedicated a specific budget to overall implementation of the action plan but reported an increase in staff and funding to the MOI’s anti-trafficking directorate, which implemented aspects of the plan, during the year. Additionally, the Iraqi government and the KRG expanded coordination in 2020; the CCCT reported increasing the number of KRG representatives from one to three and launched separate monthly meetings between MOI and the KRG’s MOI members of the CCCT to enhance law enforcement efforts.

During the reporting period, the MOI’s anti-trafficking directorate and the CCCT conducted a nationwide awareness campaign that included publishing stories about trafficking on national media outlets and government-run radio to highlight the warning signs of the crime; advertised its anti-trafficking hotline and posted information at hospitals, markets, border crossings and security checkpoints, airports, police stations, and transportation hubs; and provided lectures to incoming students at universities throughout the country on trafficking indicators. As in the previous reporting period, the Ministry of Transportation reported it continued to work with bus companies and airlines to raise awareness about trafficking, and the Ministry of Displacement and Migration raised awareness at IDP camps during the reporting period. In addition, the MOI reported partnering with local and international NGOs to conduct an awareness campaign on human trafficking at government and public offices, airports, and border checkpoints that reached over 200,000 people from May 2020 to January 2021. The MOI continued to operate a 24-hour anti-trafficking hotline; the hotline received 169 calls, which resulted in 35 alleged trafficking cases, 17 arrests, and 10 convictions during the year. During the previous reporting period, the hotline received 26 alleged trafficking cases, but the government did not report if these cases resulted in arrests or convictions. In 2020, the MOI also launched a public email address to receive trafficking tips. The KRG operated its own hotline where trafficking victims could seek assistance and report labor abuses, but it did not report how many alleged trafficking cases it received through the hotline during the reporting period.

The Iraqi government and the KRG continued to cooperate with each other to maintain an online visa system to track migrant workers and their sponsoring companies to prevent employers from committing labor abuses; the government reported the system could automatically block any single individual or company from sponsoring more than 50 foreign laborers. However, the KRG reported challenges tracking migrant workers hired by employers and companies that used fake or fraudulent registrations and others who acted as agents, sponsoring foreign labor visas before ultimately hiring the workers to third-party companies for profit. The government reported it regulated labor recruitment and placement of foreign workers through MOI’s Residency Office and MOLSA, where recruitment agents licensed by the government sponsored workers. Under this sponsorship system, a worker could not change employers until completing two years of work with a sponsor, unless the worker had a complaint of poor treatment or abuse. However, even in cases where an employee had a legitimate complaint, NGOs and an international organization reported the employee was often relocated to a new employer and authorities rarely held the abusive employer accountable. An international organization also reported agencies that the government blacklisted changed names frequently to enable them to continue to operate, and in cases where an employer was punished for abuse, it was common for a single perpetrator to be penalized, rather than the entire company or agency. However, in an effort to improve the identification of potential trafficking cases in instances of abuse or labor law violations, in January 2021, the HJC allocated judges with greater knowledge and experience of trafficking crimes in Iraqi labor dispute courts. The Iraqi government did not provide anti-trafficking training to its diplomatic personnel. The government reported it made efforts to reduce the demand for commercial sex acts by increasing surveillance on social clubs, hotels, massage parlors, and marriage offices; MOI also reported providing human trafficking training to police responsible for securing tourism sites. The government did not make efforts to reduce the demand for child sex tourism. In the previous reporting period, the HJC directed courts to use the anti-terrorism law to counter some forced marriage practices, including *falsiya* and *nahwa*—a practice in which a family forces a woman to marry one of her father’s cousins—which placed women and girls at increased risk of trafficking. The government reported arresting three individuals in June 2020 for *nahwa* and referred them for prosecution; additionally, as of February 2021, the government reported courts had prosecuted 59 *nahwa* cases in 2020.

During the reporting period, the Iraqi government announced its decision to begin to close all IDP camps across the country. NGO and media reports alleged government officials forced thousands of civilians, mostly women and children, out of camps with very little notice. NGOs and an international organization expressed concern that many of the camps’ residents did not have anywhere to return to as their homes were destroyed during the conflict with ISIS, or feared retaliation and violence if they returned home because of real or perceived affiliation with ISIS.

Further, NGOs reported other camp residents experienced challenges obtaining civil documentation and security clearance to travel to other parts of the country, resulting in secondary displacement and exacerbating the risk of exploitation and trafficking in a highly vulnerable population. An international organization reported tens of thousands of IDP children lacked civil documentation, particularly those born or formally residing in areas under ISIS control, and could not access basic services, including enrolling in school.

Iraqi law prohibited voluntary recruitment of any person younger than age 18 into the governmental armed forces, including governmental paramilitary forces, militia groups, or other armed groups. There were no reports of child soldiers used within the Iraqi military, and the government reportedly provided training to military officers on child soldier issues. However, the Iraqi government did not exercise complete control over certain units of the PMF, which sometimes undertook operations independent of political leaders or military commanders. The Iraqi government’s inter-ministerial senior committee to monitor, evaluate, and report on children’s rights violations in conflict zones in Iraq continued to closely coordinate with an international organization during the reporting period but did not report on actions by the committee during the reporting period. The government also continued to discuss the development of an action plan with an international organization for the PMC to address the recruitment and use of children in armed conflict.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Iraq, and traffickers exploit victims from Iraq abroad. The violent conflict with ISIS exacerbated the population’s vulnerability to trafficking, in particular women and children, although the government’s territorial defeat of the terrorist group, announced December 9, 2017, has improved conditions for Iraqi civilians. However, insecurity remained in many areas, including those liberated from ISIS rule. Since January 2014, more than five million Iraqis have been displaced, with approximately 1.2 million still displaced as of the end of 2020; about 80 percent have been displaced for more than three years, placing them at continued risk of exploitation. Many of those that are displaced are female heads of household vulnerable to sexual exploitation and abuse due to their perceived affiliation with ISIS. In addition, more than 245,000 Syrian refugees remained displaced in Iraq, the vast majority in the IKR. With the defeat of the ISIS physical caliphate, the reported incidence of these violations has diminished. Between 2014 and 2018, ISIS militants kidnapped and held captive thousands of women and children from a wide range of ethnic and religious groups, especially Yazidis, and sold them to ISIS fighters in Iraq and Syria, where ISIS fighters subjected them to forced marriage, sexual slavery, rape, and domestic servitude. ISIS maintained an organized system to buy and sell women and girls for sexual slavery, including sales contracts notarized by ISIS-run courts. Media have reported ISIS sold some captives to wealthy individuals in Gulf countries, and reports suggested some Yazidi captives were moved to Syria, Turkey, and Saudi Arabia. IKR-based civil society organizations also reported in 2018 that ISIS members and supporters kidnapped Yazidi children for exploitation in Turkey. ISIS reportedly kidnapped 120 Turkmen children in 2014; they have reportedly been sold multiple times for the purpose of sexual exploitation, and only 20 of the kidnapped children were rescued by the end of 2018. Throughout 2015-2019, thousands of women and children escaped ISIS captivity—many of whom were pregnant as a result of rape, forced marriage, and sex trafficking; these women and girls, including IDPs among this population, remain highly vulnerable to various forms of exploitation, including re-trafficking. Some Yazidi women and girls reportedly reside in Iraqi IDP camps or Al-Hol camp in Syria where they continue to live with Sunni families that formerly exploited them under ISIS rule. As of February 2021, the KRG reported 2,872 Yazidis—including adults and children—remain missing. Some reports indicate the missing women and girls remain with ISIS in eastern Syria and Turkey or have been exploited in other parts of the region, Europe, or Asia.

Children remain vulnerable to forcible recruitment and use by multiple armed groups operating in Iraq, including—but not limited to—ISIS, the PMF, tribal forces, the Kurdistan Worker’s Party (PKK), and Iran-backed militias. Despite the defeat of the physical caliphate, ISIS continues to abduct and forcibly recruit and use children in combat and support roles, including as human shields, informants, bomb makers, executioners, and suicide bombers; some of these children were as young as eight years old and some were mentally disabled. Multiple sources report the PKK and People’s Protection Units (YPG) operating in the IKR and Sinjar continued to recruit and use children. In 2021, an unverified source reported that the PKK recruited dozens of children to prepare them for combat, including children from Kirkuk, Iraq. Local NGOs reported in 2018 that Yazidi militias in Sinjar recruited approximately 10 to 20 Yazidi boys. NGO and local government contacts confirmed that hundreds of Yazidi children have been recruited by the PKK-aligned Yazidi Civil Protection Units (YPS) and other PKK-affiliated militias. In 2018, civil society organizations reported the PKK recruited and trained children from Sinjar, Makhmour, and other locations, and sent them to bases in Sinjar, Turkey, and the Qandil Mountains between Iraq and Iran.

Since 2015, NGOs have reported some non-compliant, Iran-aligned PMF units recruit, use, and provide military training to children, though the incidence of these reports has declined with the defeat of ISIS’s territorial presence in Iraq. The number of incidents of child soldier recruitment and use continues to decline, according to an international organization in 2019. In 2018 and 2019, NGOs alleged that some PMF-affiliated militias, including Iranian-backed Harakat Hezbollah al-Nujaba (HHN) and Asaib Ahl al-Haq (AAH), recruited boys younger than the age of 18 to fight in Syria and Yemen. In 2017, reports also indicated both the AAH and Kata’ib Hezbollah (KH) militias recruited and used child soldiers. Some of the forces in the HHN, AAH, and KH militias operated under the umbrella of the PMF, but they generally operate outside of the command and control of the Iraqi government. Civil society organizations and local contacts reported in 2017 that posters commemorating children who died while fighting for Shia militias were commonplace in Shia-majority areas of Baghdad and throughout southern Iraq. Most

of the children who were celebrated for fighting allegedly fought for brigades of the AAH and KH militias. According to the PMF official social media site and posters in the street in mid-2017, the PMF offered military training courses to children and youth ages 15-25. In 2015 and 2016, multiple sources reported factions of the PMF recruited and used children in operations in Fallujah and other areas of the country, while PMF-affiliated media celebrated the service and sacrifice of child soldiers. Credible reporting in 2017 indicated Sunni tribal militias recruited boys out of IDP camps, some of whom received military training. In August 2016, an international NGO reported that Sunni tribal militias affiliated with the PMF recruited at least seven children from the Debaga IDP camp in northern Iraq; witness accounts reported that members of the ISF facilitated the recruitment of children from the camp. In addition, international observers reported the ISF used three children at a checkpoint in early 2019.

Refugees and IDPs face heightened risk of forced labor and sex trafficking due to their economic and social vulnerability and lack of security and protections. Between 2015-2018, NGOs reported trafficking networks in the IKR targeted refugees and IDPs, operating with assistance from local officials, including judges, officials from the Asayish forces, and border agents. Women and girls in IDP camps whose family members have alleged ties to ISIS continue to be exposed to a complex system of potential sexual exploitation, sex trafficking, and abuse by armed actors residing in the camps, as well as security and military officials. In 2015 and 2016, NGOs reported some personnel from the Asayish forces facilitated the sex trafficking of women and girls in Syrian refugee camps in the IKR. Reports from 2015 indicated a trafficking network exploited IDPs and some Syrian refugee women in sex trafficking in hotels and brothels in Baghdad, Basrah, and other cities in southern Iraq after agents of the network promised to resettle them from the IKR; the network also forced the women’s children to beg on the street. Criminal gangs reportedly force boys and girls to beg, especially IDP and refugee children and children with disabilities, primarily in urban areas; criminal gangs also force children to sell and transport drugs and weapons, particularly in southern Iraq.

Iraqi, Iranian, and Syrian women and girls, as well as LGBTQ+ persons in the IKR, are particularly vulnerable to sex trafficking. LGBTQ+ individuals across all ethnic and religious groups remained at risk of sex trafficking primarily because of cultural stigmas. According to IKR press reports, the collapse of Iran’s currency and economic slowdown spurred an influx of more than 2,000 young Iranian women and girls into the IKR in 2018, many of whom were victims of sex trafficking in cafes, hotels, and massage centers. According to KRG law enforcement in 2018, IKR-based taxi drivers allegedly facilitate the transportation of these women and girls from Iran to the IKR under the cover of tourism. Numerous media reports in 2018 claim girls as young as 11 years old are observed in nightclubs and casinos in Baghdad as waitresses, dancers, and in commercial sex; some militia groups, including AAH, reportedly provided security at these establishments and relied on them for income. NGOs reported in 2018 and 2019 that male sex traffickers in the IKR use the threat of publicizing compromising photos of women to sexually exploit or force them into commercial sex. NGOs in 2016 reported cases in which criminal networks exploited in child sex trafficking girls who had run away from their families out of fear of honor killings. The media reported in 2018 that trafficking gangs increasingly used social media sites, particularly Facebook, to buy and sell women and girls for sex and labor exploitation. Reports from 2014-2017 suggested some Iraqi law enforcement officials have allegedly frequented brothels known for sex trafficking or accepted bribes to allow sex trafficking. Foreign media reports from 2018 suggested a growing trend of child sex trafficking of Iraqi girls ages 11-16 in Syria, Jordan, Saudi Arabia, Lebanon, and the UAE. Trafficking networks also reportedly sell Iraqi children in neighboring countries and Europe for commercial sexual exploitation. Iraqi refugees in Jordan are vulnerable to labor trafficking in Jordan’s informal labor sector, in part due to employers paying them below-market wages and expecting them to work excessively long hours.

Traditional practices, including *falsiya* – the exchange of family members to settle tribal disputes—and child-forced and “temporary” marriages also place women and girls at increased risk of trafficking within the country. In 2019, an international media outlet reported clerics operated “marriage offices” in areas outside of important shrines in Iraq, which advertised “temporary marriages” with girls as young as nine years old for the purpose of sex trafficking. Some militia groups, such as AAH, reportedly provided security for these “offices” and relied on them for income. Additionally, a local NGO disclosed in early 2021 that reports from local partners in southern Iraqi border provinces noted Saudis and Kuwaitis sought child sex during hunting trips in areas inhabited by Kawalyah, nomadic tribesman without civil documentation. Child protection organizations reported in 2016 incidents of child marriage—which could increase a child’s risk of trafficking—increased among IDPs and Syrian refugees in the IKR, as heads of households sought ways to generate income and reduce the family’s economic burden. As reported in previous years, traffickers forced Syrian girls from refugee camps in the IKR into early or “temporary marriages” with Iraqi or other refugee men; some KRG authorities allegedly ignored, or may have accepted bribes to ignore such cases, including those in which girls are sold multiple times. An NGO reported in early 2021 that traffickers continued to open massage parlors in five-star hotels in Iraq as a cover for commercial sex and sex trafficking; some of these hotels are owned by state entities, which allow the traffickers to operate with impunity. The Iraqi government further confirmed in early 2020 that massage parlors, coffee shops, bars, and nightclubs were locations for sex trafficking. Additionally, according to the Iraqi government, traffickers use social media to operate their networks and recruit victims, such as by advertising fake job offers.

Some men and women from throughout Asia and Africa who migrate—both legally and illegally—to Iraq are subjected to forced labor as construction workers, security guards, cleaners, handymen, and domestic workers. Contacts reported in early 2020 an increase in trafficking victims from Ghana, Kenya, and Sierra Leone. In January 2016, the MOLSA reported approximately 140,000 foreign workers lacked formal work permits; NGOs reported some employers and recruitment agents exploit workers’ illegal status by withholding salaries and subjecting workers to substandard living conditions. Some foreign migrants are recruited for work in other countries in the region but are forced, coerced, or deceived into working in Iraq and the IKR. In 2018, the KMOI reported 22

workers from the Philippines legally entered the IKR under the sponsorship of a labor contracting company but were subsequently forced to work in Baghdad. In early 2020, NGOs reported that smugglers in the IKR promise some sub-Saharan African workers better work opportunities in Baghdad, but upon arrival, traffickers exploited the workers in forced labor. An international organization reported in 2018 that if a foreign worker had a complaint of abuse about an employer, recruitment agents moved the worker to a different employer and did not report the employer to the police. Recruitment agencies reportedly operate clandestinely without permits and beyond the control of the government.

ecoi.net summary:

Annual report on trafficking in persons (covering April 2020 to March 2021)

Country:

Iraq

Source:

[USDOS – US Department of State](#)

Original link:

<https://www.state.gov/reports/2021-trafficking-in-persons-report/iraq/>

Document type:

Periodical Report

Language:

English

Published:

1 July 2021

Document ID:

2055124

Austrian Red Cross
Austrian Centre for Country of Origin and Asylum
Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
T (Telefon) +43 1 589 00 583
F (Fax) +43 1 589 00 589
info@ecoi.net

Contact
Imprint & Disclaimer
F.A.Q.
Data Protection Notice

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

