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Report of the Secretary-General on children and armed conflict in Iraq*Summary*

The present report is the second on children and armed conflict in Iraq submitted by the Secretary-General. It contains information on the six types of grave violations against children and, more broadly, on the situation of children affected by conflict during the period from January 2011 to June 2015.

The report highlights trends and patterns of grave violations committed against children in the context of armed violence and conflict in Iraq. It notes that the volatile security situation has resulted in limited access to affected populations for monitoring and documentation purposes, and that the figures and incidents contained herein only partially reflect the scope of grave violations against children. Nonetheless, the report highlights worsening trends in the killing and maiming of children, continued recruitment and use of children, attacks on schools and hospitals, abductions and denial of humanitarian access for children.

The report provides a series of recommendations to end and prevent grave violations against children in Iraq and to improve their protection.



I. Introduction

1. The present report, prepared pursuant to Security Council resolution 1612 (2005) and subsequent resolutions on children and armed conflict, is the second on Iraq submitted to the Security Council Working Group on Children and Armed Conflict. It covers the period from January 2011 to June 2015 and highlights trends and patterns of violations committed against children in the context of armed violence and conflict since my previous report (S/2011/366). The report identifies those parties to the conflict who are responsible for grave violations of the rights of children and for abuse committed against children and highlights areas for advocacy and response to enhance the protection of children affected by conflict in Iraq. It also outlines progress made in ending such violations, as recommended by the Working Group in its conclusions on the situation of children and armed conflict in Iraq, adopted on 3 October 2011 (S/AC.51/2011/6).

2. The volatile security situation and limited access to affected populations, in particular throughout 2014 and the first half of 2015, significantly hindered monitoring and reporting activities. As an increasing number of civilians fled to areas to which the United Nations had access, additional information was documented during the latter part of the reporting period. It should be noted, however, that the incidents and trends described below still only partially reflect the scope of violations committed against children.

3. The country task force on children and armed conflict was established in March 2009, following the listing of Al-Qaida in Iraq by the Secretary-General for recruitment and use of children. Al-Qaida in Iraq was further listed for the killing and maiming of children in 2011 and for attacks on schools and hospitals in 2012. In 2013, Al-Qaida in Iraq was listed jointly with the Islamic State of Iraq. In 2015, the Islamic State of Iraq/Al-Qaida in Iraq was listed, as was the Islamic State of Iraq and the Levant (ISIL), with the addition of a fourth violation for sexual violence against children.

II. Overview of political and security developments

A. Political developments

4. The months following the withdrawal by the United States of America of troops from Iraq in December 2011 were marked by relative stability. However, underlying sociopolitical grievances and complaints of discrimination among Iraq's ethnic and religious communities were rife. In particular, resentment slowly surfaced in response to the then Government's failure to address the grievances of the Sunni communities. Radical groups, such as Al-Qaida in Iraq and later ISIL, built on and exploited this discontent to a large extent, which resulted in the current crisis.

5. The emergence of a new Government, led by Prime Minister Haider al-Abadi who was appointed in August 2014, raised hopes for recovery and reconciliation efforts in Iraq. The Council of Representatives endorsed the new cabinet on 8 September 2014 and unanimously approved the Government's ministerial programme, which aimed to address some of the underlying causes that allowed for the rapid advance of ISIL, and identified as an immediate priority the restoration of

security and regaining of territory that had been lost to ISIL. The new Government has taken a number of steps towards advancing its reform agenda, including by addressing longstanding complaints, particularly from the Sunni community, alleging breaches of civil and political rights and discriminatory application of anti-terrorism legislation. In this context, a reform package with a strong anti-corruption element, which was presented by Prime Minister al-Abadi in August 2015, further sought to strengthen the rule of law, enhance accountability and address widespread impunity. Those efforts were further highlighted in a call on parliament and the Prime Minister by Grand Ayatollah al-Sistani, who noted that those institutions should focus reform efforts to improve the judiciary.

B. Security developments

6. The reporting period witnessed drastic changes in the security environment, which can broadly be broken down into three major periods.

1. January 2011 to December 2012

7. The final drawdown of United States forces was completed on 18 December 2011. Despite a period of relative stability, the security environment remained volatile and unpredictable, marked by continued attacks by armed groups using tactics of extreme violence. The majority of activities consisted of targeted killings of political, religious and tribal leaders, which also claimed civilian casualties. Despite the efforts of the Government to maintain law and order and to curb extreme violence, the year 2012 was marked by a slow but steady increase in security incidents. In July 2012, Abu Bakr al-Baghdadi, then leader of Al-Qaida in Iraq, launched the “Breaking the Walls” campaign, which was aimed at securing the release of prisoners with the purpose of increasing the number of elements of Al-Qaida in Iraq and seizing control of territory in Iraq, in particular in the Anbar governorate.

2. January 2013 to August 2014

8. In the first part of 2013, the security environment became more volatile as operations by armed groups rapidly evolved into an insurrection campaign. Regional tensions, particularly in relation to the conflict in the Syrian Arab Republic, also had a negative impact on Iraq. This increased instability was further fuelled by political and sectarian tensions. One key turning point was the Hawijah (Kirkuk) incident on 23 April 2013 in which 50 people were reportedly killed and another 200 injured during an intervention by the Iraqi security forces at a protest site. This incident served to intensify the divisions between the Government and the Sunni communities. The marginalization of Sunni communities and the calls for an autonomous province in Anbar, combined with a high level of youth unemployment, gradually created fertile ground for the advancement and recruitment of armed groups. From mid-May 2013 onwards, and starting with Anbar, skirmishes between tribesmen and the Iraqi security forces and the targeting of the facilities and personnel of the Iraqi security forces, resulted in a cycle of attacks and retaliations.

9. In July 2013, the “Breaking the Walls” campaign culminated with the attack by Al-Qaida in Iraq on Abu Ghraib and Taji prisons, which resulted in the release of a large number of prisoners. On 29 July 2013, Al-Qaida in Iraq announced the end

of that campaign and simultaneously launched the “Harvesting of Soldiers” campaign, which was aimed at recruiting former Baathists and elements of the Iraqi Army among the ranks of the Iraqi security forces. The last two quarters of 2013 saw a drastic surge in the activities of armed groups and a corresponding increase in civilian casualties. From January to July 2014, with the Iraqi security forces attempting to clear demonstration sites in Anbar and other parts of the country, there was a significant shift in the dynamics of the conflict. Al-Qaida in Iraq/ISIL and associated armed groups increasingly engaged in direct armed clashes with the Iraqi security forces and rapidly took control of territory in Anbar (notably, Fallujah and parts of Ramadi), and subsequently seized the city of Mosul (Ninawa), and parts of the governorates of Salah al-Din and Diyala. Following the takeover of Mosul, the Government resorted to an increased use of popular mobilization forces, including militias and other armed volunteers, which engaged in military operations alongside the Iraqi security forces.

3. From August 2014 onwards

10. In the beginning of August 2014, following clashes with ISIL north-west of Mosul, the Peshmerga retreated south of the Sinjar Mountains (Ninawa). At the same time, ISIL engaged in ethno-sectarian attacks against Turkmen, Yezidi, Christian and other communities in Mosul, the region of Zummar, Ninawa Plains and Mount Sinjar. On 8 August 2014, the United States launched its first air strikes against ISIL on Mount Sinjar, where thousands of Yezidis were trapped. In the following months, an international coalition against ISIL was formed to support ground operations of the Iraqi security forces to prevent and counter the advance of ISIL. The provision of international military support led ISIL and associated armed groups to adapt their tactics by reducing the profile of movements of personnel and resources, hiding in civilian areas, executing raids and using tactics of extreme violence against military and civilian targets. As at the end of the reporting period, conflict was still ongoing throughout parts of Anbar, Ninawa, Salah al-Din, Kirkuk and Diyala governorates.

III. Armed groups and armed forces operating in Iraq

11. My previous report on children and armed conflict in Iraq (S/2011/366) described the responsibilities and capacities of the Iraqi security forces, including the Iraqi army, Iraqi police and Awakening Councils, as well as the forces of the Kurdistan Regional Government, the Peshmerga. It also outlined the armed groups involved in the conflict in Iraq, namely Al-Qaida in Iraq and the Islamic State of Iraq. The following section describes parties that emerged during the current reporting period.

Popular mobilization forces and pro-Government militias

12. Following the fall of Mosul on 10 June 2014, the popular mobilization forces, composed primarily of Shiite, but also increasingly Sunni, volunteers, pro-Government militias and other tribal volunteers, joined the Iraqi security forces in the fight against ISIL. This was triggered by a call from then Prime Minister Maliki on 11 June 2014 and the fatwa issued by Grand Ayatollah Ali al-Sistani on 13 June 2014 calling upon all Iraqis to join the fight. This led to the establishment of a Popular Mobilization Commission on 17 December 2014. The Popular

Mobilization Commission was endorsed by the general secretariat of the Council of Ministers on 21 December 2014 as the body entrusted with the management of the popular mobilization forces. In a decision issued on 7 April 2015, the Council of Ministers instructed ministries and state institutions to consider the Popular Mobilization Commission as a formal institution under the authority of the Prime Minister. According to the Government, all militias fall under the purview of the popular mobilization forces. It remains difficult to ascertain, however, the degree of command and control exercised by the Government over the popular mobilization forces.

13. The overall strength of the popular mobilization forces is estimated to be between 100,000 and 150,000 members nationwide. There is concern about the lack of a specific provision with regard to the minimum age requirement for persons joining the forces, which opens up the possibility of underage recruitment.

14. In addition, other militias, such as Asa'ib al-Haq, Kata'ib Hizbullah, or the Peace Brigades, also joined the fight to reinforce combat operations against ISIL.

Islamic State of Iraq and the Levant

15. The Islamic State of Iraq was one of the divisions of Al-Qaida in Iraq¹ which had been active in Iraq since 2006. Abu Bakr al-Baghdadi became leader of the Islamic State in Iraq in 2010 and remained so until the formal expansion of the Islamic State of Iraq into the Syrian Arab Republic in 2013, with the announcement by al-Baghdadi of the formation of ISIL.

16. On 29 June 2014, Abu Bakr al-Baghdadi purported to establish a caliphate extending from Iraq to the Syrian Arab Republic, with Mosul as its capital, and claimed religious, social and military authority over the Muslim community. With a strong basis in Iraq and the Syrian Arab Republic, ISIL reportedly attracted thousands of foreign fighters, including from Central Asia and Europe. The group also incorporated former Baathists and former members of the Iraqi army. During the reporting period, ISIL gradually moved from a focus on attacks against civilians to a mix between tactics of extreme violence and military operations that led to taking control of large swathes of territory in Anbar, Ninawa, Diyala and Salaheddin in 2014.

17. The group was included in the United Nations sanctions list of individuals and entities associated with Al-Qaida on 30 May 2013.

International coalition against the Islamic State of Iraq and the Levant

18. In August 2014, the United States convened an international coalition of countries to combat ISIL. By the end of the reporting period, over 60 countries had contributed aircraft, military assistance, in-country military advisers, and bases for operations and the training of Iraqi forces.

¹ It is difficult to determine the exact divide of the two groups the Islamic State of Iraq and Al-Qaida in Iraq, as there has been overlap in membership at times and both groups have operated simultaneously in the country.

IV. Grave violations against children: incidents and trends

A. Killing and maiming of children

19. Killing and maiming continued to be the violations that most affected children. The child casualty figures presented below are conservative, and the actual number of violations is likely to be much higher, as the security situation and access constraints have impeded the documentation of cases. There has been a significant increase of violence since 2014, and despite the challenging security situation, the United Nations reported that from 1 January 2014 to the end of April 2015, at least 14,947 civilians had been killed and 29,189 wounded. While those figures cannot be disaggregated by age, they illustrate the severe deterioration of the security situation in Iraq.

20. Throughout the reporting period, the United Nations, through its monitoring and reporting mechanism, reported the killing of 1,256 children (230 girls, 692 boys, 334 unknown gender) and injury of 1,831 children (327 girls, 927 boys, 577 unknown gender) as a result of conflict-related violence. Casualties were highest in Diyala, Baghdad, Ninawa, Salah al-Din, Anbar and Kirkuk governorates, which were the areas most affected by conflict and violence. In 2014 alone, there were at least 1,190 child casualties (253 girls, 587 boys, 350 unknown gender) as a consequence of the intensification of conflict and deterioration of the security situation. From 2011 to 2013, documented child casualties were mostly the result of improvised explosive devices and indirect fire, in attacks predominantly carried out by armed groups using tactics of extreme violence. In 2014 and 2015, as counter-ISIL operations were initiated and intensified, there was an increase in documented child casualties owing to clashes between parties to the conflict, including by air strikes and artillery shelling. The indiscriminate killing of civilians, including children, and the failure of the parties to adhere to the principles of distinction and proportionality in the conduct of hostilities remain grave concerns.

21. More than half of the total number of documented child casualties resulted from attacks using tactics of extreme violence, allegedly perpetrated by Al-Qaida in Iraq/the Islamic State of Iraq/ISIL. Those attacks targeted public areas, including mosques, schools and hospitals. For example, on 3 June 2011, in Tikrit district (Salah al-Din), a 12-year-old boy was killed and four other boys of 10 to 15 years of age were injured by a suicide bomb in a Sunni mosque. No group claimed responsibility for the incident. In another attack, on 25 June 2013, in Ba'qubah district (Diyala), six boys were killed and 10 others injured, all aged 12 to 17 years, when two improvised explosive devices were detonated inside a playground, reportedly by Al-Qaida in Iraq. In another incident, on 12 February 2015, in Miqdadiyah district (Diyala), two children (one boy and one girl) were killed together with their mother when an improvised explosive device was detonated in front of their house.

22. Children continued to be victims of attacks by armed groups targeting the Iraqi security forces or prominent figures, such as community and tribal leaders, judges, teachers, doctors and other Government officials. At least 700 children (approximately 23 per cent of the total number of casualties) were killed or injured in such attacks during the reporting period. For example, on 6 April 2014, in Mahmudiyah district (Baghdad), three sons and the daughter (aged 7 to 13 years) of

a member of the Awakening Council were killed, along with their family, by unidentified armed elements in their house in the area of al-Latifiya.

23. At least 453 documented child casualties (15 per cent of the total figures) resulted from the drastic deterioration of the armed conflict in 2014 and the efforts of the Government to counter the advance of ISIL, especially in ISIL-controlled areas such as Anbar, Diyala, Salah al-Din, Ninawa and Kirkuk. These cases include at least 380 documented child casualties as a result of air strikes by the Iraqi Air Force (246 were verified). In one incident, on 4 April 2014, five members of a family, including three children, were killed by an air strike targeting their home in the village of al Fadiliyah north-east of Mosul (Ninawa). In another incident, on 29 July 2014, in Tikrit district (Salah al-Din), four girls and nine boys (between 3 and 10 years of age) were killed in an air strike conducted by the Iraqi Air Force targeting the Al Alam area, where members of ISIL were located. In another incident, on 12 December 2014, shelling reportedly carried out by the popular mobilization forces and Shiite militias in Miqdadiya (Diyala) killed 17 civilians, including three children.

24. On 17 June 2014, in the Ba‘qubah district (Diyala) armed elements from the Asa’ib al-Haq militia raided the Mafraq police station and opened fire on detainees. A total of 52 detainees, including four boys, were killed in the attack. According to a Government-led investigation, the perpetrators were not identified. In other incidents, elements of the popular mobilization forces targeted civilians, including children. For example, on 22 August 2014, in Sa’diyah district (Diyala), 16 boys aged from 8 to 17 years were killed along with at least 50 other civilians when armed elements from the Zarkoush tribe opened fire at the Mus‘ab bin Umayr Mosque during Friday prayers. Three of the perpetrators were arrested by the Iraqi authorities.

25. Throughout the last month of 2014 until April 2015, the United Nations continued to receive reports of civilian casualties attributed to air strikes and shelling.² Since there are national and international air forces operating in Iraq, it has been difficult to attribute responsibility for air strikes. On 2 January 2015, air strikes targeting the villages of Farhaniyah and al-Subayhat (Salah al-Din), reportedly killed 12 civilians, including women and children. On 5 March 2015, air strikes targeting the Bartalah sub-district east of Mosul, allegedly killed 11 civilians, including three children. While the necessity of the Government’s efforts to counter the advancement of ISIL and other associated groups is recognized, the high number of civilian casualties, including children, as a result of air strikes raises serious concerns in relation to the principles of international humanitarian law that call for the exercise of distinction, precaution and proportionality.

26. The United Nations also documented instances of attacks against specific religious communities. On 25 January 2015, four persons, including two children, were set on fire in an attack by Yezidi fighters and Syrian Kurdish forces in Umm al-Danabuk, Sinjar (Ninawa). Those attacks may be determined to constitute war crimes. The Government has an obligation to promptly investigate and ensure that those accountable are prosecuted and brought to justice.

² United Nations Assistance Mission for Iraq (UNAMI)/Office of the United Nations High Commissioner for Human Rights (OHCHR) report on the protection of civilians in the armed conflict in Iraq: December 2014-April 2015.

27. The total number of documented casualties also includes nine children as a result of explosive remnants of war, which killed 2 boys and 2 girls and maimed another 12 boys and 5 girls. The majority of those incidents took place during 2011 and were reported from Babil, Kirkuk, Salah al-Din, Najaf, Maysan and Diyala.

B. Recruitment and use of children

28. The scope of child recruitment in Iraq remains difficult to ascertain owing to the lack of access to affected areas, traditional militarization of Iraqi society, fear of families to report incidents, and security concerns for victims and their families. However, throughout the reporting period, the United Nations documented cases of the recruitment and use of children, in combat as well as support roles, by parties to the conflict in Iraq.

Recruitment and use of children by armed groups

29. Throughout the reporting period, children were recruited, trained and used by armed groups to take direct and indirect part in hostilities. Children were used to act as spies and scouts, to transport military supplies and equipment, to conduct patrols, to man checkpoints, to videotape attacks for propaganda purposes and to plant explosive devices, as well as to actively engage in attacks or combat situations.

30. From 2011 to mid-2013, reports of children recruited by Al-Qaida in Iraq were received, but verification of cases was limited. The youth wing of Al-Qaida in Iraq, “Birds of Paradise”, recruited children and used them in support roles as well as for combat activities, for example by filming attacks, for the planting of improvised explosive devices and for suicide bombings. On 17 May 2012, in Mosul (Ninawa), two boys (aged 16 and 17) who were planting an improvised explosive device on the roadside were killed by elements of the Iraqi security forces. On 21 March 2012, the Iraqi security forces released a boy from his abductors, who reportedly confessed his association with the “Birds of Paradise” and told of plans to use him as a suicide bomber.

31. The systematic recruitment and use of children by ISIL and the reported emergence of “youth wings” is of grave concern, as it is an increasing tactic of warfare of the group.

32. In 2014 alone, the United Nations verified at least 67 cases of boys recruited by ISIL; however, those figures do not reflect the full scope of child recruitment. After the fall of Mosul in June 2014, the number of reported incidents of children being recruited and used by ISIL, including in combat or police functions, drastically increased in ISIL-controlled areas. ISIL and associated armed groups abducted boys aged 13 to 17 years, stating that it was the duty of all males to perform jihad. In other cases, ISIL recruited the sons or relatives of its own elements or targeted orphaned children. Eyewitnesses continued to report the presence of children alongside adults patrolling with ISIL and manning checkpoints in Ninawa, Salah al-Din and Diyala. Those reports were particularly prevalent in Mosul and Tal Afar (Ninawa). For example, from June to September 2014, witnesses in those two cities consistently reported having spotted armed children wearing attire similar to ISIL fighters and patrolling with ISIL. Sources indicated that ISIL was recruiting and using children mostly to control areas, but they also reported that children were given the responsibility of arresting and detaining individuals or were being used in combat functions. On 25 July 2014, in Fallujah

district (Anbar), five boys aged 15 to 17 from the Albu Aythah area reportedly joined ISIL voluntarily and were receiving salaries and being used as combatants. In addition, reports of the recruitment of girls were received but could not be verified. For example, on 1 July 2014, it was reported that nine girls aged 14 to 17 had been recruited by ISIL in Tikrit (Salah al-Din) and forced to carry weapons.

33. From August 2014 to June 2015, hundreds of boys, including Yezidis and Turkmen, were forcibly taken from their families in Ninawa (mostly in Mosul and Tal Afar) and sent to training centres, where boys as young as 8 years were taught the Koran and the use of weapons and combat tactics. It was reported that at least five training centres were receiving those children in the region of Tal Afar, Mosul, southern Mosul, and in Aleppo and Raqqa (Syrian Arab Republic). Pictures of training sessions were regularly posted on social media. In one incident, on 3 August 2014, two Yezidi brothers aged 10 to 16 years were forcibly recruited by ISIL in Ninawa. On 5 September 2014, in Sharqat district (Salah al-Din), ISIL forcibly recruited 40 boys during Friday prayers. ISIL told the mothers that their sons were going to join them in their battle against the Iraqi security forces. On 6 February 2015, in Mosul, ISIL reportedly told families with two or more sons that one son would have to join the group. In early February 2015, ISIL imposed compulsory recruitment of children in the Rutba district, west of Ramadi (Anbar). In mid-April, after the fall of Tikrit (Salah al-Din), ISIL began forcibly recruiting men and boys between the ages of 13 and 20. Reportedly, 100 young men and children were forcibly recruited.

34. The United Nations has received credible reports of the creation of an ISIL youth wing called *Fityan Al Islam*³ that was said to be active in some affected areas, including Diyala and Salah al-Din, but those allegations could not be verified. Information was also received of child suicide bombers having been recruited by ISIL. For example on 20 March 2014, a suicide bomber, identified as a child by eyewitnesses, blew himself up at the funeral of a local leader in Anbar. Reportedly, ISIL also uses children as executioners, forcing them to shoot civilians and conduct beheadings. ISIL has posted images and videos on social media of training for boys and of boys perpetrating violent acts.

Recruitment and use of children by the popular mobilization forces and pro-Government militias

35. Children continued to be associated with the popular mobilization forces and pro-Government militias in all conflict areas, as well as in Baghdad and Basra. Children wearing military uniforms and carrying weapons were seen parading daily alongside adults associated with those groups. For example, verified information was received in July 2014 about children patrolling with militia convoys in the Hurriya area of Baghdad. Also, a number of reports in August 2014 indicated that boys as young as 10 years of age had been recruited and used by self-defence groups reportedly associated with the popular mobilization forces in Amarli (Salah al-Din). Leaders from the popular mobilization forces and pro-Government militias on many occasions publicly commended Iraqi children and youth for liberating their country, claiming that all Iraqis, including children, had the duty to fight against ISIL. On 5 June 2015, Grand Ayatollah al-Sistani called on all students to use their summer break for military training. As a result, a number of schools in Baghdad,

³ In English known as “Boys of Islam”.

Diyala, Basra and other governorates in the south became religious and military training camps for children, and the Ministry of Youth and Sports sent a letter dated 7 June 2015 to directorates in all governorates encouraging the use of youth clubs for military training of children and youth.

36. While there was no instruction for children to actively join the fighting, it is of concern that no active measures were taken by the Government to address the recruitment and use of children by the popular mobilization forces and pro-Government militias. In this regard, I reiterate the importance of the criminalization by the Government of the recruitment and use of children in conflict, which was stressed as a priority in my previous report on Iraq as well as in the conclusions of the Working Group on Children and Armed Conflict.

37. Children have also been associated with Yezidi self-defence groups fighting alongside the Peshmerga in Ninawa, including on the front line in Sinjar Mountains, Tallkayf, Hamdaniyah and Makhmour. On 3 August 2014, an internally displaced Yezidi confirmed that his 15-year-old son had voluntarily joined the *Shasho* (a Yezidi self-defence militia) and carried a weapon to defend his community in the Sinjar Mountains. It was also verified that dozens of children were associated with various Turkmen-based self-defence groups fighting ISIL in Ninawa and Kirkuk, and with Sunni tribal-based militias supporting the Iraqi security forces against ISIL in Ramadi (Anbar).

38. From 2011 to 2013, eyewitnesses reported that children were manning checkpoints of the Awakening Council, mainly in Mosul, Diyala, Babil, Salah al-Din and Anbar. Information received pointed to boys having been recruited locally with fake identification papers.

Detention of children on security charges

39. As of September 2015, 486 children (all boys) were being held in detention facilities. A total of 474 were being held in central and southern Iraq and had been indicted or convicted on security charges under article 4 of the Anti-Terrorism Act (2005). Twelve children were detained by the Kurdistan Regional Government authorities under article 2 of the KR-I Anti-Terrorism Law 3 (2006). Those children have been detained for periods ranging from two months to three years. Protection of children in contact with the law remains a challenge in Iraq. There is a lack of specific institutions for those children and of alternatives to imprisonment. Existing detention facilities for children do not comply with international standards and lack basic infrastructure. Children, particularly girls, are also frequently detained along with adults. I am particularly concerned that in their reports, the Committee against Torture (CAT/C/IRQ/CO/1 and Corr.1) and the Committee on the Rights of the Child (CRC/C/OPAC/IRQ/CO/1) have highlighted concerns that those suspected of security charges, including children, are arrested without any warrants, detained incommunicado or held in secret detention centres for extended periods of time, during which they reportedly suffer ill-treatment and acts amounting to torture. In its recommendations to the Government of Iraq, the Working Group on Children and Armed Conflict has stressed the importance of ensuring that the United Nations and relevant humanitarian organizations are granted access to children held in detention facilities.

40. The 2005 Iraqi anti-terrorism law prescribes the death penalty, regardless of age at the time of the alleged commission of the crime or time of conviction. There are

serious concerns that three foreigners (one Yemeni, one Syrian, one Saudi Arabian), aged under 18 at the time of the alleged commission of the crime, have been sentenced to death and remain in Iraqi detention under article 4 of the Anti-Terrorism Act. In all three cases, Iraqi authorities have rejected formal documentation of age from their respective countries that proves they were juveniles at the time of alleged commission of the crime.

C. Sexual violence against children

41. Incidents of sexual violence against children in Iraq remained extremely difficult to verify, and documentation continued to be a challenge owing to the fear of stigmatization and/or retaliation, including honour crimes, by families and communities. As a result, the number of cases reported and verified should be considered only illustrative of broader trends, as they are assessed to be considerably underreported. In one verified incident which took place in December 2012, an officer of the Iraqi security forces and three of his soldiers raped a 17-year-old girl in Mosul district (Ninawa). The perpetrators were later taken into custody on charges of rape.

42. Since the emergence of ISIL, sexual violence committed against children, particularly girls, has led to an increase in reported violations. While violations are likely to remain underreported owing to security and access constraints and fear of repercussions, it is evident that ISIL is committing sexual violence as a tactic of war. For example, on 12 June 2014 in Mosul, ISIL raided a house in Al Zuhur area, which belonged to a member of the Iraqi security forces. His 15-year-old daughter was raped by four armed ISIL elements. On 6 August 2014, in Sinjar district (Ninawa), over 400 Yezidi women and girls were abducted by ISIL and sent to two ISIL-controlled areas, Ghabat al-Mosul and Tal Afar (Ninawa). The girls were reportedly forced into sexual slavery. In March 2015, the Office of the United Nations High Commissioner for Human Rights reported that it had gathered corroborated witness statements indicating “clear patterns of sexual and gender-based violence” against Yezidi women and girls, including rape and sexual slavery committed by ISIL and associated armed groups,⁴ in violation of international human rights law.

D. Attacks on schools and hospitals and their protected personnel

43. The number of incidents of attacks on schools and their protected personnel, as well as incidents of military use of schools by armed elements, remained high throughout the reporting period. A sharp increase was documented in 2014 owing largely to the deterioration of the security environment, increased control by and presence of ISIL, and attacks on schools that were used as polling centres for the April parliamentary elections (23 schools in Baghdad, Kirkuk, Salah al-Din, Anbar and Ninawa). It should be noted that limited access to conflict-affected areas throughout 2014 and the first half of 2015 hindered comprehensive monitoring and reporting of those incidents.

44. A total of 173 incidents of attacks on schools and their protected personnel and of military use of schools were reported in the reporting period. From 2011 to 2013

⁴ A/HRC/28/18.

there was an annual decline by more than 35 per cent in attacks affecting education. Between 2011 and 2013, 40 schools were damaged or destroyed by direct attacks using improvised explosive devices or by attacks targeting other facilities in the vicinity of schools. At least 23 children (9 girls and 14 boys) were killed, and 293 children (87 girls, 123 boys, 83 unknown gender) were injured as a result. For example, on 6 October 2013, in Tal Afar district (Ninawa), five boys and three girls were killed and 86 boys and 32 girls were injured when an improvised explosive device was detonated inside Qabak primary school, in the Turkmen Qabak village. Forty-one per cent (67 incidents) of the reported incidents occurred in 2014 alone. Attacks on schools and their protected personnel continued in the first six months of 2015. Five of the attacks resulted from clashes between the Iraqi security forces and ISIL in Anbar. Those incidents claimed the lives of an unknown number of internally displaced persons who were using the school facilities as shelter.

45. Seven schools were targeted because they were being used for military purposes by parties to the conflict in Anbar, Ninawa, Diyala and Salah al-Din. Four were used by ISIL (two in Anbar and two in Diyala), two by the Iraqi security forces in Tikrit and Beiji districts (Salah al-Din) and one by the Peshmerga in Mosul (Ninawa). ISIL has also reportedly used schools in captured territories to spread its ideological views.

46. Between 2011 and 2013, the United Nations received 57 reports of incidents targeting education personnel, including the killing, injuring and abduction of at least 63 teachers (24 were killed, 29 injured, 7 abducted and 3 received threats). For example, on 1 April 2012, in Mosul district (Ninawa), unidentified armed elements raided Mas'udi Secondary School, in the Ta'mim area, and killed the school principal. In addition, 12 incidents of attacks or threats of attacks on teachers by ISIL were reported in 2014 and 2015. During the first quarter of 2015, the United Nations documented four attacks on education personnel. On 7 February, in Ba'qubah district (Diyala), a schoolteacher was killed by a bomb attached to his vehicle.

47. During the reporting period, the United Nations received 134 reports of attacks on hospitals and their protected personnel by parties to the conflict. Between 2011 and 2013, 15 hospitals and medical facilities were damaged as the result of direct and indirect attacks, mostly by improvised explosive devices. In addition, the United Nations received 58 reports of targeted attacks on health personnel, including the killing, injuring and abduction of at least 70 doctors and nurses (27 were killed, 32 injured, 6 abducted, and 5 received threats). In one incident, on 8 March 2012, in Musayyib district (Babil), an element of Al-Qaida in Iraq opened fire on a surgeon, wounding him severely.

48. In 2014 and 2015, the United Nations received 61 reports of attacks on hospitals and their protected personnel, accounting for 46 per cent of the reports received in the overall reporting period. Forty-one incidents (76 per cent) of documented attacks on health facilities and personnel in 2014 took place in conflict-affected areas, such as Anbar, Diyala, Kirkuk, Ninawa and Salah al-Din. Al Falluja General Hospital (Anbar) witnessed at least 17 separate attacks by indirect fire and improvised explosive devices during 2014 and 2015. In four incidents, hospitals were targeted by armed groups using improvised explosive devices. Between March and August 2014, two doctors in Ninawa and Kirkuk were targeted by ISIL elements for refusing to treat their injured fighters. On 9 January 2015, in Miqdadiya district

(Diyala), an improvised explosive device targeted the house of a person known for providing medical services to the popular mobilization forces. His 12-year-old son and 8-year-old daughter were injured in the attack. At least seven hospitals in Salah al-Din, Ninawa, and Kirkuk were used by ISIL and pro-Government militias to treat their injured members. For example, on 17 November 2014, in Miqdadiya district (Diyala), elements of Asaeb al-Haq forcibly vacated Al Miqdadiya General Hospital, retaining only medical staff to treat their injured members.

E. Abduction of children

49. Abduction of children remained a major concern during the reporting period. A total of 1,368 children (708 girls, 648 boys, 12 unknown gender) were abducted in 390 incidents. The most affected governorates were Baghdad, Kirkuk, Ninawa, Salah al-Din and Anbar. The number of reported cases of abductions is considered to be lower than the actual number, owing mainly to fear of retaliation by families of the victims.

50. The causes of abduction incidents evolved along with the changes in the security environment. While abductions of children from 2011 to 2013 were linked to political and financial motives, such as the financing of armed groups, abduction of children in 2014 was influenced by the targeting of children from minority groups, mostly for sexual violence and recruitment purposes.

51. Between 2011 and 2013, the number of reported abductions of children declined by at least 50 per cent per year (47 children in 2011, 18 children in 2012 and 4 children in 2013), and in those cases the children were allegedly released after the payment of ransom. For example, on 30 August 2012, in Kirkuk district, a 16-year-old boy was abducted by unidentified armed elements near his house in the Dubbat area. The boy was released a few days later following the payment of a ransom of \$20,000. The family believe that Al-Qaida in Iraq was responsible for the incident and that the ransom was to finance their operations.

52. In 2014, the number of abductions of children increased drastically (1,780 per cent compared with the previous three years combined). At least 1,297 children (685 girls, 612 boys) were abducted in 322 documented incidents. This large increase was due mainly to the abductions of Yezidi civilians by ISIL in August 2014 in Sinjar city (Ninawa), in which children were taken en masse along with their families and detained in different locations. For instance, on 3 August 2014, 20 Yezidi children (8 boys, 12 girls), from 2 to 16 years of age, were abducted with their parents by ISIL while fleeing an attack on Khan Sour village and were detained in a building in Tal Afar district with hundreds of other Yezidi families. At the end of the reporting period, their whereabouts remained unknown. According to verified reports, girls above the age of 12 were separated from their families and sold in ISIL-controlled areas in Iraq and the Syrian Arab Republic, or detained for the purpose of sexual slavery, while boys were forced to join ISIL in combat operations. From January to June 2015, the United Nations verified two incidents of child abduction. In one incident, on 14 January 2015, a 15-year-old Turkmen Shiite boy was abducted by unidentified perpetrators, who requested his family to pay \$150,000 for his release.

53. It should be noted that incidents of child abduction by ISIL after the fall of Mosul remained greatly underdocumented. Similarly, the high percentage of Yezidi children abducted is only indicative of the targeting of Iraqi communities by ISIL. It

remained a challenge for the United Nations to document incidents, owing primarily to the lack of access to conflict-affected areas and multiple displacements. The fear of families to report abductions of children also impeded the documentation of cases. The United Nations reported that as many as 3,500 civilians, including children, predominantly from the Yezidi community but also including other ethnic and religious communities, remained in ISIL captivity as of April 2015.

54. The United Nations also received reports of abductions involving forces associated with the Government. For instance, on 25 March 2015, Shiite militia members abducted 125 Sunni residents of Naeb and Tariq Duri villages in the Albu-Khadda and Jalam areas of Dur (Salah al-Din). The whereabouts of the abductees, including children, are unknown. It remains of great concern that such a high number of civilians were abducted by armed groups associated with the Government and that the authorities have yet to take action to ensure the release of abductees and hold the perpetrators accountable.

55. Children from Iraqi Turkmen, Shabak or Christian communities were also reportedly abducted in high numbers. However, those cases could not be verified owing to lack of documentation.

F. Denial of humanitarian access

56. During the reporting period, the United Nations documented incidents of denial of humanitarian access by parties to the conflict. Furthermore, access for the delivery of services was limited owing to the unstable security environment. Those two factors hampered, the provision of basic services to civilians, including children, were hampered. With the deterioration of the security situation, starting in December 2013, severe restrictions on humanitarian access to affected populations owing to ongoing fighting were documented. From January to June 2014, Anbar was the most affected governorate. As the conflict evolved and with the advance of ISIL in Ninawa, Salah al-Din, Kirkuk and Diyala since June 2014, those governorates witnessed critical constraints in the delivery of humanitarian assistance. Owing to lack of access to those areas, the actual number of incidents of denial of humanitarian access is likely to be underreported. However, seven reports involving such incidents were received by the United Nations. For example, on 5 August 2014, in Sinjar district (Ninawa), a Government aircraft attempting to drop food and water for Yezidis who were besieged by ISIL on Mount Sinjar was attacked reportedly by ISIL elements before completing its mission. In that period, internally displaced persons indicated that at least 45 children had died on Mount Sinjar as a result of severe shortages of food and water. The United Nations also received information that at least 32 children had died as a result of the denial of humanitarian access to the city of Haditha (Anbar) by ISIL and tribal fighters since the beginning of 2015.

V. Engagement by the United Nations system

57. I recognize that the Government is confronted with grave threats to the stability of Iraq and faces enormous challenges in maintaining law and order. Notwithstanding those constraints, the Government retains responsibility for the

protection of children, and the United Nations stands ready to support its efforts to prioritize the protection of civilians, including children.

58. In 2011, sustained efforts were made by the United Nations to encourage the Government to institute a mechanism to engage in constructive and action-oriented dialogue to address issues affecting children in the context of armed violence and conflict. On 19 October 2011, a request for the establishment of an inter-ministerial committee in accordance with resolution 1612 (2015) was sent to the Council of Ministers for approval. It is of concern that no concrete steps have been taken by the Government to activate this mechanism. The implementation of a dedicated, formal inter-ministerial committee would facilitate the regular sharing of information and response, as well as collaboration between the Government and the United Nations on related issues. The importance of establishing this mechanism was highlighted by the Working Group on Children and Armed Conflict in its conclusions on Iraq.

59. In July 2013, my Special Representative for Children and Armed Conflict travelled to Iraq. During her visit, she engaged with Government officials, including the Vice-President in Baghdad and the Minister of Foreign Affairs of the Kurdistan Regional Government, to highlight concerns regarding the protection of children, including the recruitment of children. My Special Representative expressed her appreciation to the Government for its commitment to address issues related to children and armed conflict and advocated for the full implementation of relevant legislation and the activation of the inter-ministerial committee. In September 2014, at the invitation of the President of the Human Rights Council, my Special Representative for Children and Armed Conflict, together with the High Commissioner for Human Rights, briefed a special session of the Council on the situation of children in Iraq, in the context of the widespread violations committed by ISIL. She highlighted key concerns regarding grave human rights violations against children and the impact of armed violence on children during the current crisis.

60. In 2015, the United Nations Assistance Mission for Iraq (UNAMI) engaged with the Prime Minister's Office to develop joint advocacy strategies against the recruitment of children by ISIL and to prepare a policy framework to enhance the protection of children and the prevention of their recruitment by extremist groups. On 15 June 2015, Prime Minister al-Abadi held a conference on countering recruitment of children by ISIL, in which UNAMI and the United Nations Children's Fund (UNICEF) participated. UNAMI and the Prime Minister's Office are working closely on the implementation of recommendations formulated during the conference, which include increased regional cooperation, academic research, adjustment to school curricula to promote coexistence, social media campaigns, and a requesting to the Security Council that it take a firmer stand on this issue. While this initiative is welcomed, it remains of concern that child recruitment by the popular mobilization forces, which is formally considered an institution under the authority of the Prime Minister, continues to be reported.

61. The United Nations has engaged with relevant authorities in the Kurdistan Region of Iraq to enhance the protection of children, particularly internally displaced persons and refugees, and of children at risk of recruitment for fighting in Iraq or in the Syrian Arab Republic. In this regard, UNAMI was in the process of identifying the factors of vulnerability and modus operandi of recruitment of boys in the Kurdistan Region of Iraq from Dahuk to Halabjah, with a view to presenting comprehensive research to relevant stakeholders. The deterioration of the security

situation and the increased sensitivity of cases have prevented further progress. UNAMI has also been working with relevant stakeholders to ensure that no children are recruited within the Peshmerga, particularly in ongoing military operations against ISIL.

62. The United Nations undertook regular advocacy activities with relevant judicial and political authorities in relation to children in contact with the law. Special attention was also given to juveniles in the course of the monitoring of detention facilities.

63. The United Nations has advocated for the inclusion of child protection concerns in the drafting of legislation. An example is the draft national guard law presented to the Council of Representatives in early March 2015, which lacked age-specific requirements for recruitment into the proposed national guard force. At the end of the reporting period, the draft was still being discussed in the Parliament.

64. With technical support from UNICEF and in collaboration with UNAMI, a national child protection policy situation analysis was finalized and approved by the Government, and a draft policy was developed in 2013. It remains under review and is expected to undergo a national consultative process in 2015, involving children, youth, parents, school representatives, health service representatives, civil society and relevant ministries. It is expected that those policy consultations will result in a rights-based national child protection system aimed at preventing, protecting and rehabilitating children at risk of recruitment, with particular attention devoted to the most vulnerable. To respond to the humanitarian crisis generated from internal displacement, UNICEF, in collaboration with child protection partners, worked with the Ministry of Labour and Social Affairs to set up a Child Protection Information Management System and common case management protocols to track and address reported cases of vulnerable children. The system is operational mainly in the three governorates of the Kurdistan Region in Iraq.

65. The UNICEF-led child protection subcluster, which brings together relevant United Nations agencies, and international and local non-governmental organizations to respond to child protection issues, was strengthened and established in the three governorates of the Kurdistan Region in Iraq and in Baghdad. The subcluster provided a forum for members to feed into the various national protection and other coordination forums, including on strategic planning processes. The number of child protection organizations responding to the ongoing crisis increased significantly during the reporting period. From January 2013 to June 2015, child protection organizations reached 103,181 children with psychosocial support, provided specialized assistance to 10,398 children, and identified and documented up to 1,474 separated and unaccompanied children among refugees and internally displaced persons. The efforts of civil society organizations in Iraq to advance the protection of children must also be commended as they work under extremely difficult circumstances.

VI. Recommendations

66. I condemn, in the strongest possible terms, the continuous grave violations committed against children in armed conflict, in particular the abhorrent violations against the rights of children by ISIL, which may amount to war crimes or crimes against humanity. I note in particular the high number of children who have been

killed or maimed and call on the parties to respect their obligations under international law and to immediately end this and other grave violations against the rights of children.

67. I call upon all parties to respect the civilian character of schools and hospitals and cease attacks against them and to cease attacks and threats of attack against protected personnel.

68. I call upon the Government of Iraq to abide by its obligations under international humanitarian, human rights and refugee law and ensure the protection of civilians. I urge the Government to take all necessary measures to ensure that the rules of engagement of all security forces in Iraq, including Government-affiliated armed groups, include special protection measures for children.

69. I call upon the Government of Iraq to ensure that the popular mobilization forces immediately end the recruitment and use of children and release all children currently associated with them, and to ensure that all children who are released are reintegrated in close cooperation with relevant child protection partners.

70. I reiterate my call on the Ministry of Defence to develop appropriate age verification procedures to preclude underage recruitment in Government-affiliated armed groups, as was also stressed by the Working Group on Children and Armed Conflict in its recommendations to the Government.

71. I support the efforts of the United Nations and the Government of Iraq to address issues related to children and armed conflict and encourage further engagement with tribal and religious leaders to seek their commitment and assistance in ending the recruitment and use of children.

72. I commend the efforts of the Government of Iraq to strengthen the rule of law, in particular the recent announcement by Prime Minister al-Abadi of an anti-corruption reform followed by a call on parliament and the Prime Minister by Grand Ayatollah al-Sistani to focus reform efforts around improving the judiciary.

73. I call on the Government of Iraq to treat children associated with armed groups primarily as victims and to ensure that deprivation of the liberty of children, for any purpose whatsoever, should be a last resort and for the shortest time possible. In this regard, the Government of Iraq should guarantee the principle of the absolute prohibition of torture and other human rights guarantees and ensure their strict application in all circumstance.

74. I urge the Government to conduct comprehensive, independent and prompt investigations into alleged violations against children so that perpetrators, in particular of alleged war crimes and crimes against humanity, are held to account. In this regard, legislative reform to fully criminalize the recruitment and use of children under the age of 18 is an important first step. The Government of Iraq should also guarantee that those found responsible for grave violations against children are not integrated into any Government security forces.

75. I urge the Government of Iraq to amend legislation and guarantee that the death penalty and life imprisonment are never applied for crimes committed by persons under 18 years of age. If no clear proof of age can be established, young persons should be presumed to be children. In particular, I call upon the Iraqi authorities to review the cases of the three foreign individuals condemned to death for crimes allegedly committed as juveniles as a matter of priority.

76. I encourage the Government of Iraq to continue its cooperation with the United Nations system, including with the country task force on monitoring and reporting, and I strongly encourage the activation of the inter-ministerial committee. I furthermore encourage the Government to finalize the review of the child protection policy in cooperation with UNAMI and UNICEF.

77. I welcome the contributions of the donor community to support the United Nations and the Government of Iraq in implementing national programmes and initiatives to enhance the protection of children in Iraq, especially those affected by armed conflict, and I urge donors to redouble their efforts to provide additional financial support. Particular focus should be given by donors to reintegration programmes for children who have been recruited and used.
