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European Asylum Support Office

EASO Country of Origin Information Report

Iraq

Targeting of Individuals

March 2019

SUPPORT IS OUR MISSION

European Asylum Support Office

EASO Country of Origin Information Report

Iraq Targeting of Individuals

March 2019

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Cover photo: © Joel Carillet, An Iraqi flag flies from the top of the heavily damaged Church of St. Ephraim, a Syriac Orthodox church, in Mosul, Iraq, in the months after this part of Mosul was taken from ISIS. The ISIS emblem was painted on the front of the building during the ISIS occupation of Mosul.

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Disclaimer

This report was written according to the EASO COI Report Methodology (2012).[1] The report is based on carefully selected sources of information. All sources used are referenced.

The information contained in this report has been researched, evaluated and analysed with utmost care. However, this document does not claim to be exhaustive. If a particular event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist.

Furthermore, this report is not conclusive as to the determination or merit of any particular claim to refugee status or asylum. Terminology used should not be regarded as indicative of a particular legal position.

'Refugee', 'risk' and similar terminology are used as a generic terminology and not as legally defined in the EU Asylum Acquis and the Geneva Convention.

Neither EASO nor any person acting on its behalf may be held responsible for the use which may be made of the information contained in this report.

The drafting of this report was finalised in December 2018. Any event taking place after this is not included in this report. More information on the reference period for this report can be found in the methodology section of the Introduction.

[1] The EASO methodology is largely based on the Common EU Guidelines for processing Country of Origin Information (COI), 2008, and can be downloaded from the EASO website: http://www.easo.europa.eu.

Glossary and abbreviations

AAH	Asaib Ahl al-Haq (The League of the Righteous)
Al-hashd al-Ashari	Sunni tribal militia units composed mainly of Sunni tribes; some affiliated with the Popular Mobilization Units
Al-hashd al Shaabi	Popular Mobilization Units (PMU) or Popular Mobilization Forces (PMF)
AQI	Al Qaeda in Iraq
Asayish	Intelligence services of the Kurdistan Region of Iraq.
AI	Amnesty International
Badr Organization	Iranian-backed Shia militia that is part of the Popular Mobilization Units.
Daesh	See ISIL
DFAT	Department of Foreign Affairs and Trade of the Australian government
DIS	Danish Immigration Service
fasliya	A traditional practice whereby family members, including women and children, are traded to settle tribal disputes.
fasl/Fasil	Often referred to as 'blood money' in English. In Iraq the Qur'anic term *diya* is also used. It concerns the payment of financial compensation to the injured party in order to resolve tribal conflict.
FFM	Fact Finding Mission
FGM	Female Genital Mutilation
HRW	Human Rights Watch
IED	Improvised Explosive Device
IS	Islamic State. See ISIL
ISF	Iraqi Security Forces
ISI	Islamic State of Iraq. See ISIL
ISIL	The Islamic State of Iraq and al-Sham (the Levant).
ISIS	See ISIL
ISW	Institute for the Study of War

IDP	Internally Displaced Person
jizya	A tax to be paid by Abrahamic non-Muslims such as Christians and Jews. Imposed by ISIL in areas it controlled.
KH	Kataib Hezbollah. Iranian-backed Shia militia that is part of the Popular Mobilization Units.
KDP	Kurdistan Democratic Party
KRG	Kurdistan Regional Government
KRI	Kurdistan Region of Iraq – refers to Dohuk, Erbil, Sulaymaniyah governorates
KSF	Kurdish Security Forces
MoI	Ministry of Interior
mukhtar	Local community leader
OSAC	Overseas Security Advisory Council
OHCHR	Office of the United Nations High Commissioner for Human Rights
Peshmerga	Military forces of the Kurdistan Region of Iraq
PKK	Kurdistan Workers' Party
PMF	Popular Mobilization Forces
PMU	Popular Mobilization Units
PUK	Patriotic Union of Kurdistan
Saraya al-Salam	Also known as the Peace Brigades. Shia militia linked to cleric Muqtada al-Sadr.
takfir	An Arabic word meaning 'unbeliever'; Extremist Islamist ideology employed by ISIL to declare individuals as apostates or impure; used against those who do not pledge allegiance.
UNAMI	United Nations Assistance Mission for Iraq
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNHCR	United Nations High Commissioner for Refugees
USAID	United States Agency for International Development
USDOS	United States Department of State
VBIED	Vehicle Borne Improvised Explosive Device
Wilayat	Term for 'province' used by ISIL

Introduction

This report was drafted by Country of Origin Information (COI) specialists from Cedoca, the Belgian COI unit, as referred to in the Acknowledgments section. This report addresses topics related to the individual targeting of individuals by armed actors and sectors of society. It is written in conjunction with additional reports on Iraq on the topics of: Actors of Protection, Key socio-economic indicators (Baghdad, Basrah, Erbil), Internal mobility, and Security situation.

This report on targeting should be read in conjunction with the 2018 report titled EASO COI Report – Iraq: Actors of Protection. The Actors of Protection report discusses inter alia the configuration, functioning and protection capabilities of government actors and affiliated armed groups. That report also describes the mandate/structure, capacity and integrity issues of the Iraqi Security Forces (army/police), Popular Mobilization Units (PMU), Kurdistan Regional Government forces (Peshmerga/Asayish), and the judiciary.

Methodology

- Defining the terms of reference

The report aims to provide relevant information for the assessment of international protection status determination (refugee status and subsidiary protection).
The terms of reference of this report were defined by EASO based on discussions held and input received from COI experts and policy experts from EU+ countries[2] within the framework of a Country Guidance Network exercise to develop a Country Guidance Note on Iraq on the application of Refugee Status and Subsidiary Protection, Article 15(a) and (b) of the Qualification Directive. Terms of Reference for this report can be found in Annex III.

As a general indication, the time frame for the report was intended to provide an overview of the main issues giving context to the Iraqi situation since the ISIL crisis of 2014-2017. The report focuses on recent trends, whilst also taking into account targeting taking place after ISIL's capture of Mosul and subsequent territorial conquests from June 2014 to 2017, with updated information on 2018 where available. Where current information was lacking, relevant information on preceding targeting of individuals was included.

- Collecting information

The information is a result of desk research of public, specialised paper-based and electronic sources until 30 November 2018. Additional research was carried out during the review and finalisation phases through December 2018.

- Quality control

To verify whether the writers respected the EASO COI Report Methodology, a peer review was carried out by COI specialists from the departments listed as reviewers in the Acknowledgements section. All comments made by the reviewers were taken into consideration and most of them were implemented in the final draft of this report.

[2] All EU Member States plus Norway and Switzerland

Structure and use of the report

The report is organised in three chapters. In each chapter, the actor of targeting is presented, followed by the profiles targeted. The first chapter covers targeting by state armed actors and affiliated armed groups, including Iraqi and Kurdish state forces. Recalling that the main state armed groups and security actors are already described in EASO COI Report – Iraq: Actors of Protection, this targeting report includes greater detail on the structure/nature of Popular Mobilization Units (PMU), given the complexity and importance of this actor in the Iraqi context. Annex I provided in this report gives more detail about numerous different PMU formations.

The second chapter focuses on ISIL and targeting perpetrated by this armed group. Its introduction describes the origins and the functioning of ISIL and main profiles targeted by this group.

The last chapter deals with society-based targeting often perpetrated by family/community, tribal, criminal actors, often for a mixture of motives linked to issues such as transgression of norms, gender, criminal aims, or on the basis of particular identities.

It is important to note that a conceptual choice was made by the drafters to organise the content of different profiles under various targeting actors, however, this should not be taken to discount the possibility that profiles may be targeted by multiple agents. Additionally, reporting from Iraq does not always provide clear indications of perpetrators responsible; sometimes violations are not reported and sometimes they are not clearly attributed to one or another perpetrator. Furthermore, the reason for a person being targeted is not always clear-cut and some profiles may be targeted by multiple actors for a range of motivations. This is particularly challenging given the Iraqi context, where diverse and overlapping identities permeate society and institutions across a range of lines, such as tribal, religious/ethno-religious, political, sometimes making distinct motivations and actors in targeting difficult to discern in the sources. It was therefore challenging to arrange the content to reflect these complexities.

Map

Map: UN, Iraq [3]

[3] UN, Map No 3835 Rev. 6, July 2014, url.

Context

In 2014, the Salafi jihadist group Islamic State of Iraq in Syria and Levant (ISIL) conquered one third of Iraq's territory and forced the sudden collapse of Iraq's state security forces with the objective to establish an Islamic caliphate.[4] Between June 2014 and December 2017, in the territories it attacked and controlled, ISIL applied a 'sustained and deliberate policy of executing civilians' as a means of exerting control and instilling fear. The group committed mass killings, targeted civilians, imposed strict codes of social behaviour, killing those not in conformity with their Islamist *Takfiri* doctrines.[5] The UN found that ISIL's targeted violence against civilians and minorities in particular may constitute war crimes, crimes against humanity and possibly genocide.[6] Although by the end of 2017, ISIL did not control any territory in Iraq[7], it continues to carry out targeted attacks against civilians[8] and asymmetric attacks across Iraq.[9]

In reference to targeting in Iraq, numerous sources interviewed by the Danish Immigration Service (DIS) and the Norwegian Landinfo in 2018 noted that 'in general, it can be difficult to set up specific profiles of targeted persons in Iraq'. The same source explained that the historical tensions between the Iraqi Sunni and Shia groups still exist, while 'there is also tension among other sectarian groups, such as the Arabs vs. Kurds, minorities vs. other minorities etc.'[10] The number of armed groups involved in security in Iraq since 2014 has expanded, and includes tribal forces, militias, federal and local police, military forces, among others.[11] Al-Monitor reported in 2018 that the growth of 'myriad armed groups' are 'constantly emerging, merging, and dividing'.[12]

Additionally, the Global Public Policy Institute (GPPI)[13] noted that 'the plethora and fluidity of armed groups in Iraq frequently challenges definition.' Furthermore, the distinction between official state forces and non-state forces is not always clear. Especially since the incorporation of the PMU into the security apparatus in 2016, 'the line between non-state armed groups

[4] International Crisis Group, Iraq's Paramilitary Groups: The Challenge of Rebuilding a Functioning State, 30 July 2018, url, p. 1; BBC News, What is 'Islamic State', 2 December 2015, url.
[5] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq, 14 to 23 November 2017 (A/HRC/38/44/Add.1), 5 June 2018, url, pp. 4-5.
[6] UN Human Rights Council, Report of the Office of the United Nations High Commissioner on the human rights situation in Iraq in light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups (A/HRC/28/18), 13 March 2015, url, p. 5.
[7] UN Security Council, Seventh report of the Secretary-General on the threat posed by ISIL (Da'esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat [S/2018/770], 16 August 2018, url, p. 2.
[8] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url; UNAMI, Report on Human Rights in Iraq – July to December 2017, 8 July 2018, url, p. 1.
[9] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, pp. 9-10; UN Security Council, Implementation of resolution 2367 (2017) – Report of the Secretary-General (S/2018/359), 17 April 2018, url, p. 4.
[10] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.
[11] Gharizi, O. and Al-Ibrahimi, H., Baghdad Must Seize the Change to Work with Iraq's Tribes, 17 January 2018, url; Global Public Policy Institute, Iraq After ISIL: Sub-State Actors, Local Forces, and the Micro-Politics of Control, 21 March 2018, url, p. 8.
[12] Al-Monitor, Armed Kurdish groups want disputed territory back in Iraq, 11 January 2018, url.
[13] GPPi is an independent think tank based in Germany that aims to 'improve global governance through research, policy advice and debate', according to its website.

and official forces has become even more attenuated.'[14] GPPI also explained that the minority militias' complicate the picture though they have smaller numbers and a relatively peripheral role in much of the fighting.[15] Furthermore, criminality involves a range of armed groups, tribes, and criminal gangs.[16]

[14] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, pp. 2-3.
[15] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 5.
[16] DW, Killings of high-profile women in Iraq spark outrage, 2 October 2018, url.

1. Targeting by state actors and affiliated armed groups

1.1 State actors and affiliated armed groups

This chapter examines the Government of Iraq and the Kurdistan Regional Government (KRG) as potential actors of persecution or serious harm. This part provides information on examples of profiles that have been targeted by state actors of the Iraqi and Kurdish governments, with information from 2017-2018, where possible. However, agents and motivations are not always clear-cut in the sources and in the examples provided, given the changing security context and cycles of violence in 2017 and 2018 which made patterns harder to discern during drafting. The main actors of the state judiciary and government's security forces' mandate, structure, capacity, and integrity are provided in the 2018 EASO report on Iraq: Actors of Protection. The main state actors referred to in this report include: Iraqi Security Forces (ISF) (Federal and local police), Popular Mobilization Units (PMU), KRG forces. Additional detail on PMUs has been provided below, as it includes many different actors.

1.1.1 The Iraqi Security Forces

Profiles of persons targeted by the Iraqi Security Forces

Regarding the targeting of individuals in Iraq by state agents, the 2018 report of the DIS/Landinfo joint fact-finding mission (FFM) to the Kurdistan Region of Iraq (KRI) noted that the 'primary profile that is targeted by all security actors is people, who are suspected to have some kind of affiliation with ISIS [Islamic State of Iraq and the Levant], who may face impediments and limitations, such as arrests, abuses, refusals to return to the areas of origin, confiscation of documents, limitations of social services etc. There have been examples of collective punishments of larger groups of people who were accused of ISIS-affiliations.'[17] According to the US Department of State's (USDOS) 2018 country report (covering 2017), although the Islamic State of Iraq and the Levant (ISIL) carried out the majority of abuses that year, the government's forces have been involved in unlawful killings, abuse and torture during arrest, pre-trial detention, and after conviction in a wide range of abuses including extra-judicial killings.[18] An Iraq analyst interviewed in 2018 by DIS/Landinfo indicated there are fewer reports of human rights violations being committed by the Iraqi Security Forces (ISF) in 2018.[19] Regarding ISF's capacity in the KRI the DIS/Landinfo 2018 FFM report noted that Kurdish security forces have full control of the region and no ISF are operating inside the KRI. The same report further stated that 'it is not a priority for the ISF to target people in the Kurdish areas.'[20]

[17] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.
[18] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[19] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 24.
[20] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 24.

1.1.2 Popular Mobilization Units

Popular Mobilization Units (PMUs) are also described in the EASO report, Iraq – Actors of Protection. Additional descriptions on specific main elements of the Popular Mobilization Units are provided in Annex I: Popular Mobilization Units – main militias and associated groups.

Modus operandi and structure

Rapidly expanded to halt the advance of ISIL in June 2014, the original objective of the PMU in 2014 was to repel ISIL. Benefiting from the combat experience of existing Shia militias prior to 2014, the PMU evolved into a military force that proved capable of bringing ISIL advances to a standstill and reclaiming territory relinquished by the Iraqi army.[21] The PMU filled the security vacuum created after the collapse of the Iraqi armed forces and emerged as 'both a pivotal military and political actor'.[22] Foreign Policy magazine noted in January 2018 that PMU militias continue to provide support to the overstretched Iraqi Army, especially on the local level.[23]

According to DIS/Landinfo's 2018 FFM report, the present structure of the PMUs was formed in June 2014 to counter ISIL's offensive. However, the PMUs consist of several different militias and armed groups of which some were already established as early as 2003.[24] PMUs are recruited voluntarily and are very influential and popular among the majority of the population in Iraq and enjoy strong links to the major political parties of Iraq.[25]

Immediately after the Iraq's army collapse in June 2014, Prime Minister Maliki signed an official decree to form the Popular Mobilisation Commission[26] as the sole government body responsible for the administration of the PMU[27] and to give the PMU armed groups a sense of legal justification and a degree of institutionalisation.[28] In March 2018, Prime Minister Haider al-Abadi issued a decree formalising the inclusion of the PMU into the country's security forces. According to the decree, members of the PMU are granted many of the same rights as members of the military, such as equivalent salaries, access to military education and being subject to military service law.[29] However, Iraq expert Renad Mansour comments that the PMU leadership has rejected Baghdad's decrees, and aims to become as an 'institutionalized autonomous force'.[30]

[21] Global Public Policy Institute, Iraq After ISIL: Sub-State Actors, Local Forces, and the Micro-Politics of Control, 21 March 2018, url, p. 6.
[22] Frentzel, K., The future role of the Hashd al-Shaabi in Iraq – Key influencers of Post- ISIS politics?, May 2017, url, p. 1.
[23] Foreign Policy, Iraq's militias set their sights on political power, 30 January 2018, url.
[24] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 22.
[25] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 23.
[26] Mansour, R. and Jabar F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, p. 6.
[27] AI, Iraq: turning a blind eye – the arming of the Popular Mobilization Forces, 5 January 2017, url, p. 9.
[28] Mansour, R., More than militias: Iraq's Popular Mobilization Forces are here to stay, 3 April 2018, url.
[29] Middle East Eye, Iraq's Abadi inducts Iran-linked militias into security forces, 8 March 2018, url.
[30] Mansour, R., More than militias: Iraq's Popular Mobilization Forces are here to stay, 3 April 2018, url

According to a 2017 report by Kari Frentzel, a guest researcher at the Syria/Iraq Office of the Konrad Adenauer Foundation[31], the PMUs are officially under the control of the Iraqi state through the Popular Mobilisation Commission. Former Prime Minister Haider al-Abadi, as commander in chief, was the nominal head of this commission; however, government control over the militias that constitute the PMUs is limited.[32] The same source further explained that 'each militia has an autonomous command structure and thus, the militias are able to act with relative autonomy from the government.'[33] The PMUs 'lack a single leadership structure and a unified ideological stance' and they are 'a myriad of competing organizations with very different ideological viewpoints'.[34] An informal chain of command responds by way of Iranian proxy militias to the Iranian Islamic Revolutionary Guard Corps (IRGC) Quds Force and, thus to Tehran. In 2017, Amnesty International (AI) observed that 'in reality PMU militias often act outside of the state's command and control structures.'[35]

Official statistics on the number of militias within the PMU are not available.[36] Sources report that PMUs range from 60 000 and 140 000 fighters[37] registered in about 60-70 groups.[38] The DIS/Landinfo 2018 report explains:

> 'A low estimate of the total size of the PMUs is that they at least have 120,000 members. The PMUs consist of many different militias, out of which the majority are Shia militias. There are Shia militias that are supported by Iran, whilst others have a more internal nationalist agenda. There are also Shia militias who have been driven by the Syrian war and have been fighting in Syria. The ethnic and religious minorities do also have their own PMUs, such as Turkmen, Christian, Yezidi and Shabak PMUs etc. There are some Sunni PMUs that consist of 17,000-25,000 members. Most of them were established in late 2014 in alliance with the Iraqi government to fight ISIS. The recruitment to the PMUs is entirely on a voluntary basis. Many join the PMUs for economic reasons, because the salaries are attractive, compared to the rest of Iraq. The PMUs are very influential and they are popular among the majority of the population for their effort to defeat ISIS; they are active in promoting themselves through PR campaigns and media coverage; and they are closely linked to the most important political parties in Baghdad.'[39]

Iraq analysts Renad Mansour and Faleh A. Jabar stressed that the PMU do not form a monolithic Shia militia. Rather it is a complex umbrella organisation 'consisting of fifty or so groups varying in size from a few hundred to tens of thousands combatants each'.[40] The major

[31] KAS is a think tank and political foundation linked to Christian Democracy in Germany and is focused on consolidating democracy and promoting civic education; the think tank produces analyses meant to 'offer a basis for possible political action', according to its website.
[32] Frentzel, K., The future role of the Hashd al-Shaabi in Iraq – Key influencers of Post- ISIS politics?, May 2017, url, p. 3.
[33] Frentzel, K., The future role of the Hashd al-Shaabi in Iraq – Key influencers of Post- ISIS politics?, May 2017, url, p. 4.
[34] Mansour, R., After Mosul, will Iraq's paramilitaries set the state's agenda?, 27 January 2017, url.
[35] AI, Iraq: turning a blind eye – the arming of the Popular Mobilization Forces, 5 January 2017, url, p. 5.
[36] AI, Iraq : turning a blind eye – the arming of the Popular Mobilization Forces , 5 January 2017, url, p. 9.
[37] AP, Fears in Iraqi government, army over Shiite militias' power, 21 march 2016, url; Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, p. 27.
[38] Schweitzer, M., The future for Iraq's Popular Mobilization Forces, 18 January 2017, url.
[39] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 22.
[40] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, p. 12.

groups that compose the mainly Shia PMU fall into three distinct main clusters with varying political agendas[41]:

- pro-Khamenei (pro-Iranian);[42]
- pro-Sadr[43] PMUs, mainly the Saraya al Salam (Peace Brigades) which were organised by Cleric Muqtada al-Sadr;[44]
- pro-Sistani (referring to Iraq's highest cleric) PMUs.[45] The two central Shia religious establishments in the holy cities of Karbala and Najaf raised their own militia units, which remained directly subordinate to the Shia clerics and are loyal to Grand Ayatollah Ali al-Sistani.[46]

There are roughly 20 pro-Khameini groups, some of which tend to be those cited as the most prominent and powerful of the PMUs. Among them, the key prominent groups are the Badr Force, Asaib Ahl al-Haq (AAH), Kata'eb Hezbollah (KH), Kata'ib Sayyid al-Shuhada, Kata'ib al-Tayyar al- Risali, Kata'ib al-Imam Ali and Jaysh al-Mukhtar militias allied to Iran.[47] Iraqi media source Niqash also names Badr Organisation, AAH, KH, as well as the Khorasani Brigades and the Sayed al-Shuhada Brigades. These groups' 'military activities are supervised by Iranian military leaders and they tend to be more heavily armed and more powerful than other militias.'[48]

Muqtada al Sadr's militia, Saraya al-Salam, the Ashura Brigades and the Supporters of the Faith Brigades are 'associated with existing Shiite Muslim political parties and have their own party's agenda at heart'.[49] Both Sadr's and Sistani's groups have complained of not being paid enough by the Popular Mobilization Commission, which they accuse of favouring the pro-Khamenei paramilitaries.[50]

The pro-Sistani militias were created following al Sistani's 2014 *fatwa* and aim to protect Shia shrines and include the Ali al-Akbar brigades, the Abbasiyah Shrine brigades, the Alawite Shrine brigades and the Husayniyah Shrine brigades. They are at 'the disposal of the Iraqi government' and are not as well-armed; they are also fewer in number than the pro-Khamenei militias.[51] According to administrators in al-Abbas, 'the division includes 7 310 active-duty members and a reserve contingent of between 35 000 and 40 000 members.'[52] The Ali al-Akbar Brigade counts 5 000 men, with more than 1 000 Sunni members.[53]

In government-controlled and in reconquered territory from ISIL, PMUs took up security duties to ward off ISIL terror attacks. Iraq analyst Norman Cigar notes that the militias

[41] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, pp. 12-15.
[42] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, pp. 12-15.
[43] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, pp. 12-15.
[44] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, pp. 15- 17.
[45] Mansour, R. and Jabar F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, pp. 12-15.
[46] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, pp. 15-17.
[47] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, pp. 15-17.
[48] Niqash, Taming the beast: can Iraq ever control its controversial volunteer militias?, 4 August 2016, url.
[49] Niqash, Taming the beast: can Iraq ever control its controversial volunteer militias?, 4 August 2016, url.
[50] Mansour, R., After Mosul, will Iraq's paramilitaries set the state's agenda?, 27 January 2017, url, p. 5; Mansour, R., Iraq after the fall of ISIS: the struggle for the state, July 2017, url, p. 15.
[51] Niqash, Taming the beast: can Iraq ever control its controversial volunteer militias?, 4 August 2016,url.
[52] Knights, M. and Malik, H., The al-Abbas combat division model: reducing Iranian influence in Iraq's security forces, 22 August 2017, url.
[53] Slow Journalism Company (The), Brothers in arms, 25 March 2016, url.

provided a reserve element for the defence of Baghdad.[54] In the southern provinces militias relieved army and police by providing general security after the army deployed into combat.[55] Amnesty International reports that, at checkpoints as well as on the battlefield, PMUs operated both independently and alongside government forces. Militias also used army and security forces' bases and detention centres.[56] An Iraqi politician, interviewed by Landinfo and Lifos in March 2017, stated that PMUs can enter any private home, even the home of a member of Parliament. He further stated that PMUs have the ability to make arrests of their own and operate their own prisons.[57] The Geneva International Centre for Justice (GICJ)[58] also reported that militias detain suspects in 'secret prisons'.[59]

In January 2017, Niqash noted that 'most neighborhoods in Baghdad have a [PMU] base – usually an office – belonging to whichever militia is present in that part of the city'. In the southern provinces militias maintain a similar presence. Niqash further stated that militia at times take over police duties, intervening, for instance, in disputes and engaging in conflict resolution.[60] The Economist reported in 2017 that militia members are 'prone to patrolling Baghdad's streets as religious police'.[61] In June 2016, the Washington Post reported that militias enforce public morals, punishing, for example, persons who drink alcohol, gamble or hire prostitutes.[62]

Background on PMUs involvement in abuses

According to a May 2018 report published by Harvard University, Iranian 'proxy' PMUs (Kata'ib Hezbollah, Asaib Ahl al-Haq (AAH), and the Badr Organization) are more sectarian and prone to sectarian abuses, while PMUs that are loyal to Ayatollah Sistani are reportedly 'generally considered more moderate' and 'less prone' to abuses on sectarian grounds. Sadrist PMUs are 'somewhere in between'.[63] PMU leaders have acknowledged that abuses occur, but they state that in their view these are acts committed by individuals and do not constitute a policy.[64]

In October 2014, Amnesty International accused Shia militias of committing serious human rights abuses, including war crimes, and abducting and killing Sunni civilian men in Baghdad and around the country. Amnesty International documented dozens of cases of abductions and unlawful killings by Shia militias in Baghdad, Samarra and Kirkuk and indicated that many more such cases were reported all over the country in 2014.[65] Most abuses in the 2014-2017 period were by ISIL, according to USDOS, though elements of the PMU were engaged in

[54] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, p. 29.
[55] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, pp. 27-34.
[56] AI, Iraq: turning a blind eye – the arming of the Popular Mobilization Forces , 5 January 2017, url, p. 10.
[57] Norway, Landinfo, Irak: Situasjonen for sunnimuslimer i Bagdad [Situation of Sunni Muslims in Baghdad], 23 June 2017, url, p. 10.
[58] GICJ is a non-profit NGO committed to the 'promotion and reinforcement of commitments to principles and norms of human rights' which prepares reports on human rights violations for submission to the United Nations based on a coalition of NGO contacts, academics, and lawyers, according to its website.
[59] GICJ, Militias in Iraq - The hidden face of terrorism, September 2016, url, p.19.
[60] Niqash, Baghdad's legal gangs? As Iraqi Police lose control of Baghdad's streets, militias take over, 19 January 2017, url.
[61] Economist (The), America and Iran are jostling over influence in Iraq, 12 April 2017, url.
[62] Washington Post (The), Feared Shiite militias back in spotlight after three Americans vanish in Iraq, 21 January 2016, url.
[63] Ahn, J. et al., The Politics of Security in Ninewa, 7 May 2018, url, p. 20.
[64] Niqash, 'We Don't Deny Militias Have Committed Violations', 19 August 2015, url; Bloomberg, Why Iraq Doesn't Punish its Militias' War Crimes, 9 February 2016, url.
[65] AI, Absolute impunity: Militia rule in Iraq, 14 October 2014, url, pp. 4-5.

unlawful killings, disappearances, kidnappings, extortion, and revenge attacks in the course of the fighting against ISIL.[66] In 2015, there were reports of instances of militia and armed groups supporting the government being involved in, for example:

- perpetrating 'targeted killings, abducting civilians and committing other abuses'. Especially in Diyala province there is a high number of abductions, purportedly carried out by militias, also targeting Sunnis;[67]
- forced evictions, abductions and summary executions;[68]
- sporadic abductions of Sunni Arabs by the PMUs;[69]
- carrying out targeted killings, abductions of civilians and destruction of property.[70]

During 2016, there were reports of PMUs killing, torturing, kidnapping and extorting civilians. Some elements of Shia militias were involved in attacks on Sunni civilians, reportedly avenging ISIL crimes.[71] Civilians fleeing from conflict areas were subjected to threats, intimidation, violence, and abductions by armed groups operating alongside the ISF.[72] In June 2016, Human Rights Watch reported abuses committed by government forces, including PMU, during the offensive to retake Fallujah from ISIL. During the offensive, summary executions, beatings of unarmed men, enforced disappearances and mutilation of corpses were reported, mainly occurring on the outskirts of the city.[73] In January 2017 and in April 2017, the UN Security Council stated that UNAMI has received a 'small number of reports of violations' committed by government and pro-government forces.[74] In its 2017/2018 year report Amnesty International noted that Iraqi forces, including the PMUs, arrested thousands of alleged terrorism suspects without judicial warrant from their homes, checkpoints and camps for internally displaced people.[75]

Profiles of persons targeted by the PMU

The DIS/Landinfo 2018 FFM report described the profiles of persons targeted by the PMUs as follows:

> 'the PMUs are primarily targeting persons, who are suspected of being affiliated with ISIS or family members to those. These are most often Sunni Arab young men, but, in general, other Sunni Arabs and Sunni Turkmens also suffer from a form of collective abuses, killings, discriminations etc. The PMU are often reacting in retaliation for ISIS-incidents. One source said that the PMUs have the capacity to target whom they want.

[66] USDOS, Country Report on Human Rights Practices 2014 - Iraq, 25 June 2015, url; USDOS, Country Report on Human Rights Practices 2016 - Iraq, 3 March 2017, url; USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[67] UN Security Council, Second report of the Secretary- General pursuant to paragraph 6 of resolution 2169 (2014), 2 February 2015, url, p. 12.
[68] Human Rights Watch, Iraq: Militias escalate abuses, possibly war crimes, 15 February 2015, url.
[69] Human Rights Watch, Ethnic fighting endangers civilians, 13 January 2016, url.
[70] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, pp. ii, 26, 27, 30.
[71] USDOS, Country Report on Human Rights Practices 2016 - Iraq, 3 March 2017, url;
[72] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, pp. i, ii, 19, 20.
[73] Human Rights Watch, Iraq: Fallujah abuses test control of militias, 9 June 2016, url.
[74] UN Security Council, Report of the Secretary- General pursuant to resolution 2299 (2016), 26 January 2017, url, p. 11; UN Security Council, Report of the Secretary- General pursuant to resolution 2299 (2016), 25 April 2017, url, p. 6.
[75] AI, Amnesty International Report 2017/18 - Iraq, 22 February 2018, url.

> They have very good intelligence capabilities that reach out to most of the Iraqi society. The PMUs can target political or economic opponents, regardless of their religious or ethnic background. After October 2017, there were reports on PMU violations against the Kurdish population in Kirkuk and Tuz Khurmatu. The targeted Kurds were mostly members of the political party KDP [Kurdish Democractic Party] and the Asayish.'[76]

The DIS/Landinfo interviewed an Iraq expert source in 2018 who explained that there are 5 major profiles of those who are targeted by PMUs:

- Political opponents, regardless of religious or ethnic background as militias are fighting for money, power, and influence attack rivals, including other Shia militias;
- Retaliation attacks, especially after major terrorism incidents, as this can spark retribution attacks, particularly targeting Sunni communities arbitrarily;
- Targeting of Iraqi civil society activists and journalists, especially critical of the PMUs;
- Targeting of people who deviate from morality mostly from Shia social norms, such as LGBT people, Christians, alcohol sellers; sometimes with the support of the Shia community;
- PMUs also target business owners for the purpose of extortion.[77]

The DIS/Landinfo's November 2018 FFM report further noted that 'the PMUs are not targeting people in the KRI. It is considered unlikely that the PMUs conduct such actions as it is not a priority for them, and they do not have the capacity to operate in KRI.'[78]

In April 2018, Amnesty International reports that government forces, including PMUs, have been preventing families with perceived ties to ISIL from returning to their home or places of origin. Iraqi forces, including the PMUs, have also regularly arrested and forcibly disappeared men with perceived ISIL ties directly from IDP camps. Sexual exploitation of women in IDP camps by members of the PMUs was also reported.[79]

1.1.3 Kurdish Regional Government forces

The security actors of the Kurdish government, the Peshmerga and the Asayish are described in the EASO report, Iraq – Actors of Protection.

Regarding the profile of persons targeting by the Kurdish forces inside the KRI, the 2018 Landinfo/DIS report noted the following:

> 'The Kurdish security actors are targeting political and societal opposition in the KRI. Human rights advocates, activists, journalists and protesting civil servants are being targeted when they display criticism of the political leadership. The latest example of this was in March and April 2018 when public servants protested the lack of wages

[76] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.
[77] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 46.
[78] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 23.
[79] AI, The condemned- Women and children isolated, trapped and exploited in Iraq, 17 April 2018, url, pp. 17, 29, 34.

> and increasing poverty. The demonstrations were violently suppressed by armed members of the political parties and the Asayish. Furthermore, more than four journalists have been killed in the region. The security forces in the KRI are also targeting suspected ISIS affiliates who are often Sunni Arabs.'[80]

In November 2018, DIS/Landinfo reported that since October 2017, Kurdish forces withdrew and are no longer in the disputed areas of Iraq, and that according to one source they interviewed for their 2018 FFM report, 'no individuals are being targeted by the Kurdish forces in the disputed areas or in the rest of Iraq anymore since October 2017.'[81] Instances of prior to that are explained below.

1.2 Sunni perceived to be ISIL collaborators or sympathisers

This section should be read in conjunction with Section 1.3 on treatment of IDPs.

Thousands of suspected ISIL fighters and affiliates have been detained by Iraqi government forces and face criminal prosecution in the country's counterterrorism courts. The prosecutions of suspected ISIL fighters and affiliates present a number of shortcomings, including wrongful arrests and mistreatment of suspects.[82] Numerous death penalty sentences have been issued.[83] Earlier reporting makes note of retaliatory violence against suspected ISIL collaborators and sympathisers, perpetrated by associated forces of the ISF, including PMU and minority militias, as well as elements of the ISF.[84] As the military battle against ISIL wound down, there were fewer reports of such abuses[85], despite the considerable freedom of action militias maintain in Iraq.[86]

1.2.1 Prosecution of ISIL suspects

In an October 2018 report the United Nations Security Council writes that the United Nations Assistance Mission for Iraq (UNAMI) continued its monitoring of trials in Iraq, including those of alleged ISIL members. It further notes its concern about the lack of consistent adherence to the requirements of due process and a fair trial, in particular 'the failure of the courts to investigate allegations by defendants that confessions were obtained through torture or other

[80] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 25.
[81] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 25.
[82] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, pp. 1-4.
[83] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, pp. 52-54; UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, p. 10; De Standaard, Dus u hoort niet bij IS? Toch geef ik u levenslang, 2 June 2018, url.
[84] AI, Investigate Reports Iraqi Forces Tortured and Killed Villagers near Mosul in 'Cold Blood', 10 November 2016, url; Human Rights Watch, Iraq: 37 Men Fleeing Fighting Detained, 10 November 2016, url; AP, Iraqis Dispense what They Call Justice for Alleged Militants, 26 October 2016, url; AI, Displaced Iraqis Abused by Militias and Government Forces, 18 October 2016, url; Human Rights Watch, Iraq: Ban Abusive Militias from Mosul Operation, 30 July 2016, url; AI, Iraq: Authorities Must Rein in Forces amid Allegations of Torture and Deaths in Custody, 8 June 2016, url; UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 21; UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 25.
[85] UN Security Council, Report of the Secretary- General pursuant to resolution 2299 (2016), 26 January 2017, url, p. 11; Economist (The), Fifteen years after America's invasion, Iraq is getting back on its feet, 31 March 2018, url.
[86] ISW, 11 July 2018, email to EASO; Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url, pp. 28-54; Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 19.

forms of ill-treatment and the passive role played by defence counsel, thus undermining a defendant's right to effective counsel'.[87]

Whilst pursuing their military campaign against ISIL, the Iraqi and KRG authorities have arrested large numbers of ISIL suspects under the provisions of the 2005 Anit-terrorism Law (Law 13/2005). This law covers a variety of crimes including membership and support for a terrorist organisation, but also crimes like possession or use of explosives, or kidnapping.[88] This law, however, does not include rape, sexual slavery and other crimes that can be qualified as war crimes, crimes against humanity or genocide, as Human Rights Watch (HRW) points out in its report on the accountability for ISIL crimes from December 2017.[89]

Sources interviewed during the DIS/Landinfo 2018 mission to KRI noted that due to ISIL being a primarily Sunni organisation, the majority of the population considers Sunni Arabs potentially affiliated with extremist groups.[90] Belkis Wille, a senior researcher on Iraq with Human Rights Watch, explained during an 2017 EASO cooperation meeting on Iraq that 'every person who has lived in a territory under the control of the IS in the past three years is a potential terrorist' adding that persons perceived to be ISIL affiliates were detained by the PMUs, usually without a warrant.[91]

Official numbers of persons arrested under the provisions of the 2005 Anti-terrorism Law are not available. According to an analysis by Associated Press from March 2018, however, in January 2018, at least 19 000 people were detained or imprisoned under accusation of connections to ISIL or other terror-related offenses. The same article further noted that more than 3 000 of them were sentenced to death.[92]

Various sources reported that many of the arrests and also the subsequent detention for terror-related accusations do not comply with the criminal procedure rules: ISIL suspects are arrested without proper warrants issued by a judge; the duration of the period between being taken into detention to a formal arrest is too long; the family of the suspect is not informed; the suspect is not given have access to a lawyer during the interrogations.[93] Another aspect reported by Human Rights Watch are the frequent arrests based on the name of the suspect on a wanted list, which results in numerous cases of people in detention only because their name is similar to that of a terror suspect.[94]

The conditions in the pre-trial detention facilities are precarious, according to Human Rights Watch.[95] Visiting provisional detention facilities in Ninewa Governorate (Qayyarah and Hammam al-Alil) Human Rights Watch observed extreme overcrowding, with at one instance 114 detainees in one cell of about 4x6 meters. The prisoners were kept inside for four months,

[87] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, pp. 10-11.
[88] Iraq, Law Number (13) for the Year 2005, Anti-Terrorism Law, Article 2-3, 7 November 2005, url.
[89] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 29.
[90] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.
[91] Wille, B., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 13.
[92] AP, Iraq holding more than 19,000 because of IS, militant ties. 22 March 2018, url.
[93] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, pp. 21, 25, 42; UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 12.
[94] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 21.
[95] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, pp. 47-48; Human Rights Watch, Iraq: Hundreds Detained in Degrading Conditions, 13 March 2017, url.

with no regular access to the outdoors or showers, and with only one toilet inside the room. The same source further stated that 'the windows were bricked up, and the temperature and stench in the room were overpowering. At least four had died in cases that, according to prison staff, were linked to the lack of proper medical care and hygiene standards.'[96]

The authorities are relying almost exclusively on one provision of the counterterrorism law to prosecute the ISIL suspects: the membership of a terrorist organisation.[97] Other crimes punishable under the counterterrorism law or the criminal law are not charged separately, states Human Rights Watch. The counterterrorism act stipulates only two possible penalties, death or life in prison, but according to Human Rights Watch, the Iraqi Chief Justice declared that judicial discretion would allow judges to hand down lower sentences, without specifying what the possible margin could be.[98]

Human Rights Watch observed that there is an absence of a prioritisation towards the more severe accusations, and notes that the authorities are targeting for prosecution even people who only participated in providing basic services such as electricity or medical care under the ISIL administration.[99] These defendants risk the death penalty or lifelong prison like any other ISIL member.[100]

The same source investigated allegations of torture and concluded that ill treatment of suspects during interrogation in order to extract confessions is widespread in Iraq. Moreover, it observed that 'judges also frequently ignore allegations of torture and convict defendants based on confessions that defendants credibly allege were coerced.'[101] Also according to Human Rights Watch, lawyers declared that, in terrorism cases, they were not allowed to attend interrogations of their clients.[102]

There are also reports that lawyers who come forward to represent ISIL suspects at the initial hearings are labelled 'ISIL lawyers' by the authorities, which can lead to their arrest or even an indictment for terrorism charges, as pointed out in a Human Rights Watch report from September 2018.[103] All 17 lawyers interviewed by the source who were working for international and local organisations that provide legal assistance in and around Mosul declared that since assisting so-called 'ISIL-families' that they have 'witnessed or experienced threats and other verbal harassment by National Security Service or Ministry of Interior Intelligence and Counter Terrorism officers for providing legal representation to those viewed by security forces as "ISIL" or "ISIL families"'.[104] At least 15 private lawyers defending ISIL suspects before Iraqi counterterrorism courts in Ninewa Governorate have been put under arrest between 24 July and 10 August 2017, as stated by Human Rights Watch. The warrants were issued on charges of ISIL affiliation for their work in counterterrorism cases in the past.[105] Lawyers have become very reluctant to defend ISIL suspects, unless they are assigned by the

[96] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, pp. 47-48.
[97] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 27.
[98] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 30.
[99] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 30; Guardian (The), 'They deserve no mercy': Iraq deals briskly with accused 'women of Isis', 22 May 2018, url; New York Times (The), A 10-Minute Trial, a Death Sentence: Iraqi Justice for ISIS Suspects, 17 April 2018, url; New Arab (The), The Iraq Report: Mass executions follow 'sham trials', 21 December 2017, url.
[100] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 30.
[101] Human Rights Watch, Iraq: Judges Disregard Torture Allegations. 31 July 2018, url.
[102] Human Rights Watch, Iraq: Judges Disregard Torture Allegations. 31 July 2018, url.
[103] Human Rights Watch, Iraq: Judges Disregard Torture Allegations, 31 July 2018, url.
[104] Human Rights Watch, Iraq: Officials Threatening, Arresting Lawyers, 12 September 2018, url.
[105] Human Rights Watch, Iraq: Lawyers Arrested for Work in ISIS Courts, 10 August 2017, url.

court. A senior judge told Human Rights Watch that 'private lawyers had stopped taking on ISIS suspects they believed were indeed affiliated with ISIS, only taking on cases of people they thought were wrongly-charged with as ISIS suspects, usually for having similar names.'[106]

ISIL members convicted in courts of the government of Iraq were entitled to release under the General Amnesty Law of August 2016 (No 27/2016), but as Human Rights Watch notes, this law is not applied in a consistent way by the Iraqi judges. The law offers amnesty to those who can demonstrate they joined a terrorist group against their own will, and they did not commit any serious offense before August 2016.[107] However, after the law was criticised due to loopholes that allowed the release of 'dangerous criminals' through pardons and fines, and reports that convicted ISIL members were rampantly paying bribes to avoid prison, the Office of the Prime Minister submitted amendments that 'cancelled the provision that had allowed amnesty for IS members who could prove that they joined against their will and had not committed any serious crimes associated with the group' and these amendments were ratified in November 2017.[108]

The trial of the suspected perpetrators of the Camp Speicher massacre (see section 2.2.1) was the most renowned anti-terrorism case. It started in July 2015 and concluded in February 2016. It was reported that 36 of the 40 men accused of ISIL membership and participation in the murdering of hundreds of Iraqi Air Force cadets were sentenced to death and executed after the Federal Cassation Court confirmed the death sentences. In a second set of trials, the Central Criminal Court sentenced another 27 men to death for their involvement in the massacre.[109] The Report of the UN Secretary-General pursuant to resolution 2367 (2017) from August 2017 mentions 25 death sentences and 25 acquittals.[110] The defendants in the first trial had denied the charges and claimed that their confessions were made under torture during pre-trial detention. These confessions were the main evidence against the accused. The court did not act on the allegations of torture and refused to allow new evidence that could impact the charges.[111]

1.2.2 Retaliatory violence

According to the November 2018 report by DIS/Landinfo the primary profile that is targeted by all security actors present in Iraq is people suspected to have some kind of affiliation with ISIL who as a result 'may face impediments and limitations, such as arrests, abuses, refusals to return to the areas of origin, confiscation of documents, limitations of social services etc.'.[112] The same source further observes that 'people, who lived in areas under ISIS' control, seem to suffer more from discrimination and abuses than people who lived outside of ISIS' control.'[113]

[106] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 42.
[107] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, pp. 4-5.
[108] UNU-CPR and IFIT, The Limits of Punishment, May 2018, url, p. 21
[109] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 29; BBC News, Iraq to hang 27 for IS Camp Speicher massacre, 8 August 2017, url.
[110] UN Security Council, Report of the Secretary- General pursuant to resolution 2367 (2017), 19 October 2017, url, p. 10.
[111] Human Rights Watch, Iraq: Set Aside Verdict in Massacre of Cadets, 16 July 2015, url.
[112] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.
[113] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.

The USDOS annual report on human rights practices in Iraq (covering 2017) noted that some elements of the PMUs engaged in unlawful killings, enforced disappearances, kidnapping and extortion. PMUs were also implicated in several attacks on Sunni civilians, reportedly avenging ISIL crimes against the Shia community.[114] Amnesty International stated that 'PMU militias have carried out a systematic pattern of violations, including enforced disappearance, extrajudicial executions and other unlawful killings and torture of Sunni Arab men and boys, seemingly in revenge for IS attacks.'[115]

Reporting on the protection of civilians in the context of the Ninewa operations and the retaking of Mosul in November 2017 UNAMI noted recorded instances of alleged violations and abuses of human rights by ISF and associated forces.[116] In January 2017 the UN Security Council states that UNAMI has received 'a small number of reports of violations committed by government and pro-government forces'.[117] In a January 2016 report UNAMI noted allegations of unlawful killings committed by ISF and associated forces, including 'attacks and reprisals against persons believed or perceived to support or to be associated with ISIS'.[118]

Acts of revenge in the form of interceptions, enforced disappearances and killings Sunnis committed by ISF and affiliated forces were recorded during 2014-2017.[119] Likewise, in a July 2015 report UNAMI made note of 'continued reports of abuses and violations of human rights and violations of international humanitarian law perpetrated by ISF and associated forces'.[120] Human Rights Watch recorded 74 cases of men and four cases of boys who were detained by Iraqi military and security forces between April 2014 and October 2017 and forcibly disappeared because of their perceived sympathy for ISIL and Al Qaeda. 33 of the cases involved Sunni men and boys from areas under ISIL control that were disappeared Iraqi security forces at checkpoints.[121]

Examples of treatment of local population by government actors and affiliated armed groups include the following lists of incidents below, however, it should be noted that perceived ISIL affiliation is not necessarily explicitly cited as the reason for the abuses in the sources given. Whilst the incidents happened in the context of the battle against ISIL, other factors may have played a role. This list shows the majority of reported incidents occurred in the 2014-2016.[122] In 2016, Ayatollah al-Sistani, in a reaction to allegations of abuse of civilians in Fallujah, in June 2016 cautioned that non-combatants should not be harmed, and Badr leader Hadi al-Ameri vowed to hold those accountable for abuses.[123] Sources report that there has been a reduction of the PMUs role in battles after the state security apparatus regrouped[124], the gradual

[114] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[115] AI, Iraq: turning a blind eye – the arming of the Popular Mobilization Forces , 5 January 2017, url, p. 15.
[116] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, pp. 3, 25.
[117] UN Security Council, Report of the Secretary- General pursuant to resolution 2299 (2016), 26 January 2017, url, p. 11.
[118] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 21.
[119] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 8.
[120] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 25.
[121] Human Rights Watch, "Life Without a Father is Meaningless"; Arbitrary Arrests and Enforced Disappearances in Iraq 2014-2017, 27 September 2018, url, pp. 2, 25.
[122] Comment made by the drafters of this report, Cedoca/Belgium
[123] Human Rights Watch, Fallujah abuses test control of militias, 9 June 2016, url.
[124] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, pp. 20-22.

improvement of the security situation[125], the political ambitions of the PMU leadership[126], as well as an active effort to silence critics of the PMUs.[127] Regarding abuses committed by ISF an Iraq analyst informed the 2018 DIS/Landinfo FFM to KRI that 'the ISF seriously tries to avoid any violations'[128] and the source noted in the 2018 report that 'one would be hard pressed to find examples of violations.'[129]

Baghdad

- Shia militias were allegedly responsible for the 'mass killing' of 61 Sunni men between 1 June and 9 July 2014, and the killings of at least 48 Sunni men in March and April, 2014 in villages and towns around Baghdad, an area known as the 'Baghdad Belt'. In many cases, witnesses identified the militia as Asa'ib Ahl al-Haq.[130]
- During the period of 9-18 November 2014, around 25 individuals were reported to have been abducted from Sha'ab (eastern Baghdad) by militias.[131]
- Between May and October 2015, 'members of the Sunni community from Anbar were abducted, allegedly by militias operating under PMU, after passing to the Baghdad side of Bzebiz Bridge. Some were reported to have been freed after payment of ransoms, while others were allegedly killed.'[132]

Babil

- On 9 July 2014, police found 53 bodies in a ditch in an area north of Hilla (Babil Governorate). Locals stated that Sunni men were targeted and spoke of involvement of AAH in the killings.[133]
- On 6 January 2015, the remains of four men were found in Albu Bahani area, northern Babil. The victims were inhabitants of Jurf al-Sakhr who had reportedly been abducted by militia members over a month earlier.[134]
- On 4 January 2016, alleged militia members operating under PMU shot and killed the muezzin of the Abdallah Jubouri Mosque in Hasswa sub-district, in Iskandariya, Babil province.[135]

[125] UN Security Council, Report of the Secretary- General pursuant to resolution 2299 (2016), 26 January 2017, url, p. 11; Economist (The), Fifteen years after America's invasion, Iraq is getting back on its feet, 31 March 2018, url; Sweden, Lifos, Thematic report: The security situation in Iraq: July 2016-November 2017, 18 December 2017, url, pp. 11-35.
[126] International Crisis Group, Iraq's paramilitary groups, 30 July 2018, url, pp. 6-9.
[127] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[128] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 49.
[129] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 49.
[130] Human Rights Watch, Iraq: pro-government militias' trail of death, attacks on sunnis in at least three provinces, 31 July 2014, url.
[131] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 20.
[132] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 18.
[133] Human Rights Watch, Iraq: pro-government militias' trail of death, attacks on Sunnis in at least three provinces, 31 July 2014, url.
[134] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 27.
[135] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 18.

- On 28 March 2016, three days after an attack in a football stadium in al-Hasswa area, Iskandariya sub-district militia members operating under PMU – attacked the Sunni Mosque in Alexandria city centre, killing the son of the Muezzin. On the same day, uniformed gunmen reportedly stormed a house in al-Hasswa area, Iskandariya sub-district, wounding one civilian and abducting four others. All the victims of these attacks were members of the Sunni community.[136]

Salah al-Din

- In September 2014, a number of people were executed and/or disappeared during militia attacks in Tuz District, Salah al-Din province.[137]
- On 25 March 2015, Shia militia members abducted 125 Sunni Arab residents of Naeb and Tareq Douri villages in the Albo-Khadda and Jalam areas of al-Dour. Their whereabouts are unknown.[138]
- On 9 June 2015, a video appeared on social media showing men, wearing what appeared to be police uniforms, burning a cadaver and shouting sectarian chants. According to sources the corpse was found near al-Alam sub-district in Salah al-Din.[139]
- On 18-19 October 2015, PMU destroyed and burned public and private properties in Baiji, Salah al-Din Governorate. Houses of residents believed to be associated with ISIL were burnt.[140]
- On 22 October 2015, PMUs abducted at least 175 civilians from the Askari and Tin areas of Tuz Khurmatu, Salah al-Din province. The victims were Sunni Arabs who had been displaced to Tuz Khurmatu since June 2014. A day later the bodies of three abductees were found.[141]
- Between 1 and 5 March 2016, 500 to 550 Sunni males from the Khumrani and Juza villages, in the Jazeera Tikrit area were taken away by Asa'ib Ahl al-Haq following a security operation carried out jointly by Federal police and militias. Residents reported mistreatment during the incident or while being held.[142]
- On 11 April 2016, the bodies of five civilians were found in Baiji district, north of Tikrit. The victims were part of a group of Sunni men who were abducted some days before. According to sources the perpetrators belonged to a militia group that operates under the PMU.[143]
- In September 2016, PMUs destroyed hundreds of homes in the village of al-Aithah, situated outside Tikrit, Salah al-Din province.[144]

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[136] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 18.
[137] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, pp. 19-20.
[138] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 27.
[139] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 21.
[140] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, pp. 26-27.
[141] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 22.
[142] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 17.
[143] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 17.
[144] Human Rights Watch, Iraq: Displacement, detention of suspected "ISIS families" – Troops force residents out, demolish homes, 5 November 2017, url.

- On 22 September 2016, Sunni Mobilization Forces killed two alleged members of ISIL in Etha village, northern Shirqat district (Salah al-Din province). The following day they killed another alleged member of ISIL in Shukran village, also situated in Shirqat District. On 26 September 2016 the same perpetrators killed two alleged ISIL members in Jumela village, Shirqat district. On 30 September 2016 they killed another alleged ISIL member in Etha village.[145]
- On 1 October 2016, Sunni Mobilization Forces, specifically the Shirqat Mobilisation, together with PMUs destroyed about 52 residential houses in different villages of Shirqat district. The houses allegedly belonged to well-known ISIL members.[146]
- On 29 November 2016, Farsan al-Jubour, a militia made up of Sunni fighters, summarily executed at least four men they suspected of affiliation with ISIL. These executions took place in Shayalat al-Imam village, situated 70 kilometres south of Mosul in Salah al-Din Governorate. Army forces were present but did not intervene.[147]

Basrah

- In the summer of 2014 at least 19 Sunni civilian men were killed and a further 19 injured in a spate of targeted killings and abductions in Basrah. Anonymous threats were issued to several Sunni mosques and the houses of Sunni citizens in some areas of Abu Khaseeb district were marked with an 'X'. Authorities listed the perpetrators as 'unidentified gunmen'. The local community expressed the view that the victims were targeted for no other reason than their faith.[148]
- On 8 October 2014 three members of the Sunni community were abducted in and around Basrah in public places during daylight hours. Media and local sources alleged that militias had carried out the abductions. UNAMI continued to receive reports from Basrah of abductions believed to stem from the activities of militias active in the area.[149]

Diyala

- On 24-26 November 2014, militias destroyed at least four Sunni Mosques in Saadiya and five in Jalawla (Diyala Governorate), according to unverified reports.[150]
- On 3 December 2014, ISF assisted by members of a militia arrested a man alleged to be an ISIL-leader in Saadiya (Diyala province). He was executed the following day.[151]
- On 23 January 2015, four Sunni mosques were destroyed by Shia militia in Muqdadiya. Homes were also destroyed.[152]

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[145] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 13.
[146] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 14.
[147] Human Rights Watch, Iraq: executions by government-backed militia – Government forces did not intervene, respond, 18 December 2016, url; Human Rights Watch, Integrating Iraqi fighting forces is not enough, 6 January 2017, url.
[148] UNAMI, SRGS Mladenov warns against increased targeting of Sunni minorities in Basra governorate, 20 August 2014, url.
[149] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 21.
[150] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 21.
[151] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 20.
[152] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 29.

- On 26 January 2015, Shia militias and security forces killed at least 56 Sunni Muslims in Barwana, situated in Diyala province. The killings were possibly revenge acts after the killings of Shia militia men and government forces by ISIL in previous days.[153]
- On 10 August 2015, a Sunni man went missing in Baquba after being stopped by PMU militiamen. In retaliation for a bomb attack in a predominantly Shia area in Baquba that day, some 30 Sunni men were rounded up.[154]
- On 11 January 2016, attackers alleged by witnesses to be militia members operating under PMU – detonated explosives against and set fire to at least six Sunni mosques in Muqdadiya district, north-east of Baquba.[155] Abductions and killings were also reported.[156]
- On 2 March 2016, gunmen allegedly belonging to the PMU stormed three houses in al-Ahemar village, west of Muqdadiya. Three adult male civilians, belonging to the Sunni Arab community, were killed.[157]
- On 18 July 2016, in Diyala, gunmen, alleged by witnesses to be Shia militia members, shot and killed one civilian near his home in eastern Kan'an sub-district, in Baquba district. The victim was an employee of a health clinic in Kan'an, who was also a civil society activist from the Sunni Arab community.[158]
- On 13 August 2016, PMU members conducted a raid in villages of Zaghniya Kabira and Zaghniya Saghira, in Abbara sub-district, north-east of Baquba, abducting at least four Sunni residents. The bodies of two abductees with gunshot wounds were later found in a nearby farm.[159]

Anbar

- Since late 2014 members of KH have forcibly disappeared hundreds of men and boys at al-Razzaza checkpoint, which separates Anbar and Karbala governorates.[160]
- In March 2016, a teacher who escaped from the district of al-Qaem went missing after he was taken away for questioning by PMU militiamen at the Razzazza checkpoint, on the road from Anbar Governorate to Baghdad.[161]
- On 27 May 2016, during the military operation to retake Fallujah from ISIL, at least 80 men and boys were detained and abducted by members of armed groups operating in support of ISF, after they fled al-Sejar, in the Abo Sdyrah area, Shyha.[162]
- In June 2016 Iraqi forces, including PMUs, detained and disappeared at least 70 men from Karma, a town north-east of Fallujah.[163]

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[153] AI, Iraq: Barwana massacre-Botched investigation, families waiting for justice, 10 June 2015, url; Human Rights Watch, Iraq: Militias escalate abuses, possibly war crimes, 15 February 2015, url.
[154] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 28.
[155] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 20.
[156] AI, Iraq: Militia war crimes in Muqdadiya highlights authorities' persistent failures to hold them to account, 5 February 2016, url.
[157] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 18.
[158] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 14.
[159] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 14.
[160] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, pp. 8, 27, 28.
[161] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 27.
[162] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 19.
[163] Human Rights Watch, Iraq: Anbar displaced barred from going home, 2 November 2017, url.

- In July 2016 local media quoting the Chair of the Anbar Provincial Council reported that PMUs had destroyed and burned down several mosques in Fallujah.[164]
- During military operations to retake the town of Fallujah (Al-Anbar) and surrounding areas from ISIL in May/June 2016. Hundreds of men and boys reportedly went missing after having been taken into custody by forces affiliated with the PMUs.[165]
- In October 2016, houses in Ramadi, Falujah, Heet and other areas of return in Anbar were marked for eviction on accusation of affiliation with ISIL.[166] As many police, ISF and PMU units relocated towards Mosul, tribal fighters were the major players in these returns area. According to estimates hundreds of families were evicted.[167]
- In November 2016, authorities in Heet district (Anbar Governorate) published two lists, accusing 35 families of affiliation with ISIL. They were ordered to leave their homes, with threats to kill those who refused to leave.[168]
- On 19 November 2016, ISF and PMUs from Karbala Governorate arrested 14 civilians in al-Nukhayb (Anbar governorate). The following day six more civilians were arrested.[169]
- On 11 November 2017, in al-Obeidi village of Qaim district, Anbar, a house belonging to an alleged ISIL member was burnt.[170]

Ninewa

- On 25 January 2015, members of a Yazidi militia attacked two Arab villages, Jiri and Sibaya (Ninewa Governorate). It was reported that 21 residents were killed, forty others were abducted, 17 of whom are still missing. Half of those killed were elderly or disabled men and women and children. Houses were looted and burned.[171]
- In November 2015, after the recapture of Sinjar by Peshmerga forces and associated forces, Yazidi armed groups reportedly engaged in retaliatory attacks against Sunni Arab civilians and property.[172]
- On 14 November 2015, a Yazidi armed group entered the Sunni Arab villages N'eni'a and Golat, north-east of Sinjar in Ninewa Governorate, and looted and destroyed property. The next day another Yazidi armed group shot and injured the village chief and his brother in the Kurdish village Qabousiya, also situated in Ninewa Governorate.[173]

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[164] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 21.

[165] Human Rights Watch, Iraq: Key Concerns for Impending Mosul Battle, 6 October 2016, url; AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url; Human Rights Watch, Iraq: Fallujah Abuses Inquiry Mired in Secrecy, 7 July 2016, url; UN News, Iraq: Security Reform, State Control of Armed Groups Priorities at 'Critical Junction,' UN Envoy Says, 15 July 2016, url; UN Security Council, 4th Report of the Secretary-General Pursuant to Paragraph 7 of Resolution 2233 (2015), 5 July 2016, url, p. 8; UN OHCHR, Zeid Condemns ISIL Atrocities in Iraq, Urges Release of Hundreds Abducted after Fleeing Fallujah, 5 July 2016, url; Reuters, Special Report: Massacre Reports Show U.S. Inability to Curb Iraq Militias, 23 August 2016, url; Al Jazeera, Fallujah Civilians: 'Militias Take Turns to Torture Us', 16 June 2016, url.

[166] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, pp. 4-5.

[167] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 5.

[168] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 5.

[169] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 14.

[170] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 3.

[171] AI, Iraq: Revenge attacks in Sinjar – Arab civilians pay the price for IS crimes, 10 June 2015, url; AI, A deadly spiral of sectarian violence- a year on from IS onslaught on Iraq, 10 June 2015, url.

[172] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 16.

[173] UN Security Council, Second report of the Secretary- General pursuant to paragraph 7 of resolution 2233 (2015), 26 January 2016, url, pp. 10-11.

- Around 21 October 2016, members of the Iraqi Federal Police were said to have killed six men in the Shura sub-district of Mosul.[174]
- In late October 2016, the Hashd al-Asha'iri Fares al-Sabawy militia detained and beat at least 22 men from two villages near Mosul.[175] These events took place in the village of al-Makuk, near Mosul.[176]
- On 25 November 2016, a group of armed men allegedly wearing Iraqi Army uniforms abducted an Imam in al-Qayyarah, south of Mosul. A day later his body was brought to a local medical centre.[177]
- On 21 January 2017, a video was posted on social media showing men in army and police uniforms killing three men in civilian clothing in Mosul city.[178]
- In February 2017, home evictions and subsequent destructions of buildings were committed by PMUs in several villages situated south-west of Mosul.[179]
- On 5 February 2017, a video emerged on social media showing men – some of whom wearing what appear to be Iraqi Army uniforms – killing one individual in eastern Mosul.[180]
- On 6 February 2017, the commander of the Christian Mobilization Units, also known as the Babylon Mobilization Unit, ordered Sunni Arabs to vacate Tilkef district, Ninewa Governorate; 34 Sunni Arab community members fled to Mosul.[181]
- On 28 April 2017, at least 170 men were abducted while they were fleeing from Hatra district reportedly towards Hamam al-Alil district (Ninewa Governorate). One source reported that they were taken away by PMUs. PMUs denied involvement.[182]
- On 5 May 2017, the al- Sab'awi Tribal Committee, chaired by the leader of the al-Sab'awi Sunni Tribal Mobilization Unit, decided to evict ISIL members and their families from all the villages in Mosul district where the al-Sab'awi tribe are the majority. On 16 May 2017 the forced evictions process was halted, although by that time some suspects had already been evicted.[183]
- On 18 June 2017, a number of Ninewa policemen were arrested on charges of killing two civilians on 14 May 2017, while searching for ISIL affiliated persons in the ISF-controlled al-Intisar neighbourhood in Mosul.[184]
- On 11 July 2017, a video posted online showed men in military uniform beating several captives. One of them was dragged to the edge of a wall, then thrown off and

[174] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 13.
[175] Human Rights Watch, Integrating Iraqi fighting forces is not enough, 6 January 2017, url.
[176] AI, Iraq: Tribal militia tortured detainees in revenge attacks during Mosul offensive, 2 November 2016, url; AI, Iraq: Nowhere to run, 22 December 2016, url.
[177] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 27.
[178] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 25.
[179] Human Rights Watch, Iraq: Looting, destruction by forces fighting ISIS- no apparent military necessity for home demolitions, 16 February 2017, url.
[180]UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 25.
[181] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 27.
[182] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 35.
[183] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 39.
[184] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 35.

shot numerous times as he lay on the ground by a river. Another man, already lying on the ground, is also shot numerous times by the uniformed men.[185]

- On 22 July 2017, video footage online showed Iraqi police beating an alleged ISIL-member earlier that month in western Mosul. Upon investigation, Iraq's Minister of Interior gave orders to jail the perpetrators, who had been identified as policemen.[186]

Kirkuk

In September 2017 units of the PMUs affiliated with the Badr Organization detained and beat villagers during the battle to take the city of Hawija. Four men were reportedly taken away and killed.[187]

1.2.3 Targeting by KRG Forces

Kurdistan Region of Iraq

Sources interviewed by the DIS/Landinfo during a 2018 fact-finding mission to KRI noted that 'Kurdish security forces have full control over the KRI and there are no Iraqi federal security forces operating inside the KRI.'[188] The report further assessed that 'security forces in the KRI are also targeting suspected ISIS affiliates who are often Sunni Arabs' whereas the PMUs and ISF don't have the capacity to operate in Kurdish areas.[189]

In its World Report 2018, Human Rights Watch observes the battle against ISIL afforded KRG forces the latitude to carry out serious abuses under the guise of fighting terrorism.[190] Human Rights Watch reported that 'the judicial systems of both the federal Iraqi and the KRG authorities are prosecuting thousands ISIL suspects under their respective counterterrorism legislation, primarily for membership in or providing support to ISIS.'[191] Human Rights Watch added that ISIL suspects are being held in 'overcrowded and in some cases inhumane conditions'.[192]

In a December 2017 report Human Rights Watch expressed its concern about government forces detaining suspects 'with little real evidence or grounds'. Besides widespread arbitrary detention of ISIL suspects, there are 'numerous allegations of torture in the course of security forces' interrogations'.[193] Human Rights Watch has documented allegations of torture by KRG forces holding ISIL suspects. For instance, out of 19 child ISIL suspects held by the KRG and interviewed by Human Rights Watch, seventeen said that Asayish forces tortured them in order to extract confessions.[194] Furthermore, Human Rights Watch described the prosecution

[185] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 36.
[186] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 7.
[187] Human Rights Watch, Iraq: Investigate abuses in Hawija operation, 28 September 2017, url.
[188] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 23, 24.
[189] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 24-25.
[190] Human Rights Watch, World Report 2018 - Iraq, 18 January 2018, url.
[191] Human Rights Watch, World Report 2018 - Iraq, 18 January 2018, url.
[192] Human Rights Watch, World Report 2018 - Iraq, 18 January 2018, url.
[193] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 21.
[194] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 51.

of ISIL suspects in Kurdish courts as flawed, relying exclusively on an expired counterterrorism law and based on confessions and written witness testimony.[195]

During a fact-finding mission to the KRI in September and October 2015 Public Aid Organization (PAO)/Kurdish Human Rights Watch (KHRW) informed the Danish Immigration Service that the Kurdish authorities generally view Sunni Arabs as part of ISIL until the opposite is proven. Even Sunni Arabs who have lived in KRI for a long period of time might experience difficulties crossing border checkpoints or checkpoints inside KRI.[196]

Disputed territories under de facto Kurdish control (up until October 2017)

Areas of the disputed territories of Iraq, including Kirkuk, came under Kurdish Peshmerga control during 2014 and up to October 2017, KRG 'de facto' controlled some of those areas. However, as a consequence of a Kurdish referendum on independence on 25 September 2017, the ISF in cooperation with the PMUs took back control of most of the disputed areas on 16 and 17 October 2017, which had previously been under control of the Kurdish Peshmerga.[197] Therefore, this section deals with examples from the areas prior to the loss of Kurdish control and regaining of ISF presence in the disputed territories.

Concerning the actions of KRG-government forces, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions in Iraq mentions in a June 2018 report retaliatory attacks by Kurdish security forces and associated Peshmerga and Yazidi armed groups, against Sunni Arab civilians and property following the recapturing or territory from ISIL.[198] In a December 2017 report Human Rights Watch noted that since 2014, units of the KRG have carried out mass destruction of civilian property in areas recaptured from ISIL.[199] In a November 2016 report Human Rights Watch reported on the demolition of buildings and homes by Kurdish security forces in seventeen villages in Kirkuk and four in Ninewa between September 2014 and May 2016. In a further 62 villages satellite imagery provided evidence of destruction after Kurdish security forces recaptured them. KRG President Massoud Barzani informed Human Rights Watch in July 2016 'that the KRG would not allow Sunni Arabs to return to villages that had been "Arabized" by former President Saddam Hussein' considering that they are rightfully Kurdish lands.[200] The Human Rights Watch report further remarked that 'such territorial claims lend credence to the belief of many Arabs that KRG security forces may have carried out demolitions for the purpose of preventing or dissuading Arabs from returning there.'[201]

Human Rights Watch explained that in the 'disputed areas', and in several cases in KRI, there are examples of Arabs arrested on suspicion of being ISIL members and deported.[202] In 2015, Human Rights Watch observed that in Kurdish areas there is 'a steady stream of people being arrested on the suspicion of being ISIS supporters', despite a 'striking absence of reports of

[195] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, pp. 36-40.
[196] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 27
[197] US, CRS, Iraq: Issues in the 115th Congress, 4 October 2018, url, pp. 1-2, 10-12.
[198] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 9.
[199] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 19.
[200] Human Rights Watch, Marked with an 'X'. Iraqi Kurdish forces' destruction of villages, homes in conflict with ISIS, November 2016, url, p. 3.
[201] Human Rights Watch, Marked with an 'X'. Iraqi Kurdish forces' destruction of villages, homes in conflict with ISIS, November 2016, url, p. 3.
[202] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 31.

suspected IS fighters in the prisons throughout KRI'.[203] UNHCR informed the DIS that the possibility to seek protection from the authorities in KRI and other Kurdish controlled areas in case of harassment based on religious and/or ethnic affiliation depends on the personal connections of the person in question.[204]

In a November 2016 report Amnesty International reported that since mid-2014 hundreds of thousands of IDPs have found shelter in Kirkuk, 'raising fears among Kurdish leaders and residents about the impact of the population movement on the demographic composition of the governorate'.[205] Following a surprise attack by ISIL on Kirkuk Governorate on 21 October 2016, Arab IDPs and Arab residents of the governorate suffered a backlash. The authorities in Kirkuk demolished the homes of hundreds of Sunni Arab residents of Kirkuk and Arab IDPs were displaced to camps or expelled from Kirkuk Governorate.[206]

Discussing the security situation in the disputed territories in 2016, UNHCR informed the Danish Immigration Service that, generally speaking, young single men faced higher harassment rates based on their religious or ethnic affiliation than other profiles, stating that 'a Sunni Arab with no connections would potentially face a higher risk of harassment.'[207] Human Rights Watch informed the Danish Immigration Service that the Asayish and the Peshmerga forces rounded up suspected ISIL supporters or members in Kirkuk, and there are concerns about their due process rights and a general suspicion of Sunni Arab Iraqis. The source further stated that 'there are reports from 2014 that several dozens of Arab men have been assassinated around Kirkuk, allegedly by Kurdish forces or Shia militias.'[208]

The following are examples of treatment of local population by KRG forces in disputed territories under de facto Kurdish control up to October 2017.[209]

Ninewa

- Since regaining control of Zummar, west of Mosul, in late October 2014, Peshmerga and associated forces conducted 'retaliatory attacks' against Sunni Arab civilians in the sub-district after retaking control from ISIL and causing 'scores' of Sunni Arab families to relocate to Mosul or Syria.[210]
- On 22 April 2015, Peshmerga members expelled Sunni Arab residents from the village of Sahl al-Malih, southern Zummar sub-district and set fire to their homes, accusing them of supporting ISIL.[211]

[203] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 39.
[204] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 51.
[205] AI, 'Where are we supposed to go?'. Destruction and forced displacement in Kirkuk, 7 November 2016, url, p. 8.
[206] AI, 'Where are we supposed to go?'. Destruction and forced displacement in Kirkuk, 7 November 2016, url, p. 5.
[207] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 29.
[208] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, pp. 33-34.
[209] Perceived ISIL affiliation is not necessarily explicitly cited as the reason for the committed abuses in the examples cited.
[210] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 27.
[211] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 30.

- In mid-November 2015, at least 156 Sunni Arab families from three villages (al-Golat, Aeiashat, and Neaineea'a) were displaced by military operations conducted by Kurdish security forces to liberate Sinjar district. Whilst some of them were captured by ISIL, others were stopped by Peshmerga forces as they attempted to access safe areas. Between 5 and 16 February, Peshmerga prevented food items from reaching the families, alleging that they were infiltrated by ISIL elements. A number of villagers died.[212]
- On 14 January 2016, Peshmerga forces destroyed more than 20 houses belonging to Sunni Arab families in Der Um Toutha village, Wana sub-district, Tal Kaif. After the area was retaken by Peshmerga in February 2015, villagers were forcibly displaced and Sunni Arab families were barred from returning.[213]
- On 17 April 2016, Asayish ordered 26 families (317 individuals), all Sunni Arabs from Aski Mosul town, Huthema and Tal Thahab villages, to prepare to leave the areas the following day for security reasons. On 18 April, they were relocated to the Garmawa IDP camp (Dohuk Governorate). Leaving this camp was reportedly only allowed with written permission of Asayish.[214]
- The KRG placed restrictions on the movement of goods into and out of the district of Sinjar, thus limiting the access to food, water, livelihoods, and other fundamental rights of the local Yazidi population, Human Rights Watch reports in December 2016.[215]
- Between 28 August and 3 September 2017, Asayish security forces allegedly carried out mass executions of alleged ISIL fighters in their custody. Approximately 30 were killed and buried in a mass grave in the village of Bardiya, Ninewa Governorate.[216] Kurdish authorities denied the allegations.[217]

Kirkuk

- On 8 February 2015, Peshmerga members allegedly destroyed a number of villages in south-west Kirkuk to prevent ISIL from using them as a base from where to attack Kirkuk.[218]
- On 2 and 3 August 2015, Peshmerga forces allegedly destroyed civilian houses and government buildings in Dibis district, Kirkuk. In Mullah-Abdullah sub-district, Kirkuk similar destruction took place.[219]
- On 9 October 2016, Kirkuk authorities (including Peshmerga, Asayish, and Police) forcefully evicted between 3 000 and 4 000 residents of Qara Tapa village, Kirkuk Governorate. Houses were reportedly burnt and destroyed.[220]

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[212] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 25.
[213] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 21.
[214] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 16.
[215] Human Rights Watch, Iraq: KRG Restrictions Harm Yezidi Recovery - Disproportionate Limits on Goods Entering, Leaving Sinjar, 4 December 2016, url.
[216] Human Rights Watch, Kurdistan Regional Government: allegations of mass executions, 8 February 2018, url.
[217] Human Rights Watch, KRG Response to war crimes Allegations in Iraq falls short, 5 April 2018, url.
[218] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 29.
[219] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 26.
[220] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 5.

- On 21 October 2016, in Qutan Village in Pajwan sub-district of Kirkuk district, Peshmerga forces evicted residents. KDP Asayish forces transported the detained residents to Laylan camp a couple of days later and completely or partially demolished all the houses in Qutan village, except for six belonging to Turkmen families.[221]
- On 24 October 2016, KDP security forces evicted approximately 30 families of Qush Qaya Village, in Pajwan sub-district of Kirkuk.[222]
- In November 2016 Peshmerga destroyed houses, buildings and even entire villages in the territories they recently conquered. Human Rights Watch mentions 17 villages in Kirkuk and 4 in Ninewa governorates, specifically the sub-district of Zummar.[223]

Diyala

- On 16 August 2015, Peshmerga forces demolished an unknown number of houses and structures in Sunni-inhabited areas in Jalawla, Diyala Governorate.[224]

1.3 Internally displaced persons

In its October 2018 report the UN Security Council notes that more than 1.8 million people remain displaced inside Iraq, many of whom express an unwillingness to return to their areas of origin because of 'concerns regarding security and community reconciliation, the destruction of property, insufficient services and livelihoods and the lack of progress in clearing explosive hazards'.[225] As of 30 September 2018 the UN Office for the Coordination of Humanitarian Affairs (UNOCHA) reports that more than 4 million displaced people returned home in Iraq. More than 1.9 million remain displaced, 50 % of whom have been displaced for more than three years.[226] Some internally displaced persons face denial of return to their region of origin[227], whilst others are forced to return.[228] Denial of access to areas of displacement was also reported[229] as were abuses against IDPs committed by elements of the ISF and associated forces, especially on account of their perceived support or collaboration with ISIL.[230]

[221] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 5.
[222] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url,, p. 5.
[223] Human Rights Watch, Iraqi Kurdish forces' destruction of villages, homes in conflict with ISIS, 13 November 2016, url, p. 1.
[224] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 21.
[225] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, p. 12.
[226] UNOCHA, Iraq: Timeline of displacements and returns (as of 30 September 2018), 8 October 2018, url.
[227] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 6; IOM, Obstacles to return in retaken areas of Iraq, 31 March 2017, url; AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 59.
[228] NRC, The long road home: achieving durable solutions to displacement in Iraq, lessons from returns in Anbar, 27 February 2018, url, p. 4; Grisgraber, D., Too much too soon: Displaced Iraqis and the push to return home, September 2017, url, p. 12.
[229] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 8.
[230] AI, 'Where are we supposed to go?'. Destruction and forced displacement in Kirkuk, 7 November 2016, url, p. 17; AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 1.

1.3.1 Denial of return

In September 2018 UNHCR reported that 'tribal leaders, security actors and communities continue to impede or deny permission to families with perceived links to extremists to return to areas of origin in Anbar, Kirkuk and Ninewa'.[231] Denied returns were reported in several camps in Ninewa. Security actors forcibly relocated at least 22 families from villages near Mosul to camps in Ninewa. It concerned female-headed households alleged to have affiliations with extremists.[232] In Abbassi sub-district in Kirkuk Governorate government-affiliated armed groups instructed the *Mukhtars* to direct families perceived to have affiliations with extremists to leave the area for Kirkuk city or camps within one week. The Mayor of Abbassi, however, referred the issue to the Governor of Kirkuk and the action was suspended.[233] In August 2018, 46 families from Kirkuk, Ninewa and Salah al-Din governorates indicated to have been re-displaced to camps across Ninewa after being prevented or forced to leave by armed actors in their area of origin.[234]

In a July 2018 report UNHCR noted 'incidents of recruitment of returnees into government-affiliated armed groups continue to be reported in parts of Diyala and Ninewa. According to some reports, groups who control the areas make returns conditional on the commitment of families to enlist one or more male family members.'[235] In the same report UNHCR informed that two groups of IDPs have been prevented from returning to Garma district in Anbar and Al-Refeat in Balad district (Salah al-Din).[236]

UNHCR reported in May 2018 that 150 families were not allowed to return to the al-Rutba district of Anbar, because of family ties with extremist groups. Earlier problems concerning return to Falluja and other towns in Anbar were also reported.[237] The Internet newspaper Niqash noted the security vetting for a return to Anbar is very strict, and nobody is allowed to return without security clearance by several authorities. Niqash also stated that returnees still get arrested as terrorism suspects, even though they are in possession of documents stating that they do not pose any security risk.[238]

In April 2018 Amnesty International observed that government forces, including PMUs and Tribal mobilisation militias, have been preventing families with perceived ties to ISIL from returning to their home or places of origin. Iraqi forces, including the PMUs, have also regularly arrested and forcibly disappeared men with perceived ISIL ties directly from IDP camps. Sexual exploitation of women in IDP camps by members of the PMUs was also reported.[239]

In its report on human rights in Iraq in the July to December 2017 period, UNAMI notes its concern about attempts to deny IDPs the right to return to their homes as well as attempts to

[231] UNHCR, Iraq protection update-September 2018, 30 September 2018, url, p. 2.
[232] UNHCR, Iraq protection update-September 2018, 30 September 2018, url, p. 2.
[233] UNHCR, Iraq protection update-September 2018, 30 September 2018, url, p. 2.
[234] UNHCR, Iraq Protection Update-August 2018, 31 August 2018, url, p. 3.
[235] UNHCR, Iraq protection update-July 2018, 31 July 2018, url, p. 2.
[236] UNHCR, Iraq protection update-July 2018, 31 July 2018, url, p. 2.
[237] UNHCR, Iraq Situation: UNHCR Flash Update, 31 May 2018, url.
[238] Niqash, Fact or Friction? Anbar Locals Worry As They See Extremist-Allied Neighbours Returning Home, 29 March 2018, url.
[239] AI, The condemned. Women and children isolated, trapped and exploited in Iraq, 17 April 2018, url, pp. 17, 29, 34, 36.

intimidate those who support their return.[240] Reporting on human rights in Iraq in the July to December 2016 period, UNAMI indicated there were 'reports that IDPs attempting to return to their places of origin faced hostility from local Government authorities, including threats of forced eviction, and at times destruction of property, harassment, threats, abductions, and killings at the hands of armed groups operating in those areas.'[241]

In a March 2017, report IOM explained that 'of those IDPs who tried to return, 23 % were not allowed to do so whether through intentional delays by local authorities in processing the documentation required to organize the return, or blockages at checkpoints.'[242]

In October 2016 Amnesty International reported that Sunni IDPs have been prevented from returning home: 'In parts of Diyala and Salah al-Din governorates, Sunni IDPs have been prevented from returning to their towns and villages through a mix of complicated bureaucratic procedures and requirements, and intimidatory tactics, including abductions, arbitrary detention and, in the case of Diyala, even extrajudicial executions.'[243]

UNAMI reported that all through 2016 the return of Sunni IDPs to Jurf al-Sakhr (Babil province) was hindered by militias.[244] Jurf al-Sakhr has been renamed Jurf al-Nasr, and residents were barred from returning home. According to a Sunni MP 'banning the people of Jurf al-Sakhar from returning home is part of attempt to induce demographic change in this part of the country.'[245]

1.3.2 Eviction and forced return

In its protection update from August 2018, UNHCR stated that in the period from October 2017 up until August 2018, over 6 300 families in Salah al-Din, Anbar and Baghdad were forcibly evicted from camps and informal settlements. In August 2018, evictions from Baghdad were enforced by the Baghdad Operations Command (BOC). In Salah al-Din, local police forces put pressure on IDPs in camps and informal settlements to return to their places of origin.[246] UNHCR further noted that 'IDPs often leave Baghdad camps following eviction threats and settle in nearby areas in the city in order to avoid being evicted despite not having security clearance to live outside the camps. This makes them vulnerable to arrests or renewed evictions'.[247]

UNHCR reported in July 2018, that a group which was forcibly returned from a camp in Baghdad to return to Salah al-Din has been denied access to their place of origin by the authorities in Balad district, Salah al-Din, and has been living in a train station in Balad since early February 2018. The lack of coordination between the respective authorities led to this situation and 'despite extensive advocacy with local authorities, no solution has been found.'[248]

[240] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 6.
[241] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 3.
[242] IOM, Obstacles to return in retaken areas of Iraq, 31 March 2017, url, Executive Summary
[243] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 59.
[244] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 4.
[245] Niqash, Security or demographics? Why Babel province has a ghost town, 30 August 2017, url.
[246] UNHCR, Iraq Protection Update – August 2018, 31 August 2018, url, p. 4.
[247] UNHCR, Iraq Protection Update – August 2018, 31 August 2018, url, p. 3.
[248] UNHCR, Iraq Protection Update – July 2018, 31 July 2018, url.

In its previous updates on the protection situation from June and July 2018, UNHCR mentions various incidents where IDPs were forced or coerced to return to their places of origin or relocate to other places in Anbar, Baghdad, Kirkuk, Salah al-Din and Ninewa. Different actors like the BOC [Baghdad Operations Command], local authorities, Federal Police, Intelligence Forces and local police were said to employ different methods to pressure IDPs to return: either notice was given that a camp or an informal settlement was about to be closed, or the identity documents of IDPs were confiscated in order to force them to agree with a transfer. UNHCR further reported threats to destroy personal belongings if the displaced persons did not comply. Other cases involved letters issued by the governorate authorities to leave from a number of complexes within a given time frame.[249]

UNHCR asserted also, that in March 2018, at least 113 IDP families from Anbar were forced to leave the refugee camp al-Takiya in the al-Dora neighbourhood of Bagdad to regain their residences in Anbar. Most of these families were originating from al-Qa'im district at the Syrian border. Families interviewed by UNHCR expressed concerns about the absence of shelter and livelihood opportunities, and also about the security situation in and around al-Qa'im.[250]

Discussing returns to Anbar In a February 2018 report the Norwegian Refugee Council (NRC) noted that 'many of the returns taking place are premature and do not meet international standards of safety, dignity, and voluntariness.'[251] The report further mentioned that many returns are unsustainable, as the security and habitability of some areas are not conducive to a permanent return for all people, leading to a situation where people are 'pushed into secondary displacement'.[252]

In a September 2017 report Refugees International informed that some IDPs are returning because they are compelled to do so by the circumstances of their displacement, or because of the actions of local authorities. Although the government of Iraq recognizes that IDP returns should not be forced, 'there does appear to be not-so-subtle encouragement and discouragement by local officials to get people where they want them to go, and credible accounts of activities that do appear to constitute forced return.'[253]

Baghdad

- Late June 2018, Baghdad Operations Command informed camp management in a number of camps in Baghdad that 45 families from Ninewa and 402 families from Anbar would have to leave, in most cases to areas of origin.[254]
  On 11 August 2018, residents of Al Jamea'a camp (45 families) in Karkh district, Baghdad were informed they would be evicted the following day. The following day the majority of the families were transported to camps in Ninewa, and then continued off on their own. Four families were transported to Anbar.[255]

[249] UNHCR, Iraq Protection Update – July 2018, 31 July 2018, url; UNHCR, Iraq: Monthly Protection Update, 28 May - 1 July, 1 July 2018, url.
[250] UNHCR, Anbar Protection Cluster, 31 March 2018, url.
[251] NRC, The long road home: achieving durable solutions to displacement in Iraq, lessons from returns in Anbar, 27 February 2018, url, p. 4.
[252] NRC, The long road home: achieving durable solutions to displacement in Iraq, lessons from returns in Anbar, 27 February 2018, url, p. 4.
[253] Grisgraber, D., Too much too soon: Displaced Iraqis and the push to return home, September 2017, url, p. 12.
[254] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 3.
[255] UNHCR, Iraq Protection Update – August 2018, 31 August 2018, url, p. 3.

Salah al-Din

- On 2 July 2018, police confiscated identification documents (ID) of 370 IDP families living in Shaqlawa complex in Tikrit. They were informed they would have to leave the site. On 5 July 2018, nearly all families departed the complex.[256]
- In July 2018, IDPs living in informal settlements in Qadissya neighbourhood in Tikrit and in villages in Al Alam district were pressured to leave by the police.[257]
- In the summer of 2018 a group of IDPs from Al-Refeat in Balad district (Salah al-Din) was prevented from returning.[258]
- On 1 August 2018, local police confiscated identification documents of 58 IDP families living in Al Diom complex, Tikrit. They were informed they would need to leave the complex by the next morning. Although the evictions were not enforced, most families left the complex within the following week.[259]
- On 7 September 2018, police visited Qadissiyah complex in Tikrit and instructed IDP families from Baiji and Shirqat districts to leave within three days. On 10 and 11 September, the police entered Qadissiyah complex and began confiscating civil documents and ordering IDPs to leave. By 16 September, more than 139 families had left the complex – mostly returning to Baiji. The vast majority of these families reported that they felt they had no choice except to leave following the document confiscations. Most also reported that they were returning to severely damaged houses.[260]

Kirkuk

- Since late April 2018 forced relocation to camps in Kirkuk has been reported, affecting at least 80 families (416 individuals). These relocations occurred mostly in May 2018 and were performed by security actors reportedly following an order of the acting Governor of Kirkuk.[261]
- In mid-July 2018, the Iraqi Intelligence and Federal Police forces evicted 14 families (77 individuals) originating from Hawija and Kirkuk districts from Kirkuk city centre to camps due to their perceived affiliation with extremists.[262]

Anbar

- On 22 September 2016, 12 persons from among recent returnees in Karma (Anbar Governorate) were arrested by PMUs. Their whereabouts are unknown.[263]
- In March 2017, PMU units arrived at the Amiriyat al-Fallujah and the Habbaniya Tourist City IDP camps and confiscated the identity cards of at least 60 families, saying they would get the cards back if they returned home.[264]
- On 15 July 2018, approximately 84 families originating from Al Qa'im and Heet in Anbar, living in AlKhalidiyah (AK) camps were instructed to return to their areas of

[256] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 3.
[257] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 3.
[258] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 2.
[259] UNHCR, Iraq Protection Update - August 2018, 31 August 2018, url, p. 4.
[260] UNHCR, Iraq protection update - September 2018, 30 September 2018, url, p. 4.
[261] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 3.
[262] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 3.
[263] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 14.
[264] Human Rights Watch, Iraq: Anbar displaced barred from going home, 2 November 2017, url.

> origin through organised returns, although the majority of families wanted to remain in the camps due to concerns about security, and lack of services and shelter in areas of origin.[265]

1.3.3 Retaliatory violence

In a November 2016 report Amnesty International stated that 'Sunni Arab IDPs in central Iraq and the KR-I have frequently endured multiple abuses at the hands of different actors: while living in territories controlled by ISIL, in the course of their escape journeys, and in the very places where they seek shelter and protection.'[266] Reporting on human rights in Iraq in the July to December 2016 period UNAMI indicated there were 'a number of reports that IDPs faced hostility from local government authorities, including threats of forced eviction, and at times destruction of property, harassment, threats, abductions, and killings at the hands of armed groups operating in those areas'.[267] In December 2016 UNAMI reported that it continued to receive 'reports that in some areas, internally displaced persons were subjected to harassment, threats, expulsions, destruction of property (including the deliberate demolition of houses), and at times abductions and killings by armed groups operating in support of ISF'.[268]

In October 2016 Amnesty International reported that since the emergence of ISIL, Al Qaeda, and other armed groups, thousands of Sunni men and boys, including IDPs, have been subjected to enforced disappearance by Iraqi security forces and militias. Some went missing after having fled territories controlled by ISIL. Others were picked up from camps and other settlements, checkpoints, homes, workplaces streets and other public places. Amnesty International further notes that 'all male IDPs considered of fighting age, roughly age 15-65, who managed to flee territories under ISIL control are subject to opaque and flawed security procedures.'[269] In territories controlled by the Iraqi government these procedures are carried out by ISF and PMU militias, as described by Amnesty International in 2016:

> 'Security screenings take place at temporary holding facilities or makeshift detention centers. Typically, this involves checking names against computer databases and basic questioning. While some detainees are released within days, others remain in limbo for weeks or even months. Detainees are frequently held in inhuman and squalid conditions, characterized by severe overcrowding, shortages of latrines and other sanitation facilities, and a lack of basic necessities including personal hygiene items. Following initial screenings, detainees suspected of involvement with ISIL are generally transferred into the custody of the Anti-Terrorism or Anti-Crime Directorates of the Ministry of Interior in the cases of Anbar and Salah al-Din governorates. (…) Little or no attempt is made to inform relatives of the whereabouts of detainees or to provide detainees with means of communicating with the outside world. There are severe delays in referring suspects to judicial authorities, denying them the right to challenge the legality of their detention. In pre-arraignment detention, which can last weeks or even months in contravention of Iraqi law and

[265] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 3.
[266] AI, 'Where are we supposed to go?'. Destruction and forced displacement in Kirkuk, 7 November 2016, url, p. 17.
[267] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 3.
[268] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, pp. ii, 24.
[269] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 8.

> Iraq's international obligations, suspects are interrogated by members of security forces without the presence of lawyers and are frequently denied family visits. In such situations, detainees are most vulnerable to torture and other ill-treatment, and may be forced to sign or thumb-print statements.'[270]

In January 2016 UNAMI reported that many displaced persons are living in under-resourced locations in poor conditions, and are subject to violence and abuse. According to UNAMI 'many IDPs have experienced threats, harassment and intimidation, including being rounded up in police raids and arbitrarily arrested by security forces on mere suspicion of terrorism or other seemingly spurious pretext.'[271]

Examples of treatment of internally displaced persons by government forces and affiliated armed groups include the following. However it should be noted that the examples cited pertain to incidents involving IDPs, without asserting the IDP's status as a displaced person as the sole reason for the treatment experienced.[272]

Baghdad

- On 24 December 2014, two IDPs from Salah al-Din governorate were held captive after being arrested by supposed PMU members on the road from Baghdad to Samarra. One man was detained during 27 days and was subjected to torture. His brother remains missing.[273]
- On 29 April 2015 Iraqi police found the remains of two males: one in Amil, south-western Baghdad, and another in Bayaa, eastern Baghdad. Reportedly the victims were IDPs from Anbar, and their alleged killers belonged to a Shia militia. In Amil, Shia militias threatened Anbar IDPs that they would be killed if they did not leave.[274]

Salah al-Din

- On 13 October 2015, dozens of IDPs were rounded up from the Ishaqi IDP camp by abductors believed to belong to the Saraya al-Salam militia. A number of the abductees disappeared.[275]
- On 12 March 2016 unidentified gunmen, alleged to be militia members, abducted two Sunni Arab IDPs in the Tin quarter of Tuz Khurmatu district.[276]
- On 14 March 2016, members of a militia, allegedly AAH, used explosives to detonate at least 20 houses belonging to Sunni Arab IDPs in the Aziz Balad area of Yathrib (Salah al-Din Governorate).[277]

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[270] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 8.
[271] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 31.
[272] Comment by the drafters of this report, Cedoca/Belgium
[273] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 45.
[274] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 8.
[275] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url,, p. 30.
[276] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 25.
[277] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 26.

- In early 2016 there were several reports of disappearances of IDPs who had fled from ISIL-controlled Hawija toward al-Alam (Salah al-Din province). Reportedly the male victims disappeared during security screening by PMUs.[278]
- On 25 June 2016, 12 family members were blindfolded and taken away by men supposedly belonging to a PMU militia. They were interrogated and beaten severely. Five days later they were dumped by the side of the road near the checkpoint near the al-Baiji oil refinery where they had been seized.[279]
- On 15 July 2016, IDPs passing through the Tuz Khurmatu checkpoint were severely beaten by Turkmen fighters of the PMU.[280]
- On 7 and 8 August 2016, military vehicles of the Samarra Operation Command drove around the districts of Samarra, Dujail, Balad and the sub-districts of Dhuluya, Yathrib and Ishaqi, using loudspeakers to warn the residents that they were not allowed to receive any IDPs from north of Salah al-Din and south of Mosul areas, threatening that they would otherwise be expelled from their areas of residence.[281]

Kirkuk

- On 14 April 2016, gunmen allegedly belonging to a militia operating under the PMU killed an IDP from Ninewa in an industrial area south of Kirkuk city.[282]

Anbar

- On 3 June 2016, members of PMUs intercepted thousands of IDPs fleeing an area in the north of Fallujah and separated around 1 300 men and boys from the Al Mahamda tribe.[283] Over a period of several days, they were transferred by buses to unknown locations. Of the 1 300, 605 were found to have been transferred to the custody of local officials. An investigative committee set up by local authorities later confirmed 49 were dead and 643 remain missing to date.[284]
- In late 2017 displaced people at camps in the town of Amriyat al-Fallujah (Anbar Governorate) were forced to return home by security forces. Some camp residents had to turn back because checkpoints manned by Shia militia were demanding bribes of up to USD 400 to let people through.[285]
- Between 6 and 8 December 2017, three separate armed attacks against families who had recently returned to their areas of origin in Ramadi and Garma district in Anbar resulted in two men killed and eight persons injured. The families seem to have been targeted because of alleged extremist links.[286]

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[278] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 26.
[279] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, pp. 44-45.
[280] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 45.
[281] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, pp. 26-27.
[282] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 25.
[283] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 19.
[284] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 8.
[285] Reuters, Iraq returning displaced civilians from camps to unsafe areas, 7 January 2018, url.
[286] UNHCR, Iraq: Bi-weekly Protection Update (8 - 24 December 2017), 24 December 2017, url.

- In the summer of 2018, a group of IDPs was prevented from returning to Garma district in Anbar.[287]
- In July and August 2018, IDPs in AAF and Kilo 18 camps in Anbar faced freedom of movement restrictions, including individuals seeking medical treatment.[288]

Ninewa and Diyala

- In 2018, IDPs in Ninewa reported incidents of harassment by armed actors, most frequently when passing through check points at the entrance and exit points of IDP camps.[289]
  In the summer of 2018 UNHCR documented 'incidents of recruitment of returnees into government-affiliated armed groups were reported in parts of Diyala and Ninewa. According to some reports, groups who control the areas make returns conditional on the commitment of families to enlist one or more male family members.'[290]

1.3.4 Targeting by KRG Forces

Kurdistan Region of Iraq

In July 2018, IOM reported nearly 2 million people remain internally displaced in Iraq. Of these, 349 782 reside in Dohuk, 217 506 in Erbil and 151 698 in Sulaimaniyah.[291] A November 2018 report by DIS/Landinfo notes the situation regarding access to the KRI has improved. However, legal norms, laws or formal policies are absent and procedures are subject to frequent changes depending on security and political developments.[292] With regard to the possibility to gain residency in KRI, there are no legal norms and rules, but according to one international source, the sponsorship requirement has been lifted for many cases. However, there are still groups that are required to have a sponsor to get residency in KRI. There are no policies, and procedures are subject to change. Conditions for residency among the three governorates of Erbil, Dohuk and Sulaimaniyah vary considerably.[293]

Regarding the return of IDPs, the DIS/Landinfo report observes they must go through heavy clearance procedures in order to reach their area of origin.[294] Discussing the return of IDPs from Kurdish territories to disputed areas the same source notes there are obstacles to return and some groups are still not able to return at all. Security clearance by local security actors is required, meaning the name of the IDP is checked through security databases. Those who pass the clearance must register as returnee and are then allowed to return. However, there have been reports of many cases of IDPs being disallowed to return, despite being allowed to leave the area of displacement. Local sheikhs and *mukhtars* play an important role in this

[287] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 2.
[288] UNHCR, Iraq Protection Update – August 2018, 31 August 2018, url, p. 2.
[289] UNHCR, Iraq Protection Update – August 2018, 31 August 2018, url, p. 1.
[290] UNHCR, Iraq protection update - July 2018, 31 July 2018, url, p. 2.
[291] IOM, Displacement tracking matrix – DTM Round 100, July 2018, url.
[292] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 35.
[293] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 36-38.
[294] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 10.

regard.[295] Furthermore, the possibility of return depends largely on which militia controls the return area: 'when IDPs return, they predominantly look at which militia or sectarian group who controls the area. The communities look for protection by their own people, which means that Sunni Arabs want a Sunni militia; Christians want a Christian militia to protect them etc.'[296] There have also been reports that a significant number of Sunni Arab IDPs, 'originating from villages in the disputed areas that the KRG do not want to populate with other ethnicities', have not been allowed to return. Such has been the case with IDPs from the villages Hasansham and Khazir.[297]

Concerning the actions of KRG- government forces the UN Special Rapporteur on extrajudicial, summary or arbitrary executions in Iraq points out in a June 2018 report that a number of Sunni IDPs faced arbitrary arrests by Kurdish security forces and in some cases were forcibly disappeared.[298] In its World Report 2018 Human Rights Watch observes 'KRG forces are screening people leaving ISIS-controlled areas in order to arrest ISIS suspects'. Furthermore, 'as part of this process, KRG forces have stopped hundreds of families fleeing ISIS-controlled areas, for weeks or even months at a time, citing security concerns about ISIS fighters present among them or their affiliation with ISIS.'[299]

According to sources interviewed by the DIS/Landinfo during their 2018 mission to KRI 'in 2017, 46 Arab IDPs, most of them from Anbar Governorate, were ordered to leave KRI by the Asayish, because they were considered a security concern due to family relations to members of ISIL. However, after intervention from humanitarian actors, they were allowed to return to Sulaimania.'[300] The tense security situation that followed the Kurdish independence referendum of September 2017 also led to approximately 100 Sunni Arabs being forcefully evicted under security pretexts from camps in Debaga to camps outside Makhmour within Erbil Governorate.[301]

In a December 2017 and an October 2016 reports, Human Rights Watch reported that KRG authorities 'have not allowed IDPs to freely move in the KRI and the disputed territories, requiring them to stay in camps with severe restrictions on their movement'.[302] Human Rights Watch also observed that 'KRG forces have stopped hundreds of families fleeing ISIL-controlled areas including Hawija, 60 kilometers south of Mosul, and Tal Afar, 55 kilometers west of Mosul, for weeks or even months at a time at checkpoints, including on the front lines, citing security concerns about ISIL fighters present among them or their affiliation with ISIL, in many cases preventing their access to humanitarian assistance.'[303] In June 2017 Human Rights Watch reported that Peshmerga forces were stopping thousands of civilians fleeing territory held by ISIL, especially Hawija and Tal Afar, for up to three months at checkpoints, thus

[295] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 26-27.
[296] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 28.
[297] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018 url, p. 32.
[298] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 9.
[299] Human Rights Watch, World Report 2018 - Iraq, 18 January 2018, url.
[300] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 34.
[301] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 34, 52, 53.
[302] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 19; Human Rights Watch, Iraq/KRG: Displaced People Can't Move Freely, 21 October 2016, url.
[303] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 25.

preventing their access to humanitarian assistance.[304] The same month, KRG authorities detained men and boys fleeing Mosul on suspicion of affiliation with ISIL.[305]

In July 2017 Human Rights Watch reported that KRG forces expelled at least four Yazidi IDP families and threatened others because of the participation of their relatives in Iraqi security forces. The Asayish returned the displaced families to Sinjar where access to basic goods and services was very limited.[306] Citing figures from the Yazidi Documentation Organization USDOS noted that as of August 2017 the Asayish expelled more than 200 Yazidi IDPs from camps.[307]

According to an October 2016 Amnesty International report all male IDPs considered of fighting age, roughly 15-65, who managed to flee territories under ISIL control to safety are subjected to opaque and flawed security procedures, applied by both the Iraqi and Kurdish authorities. For entering the territories controlled by the KRG these procedures are carried out by the Kurdish security service Asayish. Detainees suspected of involvement with ISIL are transferred to detention facilities of the Asayish or, less frequently, of the Anti-Terrorism Directorate. Amnesty International documented cases of torture and other ill treatment perpetrated at some facilities controlled by the Asayish.[308] Amnesty International indicated that some suspects are detained for months and even years without trial.[309]

An April 2016 report by the DIS quotes various sources describing the KRI infrastructure to be unsustainable compared to the number of IDPs in need of protection.[310] The DIS noted that IDPs face barriers for access to KRI and Kurdish controlled areas. According to UNHCR 'access to KRI may be very difficult for IDPs, unless they have some form of sponsorship or a certain ethnic or religious profile and some sort of connection to government officials or people employed with the security forces in the area.'[311]

The DIS reported that according to some sources indicate IDPs no longer need a sponsor to gain entry. Obtaining a residence permit in KRI, according to various sources, requires a sponsor; other sources indicated that the practice to obtain a residence permit in KRI is inconsistent.[312] The DIS was informed that the difficulties IDPs are meeting are linked to their ethnic profiles: 'various sources mentioned Sunni Arabs, Arabs in general, Turkmen and to some extent Shabaks as ethnicities that face denial of entry or varying degrees of difficulties to enter KRI.'[313] The Danish Immigration Service also learnt of IDPs in the KRI being forced to relocate to camps.[314] According to an UNHCR source interviewed by DIS 'collective

[304] Human Rights Watch, Kurdistan Region of Iraq: Thousands Fleeing Kept Waiting Near Front Line, 21 June 2017, url.
[305] Human Rights Watch: Kurdistan Region of Iraq: New Detentions of Fleeing Men, Boys, 3 June 2017, url.
[306] Human Rights Watch, Kurdistan Region of Iraq: Yezidi Fighters' Families Expelled, 9 July 2017, url.
[307] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[308] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 8.
[309] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 42.
[310] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 11.
[311] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 14.
[312] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, pp. 14-18.
[313] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 26.
[314] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 31.

punishment of IDPs upon security incidents is common practice'. A lawyer working for an international NGO informed the Danish Immigration Service that 'Sunni Arabs are sometimes held responsible or being scapegoated as a community when security incidents happen.'[315] IOM informed DIS that 'the most vulnerable IDPs are those without financial resources, IDPs living in various kinds of informal settlement like unfinished buildings, the sick and disabled, female headed households and those without family or network, especially single women.'[316]

Disputed territories under de facto Kurdish control (up until October 2017)[317]

In 2014, the KRG took full control of Kirkuk City and the eastern part of the governorate in wake of the ISIL invasion.[318] In October 2017, following the Kurdish independence referendum, the Iraqi government forces and the PMUs took back control of Kirkuk generating a new wave of displacement of about 150 000 – 200 000 people from the disputed areas.[319] Further information is provided in section 1.3.5.

The information below refers to the situation in disputed areas under defector Kurdish control prior to the ISF takeover in October 2017:

In May 2017 Human Rights Watch reported KRG authorities in Kirkuk forced Sunni Turkmen IDPs to leave the city. The victims said Asayish security forces confiscated their identity cards and harassed them. Displaced Turkmen in Kirkuk have faced arbitrary arrests, and in some cases mistreatment.[320]

Hundreds of thousands of IDPs that found shelter in Kirkuk since mid-2014 have raised 'fears among Kurdish leaders and residents about the impact of the population movement on the demographic composition of the governorate'.[321] IDP residents faced 'increasingly stringent restrictions on their freedom of movement and ability to secure residency in the city of Kirkuk'.[322] Following a surprise attack by ISIL on Kirkuk Governorate on 21 October 2016, Arab IDPs and Arab residents of the governorate suffered a backlash. The then-Kurdish authorities in Kirkuk demolished the homes of hundreds of Sunni Arab residents of Kirkuk and Arab IDPs were displaced to camps or expelled from Kirkuk Governorate.[323] Likewise, Human Rights Watch notes in a November 2016 report that Kurdish authorities in Kirkuk have ejected Arab residents and Arab IDPs in response to ISIL's attack on the city on 21 October 2016.[324]

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[315] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 46.
[316] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 61.
[317] As a consequence of a Kurdish referendum on independence on 25 September 2017, the Iraqi Security Forces (ISF) in cooperation with the Popular Mobilization Units (PMUs) took control of most of the disputed areas on 16 and 17 October 2017.
[318] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 14, 30.
[319] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 14, 30.
[320] Human Rights Watch, Iraq: Kirkuk Security Forces Expel Displaced Turkmen, 7 May 2017, url.
[321] AI, 'Where are we supposed to go?'. Destruction and forced displacement in Kirkuk, 7 November 2016, url, p. 8.
[322] AI, 'Where are we supposed to go?'. Destruction and forced displacement in Kirkuk, 7 November 2016, url, p. 5.
[323] AI, 'Where are we supposed to go?'. Destruction and forced displacement in Kirkuk, 7 November 2016, url, p. 5.
[324] Human Rights Watch, KRG: Kurdish Forces Ejecting Arabs In Kirkuk - Halt Displacements, Demolitions; Compensate Victims, 3 November 2016, url.

In an October 2016 report Amnesty International noted that in KRG-controlled areas security screenings of IDPs carried out by the Asayish generally are performed in temporary holding sites near IDP camps or at makeshift reception sites in areas where IDPs first come into contact with the Peshmerga and other security forces. The living conditions in such temporary holding sites are described as 'substandard at best'.[325] In October 2016 Human Rights Watch reported that the freedom of movement of people in camps near Kirkuk is unlawfully restricted by KRG security authorities. Displaced people in the Nazrawa and Laylan camps are required to have a sponsor who is a Kirkuk native to be allowed leave the camps. These policies hamper their access to health care, separate the residents from their families and undermine their ability to find employment.[326]

An April 2016 report by the DIS indicated that IDPs from Salah al-Din and Diyala face difficulties to gain access to Kirkuk, especially Sunni Arabs and Turkmen. According to Qandil, a Swedish non-profit, non-governmental humanitarian aid organization active in Iraq, Arabs need a residence card to settle in Kirkuk, whilst ethnic Kurds and some ethnic groups who have lived in Kirkuk for a longer period of time do not.[327] The Danish Immigration service was also informed IDPs in Kirkuk Governorate face pressure to move into camps and/or to return to Diyala or Salah al-Din.[328] UNHCR informed the Danish Immigration Service of discriminatory practices in terms of returning Arab IDPs to disputed areas. Whilst Kurdish IDPs are allowed to return to their areas of origin, Arab IDPs who wish to return are subject to extensive and unclear clearance procedures. Various sources mentioned the destruction of houses by Peshmerga troops in the disputed areas.[329]

In a January 2016 report Amnesty International noted that Peshmerga forces prevent residents of Arab villages and Arab residents of mixed Arab-Kurdish towns in Northern Iraq from returning to their homes, and in some cases they have destroyed or permitted the destruction of their homes and property – seemingly as a way to prevent their return in the future. Amnesty International further stated that these practices take place in territories recaptured from ISIL by Kurdish forces in Ninewa, Kirkuk and Diyala Province, namely in villages east of Mount Sinjar (Ninewa), villages in the Kirkuk region and villages west of Jalawla city (Diyala).[330]

Amnesty International observed that 'in the KR-I and in the disputed areas currently under de facto KRG control [controlled up to October 2017], Sunni Arab IDPs are likewise being subjected to arbitrary and discriminatory restrictions on their movements, which are not imposed on IDPs from other ethnic and religious communities.'[331] Amnesty International added that 'Peshmerga forces are also preventing residents of Arab villages and Arab residents

[325] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 35.
[326] Human Rights Watch, Iraq/KRG: Displaced People Can't Move Freely - Access to Health Care, Family, Work Unlawfully Restricted, 21 October 2016, url.
[327] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, pp. 24-25.
[328] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 32.
[329] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 30.
[330] AI, Iraq: banished and dispossessed: forced displacement and deliberate destruction in Northern Iraq, 20 January 2016, url, pp. 5-33.
[331] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 59.

of mixed Arab-Kurdish towns from returning to their homes and, in some cases, have destroyed or permitted the destruction of their homes and property – seemingly as a way to prevent their return in the future.'[332] In February 2015 Human Rights Watch reported that Kurdish forces confined thousands of Arabs in so-called security zones in areas of Northern Iraq recaptured from ISIL since August 2014. Kurdish forces barred displaced Arabs from returning to their homes in portions of Ninewa and Erbil provinces. Kurds from these areas were permitted to return to these areas and even to move into homes of Arabs who fled. Human Rights Watch observed these discriminatory practices in the Ninewa Governorate sub-districts Sheikhan, Tilkaif and Zumar and in the Makhmur district of Erbil Governorate. In Makhmur and in Zumar Arab homes were destroyed. Looting by Peshmerga forces was reported in the Chaldo-Assyrian Christian town of Tal Usquf.[333]

Examples of incidents involving internally displaced persons by KRG forces in disputed territories under Kurdish control prior to October 2017 include the following, however, it should be noted that examples cited pertain to treatment of IDPs, without asserting that the person's IDP status is the sole reason for the treatment endured.[334]

Ninewa

- Before the recapture of Sinjar from ISIL on 12 November 2015, approximately 163 Sunni Arab families fled from villages north-east of Sinjar to Ayadiya subdistrict, in Tal Afar district, but were denied entry to territory controlled by the Peshmerga. Stranded between Peshmerga and ISIL lines, their humanitarian situation was reported to be critical.[335]
- During the week from 21 to 27 October 2016, sixty Sunni Arab families attempting to return to retaken Misqlat village in the north-west of Tilkeif District, were prevented by Peshmerga from returning home.[336]
- At the end of October 2016, Asayish systematically and arbitrarily detained all males older than 15 who fled Mosul and Hawija on a base near the refugee camp of Dabiga, near the KRI border.[337]

Kirkuk

In mid-September 2016, mass arrests of IDPs were conducted by security forces in Kirkuk city, who frequently cited lack of legal residency documents and/or suspicion of involvement in terrorism. Asayish reportedly confiscated identification of IDPs then immediately forced IDPs to sign a pledge to depart Kirkuk Governorate within one week.[338]

[332] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 9.
[333] Human Rights Watch: Iraqi Kurdistan: Arabs Displaced, Cordoned Off, Detained, 26 February 2015, url.
[334] Comment by the drafters of this report, Cedoca/Belgium.
[335] UN Security Council, Second report of the Secretary- General pursuant to paragraph 7 of resolution 2233 (2015), 26 January 2016, url, p. 10.
[336] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 6.
[337] Human Rights Watch, KRG: men, boys fleeing fighting arbitrarily detained, 27 October 2016, url.
[338] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 5.

1.3.5 Kurds in Kirkuk after ISF take-over in October 2017

In October 2017, following the Kurdish independence referendum, the Iraqi government forces and the PMUs took back control of Kirkuk generating a new wave of displacement of about 150 000 – 200 000 people from the disputed areas.[339] Sources interviewed by DIS/Landinfo in 2018 differed in their opinion on how many of the IDPs who fled Kirkuk during the October 2017 Iraqi takeover of the region from Kurdish forces have returned. KRI-based sources stated that a large majority of IDPs are restricted to return whereas other sources assessed that the majority of IDPs have returned to Kirkuk.[340] Among IDPs that have not returned were people associated with the Kurdish rule in the disputed area, especially 'members and close associates of the Kurdish political party, Kurdistan Democratic Party (KDP) and employees of the Kurdish security service, the Asayish'.[341] According to sources, PMUs have burned or destroyed houses of Kurds who lived in Arab neighbourhoods of Kirkuk city and Tuz Khurmatu.[342] There were also reports of Iraqi government forces issuing arrest warrants for persons connected to KDP and enforcing stricter policies against KDP members wishing to return.[343]

Also see section 2.2.6 on targeting of Kurds.

1.4 Family members of actual or perceived ISIL members, affiliates and supporters

Although the government has not released statistics about 'terrorism' detainees, estimates put the number of persons detained on suspicion of ties to the ISIL since 2017 at 13 000.[344] According to sources cited by the New York Times, since the summer of 2017, more than 10 000 cases have been referred to the courts, and approximately 2 900 trials have been completed, with a conviction rate of about 98 %.[345] Human Rights Watch assessed in a January 2018 report (covering 2017) that 'Iraqi authorities were detaining around 1 400 foreign women and children who had been in Iraqi custody since they surrendered with ISIL fighters in late August.'[346]

A November 2018 DIS/Landinfo report observes that people with direct or indirect family relation to an ISIL member may be targeted by security actors. Such discrimination and abuses 'primarily affect women and children, whose husbands, fathers or brothers were members of ISIL and are either killed or detained. But also people whose name or the name of their more distant family members is similar to that of an ISIL suspect can raise serious suspicion'.[347]

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[339] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 14, 30.
[340] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 30
[341] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 14-15.
[342] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 15.
[343] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 15.
[344] New York Times (The), A 10-Minute Trial, a Death Sentence: Iraqi Justice for ISIS Suspects, 17 April 2018, url.
[345] New York Times (The), A 10-Minute Trial, a Death Sentence: Iraqi Justice for ISIS Suspects, 17 April 2018, url.
[346] Human Rights Watch, Iraq: Events of 2017, January 2018, url, p. 4
[347] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.

UNOCHA, writing in September 2018, assessed that 'women and children with perceived affiliations to extremist groups have been identified as the most vulnerable category of those who remain displaced. This population is discriminated against and segregated within IDP camps, prevented from returning to their homes, denied humanitarian aid and subjected to sexual violence.'[348] In a September 2018 report UNHCR stated that 'tribal leaders, security actors and communities continue to impede or deny permission to families with perceived links to extremists to return to areas of origin in Anbar, Kirkuk and Ninewa.'[349] Human Rights Watch reported that local officials have 'forcibly displaced hundreds of families of suspected ISIS-members in Anbar, Babil, Diyala, Salah al-Din, and Ninewa governorates'.[350]

The DIS/Landinfo 2018 report noted the existence of designated camps for family members of former ISIL members.[351] Because of fear of retaliation from the victims of ISIL crimes, the locations of these camps are often unknown. Wives and children of ISIL fighters are stigmatised and isolated from the rest of the society. They are banned from returning to their area of origin; they are exposed to harassment, threats and abuses; they are unable to obtain civil documents, and they are often disowned and/or treated as socially outcasts Female-headed households are met with the same treatment. They are also not allowed to re-enter their home community. Many live in camps with significant limitation on their freedom of movement. Often, they are not allowed to leave the camps. There are two such camps outside Mosul, two or three more elsewhere in Ninewa Governorate, in addition to many more in Syria.[352]

In April 2018 Amnesty International reported that government forces, including PMUs, have been preventing families with perceived ties to ISIL from returning to their home or places of origin. Iraqi forces, including the PMUs, have also regularly arrested and forcibly disappeared men with perceived ISIL ties directly from IDP camps. Women and children with perceived ties to ISIL have been subjected to human rights violations and collective punishment. Sexual exploitation of women in IDP camps by members of the PMUs was also reported. Upon returning to their places of origin families with perceived ISIL ties have been subjected to forced displacement, evictions, arrests, looting of their homes, house demolitions, threats, sexual abuse, harassment and discrimination by, amongst others, PMU and local militias.[353] Amnesty International describes a so-called ISIL family as follows:

> 'Perhaps the most determinative factor is if the family has a relative who was a member of IS. The perception of an affiliation to IS can exist even if the relative is a distant relative, with no relationship by blood. It may also exist in cases where the relative was not an IS fighter or commander, but worked in noncombat roles, such as an administrative employee, driver or cook. Other determinative factors include: if the family lived in an area that was a stronghold of support for IS; if the family lived in an area that was controlled by IS and then fled that area at a late stage in the hostilities; if the family belongs to a tribe of which the majority supported IS; or if one

[348] UNOCHA, Iraq Humanitarian Snapshot (as of 30 September 2018), 30 September 2018, url.
[349] UNHCR, Iraq protection update- September 2018, 30 September 2018, url, p. 2.
[350] Human Rights Watch, Iraq: Events of 2017, January 2018, url, p. 4.
[351] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 10.
[352] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 28.
AI, The condemned. Women and children isolated, trapped and exploited in Iraq, 17 April 2018, url, pp. 5, 17, 29, 34, 36.

> or more male members of the family were arrested as they fled IS-held territory or after they arrived at an IDP camp.'[354]

In a December 2017 report, Lifos, the Centre for Country of Origin Information and Analysis of the Swedish Migration Agency, also noted the situation of family members of ISIL affiliates and supporters. An Iraqi parliamentarian whom Lifos/Landinfo spoke to in Baghdad stated that 'immediate family members' of ISIL affiliates are considered to include father, son, or husband. The same parliamentarian further stated that accusations of ISIL affiliation are often unfounded, speculative, or arbitrary.[355] Interviewed by Niqash, Hisham al-Hashimi, a researcher into armed militias in Iraq who also advises the Iraqi government, considered the treatment of ISIL families as a major challenge after the victories over ISIL. Hisham al-Hashimi further remarked that 'there are around 100,000 people in families with a connection to the ISIL group and there is a likelihood that, if the harsh treatment continues, they will make up the next generation of the ISIS group.'[356]

In its report on human rights in Iraq in the July to December 2017 period, UNAMI expressed its concern about attacks on families of suspected ISIL members, seemingly intended to expel them or prevent them from returning to their homes.[357] UNAMI further stated that 'attacks targeting families of suspected ISIL members and their property continued, with the reported objective to expel them, or prevent them from returning to their homes, particularly in Anbar and Salah al-Din governorates.'[358] Reporting on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, in the 17 October 2016 – 10 July 2017 period, UNAMI makes note of threats to families alleged to have ISIL-affiliated members. Evictions of such families were also reported. In some instances, unidentified groups made the threats through so-called night letters. In other cases, local authorities were responsible.[359]

Describing human rights situation in Iraq in the period from January to June 2017, UNAMI also noted instances of threats to, and forced evictions of families alleged to have ISIL affiliated members. UNAMI names local authorities and unidentified groups as those responsible.[360] In March 2017 Human Rights Watch documented instances of PMUs taking part in evictions and in the demolition of houses belonging to families said to have familial ties to affiliates of ISIL.[361] In December 2016, UNAMI reported that some local government authorities issued orders to forcibly evict family members of people known to or perceived to have been supporters of ISIL.[362]

The following are examples of treatment of family members of actual or perceived ISIL affiliates or supporters.[363]

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[354] AI, The condemned. Women and children isolated, trapped and exploited in Iraq, 17 April 2018, url, p. 12.
[355] Sweden, Lifos, Thematic report: The security situation in Iraq : July 2016- November 2017, 18 December 2017, url, p. 43.
[356] Niqash, Fuelling the fight, never-ending story of extremism in Iraq, 16 November 2017, url.
[357] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. vi.
[358] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 3.
[359] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 3.
[360] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2017, 14 December 2017, url, p. 2.
[361] Human Rights Watch, Iraq: displacement, detention of suspected "ISIS families"- Troops force residents out, demolish homes, 5 March 2017, url.
[362] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. II.
[363] The examples cited pertain to abuses committed against family members of actual or perceived ISIL affiliates or supporters without asserting that such is the sole reason for the mistreatment endured.

Ninewa

- Between November 2015 and January 2016, at least 80 families were forcibly relocated from Aski Mosul and Huteina villages of Wana sub-district of Tilkaif, to Garmawa IDP camp in Duhok Governorate. Some families claim they were ordered to leave their villages by the KR-I Asayish on account of being related to an ISIL member.[364]
- In January 2017, around 80 individuals alleged to have family members belonging to ISIL were evicted from Hamam al-Alil subdistrict of Mosul district by a decision of a local committee, led by tribal leaders and assisted by members of security forces.[365]
- In June 2017, men of the al-Jabouri tribe announced a campaign to expel families whose members are alleged of being linked to ISIL from al-Qayyarah. The next day, 90 families who felt threatened fled the area.[366]
- In April 2018, according to Human Rights Watch, local armed forces in the district of al-Ba'aj, issued an order in February 2018 that relatives of male ISIL members could not return to the area. It was estimated that out of the 12 000 residents of al-Ba'aj who were still in camps about 20 % have an immediate relative who joined ISIL and therefore will not be able to return.[367]
- In September 2018 security actors forcibly relocated at least 22 families from villages near Mosul to camps in Ninewa. It concerned female-headed households alleged to have affiliations with extremists.[368]

Babil

- In July 2016, the Babil provincial council ordered the demolition of the homes of individuals convicted of being members of ISIL and expelled their family members from the governorate.[369]

Salah al-Din

- On 11 August 2016 at least 60 families in Dhuluiya (Salah al-Din) were notified by police that they must leave. According to sources the police stated families of ISIL collaborators were expelled for seven years.[370]
- On 30 August 2016, the Salah al-Din Provincial Council decided to expel all the families of members of ISIL from the governorate for a period of 10 years. Those outside the governorate were barred from returning if a family member had ISIL involvement.[371]

[364] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 24.
[365] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 27.
[366] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 40.
[367] Human Rights Watch, Iraq: Local Forces Banish ISIS Suspects' Families, 26 April 2018, url.
[368] UNHCR, Iraq protection update-September 2018, 30 September 2018, url, p. 2.
[369] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 28.
[370] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 27.
[371] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 27.

- In September 2016, local PMU forces destroyed hundreds of homes in al-Aithah (Salah al-Din Governorate). They targeted not only the families thought to be affiliated with ISIL, but also families that had fled because of the fighting.[372]
- According to Amnesty International in early 2017 'Sunni tribal militias within the PMU known as the Hashad al-Ashari, alongside Iraqi government forces, forcibly displaced at least 125 families from Salah al-Din Governorate perceived to be affiliated with IS, following a decree issued by local authorities authorizing their displacement. The families were then held against their will in an IDP camp functioning as a detention centre near Tikrit.'[373]
- In January 2017 PMU forces evicted a woman and her relatives from their home in al-Shakrah village (Salah al-Din Governorate) because her husband's brother had joined ISIL.[374]
- In March 2017, Sunni tribal groups, within the PMUs, and Iraqi soldiers forcibly displaced at least 125 families said to have familial ties to affiliates of ISIL. The families, all from Salah al-Din province, were held in a camp near Tikrit. The PMUs also destroyed some of the families' homes.[375]
- Between 8 and 20 November 2017, unknown perpetrators blew up at least 20 residential houses in three villages on the western side of Shirqat district, north of Tikrit city in Tikrit, Salah al-Din Governorate. All of the houses belonged to families perceived to have an affiliation with ISIL.[376]

Anbar

- On 13 October 2017, the ISF notified families of suspected ISIL members to leave Heet city, Anbar Governorate within 72 hours. On 26 October 2017, three houses were attacked with explosives and two houses were burnt in Heet city. On 4 November 2017 two houses were burnt in separate incidents in the al-Khidir and al-Dawara areas of Heet city.[377]

Kirkuk

- In early January 2018, Iraqi forces forcibly displaced at least 235 families of suspected affiliates of ISIL. All were from villages in the Hawija area, west of Kirkuk, and were brought to Daquq by Iraqi forces because they allegedly had ISIL-affiliated relatives. Human Rights Watch reported that groups within the PMUs, also known as the al-Hashd al-Sha'abi, destroyed some of their homes, forced some parents to leave children behind, stole some of the families' livestock, and beat at least three of the men.[378]

  In the fall of 2018 government-affiliated armed groups in Abbassi sub-district in Kirkuk Governorate instructed the local *Mukhtars* to direct families perceived to have affiliations with extremists to leave the area for Kirkuk city or camps within one week.

[372] Human Rights Watch, Iraq: displacement, detention of suspected "ISIS families"- Troops force residents out, demolish homes, 5 March 2017, url.
[373] AI, Amnesty International Report 2017/18 - Iraq, 22 February 2018, url.
[374] Human Rights Watch, Iraq: displacement, detention of suspected "ISIS families"- Troops force residents out, demolish homes, 5 March 2017, url.
[375] Human Rights Watch, Iraq: displacement, detention of suspected "ISIS families"- Troops force residents out, demolish homes, 5 March 2017, url.
[376] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 3.
[377] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 3.
[378] Human Rights Watch, Families with ISIS Relatives Forced into Camps, 4 February 2018, url.

The Mayor of Abbassi, however, referred the issue to the Governor of Kirkuk and the action was suspended.[379]

KRI

- In 2017, 46 Arab IDPs, most of them from Anbar Governorate, were ordered to leave KRI by the Asayish, due to family relations to members of ISIL. After intervention from humanitarian actors, they were allowed to return to Sulaimaniyah.[380]

1.5 Members of tribes with (perceived) affiliation with ISIL

A March 2016 report Renad Mansour notes that 'ISIS inserted itself into tribal life, recruiting members to its organization, committing atrocities, and causing pro– and anti–Islamic State splits within tribal ranks.'[381] Taking advantage of the Maliki government's disregard for Sunni tribal concerns ISIL was able to infiltrate tribes by providing members with money, land, and weapons. As ISIL attracted tribesmen with better compensation, the tribal leaders were unable to keep command of their tribes. Many tribes split into pro and anti-ISIL factions, exacerbating divisions among the Sunni population and leaving hardly any tribes without members affiliated with or supportive of ISIL, Mansour observes.[382]

In a September 2015 report, anthropologist Hosham Dawod[383] notes that 'the return in force of al-Qaeda that started in 2012 and transformed into ISIL profoundly divided the Sunni-majority tribes. Either they had to cooperate with federal security forces or else join the Sunni insurgents.'[384] According to Dawod, 'barely any large tribes, either in central or western Iraq, officially pledged allegiance to ISIL'. Rather, these often smaller tribes 'sought to maintain their ties with the state, however weakened these had become after years of government neglect'. Those tribes that joined with ISIL were those that since 2003 had 'never truly accepted Baghdad's authority'. These tribes included 'the Al-Jumaila, Al-Halabsa, Al-Bu 'Issa, Azza, Al-Mishahda in the Anbar region, Al-Bu Ajil, Al-Bu Nasir and certain clans of the Al‑Jubur and Ubaid tribal confederation in the region of Salah al-Din and Ninewa, etc.'.[385]

Examples of treatment of ISIL affiliated tribes, subdivisions or local divisions of these tribes by ISF and affiliated armed groups are presented below. However, the motivation for the treatment endured is not always clear in the source information and tribal affiliation to ISIL shouldn't be asserted as the sole reason, unless where it is clearly specified[386].

[379] UNHCR, Iraq protection update-September 2018, 30 September 2018, url, p. 2.
[380] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 34.
[381] Mansour, R., The Sunni predicament in Iraq, 3 March 2016, url.
[382] Mansour, R., The Sunni predicament in Iraq, 3 March 2016, url.
[383] Hosham Dawod is an anthropologist at the Centre national de la recherche scientifique and an associate of the Norwegian Peacebuilding Resource Centre (NOREF) which is a research network developed to 'strengthen peacebuilding policy and practice'. He has published research on tribes in Iraq and the Middle East.
[384] Dawod, H., The Sunni tribes in Iraq, September 2015, url, p. 3.
[385] Dawod, H., The Sunni tribes in Iraq, September 2015, url, pp. 2-3.
[386] Comment by the drafters of this report, Cedoca/Belgium

Diyala

- On 22 August 2014 pro-government militias and security forces killed 34 people in an attack on a Sunni mosque in the village of Imam Weiss, situated in Diyala province. According to witnesses, all but one of the victims belonged to the Beni Weiss, a Sunni tribe in Diyala.[387]
- On 26 January 2015, Shia militias and security forces killed at least 56 Sunni Muslims in Barwana, situated in Diyala province. The killings were possibly revenge acts after the killings of Shia militia men and government forces by ISIL in previous days. Most of the victims were from families belonging to the Jburi tribe who lived in nearby villages but were sheltering in Barwana.[388]
- On 28 July 2015, armed militia members abducted three members of the Zuherat tribe on the road between Abu Saida and Baquba (Diyala Governorate).[389]
- On 31 July 2016, a leader of the Khazraj tribe was killed north-east of Baquba (Diyala Governorate), allegedly by militia members operating under PMU.[390]

Salah al-Din

- On 11 November 2014, 94 men of the Grathool tribe were abducted by PMUs in Yathrib (Salah al-Din Governorate). Fourteen bodies were later discovered in a small trench near the village, 46 persons were released, and 33 abductees went missing.[391]
- After the liberation of Tikrit in April 2015, revenge acts were reported against members of the Albu Ajil tribe and the Albu Nasr tribe. Tribal fighters and militia members were responsible for disappearances and destruction of property and houses.[392] KH and AAH forces abducted more than 200 Sunni residents near al-Dur. At least 160 abductees remained unaccounted for.[393]
- On 16 July 2015, a group of AAH members abducted 12 civilians from the Khazraj tribe in Jalludiyat village (Salah al-Din Governorate).[394]
- On 27 September 2015, masked gunmen in uniform abducted at least 28 members of the al- Jubour tribe in Hujjaj village (Salah al-Din Governorate). All abductees allegedly had current or past affiliation with ISIL or family connections associated with ISIL. According to sources the masked gunmen were militia.[395]

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[387] Human Rights Watch, Iraq: Survivors describe mosque massacre, 2 November 2014, url.
[388] AI, Iraq: Barwana massacre - Botched investigation, families waiting for justice, 10 June 2015, url; Human Rights Watch, Iraq: Militias escalate abuses, possibly war crimes, 15 February 2015, url.
[389] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 22.
[390] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 18.
[391] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 20.
[392] Niqash, Family feuds that last, and last: as extremists withdraw in Salahaddin, Iraq's tribes demand justice, 22 October 2015, url.
[393] Human Rights Watch, Iraq: Militia abuses mar fight against ISIS, 20 September 2015, url.
[394] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 22.
[395] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 22.

Anbar

- On 30 May 2016, members of the PMU and the federal police executed more than a dozen civilians from the Jumaila tribe fleeing Sajar, a village north of Fallujah.[396]
- Early June 2016, thousands of civilians, nearly all belonging to the Albo Akash clan of the al Mahamda tribe, fled Saqlawiya (Anbar province). It was reported that 1 500 men and boys were taken away by an armed group using the banners of KH. Reportedly, 643 men and boys went missing, and 49 others were believed to have been summarily killed or tortured to death while in custody of KH. Tribal leaders believed that 200 more men were unaccounted for.[397]
- In November 2016, UNAMI received reports that in Albu Alwan area of Ramadi district, a large number of returnee families were forcibly evicted from their houses by members of the same tribe because of their alleged affiliation with ISIL.[398]
- In June 2018, ISF troops at checkpoints in Anbar prevented a group of returnees to reach their places of origin in al-Baghdadi, Anbar. The group of families was from the Sa'ada tribe, whose members have been accused of affiliation with ISIL. The families were taken to IDP camps in Anbar, after their return was blocked in February and again in June 2018. They had been displaced in 2014 and had expressed their will to return. The area was under control of the Iraqi government since February 2015.[399] Earlier examples of members of the same tribe being blocked by members of the ISF from returning, leading to secondary displacement, were also reported. A sheikh of the Sa'ada tribe explained that, although the families had received clearance to return to their former places of residence, forces of the Jazeera and Badia Operations Command (JBOC) refused to recognize this permission.[400] According to ISW the JBOC has one of the largest geographic areas of responsibility including most of Anbar west of Ramadi, much of the Jazeera and Badia Deserts.[401]

Ninewa

In June 2017, Yazidi fighters allegedly forcibly disappeared and killed 52 civilians from the Imteywit tribe. The victims were fleeing fighting between ISIL and PMUs west of Mosul. Yazidi forces were also implicated in other incidents of enforced disappearances of members of the Imteywit and Jahaysh tribes.[402]

1.6 Recruitment by PMUs and affiliated armed groups

The Institute for the Study of War noted in its December 2017 report which outlines the ISF and PMU Orders of Battle in Iraq, stated that the recruitment process within the PMUs is managed by the Popular Mobilisation Commission (PMC) in collaboration with the Ministry of Interior. According to the same source 'the Central Administrative Directorate manages a

[396] AI, Punished for Daesh's crimes: Displaced Iraqis abused by militias and government forces, 18 October 2016, url, p. 20; Human Rights Watch, Fallujah abuses test control of militias, 9 June2016, url.
[397] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 19.
[398] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 5.
[399] Human Rights Watch, Iraq: Displaced Families Blocked from Returning. 24 June 2018, url.
[400] Human Rights Watch, Iraq: Displaced Families Blocked from Returning. 24 June 2018, url.
[401] Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url, p. 18.
[402] Human Rights Watch, Iraq: Yezidi fighters allegedly execute civilians, 27 December 2017, url.

range of issues from the issuance and modification of recruitment forms, medical examinations, and background and security checks, likely through the regional PMC directorates and governorates.'[403]

According to an Iraq analyst interviewed during the DIS/Landinfo mission to KRI in 2018, recruitment to the PMUs is on a voluntary basis, many joining for economic reasons such as attractive salaries [up to USD 500/month] compared to rest of Iraq. The report notes that there is no draft relating to the PMU.[404]

Discussing recruitment by PMUs at EASO's practical cooperation meeting on Iraq in April 2017, Joost Hiltermann, Program Director for Middle East & North Africa at the International Crisis Group, noted that 'militias have no trouble recruiting because they have money and pay well; there are economic incentives to join.'[405] Mark Lattimer, Director of the Ceasefire Centre for Civilian Rights, pointed out at the same meeting that 'most of the members of the Shia militias are Shiite but there are also Sunni, Christian or mixed militias. Service in militias is very attractive for young men because of the possibility to earn a wage where there are few other economic options.'[406] Gareth Stansfield, Professor of Middle East Politics and the Al-Qasimi Chair of Arab Gulf Studies at the University of Exeter, remarked that 'Asaib Ahl al-Haq and the Badr Brigades have a good level of recruitment, including among the Shiite Turkmen of Tuz Khormatu and Tal Afar.'[407]

Belkis Wille, senior Iraq researcher in the Middle East and North Africa division at Human Rights Watch, stated at the same meeting that 'the problem of recruitment that is "not totally voluntary" concerns mainly the Sunni tribal militias. Young men, sometimes minors, are recruited in camps for displaced persons through tribal leaders; they can also be strongly encouraged by their brothers or their parents, or they may follow in a relatives' footsteps, or go along to accompany a father or brother to the fighting and become involved that way. There was a wave of recruitment in the spring of 2016.'[408]

In an April 2017 report Renad Mansour and Faleh A. Jabar noted the popularity of the PMU among the country's Shia population, resulting in an overabundance of volunteers:

> 'A major reason why neither Abadi nor any other leader is able to challenge the PMF groups is because of their broad popularity among Iraqi society. The paramilitary outfits are particularly popular among the country's Shia population. An August 2015 poll claims that 99 percent of Shia respondents support the use of the PMF to fight the Islamic State. Abadi's chief intelligence officer has stated that up to 75 percent of men between eighteen and thirty years old living in Shia-majority provinces had signed up to enlist in the PMF by the spring of 2016. Since there are more volunteers than the state needs or can fund, most of these recruits remain inactive and not on the official list of active fighters. As volunteers flocked from all of Iraq's Shia provinces

[403] Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url, p. 34.
[404] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 45, 48.
[405] Hiltermann, J., EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 12.
[406] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 12.
[407] Stansfield, G., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 12.
[408] Wille, B., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, pp. 14-15.

> to enlist, the PMF recruited roughly ten times more volunteers than the Iraqi security forces.'[409]

International Crisis Group noted in an August 2016 report that Grand Ayatollah Sistani's June 2014 *fatwa* resulted in a massive mobilisation of young volunteers:

> 'Iraq's highest religious Shiite authority, Grand Ayatollah Ali al-Sistani, issued a binding religious edict (fatwa) on 13 June, calling on youths to volunteer in defense of the country. The call to sign up spread by word of mouth across the south and resulted in a massive mobilization of young volunteers (mutatawaeen) in what was later called "popular mobilization" (al-hashd al-shaabi). […] Joining the hashd was the only way for many youths to earn a salary and benefits for their families if they died. Most who enrolled had been working as day laborers or in the lower public sector ranks, with no possibility of a decent living. Still, while income was an incentive, their motives cannot be reduced to material interest. The hashd attracted many destitute youths in part because recruitment targeted the most densely populated, poorest areas (like Sadr City in Baghdad, Basrah, Diwaniya and Amara) or was done near the frontline (for example, Shula and Hurriya neighborhoods in Baghdad and Karbala). Young men continued to volunteer even when the government or militia defaulted on pay. In 2015, volunteers joined training sessions for reservists that offered no remuneration.'[410]

In a March 2016 report Michael Knights, an expert on Iraq with the Washington Institute[411], discusses the appeal of the PMUs to Shia youth:

> 'Many Iraqis, particularly younger ones, want to try something new, and to reject old institutions. The PMU also offered a military experience that appealed to many young people. Pay and benefits (pension, disability allowances) are not as good as a permanent government job but service is flexible, with recruits able to come and go as they please. Discipline is lax, which suits many young people. The command style of PMU leaders, as previously discussed, is based on their personal characteristics and level of battle experience, which is again highly attractive to young people who are looking for role models, not necessarily for leaders who must be obeyed whether you like them or not. In many PMU units an emphasis on Shiism and the protection of Shia shrines is another attractive feature.'[412]

1.6.1 Forced recruitment

At EASO's practical cooperation meeting on Iraq in April 2017 Belkis Wille, senior Iraq researcher in the Middle East and North Africa division at Human Rights Watch, noted that 'forced recruitment in Shiite militia remains very rare, perhaps three or four cases have been reported. In some cases, young Sunni men enlisted in a Shiite militia (Kata'eb Hezbollah).'[413] In January 2017 UNHCR mentioned allegations of forced recruitment of male residents, including minors, in newly retaken areas of Mosul stating that 'IDPs fleeing the eastern side of Mosul are forced, also, by tribal militia to join the military offensive through preparing

[409] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, pp. 10-11.
[410] International Crisis Group, Fight or flight: the desperate plight of Iraq 's "Generation 2000", 8 August 2016, url, pp. 15-16.
[411] A think tank committed to advancing US interests in the Middle East: url
[412] Knights, M., The future of Iraq's armed forces, March 2016, url, p. 30.
[413] Wille, B., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, pp. 14-15.

meals, carrying weapons or taking up arms. IDPs are reported to be under the risk of being accused or tainted of affiliation with armed groups should they refuse or show reluctance and that one "volunteered" male per family reportedly absolves the family from allegations of affiliation with the armed group.'[414]

In a November 2016 report the Netherlands Ministry of Foreign Affairs noted that forced recruitment of fighters does not occur in the PMUs but men might face social pressure to join a militia.[415] Despite the popularity of the PMUs and the availability of volunteers the International Crisis Group noted in August 2016 that armed groups (militias and ISIL alike) increasingly try to recruit young professionals whose skills they need. In particular doctors face this type of recruitment:

> 'In areas the government controls, its fading ability to enforce the law in a militia-dominated environment compels young professionals to ask militias for protection. Armed groups (militias and IS alike) in need of their skills, in particular those of doctors, increasingly try to recruit them, either forcibly or by creating professional associations parallel to the state's.'[416]

Describing the December 2014-April 2015 period UNAMI mentions reports of IDP families being barred from entry to Baghdad, Karbala and Babil, except if the men joined the PMUs, noting that 'large numbers of IDPs made their way towards Baghdad, Karbala and Babil governorates, although many were denied entry unless they had a sponsor resident in those governorates – and there were reports that some families were only being admitted if the adult men agreed to join the PMU.'[417]

Reporting on human rights practices in 2015, USDOS also mentioned reports of local councils forcing displaced persons to enlist:

> 'On April 21 (2015), the Wasit Provincial Council issued a statement forcing displaced persons between the ages of 18 and 50 to enlist. Shabak IDPs living in Wasit told Masarat that local police confiscated their identity documents and told them they had to enlist in security forces or leave the province. Ultimately, after intervention from human rights activists, a member of parliament, religious authorities, and members of the Wasit provincial council, the decision to forcibly enlist Shabak IDPs was revoked, and local police returned their identity documents.'[418]

1.7 Former Baath Party members

From 1968 to 2003 the Arab Socialist Baath Party ruled Iraq. The Baathists had taken power briefly in 1963 and regained it in 1968, after which the party's power became concentrated under Iraqi leader Saddam Hussein.[419] The Party's ideology was secular Arab nationalist, and through the Baath party, concentrated power over the country into the control of a 'narrow elite united by family and tribal ties' rather than ideological convictions. During the 1980s,

[414] UNHCR, Mosul Weekly Protection Update 14-20 January 2017, 20 January 2017, url, p. 2.
[415] Netherlands, Ministry of Foreign Affairs, Algemeen ambtsbericht Irak, 14 November 2016, url, p. 58.
[416] International Crisis Group, Fight or flight: the desperate plight of Iraq 's "Generation 2000", 8 August 2016, url, p. 23.
[417] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 5.
[418] USDOS, Country Report on Human Rights Practices 2015 - Iraq, 13 April 2016, url.
[419] Encyclopaedia Britannica, Ba'th party, n.d., url.

about 10 % of the Iraqi population were members of the party.[420] The Baath party has been described as a 'brutal authoritarian regime' which penetrated the government and military institutions to retain power over the population.[421] Saddam Hussein and the Baath party used violence, killing, torture, execution, and various forms of repression to control the population. A particularly well-known incident was when the northern Kurdish village of Halabja was gassed with poison in 1988 killing 5 000 and wounding 10 000 Iraqi Kurds suspected of disloyalty to the regime.[422]

After the collapse of Saddam Hussein's regime in 2003, the new constitution implemented in 2005 effectively banned the Baath party.[423] A Bill passed by the Iraqi Parliament in July 2016 formally banned the Arab Socialist Baath Party from 'exercising any political or cultural or intellectual or social activity under any name and by any means of communication of media'.[424]

1.7.1 ISIL and former Baath Party members

Renad Mansour reported that, despite a constitutional ban[425], remnants of the former Baath Party were still active during the 2016 period during the ISIL conflict. He explained that 'the party is divided along two strands' remarking that

> 'the first group includes supporters of Izzat Ibrahim al-Douri, formerly vice chairman of Saddam's Iraqi Revolutionary Command Council, and the Naqshbandi order, a Sufi sect of Sunni Islam prominent in northern Iraq. The second group is led by Mohammed Younis al-Ahmed, who leads al-Awda, an underground Baath movement inside Iraq. Both groups are wanted by the central government and as such operate via clandestine networks. Both of these groups have shared relations with ISIL.'[426]

In April 2018, the Netherlands' Ministry of Foreign Affairs noted that the list of most wanted ISIL members published by Iraqi authorities in February 2018 contains several high-ranking former Baath party members.[427] On 4 February 2018, Arab News, a Saudi Arabia English language newspaper, similarly reported on the existence of a list of 60 'most wanted' people by the Iraqi security services for individuals involved in terrorism over the past 14 years, which included some former Baathists.[428] The article states that the 'Iraqi list links the Ba'ath officials to the Army of Muhammad, the Naqshbandi Army, the Army of Mujahideen, Al-Aussra Army, Al-Qaeda and Daesh' and that some of the names were already on a US wanted list for Saddam-era officials and alleges involvement in militant groups since 2003. The list included the name of Saddam Hussein's eldest daughter, Raghad Saddam Hussein, his nephews, Omar and Ayman Saba'awi, Ahmed Wattban Ibrahim Al-Hassan, as well as Saddam's cousin, Rafei'a Abdulatief Telfah.[429]

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[420] BBC News, The Iraqi Baath party, 25 March 2003, url.
[421] Stanford News, Ba'ath Party archives at the Hoover Institution reveal brutality of Saddam Hussein's authoritarian regime, 29 March 2018, url.
[422] New York Times (The), Saddam Hussein, Defiant Dictator Who Ruled Iraq With Violence and Fear, Dies, 30 December 2006, url.
[423] Tahrawi, D., The future of the Iraqi Ba'ath Party, 3 March 2016, url.
[424] GICJ, Iraq – New bill contradicts basic principles of human rights, 4 August 2016, url.
[425] Tahrawi, D., The future of the Iraqi Ba'ath Party, 3 March 2016, url.
[426] Mansour, R., The Sunni predicament in Iraq, 3 March 2016, url, pp. 15-16.
[427] Netherlands, Ministry of Foreign Affairs, Algemeen Ambtsbericht Irak, 1 April 2018, url, p. 72.
[428] Arab News, Iraq issues 'most wanted' terror list, 4 February 2018, url.
[429] Arab News, Iraq issues 'most wanted' terror list, 4 February 2018, url.

In April 2018, the New Arab, a London-based pan-Arab media outlet, mentioned a survey conducted by AFP, revealing that 14 former officials from the Saddam era are still in prison in Iraq, 15 years after the ousting of the regime.[430] In March 2018, Rudaw, a Kurdish media network, reported that the Iraqi government ordered the seizure of assets which previously belonged to Saddam Hussein and those belonging to more than 4 200 former Baathist officials, including their spouses and relatives.[431]

In a December 2015 article Reuters reported that former Saddam-era officers have been a powerful factor in the rise of ISIL. According to multiple sources the Baathists strengthened ISIL spy networks and battlefield tactics and were instrumental in the survival of its self-proclaimed caliphate. According to Hisham al-Hashimi, an Iraqi analyst who has worked with the Iraqi government, of ISIL's 23 portfolios – equivalent to ministries - former Saddam Regime officers ran three of the most crucial: security, military and finance. The union of Baathists and ISIL is a union of convenience, Reuters noted: 'Former Baathists working with ISIS were driven by self- preservation and a shared hatred of the Shia-led government in Iraq.'[432] The Washington Post reports that the recruitment of former Baathist officers was a deliberate strategy installed under the watch of ISIL-leader Abu Bakr al-Baghdadi.[433] According to the New York Times, the association with Baathists allowed ISIL to develop into a 'hybrid of terrorists and an army'.[434]

Other sources note the different agendas and tactics of ISIL and the Baathists. In April 2015, Rudaw published an article reporting on the killing of hundreds of Saddam-era former military and police officers by ISIL:

> 'The Islamic State has reportedly killed hundreds of former military and police officers who were part of Iraqi security forces during Saddam Hussein's Baathist regime, the Iraqi vice president announced. Vice President Osama Nujaifi, speaking in a press conference Thursday held in Tal Afar, said "In the few past days, ISIS militias have killed 300 former police and [army] officers in Mosul." The Islamic State had earlier demanded former Iraqi Army officers join the group's fighters in Mosul, a source inside the jihadist-held city told Rudaw on condition of anonymity.'[435]

Writing for the Intercept in 2015, journalist Malcolm W. Vance, reports that ex-Baathists had connections with ISIL, but also had their own political goals in mind and were aiming for the establishment of a Sunni-dominated tribal nation from Damascus to Fallujah to Mosul, thus covertly undermining ISIL's caliphate.[436] Former Regime loyalists working with ISIL were made to swear loyalty to ISIL, according to the same source.[437] In November 2014 Middle East Eye reports that 'the initial hype about the return of the Baath party, and the Naqshbandi army, has proven bogus'. Despite having a presence in Mosul, the Baath party is relatively ineffective. ISIL fighters, supported by local, tribal groups, control the region. To tame any opposition, ISIL arrested a number of local Baath party leaders. Middle East Eye further stresses that not all Baath party members were enthusiastic about ISIL's rise.[438] In July 2014

[430] New Arab (The), 14 Saddam-era officials remain jailed in Iraq: survey, 23 April 2018, url.
[431] Rudaw, Iraq orders seizure of Baathist-remnant assets, 5 March 2018, url.
[432] Reuters, The Baathists: how Saddam's men help Islamic State rule, 11 December 2015, url.
[433] Washington Post (The), The hidden hand behind the Islamic State militants? Saddam Hussein's, 4 April 2015, url.
[434] New York Times (The), Military skill and terrorist technique fuel success of ISIS, 27 August 2014, url.
[435] Rudaw, Iraqi VP: 300 ex-security officers executed in Mosul, 17 April 2015, url.
[436] Intercept (The), ISIS forces that now control Ramadi are ex-Baathist Saddam loyalists, 3 June 2015, url.
[437] Intercept (The), ISIS forces that now control Ramadi are ex-Baathist Saddam loyalists, 3 June 2015, url.
[438] Middle East Eye, Analysis: Iraq's Baath party: where are they now ?, 14 November 2014, url.

Reuters reported ISIL rounded up between 25-60 ex-Baathists to eliminate potential rivals in Mosul.[439] Human Rights Watch noted that these arrests suggested fractures in the local Baathist-ISIL alliance.[440] In June 2014, a source inside Mosul contacted by Niqash noted that ISIL most likely used their Baath party and tribal associations in Mosul to gain popular support and be accepted by the people of the city. In Mosul, however, it was clear who was in charge, and ISIL ordered posters of Saddam Hussein to be removed.[441]

1.7.2 De-Baathification

A March 2013 report by the International Center for Transitional Justice[442] defines the de-Baathification process in Iraq as a series of legal and administrative measures introduced shortly after the fall of the Saddam regime in April 2003 with the objective of preventing the Baath party from returning to power. It consisted of a broad policy aiming to eliminate senior Baath party members from the civil service and disbanding the Iraqi armed forces and security services. Whilst Shia political parties supported the process, Sunnis eventually considered de-Baathification as 'a sectarian instrument wielded to prevent Sunnis from participating in public life'.[443] As such, de-Baathification proved to be 'a deeply flawed process', polarising Iraqi politics and contributing to 'severe instability in the Iraqi military and government'.[444] The report noted that in May 2003, 400 000 military conscripts, officers and government officials were made unemployed by the de-Baathification order of 2003.[445] According to the GICJ, the effect of de-Baathification was to legitimise sectarianism with a lasting negative impact on Iraq.[446] Human Rights Watch reported in 2015 that due to 'historical animosities' between Shia and the Baath, 'pro-government forces engaged in military operations against ISIS appear to have conflated ISIS with the Baath party', lumping together ISIL and those forces 'loyal to the disbanded Baath party and retired senior officers who served under Saddam Hussein'.[447]

Below are other examples of treatment mentioning former Baathists.[448]

- In March 2015, militia fighters claimed that they burned and destroyed al-Dur village, situated in Salah al-Din Governorate. According to militia members the residents of the village were Baathists and ISIL.[449] Destruction of property and burning of buildings by militias also took place in al-Alam village and Al-Bu Ajil village, reportedly due to

[439] Reuters, Islamic State rounds up ex-Baathists to eliminate potential rivals in Iraq's Mosul, 8 July 2014, url.
[440] Human Rights Watch, Iraq: ISIS Abducting, Killing, Expelling Minorities. Armed Group Targeting Christian Nuns, Turkmen, Shabaks, Yazidis, 19 July 2014, url.
[441] Niqash, Inside Mosul, ISIS bringing the Baath party back- or are they?, 13 June 2014, url.
[442] The ICTJ is an international non-profit organisation that works with victims of human rights abuses, civil society, national and international organizations to 'ensure redress for victims and help prevent atrocities from happening again' through research, analysis, and advisory activities, according to its website.
[443] Sissons, M. and Al-Saiedi, A., A bitter legacy: Lessons of de-baathification in Iraq, March 2013, url, pp. 9-21.
[444] Sissons, M. and Al-Saiedi, A., A bitter legacy: Lessons of de-baathification in Iraq, March 2013, url, p. 1.
[445] Sissons, M. and Al-Saiedi, A., A bitter legacy: Lessons of de-baathification in Iraq, March 2013, url, p. 29.
[446] GIJC, Iraq – New bill contradicts basic principles of human rights, 4 August 2016, url
[447] Human Rights Watch, Ruinous aftermath: militia abuses following Iraq's recapture of Tikrit, 20 September 2015, url, p. 22
[448] The examples cited pertain to acts committed against former Baath Party members without asserting that such is the sole reason for the treatment endured.
[449] Human Rights Watch, Ruinous aftermath: militia abuses following Iraq's recapture of Tikrit, 20 September 2015, url, p. 21.

collaboration with ISIL.[450] Enforced disappearances and killings by KH and AAH forces were reported.[451]

- In April 2015 members of militia groups allied to government forces looted civilian homes in newly liberated areas of Tikrit. 'A number of shops and homes were looted and torched in Tikrit's Zuhor quarter, Itibba'a street, Arbaeen street, Qadisiya quarter, al-Asri quarter, and Shuhadaa quarter during the first 48 hours of the liberation of Tikrit City. Between the afternoon of 3 April and the morning of 4 April, an additional 700 homes were reportedly looted and burned, and 200 more were allegedly detonated – particularly those belonging to former officers of the Iraqi Army under Saddam Hussein.'[452]
- On 17 April 2015, in al-Sankar village of Abu al-Khaseeb district (Basrah Governorate), a Sunni sheikh from al-Ghanim tribe was shot dead in front of his house. The sheikh had reportedly served in the intelligence services during the Saddam Hussein regime.[453]
- On 27 September 2015, a former member of the Baath party was shot and killed in the al-Junaina area of central Basrah.[454]
- On 29 April 2016, a high-ranking member of the Baath party was killed in Basrah by unidentified gunmen.[455]

  According to the 2017 report on International Religious Freedom, 'Sunnis said they faced discrimination in public sector employment as a result of de-Baathification, a process originally intended to target loyalists of the former regime. According to Sunnis and local NGOs, the government continued the selective use of the deBaathification provisions of the law to render many Sunnis ineligible for government employment, but did not do so to render former Shia Baathists ineligible'.[456]

1.8 Desertion

1.8.1 Army desertion

The Military Penal Code No 19 of 2007, whichapplies to Iraqi military forces' personnel in service, cadets of military college and army schools or institutes, discusses desertion and a range of related punishments in Chapter 5. Article XXXV, First Article states that 'whoever escapes to join the enemy is punishable with a death sentence'. The Second Article states that '[w]hosoever escapes to take enemy side during confirmations or during escape from a site under siege, is punishable with imprisonment of 2-7 years'. Under the Fifth Article, a 5-year imprisonment shall be imposed for any '[m]ilitary person escaping abroad during his military service'. Article XXXVI notes that an army deserter who 'surrenders himself repentantly is

[450] Human Rights Watch, Ruinous aftermath: militia abuses following Iraq's recapture of Tikrit, 20 September 2015, url, pp. 31, 38, 40.
[451] Human Rights Watch, Ruinous aftermath: militia abuses following Iraq's recapture of Tikrit, 20 September 2015, url, pp. 43-49.
[452] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 29.
[453] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 31.
[454] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 30.
[455] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 30.
[456] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.

deemed as [an] "Extenuating Circumstance"'.[457] In an October 2014 report UNAMI notes the death penalty is provided for by the Military Penal Code of 2007:

> 'Offences carrying the death penalty are listed in Articles 27 and 28 – and include offences relating to failure of personnel to perform their duty in the circumstances leading to the surrender of themselves or other members of the armed forces and surrender of military installations and military objects or territory; passing of secret documentation or information to hostile powers during peace or wartime; inciting revolt, desertion, or defection of members of the armed forces to the enemy; inciting insubordination or disobedience among other members of the armed forces; disclosing military operations and military secrets to the enemy; spreading panic within the armed forces through misinformation; and communicating secretly with enemy forces, etc.'.[458]

Absenteeism and absence are covered under Chapter IV, Article XXXIII of the same code, noting that, 'Whosoever, is absent without proper legal justification from his unit or place of duty or exceeds the duration of his leave at time of peace for more than (15) fifteen days for lower ranks and (10) ten days for officers, shall be punishable with imprisonment not exceeding (3) three years'.[459] Perpetration of crimes of absenteeism (Article XXXIII) during times of 'mobilisation' 'shall be deemed as "Aggravating Circumstance"' (Article XXXVI).[460]

In a June 2014 article, the New York Times noted that after ISIL captured Mosul that month, the Iraqi government 'publicly invoked the law forbidding desertions, threatening harsh punishments, including the death penalty'.[461] The same month, Public Radio International (PRI)[462] reported Iraqi Prime Minister Nouri al-Maliki threatened deserters with apparent execution in a televised address.[463] An Iraqi military colonel, who asked to remain anonymous because he was not authorised to speak to the press, however, said 'the military does not consider soldiers who fled after being abandoned by their superiors to be deserters.' He stated that soldiers had to flee as they had no orders to fight, their commanders left, and their lives were in danger. The same source stated that 'the mass desertions in Mosul are being treated as a political issue, not a strategic or military problem.'[464]

In a July 2014 article the Washington Post reported the situation of an Iraqi soldier who deserted the army the previous month. According to the source the young man 'evaded authorities, who are arresting deserters, by moving between the houses of friends and family in his home city of Baghdad'.[465] Michael Knights informed the Washington Post that nearly one tenth of Iraq's active soldiers deserted in the weeks following ISIL's seizure of Mosul. According to Iraqi officials, the number of deserters might have been as high as 90 000 at that time.[466]

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[457] Iraq, Military Penal Code No. 19 of 2007, 2007, url.
[458] UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, p. 9.
[459] Iraq, Military Penal Code No. 19 of 2007, 2007, url.
[460] Iraq, Military Penal Code No. 19 of 2007, 2007, url.
[461] New York Times (The), Exhausted and bereft, Iraqi soldiers quit fight, 10 June 2014, url.
[462] PRI is a US-based global non-profit media company, according to its website.
[463] PRI, Iraqi deserters say the army's epic collapse isn't their fault, 17 June 2014, url.
[464] PRI, Iraqi deserters say the army's epic collapse isn't their fault, 17 June 2014, url.
[465] Washington Post (The), Iraqi soldier tells of desertion as militants attacked refinery: 'Our officers sold us out', 11 July 2014, url.
[466] Washington Post (The), Iraqi soldier tells of desertion as militants attacked refinery: 'Our officers sold us out', 11 July 2014, url.

In September 2014, the New York Times reported the Iraqi army tried to convince army deserters to come back offering a de facto amnesty. An official at the re-enlistment centre in Baghdad informed the New York Times that nobody is being asked to explain why he abandoned his unit.[467] Niqash reported the Iraqi army suffers badly from the so-called astronaut phenomenon, meaning soldiers who pay money to superior officers so they can leave the world of the military and stay out.[468] The same article stated that many soldiers bribe their way out of danger zones, 'paying a hefty part or all of their salary to their superior officers in return for the superior not reporting them absent'. Hence, an increase in the number of Iraqi soldiers who were leaving areas where they could expect to see action, such as the provinces Anbar, Salah al-Din and Diyala, it was reported in the July 2014 article.[469] The article further informed that corruption in Iraq's army worsened since the new military penal code was introduced in 2007 adding that 'although the military law sets strict laws for soldiers who are absent without leave, especially during times of war, it is barely ever enforced.'[470] MP Mathar al-Janabi, a member of the parliamentary committee on security and defence, informed Niqash that 'our security forces have a big problem when it comes to non-enforcement of military law (…) This makes members of the military unafraid of doing illegal things – such as being absent without leave, illegal killing and otherwise not carrying out their military duties.'[471]

In April 2015 AFP reports Prime Minister al-Abadi offered an amnesty to security forces members who deserted, provided they return to their units within 30 days.[472] In May 2015, Prime Minister al-Abadi announced 'the halt of any legal action against the fugitives and the absent during military service'. According to a statement from Abadi's office 'the Prime Minister has decided to stop any legal action was taken against members of the Armed Forces and internal security forces definitively, including the following offenses: escape, absenteeism, malingering and self-harm to get rid of service, as well as crimes against the military regime and the affairs of the service.'[473] In August 2016, Iraqi News reported that the Iraqi Defense Ministry cancelled the contracts of 106 000 military officials who fled from service in June 2014 after ISIL's entry into Mosul.[474]

In a December 2016 report, Landinfo makes note of a November 2016 meeting with a member of an unnamed international organisation active in Iraq. According to this international organisation, army deserters who have left the country could be arrested and may face imprisonment upon return to Iraq. Those who have the right connections, however, may be allowed to return to their service without being punished. LandInfo noted that these claims could not be confirmed by information from other sources.[475] The director of UNAMI's human rights office in Baghdad also informed Landinfo that his services were not aware of any court cases resulting in a death sentence on the basis of the military penal law. Besides that, UNAMI

[467] New York Times (The), Iraq army woos deserters back to war on ISIS, 28 September 2014, url.
[468] Niqash, The 'Astronaut' problem – Iraqi soldiers who pay money to officers so they don't fight, 2 October 2014, url.
[469] Niqash, The 'Astronaut' problem – Iraqi soldiers who pay money to officers so they don't fight, 2 October 2014, url.
[470] Niqash, The 'Astronaut' problem – Iraqi soldiers who pay money to officers so they don't fight, 2 October 2014, url.
[471] Niqash, The 'Astronaut' problem – Iraqi soldiers who pay money to officers so they don't fight, 2 October 2014, url.
[472] AFP, Iraq offers amnesty to security personnel who fled ISIS. Al Arabiya, 30 April 2015, url.
[473] Iraqi News, Abadi pardons military deserters and others, 17 May 2015, url.
[474] Iraqi News, Contracts of 106,000 deserters cancelled, says Obeidi, 1 August 2016, url.
[475] Norway, Landinfo, Irak: Desertering fra den irakiske hæren [Desertion], 13 December 2016, url, p. 2.

did not meet any army deserters in the prisons they visited.[476] Landinfo stated that it cannot exclude with certainty that military personnel have been arrested because of the mass desertions that took place upon ISIL's offensive in June 2014. However, according to Landinfo, the gathered information suggests that the military penal code is not strictly enforced to its full extent.[477]

In a December 2016 article Al-Monitor reported the parliamentary Security and Defense Committee announced that same month that 'it would follow up on the implementation of the law to repatriate those dismissed from the army, police and security institution, or others who escaped or whose contracts had been terminated'.[478] Political and humanitarian motives are cited as the reason for implementing this so-called amnesty law. Parliamentarian Raad al-Dahlaki told Al-Monitor that 'the decision gives the people who escaped a second chance, so that they wouldn't have to bear the burdens of a state that could not protect its citizens. They should not be held accountable for the government's bad management of security and political affairs.'[479] Saad al-Matlabi, a member of the Security and Defense Committee in Baghdad's Provincial Council, told Al-Monitor that 'the decision to grant amnesty to security officers and to halt their legal pursuit was part of the political settlement decisions that were taken long before the Mosul operations. But they were only approved a few days ago.'[480]

In a January 2018 update report on desertion, Lifos refers to Niqash's October 2014 article discussing the so-called astronaut phenomenon, cited above. The report further notes little to none concrete information is available about military personnel or police imprisoned on account of desertion.[481] Interviewed by ACCORD in May 2018, Joel Wing, a US-based Iraqi expert and operator of the blog Musings on Iraq, stated that he was not aware of any consequences for people who have deserted a unit of PMUs.[482] According to an Iraq analyst interviewed by DIS/Landinfo in 2018 during their mission to KRI desertion of low-level members of the PMUs would have no consequence or retribution whereas for high-level members there would be repercussions.[483] This source further stated 'that the Iraqi security forces are voluntary forces and that there is no draft which also applies to the Peshmerga and the PMUs. If a member of ISF deserts, the Iraqi state does not have the capacity to pursue such a person; no one is coming after the deserter.'[484] The source further remarks that for members of the intelligence service in Iraq and KRI, it will not be easy to desert.[485]

[476] Norway, Landinfo, Irak: Desertering fra den irakiske hæren [Desertion], 13 December 2016, url, pp. 2-3.
[477] Norway, Landinfo, Irak: Desertering fra den irakiske hæren [Desertion], 13 December 2016, url, pp. 2-3.
[478] Al-Monitor, Why does Iraq want to bring back dismissed security forces, 29 December 2016, url.
[479] Al-Monitor, Why does Iraq want to bring back dismissed security forces, 29 December 2016, url.
[480] Al-Monitor, Why does Iraq want to bring back dismissed security forces, 29 December 2016, url.
[481] Sweden, Lifos, Lägesanalys: Irak – desertering [Desertion], 12 January 2018, url, p. 4.
[482] ACCORD, Anfragebeantwortung zum Irak: Lage von Mitgliedern schiitischer Milizen, die sich als Deserteure von ihren Einheiten entfernt haben bzw. nicht wieder bei der Miliz gemeldet haben (Sanktionen, Behandlung durch Milizen) [a-10558] [Query response on Iraq: Situation of deserters from Shia militias], 25 May 2018, url.
[483] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 45.
[484] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[485] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.

1.8.2 Absentee Internal Security Forces personnel

The Internal Security Forces Penal Code No 14 of the year 2008, which entered into effect in April 2008[486], applies to all officers and enlisted ranks of the Internal Security Forces who are in service, students at facilities in training with ISF, and retirees or those out of ISF service who committed applicable crimes while in service.[487] The Internal Security Forces Criminal Procedure Law 17 of 2008 details the rules of criminal procedure for the Internal Security Forces. Article 28 of this law discusses the establishment of five Internal Security Forces Courts based in Erbil, Mosul, Baghdad, Hilla and Basrah.[488] A June 2010 Report to the U.S. Congress notes Internal Security Forces Courts were formed in April 2008 and serve as the disciplinary and criminal justice courts for the 500 000 MoI [Ministry of Interior] police. The Internal Security Forces Court system consists of regional courts and the Internal Security Forces Cassation (Appeals) Court, the highest court in the system. The same source noted that 'from January 2009 through February 2010, the Internal Security Forces Courts received 10,807 cases and issued 2,812 sentences to Iraqi police.'[489]

The Internal Security Forces Penal Code does not contain any provisions relating to desertion; however, Articles 5-7 pertain to 'the crime of absence'. Article 5 states absentee Internal Security Forces personnel 'shall be jailed for a period not exceeding six months. If the absence is repeated a jail sentence not exceeding one year shall be imposed'. Article 6 states that Internal Security Forces personnel 'who are absent for more than ten days during disturbances or states of emergency shall be jailed for at least one year'. Article 7 states that Policemen who are absent for less than fifteen days during ordinary circumstances, may be punished by 'deducting his salary'. If such absence is repeated, the policeman faces imprisonment for a maximum of thirty days.[490]

UNAMI observes that the Iraqi Internal Security Forces Penal Code of 2008 carries the death penalty for some offences:

> 'Offences listed in articles 3 and 14, including causing public installations to be surrendered to the enemy; disclosing official or State secrets related to the security of the State; intentionally sabotaging or damaging public or military installations or infrastructure; inciting anyone to join an armed gang or take up arms against the State; encouraging or inciting rebellion among the armed forces during disturbances or emergencies; disclosing secrets to an armed gang; and the intentional destruction or damage of communications, transport weapons or ammunition. Article 14 also imposes the death penalty where a member of the armed forces assaults another member of the armed forces that results in the death of the victim.'[491]

However, UNAMI noted that the vast majority of death sentences carried out relate to conviction for crimes under the Anti-Terrorism Law of 2005.[492]

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[486] Perito, R. and Kristoff, M., Iraq's Interior Ministry: The key to police reform, United States Institute for Peace, July 2009, url, p. 5.
[487] Iraq, Internal Security Forces Penal Code of 2008, 2008, url.
[488] Iraq, Internal Security Forces Criminal Procedure Law No. 17 of 2008, 2008, url.
[489] US, Ministry of Defense, Report to Congress - Measuring stability and security in Iraq, June 2010, url, p. 65.
[490] Iraq, Internal Security Forces Penal Code of 2008, 2008, url.
[491] UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, pp. 9-10.
[492] UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, p. 20.

In a May 2014 report, Lifos makes note of a general amnesty issued for members of the Internal Security Forces who had been absentee or left without permission:

> 'Civilians who leave their jobs without permission are deemed to having resigned after 10 days. Soldiers who do the same used to be taken to a military court, policemen to a police court (administered by MoI). According to the Internal Security Forces Penal Code of 2008, they risk a salary deduction or maximum 6, or in exceptional cases, 12 months jail. "The wages are good so why leave!?", ponder our interlocutors from the Shura council and continues with the following information. Policemen make 700 to 800 USD a month – minimum. Soldiers make more. If the governmental council members let somebody off their job, it will be handled by the Shura Council.
>
> From a police officer attending a EU JUSTLEX conference/seminar at hotel Rashid in Baghdad we heard that policemen and military personnel used to risk up to six months prison for leaving their work without notice. But an amnesty in August cleared them. At first the amnesty was to last until October 15, but now it is indefinitely.
>
> Maliki, (as commander in chief of the Armed Forces), beginning of August 2013, issued a general amnesty for members of the ISF who had been absent or deserted from their units. The amnesty came in the wake of the Abu Ghraib prison attack and is therefore likely intended to allow ISF members who defected the opportunity to return without enduring any punishment. The amnesty will also cover ISF members who defected before 2007. It is very likely that the amnesty is designed to re-enlist Sunni soldiers who may have deserted then and more recently. Its durability, and whether it covers policemen in the Anbar province, seems questionable after media reports about 1,200 policemen there dismissed by the Interior minister. The decision is said to have been taken when they failed to report for duty in January 2014. However, in line with the amnesty, they were not punished.'[493]

In July 2014 Iraqi News reported that 'Iraq's Interior Ministry announced punitive legal action against a number of officers and associates in the Anbar police who had abandoned their positions in a number of police stations in Anbar province.'[494]

In April 2015, AFP reported that Prime Minister al-Abadi offered an amnesty to security forces members who deserted, provided they return to their units within 30 days.[495] In May 2015 Iraqi News reported that Prime Minister al-Abadi announced 'the halt of any legal action against the fugitives and the absent during military service'. According to a statement from Abadi's office, 'The Prime Minister has decided to stop any legal action was taken against members of the Armed Forces and internal security forces definitively, including the following offenses: escape, absenteeism, malingering and self-harm to get rid of service, as well as crimes against the military regime and the affairs of the service.'[496]

In a December 2016 article Al-Monitor reports the parliamentary Security and Defense Committee announced that same month that 'it would follow up on the implementation of the law to repatriate those dismissed from the army, police and security institution, or others who escaped or whose contracts had been terminated.'[497] Political and humanitarian motives

[493] Sweden, Lifos, Iraq: Rule of Law in the Security and Legal system, 8 May 2014, url, p. 17.
[494] Iraqi News, Ministry of Interior to punish police who abandoned their post, 22 July 2014, url.
[495] AFP, Iraq offers amnesty to security personnel who fled ISIS. Al Arabiya, 30 April 2015, url.
[496] Iraqi News, Abadi pardons military deserters and others, 17 May 2015, url.
[497] Al-Monitor, Why does Iraq want to bring back dismissed security forces?, 29 December 2016, url.

are cited as the reason for implementing this so-called amnesty law. Parliament member Raad al-Dahlaki told Al-Monitor that 'the decision gives the people who escaped a second chance, so that they wouldn't have to bear the burdens of a state that could not protect its citizens. They should not be held accountable for the government's bad management of security and political affairs.' Saad al-Matlabi, a member of the Security and Defense Committee in Baghdad's Provincial Council, told Al-Monitor that 'the decision to grant amnesty to security officers and to halt their legal pursuit was part of the political settlement decisions that were taken long before the Mosul operations. But they were only approved a few days ago.'[498]

In a January 2018 update report on desertion Lifos noted that little to none concrete information is available about military personnel or police imprisoned on account of desertion.[499]

1.8.3 Desertion from Peshmerga forces

According the Iraqi Constitution, internal security forces for the region are stipulated; the Peshmerga are formalised as a state security force, however, they are not under the Iraqi Ministry of Defence.[500] Officially they are under the responsibility of the Peshmerga Ministry of the Kurdistan Regional Government (KRG).[501] Brigades are politicised according to the main political parties of the KRI, the KDP and the PUK.[502]

Several interviewed sources for the 2012 Finish and Swiss Immigration services fact-finding mission to the KRI said that 'desertion from the Peshmerga today is not a serious issue.' The same source noted that 'it can be more difficult for high-ranking Peshmerga to leave, and there can be repercussions, but not for low-ranking Peshmerga. According to sources interviewed by the fact-finding mission, being a Peshmerga was basically just a job.'[503]

In 2014, US media reported that many Kurds volunteered to join the ranks of the Peshmerga in the fight against ISIL such that some had to be turned away.[504] Sources indicate that joining the Peshmerga is voluntary.[505] In 2015 a spokesman for the Peshmerga, Jabbar Yawar, said that recruits signs a contract voluntarily, but after the end of the contract, 'they are free to leave.' Yawar stated that some Peshmerga are leaving the forces and sometimes the country though he attributed this to the 'financial crisis', and insisted that this situation would not affect morale, since he said 'there are always enough volunteers to fill the ranks.'[506] A 2015 FFM to Erbil by the Danish Immigration Service and Danish Refugee Council interviewed the NGO Public Aid Organisation/Kurdish Human Rights Watch (PAO/KHRW), who observed that 'the punishment for desertion, depending on the circumstances, goes from cancellation of contract and all the way up to death sentence', no such cases had been brought before a court

[498] Al-Monitor, Why does Iraq want to bring back dismissed security forces?, 29 December 2016, url.
[499] Sweden, Lifos, Lägesanalys: Irak – desertering [Desertion], 12 January 2018, url, p. 4.
[500] Clingendael, Fighting for Kurdistan?, March 2018, url, p. 15.
[501] Carnegie Endowment for International Peace, Kurdistan's Political Armies: The Challenge of Unifying the Peshmerga Forces, 16 December 2015, url.
[502] Clingendael, Fighting for Kurdistan?, March 2018, url, p. 16.
[503] Finland, Finnish Immigration Service/Switzerland, Federal Office for Migration, Report on Joint Finnish-Swiss Fact Finding Mission to Amman and the Kurdish Regional Government (KRG) Area, 1 February 2012, url, p. 27.
[504] Fox News, Expendables: Kurdistan's old soldiers flock to the battlefield to fight ISIS, 18 August 2014, url.
[505] Finland, Finnish Immigration Service/Switzerland, Federal Office for Migration, Report on Joint Finnish-Swiss Fact Finding Mission to Amman and the Kurdish Regional Government (KRG) Area, 1 February 2012, url, p. 27; Niqash, Leaving the good fight: Kurdish soldiers forced to buy own bullets, exit Iraq for good, 22 October 2015, url.
[506] Niqash, Leaving the good fight: Kurdish soldiers forced to buy own bullets, exit Iraq for good, 22 October 2015, url.

of law before 2015.[507] In 2016, the KRG's Deputy Prime Minister stated that people were leaving their posts in the Peshmerga and deserting due to unpaid wages.[508]

In November 2018, the DIS/Landinfo FFM report confirmed that the Peshmerga remains a force were recruitment is based on voluntary applications and there is no draft.[509] An Iraq analyst informed the Danish Immigration Service in May 2018 that for members of the intelligence service in Iraq KRI, it will not be easy to desert.[510]

1.9 (Perceived) collaborators of Western organisations/armed forces

In a February 2017 article, the New York Times reported that interpreters who worked for the United States in Iraq between 2003 and 2011, following the fall of Saddam Hussein, often did so at great risk to themselves and their families.[511] An article by McClatchy DC Bureau, dated March 2013, also noted that people who worked with Americans as interpreters, cultural advisors, or support staff were viewed as 'enemy collaborators' and received death threats from 'Sunni and Shiite Muslim militants'.[512] Al Jazeera reported in February 2017 that 'tens of thousands' of Iraqis worked with the Americans as engineers, drivers or cultural consultants (as well as interpreters), for which they face 'grave dangers'.[513] A February 2017 article in Foreign Policy noted on the experiences of an interpreter who said he had moved his family in Baghdad at least four times for safety reasons since he stopped working for the US military in 2011, claiming fear of both ISIL and militias.[514]

During the April 2017 EASO Practical Cooperation Meeting on Iraq Mark Lattimer, Director of the Ceasefire Centre for Civilian Rights, noted that he had no information of recent cases of US personnel being targeted and that working for the coalition was less sensitive than in the past.[515] In April 2016 Landinfo noted the following on the situation of people who worked for foreign companies in Iraq (as translated by the UK Home Office):

> 'One can not in general terms today say that the Shiite militias promotes threats or violent [sic] to people who work for, or are/have been involved, foreign companies in Iraq. This was a relevant issue in the period before the Americans pulled their troops out of Iraq in December 2011, and especially in the most violent period between 2005 and 2008. According to the UNHCR occurred albeit [sic] still some attacks against people who had worked for foreign forces or organizations in 2012.
> Before the Americans pulled out of Iraq, were people who worked for the US-led coalition subjected to abuse by militias, including the Shiite, who wanted to liberate Iraq from occupation forces. This affected not only Iraqis who assisted the forces directly, but also others who worked in the civil, such as in the oil sector.

[507] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 42.
[508] DW, Unpaid Peshmerga are voting with their feet, 2 February 2016, url.
[509] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[510] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[511] New York Times (The), Visa ban amended to allow Iraqi interpreters into U.S., 2 February 2017, url.
[512] McClatchy DC Bureau, U.S. pledge to help Iraqis who aided occupation largely unfulfilled, 14 March 2013, url.
[513] Al Jazeera, What happens to Iraqis who worked with the US military, 1 February 2017, url.
[514] Foreign Policy, For Iraqi Military Interpreters, Trump Travel Ban Chaos is 'Life and Death', 6 February 2017, url.
[515] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 26.

> Today however, the situation is different. The Shiite militias are now, in spite of internal feuds and power struggles, mainly focused on combating the threat from the Islamic State (IS).
> What may trigger these militias to again threaten foreign players in Iraq, and possibly their local partners, (is) the return of foreign ground forces.'[516]

1.10 Political opposition activists / protesters

1.10.1 Iraq

Since August 2015, repeated civil protests have been taking place in Baghdad and several cities in southern Iraq, protesting not only against infrastructure failures, but increasingly against corruption within the public services. The authorities restrained mostly from intervening by means of the security forces, but there were also examples of violence between protesters and police in southern Iraq and Baghdad. Examples of violent incidents were the protests against the appointment of a new governor in Diwaniyah in 2015[517], or the attacks against headquarters of the Dawa party and the Badr Organisation (both essentially Shi'a) in different cities in the south in June 2016.[518]

The protests became increasingly politicised: in February 2016, Moqtada al-Sadr, Head of the Sadrist Movement, called for a protest against corruption in the government, and on 16 February 2016 he personally led a major demonstration on Tahrir Square in the capital.[519] Sadr has also appealed to his supporters to increase pressure on the government, which in his view was taking too long to implement reforms, by protesting closer to the international zone, where – next to foreign embassies and international organisations – the Iraqi parliament and government are located.[520] His supporters followed this call, and since 18 March 2016 held sit-ins at several entrances to the international zone. At the beginning of the sit-in, the demonstrators gathered from Tahrir Square across the Jumhuriya bridge to the international zone.[521] On 30 April 2016, the Sadrist protesters stormed the international zone, entered the Council of Representatives and vandalised the parliament and assaulted at least one member of parliament who attempted to leave. They attempted to set up a 'sit in' in the Green Zone.[522]

Another demonstration by the Sadrist Movement on 20 May 2016 led to a second intrusion in the international zone, but this time, the police did use force against the protesters: allegedly, four people were killed, and about 90 wounded.[523] On 11 February 2017, a third raid on the international zone, again by members of the Sadrist Movement, was pushed back by police forces. The violence caused at least four deaths and 320 wounded.[524]

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[516] Norway, Landinfo, Irak: Situasjonen for personer som har jobbet for utenlandske selskaper [Situation of people who worked for foreign companies], 7 April 2016, url. Extracts translated in English in: UK Home Office, Iraq, Perceived collaborators, January 2018, url, p. 10.
[517] Almirbad, Six people injured after clashes between supporters of the Virtue Party and Demonstrators in Diwaniyah (Arabic), 09 October 2015, url.
[518] Wing, J., Power Struggles Amongst Iraq's Ruling Shiite Parties, Musings on Iraq [Blog], 21 June 2016, url.
[519] ISW, Iraqi Updates (Sinan A.), Sadr Rejuvenates Demonstrations as PM Abadi Works to Implement Decisive Reforms, 01 March 2016, url.
[520] ISW, Iraqi Updates (Sinan A.), Sadr Rejuvenates Demonstrations as PM Abadi Works to Implement Decisive Reforms, 01 March 2016, url.
[521] Reuters, Shi'ite cleric's followers begin anti-corruption sit-in in Baghdad, 18 March 2016, url
[522] ISW, Warning: Sadrists Storm the Green Zone. 30 April 2016, url; ISW, Sadr Attempts a De-facto Coup in Iraq, 1 May 2016, url.
[523] Wing, J., Sadr Takes Over Protests In Iraq's Capital But What's Next?, Musings on Iraq [Blog], 30 May 2016, url.
[524] ISW, Iraq Situation Report: February 11-16 2017, 16 February 2017, url.

Between 8 and 17 July 2018, a series of protests in Basrah over water, jobs and electrical power turned violent. The security forces, described by Human Rights Watch to belong mostly to the Ministry of Interior, used force against the demonstrators, resulting in three protesters being killed and at least 47 wounded.[525] In six of the eight protests investigated by Human Rights Watch, the security forces allegedly fired live ammunition, threw rocks and beat people during or after their arrest. The source reported that 'since July 14 [2018], the authorities have severely limited internet access across much of central and south Iraq.'[526]

The wave of protests rose again in September 2018 after a water crisis in Basrah described by Joel Wing on his blog Musings on Iraq:

> 'Basra's water problems took off in August. That was when people started going to the hospital after having drank contaminated water. By September 4 up to 22,000 had been affected. The cause was growing salinity coming from the Persian Gulf up the Shatt al-Arab, and the lack of water coming from the north due to a new dam in Turkey. The Abadi government promised to truck in fresh water to deal with the crisis, but Basra health officials have complained that the water delivered was not always clean as some were filled up at desalination plants that were not checking the quality. The government knew about both of these issues for years, and took little to no action. That led to growing anger at the authorities, which revived the protest movement.'[527]

In the course of this wave of protests the Iranian consulate in Basrah was stormed by demonstrators, and an oil field in the region was overtaken where protester held workers hostage. Protesters claimed that Iran-backed militias 'run rampant in Basra, kidnapping and extorting money from their opponents and creating an atmosphere of fear'.[528] Several sources note that Shia militias backed by Iran played a major role in defeating ISIL and have since increased their influence in Iraq.[529] Government buildings were ransacked and burned down. The demonstrations led to a temporarily shutdown of Iraq's only major sea port at Umm Qasr, 60 km south of Basrah. Reuters reported that 'residents say they have been driven to the streets by corruption that allowed infrastructure to collapse, leaving no power or safe drinking water in the heat of summer.'[530] The same source counted 12 deaths among the demonstrators in this wave of protest.[531]

On 8 September 2018, the Special Representative of the United Nations Secretary-General for Iraq Ján Kubiš condemned the violent attacks on government and party offices, oil installations, the airport and the Iranian consulate by the protesters.[532] Citing figures the released by Iraqi High Commission for Human Rights (IHCHR), the October 2018 report of the Secretary-General of the UN Security Council noted that 'casualties between 9 August and

[525] Human Rights Watch, Iraq: Security Forces Fire on Protesters, 24 July 2018, url.
[526] Human Rights Watch, Iraq: Security Forces Fire on Protesters, 24 July 2018, url.
[527] Wing, J., Basra Explodes In Rage and Riots Over Water Crisis, Musings on Iraq [Blog], 5 September 2018, url.
[528] Washington Post (The), Chanting 'Iran, out!' Iraqi protesters torch Iranian Consulate in Basra, 7 September 2018, url.
[529] RFE/RL, Iraqi PM Urged To Resign Over Basra Unrest, 8 September 2018, url; Fox News, Iran-backed militias accused of reign of fear in Iraqi Basra, 23 September 2018, url.
[530] Reuters, Unrest intensifies in Iraq as Iranian consulate and oil facility stormed. 7 September 2018, url.
[531] Reuters, Unrest intensifies in Iraq as Iranian consulate and oil facility stormed. 7 September 2018, url.
[532] UNAMI, UN Special Representative Kubiš condemns violence in Basra as harmful to people's needs, urges the government to take resolute action while respecting the right of people for peaceful demonstrations for their legitimate demands. 9 September 2018, url.

3 October from the Basrah demonstrations reached 18 civilians killed (17 men and 1 woman), 155 civilians injured (all men) and 43 members of the security forces injured.'[533] Reporting on the protests in Basrah, Amnesty International noted in September 2018 that 'up until 5 September [2018], at least seven protesters were reported to have been killed due to excessive force, including by live ammunition. On 6 September, three more protesters were reported to have been killed as protesters took to burning government and political party buildings.'[534]

The following incidents of violence against politicians, political opposition activists and protesters, have been reported by UNAMI and other institutions monitoring the human rights situation:

- On 4 May 2017, an IED exploded outside the house of a parliamentarian of the Sadrist bloc in Basrah, with material damages only.[535] On the demonstrations by the Sadrist movement in front of the international zone in 2016 (see above) UNAMI noted: 'There were also reports that individuals perceived to have significant leadership roles in organizing such demonstrations were targeted for arrest or detention subsequent to the demonstrations, or were reportedly threatened, intimidated, physically abused and on occasion abducted or killed by unknown perpetrators.'[536]
- On 8 May 2017, seven students, workers and civil activists were abducted from their home in Baghdad by unidentified gunmen and taken to an unknown destination, where they were reportedly beaten before they were released the next day. Some of the abductees were allegedly human rights activists who participated in demonstrations on Tahrir Square in Baghdad.[537]
- On 8 September 2017, a well-known playwright received death threats on social media following his expression of criticism at the presence of pictures of an Iranian religious leader in Amarah city in Maysan Governorate. The day before, there were gunshots in front of his house.[538]
- On 6 February 2018, the Turkmen university teacher and spokesman for Kirkuk University Ali Almas was shot by unidentified perpetrators in Kirkuk. He was a candidate for the parliamentary election on the list led by former Prime Minister Haider al-Abadi.[539]
- Since 1 September 2018, 27 men have been arrested in Basrah for participating in demonstrations; 18 of them have been released, but the remaining 9 are being detained under judicial orders.[540]

1.10.2 Kurdistan Region of Iraq

The November 2018 DIS/Landinfo report noted that Kurdish security actors are targeting political and societal opposition in the KRI. Human rights advocates, activists, journalists and protesting civil servants are being targeted when they display criticism of the political

[533] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, p. 10.
[534] AI, Iraq: Effective Investigations Needed Into Deaths of Protesters in Basra, 7 September 2018, url, p. 1
[535] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2016, 5 December 2016, url, p. 39.
[536] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2016, 5 December 2016, url, p. 20.
[537] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2017, 14 December 2017, url, p. 19.
[538] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 17.
[539] iqNews, Candidate for Iraq's Parliamentary Election Shot Dead in Kirkuk: Police. 6 February 2018, url.
[540] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, p. 11.

leadership.[541] An international NGO working in Iraq that was interviewed by DIS/Landinfo during their 2018 mission to KRI explained that 'there are very small possibilities for the political opposition in KRI. A small group of persons in top of the political parties, KDP and PUK, can do anything they want without fearing sanctions etc. In general, the KDP and PUK are in control. If a person has a conflict with a powerful figure from these two parties or the Asayish, that person would be in trouble.'[542] According to sources interviewed for the same report 'after October 2017, there were reports on PMU violations against the Kurdish population in Kirkuk and Tuz Khurmatu. The targeted Kurds were mostly members of the political party KDP and the Asayish.'[543]

In its Iraq 2018 Crime and Safety report the United States Overseas Security Advisory Council (OSAC) noted that civil unrest occasionally takes place in the KRI. Typically, protests are peaceful, require a permit, and are heavily monitored by Kurdish police and security services. However, violent protests occurred in late 2017 at the Kurdistan's Parliament regarding the Iraqi military intervention after the referendum vote.[544] In its Iraq 2017 Crime and Safety report OSAC reports demonstrations over lapses in civil servant pay and worsening economic conditions were taking place in 2016, primarily in Sulaymaniyah.[545]

Incidents involving violence against protesters in the KRI include:

- On 9 October 2015, a protest march near the KDP-headquarters in Qaladize (Sulaymaniyah Governorate) turned into riots, whereupon armed KDP-men took aim at the protesters. Initially sources spoke of one person killed and 180 wounded.[546] Later reports spoke about five fatalities.[547]
- In December 2016 security forces in Sulaymaniyah started a crackdown on protesting teachers. Rallies were dispersed and some protesters were beaten or arrested. Protest organizers and journalists are confronted with threats since then.[548]
- At an unspecified date in the period July to December 2016 a number of teachers was arrested and detained in Sulaymanyah and Halabja after striking over pay and working conditions.[549]
- In March 2017, Kurdish security services arrested 32 unarmed protesters in Erbil. Most were released the same day, six remained in custody. The protesters demonstrated against recent clashes in Sinjar.[550]
- In 2017, Kurdish independent activists who oppose or criticize the referendum for Kurdish independence have been threatened, arrested, and accused of treason.[551]

[541] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 25.
[542] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 43.
[543] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 23.
[544] OSAC, Iraq 2018 crime and safety report: Erbil, 3 June 2018, url.
[545] OSAC, Iraq 2017 crime and safety report: Erbil, 13 February 2017, url.
[546] Niqash, Dream of 'Other Iraq' crumbles: Whose political system is more stable - Iraqi Kurdistan's or the real Iraq's?, 15 October 2015, url.
[547] UN Security Council, Second report of the Secretary- General pursuant to paragraph 7 of resolution 2233 (2015), 26 January 2016, url, p. 3.
[548] CPTI, Stand with civil society in Iraqi Kurdistan, 4 February 2017, url.
[549] UK, FCO, Human Rights Priority Country update report: July to December 2016 – Iraq, 8 February 2017, url.
[550] Human Rights Watch, Kurdistan region of Iraq: 32 arrested at peaceful protest, 16 March 2017, url.
[551] Natali, D., Iraqi Kurds' referendum for political relevance, Carnegie Endowment for International Peace, 7 August 2017, url.

- On 19 December 2017, an anti-government demonstration in Ranya district of Sulaymaniyah Governorate turned violent. Two individuals were killed and 85 others, including 40 security personnel, were wounded. Kurdistan Region Security Forces arrested 200 individuals in various locations in the governorate, releasing them without charge by 31 December. In addition, the Kurdish Security Forces arrested three other individuals.[552]
- In late March 2018, KRG security forces detained at least 84 protesters during demonstrations against unpaid wages which took place in the cities of Akre, Dohuk, and Erbil.[553]

1.11 Human rights activists

1.11.1 Iraq

In a June 2018 report the UN Special Rapporteur on extrajudicial, summary or arbitrary executions in Iraq stated that she 'received information on incitement to hatred through traditional and social media, and attacks, including threats, physical assaults and killings, of men and boys on the basis of their actual or perceived sexual orientation or gender identity, as well as of activists and organizations supporting the human rights of lesbian, gay, bisexual, transgender and intersex persons'.[554]

An Iraq analyst interviewed by the 2018 DIS/Landinfo FFM to KRI explained that although there is very little reporting on this issue, the 'PMUs are targeting Iraqi civilian society activists and journalists' who are critical of them.[555] The source further noted that activists are often kidnapped by Shia militia groups as a scare tactics, pointing out to an example from 2017 when 17 student activists from the communist party were kidnapped in Saadun in Baghdad, because of their activities, and subsequently released.[556] Freedom House noted that in May 2017, seven student anticorruption activists affiliated with left-wing groups were abducted in Baghdad and held for about three days by alleged members of a Shiite militia. They were released following negotiation with the interior minister.[557]

During the violent protests over unemployment, poor public services, and Iranian interference that took place in September 2018 in Basrah dozens of activists were arrested, according to the spokesman for the Iraqi High Commission for Human Rights in Baghdad.[558] On 25 September 2018, Su'ad al-Ali, president of al-Weed al-Alaiami, an Iraqi human rights organisation focused on the rights of women and children, was killed in central Basrah by an unidentified gunman. She had been involved in organising anti-government protests in Basrah.[559]

[552] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 18.
[553] Human Rights Watch, Kurdistan Region of Iraq: Protesters Beaten, Journalists Detained, 15 April 2018, url.
[554] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 3.
[555] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[556] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[557] Freedom House, Freedom in the World 2018 - Iraq, January 2018, url.
[558] Al-Monitor, Dozens of Basra activists arrested, 5 September 2018, url.
[559] AlAraby, The Iraq Report: Women's rights in danger after top activist and social media star assassinated, 28 September 2018, url; BBC News, Iraqi human rights activist shot dead in Basra, 25 September 2018, url.

In an August 2018 report the Secretary-General of the UN General Assembly wrote on allegations of acts of intimidation and reprisals, in the form of arbitrary arrest and ill treatment, against several human rights defenders for their work and cooperation with the United Nations in the field of human rights, especially on enforced disappearances in Iraq.[560] According to the source, in March 2016 Imad Amara and Faisal al-Tamimi, of Al Wissam Humanitarian Assembly - an NGO that documents cases of enforced disappearances in Iraq and submits them to the United Nations human rights mechanism - were 'severely beaten, insulted and threatened while being interrogated about their work for around two hours, before being released'.[561] The same report further mentions allegations of death threats and attempted killing against human rights defenders for their work on enforced disappearances in April 2018, highlighting the case of Faisal al-Tamimi who was injured in February 2018 in an attempted assassination.[562]

1.11.2 Kurdistan Region of Iraq

Many opposition demonstrations and political activism occurring in KRI leads to frequent arrests of activists and journalists, especially Yazidi activists.[563] According to Belkis Willie, a senior researcher on Iraq with Human Rights Watch, cases of torture have also been reported.[564] USDOS noted in its annual report on human rights (covering 2017) that activists that were critical of the KRG were arrested and detained by police and internal security.[565] Journalists and media outlets were prevented from reporting on several official events and covering opposition protests.[566] Reporting on events in 2017 by the UK Foreign Office informed that it received reports of 'detained journalists and temporary closures of think-tanks and NGOs, with those perceived as critical of the KRG banned from covering government and official events'.[567]

Amnesty International noted that online activists in the KRI 'were subject to arbitrary arrest, beatings, surveillance, death threats, and smear campaigns intended to damage their reputations or the reputations of their family members', especially in the run-up to the September 2017 independence referendum.[568] Amnesty International documented 12 cases of arbitrary arrests, beatings and intimidation of journalists and online activists between June and September 2017.[569] According to Awat Ali, managing director of opposition TV broadcaster NRT, who was closed by the Kurdish authorities during the December 2017 protests, fear of arrest has led dozens of politically engaged journalists, activists and human rights defenders, to go into hiding.[570]

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[560] UN General Assembly, Cooperation with the United Nations, its representatives and mechanisms in the field of human rights, Report of the Secretary-General, 13 August 2018, url, pp. 45-46.
[561] UN General Assembly, Cooperation with the United Nations, its representatives and mechanisms in the field of human rights, Report of the Secretary-General, 13 August 2018, url, pp. 45-46.
[562] UN General Assembly, Cooperation with the United Nations, its representatives and mechanisms in the field of human rights, Report of the Secretary-General, 13 August 2018, url, pp. 45-46.
[563] Wille, B., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 16.
[564] Wille, B., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 16.
[565] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[566] UK, FCO, Human Rights and Democracy: the 2017 Foreign and Commonwealth Office report, 16 July 2018, url; RSF, Journalists arrested to prevent coverage of Iraqi Kurdistan protests, 28 December 2017, url.
[567] UK, FCO: Human Rights and Democracy: the 2017 Foreign and Commonwealth Office report, 16 July 2018, url.
[568] AI, Amnesty International Report 2017/18 - Iraq, 22 February 2018, url.
[569] AI, Amnesty International Report 2017/18 - Iraq, 22 February 2018, url.
[570] RSF, Journalists arrested to prevent coverage of Iraqi Kurdistan protests, 28 December 2017, url.

Amnesty International, in their 2016/17 report, noted that 'media workers, activists and politicians critical of the ruling Kurdistan Democratic Party (KDP) faced harassment and threats and some were expelled from Erbil Governorate. No progress was made in conducting investigations into the killings in previous years of journalists and other perceived critics and opponents of the Kurdish authorities.'[571]

The Gulf Center for Human Rights (GCHR)[572], in an article dated December 2014, observed:

> 'Many see Iraqi Kurdistan, an autonomous region in Northern Iraq, as a safe haven, a place of relative calm away from the terror and chaos that exists in much of the rest of Iraq. This is not the position for independent journalists and human rights defenders. The internal political tensions raging in the region have resulted in impunity for attacks against them which include murder and arson. Human rights defenders, working on such issues as women's rights or conditions in detention, face violence from within the community. Many journalists say that they self-censor; they know where the "red lines" exist around issues such as religion, corruption and social inequality, lines that must not be crossed.'[573]

1.12 Journalists

1.12.1 Iraq

According to Reporters Without Borders (Rapporteurs sans frontières, RSF) Iraq is one of the world's most dangerous countries for journalists: 'They are often targeted by gunmen with pro-government militias throughout the country as well as by militant opposition groups including ISIL, which still poses a threat despite having been forced to retreat. The murders of journalists go unpunished, and even when investigations are opened they yield no result.'[574] The November 2018 DIS/Landinfo report noted that 'PMUs are targeting Iraqi civilian society activists and journalists.'[575] According to a source consulted for the same report 'this has very little coverage, but the attacks play an important role in silencing critics of the PMUs. Often, the armed Shia militia groups are kidnapping the activists as a scare tactics. Journalists can also be targeted, if their articles are both critical of the PMUs and gets a lot of publicity.'[576]

USDOS noted that in 2017, media workers feared reprisal by militias, criminal organisations, and private individuals, including political figures. Non-state actors, including militia groups, reportedly threatened journalists with violence for reporting on sensitive subjects.[577] According to Dlovan Barwari, from the independent Iraqi civil rights group Legal Defense for Crimes Against Press Freedom, 'militias don't hesitate to use all kinds of threats against

[571] AI, Amnesty International Report 2016/2017 - Iraq, 22 February 2017, url.
[572] A London-based independent non-profit organisation supporting Human Rights Defenders (HRDs) and promoting human rights, freedom of expression, association, and peaceful assembly, according to its website.
[573] GCHR, 'Iraqi Kurdistan: No safe haven for human rights defenders and independent journalists', 31 December 2014, url.
[574] RSF, Iraq-assailed on all sides, n.d., url.
[575] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[576] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[577] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.

journalists, including killings.'[578] A Baghdad-based journalist interviewed by Al Jazeera in November 2017 stated that criticising Shia militias, especially AAH or KH, is life-threatening.[579]

Reporting on human rights in Iraq in the period of January 2017 to June 2017, UNAMI noted significant challenges to freedom of opinion and expression. Journalists and media professionals were intimidated, abducted and in some cases, killed while carrying out their duties. UNAMI/OHCHR received reports that media professionals and protestors were allegedly subjected to attacks by ISF, armed groups and unidentified perpetrators, while working or reporting on or participating in demonstrations.[580] Freedom House reported in April 2017 that 'the Iraqi news media are diverse and collectively present a range of views, but most outlets are owned by or affiliated with political parties and ethnic factions, often leading to sharply partisan coverage.'[581]

Examples of treatment of journalists include:

- In April 2015, Ned Parker, the Baghdad bureau chief for Reuters, was threatened on Facebook and denounced by the satellite news channel of AAH in reaction to a Reuters report that detailed lynching and looting in the city of Tikrit.[582]
- In January 2016, unknown assailants shot and killed Al-Sharqiya TV correspondent Saif Talal and his cameraman, Hassan al-Anbaki, in Diyala Province. Al-Sharqiya later accused local militias of responsibility for the killings.[583]
- On 28 December 2016, gunmen reportedly kidnapped a prominent female Iraqi journalist from her home in Baghdad after robbing the house; she was an 'outspoken critic' of the government and corruption in several local media papers and outlets.[584]
- On 24 January 2017, members of the Iraqi Army's 11th Division allegedly beat a female reporter and a male photographer were allegedly to prevent them from reporting on the bombing of central Baghdad's al-Nhada Zone on the same day.[585]
- On 30 April 2017, a journalist from Diwaniya was shot by unknown armed men at his house. There was speculation that a previous posting on social media about armed groups had incited public anger and protests.[586]
- On 23 October 2017, a prominent Iraqi writer and journalist was abducted in Baghdad by an unknown armed group. He had been critical of government operations in Kirkuk and the Prime Minister in his articles. He was released on 12 December 2017.[587]
- On 30 October 2017, photojournalist Arkan Sharif was killed in Daquq, south of Kirkuk.[588] KRG president Masoud Barzani held PMUs responsible.[589]
- On 2 February 2018, Iraqi security forces arrested a freelance journalist at a checkpoint on the outskirts of Baghdad. He was taken to the intelligence headquarters

[578] CPJ, Islamic State receded but threats to journalists in Iraq and Syria remain, 21 December 2017, url.
[579] Al Jazeera, Is Iraq the most dangerous country for journalists?, 1 November 2017, url.
[580] UNAMI/OHCHR, Report on Human Rights in Iraq: January to June 2017, 14 December 2017, url, p. 18.
[581] Freedom House, Freedom of the Press 2017 - Iraq, 28 April 2017, url.
[582] Reuters, Reuters Iraq bureau chief threatened, denounced over story, 11 April 2015, url.
[583] Freedom House, Freedom of the Press 2017 - Iraq, 28 April 2017, url.
[584] Middle East Eye, Prominent Iraqi journalist kidnapped by gunmen, 27 December 2016, url.
[585] UNAMI/OHCHR, Report on Human Rights in Iraq: January to June 2017, 14 December 2017, url, p. 19.
[586] UNAMI/OHCHR, Report on Human Rights in Iraq: January to June 2017, 14 December 2017, url, p. 21.
[587] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 17.
[588] Iraqi News, Kurdistan TV photojournalist stabbed to death in southern Kirkuk, 30 October 2017, url.
[589] Kurdistan 24, Barzani: Murder of journalist Arkan Sharif example of 'chauvinist culture' in Iraq, 1 November 2017, url.

in Baghdad. In the weeks prior to his arrest he posted an article to his Facebook page that was critical of the Iraqi government.[590]

- In June 2018, a reporter based in Najaf was issued an arrest warrant and had to pay a large sum in bail to obtain his release on 6 June. The reporter had been harassed before in connection with his coverage of an alleged corruption case involving the Najaf provincial airport's former governing board.[591]
- On 9 June 2018, a reporter based in Fallujah was arrested at his home by policemen who did not tell him what he was charged with. On 12 June 2018 he was released without being charged.[592]
- Between 14 July and 6 September 2018, at least seven Iraqi journalists were assaulted or detained while covering protests over government corruption and the lack of basic services in several cities across Iraq. The offices of two local media outlets were set on fire.[593]
- On 1 October 2018, Saif Hilal Al Azawi, journalist and editor of Adhamiya News, a Facebook page providing news about the Adhamiya neighbourhood in Baghdad, was abducted by members of the Iraqi special forces and taken to an unknown location.[594]

1.12.2 Kurdistan Region of Iraq

In June 2018 the UN Special Rapporteur on extrajudicial, summary or arbitrary executions in Iraq was informed of several attacks on journalists and media professionals in recent years, including threats, intimidation, physical assaults and killings, in particular in the KRI. The Rapporteur expressed her concern about the reported lack of effective investigations into the killings of Kurdish journalists and media professionals, and little or no accountability. The same report further stated that

> 'his impunity has led to an overall mistrust in the criminal justice system and in turn increased fear among the media community to continue their critical reporting. This fear is heightened by their impression that the powerful figures who were the subject of criticism by the deceased journalists might be behind their killings and may even enjoy the protection of the justice system.'[595]

The UK Foreign and Commonwealth Office noted that 46 cases of assaults and death threats against journalists and media outlet closures were recorded during the December 2017 protests in Sulaimaniyah and Halabja.[596]

In December 2017 UNAMI/OHCHR points out that it

> 'continues to receive reports of intimidation of a number of media professionals and limitations on the operation of media channels in the Kurdistan Region. Local journalism advocacy organizations have reported significant spikes in violence and harassment against journalists and media organizations in 2017, in particular in the

[590] CPJ, Iraqi authorities arrest Samir Obeid at Baghdad checkpoint, 6 February 2018, url.
[591] RSF, Covering corruption exposes journalists to arrest in Iraq, 12 June 2018, url.
[592] RSF, Covering corruption exposes journalists to arrest in Iraq, 12 June 2018, url.
[593] CPJ, Iraqi authorities shut down internet, detain and assault journalists amid protests, 14 September 2018, url.
[594] RSF, RSF concerned about Iraqi journalist abducted by security forces. 3 October 2018, url; Baghdad Post (The), News editor in Baghdad arrested, taken to undisclosed location, 1 October 2018, url.
[595] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 9.
[596] UK, FCO, Human Rights and Democracy: the 2017 Foreign and Commonwealth Office report, 16 July 2018, url.

> period leading up to the September 25 referendum, around the 16 October repositioning of forces in disputed areas, and in connection with protests in December'.[597]

UNAMI/OHCHR further noted that

> 'the Kurdistan Journalists Syndicate reported 137 cases of violations against 230 journalists in 2017, compared to 45 cases against 80 journalists in 2016. The Metro Center for Journalists Rights and Advocacy, an NGO, reported even greater numbers: 419 violations against 338 journalists in 2017 in the Kurdistan Region, including six deaths, two of which were alleged assassinations, seven incidents of looting and burning media offices, and five times media offices were closed by officials or as a result of violence.'[598]

In April 2017 Niqash reports there have been several cases of kidnapping and beating of journalists in KRG territory in recent years. Especially journalists who criticize the local authorities are in danger.[599]

Examples of treatment of journalists in Kurdish territories include:

- In February 2015, a journalist in the KRG was arrested and charged under the anti-terrorism law for suggesting that a Kurdish military commander should be removed from duty. He was later released, and the case was dropped.[600]
- On 13 August 2016 a journalist working for TV, which is a channel sympathetic to the PKK, was kidnapped and found murdered in Dohuk.[601] Earlier he had been threatened by Kurdish security forces over his reporting.[602]
- On 10 July 2017 a group of men apparently associated with president Barzani attacked and beat a journalist in Erbil. Earlier that year he had already been detained and questioned by the Asayish.[603]
- On 29 October 2017 several journalists who covered the resignation of Massoud Barzani in Erbil were attacked by angry KDP-supporters. The offices of NRT TV in Erbil and Dohuk were ransacked. Some days later a cameraman of Kurdistan TV was stabbed to death in Daquq, south of Kirkuk.[604]
- On 19 December 2017 journalists of KNN TV and Xendan News Agency were physically attacked by security officers while reporters of NRT TV were threatened and beaten by Asayish. Journalists of NRT TV and Roj News were detained. Sympathizers of the authorities set fire to the offices of Raparin TV and the Mashxalan and Yekgrtw radio stations in Ranya. There was also arson in the bureau of KNN TV in Koy Sanjaq, north-west of Suleymania.[605]

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[597] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 18.
[598] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 18.
[599] Niqash, Iraqi Kurdistan's murdered journalists still wait for justice, 20 April 2017, url.
[600] Freedom House, Freedom in the World 2016 – Iraq, 27 January 2016, url.
[601] Ekurd, Investigation continues into murder of Kurdish journalist Wedat Ali: Kurdistan Govt, 27 September 2016, url.
[602] Human Rights Watch, Iraqi Kurdistan: Kurdish journalist abducted, killed, 25 August 2016, url.
[603] CPJ, Armed men beat Iraqi journalist in Erbil, 11 July 2017, url; Ekurd, Kurdish journalist attacked by 'Barzani' armed group in Iraqi Kurdistan, 11 July 2017, url.
[604] RSF, Alarming violence against journalists in northern Iraq, 31 October 2017, url.
[605] RSF, Journalists arrested to prevent coverage of Iraqi Kurdistan protests, 28 December 2017, url; UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 18.

- In March 2018, several journalists were harassed and/or arrested whilst covering protests against unpaid wages which took place in the cities of Akre, Dohuk, and Erbil.[606]

1.13 Christians

The Christian population has declined over the past 15 years. Prior to the June 2014 ISIL advance, the pre-2003 Christian population was estimated to be between 800 000 - 1.4 million persons, which declined to around 300 000 Christians following the targeting of Christians by ISIL. The majority of those left in Iraq are living in Baghdad, Mosul, the Ninewa Plain, Kirkuk, Basra, and the KRI.[607] Approximately 67 % of Christians are Chaldean Catholics (an Eastern rite of the Roman Catholic Church), and nearly 20 % are members of the Assyrian Church of the East. The remainder are Syriac Orthodox, Syriac Catholic, Armenian Catholic, Armenian Apostolic, and Anglican and other Protestants. There are approximately 3 000 evangelical Christians in the KRI.[608]

The 2018 DIS/Landinfo report following a fact-finding mission to KRI noted that Christians that displayed behaviour deviating from Muslim moral codes, such as Christian alcohol vendors, are targeted by PMUs sometimes with the support of Shia society, although this occurs less than in the past.[609] According to Minority Rights Group International (MRG)[610], reporting in May 2018, PMUs have sent threats to Christians living in Baghdad to deter them from celebrating Christmas and the New Year, and hung posters in their neighbourhoods calling on Christian women to cover their hair.[611] Christian leaders reported in 2017 that harassment and abuse by the KRG Peshmerga and Asayish forces took place at checkpoints and impeded movement in and around several Christian towns on the Ninewa Plain.[612] According to the Australian Government's Department of Foreign Affairs and Trade (DFAT), writing in 2018, 'violence against Christians in the Kurdistan Region is less common, but Christians in the region continue to face discrimination in the form of intimidation and denial of access to services.'[613]

In 2017, criminal networks and some militia groups seized Christian properties with relative impunity particularly in Baghdad, but also in areas of Anbar, Babil, Basrah, Diyala, and Wasit, according to USDOS.[614] Accusations of land appropriations against Christians, particularly Assyrian Christians, have been reported in some parts of the KRI, such as rural areas of Dohuk Governorate, Zhakho, and the Nahla Valley.[615] In a June 2017 report Landinfo quoted an Iraqi politician the mission met in Baghdad saying that Sunnis and Christians are still being forced out of their homes in Baghdad. Christian property is confiscated by the militia and the owners

[606] Human Rights Watch, Kurdistan Region of Iraq: Protesters Beaten, Journalists Detained, 15 April 2018, url.
[607] MRG, Crossroads: The future of Iraq's minorities after ISIS, 7 June 2017, url, p. 9.
[608] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[609] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[610] MRG is a 'leading international human rights organization' that works to secure the rights of minorities through research, advocacy, publications, and pursuing legal cases and projects to protect minority rights, according to its website.
[611] MRG, Iraq: Current issues, May 2018, url.
[612] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[613] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 15.
[614] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[615] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 17.

are not being allowed to return to their homes.[616] Citing a Human Rights Watch senior researcher, the DIS noted in 2016 that there were reports on Peshmerga fighters looting Christian homes in Ninewa.[617]

In October 2014 Amnesty International describes the attempted kidnapping of a Christian man by three armed men, believed to belong to AAH. Amnesty International notes that the family felt it would be neither useful nor safe to inform the police.[618]

For information on targeting of Christians under societal norms see section 3.4.4.

1.14 Alcohol vendors

The Associated Press (AP) reported in 2016 that the government of Iraq passed a law banning the production, importation and sales of alcohol that was the result of a surprise parliamentary initiative by Shiite Islamists.[619]

The ban is implemented in 'many parts of the country' according to USDOS and but Basrah, Dhi Qar, Maysan, and Muthanna continued to prohibit the import, sale, or transport of alcohol, 'although southern Iraqis were still allowed to legally consume and own alcohol'.[620] Al-Monitor reported in July 2018 that the governor of ISIL-liberated Salah al-Din decided to close all alcohol stores in the governorate after he received requests from local councils in Shirqat district, which was reportedly supported by the area's tribe and conservative Sunni clerics.[621] The same source noted that the ban was supported by conservative elements of society who perceive alcohol to be culturally unacceptable, related to social disintegration and 'excessive openness to Western customs and traditions'.[622] The KRG stated the ban 'would not be applied or enforced' within the KRI.[623] The National reported in 2016 that Kurdish officials vowed the ban on alcohol will not be enforced in Kurdish Territories. According to the region's culture minister the measure is an infringement on individual freedom.[624] Niqash reported in 2018 that alcohol sales go on in Kurdish Territories, although most liquor stores close during Ramadan.[625]

At EASO's practical cooperation meeting on Iraq in April 2017 Mark Lattimer observed that selling of alcohol is heavily frowned upon in most areas of Iraq, including in KRI. Although quite a lot of Iraqis do drink alcohol, the public practice of selling and buying it is widely seen as immoral. Mark Lattimer further states:

> 'There are some communities associated with the practice – Christians and Ka'kai – which has been given as a reason for their persecution. So you see, the charge of being an alcohol seller, attaches a stigma to someone, by reason even of ethnic or religious

[616] Norway, Landinfo, Irak: Situasjonen for sunnimuslimer i Bagdad [Situation of Sunni Muslims in Baghdad], 23 June 2017, url, p. 16.
[617] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 127.
[618] AI, Absolute impunity: militia rule in Iraq, October 2014, url, p. 9.
[619] AP, Iraqi parliament passes bill banning alcohol, 23 October 2016, url.
[620] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[621] Al-Monitor, Iraq's Salahuddin provinces launches war on alchol, 22 July 2018, url.
[622] Al-Monitor, Iraq's Salahuddin provinces launches war on alchol, 22 July 2018, url.
[623] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[624] National (The), In Iraqi Kurdistan, little regard for Baghdad alcohol ban, 27 October 2016, url.
[625] Niqash, The Beer essentials: how to get an (illegal) drink during Ramadan in Northern Iraq, 31 May 2018, url.

> identity – there is also a pattern of those who do sell alcohol being targeted by Shia militias in Basra and Baghdad – Asaib Ahl al-Haq has carried out assassinations, death threats, forcing people out of the community, or sometimes just using it as an allegation to get someone to leave or get them to leave their property.'[626]

According to an Iraq analyst interviewed during the DIS/Landinfo 2018 mission to KRI PMUs are targeting Christian liquor stores, although this happens less than in previous years.[627] The source further noted that 'between Hilla and Basra there are no official liquor stores. Alcohol is only sold clandestinely and it could get you killed. There are some liquor stores in Baghdad, but they have iron doors (in Saadun area, North Karrada). Some of these have been attacked by hand grenades. The motive behind such attacks can either be to kill or for the sake of money.'[628]

USDOS noted in its annual report on religious freedom in Iraq (covering 2017) that 'Yezidis and Christians, the main importers and sellers of alcohol, continued to be subject to harassment or attacks and were often forced to pay "protection" money to local authorities.'[629] The source further reported that in July 2017 two Yazidis were killed by unidentified gunmen in their Baghdad alcohol shop.[630] The report noted that the ban affects religious minorities such as Christians and Sabaen-Mandaens, and Yazidis; groups who sell alcohol.[631] An article by AFP about liquor consumption in Mosul stated that shops were open since liberation from ISIL but those that buy and consume alcohol do so in privacy and 'take certain precautions'. Additionally, licences to sell alcohol are not granted to Muslims and some residents have demanded the stores shut down 'for religious reasons or to protect young people'.[632]

On 13 February 2017 Vice News reports on the impact of the October 2016 government ban on the production, importation and sales of alcohol. The article notes that many liquor stores have encountered violence from military personnel and militiamen. Other businesses survive in 'a web of constant and increasingly costly bribes'. A Christian shop owner from Abu Nuwas street in Baghdad said that Shia militia raided his shop a month after the law was introduced, setting fire to the shop and killing two employees. Due to lack of options, the man re-opened his shop but was forced to pay heavy bribes to local police and militias.[633]

In the summer of 2016, there were reports of several IED attacks on cafes, restaurants and houses where alcohol was sold in Basrah. The suspected culprits were religious extremists.[634] In June 2016 the Washington Post also reported that militias enforce public morals, punishing, for example, persons who drink alcohol, gamble or hire prostitutes.[635] DIS noted in a 2016 report that 'there have been attacks against Christians in Zakho City near the Turkish border

[626] Lattimer, M., cited in EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 23.
[627] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[628] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[629] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[630] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[631] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[632] AFP, With the jihadis gone, booze is back in Iraq's Mosul, 4 December 2018, url.
[633] Vice News, Iraq's booze ban, 13 February 2017, url.
[634] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, pp. 17-18.
[635] Washington Post (The), Feared Shiite militias back in spotlight after three Americans vanish in Iraq, 21 January 2016, url.

in Dohuk where radical Islamists attacked Christians and burned down their shops, because they were selling alcohol.'[636]

1.15 People with Sunni names

Sources interviewed during the DIS/Landinfo 2018 mission to the KRI noted that Sunni males trying to flee ISIL-controlled areas have to pass security screening at checkpoints where their potential affiliation with ISIL is assessed.[637] The report further noted that 'people whose name or the name of their more distant family members is similar to that of an ISIS suspect can raise serious suspicion' and they could be subjected to abuses, detention or denied return.[638]

Many Iraqi citizens have identical names[639] and as such many IDPs do not take the risk passing the security check, fearing that their name is identical to a person on the wanted lists.[640] According to Belkis Willie, a senior researcher on Iraq with Human Rights Watch, there was 'no transparent way of knowing how a person's name ends up on the lists' adding that approximately 90 000 were contained on them.[641]

Reporting on the situation of Sunni Muslims in Baghdad Landinfo noted in June 2017 that persons passing checkpoints must prove their identity. Surnames and clan names can to some extent indicate which part of the population you belong to and where you come from. Sunnis could arbitrarily be suspected of sympathy with ISIL and be subjected to abuse.[642] Landinfo further mentions that militia checkpoints in Baghdad are situated in the small streets of Shia areas, the checkpoints located on the main roads through Baghdad are run by army and police.[643]

In December 2015 Niqash reported that some Sunni Arabs in Diyala Governorate have applied to change their name to more neutral formulations, out of fear of Shia militias. A government official speaks of 150-200 such demands in a two months period.[644] In a June 2015 article author and columnist Ali Hussein told Al-Monitor that the 'name-changing phenomenon spread widely following the occupation of the Sunni-majority city of Mosul'. Hussein also asserted that 'most of the names that are being changed refer to Sunni personages such as Omar, Abu Bakr and Osman.'[645] In an April 2015 article the Guardian stated that identifiable Sunni names may arouse suspicion at checkpoints manned by Shia militiamen or Iraqi soldiers. To avoid difficulties an unspecified number of people had their name changed. According to an official most of these name changes involved Sunni men changing the Sunni name Omar to

[636] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, pp. 172-173.
[637] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 28.
[638] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.
[639] Wille, B., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 13.
[640] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 28.
[641] Wille, B., EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 13.
[642] Norway, Landinfo, Irak: Situasjonen for sunnimuslimer i Bagdad [Situation of Sunni Muslims in Baghdad], url, p. 13.
[643] Norway, Landinfo, Irak: Situasjonen for sunnimuslimer i Bagdad [Situation of Sunni Muslims in Baghdad], url, pp. 8-9.
[644] Niqash, What's in a name? In Diyala, Iraqis change names to avoid being targeted by volunteer militias, 17 December 2015, url.
[645] Al-Monitor, From Omar to Hussain: Why Iraqis are changing their names, 17 June 2015, url.

Ammar. Others had their family name deleted from their citizenship card.[646] In July 2014 Human Rights Watch reported how a Shia man was abused and mistreated by members of AAH. Assuming he was a Sunni, his assailants accused the man of belonging to 'Omar's army'.[647]

1.16 Humanitarian / medical workers

The International NGO Safety Organisation (INSO)[648] reported that both official and semi-official armed groups in Iraq represent a threat for humanitarian workers in various forms, including access restrictions, detentions, targeted attacks against both humanitarian workers and NGOs' beneficiaries. According to INSO's data, during the period between January-October 2018, there were 66 reported incidents targeting NGOs in Iraq, the majority being cases of assaults (40), followed by arrest and detention (9), direct fire (9), intimidation (4), robbery (3), IED ordinance (1). Two NGO workers died as a result of these incidents during the stated period.[649]

According to study by the Iraqi Ministry of Health and the local International Committee of the Red Cross (ICRC) cited by Rudaw in November 2018, 57 % of medical personnel in Iraq have been exposed to forms of verbal, physical, or tribal violence.[650] The ICRC noted that 'In Iraq, threats affecting health workers and services go beyond violence directly linked to armed conflict. Other types of violence are prevalent, such as reprisals against health professionals in the form of verbal or physical abuse, threats, kidnapping or even killing. Afraid for their safety, many of them have left the country.'[651]

A report published in May 2018 by the Safeguarding Health in Conflict Coalition[652] notes that, throughout 2017, the health care sector was highly affected by the ISIL attacks and was also subjected to 'retaliatory or discriminatory practices' acts by pro-government actors.[653] At least 35 attacks were committed against health workers and facilities in 2017, ISIL being the main perpetrator.[654]

The same report further stated that 'medical staff also suffered from campaigns by Iraqi, Kurdish, and allied groups to root out and punish ISIS members and anyone possibly associated with them.'[655] Two medical workers were subjected to administrative or judicial punishment by Iraqi government officials for having worked under ISIL rule.[656] In January 2018, the Guardian reported the case of a young doctor who was denied permission by the Ministry

[646] Guardian (The), Iraqi Sunnis forced to abandon homes and identity in battle for survival, 5 April 2015, url.
[647] Human Rights Watch, Iraq: Pro- government militias' trail of death, 31 July 2014, url.
[648] INSO is an NGO 'dedicated to the safety of humanitarian aid workers' which provides situational awareness, incident tracking, and analysis on operational and security contexts affecting aid workers, according to its website.
[649] International NGO Safety Organisation, Iraq, NGO Incident rate, n.d., url.
[650] Rudaw, Violence targets medical workers, patients preventing care in Iraq, 12 November 2018, url.
[651] ICRC, Health Care in Danger campaign: Stop violence against medical personnel and facilities in Iraq, 6 November 2018, url.
[652] The organisation is a coalition of NGOs who work to protect healthcare workers, services, and infrastructure by documenting attacks and increasing accountability of those responsible, according to its website.
[653] Safeguarding Health in Conflict Coalition, Violence on the Front Lines: Attacks on Health Care in 2017, 21 May 2018, url, p. 22-23.
[654] Safeguarding Health in Conflict Coalition, Violence on the Front Lines: Attacks on Health Care in 2017, 21 May 2018, url, p. 22-23.
[655] Safeguarding Health in Conflict Coalition, Violence on the Front Lines: Attacks on Health Care in 2017, 21 May 2018, url, p. 23.
[656] Safeguarding Health in Conflict Coalition, Violence on the Front Lines: Attacks on Health Care in 2017, 21 May 2018, url, p. 22-23.

of Health to write her board exam for medical school, hence to practice, because she had worked in a Mosul hospital under ISIL rule.[657] The Kurdish media network Rudaw reported in August 2017, without providing any detail, that in Baghdad there was an escalation of killings targeting doctors and health workers by criminal groups.[658]

1.17 Death penalty

1.17.1 Iraq

Under the 2005 Constitution of Iraq, the President ratifies death sentences 'issued by the competent courts'.[659] The death penalty is prescribed under Article 86 of the Iraqi Penal Code No 11 of 1969.[660] The Anti-Terrorism Law No 13 of 2005 calls for the death penalty for terrorism offences under Article 4.[661] Crimes that carry the death penalty include a variety of offences from crimes against internal/external security and state institutions, acts of terrorism, kidnapping, rape, drug trafficking leading to death, prostitution, 'aggravated' murder[662], human trafficking leading to death.[663] The UN states that the definition of 'terrorism' crimes is 'broad and susceptible to wide interpretation' under the Anti-Terrorism Law.[664] The UN also reports that the death penalty is also provided for under the Military Penal Code, Article 27 and 28, and under the Iraqi Internal Security Forces Penal Code of 2008 for a range of offences, for example, offences relating to failures to perform their duties or surrendering military installations.[665] For detailed information on treatment of deserters, see sections 1.8.1 and 1.8.2.

Death penalty is executed by hanging.[666]

Capital punishments are usually imposed under the Penal Code and Anti-Terrorism Law; though it can be imposed for a range of crimes, 'not all of which satisfy the international requirements that limit its application to premeditated murder only'.[667] According to the government, capital punishment is only carried out following strict legal checks, automatic appeals, and that re-trial is necessary for cases where due process was not respected.[668] UNAMI also states that death sentences under the Anti-Terrorism Law are sent for automatic review by the Cassation Court.[669]

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[657] Guardian (The), How the people of Mosul subverted ISIS 'apartheid', 30 January 2018, url.
[658] Rudaw, Alarming wave of assassinations hits Iraqi doctors, 8 August 2017, url.
[659] Iraq, Constitution of the Republic of Iraq (15 October 2005), url, Article 73.
[660] Iraq, Penal Code No. 111 of 1969, July 1969, url, Article 86.
[661] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 5.
[662] UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, p. 1.
[663] UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, p. 9; For a full compendium of all Iraqi laws on the Death Penalty, refer to the Appendix One of the above report.
[664] UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, p. 2.
[665] UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, p. 9.
[666] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 13; UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, p. 1.
[667] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, pp. 13-14; UNAMI/OHCHR, Report on the Death Penalty in Iraq, October 2014 url, p. 1.
[668] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 14.
[669] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, 5.

Iraq continues to carry out capital punishment[670], being among the top three countries in the Middle East that imposes and carries out executions according to Amnesty International's 2017 report on death sentences and executions.[671] UNAMI noted that 'large scale executions' are frequently announced by the Ministry of Justice.[672] The Ministry of Justice also reported in 2017 that 3 to 4 executions occur per week in Baghdad and Nasiriya prisons, noting that 15-20 % of the 6 000 prisoners in Nasiriya Central Prison have a death sentence.[673]

In Iraq, the death penalty was reportedly used to execute 250 convicted ISIL member since 2014, with 100 of those executions occurring in 2017.[674] Amnesty International recorded at least 125 executions in 2017 for offences that included mostly terrorism-related acts, in addition to others related to murder, kidnapping and drugs.[675] For example, in 2017, UNAMI reported that the Ministry of Justice stated it executed 42 people in September and another 38 in December, for terrorism offences.[676]

Reporting in July 2018, the Supreme Judicial Council announced 41 death sentences for terrorism-linked crimes; 23 of the sentenced were foreign women.[677] In April 2018, the Ministry of Justice announced 13 executions had been carried out during the year, 11 for terrorism.[678] In October 2018 the UN Security Council noted that the total number of executions publicly announced in 2018 by the Ministry of Justice was 32, although more details regarding the death sentences and executions had not been provided.[679]

ISIL's 'deputy leader' was sentenced to death in September 2018.[680] The death penalty has popular support from the population, being considered to be appropriate and consistent with Islamic law for certain crimes, especially for 'large scale human rights violations'.[681]

1.17.2 Kurdistan Region of Iraq

The UN Special Rapporteur on extrajudicial, summary or arbitrary executions in Iraq observes in a June 2018 report that the KRG, whilst maintaining capital punishment, seemed to have established a *de facto* moratorium on executions since 2008. However, it was breached on two occasions in 2015 and 2016. Both the federal and regional governments cited popular pressure as a reason to continue to apply or resume the death penalty in particular in response to crimes committed by ISIL.[682]

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[670] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, pp. 13-14.
[671] AI, Death Sentences and Executions 2017, 2018, url, p. 30.
[672] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 5.
[673] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 5.
[674] AP, Iraq holding more than 19,000 because of IS, militant ties, 22 March 2018, url.
[675] AI, Death Sentences and Executions 2017, 2018, url, p. 32.
[676] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 5.
[677] UN Security Council, Implementation of resolution 2367 (2017) – Report of the Secretary-General (S/2018/677), 9 July 2018, url, p. 9.
[678] UN Security Council, Implementation of resolution 2367 (2017) – Report of the Secretary-General (S/2018/677), 9 July 2018, url, p. 9; New York Times (The), A 10-Minute Trial, a Death Sentence: Iraqi Justice for ISIS Suspects, 17 April 2018, url.
[679] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, p. 10.
[680] AFP, Iraq court condemns to death 'deputy of IS leader', 19 September 2018, url.
[681] Australia, DFAT, Country Information Report – Iraq, 26 June 2017, p. 24.
[682] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 13.

Execution cases in KRI in recent years include:

- On 12 August 2015, the KRG executed three persons convicted in April 2014 of the abduction and murder of two girls. They were the first executions to have taken place in the KRI since the KRG introduced an informal moratorium on the implementation of the death penalty in 2008.[683]
- On 10 December 2016, the authorities of Zarga Prison in Dohuk executed one convict following ratification of a court's sentence by the KRI President. The 22-year old convict who was convicted of murdering an 18-month old girl was sentenced earlier on 10 July 2016 by the Criminal Court in Dohuk for death pursuant to Article 406 of the Iraqi Penal Code. On 19 October 2016, the Cassation Court endorsed the sentence. The KRI President approved the execution on 27 November 2016.[684]
- In May 2017, UNAMI/OHCHR received information that President Barzani had signed orders of execution for three of six men sentenced to death for a murder in 2015.[685] UNAMI/OHCHR reported in December 2017 that it was not aware of any executions taking place in the July to December 2017 period in the Kurdistan Region.[686]

1.18 Treatment of detainees

1.18.1 Iraq

The June 2018 report of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions in Iraq states that the Constitution of Iraq 'guarantees the right to legal representation to all arrested persons during phases of investigation and trial' and the Constitution 'prohibits all forms of psychological, physical torture and inhumane treatment, and states that any confession made under duress may not be relied on in court'.[687] Nevertheless, the UN Special Rapporteur describes several cases of Sunni Arab civilians killed in detention during the military campaign against ISIL from 2014 until 2017. These incidents occurred in Mosul, Tal Afar, Baquba, Muqdadiya and Fallujah. The perpetrators included members of the Armed Forces, the Counterterrorism Service, the Police and also units of the PMU.[688]

Human Rights Watch denounced the precarious conditions in pre-trial detention, comprising overcrowding, ill treatment and torture. Human Rights Watch investigated the conditions of detention and the accusations of torture in several detention localities in Iraq, and presented witness accounts of former detainees and relatives of detainees in the Mosul area. It found only two detainees and one family member willing to testify, but claimed that the torture methods described are consistent with those described by other former detainees and captured in photos and videos by a photojournalist in May 2017.[689] The conditions for ISIL suspects in the pre-trial detention facilities are described above in the section 1.2.1.

[683] UN Security Council, First Report of the Secretary-General pursuant to paragraph 7 of resolution 2233 (2015), 26 October 2015, url, pp. 11-12.
[684] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 28.
[685] UNAMI/OHCHR, Report on Human Rights in Iraq January to June 2017, 14 December 2017, url, p. 10.
[686] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 11.
[687] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 6.
[688] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 8.
[689] Human Rights Watch, Iraq: Chilling Accounts of Torture, Deaths. 19 August 2017, url.

Amnesty International corroborates the allegations of arbitrary arrests, prolonged detention and widespread torture of terrorism suspects:

> 'Men and boys suspected of being members of IS were subjected to enforced disappearance – cut off from their families and the outside world – in facilities controlled by the Iraqi Ministries of the Interior and Defence, the KRG and in secret detention centres. Detainees were interrogated by security officers without lawyers present and were routinely tortured. Common forms of torture included beatings on the head and body with metal rods and cables, suspension in stress positions by the arms or legs, electric shocks, and threats of rape of female relatives. Detainees faced limited access to medical care, which led to deaths in custody and amputations. They also endured harsh conditions, including severe overcrowding, poor ventilation and lack of access to showers or toilets.'[690]

Not only ISIL suspects, but also other detainees face ill treatment and torture, as pointed out by other sources. In its 2017 periodical Human Rights report, UNAMI/OHCHR received a number of complaints from detainees, prisoners and defendants that they had been subjected to torture and ill treatment to extract confessions during police interrogations.[691]

UNAMI/OHCHR monitored places of detention run by the Ministry of Justice and found that the 'physical conditions in many detention facilities and prisons remain poor.'[692] Furthermore, UNAMI/OHCHR noted that at the end of 2017, UNICEF reported that at least 1 036 children up to the age of 18 (1 024 boys and 12 girls) remained in juvenile detention facilities on charges related to national security, in most cases for alleged association with ISIL.[693] Human Rights Watch noted that children are not always separated from adult detainees.[694] In 2015 the UN Committee on the Rights of the Child expressed serious concerns on the detention of children under terrorism charges: the large number of children accused or convicted for terrorism-related charges, the way how they were held in detention, and the fact that child relatives of terrorism suspects were 'illegally arrested, held without charge or charged with covering up terrorist acts'.[695] Furthermore, the UN Committee for the Right of the Child reported the following abuses:

- Children detained on terrorism charges suffer ill treatment and acts amounting to torture while in detention.
- The detention conditions are very poor, and that children are frequently detained along with adults.
- Those children are reportedly detained in extralegal facilities.
- Children are transferred to death row upon reaching 18 years.
- The families are not always informed that the child is being held in detention.[696]

[690] AI, International Report 2017/2018, The State of the World's Human Rights – Iraq, 2018, url.
[691] UNAMI/OHCHR, Report on Human Rights in Iraq January to June 2017, 14 December 2017, url, p. 6.
[692] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 8.
[693] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 8.
[694] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 2.
[695] UN Committee for the Right of the Child, Concluding observations on the report submitted by Iraq under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 5 March 2015, url, p. 6.
[696] UN Committee for the Right of the Child, Concluding observations on the report submitted by Iraq under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, 5 March 2015, url, p. 6.

1.18.2 Kurdistan Region of Iraq

The June 2018 report of the UN Special Rapporteur on extrajudicial, summary or arbitrary executions in Iraq signalled worrisome detention, including juveniles, by the Kurdish authorities under the counter-terrorism regime, which 'due to a lack of procedural guarantees places the detainees at risk of human rights violations. This risk is increased by the severely limited access to detention facilities by local and international organizations, rendering monitoring of the situation almost impossible.'[697]

According to a UN source interviewed during the 2018 DIS/Landinfo mission to KRI 'conditions in detention facilities for general criminality in the Kurdistan Region are generally acceptable, but detention facilities holding terrorism suspects are overcrowded and services are strained, which raises concerns about radicalization of detainees. The source was concerned by numerous reports of torture or mistreatment at the time of arrest or interrogation. Terrorism suspects are held in facilities run by Asayish intelligence services, along with suspects for other security related crimes, drugs, and fraud. Access to assess conditions in some of these facilities is restricted.'[698]

In its 2017 human rights report USDOS observed that 'abusive interrogation, under certain conditions, reportedly occurred in some detention facilities of the KRG's internal security unit, the Asayish, and the intelligence services of the major political parties, the Kurdistan Democratic Party's (KDP) Parastin and the Patriotic Union of Kurdistan's (PUK) Zanyari'.[699] In a December 2017 report Human Rights Watch also expressed concern that ISIL suspects are facing torture and other forms of ill treatment in the KRG. Human Rights Watch has documented allegations of torture by KRG forces holding ISIL suspects. Out of nineteen child ISIL suspects held by the KRG and interviewed by Human Rights Watch, seventeen said that Asayish forces tortured them in order to extract confessions. KRG authorities have not granted researchers access to adult ISIL suspects yet.[700]

Reporting on events of 2017, UNAMI noted its concern regarding allegations that detainees are subjected to torture and/or other ill treatment during the interrogation phase in order to force them to make confessions. UNAMI has previously noted that detainees are reluctant to report torture and/or other ill treatment for fear of reprisals or difficulties in the legal procedures. It appears that there is no uniform and effective policy in place to deal with allegations of torture and other ill treatment raised by the defendants before the courts.[701]

Amnesty International wrote in an October 2016 report that former detainees report beatings and other ill treatment in some facilities controlled by the Asayish, particularly in the initial period of their detention. It appears that detainees are subjected to such treatment to punish them for crimes committed by ISIL or to extract information from them. A number of former detainees interviewed by Amnesty International, currently living in territories controlled by the KRG, also 'appeared reluctant to complain about ill-treatment, telling the organization's researchers that they were just relieved to be at liberty and wished to move on with their

[697] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 9.
[698] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 92.
[699] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[700] Human Rights Watch, Flawed Justice. Accountability for ISIS crimes in Iraq, December 2017, url, p. 51.
[701] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2017, url, p. 9; UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 10.

lives. Those who recounted their experiences only agreed to do so if their identities were concealed out of fear of reprisals.'[702]

[702] AI, 'Punished for Daesh's Crimes'. Displaced Iraqi's abused by militias and government forces, October 2016, url, p. 47.

2. Targeting by ISIL

2.1 Background, structure, modus operandi

The Islamic State of Iraq and the Levant (ISIL) or Islamic State of Iraq and Syria (ISIS) is a UN-designated and internationally sanctioned organisation[703] and is listed as a Proscribed Terrorist Group by the United Kingdom.[704]

ISIL is the successor of Al Qaeda in Iraq (AQI), the Sunni resistance movement against US-occupation after 2003, led by Abu Musab al-Zarqawi, a Jordanian militant who left Afghanistan for Iraq after the ousting of the Taliban.[705] Contrary to Osama Bin Laden, al-Zarqawi considered the 'enemies within' to be the worst enemies of Islam, and AQI targeted US and foreign occupation forces after the 2003 removal of Saddam Huseein, but also the local Shia population, thus fuelling sectarian tension that culminated in a civil war in 2006-2007.[706] It was the successor of Al-Zarqawi, Abu Omar al-Baghdadi, who declared the Islamic State of Iraq (ISI) on 15 October 2006 in Western Iraq, under the name *al-Dawla al-Islamiya fi al-Iraq*, a merger of different Sunni insurgent groups with officers of the former Baathist regime and Sunni tribal leaders. These different groups recognised Abu Omar al-Baghdadi as their leader.[707] In the years to follow, the group came under heavy pressure by the US Forces, and after Abu Omar was killed in Spring of 2010, ISI was in retreat.[708]

The Syrian Civil War in 2011 created new opportunities for ISI, and the group became active on the Syrian theatre. Under the new leadership of Abu Bakr al-Baghdadi, ISI changed its name on 9 April 2013 to '*al-Dawla al-Islamiya fi al-Iraq wa-Sham–Da'aish',* The Islamic State of Iraq and al-Sham (the Levant) (ISIS or ISIL), and Abu Bakr announced the merger with the Syrian rebel group *Jabhat al-Nusra*, a Syrian Al-Qeada branch.[709] Al-Nusra rejected the takeover, but in the ensuing conflict most of its fighters, especially the foreign jihadists defected to ISIL, which succeeded to become a major force in the Syrian War.[710]

In the period after the retreat of the US-troops in 2011, ISIL took advantage of the growing sentiments of disenfranchisement within the Iraqi Sunni population caused by a government policy that favoured the Shia majority in many aspects. Especially in Anbar, Salah al-Din and Mosul, a part of the population showed their discontent during demonstrations in 2012-2013, and in several cities, protest camps were set up. When the government ordered the Security Forces to pull down the protest camps, this led to violence and numerous civilian casualties in Hawija, Ramadi and Falluja.[711] ISIL, present in the camps but not in a dominant way, capitalised

[703] UN Security Council, Security Council Committee pursuant to resolutions 1267 (1999) 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh) Al-Qaida and associated individuals groups undertakings and entities, n.d. url.
[704] UK, Home Office, Proscribed Terrorist Organisations, 22 December 2017, url.
[705] International Crisis Group, Exploiting Disorder: al-Qaeda and the Islamic State, 14 March 2016, url, p. 16.
[706] Hassan, H. The Sectarianism of the Islamic State. Ideological Roots and Political Context, June 2016, url, pp. 9-10.
[707] Waziri, H., IS: from a jihadist ideology to a jihadist state, 23 February 2015, url; Soufan Group (The), TSG IntelBrief: The Islamic State of Iraq and Greater Syria: A Primer, June 13, 2014, url, pp. 11-12.
[708] Soufan Group (The), The Islamic State, November 2014, url, p. 12.
[709] Waziri, H., IS: from a jihadist ideology to a jihadist state, 23 February 2015, url.
[710] Waziri, H., IS: from a jihadist ideology to a jihadist state, 23 February 2015, url; Soufan Group (The), The Islamic State, November 2014, url, p. 12.
[711] International Crisis Group, Iraq: Falluja's Faustian Bargain, Middle East Report No. 150, 28 April 2014, url, pp. 5-6.

upon the radicalisation of the opposition and the escalation of the conflict, especially in Anbar, where a standoff between the Sunni leadership in Falluja and the government turned into an outright siege of the city by the ISF. ISIL was in first instance rejected by the local authorities, but by proving its military value, succeeded to gain control of the city.[712]

During the period from July 2012 to July 2013 ISIL conducted a major terror campaign all over the country, under the name Breaking The Walls.[713] This series of heavy attacks on a multitude of targets aimed at a liberation of AQI prisoners, and at the domination of the territory that previously controlled by AQI in 2006. Among the targets of the campaign that were particularly attacked by Vehicle Borne Explosive Devices (VBIED) were symbols of the Shia government under Maliki, like the ISF, judges, other government officials, but also Shia neighbourhoods in Baghdad and other cities and towns.[714] The end of the Breaking the Walls campaign was marked by the prison break at Abu Ghraib on 21 July 2013, leading to the escape of 500 or more prisoners, most of them detained on terrorism charges.[715]

After Breaking the Walls, ISIL almost immediately announced a new campaign: Soldiers harvest, another wave of heavy VBIED attacks, focused on Baghdad and southern Iraq. ISIL aimed mainly on critical infrastructure like the port of Um Qasr in Basrah.[716]

According to the Institute for the Study of War (ISW), the military strategy of ISIL is marked by the concept of hybrid warfare it adopts to a high degree: Depending on the situation, it uses either terrorist attacks, guerrilla tactics or conventional manoeuvre warfare. The terrorist attacks are aimed to intimidate security forces and inspire fear and insecurity among the civilian population. The guerrilla warfare tactics are used to attack enemy forces in an indirect way, to weaken and disrupt the adversary. The conventional warfare approach is adopted to attack enemy forces directly, destroy military targets and conquer terrain.[717] In all three forms of warfare, the use of Improvised Explosive Devices (IED) plays a great role. Either with or without the use of vehicles as a carrier, and with or without a suicide driver/carrier of the explosives.[718]

The Sunni uprising against the Maliki-government was not solely led by ISIL, but also a number of actors contributed to it, like part of the Sunni tribes, clerics, the Iraqi Islamic Party, former Baathists etc. Every group had its own claims.[719] However, after the capture of large parts of central Iraq by ISIL in June 2014, these and other local insurgent groups fell in decline under ISIL.[720] As the example of Falluja showed, the opposition against the Shia-dominated central government was heterogeneous and not exclusively supported by Sunni extremists. Because of the superior military capacity of ISIL after its successes in neighbouring Syria and the increasing pressure by Baghdad, it was able to achieve a dominant position in the city, to the detriment of the other groups participating in the insurgency.[721]

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[712] International Crisis Group, Iraq: Falluja's Faustian Bargain, Middle East Report No. 150, 28 April 2014, url, p. 15.
[713] Lewis, J.D., Al-Qaeda in Iraq Resurgent, The Breaking the Walls Campaign, Part I, September 2013, url.
[714] Lewis, J.D., Al-Qaeda in Iraq Resurgent, The Breaking the Walls Campaign, Part I, September 2013, url, pp. 13-20.
[715] Lewis, J.D., Al-Qaeda in Iraq Resurgent, The Breaking the Walls Campaign, Part I, September 2013, url, p. 7.
[716] Lewis, J.D., Al-Qaeda in Iraq Resurgent, The Breaking the Walls Campaign, Part I, September 2013, url., p. 21.
[717] Lewis McFate. J. The ISIS Defense in Iraq and Syria: Countering an adaptive Enemy, May 2015, url, pp. 17-18.
[718] Lewis McFate. J. The ISIS Defense in Iraq and Syria: Countering an adaptive Enemy, May 2015, url, pp. 19-20, pp. 21-23.
[719] International Crisis Group, Make or Break: Iraq's Sunnis and the State, 14 August 2013, url, pp. 16-23; International Crisis Group, Iraq: Falluja's Faustian Bargain, 28 April 2014, url, p. 11.
[720] Ohlers, C.A., What to Expect in Iraq After the Liberation of Mosul, 5 May 2017, url
[721] International Crisis Group, Iraq: Falluja's Faustian Bargain, 28 April 2014, url, pp. 14-16.

ISIL is strongly rooted in a strictly conservative interpretation of Islam, with a literal reading of the Quran, with the Sharia as penal system, and a complete rejection of any other interpretations of Islam, like Shia or Sufi. According to Hassan Hassan, an expert on Islamist and Salafi groups and resident fellow at the Tahrir Institute for Middle East Policy, (a think tank in Washington D.C.), the Islamic State has largely borrowed from Wahhabism, and pushes the concept of *wala wal bara* (loyalty to Islam and rejection of anything that is perceived as un-islamic) and *tawhid* (the oneness of God) further than other Salafist groups. In areas conquered by the Islamic State, symbols of polytheistic practices (*shirk*) were systematically destroyed, like Sufi or Shia shrines.[722] An important element of the ideology of ISIL is the concept of *takfir,* the accusation of a Muslim by another Muslim that he/she is an unbeliever, and thus an apostate.[723] *Takfirism* is heavily used by ISIL as an ideological justification of its actions towards fellow Muslims.[724]

Although a militaristic organisation in the first place, ISIL took over the local administration in territories where it exerted control over the territory and the population, and more importantly, it introduced its own judicial system, based on a strict interpretation of the Sharia. These 'Sharia courts' were – together with the law enforcement of the Sharia police - an important instrument in pushing through the religious agenda of the organisation. As pointed out by Richard Barrett of the Soufan Group in 2014, the enforcement of religious observance is a symbol and also an instrument of the power of the Islamic State. The task of the Sharia police force was the supervision of the Islamic conduct of the population in the areas under control by the Islamic State.[725] The same source states that the Sharia courts dealt with religious transgressions, but also with other civil affairs. Either the Sharia police or private citizens had the right to bring forward accusations. In a country, where justice 'has been partial, sporadic, and subject to corruption', the Sharia courts enjoyed some popularity, because they were able to avoid those defects.[726]

According to UNAMI since 1 January 2014, an estimated 30 000 civilians have been killed and another 55 000 injured in the conflict between the Iraqi authorities and ISIL.[727] In November 2018 UNAMI released a report documenting 202 mass graves since June 2014, the overwhelming majority of which reportedly contain victims killed by ISIL. Estimates provided to UNAMI range from 6 000 to more than 12 000 victims buried in these sites, with the largest number being located in the governorates of Ninewa (95), Kirkuk (37), Salah al-Din (36) and Anbar (24).[728] The report further stated that 'victims include women, children, elderly and persons with disabilities, members and former members of the Iraqi armed forces and police, and some foreign workers.'[729]

ISF, with the support of the US-led Global Coalition to Defeat ISIS, had reclaimed all of the territory that ISIL had captured in 2014 and 2015, and by the end of 2017, ISIL did not hold

[722] Hassan, H. The Sectarianism of the Islamic State. Ideological Roots and Political Context, June 2016, url, p. 5.
[723] Oxford University, Oxford Islamic Studies Online, Takfir, n.d., url.
[724] Atlantic (The), What ISIS Really Wants, March 2015, url.
[725] Soufan Group (The), The Islamic State, November 2014, url, p. 30.
[726] Soufan Group (The), The Islamic State, November 2014, url, p. 30.
[727] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 3.
[728] UNAMI/OHCHR, "Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL", 6 November 2018, url, pp. 1-2.
[729] UNAMI/ OHCHR, "Unearthing Atrocities: Mass Graves in territory formerly controlled by ISIL", 6 November 2018.

territory under its control anymore.[730] In its report from November 2018, DIS and Landinfo note that the organisation changed back to be a more ordinary, traditional insurgent group, concentrating in areas in the Hamreen Mountains, in Hawija, in Diyala and Ninewa provinces, as well in the border areas towards Syria and Iran.[731] The Institute for the Study of War (ISW) noted in October 2018 that ISIL retains a small control zone north of Baiji, and support zones in the areas of Daquq, Hawija, Riyadh and Rashad districts (Kirkuk Governorate), 'as well as in rural areas around Lake Hamrin in the Diyala River Valley'.[732]

There are an estimated 15-17 000 ISIL fighters still active in Iraq as of August 2018.[733] According to an UN report, the total number of current ISIL members across both Iraq and Syria is estimated to be between 20 000 and 30 000 individuals, and among them there are still many thousands of active foreign fighters.[734] ISW stated in October 2018 that the activities of ISIL in Iraq are limited to small arms attacks, targeted assassinations and suicide vest, but that the group is scaling up the rate of its attacks to as many as four assassinations per week across Northern and Central Iraq. ISIL hasn't yet returned to the systematic use of VBIEDs which were broadly deployed in 2011-2013.[735]

The situation remains unstable and ISIL continues to carry out targeted attacks against civilians[736] and asymmetric attacks across Iraq.[737] A longer-term insurgency situation is developing[738], particularly intensely in Salah al-Din, and Diyala.[739]

Regarding ISIL's capacity to commit violence, the DIS/Landinfo report notes that although ISIL does not have control of any geographical area in Kirkuk Governorate, 'there are pockets of ISIS fighters around the governorate, especially in Hawija in Kirkuk Governorate and in the Hamreen Mountains extending over Diyala, Kirkuk and Salah al-Din governorates and the group is relatively more active in the governorate compared to other parts of Iraq.'[740] The same source assessed that ISIL still has some presence in Ninewa Governorate, concentrated in more remote areas close to the Iraq-Syria border and in the Badoush area between Mosul and Tel Afar. ISIL cells 'are active during the night carrying out explosions, killings, assassinations and attacks on a regularly basis', particularly in Mosul and surrounding

[730] USDOS, Country Report on Terrorism 2017 - Chapter 1 - Iraq, 19 September 2018, url; UN Security Council, Seventh report of the Secretary-General on the threat posed by ISIL (Da'esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat [S/2018/770], 16 August 2018, url, p. 2; Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 20.
[731] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 21.
[732] ISW, ISIS's Second Resurgence, 2 October 2018, url.
[733] US Lead Inspector General for Overseas and Contingency Operations, Operation Inherent Resolve and Operation Pacific Eagle-Philippines – April 1 2018 – June 30 2018, August 2018, url, p. 3.
[734] UN Security Council, Twenty-second report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities, 27 July 2018, url, p. 5.
[735] ISW, ISIS's Second Resurgence, 2 October 2018, url.
[736] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url; UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 1.
[737] UN Security Council, Implementation of resolution 2367 (2017) – Report of the Secretary-General (S/2018/359), 17 April 2018, url, p. 4.
[738] Ahn, J. et al., The Politics of Security in Ninewa, 7 May 2018, url, p. 2; ISW, ISIS's Second Resurgence, 2 October 2018, url.
[739] Ahn, J. et al., The Politics of Security in Ninewa, 7 May 2018, url, p. 2.
[740] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 15.

villages.[741] In Salah al-Din Governorate ISIL operational capabilities are limited by the presence of the PMUs but pockets of fighters operating during the night have still been reported.[742]

In November 2018 the Center for Strategic and International Studies, referring to data from the Armed Conflict Location & Event Data Project (ACLED), stated that ISIL attacks in the Kirkuk Governorate were estimated to have doubled from 2017 to 2018. Data records on ISIL orchestrated attacks in Kirkuk Governorate peaked in October 2018, and the number of attacks had also increased in Salah al-Din and Ninewa governorates. The source explained that 'the lack of an official military presence throughout ungoverned space and disputed territories in Kirkuk and Salah ad-Dine provinces have enabled Islamic State militants to operate freely.'[743]

Numerous sources cited by the DIS/Landinfo 2018 FFM report state that 'the primary targets of ISIS are the security forces (ISF) and the PMU and to some extent government officials.'[744] Other sources also state that ISIL continues to focus targeted attacks on members of the Iraqi police, security forces and PMUs[745], in Ninewa and Kirkuk in particular.[746]

DIS/Landinfo also noted that 'for the purpose of creating chaos in the Iraqi society other actors such as civilians or people collaborating with the security actors or the authorities can also be targets for ISIS.'[747] The same source notes that ISIL 'will use often use scare tactics where the members drive into villages at night time to demonstrate the powerlessness of the authorities and the ISF and to show that the group still exists'.[748] Furthermore, they explain that 'the level of violence shows that ISIS still has the capacity to carry out attacks, but on a smaller scale compared to when the group controlled vast territory in the northern Iraq. The authorities often blame ISIS when attacks take place. And in some cases, ISIS does take the blame for the attacks. However, it is not always ISIS who is responsible for the violence.'[749]

ISIL has also been responsible for incidents where civilians have been 'killed or kidnapped at fake checkpoints'.[750] ISIL also targeted its attacks against tribal leaders[751] and local mayoral

[741] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 17.
[742] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 18-19.
[743] Markusen, M. B., The Islamic State and the Persistent Threat of Extremism in Iraq, 30 November 2018, url.
[744] Markusen, M. B., The Islamic State and the Persistent Threat of Extremism in Iraq, 30 November 2018, url.
[745] UN Secretary-General, Implementation of resolution 2367 (2017) – Report of the Secretary-General (S/2018/359), 17 April 2018, url, p. 9; US Lead Inspector General for Overseas and Contingency Operations, Operation Inherent Resolve and Operation Pacific Eagle-Philippines – April 1 2018 – June 30 2018, August 2018, url, p. 20.
[746] UN Secretary-General, Implementation of resolution 2367 (2017) – Report of the Secretary-General (S/2018/359), 17 April 2018, url, p. 9.
[747] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 21.
[748] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 21.
[749] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 21.
[750] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 21.
[751] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 21.

officials, such as in Kirkuk and Ninewa governorates in, whom they accused of providing information on their movements to the government.[752]

2.2 Targeting ethno-religious identity groups

ISIL adopts an 'extreme Salafist/*takfir*' interpretation of Islam and diversion of their literal reading of the Quran and the Hadith is regarded as blasphemy and has to be eradicated. The consequence of this view is that anything or anyone not conform to their own interpretation – Shi'ism, Sufism or any other theological concept must be destroyed.[753] The concept of *takfirism* – excommunication after a Muslim declares another an infidel or apostate (*murtad*) – has been used to the extreme by ISIL, its rigidity and refusal to recognize any other current of Islam has created a culture of *takfirism* within *takfirism*.[754]

For religion outside Islam, ISIL follows a double path: Christians and Jews are regarded as non-believers, but the Quran instructs Muslims to fight the two other Abrahamic religions 'until they pay the *jizya* with willing submission, and feel themselves subdued'.[755] However, this principle was not respected by ISIL, as will be pointed out below.[756] Yazidi however, are regarded as *kufara* (non-believers) by ISIL, to whom they only gave the 'option' of conversion or death.[757]

UNAMI reported that ISIL deliberately targeted religious and culturally significant sites, churches, mosques, shrines, tombs, and graves that it considered to be 'un-Islamic' and generally looted these sites before destroying them[758]: UNAMI reported that the targeting of religious leaders continued in the areas under ISIL control in the first half of 2017, without specifying particular incidents.[759]

2.2.1 Targeting of Shi'a Muslims

Attacks by ISIL against civilians with explosives or firearms in areas not under ISIL control

In its Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, UNAMI noted that the majority of the attacks by ISIL directly targeting civilians and civilian objects appeared to be of a sectarian nature.[760]

Attacks which were explicitly (by an ISIL claim that it was against a Shi'a target) or obviously targeting the Shi'a population (the attack was directed against a predominantly Shi'a

[752] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, p. 10.
[753] Soufan Group (The), The Islamic State, November 2014, url, p. 18.
[754] See Section 2.1. Background, structure, modus operandi
[755] Atlantic (The), What ISIS Really Wants, March 2015, url.
[756] Comment by the drafters of this report, Cedoca/Belgium
[757] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 12; Human Rights Watch, Iraq: ISIS Escapees Describe Systematic Rape. Yezidi Survivors in Need of Urgent Care, 14 April 2015, url.
[758] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 16.
[759] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2017, 14 December 2017, url, p. X.
[760] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 8.

neighbourhood or town) are listed below from July 2014 until November 2018. The following list is not exhaustive.[761]

- On 23 July 2014, ISIL claimed responsibility for an SVBIED [Suicide Vehicle Borne Improvised Explosive Device] attack killing 28 civilians at a checkpoint north of Kadhimiya (Baghdad) in a predominantly Shi'a area.[762]
- On 25 August 2014 an ISIL suicide bomber blew himself up among worshippers in front of a Shi'a mosque in the blacksmith area of New Baghdad. Ten people were killed and 24 wounded. ISIL claimed the responsibility on social media and websites.[763]
- On 9 October 2014, a Shi'a village east of Baquba was attacked with a truck laden with explosives, detonating in the village, killing ten civilians, and wounding six more.[764]
- On 3 November 2014, ISIL carried out a suicide attack against Ashura pilgrims in Tunis, northern Baghdad, a predominantly Shi'a area. Six civilians were killed and at least 13 wounded.[765]
- In Muqdadiya (Diyala), a suicide bomber detonated his vest on 12 December 2014, inside a Shi'a mosque, killing seven civilians.[766]
- On 29 December 2014, an individual wearing an explosive vest inside a tent hosting Shi'a pilgrims in al-Hamamiyat village in Baghdad killed 17 civilians and wounded at least 24 more. The responsibility of this attack was claimed by ISIL on social media.[767]
- On 30 January 2015, an attack comprising a SVBIED and an IED was conducted in a crowded market in al-Bab al-Sharji, a Shi'a neighbourhood in central Baghdad. 62 civilians lost their lives, and 109 were wounded.[768]
- On 9 February 2015, in Kadhimiya district, northern Baghdad, the detonation of a suicide vest in a restaurant claims the life of 21 civilians, and 49 other are wounded.[769]
- On 28 February 2015, two vehicles packed with explosives were detonated at a vegetable market in Baladruz, killing nine civilians and wounding 30 others. Women and children were among the victims.[770]
- On 6 April 2015, a VBIED was detonated on the parking of the Imam Abdullah Ibn Ali Al-Hadi Shi'a shrine in the Bawiya area east of al-Abbara sub-district. At least four civilians were killed in the blast.[771]

[761] Comment the drafters of this report, Cedoca/Belgium
[762] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9.
[763] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9.
[764] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 15.
[765] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 12.
[766] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 32.
[767] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 21.
[768] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 32.
[769] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 32.
[770] Balad Ruz has a Shi'a majority. Knights, M., Mello, A., Losing Mosul, Regenerating in Diyala: How the Islamic State Could Exploit Iraq's Sectarian Tinderbox, October 2016, url, p. 2.
[771] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 32.

- On 22 April 2015, a bus returning Shi'a pilgrims from holy shrines in Samarra was attacked by a suicide bomber. Eight people were killed and 15 others wounded. The attack happened on the anniversary of death of Imam Ali al-Hadi.[772]
- On 17 July 2015, as the celebrations of Eid al-Fitr marking the end of the Ramadan had started, a SVBIED detonated in the main market of Khan Bani Saad, south of Baquba in Diyala Governorate. At least 108 people were killed, and 167 wounded. Almost all victims were civilians. More than 50 shops and 70 cars were destroyed. ISIL claimed responsibility for the attack, and declared on social media targeting the Shi'a community in retaliation for the killing of Sunnis in Hawija before.[773]
- On 10 August 2015, a SVBIED attacked a crowded market in Hwaider, a village outside of Baquba. The detonation killed at least 61 people, and wounded at least 88. A Diyala branch of ISIL claimed responsibility on social media.[774]
- On 13 August 2015, a VBIED detonated at the Jameela market in Shi'a majority Sadr City (Baghdad). At least 45 people were killed and 72 wounded, ISIL claimed responsibility.[775]
- On 5 October 2015 a mini-bus with explosives detonated in a market in Khalis district, north-west of Baquba. At least 40 persons were killed and at least 60 wounded. Between 10 and 20 people remained missing. The majority of the victims were believed to be civilians, including a significant number of women and children. ISIL-associated media outlets claimed ISIL responsibility for this attack.[776]
- On 6 October 2015, a VBIED detonated in the al-Zubair district, west of Basrah city, killing 10 civilians and injuring 25. ISIL claimed responsibility for the blast, stating that is was part of a coordinated terror campaign around the country, aimed at killing and injuring members of the Shi'a community.[777]
- On 25 February 2016, two SVBIED detonated in a coordinated attack on Rasul al-Azam Shi'a mosque in Shula (north-western Baghdad), eight worshippers were killed and 18 others wounded. ISIL claimed responsibility for the attack.[778]
- On 28 February 2016, two attackers – one with a suicide vest, the other with a motorbike rigged with explosives – attacked a public market in Sadr City (eastern Baghdad), killing 24 civilians and wounding 62 others. ISIL claimed responsibility for the attack.[779]
- On 29 February 2016, a SVEST (Suicide Vest) detonated at a Shi'a funeral ceremony close to al-Quds mosque, in the Asri quarter of Muqdadiya district, north-east of Baquba. As a result, 19 civilians were killed, and 33 others wounded.[780]

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[772] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 32.
[773] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, pp. 14-15.
[774] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 15.
[775] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 15.
[776] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 15.
[777] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 15.
[778] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 5.
[779] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 5.
[780] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 6.

- On 6 March 2016, a truck laden with explosives was detonated by the driver at the main checkpoint entering Hilla city in Babil. In the attack, 31 civilians and 10 police members were killed, 70 civilians and 11 police members were wounded. ISIL claimed responsibility for the attack.[781]
- On 25 March 2016, a SVEST (Suicide Vest) attack in a football stadium in Iskandariya sub-district in Babil killed at least 25 individuals and wounded at least 59 others. In this attack, children were particularly targeted: 23 boys between 10 and 17 years old attending the football game were killed, and 58 wounded. ISIL claimed responsibility for this attack.[782]
- On 22 April 2016, a suicide bomber detonated his explosive belt targeting the Imam Ali Shi'a mosque in Radhwaniya (south-western Baghdad). At least three persons were killed and 16 others wounded. A second suicide attacker was shot and killed before he was able to detonate his explosives. ISIL claimed the attack.[783]
- On 2 May 2016, an attack with a SVBIED against pilgrims in southern Baghdad killed at least 10 individuals and wounded another 11. ISIL claimed responsibility for the attack.[784]
- On 9 May 2016, a SVBIED detonated in a market and nearby a local restaurant in the predominantly Shi'a Shafta area, in the centre of Baquba city. In the attack, 14 civilians were killed and 38 others wounded. ISIL reportedly claimed the attack.[785]
- On 11 May 2016, ISIL claimed responsibility for three massive attacks in different areas of Baghdad. Two of the three were clearly aimed at the Shi'a population in the capital: In the morning, a vehicle laden with explosives detonated in a market in Sadr City, the biggest Shi'a neighbourhood, killing 28 individuals and wounding at least 74 others. In the afternoon, a SVBIED at a checkpoint in the Shi'a neighbourhood of Kadhimiya claimed the lives of at least six individuals and wounded one police officer.[786]
- On the night of 12 May 2016, three attacks targeted civilians in a café in a predominantly Shi'a area in Balad district south of Tikrit with hand grenades and small arms fire. In the attack, 15 civilians were killed and 22 others wounded. The crowd was watching a football game on television.[787]
- On 17 May 2016, a combined attack involving a suicide vest and an IED targeted a market in Shaab, killing at least 13 persons and wounding at least 37 others. On the same day, a SVBIED detonated in a vegetable market in Sadr City, killing at least 11 individuals and wounding 30 others. ISIL claimed the responsibility for both attacks online.[788]

[781] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 6.
[782] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 6.
[783] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 5.
[784] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 5.
[785] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 6.
[786] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 5.
[787] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 6.
[788] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 5.

- On 21 May 2016, a suicide attack with a motorcycle in the Shi'a Arab majority Dujail district (Salah al-Din Governorate), killed at least 12 and wounded 33 others. ISIL claimed responsibility for the attack online.[789]
- On 7 June 2016, a SVBIED exploded in al-Mowadhafeen district in the predominantly Shi'a Karbala province, killing eight civilians and wounding 18 others. ISIL claimed responsibility for the attack online.[790]
- On 7 July 2016, gunmen also wearing explosive vests attacked the Sayyid Mohammed Shi'a shrine in Balad district, south of Tikrit. Attackers threw hand grenades at people in the shrine area and engaged in gunfire with security forces. The attackers detonated their explosive vests near the gate and in an area with shops close to the shrine wall. According to sources, 34 civilians and one member of the PMU were killed, and more than 60 civilians were wounded. ISIL reportedly claimed responsibility for the incident online.[791]
- On 28 August 2016, five attackers with explosive vests, hand grenades and rifles entered a wedding party at Hay al Hussein neighbourhood, in Ain Al-Tamr village (western Karbala). Hand grenades were launched, gunshots fired, and one assailant blew himself up. The other four attackers were killed by ISF. At least 17 civilians were killed and at least 25 wounded during this incident which was claimed by ISIL.[792]
- On 24 November 2016, in Shomali, south of Hilla (Babil province), a truck rigged with explosives detonated, killing at least 56 civilians and wounding at least 21 others. An official source reported 74 persons killed and 24 more wounded. Among the victims were dozens of local and foreign Shi'a pilgrims returning from Arbaeen commemorations in Karbala. ISIL claimed responsibility for the attack online.[793]
- On 2 January 2017 a pickup truck loaded with explosives detonated on a market in Sadr City, Baghdad, killing at least 36 people, wounding another 52. ISIL claimed the attack online.[794]
- On 16 February 2017 a VBIED detonated in the Shi'a area of Bayaa in southern Baghdad. At least 48 people are killed and more than 50 wounded. ISIL claimed the attack, saying it targeted 'a gathering of Shi'as'.[795]
- On 20 May 2017, two VBIED were detonated in Basrah al-Remeila military checkpoint, located on a highway near oilfields in Basrah. Eleven persons were killed, while 32 others were wounded. Later, Islamic State claimed responsibility for the Basrah car bombing.[796]
- On 30 May 2017, two explosions, one outside an ice cream shop in Karrada district, and the second outside an office in Baghdad, where people collect their government pensions, killed 31 civilians and wounded 59. ISIL claimed this attack, saying its suicide bombers had targeted gatherings of Shia Muslims.[797]

[789] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 6.
[790] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 7.
[791] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 7.
[792] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 7.
[793] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 6.
[794] New York Times (The), Suicide Bombing in Baghdad Kills at Least 36, 2 January 2017, url; UNAMI, SRSG Kubiš describes Baghdad bombings as "despicable", 31 December 2016, url.
[795] BBC News, Baghdad car bomb kills at least 48, 16 February 2017, url; CNN, ISIS claims responsibility for deadly Baghdad blast, 16 February 2017, url.
[796] Iraqi News, More than 80 killed, injured in several Baghdad, Basra blasts, 20 May 2017, url.
[797] Guardian (The), Dozens of Iraqis killed as Isis targets Baghdad during Ramadan, 30 May 2017, url.

- On 9 June 2017, a suicide bomber killed at least 31 people, and wounded another 35 in a market in the town of Musayab, 80 km south of Baghdad. ISIL claimed the attack. On the same day, a second suicide bomber claimed the lives of three people (and wounding another 15) at the main bus station of the Shi'a holy city of Karbala.[798]
- On 28 August 2017, 12 people were killed and 28 wounded as a car bomb exploded in the Jamila neighbourhood of Sadr City (Baghdad). A second blast in al-Yusufiya (south of Baghdad) claimed the lives of another four persons.[799]
- On 14 September 2017, two gun-and-car bomb attacks near the city of Nasiriyah in the southern province of Thi Qar killed at least 60 people and wounded dozens more. The first attack was at a highway restaurant, the second at a checkpoint. ISIL claimed the attack.[800] Further reporting on the attacks mention that more than 80 persons were confirmed dead in 'an attack on a restaurant frequented by Shia Muslim pilgrims in southern Iraq that was claimed by Islamic State'.[801]
- On 27 November 2017, a combined gun-and-explosive vest attack in Nahrawan district, 35 km east of the Iraqi capital claimed the lives of at least 11, and wounded another 20. Two attackers opened fire on civilians, before one of them detonated his vest. ISIL claimed responsibility for the attack, saying it targeted the Iran-backed Shi'a militias known as PMU.[802]
- On 15 January 2018, two suicide bombers killed at least 35 people and injured 90 more in an attack on Tayaran square in Baghdad where day labourers gather to look for work.[803] The attack was later claimed by ISIL who mentioned that it aimed to target Shia Muslims.[804]
- On 23 May 2018, at least four persons were killed and 15 others wounded when a SVEST (Suicide Vest) was detonated at the entrance of the Saqlawiyah public garden in the predominantly Shi'a Shula district of north-west Baghdad. The explosion occurred during the holy month of Ramadan, when a lot of people gather in cafes late into the evening. ISIL claimed responsibility for the attack.[805]
- On 7 June 2018, at least 20 people were killed and 110 wounded in an explosion near a Shi'a mosque in Sadr City when two bombs reportedly exploded near a weapons cache.[806]
- On 23 June 2018 ISIL fighters kidnapped six Shia men, showing them in a video and giving the Iraqi government a three-day ultimatum to release Sunni women in Iraqi prisons, or the men would be killed. After the government's refusal to negotiate the bodies of the men were found once the deadline had expired, triggering outrage in Shia areas.[807]

[798] Reuters, Suicide bomber kills at least 31 in crowded Iraqi market, 9 June 2017, url.
[799] Al Jazeera, 12 people dead as car bomb explodes in Baghdad, 28 August 2017, url; EPIC, ISHM, August 25-31, 31 August 2017, url; UNAMI, UNAMI condemns in the strongest terms the two terrorist bombings in Baghdad, 29 August 2017, url.
[800] Al Jazeera, Deadly ISIL attacks hit southern Iraq's Thi Qar, 15 September 2017, url.
[801] Guardian (The), Isis suicide attack: more than 80 killed in southern Iraq, 15 September 2017, url.
[802] RFE/RL, Attack Kills At Least 11 Near Baghdad, IS Claims Responsibility, 27 November 2017, url.
[803] BBC, Baghdad suicide bombers kill dozens in attack on labourers, 15 January 2018, url.
[804] New York Times (The), ISIS Claims Responsibility for Baghdad Bombings, 17 January 2018, url.
[805] Reuters, At least four killed, 15 wounded in Baghdad bomb blast, 24 May 2018, url; UNAMI, SRSG Kubiš condemns suicide bomb attack in Baghdad, 24 May 2018, url.
[806] Iraqi News, 130 people killed, wounded as dual bomb attack targets Shiite mosque in Baghdad. 7 June 2018, url.
[807] Jamestown Foundation, Is Islamic State Making Plans for a Comeback in Iraq? Terrorism Monitor Volume: 16 Issue: 15, 28 July 2018, url.

- On 30 October 2018 three Shi'ite Muslim pilgrims were killed by a roadside bomb near the city of Khanaqin, Diyala Governorate. ISIL claimed responsibility for the attack, although the claim could not be verified.[808]
- 4 November 2018, three people were killed and five wounded in an explosion of an IED in Sadr City (Baghdad). On the same day, three people were killed in an explosive attack in the al-Shula district of north-west Baghdad.[809]

The number and impact of this kind of large-scale attacks has decreased considerably in late 2017, according to Joel Wing (Musings on Iraq), who notes that ISIL reverted to insurgency tactics because it was not able to take the losses induced to it conventional warfare against ISF and Coalition airstrikes. ISIL apparently has entered a new phase of its rebuilding in October 2018, with renewed efforts at mass casualty bombings.[810]

Targeting of the Shi'a Muslim civilian population in places under ISIL control

In areas under its control, ISIL committed widespread, systematic violations and abuses against civilians. These acts include executions, targeted killings and enforced disappearances of religious, community and political leaders.[811]

The attacks against the Shi'a population in places under ISIL control took place in the first months of the offensive, essentially in summer and fall of 2014, as described in the cases below.[812]

- On 10 June 2014, ISIL stormed Badush prison in Mosul, Ninewa, and a high number of Shi'a prisoners were executed. Concluding from statements by Iraqi officials and surviving witnesses who were interviewed by UNAMI in Erbil where they had escaped from Mosul, the estimate of prisoners killed during this incident has to be put at above 400.[813]
- On 17 September 2014, ISIL shelled three different areas in the predominantly Shi'a al-Khalis district of Diyala, and on 9 October it claimed responsibility for an attack on Shafta village (a Shi'a village) east of Baquba (Diyala). On 16 November 2014, approximately 35 bodies of men believed to have been Shi'a Arabs were found in Jurf al-Sakhr (south of Baghdad, Babil Governorate), a town that had been under ISIL control. On 3 December 2014, Peshmerga forces discovered two mass graves in Jalawla sub-district (Diyala). It was however not clear whether all victims were Shi'a.[814]

The Shi'a Muslims in territories under ISIL control were not exclusively Arabs, but also Turkmen and Shabak, who were also subjected to ISIL attacks.[815]

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[808] Reuters, Blast kills three Shi'ite Muslim pilgrims in Iraq: police, 30 October 2018, url.
[809] Iraqi News, Eight people killed, wounded in second bomb blast, east of Baghdad, 04 November 2018, url; Iraqi News, UN special envoy condemns heinous Baghdad bombings, 05 November 2018, url.
[810] Wing, J., October 2018: Islamic State Expanding Operations In Iraq, Musings on Iraq [Blog], 2 November 2018, url.
[811] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 6; UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, pp. 5-6.
[812] Comment by the drafters of this report, Cedoca/Belgium
[813] UNAMI/OHCHR, Report on the Protection of Civilians in the Non International Armed Conflict in Iraq: 5 June – 5 July 2014, 18 July 2014, url, p. 10.
[814] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 15.
[815] Comment by the drafters of this report, Cedoca/Belgium

The Turkmen are not exclusively Shi'a, the third biggest ethnic community of Iraq has members who are part of both Sunni and Shia sects, they live in 'an arc of towns and villages stretching from Tal Afar, west of Mosul, through Mosul, Erbil, Altun Kopru, Kirkuk, Tuz Khurmatu, Kifri and Khaniqin'.[816] The Shi'a Turkmen reside mostly in the southern part of this settlement area. About 60 % of the minority is Sunni, the remainder are Shi'a.[817] During the rapid ISIL advance in summer 2014, the Shi'a Turkmen fled together with other religious and ethnic minorities like Christians and Shabaks, and in Sinjar district and parts of Tal Afar district they were virtually surrounded by ISIL and associated armed groups. During August 2014, the Shi'a Turkmen from this region fled towards Mount Sinjar, others fled to Dohuk in the KRI or to other areas in Iraq.[818]

The members of the Shi'a Turkmen community came also under direct attack by ISIL, when the organisation seized the area around the town of Amerli in Salah al-Din, placing its 13 000 inhabitants under siege. Amerli is in majority Shi'a Turkmen. The town was shelled on an almost daily basis until the siege was broken by the ISF in combination with US air strikes on 31 August 2014. Due to ISIL cutting off the electricity supply to the town during the siege, the residents (almost 10 000 of the 13 000 being women and children) were suffering from severe shortages of food, medicines and drinking water. Some residents died from lack of access to medical services, as was pointed out by UNAMI.[819]

UNAMI reported accounts by IDPs from two villages in Tal Afar district, that in mid-June 2014, 'ISIL killed and wounded civilians, destroyed religious buildings and houses, and looted property. At least 38 civilians, all Turkmen Shi'a, were reportedly abducted.'[820]

UNAMI recorded more attacks on Turkmen during this period, like the abduction of 40 men from the village of Rashidiya on 7 July 2014, and the killing of six civilians in Tuz district of Salah al-Din Governorate during the week of 20-26 July 2014. Five of the victims of this attack were Shi'a Turkmen, and the sixth was the Kurdish wife of one of the other victims. On 7 August, 'about 100 Turkmen Shi'a men from Tal Afar, who had been displaced in Sinjar were reportedly executed by ISIL.'[821]

The Shabak minority is a smaller community located in the Ninewa plains and in some villages east of Mosul, as well as in Mosul itself. Their community numbers approximately 250 000, and about 70 % identify themselves as Shi'a, the rest as Sunni.[822] The Shabak were also targeted by ISIL: Their villages were attacked, members of the community abducted, and UNAMI received reports that on 11 July 2014 during Friday prayers, an Imam in Mosul had urged Sunnis to kill all Shabaks remaining in Mosul city.[823]

[816] MRG, Iraq, Turkmen, November 2017, url.
[817] MRG, Iraq, Turkmen, November 2017, url.
[818] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, pp. 4, 15.
[819] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 16.
[820] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 16.
[821] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 16.
[822] MRG, Iraq, Shabak, November 2017, url.
[823] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, pp. 16-17.

ISIL continued the targeting of Shabak, and UNAMI received reports that houses of Shabak in Mosul were destroyed by ISIL.[824] The community reported they had been subjected to abductions and were mistreated during interrogations.[825] On 13 March 2016, ISIL killed nine men from the Shabak community in the village Bairbog in Bashiqa sub-district (east of Mosul). They had been abducted months before and were executed after a verdict of an ISIL-court, allegedly for cooperating with the Shi'a dominated Iraqi government.[826]

Many Shabak fled from ISIL territory, most to the KRI, others to the Shia dominated areas in the south of Iraq like Karbala.[827] The Guardian stated that Shabak and other Muslim minorities had either fled or been killed, Human Rights Watch reported in July 2014 that 'Virtually all Turkmen and Shabaks have fled their communities near Mosul as a result of ISIL raids, in which the fighters seize local men and pillage homes and places of worship, residents of those villages said.'[828]

More recently, more than 50 Shabak families who had returned to Mosul after the end of the ISIL occupation of the city returned back to the KRI in July 2018, because of security concerns.[829]

Targeting of Shi'a members of the Iraqi Security Forces

Members of ISF who were captured by ISIL, faced execution, unless they repented in public, but as Human Rights Watch wrote already in July 2014, Shi'a soldiers were killed afterwards, even when they had repented before. The same source stated that ISIL has summarily executed Shi'a captives on several occasions in Iraq.[830]

The most prominent example of killing captured members of the ISF of the Shi'a sect is the Camp Speicher incident. In this incident, in June 2014, ISIL executed hundreds of Iraqi Shi'a army recruits from Camp Speicher near Tikrit. Several witnesses declared that ISIL separated the Shi'a from the Sunni captives, and that the Sunni – both military and civilian – were subsequently released, while the Shi'a were executed. UNAMI concluded in its report on the massacre issued on 13 July 2015 that almost all victims were Shi'a.[831]

Destruction of Shi'a mosques, shrines and other places of worship

ISIL attacked and destroyed places of religious significance 'that did not conform to *takfiri* doctrine', and Shi'a mosques were particularly targeted. In areas under ISIL control, numerous Shi'a mosques faced destruction, as the examples below show. But also outside ISIL territory,

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[824] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 16.
[825] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 15.
[826] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 15.
[827] MRG, Between the Millstones: The State of Iraq's Minorities Since the Fall of Mosul, 2015, url, p. 8.
[828] Human Rights Watch, Iraq: ISIS Abducting, Killing, Expelling Minorities. Armed Group Targeting Christian Nuns, Turkmen, Shabaks, Yazidis, 19 July 2014, url.
[829] Rudaw, Mosul too insecure for Kurdish Shabak families, now settled in Duhok, 26 July 2018, url (video with testimonies included).
[830] Human Rights Watch, Iraq: ISIS Abducting, Killing, Expelling Minorities. Armed Group Targeting Christian Nuns, Turkmen, Shabaks, Yazidis, 19 July 2014, url.
[831] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9.

Shi'a places of worship were regularly attacked, according to UNAMI's reporting during 2014.[832]

UNAMI mentioned in its reporting the following incidents, this list is not exhaustive. Most destructions of Shi'a mosques within ISIL territory happened in Mosul[833]:

- On 7 July 2014, the mosques of the villages of Shanaf (Nimrod district) and Staeh (al-Hadhar district) in Ninewa Governorate were blown up by ISIL.[834]
- On 16 July 2014, ISIL blew up al-Sadraen Mosque in the Tamim area of Mosul and all-Huseiniya in al-Sadaa village in Tal Kayf district.[835]
- On 25 July 2014 several mosques in Kirkuk Governorate were targeted (outside ISIL territory).[836]
- An 3 August 2014, ISIL destroyed the Shi'a shrine of Sayida Zainab and the Shi'a shrine of Saiyed Zakariya, both in Sinjar.[837]
- On 9 August 2014, the holy shrine of Imam Ridha (Shi'a Eighth Imam) in Tisikhrab in Ninewa was blown up by an IED.[838]
- On 23 October 2014 two Shi'a holy shrines in al-Dor district in Salah al-Din were destroyed.[839]
- On 19 March 2015, ISIL destroyed two Shi'a shrines belonging to the Shabak minority in Hamdaniya, south of Mosul.[840]
- On 13 July 2015, a Shi'a mosque/religious school was destroyed using an IED in Kirkuk city (outside ISIL territory).[841]
- UNAMI reported in 2016 that several Shi'a mosques in Mosul and Hamam al-Alil have been used as military operation centers.[842]

2.2.2 Targeting of Sunni Muslims

ISIL does not tolerate any deviant religious practices within its own fundamentalist *takfiri* ideology. This was reflected by the destruction of numerous Sunni religious sites in the areas controlled by ISIL. Any public worshipping outside the boundaries of the very narrow interpretation of Islam was suppressed by ISIL. Other movements such as Shi'ism, Sufism, or

[832] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9.
[833] Comment by the drafters of this report, Cedoca/Belgium
[834] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9
[835] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9.
[836] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9.
[837] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9.
[838] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9.
[839] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 12.
[840] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 19.
[841] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 16.
[842] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 11.

any others who is not in conformity with of ISIL's ideological interpretation of Islam were declared *takfir* and therefore had to be destroyed.[843]

In its periodic reports on human rights in Iraq, UNAMI cited a significant number of holy Sunni shrines or other religious places that were destroyed, mainly in Ninewa Governorate, including examples of Sunni sites targeted.[844]

- In July 2014 alone, ISIL destroyed nine different shrines in the Mosul area, and in September of the same year five mosques, shrines and a cemetery, again in the wider Mosul area. In the same period, ISIL destroyed also two Sufi shrines, one in Mosul, the other in Daquq district, south of Kirkuk.[845]
- In October 2014, two Sunni and one Sufi shrine were destroyed in Salah al-Din Governorate.[846]
- In November 2014, the shrine of a Sunni Sheikh was obliterated in the Daquq area (Kirkuk governorate).[847]
- On 8 May 2015, ISIL looted and then destroyed the biggest Sunni mosque in Badoush sub-district (Ninewa Governorate) because of the existence of a tomb inside the mosque that ISIL objected to.[848]
- Another example of the destruction of a mosque because it contained tombs and graves venerated by the local population was the al-Farouq Sunni mosque in Ayathia sub-district, Tal Afar district on 14 November 2015.[849]
- On 21 June 2017, ISIL blew up the famous al-Nuri mosque and the al-Hadba minaret in western Mosul.[850]

Sunni religious leaders (and others) who opposed ISIL faced severe repercussions. ISIL required total loyalty from religious leaders, and those who refused to declare their allegiance to ISIL and the caliph risked being assassinated, or publicly tried and subsequently executed.[851] Again UNAMI repeatedly reported on targeting of Sunni clerics, noting below a few examples:

- On 22 July 2014, a Sunni Imam in eastern Baquba was killed by ISIL because he had denounced the organisation. On 9 September 2014, reports alleged that another Imam was executed in western Mosul for refusing to declare his allegiance to ISIL.[852]
- On 14 June 2016, ISIL seized two Imams in central Mosul for violating instructions regarding the conduct of prayers and Friday sermons.[853]

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[843] Soufan Group (The), The Islamic State, November 2014, url, p. 18.
[844] Comment by the drafters of this report, Cedoca/Belgium
[845] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 10.
[846] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 12.
[847] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 12.
[848] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 16.
[849] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 14.
[850] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 35.
[851] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 5.
[852] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 7.
[853] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 11.

- On 4 September 2014, ISIL reportedly forced Sunni Imams to pledge allegiance under threat of death in villages south and west of Kirkuk. On 8 September ISIL released a list of 40 Sunni Imams who it has forbidden to perform their religious activities because of their refusal to support ISIL.[854]
- On 15 January 2016, ISIL abducted six Imams in Mosul, after they had been accused of urging people not to join or support ISIL.[855]
- On 23 January 2015, ISIL abducted six Imams in east Mosul for unknown reasons.[856]
- On 10 February 2016, an Imam in Mosul was executed after a trial by an ISIL court, reportedly for not cooperating with the group.[857]
- On 29 February 2016, ISIL executed two Imams from different neighbourhoods in Mosul. They had been tried by an ISIL court and accused of disobeying the group's instructions and of preventing young people from joining the group.[858]
- On 22 April 2016, ISIL abducted three Imams from their homes in central Mosul. They were taken to an unknown location, and their whereabouts and condition remained unknown to UNAMI.[859]

UNAMI reported that the targeting of religious leaders continued in the areas under ISIL control in the first half of 2017, without specifying particular incidents.[860]

2.2.3 Targeting of Christians

According to MRG, since 2003, over 1 100 Christians have been killed and 98 churches, monasteries and Christian shrines have been attacked, and such attacks continued in 2013 and 2014 in Christian areas, with reports of kidnappings, bombings, and attacks against Christian areas, churches, and worshippers reported.[861] In relation to ISIL's targeting of minorities, ethnic and religious minorities, such as Christians, Yazidis, and Shabaks, whose rights to practise their own religion are protected by the Iraqi Constitution, were targeted by ISIL's 2014 campaign to 'purify' its territory by eliminating influences that it considered to be un-Islamic. In this respect, 'Shiites were summarily executed [and] Christians' homes were marked and they were forced to pay *jizya*, in order to continue practising their own religion' for example.[862] In a 2014 report on the situation of the different ethno-religious minorities in Iraq, MRG wrote that most Christians in Iraq are of Chaldo-Assyrian or Armenian ethnicity, and that they adhere to several different denominations. Before the US-led invasion of 2003, an estimate of up to 1.4 million Christians lived in the country. Following the eruption of violence in the years after the US invasion Christians were targeted for their religious

[854] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 11.
[855] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 14.
[856] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 14.
[857] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 14.
[858] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 14.
[859] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 14.
[860] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2017, url, p. X.
[861] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, pp. 8-9.
[862] Kinyat Organisation for Documentation/FIDH, Sexual violence against Yazidis: ISIL foreign fighters should be prosecuted for genocide and crimes against humanity, 25 October 2018, url, p. 4.

affiliation as well as for their perceived ties with the West.[863] Subsequently, large numbers of Christians fled the country, and in 2014, their number had declined to some 350 000.[864]

The population declined further since mid-2014 with the arrival of ISIL in areas with Christian towns and villages, especially the Ninewa plains. When Mosul and the whole region fell to ISIL, thousands of Christians fled, mostly to the KRI or abroad.[865] Those who did not or could not flee faced various forms of targeting by ISIL: shortly after the taking of Mosul, ISIL released an order on the Christians to either convert to Islam, pay a tax as non-Muslims (*jizya*), leave the city by 19 July 2014, or face death by public execution or beheading.[866] Human Rights Watch pointed out that even before the decree on Christians, ISIL started to place marks on minorities' properties to designate them as either Christian ('Nazarene', 'Nasrani' or 'N'[867]) or belonging to one of the other minorities (Shi'a Shabak or Shi'a Turkmen), and asking a 'jihad tax' on the remaining Christian merchants. Some of the properties were seized, and some religious buildings were destroyed. The few remaining Christian families chose to leave Mosul, according to reports by Human Rights Watch and MRG from 2014.[868] There were reports in June 2014 of incidents where members of ISIL raped women and girls of families who did not pay the tax in Mosul.[869]

In August 2014, ISIL took control of the Assyrian areas in the Ninewa plain, including the towns of Tel Isqof, Bartalla, Karamles, Natnaya, Tel Keyf and the largest Christian town in Iraq, Qaraqosh. This caused approximately 200 000 people to flee towards the KRI.[870]

According to the NGO Shlomo Organization for Documentation, cited by USDOS:

> 'ISIS abducted 150 Christians from the Batnaya, Qaraqosh, and Tel Kayf areas in 2014; their fate remained unclear at year's end of the year. On 15 February, the NGO reported the discovery of a mass grave west of Mosul containing 150 sets of human remains, possibly of Christian civilians from the area. At year's end it was unclear if they were the remains of the Christians abducted in 2014.'[871]

Burning of Christian houses by ISIL in the areas of the Ninewa Plain were also reported in 2014, with some sources indicating that in some Christian towns 1 233 houses were destroyed, 3 520 houses burned, and 8 217 partially damaged.[872]

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[863] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, p. 5.
[864] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq, 9 January 2017, url, p. 10.
[865] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq, 9 January 2017, url, p. 10; MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, p. 5.
[866] France, OFPRA, The Security situation of religious and ethnic minorities, 14 November 2017, url, p. 4; UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq, 9 January 2017, url, p. 10.
[867] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, p. 20
[868] Human Rights Watch, Iraq: ISIS Abducting, Killing, Expelling Minorities. Armed Group Targeting Christian Nuns, Turkmen, Shabaks, Yazidis, 19 July 2014, url; MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, p. 9.
[869] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, p. 9
[870] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, p. 9.
[871] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[872] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.

Members of the Christian community became victims of abductions, pillaging and arrests.[873] Fleeing Christians and minorities were robbed by ISIL and their properties looted or stolen.[874] Money, cars, mobile phones, jewellery and identification documents were confiscated, and the deserted Christian property and homes in Mosul were 'systematically looted'.[875] MRG reported that the Ninewa Plain was 'practically emptied' of the indigenous Christian population that had lived there for thousands of years.[876]

ISIL took over abandoned houses belonging to Christians and religious buildings, and some of them were destroyed by using explosives or bulldozers.[877] Property owned by Christians who fled the city of Mosul in 2014 was sold in an 'auction' in western Mosul on 16 January 2016. UNAMI reported in 2016 that 400 houses, 19 buildings and 167 shops were put up for sale, together with other goods.[878] The possibility to pay the *jizya* tax was not always granted. UNAMI received reports that Christian families were expulsed when they refused to convert to Islam.[879]

According to DFAT, writing in 2018, 'ISIL subjected Christians to high levels of violence and discrimination in areas under its control. ISIL forced Christians to convert to Islam, pay *jizya* or face death or expulsion.'[880] The 2017 USDOS noted numerous abuses by ISIL against religious minorities, including Christians in ISIL-controlled areas, including kidnapping, rape, enslavement, forced marriage, and sexual violence.[881]

For information on targeting of Christians under societal norms see section 3.4.4.

2.2.4 Targeting of Yazidis

The Yazidis are one of the oldest ethno-religious minorities in Iraq, and their number is estimated to reach up to 700 000. They were mostly located in Northern Iraq, in the region around Sinjar, and in areas south of and bordering the KRI, including the Ninewa plains. Since 2014, the minority has been severely targeted by ISIL, which justified the attacks against Yazidis by labelling them as heretics and devil worshippers.[882]

In August 2014 ISIL overran the territories where the Yazidis settled, at that time held by the Kurdish Peshmerga and the ISF. In the course of this military offensive, ISIL forces and other groups allied to it systematically targeted the Yazidi community, killing and capturing thousands from their villages in the Ninewa Governorate. Tens of thousands fled to Sinjar Mountains, where they were surrounded by ISIL, and many others escaped towards the KRI. In total, UNAMI and UNHCR reported that between 2 000 and 5 500 Yazidis were killed by the

[873] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, pp. 11-12.
[874] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, pp. 20-21.
[875] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, pp. 20-21.
[876] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, 14 October 2014, url, p. 9
[877] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 12; UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, pp. 18-19; UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 16 .
[878] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 15.
[879] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 19.
[880] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 15.
[881] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[882] France, OFPRA, The Security situation of religious and ethnic minorities, 14 November 2017, url.

Islamic State. More than 6 000 were abducted in August 2014, including 3 500 women and girls, who were subsequently sold or offered as sex slaves to ISIL members. The almost 3 000 men and boys in captivity were enrolled as fighters.[883]

In January 2018, UNAMI reported that 3 158 Yazidis (1 472 women and 1 686 men) were still in ISIL captivity.[884] The October 2018 UN Security Council report informed that 'on 29 August, the Department of Yazidi Affairs in the Ministry of Awqaf and Religious Affairs in the KRG reported that of the 6 417 Yazidis (3 548 women and 2 869 men) abducted by ISIL since August 2014, fewer than half have been freed or escaped. On the same day, the Department also reported that 3 095 Yazidis (1 845 children and 1 250 women) remained in ISIL captivity or were missing. No men remain in ISIL captivity. Those abducted have either escaped or been freed, or have been executed by ISIL.'[885]

In her report on her mission to Iraq in 2016, the Special Rapporteur on minority issues of the United Nations considered the following, in view of a possible qualification of the crimes committed by ISIL against the Yazidis as genocide:

> 'While further detailed investigation is required, information provided to the Special Rapporteur, including public videos and statements by ISIL itself, strongly supports allegations that the threshold required for a finding of genocide has been surpassed in the case of the Yazidis. The intention to destroy the Yazidi group in whole or in part can be inferred from the deliberate and systematic targeting of members of that community, including execution or forced conversion.'[886]

According to the UN's Independent International Commission of Inquiry on the Syrian Arab Republic ISIL has committed the crime of genocide as well as multiple crimes against humanity and war crimes against the Yazidis:

> 'ISIS has sought to destroy the Yazidis through killings; sexual slavery, enslavement, torture and inhuman and degrading treatment and forcible transfer causing serious bodily and mental harm; the infliction of conditions of life that bring about a slow death; the imposition of measures to prevent Yazidi children from being born, including forced conversion of adults, the separation of Yazidi men and women, and mental trauma; and the transfer of Yazidi children from their own families and placing them with ISIS fighters, thereby cutting them off from beliefs and practices of their own religious community, and erasing their identity as Yazidis.'[887]

The August 2016 UN report, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, based mainly on accounts obtained from survivors and witnesses of human rights abuses, collected accounts of the following types of human rights abuses against Yazidis:

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[883] France, OFPRA, The Security situation of religious and ethnic minorities, 14 November 2017, url, p. 6; UNAMI/OHCHR, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, 12 August 2016, url, p. 4.
[884] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 15.
[885] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, p. 10.
[886] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq, 9 January 2017, url, p. 16.
[887] UN, Independent International Commission of Inquiry on the Syrian Arab Republic, They came to destroy: ISIS crimes against the Yazidis, 15 June 2016, url, p. 1.

- Forced displacements
- Forced conversions
- Abduction, deprivation of liberty,
- Cruel, inhumane and degrading treatment
- Systematic and widespread killing
- Sexual violence/sexual slavery[888]

During the ISIL offensive against Sinjar, thousands of Yazidis were forced to flee, either to Sinjar Mountain, to the Syrian border or towards the KRI. On Mount Sinjar, the population was trapped on top of the mountain without sufficient supplies and under siege by ISIL. In a report from the Special Rapporteur for the United Nations on minority issues on her mission to Iraq from 9 January 2017, community leaders estimated that about 400 000 Yazidis were displaced 'trying to survive under the threat of extinction'.[889]

Those Yazidi who survived the initial onslaught, but were intercepted by ISIL, were told to convert to Islam or be killed. Those who refused were killed, often in front of other captured Yazidi. OHCHR and UNAMI jointly stated that 'those who complied under this extreme duress were nonetheless subjected to severe ill-treatment and sexual violence' from ISIL.[890]

Those Yazidis who were captured were moved between different locations, subjected to severe ill treatment and suffered a lack of basic supplies, including food and water. Children, the elderly and people with disabilities had to endure the same treatment. Families were separated, young children taken away by force, and captives were forced to drink sewage water. Many Yazidi reported being beaten frequently while in captivity. Those Yazidi who were allowed to live outside captivity, had to perform forced work, and minor offences against the rules imposed by ISIL were subject to corporal punishment like public flogging. Children above the age of five were forcibly converted and had to learn the Quran. Boys above twelve years old received weapons training by ISIL instructors.[891]

After the taking of Sinjar city and surrounding Yazidi villages, multiple witnesses reported to OHCHR and UNAMI that ISIL killed scores of Yazidi civilians. Men, women, children and elderly people were randomly killed, including mass executions of captives.[892] The exact number of Yazidis killed by ISIL is not known, but a retrospective household survey to estimate the number and demographic profile of Yazidis killed and kidnapped, conducted between 4 November and 25 December 2015 by four scientists of different domains revealed the estimated probabilities of killings and kidnappings of Yazidis by ISIL. Nearly 25 out of 1 000 people were either killed or kidnapped. The likelihood of being killed was 7.6 per 1 000, and the likelihood of being kidnapped 17.0 per 1 000. Furthermore, this study estimated that, assuming a Yazidi population of 40 000 in Sinjar when ISIL attacked, the overall toll was 9 900 people. Around 3 100 Yazidis were killed (1 400 were executed, and 1 700 died on Mount

[888] UNAMI/OHCHR, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, 12 August 2016, url, p. 2.
[889] UNAMI/OHCHR, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, 12 August 2016, url, pp. 8-10; UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq, 9 January 2017, url, pp. 12-13.
[890] UNAMI/OHCHR, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, 12 August 2016, url, p. 10.
[891] UNAMI/OHCHR, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, 12 August 2016, url, pp. 11-12.
[892] UNAMI/OHCHR, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, 12 August 2016, url, pp. 12-14.

Sinjar during the ISIL siege). The estimated number kidnapped was put on 6 800. At the time of the survey in November and December 2015, an estimated 2 500 Yazidis were still missing.[893]

After the capture of numerous Yazidi civilians, ISIL systematically separated the men from the women and children. Often ISIL took away the younger girls away from their families. Girls above a certain age (8 years, according to OHCHR/UNAMI) were taken, and women with younger children or who were pregnant could not count on being spared from sexual harassment or rape. ISIL regarded sexual slavery as acceptable regarding female captives, and referred to them as 'slaves', or 'spoils of war'. ISIL even issued a pamphlet allowing to have sexual intercourse with a girl who has not yet reached puberty, and stating that the slave is considered as a property of the owner.[894]

OHCHR/UNAMI listed numerous accounts of rape, sexual slavery and mistreatment of Yazidi women and girls by members of ISIL[895], and likewise did Human Rights Watch and Amnesty International in similar reports.[896]

USDOS noted that 'since 2014, ISIS militants have kidnapped and held captive thousands of women and children from a wide range of ethnic and religious groups, especially Yazidis, and continue to sell them to ISIS fighters in Iraq and Syria, where they are subjected to forced marriage, sexual slavery, rape, and domestic servitude.'[897] Other sources explained that ISIL trafficked Yazidi women and children 'at slave markets or on specialized websites via applications like Telegram and Signal. One online resale chat group, called "The Great Mall of the Islamic State" had up to 754 members' where ISIL member could buy women or children.[898]

According to the findings of two missions conducted by the International Federation for Human Rights (FIDH) to the KRI in February and August 2017, 'Since August 2014 and over a period of several years, ISIL systematically and on a horrifying scale committed SGBV [Sexual- and Gender-Based Violence] amounting to genocide and crimes against humanity, as well as other acts amounting to crimes under international law, against the Yazidi population.'[899]

According to USDOS, 360 000 Yazidis displaced to Dohuk in KRI remained displaced due to the 'confused security situation' in Sinjar.[900]

For further information on targeting of Yazidis under societal norms see section 3.4.3.

[893] Cetorelli, V. et.al., Mortality and kidnapping estimates for the Yazidi population in the area of Mount Sinjar, Iraq, in August 2014: A retrospective household survey. PLoS Med 14(5): e1002297, url.
[894] UNAMI/OHCHR, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, 12 August 2016, url, p. 14; Human Rights Watch, Slavery: The ISIS Rules, 5 September 2015, url.
[895] UNAMI/OHCHR, A Call for Accountability and Protection: Yezidi Survivors of Atrocities Committed by ISIL, 12 August 2016, url, pp. 14-16;
[896] Human Rights Watch, Iraq: ISIS Escapees Describe Systematic Rape. Yezidi Survivors in Need of Urgent Care, 14 April 2015, url; AI, Escape from hell Torture and sexual slavery in Islamic State captivity in Iraq, 23 December 2014, url.
[897] USDOS, Trafficking in Persons Report 2018 - Country Narratives - Iraq, 28 June 2018, url.
[898] Kinyat Organisation for Documentation/FIDH, Sexual violence against Yazidis: ISIL foreign fighters should be prosecuted for genocide and crimes against humanity, 25 October 2018, url, pp. 23-26.
[899] Kinyat Organisation for Documentation/FIDH, Sexual violence against Yazidis: ISIL foreign fighters should be prosecuted for genocide and crimes against humanity, 25 October 2018, url, p. 49.
[900] USDOS, 2015 Report on International Religious Freedom – Iraq, 10 August 2016, url.

2.2.5 Targeting of Kaka'i

The Kaka'i religious minority, number between 110 000 and 200 000 in Iraq, and are located mainly south-east of Kirkuk and in the Ninewa plains near Daquq and Hamdaniya, but also in other places in Diyala and the KRI. The Kaka'i are followers of a syncretic religion which contains elements of Zoroastrianism and Shi'a Islam.[901] Kaka'i activists estimate the number to approximately 120 000-150 000 members.[902]

MRG described the situation of Kaka'i following the rise of ISIL in 2014 as follows:

> 'When ISIS began its advance in northern Iraq, most Kaka'i living in villages east of Mosul fled to Erbil. ISIS reportedly released statements threatening Kaka'i with death if they did not convert to Islam. Several villages were taken over by ISIS, and the militant group also destroyed Kaka'i shrines in al-Hamdaniya district on the Ninewa plains. In response, the Kaka'i formed their own armed forces, and one 600-member contingent was incorporated into the Kurdish Peshmerga. In September 2016, ISIS targeted a Kaka'i village in Tuz Kharmatu district with a car bomb attack, killing at least six people.'[903]

According to the 2015 Report on International Religious Freedom of the USDOS, more than 2 500 Kaka'i families had fled to the KRI as a result of the ISIL incursion, and thousands remained displaced.[904] In 2018, Kaka'I community activists stated that only a limited number of community members had returned to liberated Ninewa.[905]

In 2018, members of the Kaka'i community in Kirkuk Governorate (mainly in Daquq district, south of Kirkuk) continued to be displaced, because of security concerns. ISIL militants regrouped in the disputed areas after the federal raid of 16 October 2017 to these areas. Kaka'i villages have been targeted by ISIL, with several attacks having been reported. Some villages have been deserted, others are defended by the local communities, but the local populations expressed its concern that it would not be possible to secure their communities without substantial outside help.[906]

In an article in CTC Sentinel issued in September 2018, the independent author, journalist and expert on Iraqi security issues, Derek Henry Flood, wrote:

> 'This past summer, vulnerable populations faced regular attacks in Kirkuk Governorate's southern sub-districts. Religious minorities such as the Sufis and followers of the secretive syncretic Kakai faith along with local Sunni Arabs the Islamic State deems collaborators for cooperating with ISF continue to be at great risk from attacks by jihadis based in the low-slung Hamrin Mountains and the Qori Chai river valley, which begins near the tiny villages of Dabaj and Qaryat Tamur to the north of the Hamrin Mountains.'[907]

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[901] MRG, Kaka'i, November 2017, url.
[902] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[903] MRG, Kaka'I, November 2017, url.
[904] USDOS, 2015 Report on International Religious Freedom – Iraq, 10 August 2016, url.
[905] USDOS, 2017 Report on International Religious Freedom – Iraq, 29 May 2018, url.
[906] Kirkuk Now, Kakaiyis look for safety - Tens of families fled Daquq to Qarahanjir, 13 August 2018, url; Voice of America, IS Attacks Drive Members of Iraqi Kakai Minority From Their Villages (video), 26 June 2018, url.
[907] Flood, D.H., From Caliphate to Caves: The Islamic State's Asymmetric War in Northern Iraq, September 2018, url.

2.2.6 Targeting of Kurds

As explained in Section 1.3.5, after federal government of Iraq took over in disputed Kirkuk from the Kurdish Peshmerga in October 2017, ISIL exploited the conflict between federal and KRG forces to mount attacks on Kurdish villages (and those of other minorities) in Kirkuk Governorate.[908] On 18 October 2017, ISIL briefly captured three villages near Daquq in a night time assault.[909] Attacks by ISIL against Kurdish villages surrounding Kirkuk continued into 2018, and a former director of Kirkuk's police identified in February 2018 Daquq and Tuz Khurmatu as the primary targets of the ISIL militants. Another local security source warned that ISIL fighters remained present in large numbers in Kirkuk governorate.[910]

Attacks continued to occur in the following months, and amidst security concerns related to ISIL, Kurds abandoned their home villages in Daquq. Several attacks against Kurdish villages, but also the ambushing and killing of policemen and members of the PMU in hit-and-run operations contributed to the concerns of the civilian population, together with overt appearances of ISIL fighters in villages.[911]

Between mid-October 2017, when Kurdish control of Kirkuk was turned over to the ISF and the PMU, until the end of July 2018, a total of 30 villages in the region are reported to have been evacuated by the Kurdish population, but not only because of the threat by ISIL. Tensions between Kurds and Shi'a Arabs living in the area also contributed to the population movement.[912]

In July 2018, Kurdish residents of Mardan, a small village near Khanaqin in Diyala Governorate, evacuated their homes after a wave of ISIL killings. The departure of the Kurdish Peshmerga forces from the disputed areas was exploited by ISIL remnants to reorganize in the Hamrin Mountains, Salah al-Din, Diyala and Kirkuk governorates, was noted in an article by Rudaw from July 2018.[913]

According to the DIS/Landinfo FFM to Kurdistan published in November 2018, ISIL was not present or carrying out insurgent activities in the Kurdistan Region of Iraq; however one source reported that an attack on a government building in Erbil occurred In July 2018 that was suspected to have been carried out by ISIL.[914]

2.3 Targeting of individuals perceived to oppose ISIL

One of the main strategic elements of ISIL to gain control on cities and towns has been the elimination of opponents to weaken any opposition: key security personnel, politicians and government figures opposing their agenda, tribal leaders who collaborated with the Baghdad

[908] Comment by the drafters of this report, Cedoca/Belgium
[909] Telegraph (The), Isil attacks villages south of Kirkuk as Iraqi and Kurdish forces are distracted fighting each other, 19 October 2017, url.
[910] Rudaw, ISIS sleeper cells awaken in Kirkuk. 2 February 2018, url.
[911] Rudaw, Fearing ISIS, Kurds abandon homes in southern Kirkuk, 26 March 2018, url.
[912] NewsRep, A growing number of villages in Kirkuk, Iraq are being evacuated, 30 July 2018, url.
[913] Rudaw, ISIS threats force Kurds to evacuate village near Khanaqin, 25 July 2018, url.
[914] Denmark, DIS/Norway, Landinfo, Northern Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, incl. possibility to enter and access the Kurdistan Region of Iraq (KR-I), 5 November 2018, url, p. 22.

government, they all risked to be assassinated or abducted by ISIL.[915] Defectors or challengers to ISIL central authority were eliminated, including local leaders, activists, and religious scholars.[916]

When ISIL took over control of large parts of Iraq in 2014, it started immediately with the targeting of a broad array of possible opponents to their new rule, accused of committing gross human rights violations including crimes against humanity.[917] ISIL attacks were carried out to systematically target civilians and civilians' infrastructure with the intention to kill and wound as many civilians as possible. Targeting campaigns included operations targeting Iraqi security forces personnel and infrastructure. Additionally, civilian targets have included:

> 'markets, restaurants, shops, cafés, playgrounds, schools, places of worship and other public spaces where civilians gather in large numbers. ISIL and associated armed groups have also continued to target systematically civilians using a range of improvised explosive device (IEDs), and to perpetrate targeted assassinations (community, political, and religious leaders, government employees, education professionals, health workers, etc.), sexual assault, rape and other forms of sexual violence against women and girls, forced recruitment of children, kidnappings, executions, robberies, attacks on installations with the potential of unleashing dangerous forces, and the wanton destruction or plundering of places of worship or of cultural or historical significance.'[918]

Sources monitoring the human rights situation in Iraq (e.g. UNAMI, Human Rights Watch or Amnesty International, etc) have reported frequent examples of targeting the following profiles listed in the headings below.

2.3.1 (Former) members of the Iraqi security forces, PMU, and Peshmerga

After taking control over a town or an area in, ISIL started with the targeting of members of the ISF and police or those associating with them. Whoever did not 'repent' or swear allegiance to ISIL and its Caliph, had to face judgment in a court and punishment (including a possible execution). ISIL even issued 'certificates of repentance', and people associated with the government were asked to show this proof when captured or at checkpoints. ISIL publicly posted 'wanted' lists with the names of current and former ISF members or those associated with the government who refused to repent or recanted.[919]

The most widely known example of a mass execution is the Camp Speicher incident mentioned in the section on religious targeting, but there were numerous other cases, when groups of captured members of ISF, PMU or the Peshmerga were summarily executed. These mass killings happened in 2014 and throughout the military campaign against ISIL in 2017. During the campaign of the ISF to regain control over Mosul, numerous former members of ISF and the police were abducted, tortured, held in captivity as hostages or out of fear of later

[915] Lewis, J.D., Al-Qaeda in Iraq Resurgent, The Breaking the Walls Campaign, Part I, Middle East Security Report 14, September 2013, url, p. 21; Soufan Group (The), The Islamic State, November 2014, url, pp. 20, 31.
[916] Soufan Group (The), The Islamic State, November 2014, url, p. 31.
[917] UNAMI/OHCHR, Report on the Protection of Civilians in the Non International Armed Conflict in Iraq: 5 June – 5 July 2014, 18 July 2014, url, p. 9.
[918] UNAMI/OHCHR, Report on the Protection of Civilians in the Non International Armed Conflict in Iraq: 5 June – 5 July 2014, 18 July 2014, url, p. 9.
[919] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 6.

retaliation, or to punish or kill them for their former official functions with the ISF. These abductions started on the first day of the offensive to retake Mosul (17 October 2016). UNAMI received reports that many of these abducted former ISF and police members were subsequently killed by ISIL.[920]

According to a July 2018 UN Security Council report 'mass graves continued to be discovered in areas previously under ISIL control. On 2 April 2018, a mass grave containing 51 bodies of Iraqi security forces personnel was discovered in Mosul. On 6 April 2018, a mass grave containing 22 bodies of former security personnel and Independent High Electoral Commission employees was also discovered in Mosul. Both mass graves reportedly contain ISIL victims.'[921]

After the collapse of the Islamic State as a territorial entity, ISIL continued to target members of the ISF outside of combat situations. According to DIS/Landinfo, 'for the purpose of creating chaos in the Iraqi society other actors such as civilians or people collaborating with the security actors or the authorities can also be targets for ISIS' who are accidentally or deliberately targeted as civilians, but ISIL 'tries to disguise it as an attack against PMU members'. DIS/Landinfo remarked that for ISIL, 'the line between civilians and security actors is often blurry'. The primary targets for ISIL are the security forces, the PMU and 'to some extent, government officials'.[922] Examples of ISIL targeting of security personnel include:

- On 1 February 2018 ISIL assassinated a former ISF general south-west of Kirkuk.[923]
- On 19 February 2018 ISIL militants ambushed a convoy of PMU fighters near Kirkuk, killing at least 27 of them.[924]
- On 4 March 2018, a police officer was assassinated in Tuz Khurmatu. The First-Lieutenant from the Rapid Response Force was shot by unknown gunmen.[925]
- On 24 March 2018 ISIL killed eight security force members between Baghdad and Kirkuk.[926]
- On 9 April 2018 ISIL has claimed a 'commando attack' on Sunni militiamen in al-Anbar that left two people killed and six injured.[927]
- In April 2018 ISIL claimed responsibility for the bombing at Asdeira village in Shirqat town, north of Tirkrit that killed 17 personnel of al-Hashd al-Shaabi (Popular Mobilization Units) and injured 30 others.[928]
- In May 2018, several policemen were kidnapped In Diyala Governorate by insurgents believed to be members of ISIL.[929]
- On 2 May 2018 ISIL claimed responsibility for a gun attack near the town of Tarmiya, Salah al-Din Governorate, which killed eight unarmed civilians according to security

[920] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, pp. 11-12.
[921] UN Security Council, Implementation of resolution 2367 (2017); Report of the Secretary-General [S/2018/677], 9 July 2018, url, p. 10.
[922] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 21-22.
[923] Iraqi News, Former Iraqi military general assassinated by Islamic State in Kirkuk, 1 February 2018, url.
[924] Reuters, Islamic State kills 27 Iraqi militiamen near Kirkuk, 19 February 2018, url.
[925] Iraqi News, Police officer assassinated by unknown gunmen in Iraq's Tuz Khurmatu, 4 March 2018, url.
[926] Iraqi News, Federal Police mourns eight personnel killed by Islamic State between Kirkuk, Baghdad, 24 March 2018, url.
[927] BBC Monitoring, IS claims second 'commando' attack in western Iraq in 24 hours, 9 April 2018, url.
[928] Iraqi News, Islamic State claims responsibility killing, injuring tens of people in blasts, north of Salahuddin, 13 April 2018, url.
[929] Wing, J., Security In Iraq Largely Unchanged In May 2018, Musings on Iraq [Blog], 2 June 2018, url.

sources. ISIL claimed that it killed 22 people, describing them all as members of the Sunni Tribal Mobilization Forces.[930]

- On 22 August 2018 a suicide attack in the village of Asdira, Salah al-Din Governorate, killed six Sunni militiamen that were members of the Tribal Mobilization Forces. Although no group claimed responsibility ISIL militants are known to operate in the area.[931]
- On 29 August 2018 a suicide car-bomb attack on a security checkpoint in Qaim district, Al Anbar Governorate, which was jointly manned by the army and Shi'ite militias killed five militiamen and three civilians and wounded 12 others. Islamic State claimed responsibility for the attack and said it killed 28 people, contradicting the official death tolls.[932]
- On 11 September 2018 ISIL claimed responsibility for a suicide attack outside a hospital in the western Iraqi province of Anbar where it targeted a gathering Iraqi soldiers and members of Sunni militias. One person was killed and four other were injured.[933]
- On 2 November 2018, two members of the Peshmerga were abducted in north-western Kirkuk Governorate and found killed the following day.[934]
- In the second week of November 2018, a major attack occurred in where ISIL gunmen dressed in military uniforms entered the home of a local sheikh/tribal PMU leader and executed 19 people.[935]

2.3.2 (Former) members of the local police forces and (former) members of the Sahwa forces

UNAMI explained that the *Sahwa* refers to the National Council for the Salvation of Iraq, also known as the Sunni Salvation movement, National Council for the Awakening of Iraq, the Sunni Awakening movement, or the Sons of Iraq. These groups were coalitions of 'tribal leaders and Sheikhs that were founded in 2005 and united to maintain security of their communities from al-Qa'eda associated groups'.[936] Sahwa forces linked to tribes in Anbar, Ninewa, Salah al-Din and Diyala were supported and locally trained Sunni forces supported by the US in their fight against Al Qaeda, and they were largely successful. However, they were not subsequently integrated into the ISF under pro-Shia PM al Maliki, as had been hoped by Sahwa leaders; Maliki stopped paying and appointing the *Sahwa* in favour of Shia for security posts. According to GPPi, in the al-Maliki era prior to ISIL, Sunni tribal leaders who had been part of the Sahwa 'were directly targeted by the remnants of al-Qaeda and the forerunners of ISIL'. Later on in 2014 in the fight against ISIL, a US-backed tribal forces mobilization program (TMF) was created based on the Sunni 'awakening' (*Sahwa*) model, though it was only authorised in Anbar and Ninewa, not Salah al-Din (those fighters mobilised under PMU or other tribal militia formations). TMF forces fell under the PMU officially as 'Iraqi government program'.[937]

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[930] Reuters, Islamic State claims responsibility for gun attack north of Baghdad, 2 May 2018, url.
[931] Reuters, Suicide attack kills six Sunni fighters in northern Iraq: police, 22 August 2018, url.
[932] Reuters, Eight killed in car-bomb attack at Iraqi checkpoint, 29 August 2018, url.
[933] BBC Monitoring, IS claims suicide bombing outside hospital in western Iraq, 11 September 2018, url.
[934] Bas News, Abducted Peshmerga Found Dead in Kirkuk, 3 November 2018, url.
[935] Iraq Oil Report, Islamic State incursions highlight Iraq's counter-insurgency challenges, 15 November 2018, url; Wing, J., Security In Iraq Nov 8-14, 2018, Musings on Iraq [Blog], 16 November 2018, url.
[936] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 11.
[937] Gaston, E., Sunni Tribal Forces, GPPi, 30 August 2017, url.

Examples of ISIL targeting of local police and Sahwa forces are provided below:

- On 11 June 2014, 17 civilians who worked for the police were executed close to Mosul airport.[938]
- Also on 11 June 2014, ISIL executed 30 captured policemen in Tikrit, Salah al-Din, in front of civilians.[939]
- On 25 July 2014, the bodies of 18 police officers were found in Abbasiyah, south of Tikrit. They were reportedly executed after being forced to 'repent'.[940]
- The targeting by ISIL included also the relatives of police officers: On 12 September 2014, a police officer and ten of his relatives were killed by ISIL in al-Jumasah village in Shirqat district, Salah al-Din.[941]
- On 11 November 2014, ISIL abducted a police officer in Falluja, and executed him two days later. ISIL hung his body to a bridge.[942]
- On 19 December 2014, ISIL blew up a house of a tribal leader, a former Sahwa member in the al-Zab area in Kirkuk. During the same period, another home of a Sahwa member was destroyed using explosives in Rashad district, Kirkuk Governorate. On 29 April, a collective grave was found in al-Hajeer area of Jurf al-Sakhr (Jurf al-Nasr) district; it contained six Sahwa members killed by ISIL. Sahwa members were also abducted in January 2015 in different places in Salah al-Din Governorate.[943]
- On 27 June 2015, ISIL executed 11 former police officers (all were members of the al-Jubur tribe) from a village in Hamam al-Aleel district, south of Mosul, Ninewa. They had been abducted by ISIL in May 2015. The families received written notification of the killings.[944]
- On 4 October 2015, 70 members of the Albu Nimr tribe from the al-Tharthar area, north of Ramadi, Anbar, were abducted and killed. According to a tribal leader, all those killed were relatives of men that had joined ISF and Sahwa groups to fight against ISIL.[945]
- On 23 October 2016, ISIL killed 50 former Iraqi police officers in Hamam al-Alil. The victims had been abducted from other villages in the region.[946]
- A policeman was killed and another injured in a suicide attack against a police station in Amiryat al-Falluja on 27 July 2017.[947]
- On 25 March 2018 ISIL ambushed and killed eight police officers on the Baghdad-Kirkuk highway.[948]

[938] UNAMI/OHCHR, Report on the Protection of Civilians in the Non International Armed Conflict in Iraq: 5 June – 5 July 2014, 18 July 2014, url, p. 9.
[939] UNAMI/OHCHR, Report on the Protection of Civilians in the Non International Armed Conflict in Iraq: 5 June – 5 July 2014, 18 July 2014, url, p. 10.
[940] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 2 October 2014, url, p. 6 .
[941] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 7.
[942] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 8.
[943] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, pp. 11, 15, 17, 34.
[944] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 10.
[945] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 10.
[946] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 9.
[947] Iraqi News, Policeman killed, police station chief injured in suicide attack south of Fallujah, 27 July 2017, url.
[948] Albawaba News, ISIS Ambush Attack Kills 8 Police Officers in Iraq, 25 March 2018, url.

- On 21 May 2018, one policeman was killed and three were injured by an IED in Al-Qa'im district in western Anbar, near the Syrian border.[949]
- On 30 June 2018, a policeman was killed by an ISIL sniper in the town of Abu Sayda, Diyala Governorate.[950]

2.3.3 Tribal leaders known to support the government, or who supported the government against AQ-I in the past

In a 2015 article for the Military Review, the Journal of the U.S. Army, Daveed Gartenstein-Ross and Sterling Jensen noted that many Sunni tribes in ISIL territory became internally divided. While some members aligned with ISIL others remained neutral or allied with the Iraqi government. ISIL sought to accentuate and capitalise on intra-tribal generational conflicts by promising the tribes' younger generations advancement in the tribal hierarchy.[951] Reporting for the Carnegie Middle East Center in November 2014 Frederic Wehrey and Ala' Alrababa'h note that ISIL 'resorted to both carrots and sticks to ensure the tribal support it needed to effectively control the areas it held'.[952] For example, in several provinces (*wilayat*) under ISIL control, the group appointed 'tribal affairs' officials who coordinated with local leaders to collect taxes and ensure that people abide by its religious rules. Younger tribal members were promised a greater share of power over the territories their tribes controlled. Despite this soft-power approach ISIL also deployed intense violence to coerce and intimidate the tribes.[953]

In a September 2015 report, anthropologist Hosham Dawod names a number of Sunni tribal confederations opposing ISIL: 'Al-Bu Nimr, Al-Bu Fahd, Al-Bu Alwan, Al-Bu Daraj, Jubur, 'Ubaid, etc.'; ISIL targeted hundreds of men from these tribes for beheading.[954]

Tribal leaders who refused to pledge allegiance to ISIL, were put on the kill-list of the organisation. In summer 2014, ISIL had issued a statement listing 19 of those tribal leaders.[955]

Tribal leaders risked abduction or assassination if they opposed ISIL.[956] Relatives of tribal leaders were equally targeted.[957] Tribal leaders who accused of being members in the *al-Hashd al-Watani* (National Gathering), a predominantly Sunni resistance movement against ISIL, were also targeted: in February 2015, ISIL abducted 26 Sunni Arab tribal leaders from different places south of Mosul under accusation of membership of the *Al-Hashd al-Watani*.[958]

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[949] Iraqi News, Four Iraqi policemen killed, injured in bomb blast near Syrian borders, 21 May 2018, url.
[950] Iraqi News, Policeman killed by Islamic State sniper in Diyala, 30 June 2018, url.
[951] Garterstein-Ross, D. and Jensen, S., The role of Iraqi tribes after the Islamic State's ascendance, July 2015, url, pp. 107-108.
[952] Wehrey, F. and Alrababa'h, A., An elusive courtship: The struggle for Iraq's Sunni tribes, Carnegie Middle East Center, 7 November 2014, url.
[953] Wehrey, F. and Alrababa'h, A., An elusive courtship: The struggle for Iraq's Sunni tribes, Carnegie Middle East Center, 7 November 2014, url.
[954] Dawod, H., The Sunni tribes in Iraq, September 2015, url, p. 4.
[955] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 8.
[956] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 8.
[957] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 9; UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 12.
[958] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 15.

On 2 or 3 November 2016, ISIL allegedly abducted about 30 tribal leaders in Sinjar district, 18 of them were executed at an unknown place. According to UNAMI 'ISIL was reportedly wary that the victims would fight the group' when ISF started operations to reclaim the territory.[959]

Tribal leaders who are opposed to ISIL continue to be targeted, as pointed out in a security analysis of Ninewa by Julie Ahn, Maeve Campbell and Pete Knoetgen, commissioned for the US Department of State, published in May 2018:

> 'The province has also begun to witness a rise in "quality attacks"—those which accurately target ISF and anti-ISIS political leaders. In February and March 2018, ISIS accelerated its attempts to assassinate and kidnap tribal sheikhs from the Jabour tribe, one of the most prominent sources of local resistance to ISIS. An attack conducted on March 12, during which ISIS militants stormed the home of a tribal sheikh near Qayyara, killing him and six other guests, serves as a good example of such incidents. These attacks are indicative of an insurgency increasingly capable of conducting refined targeting and pattern of life analysis. Specifically targeted attacks, rather than those that simply killed civilians, were the type of violence most responsible for demoralizing the ISF and intimidating ISIS opposition during previous insurgent periods.'[960]

Derek Henry Flood noted in his article in CTC Sentinel from September 2018 that ISIL regularly attacked pro-Baghdad Sunni Arab tribal militias in Kirkuk, Diyala and Salah al-Din.[961]

A 2018 article by the Independent reported that members of the 'pro-government Sunni tribe' Albu Nimr in Hit (Anbar) claim that ISIL had killed 864 members of their tribe, and that there remains significant intercommunal tensions and divisions regarding those families who did and did not support ISIL there; some members of the Albu Nimr tribe said they were not worried about a renewed ISIL counteroffensive in Anbar, while others said that people with ISIL members in their families were returning to the area and worries about local support for ISIL returning.[962] In the first half of 2018, ISIL reportedly killed an average of three and a half *mukhtars* (village heads) each week, according to Michael Knights.[963]

2.3.4 Local and national politicians, candidates in local or regional elections, council members who opposed to ISIL or AQ-I

Candidates for elections, parliamentarians, local council members and (former) employees of the Independent Central Election Commission (IHEC) were 'frequently targeted' and became victims of abduction, torture or execution by ISIL, most often in Ninewa.[964] A few examples:

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[959] UNAMI/OHCHR, Report on the Protection of Civilians in the context of the Ninewa Operations and the retaking of Mosul City, 17 October 2016 – 10 July 2017, 2 November 2017, url, p. 12.
[960] Ahn, J. et.al., The Politics of Security in Ninewa: Preventing an ISIS Resurgence in Northern Iraq. Cambridge, Massachusetts: Harvard Kennedy School, Harvard University, 7 May 2018, url, p. 3.
[961] Flood, D.H., From Caliphate to Caves: The Islamic State's Asymmetric War in Northern Iraq, September 2018, url.
[962] Independent (The), For this Iraqi tribe massacred by Isis, fear of the group's return is a constant reality, 4 July 2018, url.
[963] Atlantic (The), ISIS Never Went Away in Iraq, 31 August 2018, url.
[964] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 32.

- On 4 September 2014, ISIL executed a general election candidate with his two brothers. The public execution took place in a village about 40 km south of Mosul.[965]
- On 23 November 2014 two former female parliamentary candidates were publicly executed in Mosul following death sentences by an ISIL court. The women had reportedly 'repented', but they were nevertheless killed.[966]
- In the period from June to August 2015, ISIL executed nine former candidates for elections in the Mosul area in four separate incidents, and on 25 July 2015, 28 of 50 abducted employees and former employees of the Independent Election Commission (IHEC) were executed in a military base south of Mosul.[967]
- On 8 August 2015, 300 civil servants employed by IHEC in Mosul were executed by gunfire at a military base in Mosul.[968]
- And on 21 August 2015, 12 former IHEC employees who had been abducted three weeks earlier were killed by ISIL.[969]
- In May 2018, an election candidate was assassinated a few days ahead of the vote in Qayyarah, 70 kilometres south from Mosul.[970]
- Between 1 January and 18 August 2018, ISIL targeted local mayors, accusing them of providing information on their movements. Seven mayors were killed and two others were wounded in Ninewa Governorate during this period. On 15 August, an armed group shot and killed the mayor of the Tall al-Rumman neighbourhood in western Mosul. Similarly, on 17 August, two masked gunmen on a motorbike shot and killed the mayor of the Yarmuk neighbourhood in western Mosul.[971]

2.3.5 Other profiles targeted by ISIL

In the reports issued by UNAMI and OHCHR, among others, profiles targeted by ISIL have included human rights activists, lawyers, teachers, doctors and other professionals targeted for their activities, their connections with the Iraqi authorities, their perceived refusal to treat wounded ISIL fighters or their opposition ISIL. Examples are given below:

- Female doctors were considerably hindered in performing their duties by ISIL. When some female doctors went on strike in Mosul during the early period of ISIL occupation, one of them was killed on 13 August 2014 for having participated or even organised the strike.[972]

[965] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 7.
[966] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 10.
[967] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 6.
[968] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 9.
[969] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 9.
[970] National (The), ISIS claims assassination of Iraq election candidate, May 2018, url.
[971] UN Security Council, Implementation of resolution 2421 (2018) Report of the Secretary-General [S/2018/975], 31 October 2018, url, p. 10.
[972] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 6 July – 10 September 2014, 02 October 2014, url, p. 10.

- On 22 September 2014, a well-known female lawyer and human rights activist was publicly executed in Mosul. ISIL accused her of apostasy because she had denounced the destruction of historical Muslim shrines on her Facebook-account.[973]
- On 14 December 2014, ISIL killed a lawyer in Hawija who was also a candidate in the April 2014 general election.[974]
- On 29 December 2014, four doctors were executed in Mosul. According to local media, two of them for refusing to treat wounded ISIL fighters.[975]
- On 18 February 2015, a journalist who worked as a correspondent for Sama al-Mosul TV channel owned by the Governor of Ninewa was executed in al-Ghizlani military camp in Mosul, after being sentenced to death by an ISIL court.[976]
- UNAMI received a number of reports of teachers targeted by ISIL for refusing to submit to the rules on teaching or the curriculum imposed by ISIL. In January 2015, four teachers were abducted in Mosul, and on 30 March 2015, a primary school teacher was executed for being critical of the group in Tal Afar.[977]
- On 26 April 2015, a journalist was killed in central Mosul. He was abducted three weeks earlier for using his mobile phone.[978]
- On 25 September 2015, ISIL executed two female lawyers in Mosul. The victims were killed for violating the Sharia regulations by practicing law in the criminal court.[979]
- On 15 January 2016, three female teachers were killed north of Mosul. They were accused of providing information to the ISF and were burnt to death.[980]

In its report on the Protection of Civilians in the Armed Conflict for the period of 11 September – 10 December 2014, UNAMI expressed growing concern about a pattern of deliberate attacks on doctors and other professionals who are seen by ISIL to be opposing their authority or legitimacy.[981]

UNAMI noted that, as ISIL lost control of territory in Mosul and the surrounding parts of Ninewa, it shifted away from executing of persons suspected to oppose ISIL doctrines or control towards the deliberate killing of civilians who were attempting to flee their remaining areas.[982]

[973] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 10.
[974] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 11.
[975] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 11.
[976] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 13.
[977] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 24.
[978] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, p. 11.
[979] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 May – 31 October 2015, 11 January 2016, url, p. 10.
[980] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 11.
[981] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 September – 10 December 2014, 23 February 2015, url, p. 10.
[982] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2017, 14 December 2017, url, p. 2.

3. Targeting by society

As previously noted, profiles included below may also be targeted by other actors or armed groups described in other sections of this report for various motives. Information has been included where possible.[983]

3.1 Key actors

3.1.1 Society, family/community and tribes

The majority of Iraqis identify by tribe and these identities play a strong social role in society and as a safety net.[984] Iraqi society is heavily influenced by tribal, family-based and clan-based connections, most prominently in Sunni areas of Anbar, Salah al-Din, Kirkuk, and Ninewa, as well as the south, in Basrah.[985] Tribal culture and the lack of state capacity permitted tribal customs to hold a strong role in dispute resolution in Iraq, as well as turning to militia and religious authorities to carry out justice, whereby tribal justice for transgressing norms can be particularly harsh for women.[986] Tribes are often armed with heavy weapons and are often involved in conflicts in Iraqi society relating to seeking retribution or compensation for transgression of tribal codes, which can result in cycles of killings between tribes.[987] Tribes have also become entangled as actors in the ISIL conflict.[988]

In Iraqi society, customary and tribal laws and notions of 'honour' and the position of women in Iraq as possessions of the family mean that women are unequal under the law and 'under the control of males in the household'.[989] Transgressions of family honour linked to cultural beliefs about women's virginity or purity has caused families and tribe to carry out honour-based violence against family members, usually females.[990] Perpetrators are frequently male relatives or family members, who carry out honour killings for a range of 'crimes' from sexual relations outside marriage, to inappropriate appearances or unacceptable contact with males outside the family, among others.[991] Domestic abuse, forced and underage marriages, so-called 'honour' crimes, and female genital mutilation (FGM) are forms of violence against women that are primarily perpetrated by family members[992] or due to tribal custom.[993] Transgressing social norms has also led to killings of women with public profiles that have also been carried out in 2018 by unknown armed actors.[994]

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[983] Comment by the drafters of this report, Cedoca/Belgium
[984] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[985] Gharizi, O. and Al-Ibrahimi, H., Baghdad Must Seize the Change to Work with Iraq's Tribes, 17 January 2018, url.
[986] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 28.
[987] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[988] AFP, Tribal Justice Awaits Returning Iraqis who Joined Daesh, 14 November 2017, url.
[989] HuffPost, Kurdish Teenager's "Honor Killing" Fades to Memory as Iraq Violence Swells, 6 December 2017, url.
[990] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 15 November 2015, url, p. 26; NRT, Brutal Murder in Najaf Highlights Endemic Violence Against Women in Iraq, 5 August 2018, url; Huffpost, Kurdish Teenager's "Honor Killing" Fades to Memory as Iraq Violence Swells, 6 December 2017, url; Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 9.
[991] Huffpost, Kurdish Teenager's "Honor Killing" Fades to Memory as Iraq Violence Swells, 6 December 2017, url.
[992] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 15 November 2015, url, p. 5.
[993] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 15 November 2015, url, p. 20.
[994] DW, Killings of high-profile women in Iraq spark outrage, 2 October 2018, url.

Tribes have been involved in carrying out retribution against ISIL-suspected families outside formal justice.[995] The October 2017 UN Security Council reports on human rights abuses by ISIL, abuses committed in the aftermath of the liberation of Mosul, cases of abductions of displaced persons in Salah al-Din Governorate and tribal-based extrajudicial punitive measures against families alleged to have relatives affiliated with or members of ISIL.[996]

3.1.2 Criminals, traffickers, and unknown perpetrators

A range of armed actors are involved in criminality in Iraq. ISIL has relied extensively on criminality to fund its activities, and also recruited members of criminal groups to its ranks. ISIL amassing of wealth from extortion and taxation, as well as looting, property confiscation, and petty criminality, smuggling, kidnapping, robbery, trafficking, levying fines, and selling oil on the black market, for example, allowed it to 'become one of the wealthiest insurgent groups in history' at its height in 2015, and which could permit it to resurge.[997] ISIL also forced hundreds of women into marriages, sexual assaults, and slavery.[998] With the military defeat of ISIL, organised and street-level crime 'appears to have increased' and 'kidnapping for political and monetary gain' were common in Iraq, mainly by ISIL and Shia militias, according to OSAC.[999]

Criminal networks and some militia groups, operated with 'relative impunity' according to the USDOS.[1000] Criminal networks were reportedly to be involved in sex trafficking of Iraqi women and children, while criminal gangs have also exploited children for drug trafficking and dealing purposes and migrants for forced labour.[1001] Refugees and IDPs were also targeted by traffickers.[1002] Alleged official complicity occurred in recruitment of child soldiers and sex trafficking, according to USDOS.[1003] Corruption is also described as 'rampant'[1004], existing at all levels with 'organised corruption syndicates' protected or involved with those in power[1005] and government decisions strongly influenced by bribery, nepotism, tribal, political influence, family and religious considerations.[1006] According to a source cited by the news agency AFP, '"armed groups, tribes, criminal gangs ... all control positions" within the state and security forces.'[1007]

PMUs were reportedly engaged in criminal activities and abuses against civilians.[1008] Norman Cigar notes that 'in many areas the departure of army and police units to the front created a security vacuum that was exploited by criminal elements that engaged in kidnappings, extortion and robberies. Often, the perpetrators claimed to belong to one of the militias.' AAH's leader, Qais al-Khazali, however, acknowledged that some criminals joined the militias

[995] AFP, Tribal Justice Awaits Returning Iraqis who Joined Daesh, 14 November 2017, url.
[996] UN Security Council, Report of the Secretary-General pursuant to resolution 2367 (2017), 19 October 2017, url, pp. 9-11.
[997] RAND, An Overview of Current Trends in Terrorism and Illicit Finance – Lessons from the Islamic State in Iraq and Syria and Other Emerging Threats, 7 September 2018, url, pp. 1, 4, 5.
[998] Bertelsmann Stiftung, BTI 2018 Country Report — Iraq, 2018, url, p. 13.
[999] OSAC, Iraq 2018 Crime & Safety Report: Baghdad, 12 February 2018, url.
[1000] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1001] USDOS, Trafficking in Persons Report 2018 - Country Narratives - Iraq, 28 June 2018, url
[1002] USDOS, Trafficking in Persons Report 2018 - Country Narratives - Iraq, 28 June 2018, url
[1003] USDOS, Trafficking in Persons Report 2018 - Country Narratives - Iraq, 28 June 2018, url
[1004] Bertelsmann Stiftung, BTI 2018 Country Report — Iraq, 2018, url, pp. 12, 13, 24.
[1005] Guardian (The), Post-war Iraq: Everybody is corrupt from top to bottom. Including me, 19 February 2016, url.
[1006] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url
[1007] DW, Killings of high-profile women in Iraq spark outrage, 2 October 2018, url
[1008] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 10.

as a cover for their illegal activities.[1009] In a 2016 report Michael Knights also indicated that the increase in criminal activity in Baghdad and the southern provinces was caused by criminals claiming to be PMUs.[1010] An Iraqi consultant Landinfo and Lifos met in Amman in February 2017 indicated that militia were directly involved in the wave of criminally motivated kidnappings[1011], witnessed in Iraq since 2014.[1012] This consultant further stated that militias in Baghdad are 'untouchable' and collaborate with criminal elements.[1013] According to the Washington Post militias 'operate as mafia-style organizations that engage in criminal activities, extortion and human rights abuses'.[1014]

There can be intense rivalries between militias. In the past these differences often led to armed clashes.[1015] 'The imminent threat ISIS posed induced cooperation among the Shia militias', Norman Cigar elaborates. For example, even Muqtada al-Sadr and Qais al-Khazali announced they would be cooperating, despite their past enmity, which had included armed clashes between Sadr's followers and AAH members as late as 2013. Nevertheless, 'competition remains just below the surface and small-scale incidents suggest ongoing tensions.'[1016] The Department of Foreign Affairs and Trade (DFAT) of the Australian government observes that violence between opposing Shia militias is more pronounced in Shia areas (such as Baghdad and the south). These conflicts are sometimes linked to criminal activities, including robberies and kidnappings.[1017]

Criminal gangs in Basrah have exploited the security gap and there has been a rise in robberies, kidnapping, murder, and drug trafficking while the ISF struggles to keep security among competing armed groups.[1018] The United States Overseas Security Advisory Council noted in its Iraq 2018 Crime and Safety report OSAC that '[k]idnapping is common throughout the Basrah consular district and remains at significantly high levels. Kidnapping for ransom is a common means of monetary gain. Kidnapping for intimidation (to include kidnapping intended to send a "political" message) is also common in Basrah. RSO Basrah assesses that most kidnappings are criminal rather than political and reflect the deteriorating economic situation.'[1019]

UNAMI has documented a large number of human rights abuses, violations and attacks against civilians committed by unidentified perpetrators in reporting on the situation of human rights in Iraq.[1020] Many examples are provided in chapters Targeting by state actors and affiliated armed groups and Targeting by ISIL.

[1009] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, p. 34.
[1010] Knights, M., The future of Iraq's armed forces, March 2016, url, p. 32.
[1011] Middle East Eye, Kidnappings greater threat to Baghdad than Islami State: top official, 2 December 2014 , url.
[1012] Norway, Landinfo, Irak: Situasjonen for sunnimuslimer i Bagdad [Situation of Sunni Muslims in Baghdad], url, p. 14.
[1013] Norway, Landinfo, Irak: Militser i Bagdad [Militias in Baghdad], url, p. 2.
[1014] Washington Post (The), What Iraq's election means for its Shiite militias, 12 May 2018, url.
[1015] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, p. 14.
[1016] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, p. 64.
[1017] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 16.
[1018] OSAC, Iraq 2018 Crime & Safety Report: Basrah, 20 March 2018, url.
[1019] OSAC, Iraq 2018 Crime & Safety Report: Basrah, 20 March 2018, url.
[1020] UNAMI/OHCHR, Report on the Protection of Civilians in Armed Conflict in Iraq: 11 December 2014 - 30 April 2015, 13 July 2015, url, pp. ii, 26, 27, 30; UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, pp. xviii, 3, 4, 16.

3.2 Treatment of people perceived to transgress Islam

3.2.1 Atheists

The Constitution establishes Islam as the state religion and guarantees religious freedom for certain groups, but does not explicitly protect atheists.[1021] Under the Iraqi Penal Code of 1969, Section Two deals with 'Offences that violate religious sensibilities'. Article 372 of the Code states that:

> 'The following persons are punishable by a period of detention not exceeding 3 years or by a fine not exceeding 300 dinars:
>
> (1) Any person who attacks the creed of a religious minority or pours scorn on its religious practices.
> (2) Any person who willfully disrupts a religious ceremony, festival or meeting of a religious minority or who willfully prevents or obstructs the performance of such ritual.
> (3) Any person who wrecks, destroys, defaces or desecrates a building set aside for the ceremonies of a religious minority or symbol or anything that is sacred to it.
> (4) Any person who prints or publishes a book sacred to a religious minority and deliberately misspells the texts so that the meaning of the text is altered or who makes light of its tenets or teachings.
> (5) Any person who publicly insults a symbol or a person who constitutes an object of sanctification, worship or reverence to a religious minority.
> (6) Any person who publicly imitates a religious ceremony or celebration with intent to deceive.'[1022]

Political and legal analyst Ali Jaber al-Tamimi informed Al-Monitor 'there aren't any articles in the Iraqi Penal Code that provide for a direct punishment for atheism, nor are there any special laws on punishments against atheists.' However, 'there are articles that punish the desecration of religions.'[1023] An article on growing atheism in the Muslim world, published by the Washington Times in August 2017, noted that atheism is not illegal in Iraq; however state actors equate atheism with blasphemy.[1024]

In a July 2018 article, the Atlantic noted the rise of secularism amongst Iraq's youth. Bookstores, cafés and Facebook provide fora where secular ideas are discussed. The article makes note of Facebook groups numbering thousands of members.[1025] An article by Al-Monitor, dated 1 April 2018, stated that defining 'atheism' in Iraq is complex due to misconceptions about the concept. Many clerics, close to Islamic political parties, often brand secularism as atheism. Other religious figures call for resistance against liberal and communist opinions, which are denounced as inherently anti-religious and denying the existence of god. According to the same article, the 'campaign against atheism has heavy political ties' to Islamic

[1021] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1022] Iraq, Penal Code No. 111 of 1969, July 1969: url
[1023] Al-Monitor, Iraqi courts seeking out atheists for prosecution, 1 April 2018, url.
[1024] Washington Times (The), Atheists in Muslim world: Silent, resentful and growing in number, 1 August 2017, url.
[1025] Atlantic (The), The rise of Iraq's young secularists, 5 July 2018, url.

parties ruling Iraq since 2003.[1026] An article published by PRI on 17 January 2018 informed that, while atheism is rare in Iraq, the number of atheists is growing.[1027]

Another article by Al-Monitor, published in March 2014, mentions that while atheism has deep historical roots in Iraq (dating to the 9th century), it a new in its 'widespread and comprehensive spread through all societal and age classes'. While it used to be an 'elitist phenomenon' restricted to intellectuals and scholars, it is 'all-encompassing' and continues to increase in scope. The article states that one of the possible reasons for this might be the religious extremism and sectarianism that has dominated society for the past two decades in the context of ongoing conflict.[1028]

In an EASO meeting report (25-26 April 2017) on Iraq, Mark Lattimer, director of the Ceasefire Centre for Civilian Rights, stated that:

> 'Young people in Iraq are coming under many different influences and there are many older Iraqis who are not religious. I think as the country becomes more and more sectarian it is easy to assume everyone is becoming more religious, but this is not necessarily the case. There is a strong strain of communism in Iraq associated with a secularist outlook and that is still quite strong among Iraqi civil society. You have varying degrees of religious adherence, but that doesn't mean it is easy to identify as an atheist and it is rare that you would do that publicly. Sometimes people will say they are Muslim but privately are atheist.'[1029]

According to an academic interviewed by the DIS/Landinfo during their 2018 mission to the KRI persons who openly say they are not religious would risk arrest in Baghdad and the south whereas in the KRI there would be more freedom of expression with regards to religious beliefs.[1030] In April 2018 Al-Monitor reports the Dhi Qar province's Garraf district judiciary announced issuing arrest warrants for four Iraqis on atheism charges, leading to the arrest of one of them.[1031]

An article by Al-Monitor from 23 June 2017 reported that atheists are viewed with disdain and face threats by military groups and political leaders. The article also mentions the case of an atheist in Baghdad who was vocal about his views on social media and received death threats from a Shia militia.[1032] An aforementioned article in Al-Monitor stated: 'There are many Iraqi websites and blogs that cater to atheists, but they all keep their membership lists secret for fear of being persecuted or killed by extremist religious militias and groups, or even by ordinary citizens on the street.'[1033] In a February 2014 article by media platform Your Middle East, a university student from Basrah stated that many atheists in Iraq could be at danger from extremists and militias linked to religious groups, if they express their views too openly. Another Iraqi atheist, who fled to the United States, received death threats from Al Qaeda and Jaysh al-Mahdi. The article further states that religious militias often take matters into their own hands.[1034]

[1026] Al-Monitor, Iraqi courts seeking out atheists for prosecution, 1 April 2018, url.
[1027] PRI, ISIS turned this young Iraqi Christian into an atheist, 17 January 2018, url.
[1028] Al-Monitor, Iraqi atheists demand recognition, guarantee of their rights, 6 March 2014, url.
[1029] Lattimer, M., EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 20.
[1030] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 69.
[1031] Al-Monitor, Iraqi courts seeking out atheists for prosecution, 1 April 2018, url.
[1032] Al-Monitor, Islamic parties intimidate, fear atheists in Iraq, 23 June 2017, url.
[1033] Al-Monitor, Iraqi atheists demand recognition, guarantee of their rights, 6 March 2014, url.
[1034] Your Middle East, Without God in Baghdad, 4 February 2014, url.

3.2.2 Apostasy

Islam is the official state religion of Iraq and no law may be enacted that contradicts the provisions of Islam.[1035] The Iraqi constitution also guarantees freedom of religious belief and practices for Muslims, Christians, Yazidis, and Sabaen-Mandaens, but 'not followers of other religious or atheists'. The Constitution guarantees freedom from religious coercion, and states all citizens are equal before the law without regard to religion, sect, or belief.[1036] The Personal Status Law recognizes the following religious groups: Islam, Chaldean, Assyrian, Assyrian Catholic, Syriac Orthodox, Syriac Catholic, Armenian Apostolic, Armenian Catholic, Roman Orthodox, Roman Catholic, Latin-Dominican Rite, National Protestant, Anglican, Evangelical Protestant Assyrian, Adventist, Coptic Orthodox, Yazidi, Sabean-Mandean, and Jewish.[1037] The same source further noted that 'all recognized religious groups have their own personal status courts responsible for handling marriage, divorce, and inheritance issues. According to the Yazidi-affiliated NGO Yazda, however, there is no personal status court for Yazidis.'[1038]

Despite its acknowledgment of religious diversity, the Personal status laws and regulations prohibit the conversion of Muslims to other religions. Whilst civil laws provide a simple process for a non-Muslim to convert to Islam, conversion by a Muslim to another religion is forbidden by law.[1039] Article 26 of the National Identity Card Law states the right of non-Muslims to convert to Islam but does not grant the same rights to Muslims to leave Islam and convert to another faith. Children born to both Muslims and non-Muslims parents are legally deemed Muslim.[1040] If either parent converts to Islam or if one parent is a Muslim, the child born is deemed Muslim, even as a result of rape.[1041]

According to an academic interviewed by the DIS/Landinfo during their 2018 mission to the KRI 'people who convert from Islam to Christianity are in risk of being killed', noting that people who converted from Islam to Christianity cannot declare their opinion publicly.[1042] The source further added that conversion from Christianity in KRI would cause more problems for the person than being an atheist.[1043] Discussing apostasy at EASO's practical cooperation meeting on Iraq in April 2017 Mark Lattimer observes that apostasy is uncommon in Iraq: 'generally speaking, you are considered to be born into a religion and you will die in that religion – it is not just in Islam, but also in most other religions in Iraq, that apostasy is not just frowned upon as an offence, but seen as unnatural.'[1044] NGO representatives interviewed by DIS during its 2015 mission to KRI noted that 'there are cases of people being killed for converting' noting the case of Priest Abdullah who had sought asylum in Europe after three attempted assassinations.[1045]

[1035] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1036] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1037] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1038] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1039] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1040] MRG, Crossroads: The future of Iraq's minorities after ISIS, 7 June 2017, url, p. 33.
[1041] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1042] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 57.
[1043] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 20188, url, p. 69.
[1044] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 23.
[1045] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 174.

Converts from Islam to other religions cannot change their religious identification on their identity cards after conversion and must continue to be registered as Muslims.[1046] The Institute for International Law and Human Rights (IILHR), a human rights organisation based in the United States and present in Iraq, notes the ongoing plight of minorities who were obliged to convert to Islam under the Ba'ath regime:

> 'To date, members of the Kaka'i, Baha'i, Christian, Mandaean Sabean, and Yzidi faiths report that, where families have been forced to adopt Islam for the purposes of identity documentation, they have been unable to change their religious designation despite the legal right to practice their faiths.'[1047]

> 'Given Iraq's history of discrimination against some groups (such as Baha'is), ongoing forced conversion through threat or violence, and voluntary conversions often linked to other factors (such as the inability of Muslim women to marry non-Muslim men), conversion to Islam for the purpose of official documents has been relatively common. Among individuals who would like to be legally recognized as non-Muslim after a voluntary or forced conversion to Islam however, Iraqi law prohibits such change. Even where laws requiring the forcible identification of some religious minorities as Muslim have been reformed, Iraqi authorities have refused to issue new identity documents because conversion away from Islam remains prohibited.'[1048]

3.3 Sexual orientation or gender identity

In an April 2018 report on Lesbian, Gay, Bisexual and Transgender (LGBT) activism in the Middle East and North Africa Human Rights Watch reported that Iraq has 'no laws that explicitly criminalize consensual same-sex conduct, and their governments have not systematically interpreted other "morality" provisions to criminalize consensual same-sex conduct'.[1049] Authorities relied on public indecency or prostitution charges to prosecute same-sex sexual activity.[1050] Human Rights Watch notes a history of violence by pro-government armed groups against LGBTI people in Iraq:

> 'In 2009, fighters suspected of affiliation with Muqtada al-Sadr's Mahdi army, an armed group which publicly vilified gay and effeminate men as "the third sex", kidnapped, tortured and murdered as many as several hundred men in a matter of months, most of them in Baghdad. The Mahdi army was allied with the government at the time.[1051] Another wave of killings, attributed in some media reports to another government-allied armed group, Asa'ib Ahl al-Haq (Leagues of the Righteous), took place in 2012 after Iraq's interior minister condemned as "Satanist" the "emo"

[1046] USCIRF, United States Commission on International Religious Freedom 2018 Annual Report; Country Reports: Tier 2 Countries: Iraq, April 2018, url; Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 57.
[1047] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 13-14.
[1048] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, p. 57.
[1049] Human Rights Watch: Audacity in Adversity - LGBT Activism in the Middle East and North Africa, 16 April 2018, url, p. 8.
[1050] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1051] Human Rights Watch describes this killing campaign in its August 2009 report "They want us exterminated" – Murder, torture, sexual orientation and gender in Iraq, 17 August 2009, url.

> subculture—a subculture related to a form of punk music and marked by a particular form of dress, including tight jeans and long or spiky hair for men. The government failed to act against the killings, which targeted nonconformist young people, including but not limited to people perceived to be LGBT. In 2014, Asa'ib Ahl al-Haq killed several men who were, or who were perceived to be, gay and put up "wanted" posters for others. Killings of gay men attributed to Asa'ib Ahl al-Haq were reported once again in 2017.'[1052]

The Special Rapporteur on extrajudicial, summary or arbitrary executions noted in a 2018 report that she received 'information on incitement to hatred through traditional and social media, and attacks, including threats, physical assaults and killings, on men and boys on the basis of their actual or perceived sexual orientation or gender identity as well as on activists and organizations supporting the human rights of LGTBI persons.'[1053] According to UNAMI, reporting in 2018, 'members of the lesbian, gay, bisexual, transgender and intersex (LGBTI) community continue to face severe discrimination, threats, physical attacks, kidnappings, and in some cases, killings due to their actual or perceived sexual orientation or gender identity.'[1054] Sources interviewed by the DIS/Landinfo during their 2018 mission to KRI assessed that 'homosexuals risk harassment and/or violence from the public and police and from their own families.'[1055]

According to Iraqi NGO which monitors the situation of the 'homosexual community in Iraq', the group estimates that 'over 220 homosexuals were killed in Iraq in 2017, and approximately 96 % of Iraqi homosexuals were subjected to verbal or physical violence.'[1056] Several sources make note of the murder of a famous male Iraqi model in Baghdad who was reportedly killed for his perceived sexual orientation.[1057] From January to June 2017 UNAMI listed five murders of people on account of their (perceived) sexual orientation which took place in Baghdad, in Suq al-Shiyoukh district, 30 km south-east of Nasiriya, in Basrah and in Amara.[1058]

According to Human Rights Watch, writing in 2018, LGBT people are at risk of violence and threats at the hands of their own family members and 'face tremendous social pressures to remain in the closet, or not to reveal their sexual orientation or gender identity'.[1059] In addition, homosexuals are at risk of being disowned by their families, losing their jobs and being denied accommodation.[1060]

The 2017 Country report on Human Rights Practices in Iraq by the United States Department of State noted that 'despite repeated threats and violence targeting LGBTI individuals, the

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[1052] Human Rights Watch: Audacity in Adversity - LGBT Activism in the Middle East and North Africa, 16 April 2018, url, pp. 17-18.
[1053] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 11.
[1054] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 16;
[1055] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 24.
[1056] Iraqi Al-Amal Association; Al-Namaa Center for Human Rights (Author), published by CERD – UN Committee on the Elimination of Racial Discrimination, Civil Society Organizations' Report on Racial Discrimination in Iraq, October 2018, url, p. 3.
[1057] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 16; Independent (The), Iraqi male model brutally killed in Baghdad 'because of his good looks', 5 July 2017, url.
[1058] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2017, 14 December 2017, url, p. 17.
[1059] Human Rights Watch: Audacity in Adversity - LGBT Activism in the Middle East and North Africa, 16 April 2018, url, p. 21.
[1060] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 24.

government failed to identify, arrest, or prosecute attackers or to protect targeted individuals.'[1061] As in previous years 'ISIS continued to publish videos depicting executions of persons accused of homosexual activity that included stoning and being thrown from buildings.'[1062]

A human rights activist interviewed by DIS/Landinfo during their 2018 mission to KRI stated that the situation for homosexuals is relatively better in KRI than in the rest of the Iraq, especially in urban areas compared to rural areas. The source however added that homosexuality remains a taboo in KRI and 'it is seen as shameful and stigmatising for the family if it becomes known to the public.'[1063] Homosexuals will often be forced into marriages in order to hide their sexuality and hide their sexuality to avoid conflict.[1064]

In an April 2018 article the online news organisation Middle East Eye noted 'that the KRG, as a whole, has generally been perceived as more secular and socially liberal than the Arab-majority regions of Iraq' and the influence of socially conservative religious organisations and armed groups is less pronounced.[1065] An activist from Sulaymaniyah states: 'if you compare the situation of LGBTs themselves, it's better and safer in Kurdistan. So many people just run away from the rest of the cities and they come to the north because it's safer.' 'That doesn't mean it's safe. At all. But it's safer', he explains. 'Compared to the rest of Iraq, they don't get their heads smashed in the street.'[1066] The Netherlands Ministry of Foreign Affairs wrote in 2018 that according to a well-informed, confidential source multiple persons were detained and convicted in KRG on account of homosexual activities. The Netherlands' Ministry of Foreign Affairs also reported that Kurdish authorities allowed the activities of NGOs advancing LGBTI rights. However the same source noted that there is discrimination against LGBT persons in the KRI and in 2017 several persons have been 'detained and convicted for homosexual activities'.[1067] Niqash reported in November 2017 that homosexuality remains a major taboo in Iraqi Kurdistan, despite a minor shift in attitudes and some public debate on the subject.[1068]

3.4 Religious and ethnic minorities

Iraq hosts a variety of religious, ethnic, cultural and linguistic minorities, especially in the north of the country. The USDOS annual report on religious freedom (covering 2017) provides an overview of the religious demography in Iraq:

> 'According to 2010 government statistics, the most recent available, 97 percent of the population is Muslim. Shia Muslims, predominantly Arabs but also including Turkmen, Faili (Shia) Kurds, and others, constitute 55 to 60 percent of the population. Sunni Muslims are approximately 40 percent of the population. Of Sunnis, Sunni Kurds constitute 15 percent, Sunni Arabs 24 percent, and Sunni Turkmen the remaining 1

[1061] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1062] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1063] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 23.
[1064] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, pp. 23-24.
[1065] Middle East Eye, 'The world is changing': Iraqi LGBT group takes campaign to streets, 13 April 2018, url.
[1066] Middle East Eye, 'The world is changing': Iraqi LGBT group takes campaign to streets, 13 April 2018, url.
[1067] Netherlands Ministry of Foreign Affairs, Algemeen Ambtsbericht Irak, 1 April 2018, url, p. 62.
[1068] Niqash, Coming out: The secret lives of Iraqi Kurdistan's gay community slowly emerging, 9 November 2017, url.

> percent. Shia, although predominantly located in the south and east, are the majority in Baghdad and have communities in most parts of the country. Sunnis form the majority in the west, center, and north of the country.'[1069]

Reporting on the status of human rights in Iraq in the July to December 2017 period UNAMI notes that 'diverse ethnic and religious communities in Iraq continue to face substantial challenges, which threaten their security and undermine their full enjoyment of political and social rights.'[1070] In a January 2017 report the Special Rapporteur on minority issues to the UN Human Rights Council remarks on Iraq's historical prestige as 'the cradle of civilization':

> 'Iraq has been a country of great diversity and a unique and rich mosaic of ethnic, religious, cultural and linguistic communities since ancient times. While the three largest populations are Shia and Sunni Arabs and Kurds, smaller communities include the Armenians, Baha'is, Chaldo-Assyrians, Circassians, Faili Kurds, Jews, Kaka'e, Palestinians, Badawiyin (including the so-called Bidoon), Sabea Mandeans, Shabaks, Turkmen, Yazidis, Zoroastrians and Roma. Some groups have historically lived throughout Iraq, while minority groups, including Christians, Shabaks, Yazidis and Turkmen, live primarily in northern Iraq and areas south of and bordering the Kurdistan region of Iraq, including the Ninewa plains region. Large Christian communities have historically also been found in Baghdad and Basra.'[1071]

The Special Rapporteur on minority issues to the UN Human Rights Council explained that 'many diverse ethnic and religious groups have suffered from decades of marginalization, discrimination, lack of access to basic services and insecurity.'[1072] The same report further noted that 'under the Baathist regime of Saddam Hussein, discrimination and a campaign of persecution of ethnic and religious groups, including the Kurds, was pursued.'[1073] Following the invasion of Iraq in 2003, 'targeted attacks against ethnic and religious communities again escalated and their position remained precarious, or even worsened, as sectarian violence dramatically increased. In 2006- 2007, the violence peaked, while many thousands fled the country.'[1074] Regions with large or predominantly minority communities were heavily affected by the insurgency of ISIL. While all communities suffered, 'minorities have been particularly targeted as a consequence of its [ISIL's] extreme doctrine and interpretation of Islam and its view of religious minorities as infidels or heretics.'[1075] According to MRG deeply entrenched discrimination, long-standing marginalisation and mass violations against minorities in the current conflict have led to a dramatic increase in emigration.[1076]

The 2015 National Identity Card Law requires children from mixed religion marriages to be registered as Muslims and reinforces restrictions that Muslims cannot change their religious

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[1069] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1070] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 14.
[1071] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 4.
[1072] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 4.
[1073] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 5.
[1074] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 6.
[1075] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 4.
[1076] MRG, Crossroads: The future of Iraq's minorities after ISIS, 7 June 2017, url, p. 32.

identification on their identity cards after conversion to any other religion.[1077] According to USDOS 'the only religions that may be listed on the national identity card are Christian, Sabean-Mandean, Yazidi, and Muslim; there is no distinction between Shia and Sunni Muslim, nor a designation of Christian denominations. Individuals practicing other faiths may only receive identity cards if they self-identify as Muslim, Yzidi, Sabean-Mandean, or Christian.'[1078] The same source further stated that 'individuals practicing other faiths may only receive identity cards if they self-identify as Muslim, Yezidi, Sabean-Mandean, or Christian. Without an official identity card, non-Muslims and those who convert to faiths other than Islam may not register their marriages, enrol their children in public school, acquire passports, or obtain some government services.'[1079]

A 2018 DIS/Landinfo FFM to KRI noted that a new electronic and biometric ID card system is being introduced in Iraq where information about the person's religion is stored on the chip but does not appear on the ID card.[1080]

Regarding the position of religious minorities in the KRI the United States Commission on International Religious Freedom notes that the region has been 'a haven for minorities fleeing the turmoil and sectarian violence in the south of Iraq' but 'troubling issues related to discrimination and even violence targeting ethnic and religious minorities exist, exacerbated by the KRI's strained resources and security situation.'[1081] The same source further reports that access to justice in the KRI varies depending on location, connections, ethnicity and religion. Many minority leaders expressed scepticism about gaining a fair hearing in the courts, especially if making a claim against a Sunni Kurd.[1082] Furthermore, individuals from the Yazidi, Shabak, Turkmen, and Christian communities told the researcher of The United States Commission on International Religious Freedom that they do not believe the Peshmerga forces prioritize protecting non-Kurds to the same degree as they do Kurds.[1083]

Authorities consulted by the Special Rapporteur on minority issues to the UN Human Rights Council noted the generally good relations between different ethnic and religious communities in the Kurdish region and that few tensions had historically existed between communities. The report further stated that 'members of those ethnic and religious communities who were long-term residents of the region expressed satisfaction at minority rights protection, including their right to use their mother-tongue languages in education and a degree of political representation.'[1084] Whilst commending the KRG for supporting and providing a safe haven for displaced communities, the Special Rapporteur on minority issues also remarks that some communities, notably some Sunni Muslims, do not enjoy the same freedoms of other groups. The KRG cites security grounds for limiting the movement of some

[1077] USCIRF, United States Commission on International Religious Freedom 2018 Annual Report; Country Reports: Tier 2 Countries: Iraq, April 2018, url, pp. 4-5.
[1078] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1079] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1080] Denmark, DIS (Danish Immigration Service)/Norway, Landinfo, Kurdistan Region of Iraq (KRI): Report on issuance of the new Iraqi ID card, 5 November 2018, url, pp. 5-7.
[1081] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 1.
[1082] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 9.
[1083] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 29.
[1084] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 8.

groups who may be suspected of membership of ISIL.[1085] Discussing the possibility to seek protection from Kurdish authorities UNHCR informed the Danish Immigration Service that the possibility to seek protection from the authorities in KRI and other Kurdish controlled areas in case of harassment based on religious and/or ethnic affiliation depends on the personal connections of the person in question. Correspondingly, visiting Scholar Renad Mansour said that the Kurdish forces would protect Kurds before other minorities.[1086]

The United States Commission on International Religious Freedom further noted that within the disputed territories a policy of 'Kurdification' is pursued. It further explains that 'there is extensive evidence that points toward a policy (implicit or otherwise) aimed at permanently displacing certain non- Kurdish populations from some part of the disputed territories in the Ninewa plains area, Kirkuk Governorate, and Sinjar.'[1087]

The Special Rapporteur on minority issues also reported that Shia and Sunni Arabs in some locations also find themselves under threat, displaced, or facing violations of their human rights.[1088]

3.4.1 Turkmen

Constituting the third-largest ethnic group in Iraq, after Arabs and Kurds, with community representatives claiming a population of up to 2 million, the Turkmen are comprised of both Sunni and Shia communities. Historically they lived in the north of Iraq, including in Tal Afar, Mosul, Erbil, Diyala and Kirkuk.[1089] MRG adds that there are reportedly also some 30 000 Christian Turkmen as well.[1090] The UN's Special Rapporteur on minorities wrote in 2017 that 'Turkmen claim to have historically faced violence and intimidation from all sides, including the central Government, the Kurdistan Regional Government and Sunni and Shia militias.'[1091]

The UN wrote that Turkmen community leaders stated that 'their areas were under threat from ISIL and claim that they were not adequately protected by Iraqi or Kurdistan authorities. Turkmen villages, including the Turkmen-majority area of Tal Afar in Ninewa Governorate, were taken over by ISIL and tens of thousands Turkmen were forced to flee their areas'. According to the Special Rapporteur on minority issues to the UN Human Rights Council 'many Shia Turkmen had fled to southern governorates, including Najaf and Karbala. Sunni Turkmen were reportedly held at checkpoints as they sought safety in Erbil and other locations.'[1092]

[1085] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 8.
[1086] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 51.
[1087] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, pp. 30-32.
[1088] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 6.
[1089] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 11.
[1090] MRG, Crossroads: The future of Iraq's minorities after ISIS, 7 June 2017, url, p. 10.
[1091] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 11.
[1092] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 12.

USDOS noted in its human rights report on Iraq (covering 2017) that 'there were reports of KRG authorities discriminating against minorities, including Turkmen, Arabs, Yezidis, Shabaks, and Christians, in the disputed territories.'[1093]

According the 2018 DIS/Landinfo FFM to KRI, Turkmens in Kirkuk, 'for unknown reasons' seem to be the most targeted group among all ethnic and religious groups living in the city.[1094] Based on suspicion of being affiliated with ISIL, Sunni Turkmens, along with Sunni Arabs, are targeted by the PMUs and subjected to discriminations, forms of collective abuses, killings.[1095] There have also been reports that Turkmen IDPs were prevented by the Peshmerga and PMUs from returning to their homes in areas liberated from ISIL.[1096]

Turkmen have clashed with Kurds politically and at times militarily over control of Kirkuk city and governorate, and over Peshmerga control of areas such as Tuz Khurmatu.[1097] In 2016, violence erupted in Tuz Khurmatu between KRG Forces and Shia Turkmen paramilitaries, leaving 69 dead.[1098]

3.4.2 Black Iraqis

According to community members the black Iraqi population may number up to 2 million and is located predominantly in southern Iraq, with the largest community residing in Basrah.[1099] Black Iraqis are thought to have emigrated to Iraq around the 7th century, largely trafficked as slaves from east Africa.[1100] Prejudice against Iraqis of African descent has made them subject to social and cultural discrimination and political exclusion in Iraq.[1101] They are considered to be among the 'poorest and most marginalized communities' in Iraq.[1102]

Several sources noted that many Black Iraqis live in extreme poverty and with nearly 80 % illiteracy and reportedly over 80 % unemployment.[1103] At EASO's practical cooperation meeting on Iraq in April 2017, Mark Lattimer (former director of MRG) observed that segments of the Black Iraqi community in the south constitute Iraq's poorest community and they are widely discriminated against in Iraqi society.[1104] Many Black Iraqis live in informal settlements lacking access to basic needs, such as clean water, proper sewage and

[1093] US DOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1094] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 16.
[1095] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 23.
[1096] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1097] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 37.
[1098] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 27.
[1099] MRG, Black Iraqis, November 2017, url; IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, p. 72.
[1100] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, p. 73.
[1101] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 72-76.
[1102] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 13; MRG, Black Iraqis, November 2017, url.
[1103] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 13; MRG, published by UN CERD – UN Committee on the Elimination of Racial Discrimination: Alternative Report to the Committee on the Elimination of Racial Discrimination (CERD); Review of the Periodic Report of Iraq, 2018, url, paragraph 28.
[1104] Lattimer, M., EASO, cited in: Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 19.

electricity.[1105] Poverty and the ongoing near-feudal structure of some community groups has prevented some black Iraqis from obtaining identity documents, which hinders school enrolment, employment, travel, and access to services.[1106] The Special Rapporteur on minority issues to the UN Human Rights Council notes a disturbing lack of information about the circumstances of black Iraqis.[1107]

3.4.3 Yazidi

The Special Rapporteur on minority issues to the UN Human Rights Council notes that the Yazidis constitute one of Iraq's oldest minorities. They are thought to number about 700 000 people, the vast majority of which were concentrated in Northern Iraq around the town of Sinjar. Community leaders report that the Yazidis have suffered 'a history of persecution owing to perceptions of their faith, with numerous episodes of mass killing, including targeted attacks during sectarian violence following the 2003 invasion. They suffered particularly when their regions were overrun by ISIL beginning in August 2014.'[1108] Dave van Zoonen and Khogir Wirya, Iraq analysts with the Middle East Research Institute (MERI)[1109] note in their 2017 report that ISIL's attacks on the Yazidi community in and around Sinjar were 'without mercy' and entailed mass killings, forced conversions, kidnapping young children and sexually enslaving thousands of women and girls.[1110] MRG notes that even before ISIL's offensive, numerous incidents of arbitrary arrest, discrimination and other abuses against the Yazidi community were reported. Prior to June 2014, the 2005 population of 700 000 had reportedly fallen to approximately 500 000.[1111]

At EASO's practical cooperation meeting on Iraq in April 2017 Mark Lattimer the Yazidis are widely discriminated against in Iraqi society and they likely constitute 'Iraq's poorest community' (aside from Black Iraqis in the south). They were subjected 'to a campaign of extermination and enslavement' by ISIL and he gave the view that the group remains 'highly vulnerable' as they are in a precarious displacement situation and cut off from their traditional lands and livelihoods.[1112]

The 2015 National Identity Card Law prevented Yazidis from self-identifying with their religious and ethnic group and official government residence cards and driving licenses required identifying as Kurdish or Muslim.[1113] Kurdish officials frequently put pressure on Yazidis to identify as Kurds and Muslims, and those who 'dissent, or refuse to identify as Kurds

[1105] MRG, published by UN CERD – UN Committee on the Elimination of Racial Discrimination: Alternative Report to the Committee on the Elimination of Racial Discrimination (CERD); Review of the Periodic Report of Iraq, 2018, url, paragraph 28; MRG, Black Iraqis, November 2017, url; IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 72-76.
[1106] MRG, published by UN CERD – UN Committee on the Elimination of Racial Discrimination: Alternative Report to the Committee on the Elimination of Racial Discrimination (CERD); Review of the Periodic Report of Iraq, 2018, url, paragraph 28; IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 72-76.
[1107] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 13.
[1108] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 12.
[1109] MERI is an Erbil-based independent research institute focused on policy issues and governance in the Middle East, according to its website.
[1110] van Zoonen, D. and Wirya, K., The Yazidis – Perceptions of reconciliation and conflict, Middle East Research Institute, October 2017, url, p. 10.
[1111] MRG, Crossroads: The future of Iraq's minorities after ISIS, 7 June 2017, url, p. 10.
[1112] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, pp. 19-20.
[1113] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.

risk harassment, detention, or deportation' from KRI or blocked from entering.[1114] According to the USDOS, writing in 2018, 'Yezidis in the IKR were discriminated against when they refused to self-identify as Kurdish and Muslim; only those Yezidis who considered themselves Kurdish and Muslim could obtain senior positions in the IKR leadership.'[1115]

According to Dave van Zoonen and Khogir Wirya, the relationship between the KRG and the Yazidis has been seriously damaged because of the controversial withdrawal of the Peshmerga preceding ISIL's attack of the Yazidi community.[1116] Within KRG controlled areas, Yazidis who dissent, or refuse to identify as Kurds, risk harassment, detention, or deportation, The United States Commission on International Religious Freedom reports. Yazidis in Kurdistan also report facing hostility from the wider population.[1117] On a number of occasions tensions between Kurds and Yazidis have boiled over, resulting in violence.[1118] A blockade put in place by the Kurdish Democratic Party (KDP) forces controlling entry and exit from Sinjar cut thousands of Yazidis off from their homelands.[1119] The KDP is particularly concerned about the base of support Turkish and Syrian Kurdish forces, such as Sinjar Resistance Units (YBS), Kurdistan Workers' Party (PKK) and People's Protection Units (YPG), have built in the region.[1120]

In 2016 the KRG placed restriction on the movement of goods into and out of the district of Sinjar, thus limiting the access to food, water, livelihoods, and other fundamental rights.[1121] Representatives of the Yazidi community indicated that many Yazidis are leaving Iraq, having little hope for a return to normal life in the Ninewa plains and Sinjar.[1122] In a November 2018 article the Norwegian Refugee Council notes close to 200 000 Yazidi remain displaced.[1123]

For further information on targeting of Yazidis by ISIL see section 2.2.4.

3.4.4 Christians

DFAT reported that the Iraqi government estimated the number of Christians living in Iraq to be 1.4 million in 1987. Christian community leaders estimate this number has fallen to fewer than 250 000, largely as a consequence of the high level of violence the community faced after 2003 and which exacerbated after the rise of ISIL since 2014.[1124] Christian groups include Chaldean Catholics (67 % of all Christians) and the Assyrian Church of the East (a further 20 %).

[1114] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 20
[1115] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1116] van Zoonen, D. and Wirya, K., The Yazidis – Perceptions of reconciliation and conflict, Middle East Research Institute, October 2017, url , p. 10.
[1117] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 22.
[1118] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 36.
[1119] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 22.
[1120] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 35.
[1121] Human Rights Watch, Iraq: KRG Restrictions Harm Yezidi Recovery - Disproportionate Limits on Goods Entering, Leaving Sinjar, 4 December 2016, url.
[1122] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, pp. 12-13.
[1123] NRC, Close to 200,000 Yazidis remain displaced, 13 November 2018, url.
[1124] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 14.

Less numerous denominations include Syrian Orthodox, Syriac Catholic, Armenian Catholic, Armenian Orthodox, Anglican, Evangelical and other Protestants.[1125]

The Special Rapporteur on minority issues to the UN Human Rights Council also notes an important decline in the size of the Christian population in Iraq, especially since 2003: 'Christian communities have historically been targeted because of their faith and their perceived ties with the West. Following the 2003 invasion, attacks against Christian communities led to an exodus of Christians from the country. Christian representatives stated that the population had declined dramatically, from up to 1.4 million people prior to 2003 to only some 350 000 by 2014.'[1126] The Special Rapporteur on minority issues to the UN Human Rights Council concurs that the Christian population in Iraq declined further since mid-2014 with the rise of ISIL in areas of Christian populations, including the Ninewa plains:

> 'As places such as Mosul fell to ISIS, thousands of Christians fled. Those who remained or were unable to flee faced demands for the payment of protection money while others faced forced conversion or execution if they failed to comply with demands. Christian property was marked with an Arabic "N" (for Nusairi, the word used in the Koran to refer to Christians) and was later seized, and Christians were given an ultimatum to leave the city by 19 July 2014 or face execution.'[1127]

At EASO's practical cooperation meeting on Iraq in April 2017 Mark Lattimer points out that most Christians in Iraq had already fled before the 2014 ISIL advance. The majority now live in the KRG, particularly in a Christian district of Erbil called Ankawa. Many of the Christians in Iraq 'do not have hope of surviving beyond that enclave'.[1128] Concerning the Christian population in the KRI DFAT noted that violence against Christians in the Kurdistan Region is less common, but Christians in the region continue to face discrimination in the form of intimidation and denial of access to services.[1129] Christian NGOs have reported that some Muslims threaten and harass women and girls for refusing to wear the hijab or not adhering to strict interpretations of Islamic norms regarding public behaviour.[1130]

The United States Commission on International Religious Freedom stated that the KRG makes special efforts to provide for Christians, including Christian IDPs. However, Assyrian Christians have complained of land appropriations by ethnic Kurds, which may have occurred with the 'blessing, or tacit consent' of Kurdish officials.[1131] Complaints about appropriation of Christian land by ethnic Kurds are long standing and originate mainly from Dohuk and Erbil governorates.[1132] MERI noted that Law No 5 issued in 2015 by the Kurdistan parliament addresses the appropriation of Christian lands. However, the law is yet to be enforced.[1133]

[1125] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 14.
[1126] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 10.
[1127] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 10.
[1128] Lattimer, M., EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 20.
[1129] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 15.
[1130] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1131] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 17.
[1132] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 38.
[1133] Wirya, K. and Fawaz, L., The Christians – Perceptions of reconciliation and conflict, Middle East Research Institute , September 2017, url, p. 11.

Religious minorities have stated that 'forced conversion was the de facto outcome of the national identity card law mandating children with only one Muslim parent, even children born as a result of rape, be listed as Muslim.'[1134] Christians have complained that in some cases 'families that are formally registered as Muslim but practice Christianity have fled to avoid registering their children as Muslims or to have their children remain undocumented, affecting their eligibility for government benefits.'[1135]

For further information on targeting of Christians by state actors and affiliated groups see section 1.13.

For further information of targeting of Christians by ISIL see section 2.2.3.

3.4.5 Assyrians

Assyrians comprise a distinct ethno-religious group in Iraq that is mainly concentrated in the Ninevah plains in Northern Iraq.[1136] Descendants of ancient Mesopotamian peoples, Assyrians speak Aramaic and belong to one of four churches: the Chaldean (Uniate), Nestorian, Jacobite or Syrian Orthodox, and the Syrian Catholic.[1137] The population of Assyrians living in Iraq was estimated at 300 000 before ISIL's invasion.[1138]

Accusations of land appropriations against Christians, particularly Assyrian Christians, have been reported in some parts of the KRI, such as rural areas of Dohuk Governorate, Zhakho, and the Nahla Valley.[1139] According USCIRF, writing in 2017, 42 encroachments in Nahla Valley villages have been alleged by Assyrian Christians in recent years.[1140] Land appropriations are attributed to long-standing disputes complicated by population displacements and resettlements, illegal construction by powerful local officials or businesses, and as a way to suppress Assyrian political activities and force support of Kurdish parties.[1141]

According to MRG, writing in 2018, Chaldo-Assyrian Christians 'face ongoing discrimination in access to jobs due to longstanding stereotypes about them, and the fact that they do not belong to the major political blocs'.[1142] Lack of economic opportunities, suppression of political activities and a perceived failure of the Iraqi authorities to provide protection, has led to rising emigration among Assyrians since the start of the ISIL offensive.[1143]

The advance of ISIL in 2014 caused displacement of large numbers of Assyrians from Mosul and Ninewa plains along with 'destruction of their historical, cultural and religious

[1134] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1135] USCIRF, United States Commission on International Religious Freedom 2018 Annual Report; Country Reports: Tier 2 Countries: Iraq, April 2018, url, p. 5.
[1136] World Watch Monitor, Iraq's Assyrian Christians: persecution and resurgence, 8 April 2018, url.
[1137] MRG, Assyrians, November 2017, url.
[1138] World Watch Monitor, Iraq's Assyrian Christians: persecution and resurgence, 8 April 2018, url.
[1139] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 17; UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 15;
[1140] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 38.
[1141] MRG, Assyrians, November 2017, url; USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, pp. 17, 18, 38.
[1142] MRG, published by UN CERD – UN Committee on the Elimination of Racial Discrimination: Alternative Report to the Committee on the Elimination of Racial Discrimination (CERD); Review of the Periodic Report of Iraq, 2018, url, paragraph 11.
[1143] MRG, Assyrians, November 2017, url; USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 38.

heritage'.[1144] Under Saddam Hussein's regime, Assyrian towns and villages were targeted during the al-Anfal military campaign against Kurdistan in Northern Iraq between 1986 and 1989, and again during the ethnic and sectarian civil war after the 2003 US invasion.[1145] DFAT noted that 'many Assyrians claim that Kurds expropriated their land under the Ba'ath Party between 1968 and 2003.'[1146]

3.4.6 Shabaks

Largely living in the Ninewa plains, the Shabak form a distinct ethnic group estimated to number between 200 000 and 500 000.[1147] According to USCIRF, the Shabak are an ethno-religious group consisting of three tribes: the Hariri, the Gergeri, and the Mawsili, the majority of which are Shia.[1148] According to MRG the Shabak 'have been victims to some of the worst instances of large-scale violence in recent years and an estimated 1 300 have been killed since 2003'. There have been 'major repeated attacks' on Shabak villages and worshippers have been targeted during religious rituals. ISIL's advance resulted in kidnappings, and executions for those who refused to comply with ISIL orders, and Shabak properties were marked with 'R' for *Rafida*, meaning Shia and other religions who rejected ISIL's Islamic interpretations. Besides facing violence by ISIL, they have been victims of efforts to forcibly alter the demographic balance in their areas in favour of either Arabs or Kurds.[1149] Representatives consulted by the Special Rapporteur on minority issues to the UN Human Rights Council also described the treatment of Shabak, most recently ISIL since 2014:

> 'Shabak properties in Mosul were marked with an Arabic "R" to signify "Rafida", a term ISIL used to designate Shia Muslims and others who have "rejected" its interpretation of Islam. Shabaks who refused to comply with ISIL orders were reportedly executed. By August 2014, an estimated 60 Shabak villages were under ISIL control, with reports of massacres and kidnappings of Shabak civilians. Leaders stated that 7,000 Shabak internally displaced families had fled Mosul following its fall.'[1150]

According to the USDOS, writing in 2018, the 2015 National Identity Card Law prevented Shabaks from 'self-identifying with their religious and ethnic group and from official government recognition through official documentation'.[1151]

USCIRF noted that the Shabak community is located in an area that is disputed between Erbil and Baghdad. The power struggles between the two governments have affected the Shabak detrimentally and 'the Shabak have faced enormous pressure (and even harassment) from the KRG to assimilate and declare themselves to be Kurds.'[1152] Especially Shabaks who oppose

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[1144] MRG, Assyrians, November 2017, url.
[1145] MRG, Assyrians, November 2017, url; World Watch Monitor, Iraq's Assyrian Christians: persecution and resurgence, 8 April 2018, url.
Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 15.
[1147] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 11.
[1148] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 24.
[1149] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, October 2014, url, pp. 13-14.
[1150] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 11.
[1151] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1152] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 24.

the KRG have been a target of political violence.[1153] MERI noted that members of the Shabak community have joined armed groups, with Sunni Shabaks joining the Peshmerga and Shias joining PMU units. Although social relations between Sunni and Shia Shabaks have historically been good, community members are wary of future conflicts, especially as tensions over the disputed territories mount.[1154]

3.4.7 Kaka'i

According to the Special Rapporteur on minority issues to the UN Human Rights Council 'the Kaka'i are ethnically associated with the Kurds while maintaining a distinct religious identity.'[1155] Kak'ai are sometimes thought to be a branch of the Shia faith, though besides Shia beliefs the religion also contains elements of Zoroastrianism.[1156] According to representatives the Kaka'i numbered some 200 000 people scattered throughout different regions, with most in Iraqi Kurdistan. Representatives further stated that the Kaka'i had suffered historic persecution, including under the Saddam Hussein regime, with lands and villages confiscated and given to the Arab populations. According to community representatives some 300 Kaka'i had been killed by ISIL in Mosul and other areas because of their religious identity, ISIL also took control of a large area normally occupied by Kaka'i. Reportedly all Kaka'i who formerly lived in Mosul and in the Ninewa plains became internally displaced persons in Kurdistan.[1157] Few have returned to the liberated Ninewa as of 2018.[1158]

USDOS reported that outside the KRI, the Kaka'i are an 'unrecognised religious group' noting that the law does not prescribe penalties for practicing it, but that contracts signed by unrecognised religious groups are 'not legal or permissible in as evidence court'.[1159]

For further information on targeting of Kaka'i by ISIL see section 2.2.5.

3.4.8 Sabean-Mandeans

Considered to be one of the smallest religious communities in Iraq, with estimated numbers of fewer than 5 000 members, and the UN writes that 'their language, culture and religion are thought to be at risk of extinction in Iraq.'[1160] According to DFAT, most Sabea-Mandaeans live in southern Iraq, including Basrah and the southern governorates of Dhi Qar and Maysan, but small numbers live in Baghdad and the Kurdistan Region.[1161] According to the Special Rapporteur on minority issues to the UN Human Rights Council they 'have faced violence by both Shia and Sunni Islamic groups and continue to be actively targeted. Numerous attacks have taken place against community members, their property and places of worship, including

[1153] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, pp. 41-42.
[1154] van Zoonen, D. and Wirya, K., The Shabaks - Perceptions of reconciliation and conflict, Middle East Research Institute, August 2017, url, p. 13.
[1155] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 10.
[1156] MRG, Crossroads: The future of Iraq's minorities after ISIS, 7 June 2017, url, p. 9.
[1157] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 10.
[1158] USDOS, 2017 Report on International Religious Freedom – Iraq, 29 May 2018, url.
[1159] USDOS, 2017 Report on International Religious Freedom – Iraq, 29 May 2018, url.
[1160] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 11.
[1161] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 15.

targeted killings of individuals.'[1162] The UN writes that 'Sabean-Mandeans have fled ISIL-controlled areas and have become internally displaced' while many more are said to have departed the country.[1163]

In their July 2017 MERI report, Dave van Zoonen and Khogir Wirya noted that crimes against Sabean-Mandaens have occurred 'with impunity' and that as the government lost its ability to provide security, Sabean-Mandeans paid money to tribesmen and militias in order to obtain some level of protection, noting this occurred in Missan, Baghdad, and Basrah. Nevertheless, they have been extorted and pressured to conform to Islamic principles by financially supporting Shia ritual, parades and public events, especially during Islamic holidays. Not participating in such societal displays risked Sabean-Mandaens becoming disenfranchised from the local community, according to MERI.[1164]

Mark Lattimer explains at EASO's practical cooperation meeting on Iraq in April 2017 Sabean-Mandeans were perceived as rich because they were associated with the jewellery trade. Because of this, they became a target for extortion by extremist groups and criminal gangs.[1165] Especially in Baghdad, members of the Sabean-Mandeans community are often associated with wealth since many of its member's work within the jewellery and gold/silver smith businesses. In addition, the Sabea-Mandaeans are prohibited to resort to arms, even in self-defence. Thus, community members were especially exposed to face robberies of their goldsmith, silversmith and jewellery stores. In addition, community members faced killings, abductions and torture.[1166]

According to MERI, Sabean-Mandeans whom they interviewed who fled to KRG indicated that the 'distintegration of the rule of law in the rest of Iraq' was the main reason they gave for attacks against them. Unlike in other parts of Iraq, in the KRI, they indicated they do not feel under immediate threat from being targeted by religious extremist groups but face a range of other challenges. Being Arabic speakers, MERI also found that two thirds of Sabaen-Mandaens they interviewed faced a language barrier when interacting with the Kurdish majority, experiencing racism and sometimes discrimination or verbal abuse on account of being perceived as 'Arabs from the south'. Being displaced into the KRI with a weak social network, the community lacks access to employment and economic opportunities.[1167]

Sabean-Mandaeans experience discrimination and negative stereotyping in all aspects of public life. For instance, some reports suggest that some Iraqis refuse to share food or to drink from the same glass as a Sabean-Mandaean. These factors, combined with the effects of the ISIL advance, continue to drive Sabean-Mandaeans to leave Iraq.[1168] USDOS further reported that some Sabean-Mandaeans, as well as Christians, claimed that they faced discrimination limiting their economic opportunities. One example of such discrimination was the Iraqi

[1162] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 11.
[1163] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 11.
[1164] van Zoonen, D. and Wirya, K., The Sabean-Manaeans – Perceptions of reconciliation and conflict, Middle East Research Institute, July 2017, url, p. 8.
[1165] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 20.
[1166] van Zoonen, D. and Wirya, K., The Sabean-Manaeans – Perceptions of reconciliation and conflict, Middle East Research Institute, July 2017, url, pp. 5-8; MRG, Iraq: Current issues, May 2018, url;
Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 20.
[1167] van Zoonen, D. and Wirya, K., The Sabean-Manaeans – Perceptions of reconciliation and conflict, Middle East Research Institute, July 2017, url, p. 10.
[1168] MRG, Iraq: Sabian Mandaeans, url.

government's implementation of an alcohol ban in many parts of the country has affected businesses run by these groups.[1169] They continued to report threats, abuses, and robberies in 2017.[1170]

John the Baptist is the central prophet of the Sabea-Mandean religion, and flowing water is essential for some religious rituals.[1171] Despite a vulnerable security situation AP News reported, in October 2018, that a group of Sabean-Mandaeans in Baghdad have a strip of the Tigris River in Baghdad reserved where they celebrate a religious ceremony every Sunday dressed in white clothing.[1172]

3.4.9 Baha'i

The number of Baha'i community members is unclear due to lack of information and fear of revealing one's faith due to 'historic and widespread discrimination'. There are thought to be less than 2 000 members, according to the UN in 2017. Persons adhering to the Baha'i faith were 'particularly oppressed' by the Baath party regime from the early 1970s. At that time, the UN reported that the religion was banned, 'Baha'i property was confiscated and members of the community ultimately faced prison or execution.'[1173] The UN also reported that Regulation 358 of 1975 prohibited issuing national identity cards to Baha'i people, which denied them access to birth and marriage registration, passports, employment, entry into university, and the possibility to buy and sell housing and property. Although this regulation was revoked in 2008, Baha'i is still report continuing difficulty with changing their ID cards to state their religion and reportedly had to list 'Muslim' on identity documents.[1174] According to USDOS the Baha'i still cannot register their faith on their ID cards and Baha'i people are 'at risk of statelessness'.[1175] MRG stated that Iraqi minorities, inter alia Baha'is, have been 'particularly targeted' since Iraq's internal conflict with ISIL started in 2014.[1176]

According to MRG,

> 'Many Bahá'í still lack identity documentation or have identity cards stating that they are Muslim. Without identity documentation, Bahá'í cannot access rights and services related to citizenship such as education, property ownership and medical care. The majority of Bahá'í marriages are not registered officially, so the children of such marriages cannot obtain identification. Bahá'í do not benefit from any recognition or special measures under the Iraqi constitution, but they are recognized as a religious minority by the Kurdistan Regional Government's Ministry of Endowment and Religious Affairs.'[1177]

[1169] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1170] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1171] MRG, Iraq: Sabian Mandaeans, url.
[1172] AP, Water pollution in Iraq threatens Mandaean religious rites, 17 October 2018, url.
[1173] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 9.
[1174] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 9.
[1175] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1176] MRG, Iraq: Current issues, May 2018, url.
[1177] MRG (Minority Rights Group International), Baha'i, November 2017, url

3.4.10 Zoroastrians

Zoroastrianism is one of the world's oldest religions which disappeared from Iraq for centuries.[1178] There is no reliable data on the number of persons adhering to this community, due to frequent registration as Muslims on Iraqi identity documents.[1179] In an article from December 2017, political representative of Kurdish Zoroastrians stated that 'around 4 000 people in the Erbil province have filled out forms expressing desire to convert to Zoroastrianism.'[1180] In a report by Rudaw from 2015, it is stated that the movement claims that it has 100 000 followers in Iraqi Kurdistan.[1181] Zoroastrianism is recognised under Law No 5 of Protecting Components of Iraqi Kurdistan of 2015, which allowed the official establishment of the Zoroastrian Cultural and Heritage Center and an official representative with the Ministry of Endowments and Religious Affairs in KRI.[1182]

Mainly found in Dohuk and in Sulaimaniyah, Zoroastrians enjoy more recognition in Kurdistan than in other regions in Iraq. Zoroastrians claim increasing numbers of Kurdish Muslims are converting to Zoroastrianism. According to some reports, these conversions have resulted in incitement of hatred and defamation by some Sunni clerics. Prominent followers of Zoroastrianism reported threats and harassment from Islamic groups.[1183] According to Niqash the revival of Zoroastrianism in the semi-autonomous region of Iraqi Kurdistan is in part due to its deep Kurdish roots – it was founded by Zoroaster, also known as Zarathustra, who was born in the Kurdish part of Iran. Niqash further notes that the number of converts is unknown.[1184]

Prominent followers of Zoroastrianism reported threats and harassment from Islamic groups.[1185] In 2017, Rudaw reported that a Kurdish Islamic preacher in Erbil was alleged of issuing a decree stating that all converts to the Zoroastrian faith must be killed which met strong reactions by some members of the community that filed a legal complaint.[1186] Furthermore, conversion from Islam to another religion is a criminal offence according to Iraqi Personal Status Law.[1187] In an interview with the New Arab, members of the religious community described that they were not accepted by everyone in KRG, and a Zoroastrian woman said that community members face discrimination and threats (including death threats).[1188] According to the spiritual leader of Iraq's Zoroastrians, Peer Luqman Haji, who administers 'conversions from Islam', conversion is 'not an accurate term per se', noting that there were high rates of Kurds who were 'returning to the religion' of Zoroastrianism.[1189]

[1178] Al-Monitor, Zoroastrianism in Iraq seeks official recognition, 17 February 2016, url.
[1179] Al-Monitor, Zoroastrianism in Iraq seeks official recognition, 17 February 2016, url.
[1180] Niqash, Cross-cultural love: what happens when a Christian falls in love with a Muslim, 14 December 2017, url.
[1181] Rudaw, Zoroastrian faith returns to Kurdistan in response to ISIS violence, 2 June 2015, url.
[1182] Al-Monitor, Zoroastrianism in Iraq seeks official recognition, 17 February 2016, url.
[1183] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 20.
[1184] Niqash, The One, True Kurdish Prophet? Thanks To Extremism, Iraqis Revive Ancient Religion, 28 May 2015, url.
[1185] USCIRF, Wilting in the Kurdish sun; the hopes and fears of religious minorities in Northern Iraq, May 2017, url, p. 20.
[1186] Rudaw, Converts must die: Kurdistan's Zoroastrians outraged by Islamic preacher, 5 February 2017, url.
[1187] Al-Monitor, Zoroastrianism in Iraq seeks official recognition, 17 February 2016, url.
[1188] New Arab (The), The quest for identity: How Kurds a rediscovering Zoroastrianism, 5 February 2018, url.
[1189] Al-Monitor, Zoroastrianism in Iraq seeks official recognition, 17 February 2016, url.

3.4.11 Bidoon

In its 2017 report on human rights practices USDOS describes Bidoon/Bidoun as descendants of individuals who never received Iraqi citizenship upon the state's founding, living as nomads in the desert near or in the southern governorates of Basrah, Dhi Qar, and Qadisiyah. They remain undocumented and stateless. In 2006 their number was estimated to be 54 500.[1190]

In a May 2013 report the IILHR noted that the Bedouin/Bidoon of Iraq consist of numerous large and small tribes living a traditional nomadic life, although many have developed a more settled life. An unreliable 1997 government census estimated their number at 100 000. The Bidoon reportedly live throughout Iraq but are mainly concentrated along the west and south of the country, a large number of Bidoon is reported to live on the outskirts of Nassiriyah (Thi Qar Governorate).[1191]

DFAT, writing in 2018, noted that stateless Bidoon 'do not have access to many services and public sector job opportunities, nor can they register land in their own names, sign rental contracts or inherit property'.[1192] The births and deaths of stateless Bidoons aren't usually registered by the government.[1193]

The Bidoon community faces a high rate of poverty and a precarious living situation, limiting access to education and services such as clean water, electricity, and adequate shelter. Community members commonly earn money by selling garbage and tending other people's livestock. As many Iraqis view the Bidoon as travellers who do not need citizenship documents or protections for other rights, the Bidoon have long been considered stateless. 'However, the community does not appear to face de jure barriers to accessing citizenship, identity, or other documentation.' Although UNHCR observed during a visit to members of the Bidoon community in Thi Qar, that all interviewed families possessed nationality and identity documents, little is known about the documentation situation of the Bidoon elsewhere in Iraq.[1194]

Human Rights Watch noted that after the Iraq invasion of Kuwait many Bidoon fled from Kuwait to Iraq and were later denied re-entry.[1195] In a 2010 email addressed to the Refugee Review Tribunal of the Australian Government, UNHCR reported that the Saddam Hussein regime was relatively generous in granting them citizenship, considering those who had been deported from Kuwait as supportive of the Iraqi regime. However, the majority of the Bidoons were not granted Iraqi citizenship. The UNHCR reported that

> 'Bidouns do not hold Iraqi ID cards, nationality certificates or PDS (Public Distribution System) cards, their children are not registered and they do not have access to health facilities, they marry according to their tribal customs and do not register their marriages, they also solve their internal conflicts according to the same customs. They

[1190] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1191] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 69-71.
[1192] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 23.
[1193] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 23.
[1194] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 69-71.
[1195] Human Rights Watch, Prisoners of the Past: Kuwaiti Bidun and the Burden of Statelessness, 13 June 2011, url, p.14

> live in precarious conditions and have only tents as shelter. These Bidoons seem to ignore the possibility for them to regularize their situation, while others have rejected the Iraqi nationality and continue to claim their Kuwaiti origins and rights in Kuwait.'[1196]

The IILHR[1197] and the Special Rapporteur on minority issues to the UN Human Rights Council noted a disturbing lack of information about the circumstances of the Bidoon community in Iraq.[1198]

3.4.12 Fayli Kurds

MRG stated that around 1.5 million Fayli Kurds live in Iraq[1199], whereas USCIRF estimates the population of Fayli Kurds residing in Iraq at 2.5 million.[1200]

In a May 2013 report the IILHR stated that the Fayli Kurds are a Shia Muslim community living mainly in Baghdad, Central Iraq, and the south, inhabiting the border areas between Iraq and Iran on both sides of the Zagros mountains for centuries. An estimated one million Fayli Kurds currently live in the greater Baghdad area. Under the former Ba'ath regime, the Fayli Kurds faced 'systematic marginalization' and targeted discrimination from the state. Accused of being agents of Iran, Fayli Kurds were stripped of their citizenship and 300 000 were expelled to Iran. Sources report that the 'persecution' of Fayli Kurds under the Baath era largely decreased since 2003, resulting in the return of many Fayli Kurds to Iraq. Although their right to nationality was restored in 2006, the process to obtain nationality documentation and reclaim lost property is reportedly cumbersome.[1201] DFAT similarly reported that legislation to return citizenship is in place, however the process 'can be administratively complex if an individual lacks sufficient documentation to demonstrate Iraqi origin'.[1202]

The Iraqi Ministry of Displacement and Migration claimed in 2013 that 97 % of the Fayli Kurds had their nationality restored.[1203] However, MRG noted that these figures have not been demonstrated[1204], and further referred to statistics from the Minister of Immigration showing that between April 2003 and 2013 only 16 580 Fayli Kurds had their nationality reinstated, and only 6 853 were in possession of national identification, in contrast to the estimated population of at least 150 000 Fayli Kurds that were denaturalised during the Ba'ath era.[1205] The same source estimated in 2014 that it is likely that hundreds of families of Fayli Kurds remain stateless.[1206]

[1196] Australia, Refugee Review Tribunal, Country advice: Iraq – IRQ37184- Bidoons – UNHCR advice, 9 September 2010, url.
[1197] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, p. 69.
[1198] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 13.
[1199] MRG, Iraq. Faili Kurds, November 2017, url.
[1200] USCIRF, Wilting in the Kurdish Sun. The Hopes and Fears of Religious Minorities in Northern Iraq, May 2017, available at: url, p. 27.
[1201] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 89-95; MRG, Iraq. Faili Kurds, November 2017, url.
[1202] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, pp. 12-13.
[1203] Ekurd, The displacement ministry restores the nationality to 97% of Faili Kurds, 4 February 2013, url.
[1204] MRG, Iraq. Faili Kurds, November 2017, url.
[1205] MRG, Iraq. Faili Kurds, November 2017, url.
[1206] MRG, From Crisis to Catastrophe: the situation of minorities in Iraq, October 2014, url, p. 24.

DFAT, referring to 'local sources', noted that societal discrimination against Fayli Kurds occurs, and communities that are dominated by other ethnic or religious groups tend to not welcome Fayli Kurds, as well as other religious and ethnic minorities.[1207] According to The Al-Khoei Foundation, a Shia non-governmental organisation, the 'Fayli Kurds have been constantly persecuted by ISIL, including the destruction of their places of worship.' Thousands have been displaced and have sought refuge in Dohuk, Arbil, Najaf and Karbala.[1208] According to the Kurdish news website Rudaw harassment of Fayli Kurds in Baghdad intensified after the Kurdistan Region set a date for its independence referendum. As a consequence, a number of them moved to Kurdistan.[1209]

Rudaw stated that an estimated 10 000 Fayli Kurds live in Kurdistan.[1210] In 2017, Rudaw reported that harassment of Fayli Kurds in Baghdad intensified after the KRI set a date for its independence referendum. As a consequence, a number of them moved to Kurdistan.[1211] In May 2018, a Kurdish family (the man was Fayli Kurd), was murdered in a neighbourhood in Baghdad. No motives for the murder was identified in the article. However, the same article referred to a statement of a Kurdish member of the Iraqi Parliament who in 2017 had claimed that Fayli Kurds in southern Iraq were 'increasingly facing threats at both the governmental and local levels, where they are asked to reject their ethnicity'.[1212]

The Danish Immigration Service noted in 2016 that some Fayli Kurds joined a Shia militia that is often in conflict with the Peshmerga forces. As a consequence, the Peshmerga fail to protect Fayli Kurds.[1213]

3.4.13 Roma[1214]

IILHR stated that Roma are 'among the most vulnerable, disfavoured and at-risk of all the marginalized groups in Iraq'. Also known under the highly derogatory term Kawliyah, there are no accurate demographic data on the Roma community in Iraq, with estimates ranging between 50 000 and 200 000.[1215] According to 2017 estimates, the Roma population is approximately 100 000, the majority living in Diwanieh City, Al Zuhour Village (Al-Qadisiyah Governorate).[1216] They are also reported to be living in isolated villages and neighbourhoods around major cities, including Baghdad, Mosul, Basrah, and elsewhere in southern Iraq.[1217]

[1207] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, pp. 12-13.
[1208] Imam Al-Khoei Foundation, Written statement submitted by the Al-Khoei Foundation, a non-governmental organization in general consultative status; Persecuted Minorities and IDPs in Iraq [25 May 2015] [A/HRC/29/NGO/95], 10 June 2015, url, pp. 3-4.
[1209] Rudaw, Baghdad's Faili Kurds threatened, forced out over referendum, 13 August 2017, url.
[1210] Rudaw, In no man's land; Faili Kurds rally for recognition in Erbil, 16 February 2016, url.
[1211] Rudaw, Baghdad's Faili Kurds threatened, forced out over referendum, 13 August 2017, url.
[1212] Kurdistan24, Kurdish family found dead under mysterious circumstances in Baghdad, 6 May 2018, url.
[1213] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 43.
[1214] Also referred to as Dom, or Gypsies. IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 126-133; Iraqi Al-Amal Association; Al-Namaa Center for Human Rights (Author), published by CERD – UN Committee on the Elimination of Racial Discrimination: Civil Society Organizations' Report on Racial Discrimination in Iraq, October 2018, url, p. 5.
[1215] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 126-133.
[1216] Iraqi Al-Amal Association; Al-Namaa Center for Human Rights (Author), published by CERD – UN Committee on the Elimination of Racial Discrimination: Civil Society Organizations' Report on Racial Discrimination in Iraq, October 2018, url, p. 5
[1217] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 126-133.

In a 2018 article Reuters reports the Roma in Iraq live a 'precarious existence', are 'scorned by many Muslims' and 'barely tolerated by the rest of society'. The same source further notes that 'lacking education or skills, they form one of the lower rungs of Iraq's social system, and are not granted Iraqi citizenship.'[1218] Roma who lack Iraqi nationality cannot hold any political posts.[1219] USDOS lists Roma as a community vulnerable to statelessness in Iraq.[1220]

Iraqi NGOs reported to the UNCERD in 2018 that Roma 'suffer from discrimination and exclusion by the public authorities, including denial of services and employment. A large percentage of gypsy Iraqis live in disastrous conditions, lacking basic needs such as water, electricity, health care and sufficient nutrition. There are also high rates of illiteracy within the gypsy community.'[1221]

According to the IILHR, the group faces 'extreme poverty, lack of education and access to basic services, eviction, and exploitation'.[1222] Increasing Islamist fundamentalism and Islamist militant groups since 2003 have exacerbated the 'humanitarian and security crisis within the community'; they have experienced targeted violence, harassment, assault and exploitation forced from Islamist groups and tribal groups, forcing many Roma to leave their places origin. The same source notes that 'many Roma remain internally displaced and live on squatted land without access to clean water, electricity, adequate shelter, healthcare, adequate food, education and other basic services.' Roma women face a high risk of sexual assault, few Roma children are enrolled in school.[1223] MRG notes that under the Saddam Hussein regime Roma were forced to work as entertainers and in prostitution. Because of this, they have come under targeted attack by Islamic militias since 2003.[1224]

The Special Rapporteur on minority issues to the UN Human Rights Council notes a disturbing lack of information about the circumstances of the Roma community in Iraq.[1225]

3.4.14 Jews

Reuters reported in April 2018 that the numbers of Iraq's Jewish community have dwindled to single numbers. In 1947, a year before Israel's birth, Iraq's Jewish community numbered around 150 000.[1226] According to USDOS, the number of Jewish citizens living in Baghdad is 'very small', and unofficial statistics from the KRG Ministry of Endowments and Religious Affairs estimated that there were approximately 430 Jewish families residing in IKR.[1227]

[1218] Reuters, Children of Iraq's Kawliya return to school after 14 year break, 17 April 2018, url.
[1219] Iraqi Al-Amal Association; Al-Namaa Center for Human Rights (Author), published by CERD – UN Committee on the Elimination of Racial Discrimination: Civil Society Organizations' Report on Racial Discrimination in Iraq, October 2018, url, p. 5.
[1220] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1221] Iraqi Al-Amal Association/Al-Namaa Center for Human Rights, published by CERD – UN Committee on the Elimination of Racial Discrimination: Civil Society Organizations' Report on Racial Discrimination in Iraq, October 2018, url, p. 2.
[1222] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 126-133.
[1223] IILHR, Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, May 2013, url, pp. 126-133.
[1224] MRG, Iraq's Minorities: Participation in Public Life, 28 November 2011, url, p. 9.
[1225] UN Human Rights Council, Report of the Special Rapporteur on minority issues on her mission to Iraq [A/HRC/34/53/Add.1], 9 January 2017, url, p. 13.
[1226] Reuters, With Jews largely gone in Iraq, memories survive in Israel, 18 April 2018, url.
[1227] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.

The New York Times reports the Jewish community in Baghdad, once the community's heart, cannot muster even a *minyan*, the ten Jewish men required to perform some of the most important rituals of their faith. The community is scared even to publicize their exact number, which was estimated at seven by the Jewish Agency for Israel, and at eight by one Christian cleric.[1228]

In January 2018, ABC News published a reportage on the remaining Jews in Baghdad. The last synagogue of Baghdad was described as possibly 'the most secret location in all of Baghdad', and most of the population in the neighbourhood of its location are unaware of the synagogue's existence. According to the author, no one visits the synagogue since it would be too dangerous for the community to gather in one place. Furthermore, the reportage stated that most of the remaining Jews in Baghdad live 'Anne Frank-style', i.e. in hiding.[1229]

In an article by Rudaw a Kurdish Jewish man attending an art exhibition in Erbil was interviewed. According to the man called David approximately 700 Jewish families remain in the Kurdistan Region. On general attitudes the interviewee stated: 'They call us "Ben Jews" or "Sons of Jews" because we are mixed Jews, Kurds, or other ethnicities.' He further claimed that Jews in Kurdistan keep their Jewish identity hidden due to fear of persecution. Religious holy days are celebrated in private home, and they meet for Shabbat at different homes every week. The cultural event the interviewee was attending was organised by many of the Jewish community, however 'they didn't want to give their name or picture because of the dangerous situation' according to him.[1230] David stated that he did not feel threatened in Erbil, but that he had faced problems in the past when a journalist wrote about him and posted his photo online. 'When the article was translated into Arabic, they saw my article in Baghdad […] When Baghdad knew there were Jews living here, they accused me of working with Mossad, Israeli intelligence, and issued an arrest warrant against me. […] Orders came from Baghdad that if they catch me, they will cut off my hands and behead me.'[1231]

The territory of Iraq entails many important Jewish sites, and some of the persons that were evicted from the country, and their descendants, show an interest in returning to Iraq.[1232] In Al-Monitor and Al Arbaiya reported on a number of Iraqi Jews in exile organised to officially demand a restoration of their Iraqi citizenship.[1233] Haaretz reported on Iraqi Jews applying for Iraqi passports in London and Israel in 2017.[1234] On 2 June 2018, the Shiite leader Muqtada al-Sadr spoke out on social media favouring the return of the Jews that were evicted from Iraq. As a response to a question on whether Jews have the right to return to Iraq, published on one of his social media platforms the Shiite leader stated: 'If their loyalty was to Iraq, they are welcome.'[1235]

3.4.15 Palestinians

The Palestinian population in Iraq is estimated between 10 000 to 15 000 with the majority residing in the districts of al-Baladiyat and Zafarania in Baghdad, and smaller numbers located

[1228] New York Times (The), Baghdad Jews have become a fearful few, 1 June 2008, url.
[1229] ABC News, Vanishing History Baghdad's Last 21 Jews, 30 January 2018, url.
[1230] Rudaw, Kurdistan's Jewish community still fears persecution, , 30 November 2018, url.
[1231] Rudaw, Kurdistan's Jewish community still fears persecution, , 30 November 2018, url.
[1232] The Arab Weekly, 'Remember Baghdad' Tells the story of Iraqi Jews, 8 July 2018, url.
[1233] Al-Monitor, Iraqi Jews organizing to regain citizenship, 31 August 2018, url: Al Arabiya, Back to the roots: Iraqi Jews want their citizenship reinstated, 3 September 2018, url.
[1234] Haaretz, Decades After Fleeing, Iraqi Jews Plan to Return to Their Homeland, , 17 December 2017, url.
[1235] Al-Monitor, Sadr welcomes return of Iraqi Jews, 11 June 2018, url.

near Mosul, Basrah and Sulaimaniyah.[1236] According to DFAT, writing in 2018, 'the Iraqi Government does not recognize Palestinians as refugees, although legislation does provide protections for Palestinians including the right to access the same services as other refugee communities.'[1237]

After the fall of the government of Saddam Hussein in April 2003 the Palestinians became the target of hostility and harassment, particularly by armed militia, 'on account of their perceived association with and preferential treatment by the former regime, as well as their perceived support for Sunni militant groups'[1238] which led to thousands of Palestinians fleeing Iraq, mainly to Syria and Jordan.[1239] The situation of Palestinians reportedly improved between 2008 and 2012 but the escalation of violence since 2014 as a result of ISIL advances and the rise of Shia militias has brought a deterioration of the security and human rights situation for Palestinians.[1240]

In correspondence with EASO on 6 December 2017, the UNHCR stated the following:

> 'Pursuant to Decree 202 of 2001, Palestinians who arrived in Iraq in 1948 were to be "treated as Iraqi citizens in rights and duties", with the exception of the right to obtain Iraqi nationality. Palestinians nevertheless enjoyed an otherwise broad range of rights in Iraq, including the right to work, own property, obtain travel documents and access public health care and education. Palestinians who arrived in Iraq in 1967 and later do not have the same rights; however, they have access to public services and work in private sector. Following the fall of former President Saddam Hussein in 2003, the abovementioned legislation remained in force. Despite the legal rights outlined, however, in practice Palestinians have since often been prevented from accessing or enjoying these rights. Since 2003, many Palestinians have been dismissed from their jobs both in public and the private sector and faced widespread discrimination regarding access to the job market.'[1241]

A COI report by UNHCR noted in 2018 that due to their nationality and perceived support of ISIL and other Sunni armed groups, Palestinians in Baghdad are subjected to illegal detention, kidnapping, killings, disappearances, ill treatment and threats.[1242] At EASO's practical cooperation meeting on Iraq in April 2017 Joost Hiltermann, Program Director, Middle East & North Africa, at the International Crisis Group, noted without giving detailed information that 'Palestinians in Baghdad were targeted as allies of Saddam Hussein, and now as allies of the IS.'[1243] In 2017 Palestinians living in Iraq expressed fears of reprisals as a number of social media activists revived accusations that 'Palestinians have joined the Islamic State (IS) and are carrying out suicide attacks.'[1244]

In March 2018 UNHCR recorded 69 cases of Palestinians being detained, many on suspicion of terrorist activities, mostly without formal charges.[1245] As of March 2017 UNHCR had recorded 47 Palestinians known to be in detention or missing, with the majority being

[1236] Norway, Landinfo/Sweden, Lifos, Palestinians in Iraq, Palestinians in Iraq, 7 March 2014, url, p. 6.
[1237] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 13
[1238] UNHCR, Relevant COI on the Situation of Palestinian Refugees in Baghdad, 30 March 2017, url, p. 1.
[1239] UNHCR, Relevant COI on the Situation of Palestinian Refugees in Baghdad, 30 March 2017, url, p. 1.
[1240] UNHCR, Relevant COI on the Situation of Palestinian Refugees in Baghdad, 30 March 2017, url, pp. 1-2
[1241] EASO COI Query Response, Iraq: Palestinians in Iraq, 4 January 2018, url.
[1242] UNHCR, Relevant COI on the Situation of Palestinian Refugees in Baghdad, 30 March 2017, url, p. 2.
[1243] Hiltermann, J., EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 12.
[1244] Al-Monitor, Old fears rise again about Palestinians in Iraq, 29 August 2017, url.
[1245] UNHCR, UNHCR-Kurzinformation zur Situation von PalästinenserInnen im Irak, 27 April 2018, url, p. 4.

detained by the ISF on suspicion of terrorist activities.[1246] Noting that most cases go unreported, UNHCR further documented 74 security incidents involving Palestinian refugees between January 2014 and February 2017, that included '26 detentions, three disappearances, three abductions, five killings, two attempted murders, two cases of physical abuse, three cases of SGBV and 30 cases of threats to life'.[1247]

According to DFAT, writing in 2018, Palestinians 'face similar issues to other refugee and IDP communities in Iraq, such as being targeted by armed groups and livelihood challenges such as excessive rental costs. Palestinians have reported mistreatment at the hands of the authorities, although the number and severity of such allegations have markedly decreased since 2006.'[1248] Abuses by militias and other non-state actors such as confiscation of property or evictions were also reported. Because of the risk of arbitrary arrests at checkpoints, many Palestinians remain in Al-Baladiyat, hampering their access to education and the labour market.[1249] USDOS noted that denominational groups, extremists, criminals and, in some alleged but unverified cases, government forces have attacked and detained refugees, including Palestinians.[1250] The 2016 country report of the Netherlands Ministry of Foreign Affairs notes that Palestinians face militia violence, including abductions and forced confessions after arrest.[1251]

3.5 Gender-based targeting

According to the Bertelsmann Stiftung[1252] report BTI 2018 - Iraq, 'conservative patriarchal social norms and the domination of religious values across communities in Iraq pose obstacles to women's effective participation in various aspects of social life.'[1253] In a November 2015 report MRG notes that against a backdrop of armed conflict and spiralling sectarian violence, 'the family remains the number one perpetrator of violence against women in Iraq.'[1254] In a March 2014 report the UN Committee on the Elimination of Discrimination against Women notes its concern about 'the persistence of deep-rooted patriarchal attitudes and stereotypes in respect of women's roles and responsibilities which discriminate against women and perpetuate their subordination within the family and society and have been exacerbated by the sectarian and religious divisions'.[1255]

Human rights violations against women in Iraq include rape, domestic violence, female genital mutilation/cutting, honour killings, temporary marriages, sexual abuse and discrimination.[1256] Reporting on the status of human rights in Iraq in the July to December 2017 period UNAMI noted that 'women in Iraq continue to face many challenges including discrimination, which adversely impacts on their ability to fully and equally participate in the political, social and

[1246] UNHCR, Relevant COI on the Situation of Palestinian Refugees in Baghdad, 30 March 2017, url, p. 3.
[1247] UNHCR, Relevant COI on the Situation of Palestinian Refugees in Baghdad, 30 March 2017, url, p. 2. (footnote 9)
[1248] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 13.
[1249] UNHCR, UNHCR-Kurzinformation zur Situation von PalästinenserInnen im Irak, 27 April 2018, url, p. 4.
[1250] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1251] Netherlands Ministry of Foreign Affairs, Algemeen ambtsbericht Irak, 14 November 2016, url, pp. 81-82.
[1252] An independent foundation that funds projects aimed at social reform of value to the public, as explained on their website.
[1253] Bertelsmann Stiftung, BTI 2016; Iraq Country Report, 2016, url, p. 22.
[1254] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 4.
[1255] CEDAW, Concluding observations on the combined fourth to sixth periodic reports of Iraq [CEDAW/C/IRQ/CO/4-6], 10 March 2014, url, p. 7.
[1256] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.

economic life of the country.'[1257] The same source also mentioned continued reports of women and girls being murdered in so-called 'honour crimes'.[1258] In a previous report UNAMI noted that women 'continue to be subjected to violence of all forms, including in particular sexual and gender-based violence. There are currently no effective legal or policy frameworks which prevent sexual and gender-based violence or protect the survivors of violence, or laws that ensure accountability for the perpetrators of violence.'[1259]

A November 2018 DIS/Landinfo report notes the prevalence of domestic violence and honour conflicts has increased in the KRI. The economic crisis due to the conflict with ISIL was cited as one of the reasons for this increase.[1260] Victims of honour crimes and domestic violence are often reluctant to approach the authorities.[1261]

When seeking protection, the DIS/Landinfo report notes women in KRI are met with different types of reactions from the authorities:

> 'In some cases, the police will send the woman back to her family, or they will tell her that this is a family issue, or try to calm the woman down and ask her to talk to her family. Or, the police may blame the woman for the harassment or violence herself. Furthermore, women risk being harassed by some staff at the police stations and her intentions will be questioned. Moreover, a husband may threaten to take the children if the wife reports a violent act.'[1262]

The Iraqi High Commission for Human Rights noted in a 2018 report that 'the Iraqi reality still discriminates against minority women due to the social environment, weak or lack of culture of rejection of hatred, extremism and racism, and lack of public awareness of gender issues and women's participation where the taken measures to monitor, prevent and combat all forms of discrimination against women belonging to minority groups remain weak and do not rise to the scale of the problem.'[1263]

Mark Lattimer explained at EASO's practical cooperation meeting on Iraq in April 2017 that 'women are generally expected to be deferential to men', and they shouldn't travel without being accompanied by a male relative or act independently. Some of the violence during the conflict has been specifically aimed at women due to their conduct being considered politically or morally illicit. For instance, militia have killed women at venues claimed to be brothels or because they wore 'the wrong clothes'. Lattimer estimates that any woman living outside of a family community in Iraqi society is at risk of violence.[1264]

Findings from a 2016 United Nations Population Fund (UNFPA) assessment across eight governorates in Iraq revealed that 'gender-based violence is pervasive in IDP and refugee communities across all governorates and disproportionately affects women and girls. Violence

[1257] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, pp. 12-13.
[1258] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, pp. 12-13.
[1259] UNAMI/OHCHR, Report on Human Rights in Iraq – January to June 2017, 14 December 2017, url, p. 11.
[1260] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 7.
[1261] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 18.
[1262] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 18.
[1263] Iraq, IHCHR, Report on Iraq's Compliance with the International Convention on the Elimination of All Forms of Racial Discrimination, 2018, url, p. 18.
[1264] Lattimer, M., EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, pp. 21-22.

directed at women and girls within family is normalized and legitimized by survivors, perpetrators and communities through reference to cultural and religious norms.'[1265]

MRG notes that victims seeking redress often encounter disinterest from police and judicial authorities when seeking assistance from authorities:

> 'Attempts to seek redress in cases of violence against women are undermined by a weak and ineffective judicial system and outdated laws that excuse or legitimize attacks against women. When such cases are brought before the court, perpetrators are often acquitted or given very mild sentences for grievous crimes against women, even in the face of clear evidence. However, the large majority of cases never make it before the judicial system. In Iraq, violence against women in the home is considered a private matter and strong cultural taboos prevent victims from speaking out. Police responsible for receiving reports of violence against women often sympathize with male family members and are unable or unwilling to protect female victims from further attacks. These factors combine to act as a strong deterrent for women to report incidents of violence.'[1266]

In July 2015 the UN Human Rights Council reported that 'in the Kurdistan region of Iraq, the full realization of women's rights continues to be hindered by a number of factors, including deep-rooted patriarchal norms, legislative gaps and a culture of silence.'[1267]

3.5.1 Domestic violence

In its 2018 World Report Human Rights Watch notes that women's rights organisations continue to report a high rate of domestic violence in Iraq. Although Iraq's criminal code includes provisions criminalising physical assault, explicit mention of domestic violence is lacking. As such, women have few legal protections to shield them from domestic violence.[1268] According to USDOS, writing in 2018, in Iraq there is no law prohibiting domestic violence which remained a pervasive problem. Legal personnel who sought to pursue domestic violence cases under laws criminalising assault was subjected to harassment.[1269]

Domestic violence receives widespread societal acceptance in Iraq and Article 41 of the Penal Code reinforces such cultural attitudes by allowing a husband to resort to physical violence against his wife within certain limits prescribed by law or by custom.[1270] Mark Lattimer explained at EASO's practical cooperation meeting on Iraq in April 2017 that:

> 'Under the legislative environment, there are provisions under the penal code, code 11, which dates to 1969, which engrains the position of women in Iraqi society as being the property of their men. Article 41 gives husbands a legal right to punish their wives, leading to the phenomena of domestic violence across Iraq, which is extreme,

[1265] UNPF, A report on the GBV assessment in conflict affected governorates in Iraq, November 2016, url, p. 7.
[1266] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 4- 5.
[1267] UN Human Rights Council, Technical assistance provided to assist in the promotion and protection of human rights in Iraq; Report of the United Nations High Commissioner for Human Rights [A/HRC/30/66], 27 July 2015, url, p. 7.
[1268] Human Rights Watch, World Report 2018 - Iraq, 18 January 2018, url.
[1269] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1270] International Women's Human Rights Clinic at the City University of New York School of Law, et. al, Women's Human Rights Violations in Iraq, 31 August 2015, url, p. 12; MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 7.

> and across the country. In terms of the bodies of women arriving in morgues and medico-legal institutes, we think that approximately 1,000 women are killed or more every year in Iraq due to domestic violence.'[1271]

In 2011, the Kurdish parliament passed a law against domestic violence, considered as a significant advancement for women's rights in the region and providing a legal basis for a wide variety of violent acts to be prosecuted as criminal offences.[1272] USDOS noted that 'KRG law criminalizes domestic violence, including physical and psychological abuse, threats of violence, and spousal rape' and has implemented the provisions of the law, such as creating a special police force for investigating cases and shelters for victims.[1273] NGOs pointed out that the measures were not effective at combating gender-based violence.[1274]

Sources interviewed by the DIS/Landinfo during their 2018 fact-finding mission to the KRI explained that barriers for the implementation of the KRI law on domestic violence are 'the patriarchal mentality of the society as well as the discriminatory mind-set of the judges towards women' but also the fact that men hold key posts 'in politics, in the judiciary as well as in the police'.[1275] The report further noted that the rate of domestic violence has increased in the KRI due to 'abuse of mass communication, the financial crisis and the fact that women are not familiar with their basic rights yet'.[1276] In tribal areas in the KRI such as Ranya, Qaladze, Peshdar, Chamchamal and Erbil women are considered to be more under control and domestic violence is also common.[1277]

Reporting on the status of human rights in Iraq in the July to December 2017 period, UNAMI noted in there were approximately 3 400 domestic violence cases reported to the police in 2017 and 3 200 in 2016.[1278] Minority Rights Group points out women's lack of awareness of their legal rights still leaves many cases unreported. Furthermore, 'when women do file complaints or bring cases to court, endemic problems in the police and justice system often lead to outcomes in favor of men.' 'Moreover, the justice process is prone to manipulation by powerful husbands and their families. With no victim or witness protection programs in place, women are often harassed and threatened not to give evidence in the run-up to court procedures.'[1279]

MRG further notes that the overall climate of violence, deteriorating economic circumstances, the resurgence of tribalism and the militarisation of society have translated into high levels of violence perpetrated within the home.[1280] Often, but not exclusively, such violence is perpetrated by the husband. Research shows it may consist of verbal or emotional abuse, physical violence, sexual abuse, economic deprivation, control over a woman's movements, preventing the woman or girl from completing her education or from working and/or other

[1271] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, pp. 21-22.
[1272] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 9.
[1273] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1274] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1275] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 15.
[1276] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 48.
[1277] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 42.
[1278] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 12.
[1279] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 19.
[1280] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 11.

forms of abuse.[1281] MRG further adds: 'Despite the widespread prevalence of domestic violence, most victims do not report their experience to any authority. The dominant culture in Iraq views domestic violence as a private matter within the family, and even a legitimate part of married life.'[1282]

Regarding the possibility of redress for the victims of domestic violence MRG notes:

> 'Strong social taboos and family pressures prevent victims from speaking about abuse in the home and from reporting such instances to the authorities. Moreover, given the overall weakness of the judicial authorities and their low regard for female victims, women are unlikely to receive a helpful response even if they do report domestic violence.'[1283]

3.5.2 Forced and early marriage

USDOS reports that 'the legal minimum age of marriage is 15 with parental permission and 18 without' and although the government tried to enforce the law, traditional forced marriages of girls occurred throughout the country.[1284] According to UNICEF data for 2011-2016 approximately 5 % of children were married by the age of 15 and 24 % before the age of 18.[1285]

Mark Lattimer explained at EASO's practical cooperation meeting on Iraq in April 2017 that:

> 'Early marriage is another concern that is rising in Iraq. Different Iraqi officials estimate that the number of girls that are married at age 15 or below is around 10 % in areas outside Kurdistan. This is a significant rate of child marriage in Iraq. Certainly, at the age of 18 or so, about 50 % or so are likely married. There is a growing trend of marrying younger women as a measure of family security.'[1286]

According to sources interviewed during 2018 DIS/Landinfo fact-finding mission to the KRI, the average age of marriage in rural areas is 19 for men and 17 for women while in urban areas men will marry in their late twenties and women will marry around the age of 24-28 years.[1287] The same source noted that forced marriages usually take place before the age of 25 years, although in rare cases unmarried women older than 25 could also be in risk of a marriage if they have a relationship their father doesn't approve.[1288] Women cannot choose whom to marry and usually will have to agree to marry a man chosen by their family. In some cases forced marriages consist of a 'trade' in which two brothers marry two sisters or exchange marriage where 'a female is married of exchange of a bride for a male in her family.'[1289] In some case forced marriages result in the woman committing suicide.[1290]

[1281] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 11.
[1282] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 13.
[1283] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 16.
[1284] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1285] UNICEF, The State of World's Children 2017, December 2017, url, p. 191.
[1286] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 22.
[1287] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 35.
[1288] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 35.
[1289] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 35.
[1290] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 35.

The DIS/Landinfo report further noted that in the KRI forced marriage is widespread in areas like Germian, Ranya, Dohuk, Erbil and rural area around Sulaimaniyah.[1291] Child marriage is encountered among Kurdish and Arab IDPs, as fathers usually marry off daughters for economic reasons and to maintain the family's honour.[1292]

Especially in rural areas, forced and early marriages continue to take place in Kurdistan in large numbers as well. According to MRG 'the practice finds sanction in tribal traditions, such as the tradition of "*jin be jin"* (a woman for a woman), in which brides are exchanged between tribes in order to avoid the payment of dowries.'[1293] The tradition of forced marriage as a method of resolving tribal disputes is also practiced. Although illegal according to the Domestic Violence Act, these practices continue to take place because the contracts are concluded without the involvement of the courts and the justice system.[1294] The Netherlands Ministry of Foreign Affairs reports widowed women may be taken in by their own family or by their in-laws.[1295]

Musawah, a global movement for equality and justice in the Muslim family launched in February 2009, noted in a March 2014 report that rates of marriages involving minor girls have increased dramatically in Iraq since 2003, due to the deteriorating economic and security conditions, and the increase of poverty and illiteracy. The same source further stated that 'As with many countries that have set the minimum age of marriage at 18, Iraq also provides for an exception to that minimum age upon parental consent or court's authorization. This has led to the continuing practice of child marriage.'[1296] MRG also notes an increase in rates of forced and early marriages. Although both are illegal in Iraq, 'forced marriages and early marriages take place at alarmingly high rates because they are performed by clerics outside the jurisdiction of the courts'. As such, girls who find themselves in such marriages face the legal disadvantages which result from unregistered marriages.[1297]

MRG goes on to note that the phenomenon of early marriages is most pronounced in the poorer governorates of South and Central Iraq.[1298] Furthermore, 'once an early and forced marriage has been consummated, it is no longer legally void', and victims can only leave such marriages by pursuing legal measures. Since doing so could open them to retribution from their families and the law does not provide any protection for victims following a complaint, this is an option few women choose.[1299]

3.5.3 Honour-based violence

In her June 2018 report of an official visit to Iraq (14-23 November 2017) the Special Rapporteur on extrajudicial, summary or arbitrary executions defines honour killing as the 'arbitrary deprivation of life of women and girls (but possibly also men and boys) by (male) family members or tribal members, because they are deemed to have brought shame or

[1291] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 35.
[1292] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 38.
[1293] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 25.
[1294] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 25.
[1295] Netherlands Ministry of Foreign Affairs, Algemeen ambtsbericht Irak, 14 November 2016, url, p. 78.
[1296] Musawah, Musawah Thematic Report on Article 16: Iraq, February 2014, url, p. 7.
[1297] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 23.
[1298] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 20-24.
[1299] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 24.

"dishonor" on the family or tribe'.[1300] Although the scale of honour killings in Iraq is unknown due to severe underreporting, the estimates that several hundreds of girls and women become victims of honour killings in Iraq each year. The Special Rapporteur was informed that 'this issue affects all parts of the country, cutting through religious and ethnic divides, with a strong tribal element and linked with the strong patriarchal society.'[1301] UNAMI also reported in 2018 that 'the killing of women and girls to protect the "honour" of the family continued, as does the fact the police appear to be reluctant to meaningfully investigate such incidents.'[1302]

Grounded in the cultural belief that women's bodies are the site of honour and that their sexuality and movement must be strictly controlled in order to avoid bringing dishonour upon the entire family, honour crimes are acts of violence perpetrated by family members against a relative who is perceived to have brought shame upon the family or tribe.[1303] MRG reports in 2015 that women are the main victims of such crimes, which are overwhelmingly perpetrated by male family members, although occasionally males are also the victims of such violence.[1304]

Honour crimes are most often perpetrated after a woman has committed or is suspected of committing any of the following transgressions: 'engaging in friendships or pre-marital relationships with a member of the opposite sex; refusing to marry a man chosen by the family; marrying against the family's wishes; committing adultery; or being a victim of rape or kidnapping'.[1305] In Iraq, honour crimes often take the form of murder, although they also can encompass other forms of violence. Sometimes families will compel a female member accused of wrongdoing to kill herself as an alternative to carrying out the killing themselves (hence, the large numbers of female suicides, especially by self-immolation in Iraq).[1306]

Honour crimes take place in all areas of Iraq and cut across ethnic and religious lines. Because many honour crimes are unreported or disguised by the family as accidents or suicides, it is difficult to assess the true scale of their incidence.[1307] Minority Rights Group adds that 'as a general rule, crimes go unreported and unprosecuted and are seen by the police and the judicial authorities as falling within the responsibility and discretion of male family members.'[1308] If prosecution does take place, the Iraqi Penal Code allows mitigated sentences for perpetrators of crimes against women in which 'honour' was a motive.[1309]

A November 2018 DIS/Landinfo report notes that honour crimes are underreported in KRI and academic studies on the extent of the practice are lacking.[1310] Several sources explained that 'honour crimes, including honour killings are more frequent in smaller towns and rural areas

[1300] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 10.
[1301] UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her mission to Iraq [A/HRC/38/44/Add.1], 20 June 2018, url, p. 10 .
[1302] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. vii.
[1303] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 26-27.
[1304] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 26-27.
[1305] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 26.
[1306] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 26-27.
[1307] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 26-27.
[1308] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 26-27.
[1309] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 26-27.
[1310] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 10.

of KRI than in the urban areas.'[1311] However, it was also stated that people in the bigger cities Dohuk and Erbil are known to have conservative gender role attitudes, and that honour killings and other honour related crimes happen also there. In the city of Sulaymaniya honour crimes are said to be less common.[1312]

The DIS/Landinfo report further observes extramarital relationships (including premarital relationship and adultery) are unacceptable in KRI, and people are aware that it requires discretion. In general, unmarried couples, including young people know that they take a high risk by having a premarital relationship.[1313] 'Women who have had a premarital affair known to their families, or who get married without the acceptance of their families, are at risk of being killed', the report further notes - adding that the risk is enhanced if the relationship is revealed to a wider circle of people outside the family.[1314] In case of adultery, 'the least consequence for a woman will be a divorce, in the worst case she will get killed.'[1315]

Regarding men who engage in an extramarital relationship the DIS/Landinfo report notes such cases are not perceived as staining the family honour and a man in this situation can often easily escape the conflict. However, the report added that 'men are still under pressure to get married and there are cases of killings. When a man is killed in an honour conflict, it has to do with revenge or a consequence of a blood feud rather than the honour of the family. Normally in these cases, both families agree to the killing. The sources did not know of any cases where only the man in such a couple got killed and not the woman.'[1316]

The DIS/Landinfo 2018 report states that honour killings are covered by the Iraqi Penal Code No 111 of the year 1969. The articles in the penal code, providing for mitigated sentences in relation to honour crimes, were suspended in KRI in 2000. However, implementation of the laws regulating honour crimes in KRI are impeded by the patriarchal mentality of the society as well as the discriminatory mindset of the judiciary towards women. Furthermore, the lower ranks of police officers do not take women seriously when they report family conflicts and violence, and the police investigations of honour crimes are generally not taken seriously.[1317] The prosecution of the perpetrators is further undermined by the KRI's main ruling parties, who will not only protect their own members but also influential people and people who are affiliated with the party. People with money and party connections may also be able to influence the judge through political pressure, by paying bribes or providing a false alibi.[1318]

Although the principle of honour as a mitigating factor has been removed from the legal system in Kurdistan, 'the persistent power of tribal justice means that "honor" killings often

[1311] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 12.
[1312] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 12.
[1313] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 12.
[1314] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 14.
[1315] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 14.
[1316] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, pp. 22-23.
[1317] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 15.
[1318] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, pp. 15-16.

continue to go unpunished', MRG observes.[1319] Particularly in rural areas, 'honor killings continue to take place in high numbers beyond the purview of the law.'[1320] A representative of the Kurdish NGO WADI, a German NGO with operations in Iraqi Kurdistan that works to combat violence against women and improve their social and economic status, states that the law against honour killing in Kurdistan is not implemented and that the police 'will not investigate because honor crimes are regarded as family matters'. Corresponding with the Immigration and Refugee Board of Canada in January 2016 the representative of WADI said:

> 'No person who has committed honour-based violence "has ever had to serve a prison term longer than two years - provided he is sentenced to prison at all". The same source stated that in order to grant early release from prison, the judge "expects negotiations" and when they are carried out, 'they are easy because both sides are family. They agree, and the perpetrator is released".'[1321]

The same source continued that the 'prevalence and social attitudes do not differ between rural and urban areas because only a short time ago, all city dwellers used to live in the countryside.'[1322]

Addressing the resolution of tribal disputes in the south of Iraq in a 2015 paper, Haider Ala Hamoudi, Wasfi H. Al-Sharaa and Aqeel Al-Dahhan[1323] discuss honour crimes resulting from situations where a young male from one tribe seeks a relationship with a woman from another tribe without obtaining permission from their respective male kin. The authors point out that in such situations tribal leaders usually encourage and facilitate a fast marriage, in order to avoid any reputational repercussions by hiding the past relationship. The paper further adds that

> 'If however, despite the urging of tribal leaders, immediate male family members of either of the two parties (usually, the father) object to the marriage strenuously, as does occur from time to time, only one solution is possible under the tribal law. Both of the romantically involved parties are killed, and the father or nearest male relative of the woman has a right to compensation from the father of the young man on the belief, we presume, that it is the young woman who was seduced and therefore her death was the responsibility of her paramour.'[1324]

3.5.4 Female genital mutilation

According to the World Health Organization, female genital mutilation (FGM) comprises 'all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons'.[1325]

[1319] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 27-29.
[1320] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, pp. 27-29.
[1321] Canada, IRB, Iraq: Honour-based violence in the Kurdistan region; state protection and support services available to victims [IRQ105424.E], 15 February 2016, url.
[1322] Canada, IRB, Iraq: Honour-based violence in the Kurdistan region; state protection and support services available to victims [IRQ105424.E], 15 February 2016, url.
[1323] Three professors of law at the University of Pittsburgh and the University of Basra; published in Helfand, M., Negotiating State and Non-State Law – The Challenge of Global and Local Legal Pluralism, Cambridge University Press, June 2015.
[1324] Hamoudi, H. A. et.al., The Resolution of Disputes in State and Tribal Law in the South of Iraq: Toward a Cooperative Model of Pluralism, 30 March 2015, url, p. 240.
[1325] WHO, Female Genital Mutilation, 31 January 2018, url.

After studies revealed startlingly high rates of FGM in Kurdistan[1326], public debate ensued and efforts of activists culminated in the criminalising of FGM in 2011. However, the implementation of this legislation remains a major challenge, meaning that FGM continues to be practiced on substantial numbers of girls and women. Outside the Kurdish region the extent of the practice remains unclear. Recent studies carried out by local rights group point out that it takes place in other governorates as well, despite the official stance that the practice is limited to the Kurdish region.[1327] In its 2016 human rights report USDOS refers to NGO data indicating 25 % of women in the central and southern parts of the country had been subjected to FGM/C.[1328] MRG reported that up until 2015 modest progress was made in raising awareness of the health and legal consequences of FGM, reducing the prevalence of the practice in some communities. However, 'due to the fact that FGM is now illegal and bears criminal consequences, activists say that the practice has now gone underground. Communities continue to practice it, but deny it when asked about it by activists.'[1329]

Sources interviewed by the DIS/Landinfo during their 2018 fact-finding mission to KRI noted that 'the main areas where FGM still prevails are villages in northern Sulaimania, the Germian district and in villages in Erbil. Rania is one of the places where FGM still takes place.'[1330] Women, mostly midwives and elderly women, are the ones who carry out FGM and in some cases the circumcision takes places at birth.[1331]

During a fact-finding mission to the KRI in September and October 2015 The Danish Immigration Service was informed by Human Rights Watch that female genital mutilation (FGM) is particularly found in the part of KRI bordering Iran but is practiced across KRI. In some areas, however, the number has gone down after FGM was outlawed in 2011.[1332] In a July 2013 report UNICEF estimates 3.8 million women and girls have undergone FGM in Iraq.[1333] UNICEF further reports that available data 'show that FGM/C is only practiced in a few northern regions, including Erbil and Sulaymaniyah, where the majority of girls and women have undergone the procedure; it is practically non-existent in other areas of the country.'[1334]

3.5.5 Single, divorced or widowed women

In a May 2018 report the Finnish Immigration Service made the observation that

> 'The community-based culture in Iraq has a major influence on the situation of women. As men have the main responsibility for their families and family honour, most women are dependent on men for cultural reasons. Despite some change in

[1326] A 2010 Study by the German-Iraqi NGO WADI based on research conducted between 2007 and 2008 in more than 700 villages as well as urban centers in Erbil, Sulaymaniyah and Germian/ Kirkuk, revealed an overall FGM rate of 72 %. MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 32.
[1327] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 31.
[1328] USDOS, Country Report on Human Rights Practices 2016 - Iraq, 3 March 2017, url.
[1329] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 33.
[1330] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 36.
[1331] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 36.
[1332] Denmark, DIS, The Kurdistan Region of Iraq (KRI); fact finding mission, 26 September to 6 October 2015, 12 April 2016, url, p. 62.
[1333] UNICEF, Female Genital Mutilation/Cutting: A statistical overview and exploration of the dynamics of change, July 2013, url, p. 2.
[1334] UNICEF, Female Genital Mutilation/Cutting: A statistical overview and exploration of the dynamics of change, July 2013, url, p. 30.

> attitudes, women's lives are restricted by these cultural norms. Women who violate them can become victims of so-called honour violence. Living alone as a woman is not generally accepted in Iraq because it is considered inappropriate behaviour. Women can also face other legal infringements. Women also face discrimination in the labour market and education. In practice, a single woman has very poor chances of making a living independently.'[1335]

In a September 2016 article the Economist also takes note of the trend, reporting that 'between 2004 and 2014 there was one divorce for every five Iraqi marriages.'[1336] The DIS/Landinfo November 2018 notes the number of divorces in KRI has increased. However, 'to be a divorced woman in the Kurdish society is still considered to be tough and stigmatizing.'[1337] Whilst a well-educated woman with her own income and who lives in the city is able to live on her own as long as she does not have an honour conflict with her family, the deteriorating financial situation along with the societal restrictions that women are facing in Iraq, have reduced a women's ability to live on their own. Besides that, 'Erbil and Dohuk are both known as conservative regions with strict control of women.'[1338] The same report further adds that a divorced woman who lives outside the cities will not be able to live on her own. On the other hand, for widows this is accepted.[1339]

According to DFAT, writing in 2018 in the KRI 'single people, especially women, are unable for cultural reasons to rent properties on their own.'[1340] The USDOS annual human rights report (covering 2017) states that single women and widows often had problems registering their children's births, leading to problems accessing public services like food, healthcare and education.[1341]

In a November 2016 report the Netherlands Ministry of Foreign Affairs makes note of the difficult position of single, divorced or widowed women. The report states that it is customary for divorced women to return to the care their families, widowed women may be taken in by their own family or by their in-laws. In those circumstances, male relatives will act as their custodian. Women who have been repudiated by their family and lack a social support network are considerably worse off. The Netherlands Ministry of Foreign Affairs further notes that the position of single women who are self-sufficient because they have a job differs from the position of unemployed and/or uneducated women.[1342]

MRG notes in a report on violence against women in Iraq that divorce does not bring an end to the women's problems with their former husband: 'In a large number of cases, women were intimidated by their husbands into giving up their legal rights, such as support payments or child custody, in order to finalize the divorce.' Furthermore, divorced women who return to live with their families may be subject to abuse and stigma due to their status as divorced

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[1335] Finland, Finnish Immigration Service, Report on the situation of women living without a safety net provided by family or marriage (status of women; legislation; infringements against women; women as heads of households; documents, housing and shelters; protection), 22 May 2018, url, p. 1.
[1336] Economist (The), Divorce in Iraq – Breaking up in Baghdad, 17 September 2016, url.
[1337] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 13.
[1338] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 13.
[1339] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 13.
[1340] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 29.
[1341] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1342] Netherlands, Ministry of Foreign Affairs, Algemeen ambtsbericht Irak, 14 November 2016, url, p. 78.

women.[1343] As married women often rely on their husbands as the sole breadwinner, divorce places women in an economically vulnerable situation. Given the lack of employment opportunities for women, it is difficult for them to find a job. Besides that, negative social perceptions of divorced women can leave them vulnerable to sexual harassment, Minority Right Group International adds.[1344]

A factsheet published in March 2013 by the United Nations Assistance Mission for Iraq (UNAMI), in a section headed Female-Headed Households (FHHs), states:

> 'In Iraq, due to years of war and political instability, 10 % of households are headed by females who are widowed, divorced, separated, or caring for sick spouses. They represent one of the most vulnerable segments of the population and are more exposed to poverty and food insecurity as a result of lower overall income levels. More than half of Female Heads of Households (FHoH) are between the ages of 35 and 54. This segment of the population is particularly disadvantaged in terms of education and access to employment and adequate shelter.'[1345]

3.5.6 Sexual violence

According to a July 2018 UN Security Council report 'information on sexual violence remains difficult to obtain as a result of stigma against the victims and fear of reprisals.'[1346] A March 2018 Report of the Secretary-General on conflict-related sexual violence notes that Sunni women and girls living under ISIL occupation endured forced and coerced marriages, in which rape was used as a weapon of punishment for disobeying ISIL rules.[1347] Thousands of Iraqi Yazidi women and girls, captured since August 2014, were trafficked into and across the Syrian Arab Republic, where they have been used as sex slaves.[1348] In an August 2017 report UNAMI also notes large numbers of women and girls (but also some men and boys), mainly from Iraq's ethnic and religious communities, have been subjected to conflict-related sexual violence by ISIL.[1349]

According to an Amnesty International 2018 report 'women with perceived ties to IS in IDP camps, among other women from female-headed households, have been subjected to sexual violence, including rape and sexual exploitation. The primary perpetrators of these violations are armed actors working in and nearby the camps, such as security guards, military and militia personnel, who use their positions of authority to take advantage of these women's poverty and isolation.'[1350]

In its most recent report on human rights practices USDOS observes women and girls in Iraq were at times sexually exploited through so-called temporary marriages, under which a man gives the family of the girl or woman dowry money in exchange for permission to 'marry' her

[1343] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 15.
[1344] MRG, The Lost Women of Iraq: Family-based violence during armed conflict, 4 November 2015, url, p. 15.
[1345] UNAMI, Women in Iraq Factsheet, 12 March 2013, url, p. 2.
[1346] UN Security Council, Implementation of resolution 2367 (2017); Report of the Secretary-General [S/2018/677], 9 July 2018, url, p. 10.
[1347] UN Security Council, Report of the Secretary-General on conflict-related sexual violence, 23 March 2018, url, p. 13.
[1348] UN Security Council, Report of the Secretary-General on conflict-related sexual violence, 23 March 2018, url, p. 24.
[1349] UNAMI/OHCHR, Promotion and protection of rights of victims of sexual violence captured by ISIL/ or in areas controlled by ISIL in Iraq, 22 August 2017, url, p. 1.
[1350] AI, The condemned. Women and children isolated, trapped and exploited in Iraq, 17 April 2018, url, p. 27.

for a specified period.[1351] 'The traditional practice of "*fasliya*" -- whereby family members, including women and children, are traded to settle tribal disputes -- remained a problem, particularly in southern governorates.'[1352] According to KRI statistics there were 135 cases of sexual violence were reported in 2017.[1353]

See Section 3.5.3 for information on transgressions against family honour and consequences for women.

3.5.7 Women in public roles

Large differences persist in participation in the labour market between Iraqi women and men, UNAMI reported in 2013: 'only 14 % of women are working or actively seeking work compared to 73 % of men; 21 % of active females are unemployed compared to 11 % of active males. The percentage increases to 27 % for young women and is significantly higher in urban areas than in rural areas where women are mainly employed in the agricultural sector.'[1354] According to data from the International Labour Organization (ILO)(2010), published by the World Bank, Iraq was among the top five countries in the world with the lowest women's employment participation rates: Iraq (15 %), Yemen (21 %), Syria (22 %), Saudi Arabia (22 %), Pakistan (22 %).[1355]

The UN Security Council noted in a July 2018 report that 'according to the Independent High Electoral Commission, 2 009 female candidates participated in the parliamentary elections. During the campaign period, posters of female candidates were vandalised and photographs allegedly showing candidates wearing revealing clothing were posted online. Some female candidates withdrew following threats and intimidation.'[1356]

In August – September 2018 a number of prominent women was murdered in Iraq. One victim was a former beauty queen popular on social media (killed in Baghdad), another victim was a women's rights activist (killed in Basrah). Two other victims worked in beauty parlours. According to the Guardian all four victims 'had a public presence and a voice that had unsettled elements of Iraqi society, which has retained rigid views on how women should behave'.[1357] The head of the Iraqi Women Journalists Forum informed the New York Times the targeting of well-known women in Iraq had 'greatly increased'.[1358]

In a December 2017 article Al-Monitor reports that for many people in Iraq the only acceptable jobs for women are in certain home-related sectors or government departments. Women and girls who work in shops, cafes, entertainment, nursing or the transportation sector (taxi/truck drivers) are frowned upon.[1359] In a June 2017 article Niqash reports the provincial council in Wasit decided that women should not be allowed to work in cafes at night because of 'long standing and deep cultural traditions'. The head of the council stated Wasit was a conservative place and that new practices, such as employing females, cannot be

[1351] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1352] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1353] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 13.
[1354] UNAMI, Women in Iraq Factsheet, 12 March 2013, url, p. 2.
[1355] World Bank (The), World development report 2012. Gender equality and development, 2012, url, p. 199.
[1356] UN Security Council: Implementation of resolution 2367 (2017); Report of the Secretary-General [S/2018/677], 9 July 2018, url, p. 10.
[1357] Guardian (The), Deaths of high-profile Iraqi women sparks fear of conservative backlash, 2 October 2018, url.
[1358] New York Times (The), A social media star is killed in Baghdad. Iraqis fear a trend, 29 September 2018, url.
[1359] Al-Monitor, Nightclubs, cafes still risky business for Iraqi women, 5 December 2017, url.

tolerated by locals.[1360] A human rights lawyer based in Kut (Wasit) informed Niqash women in the region don't get the same employment opportunities as men. The source noted that 'even if they get a job in a government department they are often harassed, just for working', the lawyer states.[1361]

3.5.8 Women's shelters

In its most recent report on human rights USDOS observes that in most areas in Iraq there were few or no publicly provided women's shelters. In the absence of shelters, authorities often detained or imprisoned sexual harassment victims for their own protection. Some women, without alternatives, became homeless.[1362] According to UNAMI, resources to publicly fund shelters for women across Iraq remain limited. In October 2017, a women's shelter in Baghdad was attacked by an armed group comprising of about 50 persons, allegedly including some from the ISF.[1363]

The DIS/Landinfo 2018 report noted there is a shelter for women in each of the bigger cities in KRI: Erbil, Sulaimaniyah and Dohuk. These shelters are run by the KRG authority the Directorate of Combating Violence Against Women (DCVAW). The capacity for each centre is approximately 20 to 40 women. According to DCVAW access to their centres normally requires a court order. However, in urgent cases a woman can access the shelter directly with a court order being filed subsequently. The women in the shelters are not allowed to leave the shelter without a court order. Whilst shelters run by NGOs in KRI have experienced attacks from victims' families, 'shelters run by the state are less inclined to be attacked, because the state is seen as a stronger protector than the private actors.'[1364] The same source further remarks many women are reluctant to go to a shelter, because women in the shelters are seen as outcasts.[1365]

3.6 Tribal conflict

In a 2007 article Hussein D. Hassan, an information research specialist for the US Congressional Research Service (CRS), states that Iraq is home to approximately 150 tribes that are composed of about 2 000 smaller clans, with varying sizes and influence. While the largest tribe numbers more than one million people; the smallest number a few thousand. 75 % of the total Iraqi population are members of a tribe or have kinship to one.[1366] In a 2015 paper Haider Ala Hamoudi, Wasfi H. Al-Sharaa and Aqeel Al-Dahhan note that Iraq's 150 existing tribes continue to provide an important source of order throughout much of Iraq. According to the authors, tribal authority increases when the state is weak. They describe how tribal resolution procedures are applied to prevent interpersonal disputes from escalating into

[1360] Niqash, An immoral trade: Wasit council bans women from working in cafés, 8 June 2017, url.
[1361] Niqash, An immoral trade: Wasit council bans women from working in cafés, 8 June 2017, url.
[1362] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1363] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, pp. 12-13.
[1364] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 18.
[1365] Denmark, DIS, Norway, Landinfo, Kurdistan Region of Iraq (KRI): Women and men in honour-related conflicts, 9 November 2018, url, p. 19.
[1366] US, CRS, Iraq: Tribal Structure, Social, and Political Activities, 7 April 2008, url, p. 1.

intertribal conflict.[1367] The study also remarks that urban elites often dismiss their tribal affiliation as irrelevant, whilst among rural populations it bears particular importance.[1368]

According to an Iraq analyst interviewed by the DIS/Landinfo 2018 mission to KRI more than 70 % of Iraqis identify themselves as members of a tribe, which is traceable by the person's last name.[1369] The same source further stated that 'in a tribal conflict, religion and ethnic issues do not matter as much as it is a question of honour.'[1370]

An October 2018 DFAT report notes that particularly in the poorer areas of the south and west, tribal culture continues to play an important role in dispute resolution. Some Iraqi citizens turn to tribal groups to dispense justice rather than seeking redress through official judicial bodies.[1371] USDOS noted that kidnappings and the practice of *fasliya* - whereby family members, including women and children, are traded to settle tribal disputes - occurred during 2017 in tribal conflicts, particularly in southern governorates.[1372] The same source further mentioned four tribal dispute-linked kidnappings during the year that took place in Basrah.[1373]

In 2018 Foreign Policy reported on a particularly unstable situation in Basrah where tribal disputes spill over into violent clashes. Neighbourhoods are turned into conflict zones and local security forces rarely intervene. The government has resorted to short-term military actions to stabilise the situation temporarily.[1374] AFP also reported on the situation and described a 'never-ending cycle of revenge attacks' in Basrah where tribal feuds flared into battles with the usage of heavy arms that kill bystanders.[1375]

In December 2016, UNAMI noted an increase in the number of tribal clashes in southern Iraq. Such clashes may result in armed confrontations, which in turn can result in deaths and injuries, including of innocent bystanders. UNAMI further explained that 'tribes frequently come into conflict with one another over issues such as land use and ownership, inter-and intra-family disputes and historic inter-tribal animosities.'[1376]

In a 2011 article published in The Middle East Journal Katherine Blue Carroll, an Assistant Professor of Political Science at Vanderbilt University in Nashville, Tennessee and a former member of a Human Terrain Team supporting the U.S. Military in Iraq, notes that given the weakness of the new Iraqi state, and in particular its legal system, tribal law surged in to fill the gap. She observes many of Iraq's tribes have printed their legal codes in formal documents that may be voted into effect by the tribe's senior members. According to Katherine Blue Carroll there is 'relatively little variation in the structure, specifics, or processes of law from tribe to tribe, and this facilitates the settlement of disputes between them'.[1377] The article

[1367] Hamoudi, H. A. et.al., The Resolution of Disputes in State and Tribal Law in the South of Iraq: Toward a Cooperative Model of Pluralism, 30 March 2015, url, pp. 228-240.
[1368] Hamoudi, H. A. et.al., The Resolution of Disputes in State and Tribal Law in the South of Iraq: Toward a Cooperative Model of Pluralism, 30 March 2015, url, p. 229.
[1369] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[1370] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[1371] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, pp. 26-27.
[1372] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1373] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1374] Foreign Policy, Northern Iraq May Be Free, but the South Is Seething, 9 November 2018, url.
[1375] AFP, Tribal feuds spread fear in Iraqs Basra, 1 January 2018, url.
[1376] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, p. 32.
[1377] Carroll, K. B., Tribal Law and Reconciliation in the New Iraq, Winter 2011, url, p. 12.

goes on to explain that reconciliation processes centre on '*shayks* working with the parties involved:

> 1) to determine the facts of the case
> 2) with reference to tribal legal codes, to set out the amount of money that the perpetrator's tribe or family must pay to the victim's to avoid retribution (often referred to as "blood money" in English but called either *fasel* or the Qur'anic term *diya* in Iraq)
> 3) to enact communal rituals of reconciliation. The Arabic term for this entire process is *sulha*, or settlement, but Iraqis often use the term *fasel* to refer not only to the "blood money" paid but also to the process for determining its amount.'[1378]

Katherine Blue Carroll further explains that the ultimate goal of tribal mediation is to restore peace through restoring honour, thus avoiding feuds.[1379]

In a May 2011 article Niqash observes that 'in modern Iraq, many legal and religious authorities are generally happy to accept resolutions made by tribal law because of the way it is able to solve social problems holistically and consensually as well as come up with quick solutions that don't require government involvement or bureaucracy.'[1380] The article further notes that tribal law is not written down anywhere, 'although research indicates that most tribes appear to use similar code'.[1381]

3.6.1 Blood feud

According to the Iraq analyst interviewed by the DIS/Landinfo 2018 mission to KRI, tribes can be heavily armed and tribal violence is often the grassroots reason to the outburst of conflict in the Iraqi society.[1382] Tribal conflicts can be triggered by a number of reasons. The Iraq analyst stated that inter-tribal killings (killing members of another tribe) will put a target on the perpetrators, as well as his tribe.[1383] Niqash reported that the current political instability has increased the onset of tribal conflicts, and in Basrah tribal conflicts could erupt over less severe situations than murders and honour related questions, such as business disputes, state construction contracts, or even football matches.[1384]

Tribal conflict is often settled by paying compensation in the form of 'blood money' in order to avoid 'endless killing among tribes', although it's considered to be more difficult to resolve conflict between different ethnic or religious tribes, such as a Shia tribe and a Sunni tribe.[1385] Other sources noted that women sometimes are awarded as compensation in tribal disputes,

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[1378] Carroll, K. B., Tribal Law and Reconciliation in the New Iraq, Winter 2011, url, p. 12.
[1379] Carroll, K. B., Tribal Law and Reconciliation in the New Iraq, Winter 2011, url, p. 13.
[1380] Niqash, Justice served, tribal law trumping civil in modern Iraq, 12 May 2011, url.
[1381] Niqash, Justice served, tribal law trumping civil in modern Iraq, 12 May 2011, url.
[1382] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[1383] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[1384] Niqash, In Basra, 'Terrorism By Tradition' Causes Fear And Waste, 22 March 2017, url; Niqash, Iraqi Tribes Take Law Into Own Hands, Make Facebook Trolls Pay, 13 July 2017, url; AlAraby, Tribal feuds spread fear in Iraq's Basra province, 15 January 2018, url; Reuters, Tribal clashes, political void threaten oil installations in Iraq's south, 11 September 2017, url; Daily Mail, Tribal feuds spread fear in Iraq's Basra, 19 January 2018, url.
[1385] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.

called *fasliya* marriage.[1386] According to an article from Al-Monitor, women who enter *fasliya* marriages are stripped from all of their rights, even the right to divorce or separate from their husband.[1387]

Concerning persons who do not comply with the will of their tribe, an Iraq analyst interviewed in 2018 by the DIS/Landinfo FFM indicated that they are either being 'shot, ostracised or disowned and expelled' from the tribe and be forbidden to reside in specific areas.[1388] The same source noted that persons fleeing from tribal violence in Basrah could be safe in Baghdad, Anbar and the KRI, whereas in the southern regions there would not be any possibility to seek protection by the authorities.[1389]

The Iraq analyst further stated that sometimes a minor act, such as criticising a tribe member on Facebook can get a person expelled from the tribal community.[1390] An article on Niqash confirmed that Facebook activity has caused 'real-life' violence in Iraq. It reported that southern tribes were sending out fines to persons posting inappropriate comments. In one case a man from Wasit was reportedly forced to pay 10 million IQD (around USD 8 400) after his son posted a 'social unacceptable' statement about a girl he intended to propose to, using the wording 'remembering good old days' which her parents interpreted as an insult and an allegation that their daughter had had many lovers.[1391] In 2016 Iraqi News reported that 500 refugee families feared returning to Diyala over an unresolved tribal blood feud dating back to 2006.[1392]

International corporations, corrupt officials and tribal leaders collude in Basrah over money and power. The tribal conflicts are affecting the economy of southern Iraq economy as some foreign companies and oil refineries have suspended their operations in the area, and workers refused to work due to security concerns.[1393] The Norwegian Refugee Council (NRC) writes that Basrah tribes are known to be well-armed and clashes are the main source of violence in the area.[1394] Arab News reported in April 2018 on corruption and extortion in the Iraqi oil sector noting that 'Basra's prominent clans have been paid more than $105 million as part of a racketeering scheme disguised as state-backed compensation.'[1395] During the July 2018 demonstrations against foreign and local oil companies in Basrah protesters 'were targeting operations at key energy-sector facilities demanding jobs and improved services'.[1396] According to a Middle East Eye article 'the protests in Basra are part of a conflict between the periphery and capital, between the government and oil companies on one hand, and the Basra region, on the other. Dhurgham Al-Maliki, sheikh of the Bani Malik tribe, and Muzahim al-

[1386] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, pp. 26-27; Al-Monitor, Blood money marriage makes comeback in Iraq , 18 June 2015, url.
[1387] Al-Monitor, Blood money marriage makes comeback in Iraq, 18 June 2015, url.
[1388] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[1389] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[1390] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[1391] Niqash, Social Media Justice: Iraqi Tribes Take Law Into Own Hands, Make Facebook Trolls Pay, 13 July 2017, url.
[1392] Iraqi News, 500 refugee families fear return to Diyala over blood feud, 4 December 2016, url.
[1393] Reuters, Tribal clashes, political void threaten oil installations in Iraq's south, 11 September 2017, url; Daily Mail, Tribal feuds spread fear in Iraq's Basra, 19 January 2018, url.
[1394] NRC, Basra Fact Finding Mission Report #1, 9 September 2018, url, p. 4.
[1395] Arab News, Oil firms' multimillion-dollar bribery racket bringing death to the streets of Iraq's Basra, April 4 , 2018, url.
[1396] Washington Post (The), Protests are mounting in Iraq. Why?, 21 July 2018, url.

Tamimi, sheikh of the Bani Tamim, two of Basra's largest tribes, have emerged as the representatives of the protesters.'[1397]

After police opened fire against the protesters in July 2018 and one man was killed, more than 13 tribes were backing the request of the victim's tribe for punishment against the perpetrators. This led to tribes blocking roads to restrict the movement of the workers in the oil and gas sector and evacuation of staff from the area by oil companies.[1398] Other sources reported on the killing of an employee in the oil sector near his home in Basrah by gunmen in January 2018 and an incident in 2017 in which a minibus with employees of an oil company travelling to Basra was attacked by armed men in a pickup truck.[1399] In 2017 tribal fighting was reported between rival Shia tribes over 'farmland, state construction contracts and land ownership' which threatened security at oil installations in the south.[1400]

3.6.2 People transgressing tribal norms

An October 2018 DFAT report notes that women who transgress tribal customs face harsh punishment.[1401] In a July 2017 article Niqash reports that socially unacceptable activities on Facebook, including clicking on the like button of an objectionable Facebook post, may result in tribal sanction, involving hefty financial compensation. The article mentions a tribal agreement amongst various tribes in southern Iraq on the subject.[1402]

In 2016 tribal agreements were reported to have been reached by representatives of tribes in a number of governorates, which included a provision for families connected to ISIL to be subjected to forced eviction and confiscation of their property.[1403] Distribution of night letters warning families of affiliated ISIL members to leave or face forced expulsion have been reported in Salahadin and Ninewa governorates and Mosul city.[1404] An Iraq analyst interviewed during the 2018 DIS/Landinfo FFM to KRI explained that revenge attacks against tribes perceived to have been collaborated with ISIL were a 'consequence of tribal conflicts between Sunni and Shia tribes or as a consequence of that ISIS successfully has split Sunni tribes'.[1405]

In a November 2017 article AFP notes that defeated members of ISIL in Anbar province face tribal justice. Local tribes have agreed 'to treat with utmost severity those members who became militants'.[1406] In contrast, sheikhs and tribes in and around Hawija (Kirkuk Governorate) pledged to forego traditional justice in dealing with ISIL fighters and agreed to make use of Iraq's formal legal system, Fred Strasser reports in a June 2017 report published by the United States Institute of Peace.[1407] Reporting on the situation of family members of

[1397] Middle East Eye, What's behind Iraq's Basra protests?, 7 September 2018, url.
[1398] Arab News, Iraqi tribes put more pressure on oil companies in Basra, 12 Juley 2018, url.
[1399] Arab News, Oil firms' multimillion-dollar bribery racket bringing death to the streets of Iraq's Basra, April 4 , 2018, url.
[1400] Reuters, Tribal clashes, political void threaten oil installations in Iraq's south, 11 September 2017, url.
[1401] Australia, DFAT Country Information Report Iraq, 9 October 2018, url, p. 28.
[1402] Niqash, Social media justice: Iraqi tribes take law into own hands, make Facebook trolls pay, 13 July 2017, url.
[1403] UNAMI/OHCHR, Promotion and Protection of Rights of Victims of Sexual Violence Captured by ISIL/or in Areas Controlled by ISIL in Iraq, 22 August 2017, url, pp. 7-8.
[1404] UN OHCHR, OHCHR Briefing Note on Iraq, 30 June 2017, url.
[1405] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 48.
[1406] AFP, Tribal justice awaits returning Iraqis who joined ISIS, 14 November 2017, url.
[1407] Strasser, F., Iraqi tribes sharpen legal tools to root out ISIS, 22 June 2017, url.

ISIL fighters Human Rights Watch notes in January 2017 that tribal leaders in Anbar are blocking their return home.[1408]

For more information on tribal dispute resolution see EASO COI Report, Iraq: Actors of Protection.

3.7 People with disabilities

In a December 2016 report on the rights of persons with disabilities UNAMI notes a lack of reliable statistics, benchmarks and data collection systems, making it difficult to obtain a clear picture of the community of persons with disabilities in Iraq.[1409] In a 2011 report the World Health Organization estimates that 0.9 % of Iraq's population is affected by disabilities[1410] or about 4 million people.[1411] UNAMI further notes that the figure of people with disabilities has been constantly increasing, mainly due to ongoing violence, conflict and acts of terrorism.[1412]

3.7.1 Discrimination of people with disabilities

Reporting on the status of human rights in Iraq in the July to December 2017 period UNAMI notes that persons with disabilities continue to face significant challenges in Iraq, 'including social, economic, and political discrimination, all of which are detrimental to the full enjoyment of their rights as Iraqi citizens'.[1413] UNAMI further reports that, in addition to lacking adequate opportunities and protection, persons with disabilities face a wide array of societal discrimination. The prevailing perception among the public is to treat persons with disabilities as charity. This often leads to isolation of persons with disabilities and exacerbates negative psychological effects.[1414]

USDOS noted that were reports that persons with disabilities experienced discrimination due to social stigma and 'many children with disabilities dropped out of public school due to insufficient physical access to school buildings, a lack of appropriate learning materials in schools, and a shortage of teachers qualified to work with children with developmental or intellectual disabilities.'[1415] According to UNAMI persons with disabilities 'face common experiences of often multiple, intersecting and aggravated forms of discrimination which hinder, prevent or impair their full enjoyment of their rights and their full and equal participation in all aspects of society'.[1416] In a December 2016 report for MRG Ahmed Hassin and Mays Al-Juboori note that people with disabilities face discrimination in accessing services and facilities to address medical or rehabilitative needs. People with disabilities who are internally displaced face multiple discrimination.[1417]

The United States Agency for International Development (USAID) noted in a March 2014 report that people with disabilities in Iraq face social, economic, and political marginalisation.

[1408] Human Rights Watch, The plight of those related to ISIS fighters, 11 January 2017, url.
[1409] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, p. 2.
[1410] WHO, World report on disability, 2011, url, p. 273.
[1411] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, p. 3.
[1412] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, pp. 3- 4.
[1413] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 16.
[1414] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 16.
[1415] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1416] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, p. 3.
[1417] MRG/Ceasefire Centre for Civilian Rights, Humanitarian challenges in Iraq's displacement crisis, 22 December 2016, url, pp. 25-26.

The same source mentions that 'the disabled are often kept hidden away in their homes with little exposure to the rest of society. Most Iraqis with disabilities are socially and economically excluded because of the lack of infrastructure, medical care, prosthetic equipment, and social and rehabilitation services. While not all Iraqis with disabilities are marginalized, the majority of them are.'[1418] Furthermore, the chances of employment are rare for people with disabilities. If employed, they are often relegated to low-skilled, low- paid job.[1419] According to USAID, 'the vast majority (estimated at 90 %) of Iraqis with disabilities live in poverty.' Most often his/her family is the only support that a person with disability will have. As such, all respondents contacted by USAID perceive the family as the core contributor – either benefiting or limiting- to their health, safety and enjoyment of life. USAID further notes that families function within a wider social context that discriminates against people with disabilities and frames their families' treatment of them:

> 'Tribal masculine culture alongside religious conservatism dominates Iraqi society. Rigorous gender roles, separation of men and women (especially in public places), cultural norms that confine women to the private sphere and expectations of heightened masculinity all have a direct impact on Iraqis. These dovetail with discriminating social attitudes towards people with disabilities to exacerbate the difficulties they face living in Iraq.'[1420]

Discussing civil society support for people with disabilities, USAID reports such groups in Iraq 'suffer from lack of or irregular funding' but noted that civil society has a longer history in the KRI, so civil society support for people with disabilities is 'more established' in the region than in other areas of Iraq. The same source remarked that in the KRI 'only 2 % of people with disabilities do not receive the social security salary. Although the legislation is equal for men and women, the implementation of the law takes discriminative forms.'[1421]

3.7.2 Health care for people with disabilities

A December 2017 report by the Carnegie Endowment for International Peace noted that Iraq's already compromised public health system is struggling to provide adequate support to the growing number of people with disabilities and chronic diseases. At 3 % of GDP, the share of Iraq's budget allocated to the health sector is low compared to other Middle East and North African countries. Government-run facilities that treat long-term disabilities struggle to provide cost-free treatments.[1422]

Discussing the possibility to live independently and to be included in the community, UNAMI remarks that the Iraqi health care system appears overstretched and suffers from lack of infrastructure, equipment and capacity.[1423] The same source further states that 'the psycho-social health sector in particular is perceived to lack specialized and trained staff and is under-resourced.' Such is the result of increased poverty, due to the conflict, the international sanctions regime during the 1990s, as well as the targeting of medical and paramedical professionals during 2003-2008, which led to a 'brain-drain' of specialised health professionals.[1424] Some of the NGOs interviewed by UNAMI also note the limited help families

[1418] USAID, Iraq access to justice program, March 2014, url, p. 11.
[1419] USAID, Iraq access to justice program, March 2014, url, p. 23.
[1420] USAID, Iraq access to justice program, March 2014, url, p. 21.
[1421] USAID, Iraq access to justice program, March 2014, url, p. 26.
[1422] Boskovitch, A., A struggle to care for Iraq's disabled, 20 December 2017, url.
[1423] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, pp. 11-14.
[1424] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, p. 11.

of persons with disabilities receive from the State to support them. Civil society organisations working on disability rights reported to UNAMI that they received limited or no state financial support. Respondents to the questionnaire UNAMI sent out acknowledged that some health care facilities were available for persons with disabilities. However, these services seemed to be decreasing, were mostly available in larger urban centres, and tended to focus on persons with physical disabilities.[1425] USAID notes the limited number of doctors available in Iraq stating that 'In the Muslim world, Iraq's doctor-patient ratio was higher only than Afghanistan, Djibouti, Morocco, Somalia and Yemen.'[1426]

Persons with disabilities can get an allocation of USD 35 per month. If the impairment is acquired as a result of previous or current conflicts, the disability pension ranges from USD 250 to USD 750 per month. Persons who acquired their disability as a result of terrorist attacks are eligible to receive a lump-sum payment of USD 3 500, in addition to a USD 350 monthly payment. UNAMI, however, remarks that challenges in claiming these benefits are numerous.[1427] In an August 2015 article Al-Monitor reports that disabled people face neglect and isolation in Iraq and dire poverty leads some of them to street begging.[1428] Ahmed Hassin and Mays Al-Juboori noted that disabled women and girls are not entitled to social security payments if they are married or if their father is alive.[1429]

USAID notes that persons with disabilities encountered obstacles to obtaining cash transfer benefits. These obstacles include difficulties obtaining the required documentation (including a medical assessment report) and the accessibility and the bureaucratic processes of government offices and services. The social security pension can be inadequate as a sole income and as a consequence many people with disabilities do not see the point in applying.[1430] USAID further notes that specialised institutions for children with disabilities exist in the KRI's major cities (*e.g.* Dahuk, Erbil, Sulaymaniyah), but such facilities are missing from rural areas. Such is also the case in Iraq's central and southern regions. Although, approximately 25 % of government schools have special needs classes, schools are generally unequipped for the needs of children with disabilities.[1431]

In a March 2014 article Al-Monitor discusses the limited capabilities of the Iraqi health care system when it comes to diagnosing autism or treating it properly.[1432]

In a March 2013 article the medical journal The Lancet notes the significance of mental health problems among the many adult survivors of trauma in both Iraqi Kurdistan and southern Iraq. In both regions most participants described substantial symptoms of depression, anxiety, and post-traumatic stress. The Lancet reports that the Iraq mental health system is unable to meet these needs:

> 'The system is hospital-based and relies on psychiatrists providing inpatient and outpatient services even though there is only one long-term care hospital in the country—the Al Rashid Hospital in Baghdad. Previous reports have estimated that

[1425] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, pp. 11-14.
[1426] USAID, Iraq access to justice program, March 2014, url, p. 10.
[1427] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, pp. 17-18.
[1428] Al-Monitor, Iraq's disabled lack basic help, 11 August 2015, url.
[1429] MRG/Ceasefire Centre for Civilian Rights, Humanitarian challenges in Iraq's displacement crisis, 22 December 2016, url, p. 25.
[1430] USAID, Iraq access to justice program, March 2014, url, pp. 15-19.
[1431] USAID, Iraq access to justice program, March 2014, url, p. 22.
[1432] Al-Monitor, Iraq government fails to address rise in autism, 4 March 2014, url.

> there are fewer than 100 psychiatrists in all of Iraq and most of them have little formal training in child and adolescent mental health. Other mental health professionals, such as clinical psychologists or social workers, do not exist at levels of any significance in the mental health care system. Psychiatrists in both regions report that treatment is limited almost exclusively to drugs, partly because of drug-focused training and partly because other therapies are too time consuming.'[1433]

3.7.3 Violence against persons with disabilities

In a 2012 report the World Health Organization (WHO) noted that, although robust studies are absent for most regions of the world, adults with disabilities are at a higher risk of violence than are non-disabled adults, and those with mental illnesses could be particularly vulnerable.[1434] A July 2012 WHO study found that overall children with disabilities are almost four times more likely to experience violence than non-disabled children. Children with mental or intellectual impairments appear to be among the most vulnerable.[1435]

All respondents contacted by USAID in 2014 perceived the family as the core contributor – either benefiting or limiting- to their health, safety and enjoyment of life.[1436] One of UNAMI's interviewees mentioned cases of persons with disabilities exposed to domestic violence.[1437] In a March 2014 article an administrative assistant for the Iraqi Institute for Autism, a community centre that was established to treat autistic children, informed Al-Monitor that the majority of the centre's clients have been victims of domestic violence.[1438]

In February 2015, an expert of the UN Committee on the Rights of the Child informed Reuters that ISIL used children who are mentally disabled to commit suicide bombings.[1439]

3.8 Children

Reporting on the status of human rights in Iraq in the July to December 2017 period UNAMI notes armed conflict and violence continued to impact the lives of children, especially in Ninewa Governorate. Children were exposed to the use of IEDs, including suicide bombers, recruitment by non-state actors (including ISIL), attacks on schools, abduction and sexual violence.[1440] DFAT noted that violence in Iraq continues to affect children, stating that

> 'Children have been killed or injured in attacks specifically targeting schools and playgrounds. Violence has weakened institutions and systems of physically, social and legal protection in most parts of the country. The loss of parents and caregivers due to conflict has made children vulnerable to harassment, exploitation and abuse. Children in areas controlled by ISIL have been traumatized and recruited.' [1441]

[1433] Bolton, P., Mental health in Iraq: issues and challenges, The Lancet, Volume 3181, Issue 9870, 16 March 2013, url.
[1434] WHO, Prevalence and risk of violence against adults with disabilities, 28 February 2012, url, p. 2.
[1435] WHO, Violence against adults and children with disabilities, 2012, url.
[1436] USAID, Iraq access to justice program , March 2014, url, p. 20.
[1437] UNAMI/OHCHR, Report on the Rights of Persons with Disabilities in Iraq, December 2016, url, p. 7.
[1438] Al-Monitor, Iraq government fails to address rise in autism, 4 March 2014, url.
[1439] Reuters, Islamic State selling, crucifying, burying children alive in Iraq – UN, 4 February 2015, url; Independent (The), Isis militants are using mentally challenged children as suicide bombers and crucifying others, says UN body, 5 February 2015, url.
[1440] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2017, 8 July 2018, url, p. 2.
[1441] Australia, DFAT Country Information Report Iraq, 26 June 2017, p. 22.

The report further states child labour and child marriage remain significant problems.[1442] In a June 2017 report, Save the Children, a humanitarian organisation advocating children's rights, reported on what it called a mental health crisis among conflict-affected children in Iraq.[1443] Children who endured the reign of ISIL for several years display multitudinous psychosocial issues, according to the same source.[1444]

3.8.1 Child recruitment

In a May 2018 report on the impact of armed conflict on children the UN Secretary-General makes note of 523 cases of child recruitment by parties to conflict in Iraq in 2017. The same source further stated that 'cases of recruitment involving 59 children, including 8 girls, were attributed to ISIL. Children were used as suicide bombers and combatants, for logistics and manufacturing explosive devices, and as wives for fighters.'[1445] A total of 35 boys were recruited by unidentified armed groups, 9 by the People's Defense Forces — the armed wing of the Kurdish Workers Party (PKK), 4 by the Sinjar Resistance Units, 1 by Protection Force of Ezidkhan and 1 by Zeravani forces, part of the Peshmerga.[1446] The UN Secretary-General also mentions credible reports from the south of Iraq, specifically Najaf and Diwaniyah, in which groups under the umbrella of PMU organised military training for boys aged 15 and above.[1447]

Reporting on events in 2016 the UN Secretary-General stated that at least 168 boys were reportedly recruited and used by parties to the conflict, including ISIL, the People's Defense Forces of the Kurdish Workers Party and the PMUs. Furthermore, 40 verified cases were attributed to ISIL. Children were also allegedly used as human shields by ISIL.[1448] The report further writes that 'a total of 57 children were recruited and used by groups operating under the umbrella of the Popular Mobilization Forces, most of whom received military training and were deployed for combat, while 12 children were recruited by tribal mobilization groups, including from internally displaced persons camps.'[1449]

A February 2018 study published by the United Nations University reports that ISIL heavily recruited children whom it calls Cubs of the Caliphate. The Monitoring and Reporting Mechanism (MRM) established by the United Nations documented ISIL's recruitment of children as young as seven for combat roles. [1450] The same source further noted that 'in general, ISIS uses a biological rather than a numerical definition of adulthood that is based on perceptions of an individual's strength and physical maturity.' Interviewees from IS-controlled areas report that children who wish to enlist are inspected for signs of puberty, and 'if they have armpit hair and are able to carry a weapon, they are considered old enough to fight.'[1451] In a June 2017 article, the Economist reports ISIL recruited thousands of children in Iraq and

[1442] Australia, DFAT Country Information Report Iraq, 26 June 2017, p. 22.
[1443] Save The Children, An Unbearable Reality: The impact of war and displacement on children's mental health in Iraq, 15 June 2017, url, p. 37.
[1444] Save The Children, An Unbearable Reality: The impact of war and displacement on children's mental health in Iraq, 15 June 2017, url, pp. 7-11.
[1445] UN General Assembly, Children and armed conflict [A/72/865-S/2018/465], 16 May 2018, url, p. 12.
[1446] UN General Assembly, Children and armed conflict [A/72/865-S/2018/465], 16 May 2018, url, p. 12.
[1447] UN General Assembly, Children and armed conflict [A/72/865-S/2018/465], 16 May 2018, url, p. 13.
[1448] UN General Assembly, Children and armed conflict [A/72/361–S/2017/821], 24 August 2017, url, p. 12.
[1449] UN General Assembly, Children and armed conflict [A/72/361–S/2017/821], 24 August 2017, url, p. 12.
[1450] O'Neil, S. and van Broeckhoven, K., Cradled by conflict – Child involvement with armed groups in contemporary conflict, February 2018, url, pp. 109-110.
[1451] O'Neil, S. and van Broeckhoven, K., Cradled by conflict – Child involvement with armed groups in contemporary conflict, February 2018, url, pp. 109-110.

Syria. Whilst many have been dispatched to the front, others work as spies, bomb-makers, cooks or prison guards. In extreme cases, children have executed prisoners. The Economist adds that 'thousands more have been exposed to the group's warped ideology at ISIS-sponsored schools.'[1452]

The aforementioned February 2018 study published by the United Nations University indicates that the PMUs recruit few children. The Sinjar Resistance Units, a Yazidi militia associated with PKK Peshmerga recruit some children, albeit not on the scale that ISIL has.[1453]

USDOS, writing in 2018, noted that 'children remain highly 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 Workers' Party (PKK), and Iran-backed militias.'[1454] There have been reports that PMUs units recruited and used children in militia activities and manning checkpoints or providing support at checkpoints.[1455]

The USDOS country report on Human Rights practices in 2017 specifies that some armed militia groups, under the banner of the PMU, provided weapons training and military-style physical fitness conditioning to children under the age 18. Although the government and Shia religious leaders expressly forbid children under age 18 from serving in combat, there was evidence on social media of children serving in combat positions.[1456] In October 2017, the UN Security Council states that cases of recruitment and use of children, reportedly by those operating under the PMUs, have been reported in the south of Kirkuk.[1457] In a September 2017 report the US Department of Labor notes: 'Sunni tribal forces and other armed groups, including the Iran backed militias, the Women's Protection Units (YPJ), the Sinjar Resistance Units (YBS), People's Defense Forces (HPG), and the Kurdistan Workers' Party (PKK) accepted child volunteers into their ranks.'[1458]

The USDOS country report on Human Rights practices in Iraq in 2016 notes that 'children continued to be associated with the PMF and militias in conflict areas.'[1459] On social media there was evidence of children serving in combat positions. For example, the official 'Ideological Guidance' page of the PMU website lauded a 14-year-old volunteer from Basrah for fighting alongside his father in Fallujah. The head of a Basrah NGO visited PMU units in Salah al-Din, where she encountered teenage volunteers serving on the front lines. The United Nations verified 12 reported cases of recruitment of children by militias affiliated with the PMU, all of whom had been killed in combat.[1460]

In November 2016, Human Rights Watch reported that the Sunni tribal militia Farsan al-Jubour recruited at least ten children in Debaga camp (Erbil governorate).[1461] In October 2015, Human Rights Watch reports that Shia militia within the PMU send children into combat. AAH and

[1452] Economist (The), What to do with Islamic State's child soldiers, 17 June 2017, url.
[1453] O'Neil, S. and van Broeckhoven, K., Cradled by conflict – Child involvement with armed groups in contemporary conflict, February 2018, url, p. 114.
[1454] USDOS, Trafficking in Persons Report 2018 - Country Narratives - Iraq, 28 June 2018, url.
[1455] US Department of Labor, 2017 Findings on the Worst Forms of Child Labor - Iraq, 20 September 2018, url, p. 2.
[1456] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1457] UN Security Council, Report of the Secretary-General pursuant to resolution 2367 (2017), 19 October 2017, url, p. 9.
[1458] US Department of Labor, 2016 Findings on the Worst Forms of Child Labor - Iraq, 30 September 2017, url, p. 2.
[1459] USDOS, Country Report on Human Rights Practices 2016 - Iraq, 3 March 2017, url.
[1460] USDOS, Country Report on Human Rights Practices 2016 - Iraq, 3 March 2017, url.
[1461] Human Rights Watch, Iraq: Militias held, beat villagers- Recruited children as fighters from camp for displaced people, 20 November 2016, url.

Badr Organization are cited as militia using child soldiers.[1462] Reporting on Human Rights practices in Iraq in 2015 USDOS mentions reports of dozens of camps around the country with hundreds of students training to join the PMU. A spokesperson of the Prime Minister's Office noted isolated incidents of underage fighters joining combat on their own but indicated that the government does not condone this. According to observers there was no official encouragement for children to join militias, child recruitment occurred infrequently and was generally due to family or peer encouragement.[1463] In August 2014 UNAMI also noted the recruitment of children:

> 'Children have also increasingly been recruited and used by other armed groups, including "pro-Government" groups, in many conflict-affected areas, as well as in Shi'a-dominated areas of Baghdad. Similar reports have also been received from Basra. Witnesses, including United Nations staff, have seen children staffing illegal checkpoints, armed and wearing military uniforms.'[1464]

3.8.2 Child labour

In a September 2018 report the US Department of Labor reported that 'children in Iraq engage in the worst forms of child labour, including in armed conflict and commercial sexual exploitation, each sometimes as a result of human trafficking.'[1465] According to data from 2011 cited by the same report, 75 % of Iraqi children between 5 and 14 years of age attend school, 4.2 % combine work and school, whilst 5.3 % work without attending school.[1466] UNICEF stated that more than half a million Iraqi children are estimated to be at work rather than at school, Reuters reports in July 2016.[1467] In a March 2016 report MRG notes that child labour especially affects IDP children.[1468]

According to an August 2016 article in Rudaw, the number of underage workers has increased in Kurdistan's larger cities, partly due to the influx of displaced families from Iraq and Syria. The Kurdistan Region's Ministry of Social Affairs announced legal action to curb this trend.[1469]

3.8.3 Child marriage

See section 3.5.2.

3.8.4 Violence against children

In a May 2018 report on the impact of armed conflict on children the UN Secretary-General points out killing and maiming remain the most prevalent violations against children witnessed in Iraq. In 2017 717 child casualties were verified, resulting in 279 children being killed (143 boys, 84 girls, 52 sex unknown) and 438 children being maimed (270 boys, 143 girls, 25 sex unknown). Of the total number of verified cases of killing and maiming, 424 were attributed to ISIL, 109 to ISF and the international counter-ISIL coalition, 34 to Peshmerga and

[1462] Human Rights Watch, No child's play: kids fighting one another in Iraq conflict, 30 October 2015, url.
[1463] USDOS, Country Report on Human Rights Practices 2015 - Iraq, 13 April 2016, url.
[1464] UNAMI/OHCHR, Report on Human Rights in Iraq: January – June 2014, August 2014, url, p. 18.
[1465] US Department of Labor, 2017 Findings on the Worst Forms of Child Labor - Iraq, 20 September 2018, url, p. 1.
[1466] US Department of Labor, 2017 Findings on the Worst Forms of Child Labor - Iraq, 20 September 2018, url, p. 1.
[1467] Reuters, Child labour doubles in Iraq as violence, displacement hit incomes, 10 July 2016, url.
[1468] MRG; Ceasefire Centre for Civilan Rights, Iraq's displacement crisis: security and protection, March 2016, url, p. 5.
[1469] Rudaw, Kurdistan: New laws in the works to curb 'forced' child labor in Kurdistan, 24 August 2016, url.

150 to unknown parties to the conflict.[1470] The same report further states that 'over half of all incidents were the result of air strikes, shelling, sniper fire and rockets, resulting in 390 child casualties. Improvised explosive devices were the second leading cause (24 %), followed by targeted attacks on children (10 %), including three boys who were killed and two who were injured by unidentified parties for their alleged association with ISIL.'[1471]

Reporting on events taking place in 2016 the UN Secretary-General recorded 257 incidents, resulting in 834 child casualties of which 138 were verified, resulting in the killing of 229 children (145 boys, 58 girls, 26 sex unknown) and injuries to 181 children (129 boys, 44 girls, 8 sex unknown). ISIL was responsible for at least 13 incidents of targeted attacks against children, including torture. A total of 66 verified incidents resulted from the use of improvised explosive devices, particularly by ISIL, while public areas, security forces and Shia ceremonies were also targeted: 32 incidents of killing and maiming of children were attributed to ISF and the international counter-ISIL coalition (30), the Peshmerga (1) and the PMUs (1), resulting from mortars and rocket attacks, air strikes and artillery shelling.[1472]

In June 2016 UNICEF assessed that one in every five children in Iraq is at serious risk of death, injury, sexual violence and recruitment into armed groups.[1473] UNICEF further noted that it has documented 838 child deaths since 2014, and 794 injuries, but it says the true number is probably much higher. It has also verified the abduction of 1 496 children – on average 50 every month – since the beginning of 2014.[1474]

3.8.5 Sexual exploitation of children

A March 2018 Report of the Secretary-General on conflict-related sexual violence notes that Sunni women and girls living under ISIL occupation endured forced and coerced marriages, in which rape was used as a weapon of punishment for disobeying ISIL rules.[1475] Thousands of Iraqi Yazidi women and girls, captured since August 2014, were trafficked into and across the Syrian Arab Republic, where they have been used as sex slaves. Reports have indicated that that additional women and girls from the Yazidi community, and other targeted minority groups, have been forcibly transferred to the Syrian Arab Republic, following military operations in 2017 to liberate areas of Iraq controlled by ISIL.[1476]

In a September 2018 report the US Department of Labor noted that 'throughout the country, some girls were subjected to commercial sexual exploitation through temporary marriages. This practice involves a dowry paid to the girl's family and an agreement to dissolve the marriage after a predetermined length of time.'[1477] The same source also mentions that 'child labourers were also exposed to sexual violence and abuse.'[1478]

In its most recent report on human rights USDOS notes that during 2017 ISIL members forced girls into marriage with ISIL fighters. ISIL's sexual exploitation of Yazidi children was

[1470] UN General Assembly, Children and armed conflict [A/72/865-S/2018/465], 16 May 2018, url, p. 12.
[1471] UN General Assembly, Children and armed conflict [A/72/865-S/2018/465], 16 May 2018, url, p. 12.
[1472] UN General Assembly, Children and armed conflict [A/72/361–S/2017/821], 24 August 2017, url, p. 12.
[1473] UNICEF, A Heavy Price for Children: Violence Destroys Childhoods in Iraq, 01 June 2016, url, p. 5.
[1474] UNICEF, A Heavy Price for Children: Violence Destroys Childhoods in Iraq, 01 June 2016, url, p. 5.
[1475] UN Security Council, Report of the Secretary-General on conflict-related sexual violence, 23 March 2018, url, p. 13.
[1476] UN Security Council, Report of the Secretary-General on conflict-related sexual violence, 23 March 2018, url, p. 24.
[1477] US Department of Labor, 2017 Findings on the Worst Forms of Child Labor - Iraq, 20 September 2018, url, p. 2.
[1478] US Department of Labor, 2017 Findings on the Worst Forms of Child Labor - Iraq, 20 September 2018, url, p. 2.

widespread throughout the year in areas under the group's control; this abuse included rape and sexual slavery.[1479] Child prostitution occurs in Iraq. Authorities often treat sexually exploited children as criminals instead of victims.[1480]

In June 2016 UNICEF noted that 'the use of sexual violence and the brutalisation of women and girls has been well documented, with many abducted on a mass scale, held captive for months, sold into sexual slavery and subjected to rape, torture and abuse.'[1481]

3.8.6 Child education

In a May 2017 report UNICEF notes education in Iraq progressed remarkably over the last decade, with enrolment in primary education increasing at about 4.1 % per year. The report further stated that 'As of 2015-2016, 9.2 million students are enrolled across all education levels in Iraq. The total enrolment in primary education almost doubled to six million children in 2012 from 3.6 million in 2000.'[1482] In spite of this progress, as of 2013, 13.5 % of school-aged Iraqi children (1.2 million children) did not have access to basic education (involving six years of education in primary school, which is compulsory, plus three years of education in lower secondary school). Although girls' enrolment grew at all levels, UNICEF still notes a large gender gap in Central Iraq. In primary education the out-of-school rate of girls is 11.4 %, more than double the rate of boys at 5.4 %. In secondary education in central Iraq, there are 142 and 121 boys for every 100 girls at lower secondary level and upper secondary level respectively in 2015-2016. Around 355 000 internally displaced children remain out of school in Iraq, representing 48.3 % of the total internally displaced school-age children. In conflict-affected governorates such as Salah al-Din and Diyala more than 90 % of school-age children are left out of the education system.[1483]

As of 2015-2016, Iraq spent only 5.7 % of its government expenditure on education, which puts the country on the bottom rank of Middle East countries in any given year. These limited public education resources result in decreasing quality of education and learning outcomes and dropping teacher retention rates.[1484]

USDOS noted in a 2018 report that children encountered a range of barriers to education access, such as 'attacks on schools and specific targeting of teachers and school personnel. Other barriers included the lack of schools nearby, the use of schools as shelters by internally displaced persons (IDPs) and as detention centers by ISIS, costs of transportation and school supplies, lack of sufficient educational facilities, and IDPs' and refugees' lack of identification documents.'[1485] This was also the case in previous years' reporting.[1486] USDOL remarked that while many schools have re-opened, approximately 1.2 million children throughout Iraq remained out of school as of October 2017.[1487]

[1479] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1480] USDOS, Country Report on Human Rights Practices 2017 - Iraq, 20 April 2018, url.
[1481] UNICEF, A Heavy Price for Children: Violence Destroys Childhoods in Iraq, 01 June 2016, url, p. 5.
[1482] UNICEF, The Cost and Benefits of Education in Iraq, 21 May 2017, url, pp. i-1.
[1483] UNICEF, The Cost and Benefits of Education in Iraq, 21 May 2017, url, pp. i-1.
[1484] UNICEF, The Cost and Benefits of Education in Iraq:, 21 May 2017, url, pp. i-1.
[1485] US Department of Labor, 2017 Findings on the Worst Forms of Child Labor - Iraq, 20 September 2018, url, p. 2.
[1486] US Department of Labor, 2016 Findings on the Worst Forms of Child Labor - Iraq, 30 September 2017, url, p. 2.
[1487] US Department of Labor, 2017 Findings on the Worst Forms of Child Labor - Iraq, 20 September 2018, url, p. 2.

In September 2016 UNICEF noted that one in five schools in Iraq was out of use due to conflict.[1488] UNICEF reported that in 2013, some 777 000 5-year-olds who should be in pre-primary were out of school (76 %), along with nearly 485 000 primary school aged children (8 %) and over 651 000 lower secondary school aged children (26 %), remarking that they counted an additional 500 000 children out of school IDPs since the 2014 armed conflict with ISIL.[1489] UNICEF remarked that children most at risk of being excluded from school were girls, poor children, children with uneducated mothers, and children with disabilities.[1490]

Discussing how ISIL describes its government structure the Atlantic Council, an American think tank in the field of international affairs, reported that the organisation set up several government bodies in the territories it controlled, so-called *Diwan*. According to ISIL the *Diwan* of Education regulates curriculums and courses for schools as well as locates the required personnel.[1491] Numerous sources note the brutality of ISIL's school curriculum, and the risk of indoctrination school children faced.[1492] In an October 2017 article Foreign Affairs, however, discusses the disparity between ISIL's propaganda about their educational system and the reality on the ground. Through interviews conducted with over two dozen civilian teachers and parents who had fled to southern Turkey from ISIL-held territory in Syria, Foreign Affairs concludes that ISIL's school system is in truth deeply dysfunctional and, in some ISIL-controlled areas, nearly non-existent.[1493]

Education was a low priority for ISIL. Despite ISIL's distribution of educational materials in its online propaganda, teachers reported ISIL's online textbooks were rarely distributed. Schools were underfunded and understaffed, and school attendance was not monitored. ISIL's true recruitment interest was not its school system but the Diwan ('Department') of Dawah and Masajid (outreach and mosques), 'which ran sharia training centers, mosques, Friday sermons, and so-called media points, or propaganda centers with large screens that played footage of battles; beheadings; sermons of ISIL' leader, Abu Bakr al-Baghdadi; and Islamic chants and songs'.[1494]

3.8.7 Orphans

The New York Times reports in 2018 that no Iraqi government agency or international humanitarian group has comprehensive statistics on the number of children orphaned in the 2014-2017 period. The Iraqi state has few resources for these children, and the country's communities are too overwhelmed to handle the orphans' needs. Most of these children have been placed in the care of their extended families, the New York Times observes.[1495]

Al-Monitor reports in August 2016 that a recent survey by the Ministry of Planning and Development indicated the number of orphans aged 17 at most and registered at the Ministry of Planning and Development reached 600 000. The survey, however, did not include Ninewa

[1488] UNICEF, UNICEF Iraq briefing note – education, 30 September 2016, url, p. 2.
[1489] UNICEF, OOSCI-MENA, Iraq-Overview, last updated May 2017, url.
[1490] UNICEF, OOSCI-MENA, Iraq-Overview, last updated May 2017, url.
[1491] Atlantic Council, How ISIS describes its government structure, 28 July 2016, url.
[1492] Niqash, How to be a good little jihadi: extremists release new school textbooks, curriculum in Mosul, 29 October 2015, url; Guardian (The), How Islamic State is training child killers in doctrine of hate, 5 March 2016, url; UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. xviii.
[1493] Foreign Affairs, Inside ISIS' dysfunctional schools, 13 October 2017, url.
[1494] Foreign Affairs, Inside ISIS' dysfunctional schools, 13 October 2017, url.
[1495] New York Times (The), Iraq's forgotten casualties: children orphaned in battle with ISIS, 31 August 2018, url.

and Anbar governorates. A member of the Child and Family Committee in the Iraqi parliament informed Al-Monitor that government programs for the care of these orphans are limited.[1496] In a June 2016 article Al Jazeera reports Iraq lacks enough orphanages to host the large number of children who have lost both parents. In October 2014, the Iraqi Ministry of Labour and Social Affairs announced that it runs 22 orphanages across the country, Al Jazeera notes.[1497]

3.9 People perceived as wealthy

In a May 2018 article the Washington Post reported that Shia militias 'operate as mafia-style organizations that engage in criminal activities, extortion and human rights abuses'.[1498] In a February 2018 report Red24, a global security specialist consultancy based in South Africa, indicated 'the kidnapping threat will remain high in conflict and previously conflict affected areas of Iraq in 2018, in particular in the central and northern Sunni governorates. In addition to the kidnapping threat posed by Islamist militant groups, such as the Islamic State (ISIL), in the abovementioned regions, the upsurge in kidnappings by a myriad of criminal and militia groups which we have witnessed over the past 18 months is expected to continue, and possibly increase, in 2018.'[1499] Locals are cited as primary targets. The report further notes the kidnapping threat is expected to remain lower in the Kurdish north and Shia south.[1500] In its 2017 Country Report on Terrorism, USDOS notes all through 2017 kidnapping-for-ransom remained a source of funding for ISIL.[1501]

In a September 2018 article the New York Times noted that organised crime groups are rampant in Basrah. The leaders of these criminal organisations are said to be linked to powerful Shia militias.[1502] In a September 2017 article Iraqi News reports a surge in ransom kidnappings of the relatives of well-off residents and merchants in Mosul. A source within Mosul's police, who asked not to be named, indicated that many of the armed groups and mobilisation troops do not receive salaries from the Iraqi government, which prompts undisciplined elements to carry out kidnappings and armed robberies.[1503] In a January 2017 article Al-Monitor reports on the rise kidnappings for ransom in Baghdad. According to Al-Monitor some criminal gangs employ a person called Al-Allas, which means a bounty hunter. This person's mission is to provide the names and details of wealthy individuals or families to gang members. A deputy head of the Security Committee of the Baghdad Provincial Council stated influential political or armed group are behind the kidnappings to secure funds through ransoms.[1504] An Iraqi consultant Landinfo and Lifos met in Amman in February 2017 indicated that militia were directly involved in the wave of criminally motivated kidnappings witnessed in Iraq since 2014.[1505]

Mark Lattimer explains at EASO's practical cooperation meeting on Iraq in April 2017 Sabea-Mandeans are perceived as rich because they were associated with the jewellery trade.

[1496] Al-Monitor, Amid war on ISIS, Iraq's widows and orphans face neglect, 14 August 2016, url.
[1497] Al Jazeera, Iraq's child soldiers: 'What happened to our boys?', 8 June 2016, url.
[1498] Washington Post (The), What Iraq's election means for its Shiite militias, 12 May 2018, url.
[1499] Red24, Special Risks - Global kidnapping hotspots 2018, 1 February 2018, url.
[1500] Red24, Special Risks - Global kidnapping hotspots 2018, 1 February 2018, url.
[1501] USDOS, Country Report on Terrorism 2017 - Chapter 5 - Islamic State of Iraq and Syria (ISIS), 19 September 2018, url.
[1502] New York Times (The), In strategic Iraqi city, a week of deadly turmoil, 8 September 2018, url.
[1503] Iraqi News, Mosul ISIS: Mosul sees surge in ransom kidnappings of its rich: newspaper, 18 September 2018, url.
[1504] Al-Monitor, Why are kidnappings on the rise in Baghdad?, 27 January 2017, url.
[1505] Middle East Eye, Kidnappings greater threat to Baghdad than Islamic State: top official, 2 December 2014, url.

Because of this, they became a target for extortion by extremist groups and criminal gangs.[1506]
In a January 2017 article Middle East Eye reports numerous kidnappings - politically and criminally related - take place almost daily in Baghdad. Former Iraqi Interior minister Mohammed al-Ghabban informed Middle East Eye the criminal kidnappings aim to blackmail people to get money, and the terrorist, political type aims to impose the gang's influence and blackmail people at the same time. A senior Iraqi security official who declined to be named indicated some of the abductors 'are either supported by big Shia armed factions or take advantage of contacts with the security forces'.[1507] Several key security officials told Middle East Eye that the abductees and their abductors were mainly Shia. According to Middle East Eye the criminal gangs responsible for the kidnappings aim to extort ransoms ranging from USD 10 000 to USD 100 000, depending on the financial situation of a victim's family.[1508]

In a March 2016 report Michael Knights noted the increase in criminal activity observed in Baghdad and the southern provinces was caused by criminals claiming to be PMU.[1509] In a June 2015 report Norman Cigar notes that after June 2014 'in many areas the departure of army and police units to the front created a security vacuum that was exploited by criminal elements that engaged in kidnappings, extortion and robberies. Often, the perpetrators claimed to belong to one of the militias'. AAH's leader Qais al-Khazali acknowledged that some criminals joined the militias as a cover for their illegal activities.[1510]
In a December 2014 article Middle East Eye reports dozens of kidnappings take place every week in Baghdad. Some abductions are a direct result of the sectarian tension that has grown since ISIL took over part of Iraq; others are the work of extortion gangs that have prospered in the confusion. Victims or their families report that the kidnappers often use text messages to make their demands, and that the amount asked is usually subject to negotiation. The agreed ransom is usually between USD 20 000 and UD 30 000.[1511]

For further information on criminal gangs see section 3.1.2.

3.10 Inter-sect marriage between Sunni and Shia

Discussing mixed marriages in Iraq at EASO's practical cooperation meeting on Iraq in April 2017 Mark Lattimer observes that mixed marriages between Sunni and Shia Muslims are quite common in Iraq. He further states that 'there was a huge preponderance of mixed marriages over many decades and there still are many mixed families and mixed communities in Iraq.'[1512]
BBC News reports Sunni-Shia marriages are common in countries with large Shia populations like Iraq and Lebanon. BBC Monitoring journalist Mina al-Lami, who was born in Iraq into a Sunni-Shia inter-marriage, adds that 'having a parent from each sect was and continues to be common in Iraq, especially in mixed areas like the capital Baghdad.'[1513]

According to a Senior Iraq researcher at Human Rights Watch, contacted in January 2018 by the Research Directorate of the IRB, 'there is plenty of anecdotal evidence that intermarriage has decreased around the years of peak Sunni-Shia violence in 2006-2007'. Exceptional cases

[1506] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 20.
[1507] Middle East Eye, Criminal kidnappings are big business in Baghdad, 1 January 2017, url.
[1508] Middle East Eye, Criminal kidnappings are big business in Baghdad, 1 January 2017, url.
[1509] Knights, M., The future of Iraq's armed forces, March 2016, url, p. 32.
[1510] Cigar, N., Iraq's shia warlords and their militias, June 2015, url, p. 34.
[1511] Middle East Eye, Kidnappings greater threat to Baghdad than Islamic State: top official, 2 December 2014, url.
[1512] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 19.
[1513] BBC News, 'Sushi' children defy Sunni-Shia divide, 18 June 2016, url.

notwithstanding, however, 'inter-sect marriage is not controversial in Iraq.'[1514] Contacted in January 2018 by IRB, the representative of the Middle East and North Africa Programmes at the Ceasefire Centre for Civilian Rights states that inter-sect marriages 'have become less socially acceptable in some quarters due to the politicization of sectarian differences' since 2006. He further explains 'this varies greatly from family to family and from place to place.'[1515] Likewise, BBC Monitoring journalist Mina al-Lami explains sectarian tensions in Iraq after 2003 have led to a drop in Sunni-Shia marriages. However, 'they are still not unusual.'[1516]

The representative of the Middle East and North Africa Programs at the Ceasefire Centre for Civilian Rights explained its network of local researchers documented 1 249 cases of family-based violence between February 2014 and May 2015. In 11 of those cases inter-sect marriage was mentioned as a factor of violence or abuse. The same source indicated the organisation documented a number of cases in which Sunni-Shia couples were forced to divorce after the rise in sectarian tensions due to pressure from the family/community. In other cases, women in inter-sect marriages, particularly if living with the husband's family, were exposed to domestic abuse and violence, due to the mother's sectarian difference. In cases of divorce, women were sometimes prevented from seeing their children because of their religion differed from their former husband's.[1517]

Asked if mixed couples can become targets of persecution at EASO's practical cooperation meeting on Iraq in April 2017 Mark Lattimer responded that this may occur. However 'they are not persecuted indiscriminately; there has been a long history of mixed marriages in Iraq.'[1518] Discussing honour killings in the Kurdistan region, the same source added women are more affected by honour violence than men, for example, in the case of 'a problematic mixed marriage'.[1519]

In a 2011 report IOM Iraq notes divorce and separation have been most common among mixed religion marriages. According to IOM these marriages fall apart because of 'family pressure and threats from militia groups'.[1520] In a 2010 article published by the Institute for War and Peace Reporting, a not-for profit organisation that works with media and civil society to promote change in conflict zones, a Shia woman married to a Sunni man describes how she received death threats living in a Sunni quarter in Baghdad at the height of the sectarian conflict in 2006.[1521] In 2007, the Washington Post reported mixed couples in Iraq faced violence and threats. Militias or insurgents forced them to leave their homes because one partner is from the wrong sect.[1522]

[1514] Canada, IRB, Iraq: Inter-sect marriage between Sunni and Shia Muslims, including prevalence; treatment of inter-sect spouses and their children by society and authorities, including in Baghdad; state protection available (2016-January 2018) [IRQ106049.E], 29 January 2018, url.
[1515] Canada, IRB, Iraq: Inter-sect marriage between Sunni and Shia Muslims, including prevalence; treatment of inter-sect spouses and their children by society and authorities, including in Baghdad; state protection available (2016-January 2018) [IRQ106049.E], 29 January 2018, url.
[1516] BBC News, 'Sushi' children defy Sunni-Shia divide, 18 June 2016, url.
[1517] Canada, IRB,, Iraq: Inter-sect marriage between Sunni and Shia Muslims, including prevalence; treatment of inter-sect spouses and their children by society and authorities, including in Baghdad; state protection available (2016-January 2018) [IRQ106049.E], 29 January 2018, url.
[1518] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 24.
[1519] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 24.
[1520] IOM, IOM Iraq: Special Focus Report on Female Headed Households, 12 October 2011, url, p. 4.
[1521] IWPR, Fighting for love across Iraq's sectarian frontline, 16 April 2010, url.
[1522] Washington Post (The), Marriages between sects come under siege in Iraq, 4 March 2007, url.

3.11 Mixed Arab-Kurdish couples

A human rights activist interviewed by the DIS/Landinfo during their 2018 fact-finding mission to KRI informed that marriages between Arabs and Kurds are very rare, especially in Northern Iraq, where sectarian and ethnic tensions are high. Another source said that mixed Arab-Kurdish couples may be stigmatised both by other Arabs and Kurds.[1523] In a 2017 article Niqash however noted that due to displacement in the context of the ISIL crisis 'more Kurdish and Arab families are intermarrying in northern Iraq'. The article went on to explained that since marriage in Iraq and KRI is a 'conservative tradition' through arranged marriage by family and 'matchmakers', 'men have far more choice than women, it seems that it is usually Kurdish men marrying Arab women.'[1524]

At EASO's practical cooperation meeting on Iraq in April 2017 Mark Lattimer noted that in the KRI both men and women, though particularly women, may be victims of honour killings, for example, in the case of 'a problematic mixed marriage', such as a relationship between a Sunni and a Shia who 'want to marry but the families do not approve'.[1525] The EASO report indicates that various experts and organisations noted the following concerning the Kurdistan region: '[I]t is possible for a clan or a tribe to punish a member (especially a woman) for committing a misguided act, such as a mixed marriage.'[1526]

3.12 People displaying westernised behaviour

An Iraq analyst interviewed during the 2018 DIS/Landinfo fact-finding mission to KRI stated that 'the PMUs are targeting people that show signs of deviating morality. This is mostly when people stand out the Shia social norms. The victims are from the LGBT [Lesbian, Gay, Bisexual and Transgender] community or among creative people who, for instance, dress differently.'[1527] Freedom House explains that 'both men and women face pressure to conform to conservative standards on personal appearance.'[1528]

The USDOS 2017 report on international religious freedom mentions that according to representatives of Christian NGOs, 'some Muslims continued to threaten women and girls, regardless of their religious affiliation, for refusing to wear the hijab, for dressing in Western-style clothing, or for not adhering to strict interpretations of Islamic norms governing public behavior.'[1529] The report further states Shia militias that mobilised to fight ISIL 'have long used their weapons and power to crack down on activities they deem "un-Islamic"'.[1530] In a June 2017 e-mail quoted in a COI report posted on the website the Austrian Supreme Administrative Court (*Bundesverwaltungsgericht),* Mark Lattimer explained that the style of clothing expected of women in Iraq has become more conservative over the last decades. Whilst there is a strict dress code for women in territories controlled by ISIL, in Baghdad and Basrah Shia militias also seek to enforce strict dress codes and are responsible for violent attacks on women whose dress styles are considered inappropriate. He further pointed out

[1523] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 37.
[1524] Niqash, In Northern Iraq, Some Kurdish Men Prefer Their Brides Budget, 9 March 2017, url.
[1525] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 24.
[1526] Lattimer, M., cited in: EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 24.
[1527] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 47.
[1528] Freedom House, Freedom in the World 2018 - Iraq, January 2018, url.
[1529] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.
[1530] USDOS, 2017 Report on International Religious Freedom - Iraq, 29 May 2018, url.

that in 2006-2007, militias in Basrah and Diyala killed hundreds of women for failing to comply with the dress code.[1531]

In September 2018, Tara Fares, a 22-year-old model and social media celebrity was shot dead on the streets of Baghdad. This killing followed a series of violent attacks targeting prominent women considered to be 'outspoken or bucking the norms of conservative society'. Following Fares' killing, Iraqi Prime Minister Haider al-Abadi ordered an investigation to examine whether this attack was linked to other recent murders and kidnappings in Baghdad and Basrah.[1532] A few days before Faras' murder, a well-known female human rights activist and head of a local NGO was killed in Basrah. She was an active supporter of the series of anti-government protests taking place in Basrah at the time she was killed.[1533] In the previous months, at least two female beauticians died in their home 'in mysterious circumstances', raising concerns about a systematic targeting of women owner of beauty centres.[1534] In October 2018, a former Miss Iraq reported to have received death threats.[1535]

At EASO's practical cooperation meeting on Iraq in April 2017 Mark Lattimer mentioned women in Iraq have been targeted for assassination because of commission of moral crimes. In Baghdad, Asaib Ahl al-Haq has committed mass killings of women found in alleged brothels. Also, 'there have been dozens of cases of women turning up in Basra with notes saying they were found wearing the wrong clothes or in comprising positions and have been killed by militias.'[1536] Reporting on human rights in Iraq in the July to December 2016 period UNAMI mentions several cases that involved the targeting of premises that were purportedly selling alcohol or drugs or connected to prostitution. The same source further states that 'cafes, restaurants and houses were attacked with IEDs, usually during the night, by actors seeking to impose their own form of behavior upon those that they suspected of not adhering to their moral code.'[1537]

The Washington Post explains in 2016 Iraq was once proudly secular, 'but religious parties have dominated the political landscape since the United States toppled Saddam Hussein's regime in 2003'. Religious hard-liners were further empowered by the sectarian civil war between Sunnis and Shiites. The Shia militias that mobilised to fight ISIL 'have long used their weapons and power to crack down on activities they deem un-Islamic'.[1538] In 2015, participants and organizers of the 'Baghdad Festival for Youth', an event inspired by the Indian 'Holi' festival (known for the coloured powder participants throw on one another), were criticised and threatened after photos of the festival circulated on social media. A prominent leader of Asaib Ahl al-Haq accused them of moral turpitude.[1539] A January 2014 report the Al-Massalla Organization for Human Resources Development/ NPA- Norwegian People's Aid describes how an Iraqi rap artist received direct threats from Asaib Ahl al-Haq. They deemed rap music a religiously forbidden (Haram) and as an intrusive Western art form.[1540] In 2013

[1531] Austria, BVwG (Bundesverwaltungsgericht) [Supreme Administrative Court], Entscheidungstext L512 1417529-1/33E [Decision/case number L512 1417529-1/33E], 8 November 2017, 8 November 2017, url.
[1532] New York Times (The), A social media star is shot dead in Baghdad. Iraqis fear a trend, 28 September 2018, url.
[1533] BBC News, Iraqi human rights activist shot dead in Basra, 25 September 2018, url.
[1534] Al Arabiya, After death of Iraq's 'Barbie', beautician dies in mysterious circumstances, 24 August 2018, url.
[1535] BBC News, Former Miss Iraq 'threatened' after fellow Instagram star's murder, 1 October, url.
[1536] Lattimer, M., EASO, Practical Cooperation Meeting on Iraq, 25-26 April 2017, url, p. 22.
[1537] UNAMI/OHCHR, Report on Human Rights in Iraq: July to December 2016, 30 August 2017, url, p. 17.
[1538] Washington Post (The), Feared Shiite militias back in spotlight after three Americans vanish in Iraq, 21 June 2016, url.
[1539] Middle East Eye, The death of fun in Baghdad?, 28 July 2015, url.
[1540] Al-Masalla Organization for Human Resources Development/Norwegian People's Aid, The Situation of Personal Freedoms of Iraqi Youths, January 201, url.

the Guardian reported on the rising popularity of tattoos in Baghdad, including amongst women. According to the newspaper, 'having a tattoo in Baghdad remains a complex social negotiation'. Facing discrimination when seeking employment as public servants, police officers or soldiers, many hide their tattoos under the T-shirt line. One interviewee says he keeps his tattoo out of sight because 'terrorists have killed people for having tattoos.'[1541]

[1541] Guardian (The), Mum, imam and Saddam: what daring young Iraqis are saying with tattoos, 22 March 2013, url.

Annex I: Popular Mobilization Units – main militias and associated groups

Badr Organization

Formed in the 1980s in Iran[1542], the Badr Organization emerged as the most powerful Shia militia within the PMU[1543] and reportedly has influence over elements of Iraq's security forces.[1544] In a December 2015 report Kenneth Katzman and Carla E. Humud state that the Badr Organization might have as many as 30 000 militia fighters.[1545] According to a report published in August 2017 by the GPPi, the Badr Organization was about 20 000 men strong in February 2016.[1546] An Iran-backed militia, the Badr Organization's primary concern was securing and pacifying the strategically important province of Diyala.[1547] Increasingly the province became a Badr principality, partially outside state control.[1548] In eastern Diyala province the Fifth Iraqi Army division is considered to be under the command of the Badr Organization.[1549]

In a July 2017 report for the German Institute for International and Security Affairs, an organisation that advises political decision-makers on international politics and foreign and security policy, Guido Steinberg notes that Badr also controls part of Salah al-Din province. He notes that 'this dominion over Diyala and Salah al-Din is part of the Iranian project to create an (Islamic) state within a state in Iraq, modelled on Hezbollah in Lebanon.'[1550] Members of the Badr Organization have repeatedly been accused of committing atrocities against civilians in contested and reconquered territory[1551], especially in Diyala province.[1552] In the May 2018 election Badr Organization leader Hadi al-Amiri headed the Fateh alliance, a political bloc that gained 47 seats, finishing second after Muqtada al-Sadr's Saairun coalition.[1553]

[1542] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 44.
[1543] Counter Extremism Project, Badr Organization, last updated November 2017, url; Reuters, Special report: How Iran's military chiefs operate in Iraq, 24 February 2015, url.
[1544] Washington Post (The), Appointment of Iraq's new interior minister opens door to militia and Iranian influence, 18 October 2014, url.
[1545] US, CRS, Iraq: politics and governance, 31 December 2015, url, p. 17.
[1546] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 27.
[1547] Foreign Policy, Iran's Shiite militias are running amok in Iraq, 19 February 2015, url.
[1548] Knights, M., Iraq's popular demobilization, 26 February 2016, url.
[1549] Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url, p. 17; Reuters, Exclusive: U.S. falters in campaign to revive Iraqi army, experts say, 3 June 2016, url.
[1550] Steinberg, G., The Badr Organization, Iran's most important instrument in Iraq, July 2017, url, pp. 1-3.
[1551] Human Rights Watch, Iraq, Investigate abuses in Hawija operation, 28 September 2017, url; Human Rights Watch, Fallujah abuses test control of militias, 9 June 2016, url; Reuters, Attacks on Iraq's Sunnis could constitute war crimes: rights group, 31 January 2016, url.
[1552] Reuters, Iraqi commander denies paramilitary groups involved in killings, 9 February 2015, url.
[1553] Mansour, R., van den Toorn, C., The 2018 Iraqi federal elections – A population in transition, July 2018, url, pp. 7-8.

Asaib Ahl al-Haq (AAH) – The League of the Righteous

Asaib Ahl al-Haq (AAH) (The League of the Righteous) broke away from the Mahdi Army (JAM), the militia run by influential Shiite cleric Muqtada al-Sadr, in 2006.[1554] In September 2014 The New York Times designates AAH as 'the largest and most formidable of the Iranian-backed Shiite militias dominating Baghdad'.[1555] According to a report published in August 2017 by the GPPi, AAH was about 5 000 – 10 000 men strong as of March 2015.[1556] AAH's leader, Qais al-Khazali, headed the Mahdi Army 'special groups' during 2006-2007. AAH was formed whilst Qais al-Khazali was incarcerated by U.S. forces for his alleged role in a 2005 raid that killed five American soldiers.[1557] AAH fell out with Sadrists because Muqtada al-Sadr became increasingly critical of Iranian influence in Iraq[1558] and the group has ideological links to Iran's supreme leader, Ayatollah Ali Khamenei and a close connection to Lebanon's Hezbollah.[1559]

Virulently anti- American, after its creation in 2006, Asaib Ahl al-Haq conducted thousands of attacks against U.S. and Iraqi forces, targeted kidnappings of Westerners, the murder of American soldiers and the assassination of Iraqi officials.[1560] In a June 2013 report Jessica Lewis, Ahmed Ali, and Kimberly Kagan report that AAH re-mobilizes, establishing checkpoints in Baghdad and conducting extra-judicial killing against Sunnis.[1561] Asaib Ahl al-Haq came to be known as the armed support for Mr Maliki's Shiite political faction.[1562]

AAH formed a political bloc of its own, al-Sadiqun (the Honest Ones), and ran under al-Maliki's State of Law bloc in the April 2014 Iraqi national elections, winning one seat.[1563] In this July 2014 report Human Rights Watch accuses government-backed militias, notably AAH, of involvement in kidnappings and killings of Sunni civilians throughout Baghdad, Diyala and Hilla; they also allegedly killed 48 Sunni men around towns/villages in the 'Baghdad belts' according to witnesses.[1564]

During the fight against ISIL AAH continued to expand its influence in Iraq[1565], despite further allegations of human rights violations.[1566] Fighters of AAH have been actively fighting in Syria.[1567] Sources interviewed by DIS/Landinfo during their 2018 FFM to KRI stated that AAH

[1554] Cochrane, M., Iraq report 12: The fragmentation of the Sadrist movement, January 2009, url, p. 17; Cochrane, M., Asaib Ahl al-Haq and the Khazali Special Groups Network, 13 January 2008, url.
[1555] New York Times (The), Shiite militias pose challenge for U.S. in Iraq, 16 September 2014, url.
[1556] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 27.
[1557] US, CRS, Iraq: politics and governance, , 9 March 2016, url, p. 18.
[1558] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, p. 14.
[1559] Guardian (The), Controlled by Iran, the deadly militia recruiting Iraq's men to die in Syria, 12 March 2014, url.
[1560] Wyer, S., The resurgence of Asaib Ahl al-Haq, December 2012, url, p. 6; Cochrane, M., Iraq report 12: The fragmentation of the Sadrist movement, January 2009, url, p. 27.
[1561] Lewis, J. et.al., Iraq's sectarian crisis reignites as shi'a militias execute civilians and remobilize, 1 July 2013, url, p. 4.
[1562] New York Times (The), Shiite militias pose challenge for U.S. in Iraq, 16 September 2014, url.
[1563] Heras, N.A., Iraqi Shi'a militia Asa'ib Ahl al- Haq expands operations to Syria, 15 May 2014, url.
[1564] Human Rights Watch, Iraq: pro-government militias' trail of death, attacks on Sunnis in at least three provinces, 31 July 2014, url.
[1565] Counter Extremism Project, Asaib Ahl al-Haq, last update April 2017, url.
[1566] Human Rights Watch, Militias escalate abuses, possibly war crimes, 15 February 2015, url; Human Rights Watch, Pro-government militias' trail of death, 31 July 2014, url.
[1567] Guardian (The), Controlled by Iran, the deadly militia recruiting Iraq's men to die in Syria, 12 March 2014, url; Smyth, P., The Shiite Jihad in Syria and its regional effects, February 2015, url, p. 23.

is feared for its targeting of civilians, being considered responsible for murders and torture of Sunni Arabs and the Kurds, mostly in Mosul and Sinjar, but also in other contested areas.[1568]

In the May 2018 election AAH was part of the Fateh alliance, a political bloc that gained 47 seats, finishing second after Muqtada al-Sadr's Saairun coalition[1569] and taking more than a dozen seats in Parliament.[1570]

Kataib Hezbollah (KH)

Kata'ib Hezbollah (KH) is an Iranian-sponsored, anti-American Shiite militia, led by Abu Mahdi al-Muhandis, also known as Jamal al- Ibrahimi[1571], a former Badr commander.[1572] According to Michael Knights it was formed in early 2007 as 'a vehicle through which Iran's IRGC Qods Force could deploy its most experienced operators and its most sensitive equipment in Iraq'.[1573] KH was responsible for some of the most lethal attacks against U.S. and coalition forces and was designated as a terrorist organisation by the U.S. Treasury in 2009.[1574] Violence and abuses against civilians, including 'summary killings, enforced disappearances, torture, and the destruction of homes'[1575] have also been reported.[1576] Government sources contacted by Reuters in 2016 indicate that military operations command of Salah al-Din province, north of Baghdad, is dominated by Abu Mahdi al-Muhandis.[1577] Consistent with its secret and elite profile KH is a smaller force than other Iranian proxy militias. Saraya al-Difaa al-Shaabi is a lesser wing of KH, which likely formed to absorb an overflow of recruits without diluting the most capable combat units.[1578]

According to a November 2010 report by the Washington Institute for Near East Policy KH developed as a compact movement of less than 400 personnel.[1579] KH's estimated strength is about 20 000 men strong as of February 2016.[1580] Other sources cited in 2018 estimate their strength at around 3-5 000[1581] or between 1 000 and 30 000 fighters.[1582]

[1568] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, pp. 44, 95.
[1569] Mansour, R., van den Toorn, C., The 2018 Iraqi federal elections – A population in transition, July 2018, url, pp. 7-8.
[1570] Smyth, P., Iranian militias in Iraq's parliament: political outcomes and U.S. response, 11 June 2018, url.
[1571] Counter Extremism Project, Kata'ib Hezbollah, last update December 2017, url.
[1572] Steinberg, G., The Badr Organization, Iran's most important instrument in Iraq, July 2017, url.
[1573] Knights, M., The evolution of Iran's special groups in Iraq, November 2010, url, p. 12.
[1574] Foreign Policy, Iran's Shiite militias are running amok in Iraq, 19 February 2015, url.
[1575] Human Rights Watch, Iraq: ban abusive militias from Mosul operation – Unpunished killings- torture puts civilians in harm's way, 31 July 2016, url.
[1576] Reuters, U.N. warns of renewed cycle of sectarian strife in Iraq, urges prevention, 5 July 2016, url; Human Rights Watch, Ruinous aftermath: militia abuses following Iraq's recapture of Tikrit, 20 September 2015, url, pp. 1-9; AI, Absolute impunity: militia rule in Iraq, October 2014, url, pp 4-17.
[1577] Reuters, Exclusive: U.S. falters in campaign to revive Iraqi army, experts say, 3 June 2016, url.
[1578] Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url, pp. 40-41.
[1579] Knights, M., The evolution of Iran's special groups in Iraq, November 2010, url.
[1580] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 28.
[1581] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 45.
[1582] USDOS, Country Report on Terrorism 2017 – Chapter 5 – Kata'ib Hizzballah, 19 September 2018, url.

It operates in Diyala and in southern Iraq, including Basrah, but not openly.[1583] Philip Smyth notes that KH has created its own Imam al-Hussein Scouts, which has supplied fighters for its operations.[1584] In June 2016, in the course of fighting against ISIL in Anbar, PMUs, according to witnesses using the banners of KH, illegally detained 1 500 men and teenage boys from Saqlawiya, Anbar Governorate and 643 men and boys went missing; 49 are believed to have been summarily killed or tortured to death while in custody.[1585] According to USDOS, 'In 2016, KH continued to fight ISIS alongside the Iraqi Army and participated in the operation to liberate Mosul, though they were only active outside the city. In 2017, the group threatened to fight "American occupiers" in Iraq, in an article published on the group's official website.'[1586]

Saraya al-Salam (Peace Brigades) of Muqtada al Sadr

Saraya al-Salam, also known as the Peace Brigades, was formed in June 2014 by Shia cleric Muqtada al-Sadr, of the Sadrist Movement, in response to the Islamic State's territorial gains in Iraq.[1587] In June 2003 Muqtada al-Sadr established the Mehdi Army, also known as Jaysh al-Mahdi (JAM). In 2004 fighting broke out between the Mehdi army and US- led coalition forces.[1588] According to a January 2009 report by Marisa Cochrane Muqtada al Sadr turned successfully to politics in 2005, joining a coalition of Shi'a parties led by the Supreme Council for the Islamic Revolution in Iraq (SCIRI) and including Dawa. During the 2006-2007 civil war the Mehdi army 'positioned itself as a security guarantor for the Shia population'. The organisation also spawned death squads responsible for sectarian cleansing[1589], evolving into 'a gang-style militia even Sadr could not control'.[1590] After the fall of Mosul in June 2014, Sadr reformed the Mahdi Army under a new name, the Peace Brigades.[1591] Claiming their main role was to protect Iraq's shrines The Peace Brigades played a less prominent role than other Shiite militias in the fight against ISIL, although they took part in major operations, including the capture of Jurf al-Sakhr[1592] and the defence of Samarra.[1593]

Reports of atrocities by Shiite militia groups in February 2015 led Muqtada al-Sadr to temporarily withdraw The Peace Brigades from the battle against ISIL.[1594] Taking a strongly nationalistic stance Muqtada al-Sadr opposes Iranian influence in Iraqi politics[1595] and later

[1583] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 45.
[1584] Smyth, P., The Shiite Jihad in Syria and its regional effects, February 2015, url, p. 26.
[1585] UNAMI/OHCHR, Report on the Protection of Civilians in the Armed Conflict in Iraq: 1 November 2015 – 30 September 2016, 30 December 2016, url, pp. i, ii, 19, 20.
[1586] USDOS, Country Report on Terrorism 2017 – Chapter 5 – Kata'ib Hizzballah, 19 September 2018, url.
[1587] Washington Post (The), Shiite 'peace brigades' send signal of aggression with major rally in Baghdad, 21 June 2014, url).
[1588] BBC News, Profile: Moqtada Sadr, 19 January 2012, url.
[1589] Cochrane, M., Iraq report 12: The fragmentation of the Sadrist movement, January 2009, url, p. 21.
[1590] International Crisis Group, Fight or flight: the desperate plight of Iraq 's "Generation 2000", 8 August 2016, url, p. 5.
[1591] Washington Post (The), Shiite 'peace brigades' send signal of aggression with major rally in Baghdad, 21 June 2014, url.
[1592] Washington Post (The), Iraqi Shiite cleric recalls militiamen from fight against Islamic State, 17 February 2015, url.
[1593] Reuters, Iraq's Sadr readies militia to fight for Samarra, 11 December 2014, url.
[1594] Washington Post (The), Iraqi Shiite cleric recalls militiamen from fight against Islamic State, 17 February 2015, url.
[1595] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 29.

distanced himself from acts of sectarian violence.[1596] He has also criticised Iraqi Shia militias for their involvement in Syria.[1597] A large Sadrist-led protest, demanding electoral reforms, tried to move into the Green Zone on 11 February 2017 but security forces repelled the protesters with force, resulting in casualties.[1598]

In December 2017 Muqtada al-Sadr stated that the Peace Brigades would be transformed into a civil organisation, liberated areas were to be handed over to Iraqi security forces.[1599] In February 2018 Muqtada al-Sadr formed a new political party called Istiqama, surprisingly allying with Iraq's Communist party and other secular and civil society groups.[1600] According to a report published in August 2017 by the Global Public Policy Institute Saraya al-Salam was 14 000 men strong as of July 2016, of which only 3 000 are registered under PMU salary.[1601] Renad Mansour and Faleh A. Jabar note that Saraya-al Salam has the virtual capacity to build a 100 000-strong army. However, 'their actual capacity is restrained by a lack of resources, not by the number of volunteers.'[1602] In the May 2018 election Muqtada al-Sadr's Saairun coalition (an alliance between Sadr's followers and the Iraqi Communist Party) gained 54 seats, winning the most seats in Parliament. Especially in Baghdad province the Saairun coalition proved to be more popular than Hadi al-Amiri's Fateh alliance.[1603]

Islamic Supreme Council of Iraq (ISCI)

In the early 1980s Iraqi Shiite exiles in Iran formed under Teheran's tutelage the Supreme Council for the Islamic revolution in Iraq (SCIRI). Its military branch was called the Badr Corps, also known as Faylaq Badr.[1604] SCIRI was the largest political party in the aftermath of the 2003 invasion.[1605] SCIRI's Badr Corps remained active after 2003.[1606] During Iraq's sectarian war the Badr Corps became infamous for its brutal tactics.[1607] The organisation ran notorious Shiite death squads, after infiltrating the Ministry of Interior.[1608] In part to distance itself from Iran SCIRI changed its name to Islamic Supreme Council of Iraq (ISCI) in 2007.[1609] Leader Ammar al-Hakim, who succeeded his father in 2009, distanced the group from Iranian influence and caused the Badr Corps to split off and reform themselves as the Badr Organization.[1610] In 2014 ISCI formed its own militia, Saraya Ashura, also known as the Ashura companies.[1611] Renad

[1596] Al Jazeera, Iraq: the re-invention of Muqtada al- Sadr, 9 March 2016, url.
[1597] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, p. 17.
[1598] Anagnostos, E., Iraq Situation Report: February 11-16, 2017, 16 February 2017, url.
[1599] UN Security Council, Report of the Secretary-General pursuant to resolution 2367 (2017), 17 January 2018, url, p. 2.
[1600] Niqash, Change we can believe in? Major religious group allies with Iraq's communists, for election shake-up, 8 February 2018, url.
[1601] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 29.
[1602] Mansour, R. and Jabar, F. A., The Popular Mobilization Forces and Iraq's future, 28 April 2017, url, p. 14.
[1603] Mansour, R., van den Toorn, C., The 2018 Iraqi federal elections – A population in transition, July 2018, url, pp. 7-12.
[1604] Smyth, P., Should Iraq's ISCI Forces really be considered 'Good Militias'?, 17 August 2016, url.
[1605] Mansour, R., Iraq after the fall of ISIS: the struggle for the state, July 2017, url), p. 11; BBC News, Guide to Iraqi political parties, 20 January 2006, url.
[1606] Beehner, L., Iraq's militia groups, 26 October 2006, url.
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[1608] Washington Post (The), Appointment of Iraq's new interior minister opens door to militia and Iranian influence, 18 October 2014, url.
[1609] Smyth, P., Should Iraq's ISCI Forces really be considered 'Good Militias'?, 17 August 2016, url; International Crisis Group, Shiite politics in Iraq: the role of the Supreme Council, 15 November 2007, url, pp. 15-17.
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Mansour notes that Saraya Ashura isn't ISCI's sole militia. 'Saraya el-Jihad and Saraya el-Aqida were also created by ISCI, as were other paramilitary groups.'[1612] Zana K. Gulmohamad also cites Liwa al-Muntathar as an ISCI militia.[1613]

According to Niqash ISCI militias are dependent on the Iraqi government for funding and weapons and abide by the central government's decisions; 'they also often accompany official army units and have been known to use some of the Iraqi army's equipment.'[1614] ISW report that ISCI militias 'exhibit close ties with Iranian proxy leaders and are interoperable with Iranian proxy militias'[1615] while others note that ISCI 'maintains deep links with Iranian- backed groups, despite tensions with other Iranian proxy groups'.[1616] According to a May 2017 report by Kari Frentzel ISCI militias count about 3 000 fighters.[1617]

In the May 2018 election Ammar Al-Hakkim took part as the leader of the National Wisdom Movement, gaining 19 seats.[1618] Philip Smyth notes Ammar al-Hakim formed this movement just before the elections, to detach itself from ICSI's pro-Iranian, Badr-friendly old guard. Hakim's faction has since aligned itself with Sadr's camp.[1619]

Tribal Mobilization Units or Hashd al Ashairi

In a January 2017 report Amnesty International states that 'Tribal Mobilization (TM or Hashd al-Asha'iri) militias, composed of fighters from Sunni tribes and generally active locally in their own places of origin, have played an increasing role in the fight against ISIS and in securing their areas once they have been recaptured.'[1620] Amnesty International also reports that Tribal Mobilisation Militias remain much less powerful than the PMUs, although some tribes within the TM have received support from government authorities, including salaries and weapons.[1621]

A GPPi report indicates that it is not always clear to what extent Sunni Forces are associated with or incorporated into the PMUs. The report notes that with the formalisation of the PMU as part of the legal security forces in November 2016 Sunni forces that remained somewhat independent from the leadership of the PMU were 'formally swept under the larger PMF umbrella'.[1622] Nonetheless, locals still tend to make a distinction between the larger Hashd al-Sha'abi forces and the Sunni tribal forces, the so- called Hashd al-Asha'iri. These tribal forces tend to be locally mobilised and operate locally. Often they are identified with their particular Sunni leader or with the larger forces they associate with. While some take orders directly from Iraqi forces and local authorities, others strongly affiliate with and respond to orders from larger PMU militia. However, this can vary on a per unit basis, making it difficult to create

[1612] Mansour, R., After Mosul, will Iraq's paramilitaries set the state's agenda?, 27 January 2017, url, p. 7.
[1613] Gulmohamad, Z.K., Iraq's shia militias: helping or hindering the fight against the Islamic State, 29 April 2016, url.
[1614] Niqash, Divided loyalties: Iraq's controversial Shiite militias fight amongst themselves, 18 June 2015, url.
[1615] Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url, p. 50.
[1616] Smyth, P., Should Iraq's ISCI Forces really be considered 'Good Militias'?, 17 August 2016, url.
[1617] Frentzel, K., The future role of the Hashd al-Shaabi in Iraq – Key influencers of Post- ISIS politics?, May 2017, url, p. 5.
[1618] Mansour, R., van den Toorn, C., The 2018 Iraqi federal elections – A population in transition, July 2018, url, pp. 7-8.
[1619] Smyth, P., Iranian militias in Iraq's parliament: political outcomes and U.S. response, 11 June 2018, url.
[1620] AI, Iraq: turning a blind eye – the arming of the Popular Mobilization Forces , 5 January 2017, url, p. 19.
[1621] AI, Iraq: turning a blind eye – the arming of the Popular Mobilization Forces , 5 January 2017, url, p. 19.
[1622] Derzsi-Horvath, A. et.al., Who's who : Quick facts about local and Sub-State forces, 16 August 2017, url.

large categorisations of the nature of these forces.[1623] In another report Global Public Policy Institute (GPPI) estimates Hashd al-Asha'iri forces to number 16 000 in Anbar province, 18 000 in Ninewa province and 2 000 – 3 000 in Salah al-Din province (although real fighting forces numbers may be much lower).[1624] The UN Security Council notes that the Government of Iraq steadily gained the support of tribal fighters to join military operations in areas under ISIL control in Anbar, Ninewa, Diyala, Kirkuk and Salah al-Din governorates as early as late 2014.[1625]

Harakat Hezbollah al-Nujaba

The DIS/Landinfo 2018 FFM to KRI stated that 'the Nujaba Movement, is an Iraqi Shia group, that has presence in Iraq, but it is mostly active in Syria.'[1626] The group fights under the umbrella of the PMU and has a force of around 10 000 fighters.[1627] Though the group is made up of Iraqis, it is loyal to Iran and according to some sources 'is helping Tehran create a supply route through Iraq to Damascus', and alongside other Iranian-backed militias 'are pushing into southeast Syria near the border with Iraq, where U.S. forces are based'.[1628]

The militia was established in 2013 assisting state security forces during the U.S. occupation.[1629] Other sources note that the Harakat al-Nujaba militia was established for operations in Syria.[1630] According to the International Crisis Group writing in 2018 'Nujaba are fighting in Syria in support of the Bashar al-Assad regime; one of its leaders said that his group's top priorities were to block the U.S. in Iraq and Syria and, next, to prevent ISIL from spreading.'[1631] According to the Nujaba's spokesman around 500 Nujaba fighters have been killed in combat between Syria and Iraq.[1632]

USCIRF, writing in 2018, stated that 'as in Syria, As-Saib Ahl Al-Haq and Harakat Hizballah Al-Nujaba, two militia groups controlled by Iranian Revolutionary Guard Corps (IRGC) Commander Qassem Soleimani, were identified as having committed sectarian crimes, including raping, attacking, and abducting Sunni Muslims in Iraq. They fought in battles to recapture territories from ISIS on behalf of the Iranian-backed PMF.'[1633]

In a 2018 report Renad Mansour makes note that 'in Ninewah, PMF groups such as al-Nujaba and Badr seek – either directly or through allies, such as the Sunni hashd – to gain control of the provincial council, local police, local state courts, and other provincial state institutions'

[1623] Derzsi-Horvath, A. et.al., Who's who : Quick facts about local and Sub-State forces, 16 August 2017, url.
[1624] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 30.
[1625] UN Security Council, Second report of the Secretary-General pursuant to paragraph 6 of resolution 2169 (2014), 2 February 2015, url, p. 2.
[1626] Denmark, DIS, Norway, Landinfo, Iraq: Security situation and the situation for internally displaced persons (IDPs) in the disputed areas, 5 November 2018, url, p. 45.
[1627] Reuters, Special Report: The Iraqi militia helping Iran carve a road to Damascus, 22 September 2017, url.
[1628] Mansour, R., The Popular Mobilisation Forces and the Balancing of Formal and Informal Power, 15 March 2018, url; Reuters, Special Report: The Iraqi militia helping Iran carve a road to Damascus, 22 September 2017, url.
[1629] International Crisis Group, Iraq's Paramilitary Groups: The Challenge of Rebuilding a Functioning State, 20 July 2018, url, p. 5.
[1630] Ohlers, C.A., The uncertain future of Iraq's Popular Mobilization Forces, in: Terrorism Monitor Volume: 16 Issue: 3, 8 February 2018, url.
[1631] International Crisis Group, Iraq's Paramilitary Groups: The Challenge of Rebuilding a Functioning State, 20 July 2018, url, p. 5.
[1632] Reuters, Special Report: The Iraqi militia helping Iran carve a road to Damascus, 22 September 2017, url.
[1633] USCIRF, United States Commission on International Religious Freedom 2018 Annual Report; Country Reports: Tier 2 Countries: Iraq, April 2018, url, p. 4.

and that 'al-Nujaba has taken over several informal and smuggling markets in north-western Iraq.'[1634]

In 2018 proposals to impose sanctions on Iran aligned Iraqi groups, including Harakat Hezbollah al Nujaba were considered by the US Congress.[1635] According to the Washington Institute Harakat Hezbollah al Nujaba has been threatening U.S. assets in Iraq in 2013 and 'in March 2017, the group created the Golan Liberation Army to advance the goals of returning the Golan Heights to Syria and destroying Israel.'[1636]

In January 2018, al-Nujaba and a number of other PMU groups, including the Badr Organization and Asa'ib Ahl al-Haq announced a political coalition called Fatah Alliance.[1637]

Minority armed groups linked to PMUs

In addition to the militias that are majority Shia such as those above, 'there are also a number of Sunni, Christian, Yezidi and other minority militias that consider themselves as part of the larger Popular Mobilization Units structure.'[1638] According to an August 2017 Global Public Policy Institute (GPPI) report the presence and power of minority militias in Iraq has increased since the rise of ISIL in June 2014, explaining that 'persecution and violence under ISIL and during the anti-ISIL campaign has led many of the communities to mobilize their own forces since 2014, including tribal Sunni Arab, Yezidi, Turkmen, Shabak and Christian forces.'[1639] PMUs, as well as the Peshmerga, 'seek to affiliate with these groups to take advantage of their local ties or knowledge, or to improve local legitimacy'.[1640] According to ISW, Iranian proxy militias have tried to co-opt militias from minority populations in Iraq, including 'Sunni tribal fighter formations, Christian self-defense militias, and Yezidi militias linked to the Kurdistan Workers' Party (PKK)'.[1641] Doing so, the PMU cultivates an image of inclusivity and nationalism in order to enhance its legitimacy and shroud Iranian influence.[1642]

In a June 2017 report Minority Rights International indicated that militias representing ethnic and religious factions of Iraq operate outside of PMU parameters but are to a large extent united with other armed groups, such as the PMU, in their efforts against ISIL;[1643] however, other sources note that the link to the PMU is not always clear cut or standard and can be loosely based on financial, legal, of political incentives.[1644]

Minority militias linked to PMUs which are of note are also:

[1634] Mansour, R., The Popular Mobilisation Forces and the Balancing of Formal and Informal Power, 15 March 2018, url.
[1635] US, CRS, Iraq: Issues in the 115th Congress, 4 October 2018, url, p. 21.
[1636] Knights, M. et.al., The Smart Way to Sanction Iranian-Backed Militias in Iraq, 17 September 2018, url.
[1637] Mansour, R., The Popular Mobilisation Forces and the Balancing of Formal and Informal Power, 15 March 2018, url.
[1638] Frentzel, K., The future role of the Hashd al-Shaabi in Iraq – Key influencers of Post- ISIS politics?, May 2017, url, p. 3.
[1639] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 11.
[1640] Gaston, E. et.al., Literature review of local, regional or sub-state defense forces in Iraq, 6 August 2017, url, p. 11.
[1641] Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url), p. 45.
[1642] Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url, p. 45.
[1643] MRG, Crossroads: The future of Iraq's minorities after ISIS, 7 June 2017, url, pp. 42-43.
[1644] Al Jazeera, Iraq's second army: who are they and what do they want, 31 October 2017, url.

- *Yazidi militias:* In a 2017 KAS noted that as of 2014 the Yazidi community in Iraq set up militia groups to protect its community against ISIL's onslaught. The largest of these militias, the Protection Force of Êzîdxan and the Sinjar Resistance Units (YBS), are associated with the PKK. The Yazidis also act as allies of the PMU.[1645] They count 2 500 fighters and frequently change alliances.[1646]
- *Christian militias:* Christian militias include the Ninewa Plains Protection Units (NPUs) and are financed by the Iraqi and the American government. Founded in 2015 The Babylon Brigade forms part of the PMU.[1647] Kata'ib Babiliun are a Chaldean Christian militia operating as the 50th PMU Brigade and active in Ninewa province.[1648]
- *Turkmen brigades:* Turkmen Brigades 16 and 52 are a minority militia within the PMU formed in 2014 and counting over 3 000 fighters. Whilst Brigade 16 is linked to various Shia militia, Brigade 52 reports exclusively to the Badr Organization.[1649]
- *Shabak forces:* This minority militia was formed in November 2014 and consists mostly of Shia Shabak from the Ninewa plains area and Shia Arabs. They are about 1 000 men strong and are linked to the Badr Organization. They operate across the Ninewa plains and in Mosul, including controlling many checkpoints and areas from Bartella leading into Mosul.[1650] The integration of The Shabak forces in the PMU has helped promote them as potential stakeholders in the Ninewa plains region, resulting in tensions between Shabak and Christian militias and deterring the return of the Christian community to Qaraqosh and nearby Christian areas.[1651]

[1645] Oehring, O., Christians and Yazidis in Iraq : current situation and prospects, 2017, url, pp. 40-43.
[1646] Derzsi-Horvath, A. et.al., Who's who: Quick facts about local and Sub-State forces, 16 August 2017, url.
[1647] Oehring, O., Christians and Yazidis in Iraq : current situation and prospects, 2017, url, pp. 37-39.
[1648] Dury-Agri, J.R. et.al., Iraqi Security Forces and Popular Mobilization Forces: orders of battle, December 2017, url, pp. 45-46.
[1649] Derzsi-Horvath, A. et.al., Who's who: Quick facts about local and Sub-State forces, 16 August 2017, url.
[1650] Derzsi-Horvath, A. et.al., Who's who: Quick facts about local and Sub-State forces, 16 August 2017, url.
[1651] Gaston, E., Report: Qaraqosh, Hamdaniya District, The Global Public Policy Institute, 5 August 2017, url.

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Annex III: Terms of Reference

The report should aim to cover the situation of targeted individuals in Iraq as well as the following **research topics**:

1. Briefly describe main actors involved in targeting of individuals, including state, non-state, and armed groups
    a. Who are the main actors and what is their modus operandi/targeting rationale
    b. Main presence/strength and structure
    c. Main activities
2. Targeting of individuals and treatment by main actors
    a. Who is targeted, by which actor, how, what is their treatment, why does targeting occur, when has targeting happened
    b. Possibility access redress and protection and/or avoid or escape targeting

Research should aim to consider the main profiles:

- ❑ Individuals originating from ISIS-held territories who fled due to fear of ISIS
- ❑ Individuals accused of being ISIS members, or perceived to be sympathetic/collaborators with ISIS, including their family members
- ❑ Members of main ethno-religious groups and minorities
- ❑ Women and girls in situations of gender-based violence
- ❑ Individuals who are perceived to have transgressed honour, moral and social codes
- ❑ Individuals who are (former) Baathists
- ❑ Individuals who work(ed) for international organisations, military forces, or US forces
- ❑ Individuals involved in tribal disputes or blood feuds; outcasts from the tribe
- ❑ Situation of forced recruitment into armed groups and treatment of defectors/deserters
- ❑ Situation of individuals perceived to be collaborators of the Iraqi government or who work for the government
- ❑ Individuals detained, accused and/or prosecuted for ordinary crimes
- ❑ Politicians and political activists
- ❑ Human rights activists
- ❑ Journalists and media workers
- ❑ Children in certain situations (domestic violence, sexual violence, unaccompanied children, child labour)
- ❑ Individuals who are stateless with a former habitual residence in Iraq (e.g. Palestinians)
- ❑ Individuals perceived as ‘wealthy’

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