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Country Policy and Information Note

Iraq: Blood feuds, Honour crimes and Tribal violence

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Executive summary

Women fearing 'honour' crimes, and victims or potential victims of blood feuds both form a particular social group (PSG) in Iraq. Male potential victims of 'honour' crimes do not form a PSG in Iraq unless based on sexual orientation, gender identity or expression. Men fearing retribution for engaging in a premarital or extramarital relationship with a family's daughter whose honour has been lost may be at risk, however due to differing notions of male and female honour, this would be classified as a revenge killing rather than an 'honour' crime.

The fact that a person involved in a tribal dispute is not, in itself, enough to amount to serious harm or persecution. However, if a blood feud exists and cannot be resolved by peaceful means and the person is likely to be directly affected by it, then, given the potential retributive consequences, a person may be at risk of serious harm or persecution. If a woman or girl can show she has been, or will be, subjected to honour-based violence, this is also likely to amount to serious harm or persecution. The onus is on the person to demonstrate they face a real risk of this.

Statistical data regarding blood feuds is not available. However, sources state that they remain a common occurrence, with the highest levels of tribal violence taking place in Baghdad and across the South and with a recent increase in the Kurdistan Region of Iraq (KRI). Violence against women is deeply ingrained in society and the Penal Code permits 'honour' as a mitigation for violence against a family member and allows for lenient punishments. There are no reliable statistics, but evidence suggests the problem is pervasive throughout Iraq and the KRI, irrespective of religion or ethnicity.

Blood feuds occur as a result of tribal custom that dictates that a tribal unit are obligated to avenge the death or injury of a family member, punishing the perpetrator with the same act in retaliation. Blood feuds can lead to prolonged cycles of retaliatory violence and revenge with violence such as armed confrontations, the shooting at or burning of homes, abductions and killings.

Motives for honour crimes against women include (but are not limited to) pre-marital relationships with members of the opposite sex, the refusal to marry a man chosen by the family, loss of virginity (including being a victim of rape), adultery, seeking a divorce and 'shameful' dress or behaviour, including on social media.

Local police and security agents are unwilling to get involved with what they see as a family matter. As such, protection from the state or from a tribe is unlikely to be available for victims or potential victims of blood feuds and those fearing honour crimes or revenge for honour-related transgressions, as the federal security system is weak, particularly with regards to tribal matters.

Tribal disputes and blood feuds can be resolved peacefully through 'sulha' – a tribal negotiation process – often by way of financial compensation. In some cases, despite being banned by law, a tribe might resolve a dispute by giving one or several girls or women to another tribe for marriage.

Internal relocation may be reasonable, depending on the individual circumstances. Internal relocation for women fearing honour crimes is unlikely to be reasonable without family support.

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Assessment

Section updated: 24 June 2024

About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is likely to face a real risk of persecution/serious harm from non-state actors because of a tribal dispute, blood feud or honour crime,
- a person is able to obtain protection from the state (or quasi state bodies),
- a person is reasonably able to relocate within a country or territory,
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is unlikely to be certifiable as ‘clearly unfounded’ under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

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1. Material facts, credibility and other checks/referrals

1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 In cases where there are doubts surrounding a person’s claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable.

Each case must be considered on its individual facts and merits.

- 1.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).
- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention](#), [Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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2. Convention reason(s)

2.1 Blood feuds

- 2.1.1 The Country Guidance (CG) case of [EH \(blood feuds\) Albania CG \[2012\] UKUT 348 \(IAC\)](#), heard on 7 December 2010, 30 June 2011 and 27 September 2011, and promulgated on 15 October 2012, the Upper Tribunal (UT) held ‘It is settled... that members of families or clans are capable of constituting a particular social group and that the Refugee Convention is engaged where there existed a reasonable degree of likelihood that members of a particular family would be at risk of serious harm on return, subject of course to whether internal relocation was available, or whether the state provided sufficient protection against such risk.’ (Paragraph 62).
- 2.1.2 In light of the UT’s finding in [EH](#) that, in principle, a family group or clan is capable of constituting a PSG (albeit in Albania) and taking into account available country information in this note, a person who is part of a tribe in Iraq is a member of a PSG.
- 2.1.3 Although victims or potential victims of blood feuds form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question to be addressed is whether the person has a well-founded fear of persecution on account of their membership of such a group.
- 2.1.4 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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2.2 Honour crimes

- 2.2.1 Female victims or potential victims of ‘honour’ crimes form a particular social group (PSG) in Iraq within the meaning of the Refugee Convention because they share a common background that cannot be changed – the experience that they have compromised or have been accused of compromising the family or tribal ‘honour’ - and have a distinct identity in Iraq because the

group is perceived as being different by the surrounding society.

- 2.2.2 Although female victims or potential victims of 'honour' crimes form a PSG, establishing such membership is not sufficient to be recognised as a refugee. The question to be addressed is whether the person has a well-founded fear of persecution on account of their membership of such a group.
- 2.2.3 Male potential victims of 'honour' crimes (based on their involvement in a premarital or extramarital relationship with a female) are not considered to form a particular social group (PSG) within the meaning of the Refugee Convention. This is because while they do share a common background that cannot be changed in that they have compromised the familial 'honour' of the females' family, they do not have a distinct identity. This is due to differing notions of male and female honour, the patriarchal nature of Iraqi society and a lack of evidence to suggest that male potential victims of 'honour' crimes are perceived as being different by the surrounding society.
- 2.2.4 However, male potential victims of 'honour' crimes based on their sexual orientation, gender identity or expression would form a PSG. See the CPIN [Iraq: Sexual orientation and gender identity and expression](#).
- 2.2.5 Where a male is at real risk of serious harm as a result of a premarital or extramarital relationship, they may qualify for [Humanitarian Protection](#).
- 2.2.6 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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3. Risk

3.1 Blood feuds and tribal disputes/violence

- 3.1.1 The fact that a person involved in a tribal dispute is not, in itself, enough to amount to serious harm or persecution.
- 3.1.2 If a blood feud exists which cannot be resolved by peaceful means and the person is likely to be directly targeted by it, then, given the potential retributive consequences, a person may be at risk of serious harm or persecution. This will depend on factors such as the intensity of the blood feud and the possibility of conflict resolution.
- 3.1.3 Women and children are unlikely to be targeted for retribution in a blood feud. However, where a woman or girl can credibly show that they are likely to be used as compensation for injuries or deaths caused as part of a blood feud, they are likely to be at risk of persecution. Each case must be considered on its individual facts, with the onus the person to demonstrate that they are at risk.
- 3.1.4 The tribal system in Iraq is complex, with traditional tribal customs influencing day-to-day life. According to the European Union Asylum Agency (EUAA) tribalism is a defining characteristic of Iraqi society. 75% of Iraqis either belong to, or have kinship with, a tribe. Family honour is regarded as the 'highest good' and defines a family's prestige in relation to other families (see [Tribal society in Iraq](#)).
- 3.1.5 A blood feud ('Thar') usually involves members of one family or tribe

threatening to kill, or take retaliatory acts of vengeance against another family or tribe in accordance with an ancient code of honour and behaviour. Several sources stated that if a tribe member is murdered or injured, the males of the victim's tribe ('Khamisa') are obliged to avenge this by killing someone in the perpetrator's tribe. Blood feuds can lead to prolonged cycles of retaliatory violence and revenge, sometimes escalating after years of inactivity. Violence associated with blood feuds include armed confrontations, the shooting at or burning of homes, abductions and killings (see [Blood feuds and tribal disputes/violence](#)).

- 3.1.6 There is limited published information that looks specifically at the prevalence of blood feuds across Iraq and the Kurdistan Region of Iraq (KRI). Most available evidence focusses on incidents of tribal violence (of which blood feuds are a form of). Specific statistical data for blood feuds is not available, although sources suggest that they remain a common occurrence, particularly in Baghdad and the southern governorates (see [Prevalence](#)).
- 3.1.7 Statistical data regarding tribal violence produced by the Armed Conflict Location and Event Data Project (ACLED) indicates that between December 2019 and December 2023, the southern governorates of Maysan, Basrah, Thi Qar as well as Baghdad have experienced the highest number of inter-tribal violence events with 117, 115, 40 and 159 events respectively. ACLED defines inter-tribal violence events as communal violence, as violent groups typically act locally in pursuit of local goals, resources, power, security, and retribution. ACLED does not specify which events relate to blood feuds. ACLED does not include any data on honour crimes.
- 3.1.8 Tribal disputes or violence may be triggered by a range of different reasons including, but not limited to, intentional or unintentional killing, infliction of injuries, theft, insults, loss of honour or honour violations, being LGBTQI, unpaid debts, access to water, property, resources or land disputes. One source stated that even minor disagreements, such as social media posts or children of two competing tribes fighting, could escalate into a tribal dispute (see [Motives](#)).
- 3.1.9 Tribal law aims to provide resolutions to all forms of disputes, with tribal legal processes built on the principle that those who have been affected have the right to respond with equal violence, to restore the honour of the group, rather than the harmed individual. However, some tribal disputes may be resolved by peaceful means and may not result in a blood feud. 'Sulha' is a tribal negotiation process for resolving intra- or intertribal disputes which takes place outside of the purview of the state. This process may involve meetings where claimants, alleged perpetrators, sheikhs, mediators, experts and community elders discuss the dispute, with the aim of finding a peaceful solution ('Fasl'). However, when tribes are unable to resolve disputes peacefully, they can escalate into a blood feud (see [Tribal Law](#) and [Tribal dispute mechanisms](#)).
- 3.1.10 The blood feud goes on until restitution is made through an avenged death ('Qisas' or 'eye-for-an-eye' type retribution), mutually agreed financial compensation ('Diyaa' or 'blood money') or in some cases, despite being banned by law, by one tribe giving one or several girls or women to another

tribe for marriage ('Fasliya'). When females are given as compensation for injury or death they lose their rights, even the right to divorce or separate from their husband and may be exposed to abuse (see [Definitions](#) and [Tribal dispute mechanisms](#)).

- 3.1.11 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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3.2 Honour crimes

- 3.2.1 In general, if a woman or girl can show she has been, or will be, subjected to honour-based violence, this is likely to amount to serious harm or persecution. The onus is on the woman to demonstrate this.
- 3.2.2 Not all women are not at risk from an 'honour' crime. This will depend on their particular circumstances, including the alleged transgression, age, family background, place of residence, education and socio-economic status. There is a greater risk of an 'honour' crime against a woman or girl from a poor, more traditional, religious family, especially in rural or tribal areas. Sources indicated that Yazidi women are particularly vulnerable to honour related violence. Limited information was found in relation to the prevalence of honour crimes among Christian families. (see [Prevalence and profiles of victims](#)).
- 3.2.3 In general, a male who has engaged in a premarital or extramarital relationship with a female is not at risk of serious harm or persecution from his own family. This is because a male who has engaged in a premarital or extramarital relationship with a female is not perceived to have stained his own honour.
- 3.2.4 Males may be considered to have damaged their and their family's honour by violating gender roles through their dress or by having same-sex relationships. See the CPIN [Iraq: Sexual orientation and gender identity and expression](#) and the Asylum Instruction on [Assessing Credibility and Refugee Status](#).
- 3.2.5 Available evidence indicates that males involved in premarital or extramarital relationships with a female may be targeted by the female's family in acts of revenge. There have been cases where a male has been killed. However, there is limited data and evidence regarding the prevalence of such incidents (see [Honour crimes against men](#)). As such, it does not amount to a generalised risk. The onus is on the person to demonstrate otherwise.
- 3.2.6 Iraq, including the KRI, is a patriarchal society. Violence against women is deeply ingrained in society. Women have a lower status in the family and are expected to be subservient to men and are frequently stereotyped as housewives and mothers (see [Women in Tribal society](#)).
- 3.2.7 An 'honour' crime is an act of violence or abuse, including killing, which has been or may be committed to protect or defend the honour of an individual, family and/or community for alleged or perceived breaches of the family and/or community's code of behaviour. Honour and conversely the avoidance of shame, disgrace or humiliation are key components of Iraqi society. The tribe's honour can fluctuate due to male behaviour ('sharaf'),

while family honour ('ird'), primarily embodied in women, can only be lost due to female behaviour (see [Definitions](#) and [Notions of honour](#)).

- 3.2.8 Although the Iraqi constitution – which covers both Iraq and the KRI – guarantees equality of the genders, the penal code allows a husband to punish his wife but does not detail the nature of the behaviour permitted. Although this was revised in 2011 by the Kurdistan Regional Government (KRG), it has yet to be effectively implemented (see [Legal context](#) and [Domestic violence laws](#)).
- 3.2.9 'Honour' crimes may be committed or ordered by a husband, a father, a brother or another male relative. 'Offences' women or girls may "commit" or be suspected of include (but are not limited to) friendships or pre-marital relationships with a member of the opposite sex; refusing to marry a man chosen by the family; same sex relationships; marriage against the family's wishes; seeking a divorce; committing adultery; being a victim of rape, sexual assault or kidnapping; and 'shameful' dress or behaviour, including on social media (see [Motives](#)).
- 3.2.10 Punishments and tribal resolutions for perceived 'honour' offences and violations range from verbal and physical abuse, forced abortion, forced virginity testing, restricted freedom of movement or confinement, forced marriage, forced suicide and murder (see [Tribal dispute mechanisms](#)).
- 3.2.11 Although sources indicate that 'honour' killings are widespread across Iraq, they are underreported and often passed off by families as accidents or suicides and therefore accurate data regarding the scale and extent of the practice is limited. However, several unofficial estimates indicate that hundreds of girls and women become victims of 'honour' killings across Iraq and the KRI each year. Sources state that 'honour' killings occur with impunity, often in secret or under the guise of other reasons, occur more frequently in rural or poor areas and often remain unreported and unsolved (see [Prevalence and profiles of victims](#)).
- 3.2.12 For further guidance on assessing state protection see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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4. Protection

4.1 State protection from blood feuds and tribal disputes/violence

- 4.1.1 In general, the Iraqi government and the Kurdistan Regional Government are neither willing nor able to offer effective protection.
- 4.1.2 Whilst the Iraqi laws prescribe strict penalties for tribal violence, the implementation of these laws is difficult as deployment of security forces to areas of strong tribal influence can lead to conflict. There are reports of law enforcement personnel being reluctant to get involved in tribal conflicts as they fear that they will exacerbate the situation or experience reprisals. Law enforcement have also been known to 'take sides' in line with their own tribal affiliations. Judicial authorities reportedly often avoid following up on tribal incidents (see [Protection](#)).
- 4.1.3 For further guidance on assessing state protection see the Asylum

Instruction, [Assessing Credibility and Refugee Status](#).

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4.2 Non-state protection from blood feuds and tribal disputes/violence

- 4.2.1 Tribes may be willing and able to offer effective protection. This will depend on factors such as the size and influence of the tribe. The onus is on the person to demonstrate otherwise.
- 4.2.2 Tribes are very powerful and are a rival to the formal authorities in the administration of justice and protection. As such, people have turned to their tribes to resolve their problems and provide security (see [Tribal dispute mechanisms](#) and the CPIN [Iraq: Actors of Protection](#)).
- 4.2.3 'Sulha' is the process of conflict resolution using tribal law. The purpose of tribal justice is to "contain conflict" and prevent it from escalating. Dispute settlement known as 'fasl' may be financial, exile, or the trade of women for marriage between tribes known as 'Fasliya'. 'Diya' or blood money is sometimes paid to end revenge killings (see [Tribal Law](#)).
- 4.2.4 If a person is not affiliated with a tribe, they can still be called into a tribal dispute settlement meeting (fasl) if involved in a dispute with a member of a tribe. However, without the backing of their own tribe they would have no one to represent their interests in the system (see [Tribal dispute mechanisms](#)).
- 4.2.5 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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4.3 State protection from honour crimes

- 4.3.1 In general, authorities in Federal Iraq (excluding the KRI) are neither willing nor able, whereas authorities in the KRI are willing but not able, to offer effective protection to persons at real risk of honour crimes.
- 4.3.1 There is no available evidence on the state protection for males at risk of revenge for premarital/extramarital relationships or how these cases are treated by the authorities.
- 4.3.2 Article 409 of the Iraqi Penal Code permits 'honour' as a mitigation for crimes of violence committed against family members. The Code allows for lenient punishments for 'honour killings' on the grounds of provocation or if the accused had 'honourable motives'. The law does not provide guidance as to what 'honourable motives' are and therefore leaves scope for wide interpretation (see [Domestic violence laws](#)).
- 4.3.3 Available evidence suggests that 'honour' crimes often go unreported and unprosecuted. State authorities reportedly often try to mediate any conflicts within the family and there have been reports of police officers returning women fleeing violence back to their family after having the family member they fear sign a 'pledge' not to cause any further harm. Additionally, perpetrators reportedly go unpunished by escaping punishment through bribery (see [Protection](#)).
- 4.3.4 Sources suggest that the rise of honour crimes in the KRI is attributable to

the failure of the authorities to fully enforce the law, particularly if the culprit is affiliated with powerful political parties or tribes.

- 4.3.5 Within the KRI there are constitutional and legal protections against 'honour' offences, with the passing of a law in 2004 prohibiting mitigating sentences for perpetrators of honour crimes and the enacting of the Law for Combatting Domestic Violence in 2011. However, sources indicate that this has not yet been effectively implemented (see [Kurdistan Region of Iraq \(KRI\)](#)).
- 4.3.6 After the passing of the Domestic Violence law in 2011, the KRI set up women's centres for combating domestic violence, but sources suggest there is limited space and poor psychological provision.
- 4.3.7 Although there are some government-run women's shelters, sources have described them as "like prisons". These shelters favour mediation with the women's family over legal remedies and other than marrying or returning to their families, there were few options for women accommodated at shelters.
- 4.3.8 Sources indicate NGO-run women's shelters are stigmatised and targeted by various actors and so must run in secret. Despite this, the Organization of Women's Freedom in Iraq (OWFI) shelters' provided refuge to over 1,300 women and girls escaping 'honour killings', sex-trafficking and domestic abuse in the past two decades (See [NGOs and Shelters](#)).

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4.4 Non-state protection from honour crimes

- 4.4.1 In general, Tribes may be able but not willing to offer effective protection to women at risk of honour crimes.
- 4.4.2 Given the tribalistic nature of Iraqi society, turning to the formal justice system in matters of personal or intercommunal disputes is perceived as shameful. However, women are particularly vulnerable regarding tribal justice and in cases involving 'honour', the tribe is likely to protect the family's 'honour' above the woman. Additionally, tribal justice is inaccessible to women as they must be represented by a husband, brother, or other male guardian (who are often the perpetrators) (see [Women in tribal society](#)).
- 4.4.3 For more information see the CPIN [Iraq: Actors of Protection](#). For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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5. Internal relocation

- 5.1.1 While the onus is on the person to establish a well-founded fear of persecution or real risk of serious harm, decision makers must demonstrate that internal relocation is reasonable (or not unduly harsh) having regard to the individual circumstances of the person.
- 5.1.2 In general, there are parts of the country where a person would not have a well-founded fear of persecution/real risk of serious harm and it will be reasonable for them to relocate there. However, decision makers must consider the size, influence, and reach of the tribe or family from which the person is fleeing along with the individual circumstances of the person.

- 5.1.3 Due to societal attitudes that are prevalent throughout both Iraq and the KRI, women and LGBTQI persons fearing ‘honour crimes’ are unlikely to be able to relocate to escape that risk.
- 5.1.4 Tribes and tribalism are reported to be ‘ubiquitous throughout Iraq’, but prominent in Sunni areas of Anbar, Salah Al-Din, Kirkuk, Ninewa; and in the southern, mainly Shia, governorates province of Basrah, as well as in the KRI. As a result of the importance of the tribe and tribal connections in Iraqi society, any consideration of relocation away from areas of the blood feud and associated tribal violence must include an evaluation of a person’s educational background and ability to obtain gainful employment. This may be easier in urban areas over traditionally tribal rural areas and the person’s ethnoreligious background must be considered (see [Tribal society in Iraq, Internal relocation](#)).
- 5.1.5 Available evidence indicates that tribes have the capacity to locate people after they have relocated through tribal or familial links. However, CPIT was not able to find information relating to how often people are tracked down by tribes in the sources consulted (see [Internal relocation](#)).
- 5.1.6 ‘Honour’ crimes are considered a family matter. The extent to which the family can pursue a person will depend on their willingness to enact the honour crime; and their ability, finances, and connections.
- 5.1.7 The limited availability, suitability, and efficacy of women’s shelters (see [NGOs and shelters](#)) should also be noted as should the societal attitude towards women and the public endorsement of ‘Honour’ related violence. The social stigma that would be directed at a woman known or suspected of being at risk of honour related violence, and the lack of availability of a support network will also be relevant to whether a lone woman could reasonably relocate (see [Women in tribal society](#)).
- 5.1.8 For further guidance on considering internal relocation, see the Asylum Instructions, [Assessing Credibility and Refugee Status](#). See also the CPIN, [Iraq: Internal relocation, civil documentation and returns](#).

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6. Certification

- 6.1.1 Where a claim is refused, it is unlikely to be certifiable as ‘clearly unfounded’ under section 94 of the Nationality, Immigration and Asylum Act 2002.
- 6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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Country information

Section updated: 6 June 2024

About the country information

This section contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

Decision makers must use relevant COI as the evidential basis for decisions.

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7. Tribal society in Iraq

7.1 Society

- 7.1.1 Fanack, a Dutch independent online media organisation with a focus on the Middle East and North Africa region¹, stated in their article entitled 'Society of Iraq' published in February 2021 that:

'Iraqi society is organized differently from Western, post-industrial society. There is a strong orientation to the family and the clan (which consists of several families). About 40 percent of the population are also loyal to their own tribe (which consists of several clans). There are about a hundred large tribes and twenty-five tribal confederations.

'... There is a rigid hierarchy in the traditional extended family, in which several generations (parents and their children, grandparents, brothers with their families) live under the same roof. Authority lies formally in the hands of males, who are ranked according to age and social position. Among women, authority increases with age and number of children.

'... These traditional social relationships impose immense social pressure and control. Individual conduct is tightly regulated, and violations of unwritten laws are punished. Family honour is regarded as the highest good and defines a family's prestige in relation to other families. Violations of traditional rules and customs, such as improper contacts between men and women, are regarded as a blot on the family honour and punished with physical violence, in order to redress the harm done to the family.'²

- 7.1.2 The Center for Security Studies (CSS), a Swiss website discussing foreign and security policy³, in their paper entitled 'The Persisting Past of Iraq' from September 2021 stated that 'An important facet of Iraq is its historically complex tribal society in which the politicization of Islam became intertwined

¹ Fanack, '[About us](#)', no date

² Fanack, '[Society of Iraq](#)', 2 February 2021

³ CSS, '[About us](#)', no date

with the sociological makeup of the country across time.⁴

- 7.1.3 The European Union Agency for Asylum (EUAA) (formerly the European Asylum Support Office) report 'Iraq - Targeting of Individuals', from January 2022 and citing various sources⁵, noted '... [T]raditional tribal customs continue to influence day-to-day life... [M]any Iraqis may turn to their tribe for their physical or economic security or for dispute mediation.'⁶
- 7.1.4 EUAA in the report entitled 'Country Guidance: Iraq', from June 2022 noted: 'Persons who do not comply with the will of their tribe may be killed, ostracised or disowned and expelled from the tribe and be forbidden to reside in specific areas'⁷ It should be noted that EUAA does not give an indication of the scale or extent of these abuses across Iraq and the Kurdistan Region of Iraq (KRI).
- 7.1.5 In April 2023, the EUAA report entitled 'Iraq: Arab tribes and customary law' (the April 2023 EUAA report), citing various sources⁸, stated:
- 'It must be noted that the tribal system in Iraq is highly complex, sensitive, extremely difficult to research, and variable based on a wide range of factors and specific circumstances on the ground.'
- '... "Tribalism" is a defining characteristic of modern Iraqi society... Tribes in Iraq exercise social influence across the country, and social capital for Iraqis is "often" or "primarily found in tribal, clan, and ethno-sectarian communities"
- 'A report by the US Congressional Research Service (CRS) estimated that 75% of Iraqis are either members of, or have kinship to, a tribe, and "around 70 percent of Iraqis identify themselves as part of the tribal system".'⁹
- 7.1.6 It should be noted that the estimated 75% comes from a 2008 study from Hassan in the CRS report to Congress¹⁰. Whilst the source is dated, there has been very few recent tribal studies.
- 7.1.7 Citing various sources, the same report additionally stated that 'Customary tribal law is an expression of the collective identity that "regulates relations between the individual and the group" and an individual who does not obey tribal customs "risks the loss of support of the tribe, thus making himself and his family vulnerable." The fundamental goal of Sulh (tribal dispute settlement...) is to restore peace through the restoration of honour [For more information see [Notions of Honour](#)].'¹¹

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8. Legal context

8.1 Constitution

- 8.1.1 Article 45(2) of the 2005 Iraqi Constitution states: 'The State shall seek the

⁴ CSS, '[The Persisting Past of Iraq](#)', September 2021

⁵ EUAA, '[Iraq - Targeting of Individuals](#)', (Page 106-143), January 2022.

⁶ EUAA, '[Iraq - Targeting of Individuals](#)', (Page 85), January 2022.

⁷ EUAA, '[Country Guidance: Iraq](#)', (Page 111), 29 June 2022

⁸ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 94-111), April 2023

⁹ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 11, 17-18) April 2023

¹⁰ CRS, '[Iraq: Tribal structure, social, and political activities](#)', 7 April 2008

¹¹ EUAA, '[Iraq: Arab tribes and customary law](#)' (Page 25), April 2023

advancement of the Iraqi clans and tribes, shall attend to their affairs in a manner that is consistent with religion and the law, and shall uphold their noble human values in a way that contributes to the development of society. The State shall prohibit the tribal traditions that are in contradiction with human rights.’¹²

- 8.1.2 Article 14 of the 2005 Iraqi constitution states: ‘Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, color, religion, sect, belief or opinion, or economic or social status.’¹³
- 8.1.3 The Iraqi Constitution also covers the Kurdistan Region of Iraq (KRI) ¹⁴.

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8.2 Penal Code

- 8.2.1 The following table shows relevant Articles from the Iraq Penal Code of 1969 (as amended in 2010)¹⁵.

Article	Description
41(1)	There is no crime if the act is committed while exercising a legal right. The following are considered to be in exercise of a legal right: (1) The punishment of a wife by her husband, the disciplining by parents and teachers of children under their authority within certain limits prescribed by law or by custom.
128	(1) Legal excuse either discharges a person from a penalty or reduces that penalty. Excuse only exists under conditions that are specified by law. Notwithstanding these conditions, the commission of an offence with honourable motives or in response to the unjustified and serious provocation of a victim of an offence is considered a mitigating excuse. (2) The court must identify in its decision the excuse that discharges a person from a penalty
130	If there exists a mitigating excuse for a felony for which the penalty is death, the penalty shall be reduced to life imprisonment or imprisonment for a term of years or detention for a period of not less than 1 year. If the penalty is life imprisonment or imprisonment for a term of years; the penalty shall be reduced to a period of detention of not less than 6 months unless otherwise stipulated by law.
131	If there exists a mitigating excuse for a misdemeanor, the reduction of the penalty shall be as follows: (1) If the penalty has a minimum limit, the court will not be bound

¹² Constitute Project, [‘Iraq’s Constitution of 2005’](#), 2005

¹³ Constitute Project, [‘Iraq’s Constitution of 2005’](#) 2005

¹⁴ EUAA, [‘Country Guidance: Iraq’](#), (Page 233), 29 June 2022

¹⁵ Iraq, [‘Iraq: Penal Code’](#) first published July 1969, amended 13 March 2010

	by that in its assessment of the penalty. (2) If the penalty is detention plus a fine, the court will rule for only one of those penalties. (3) If the penalty is detention without a minimum limit, the court will rule for a fine instead.
398	If the offender mentioned in this Section [Chapter Nine: Moral indecency – public etiquette; Section One: Rape, buggery, indecent assault] then lawfully marries the victim, any action becomes void and any investigation or other procedure is discontinued and, if a sentence has already been passed in respect of such action, then the sentence will be quashed. Legal proceedings will resume or the sentence will be reinstated, according to the circumstances if such marriage ends in divorce brought about by the husband without legal justification or in a divorce ordered by the court for wrongs committed by the husband or for his bad behavior within 3 years following the cessation of the proceedings. The public prosecutor, the accused, the victim or any person who has an interest in the proceedings may, according to the circumstances, make application for the proceedings, investigation, procedures or execution of the sentence to be stopped or for their resumption or for the reinstatement of the sentence.
409	Any person who surprises his wife in the act of adultery or finds his girlfriend in bed with her lover and kills them immediately or one of them or assaults one of them so that he or she dies or is left permanently disabled is punishable by a period of detention not exceeding 3 years. It is not permissible to exercise the right of legal defense against any person who uses this excuse nor do the rules of aggravating circumstance apply against him.

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8.3 Tribal Law

8.3.1 The Project on Middle East Political Science (POMEPS), a collaborative network designed to enhance the broader Middle East's political science field and its engagement with the broader academic discipline, public policy, and the public sphere¹⁶, in their article entitled 'Legal Pluralism and Justice in Iraq after ISIL [Islamic State of Iraq and the Levant]', published 1 September 2018 stated:

'Tribal law provides remedies for all types of disputes involving harm to person, property or reputation, whether intentional or accidental. Tribal legal processes are built upon the principle that those who have suffered have the right to respond with equal violence, in order to restore the honour of - not the harmed individual - but the group. The group is referred to as khamsa - literally "five" in Arabic - and includes all males descended from a common

¹⁶ POMEPS, '[About us](#)', no date

ancestor five generations back. If one member of the khamsa is the victim of a crime or serious insult, the honour of the entire group is violated. However, to mitigate against this system of revenge descending into frequent violence, tribal law also offers the khamsa an opportunity to restore its honor through a negotiated settlement (sahl) and payment of a tribute (fasel).¹⁷

- 8.3.2 In November 2019, The Century Foundation (TCF), a US think tank¹⁸, published an article written by Hayley Bobseine, a PhD candidate at Kings College London with over a decade of field experience in the Middle East¹⁹, entitled 'Tribal Justice in a Fragile Iraq' (the TCF paper) which stated:

'There is significant overlap and little variation among Sunni and Shia Arab tribal customs and "urf" (tribal law), with most discrepancies limited to the price of "diya" (financial payments made to settle disputes). Tribal differences are greater among other ethnic and religious groups.'

'... Generally, the main goal of the tribal justice system is to provide stability and maintain collective honour, while preventing a descent into revenge killings and the escalation of conflict. The tribal justice system generally subordinates the individual good for the collective good.'

'... Tribal sheikhs oversee the gamut of both civil and criminal matters (as they are referred to in the formal system), mediating disputes over land and property, water, commercial matters, inheritance, "honour crimes", car accidents, drug offenses, theft, fraud, and murder, among other matters. Tribal negotiation and conflict resolution occur at every level of the tribal system. Most disputes are resolved at the house or clan level. Contentious murder cases or other serious disputes may be transferred for adjudication by higher ranking sheikhs at the level of the tribe.'²⁰

- 8.3.3 The EUAA report 'Targeting of Individuals' from February 2022 noted 'Tribal law is not meant to compete with the state's laws. Rather it is meant to fill gaps not addressed by the state.'²¹

- 8.3.4 The April 2023 EUAA report noted:

'Tribal law in Iraq is comprised of sets of codes (sanayin or sawani in Arabic) which are adopted by tribal sheikhs to constitute the customs that guide the relations between tribe members and between tribes themselves. Those codes comprise tribal customs that pre-date Sharia law and precede the Iraqi Constitution and have materialised through tribal judicial precedents and tribal customs over the years.'

'... [T]he legal codes of many Iraqi tribes have been printed in formal documents which may be adopted by the senior members of tribes. Those legal codes "share a common body of rules, regardless of ethno-religious affiliations" and are known as urf. However, while urf rules vary, there is significant overlap and little variation among Sunni and Shia Arab tribal customs... [T]here "appears to be relatively little variation in the structure, specifics or processes of law" among those codes which enables them to

¹⁷ POMEPS, '[Legal Pluralism and Justice in Iraq after ISIL](#)', 1 September 2018

¹⁸ The Century Foundation, '[About us](#)', no date

¹⁹ Kings College London, '[Hayley Bobseine](#)', no date

²⁰ The Century Foundation, '[Tribal Justice in a Fragile Iraq](#)', (Page 3,5), 7 November 2019

²¹ EUAA, '[Iraq- Targeting of Individuals](#)', (Page 86), January 2022.

facilitate the settlement of disputes between tribes. Those rules that tribes have between each other include rules on the sums of fasl [Tribal dispute compensation²²] for different disputes.’

‘... Customary practices and settlements of disputes can vary very much at the discretion of who is involved in the dispute settlement process... According to Genat, [Melisande Genat, a PhD student at Stanford University] the purpose of tribal justice is to “contain conflict”, not to prevent it, but rather to prevent it from escalating.’²³

- 8.3.5 For explanations of the different terminologies involved in tribal law see [Annex A: Glossary of Terms](#). For more information on the tribal justice system see the CPIN [Iraq: Actors of Protection](#).

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9. Structure, prominence and locations of Tribes in Iraq

9.1 Tribal structure

9.1.1 The TCF paper stated:

‘The largest unit within the Arab tribal structure is the “qabalah,” or tribal confederation. Tribal confederations may span across several countries and are made up of dozens of tribes, or “asha’ir” (singular “ashirah”). Within Iraq, Arab tribal confederations are broken down into asha’ir, which are then divided into a category of subgroups known as “fakhdh” (clan), which in turn comprises a number of houses, or “biyout” (singular “bayt”), and which finally include a number of “awa’il” (families).’²⁴

9.1.2 The below diagram of Arab tribal structures was produced by CPIT using the information taken from the TCF paper:



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9.1.3 The same source additionally stated ‘Traditional sheikhs are those whose male ancestors have historically had claim to sheikhdом, while new sheikhs are those who have become leaders in recent times, without a bloodline pedigree. New sheikhs often rise to power due to political-security events or, sometimes, simply because of strong political and business connections. The label “new sheikhs” is also used as a pejorative term for leaders perceived to be implicated in corrupt dealings.’²⁶

²² EUAA, [‘Iraq: Arab tribes and customary law’](#), (Page 7), April 2023

²³ EUAA, [‘Iraq: Arab tribes and customary law’](#), (Page 25-26), April 2023

²⁴ The Century Foundation, [‘Tribal Justice in a Fragile Iraq’](#), (Page 3), 7 November 2019

²⁵ The Century Foundation, [‘Tribal Justice in a Fragile Iraq’](#), 7 November 2019

²⁶ The Century Foundation, [‘Tribal Justice in a Fragile Iraq’](#), (Page 4), 7 November 2019

- 9.1.4 The April 2023 EUAA report noted: ‘The foundational unit in the tribal structure is the “greater extended family”, known as the Khams (or Khamsa). It comprises “all male offspring who share the same great-great grandfather”, or those males “related through the paternal line to the fifth generation.”’²⁷

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9.2 Prominent and minority tribes

- 9.2.1 The Washington Institute for Near East Policy, an American community of experts and associates that produce research and informs US Middle East policy²⁸, in their analysis piece entitled ‘Iran is Losing Iraq’s Tribes’, from December 2019 noted:

‘While certain tribes most relevant to this discussion are solidly Shia in composition, others are more mixed, with significant Sunni sections. Some of these tribes are now downplaying sectarian differences and adopting a more unified approach in response to mounting anger over Iranian/proxy pressure, a sense of neglect by Baghdad, and lingering worries about security.’

‘The Khazraj. This tribe is based north of Baghdad in Salah al-Din province, with Shia members concentrated around Dujail and most Sunni members living near Tikrit...’

‘...The Shammar. Since 2016, members of this tribe have helped lead Iraq’s broader shift toward stronger tribal identity as a social and political focal point. One of the largest tribes in the Middle East, the Shammar’s influence extends through Saudi Arabia, Kuwait, Iraq, and Syria, with Sunni and Shia members holding a diverse array of loyalties.’²⁹

- 9.2.2 The EUAA report ‘Targeting of Individuals’ from February 2022 noted (citing various sources³⁰):

‘According to Hussein D. Hassan, an information research specialist writing for the Congressional Research Service (CRS) in 2008³¹, 75% of the total Iraqi population belong to a tribe or ‘have kinship to one’. The same source stated that there are around 150 tribes in Iraq composed of thousands of smaller clans of varying size and influence. These tribal groups range from ‘extended family clans that may number just several hundred people to broad confederations of clans that claim the loyalty of a million or more’. Tribes and tribalism are reported to be ‘ubiquitous throughout Iraq’, but prominent in Sunni areas of Anbar, Salah Al-Din, Kirkuk, Ninewa; and in the southern, mainly Shia, province of Basrah, as well as in the KRI.’³²

- 9.2.3 The April 2023 EUAA report noted (citing various sources³³):

‘Recent information on the representation and organisation of tribes across Iraq is scarce. There are around 60 tribal confederations... and around 150 tribes (asha’ir, singular ashira) in Iraq, comprising around 2,000 smaller

²⁷ EUAA, ‘[Iraq: Arab tribes and customary law](#)’ (Page 22), April 2023

²⁸ The Washington Institute for Near East Policy, ‘[About us](#)’, no date

²⁹ The Washington Institute for Near East Policy, ‘[Iran is Losing Iraq’s Tribes](#)’, 4 December 2019

³⁰ EUAA, ‘[Iraq - Targeting of Individuals](#)’, (Page 105-143), January 2022.

³¹ CRS, ‘[Iraq: Tribal structure, social, and political activities.](#)’, 7 April 2008

³² EUAA, ‘[Iraq - Targeting of Individuals](#)’, (Page 85), January 2022.

³³ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 94-111), April 2023

clans. Tribes and clans vary in size and influence with the largest tribe counting more than 1 million members and the smallest a few thousand. Minority communities in Iraq are also composed of tribes, however, in certain cases those have become less prominent.'

'... Tribal confederations and tribes are "often cross-sectarian" and major tribes contain both Sunni and Shiite members, such as the Jiburi and Shammar. Due to the diversity of tribal structures and origins, geographical and sectarian divisions are not always clear-cut. Iraqi tribes have "related branches" in several Arab countries like Syria, Jordan, and Saudi Arabia as well as in Turkey.'

'... According to Iraqi scholar Renad Mansour, "loyalties to tribal codes go beyond simple family bloodlines". Arab tribes tending to be defined by genealogy, while Kurdish tribes are defined by territory.'³⁴

9.2.4 The same EUAA report additionally stated, based on the 2008 CRS report by Hussein D. Hassan³⁵:

'The major Arab tribal confederations in Iraq are the following:

- Shammar: counts more than 1.5 million members and extends from south of Baghdad to the Syrian border, while some of its tribes reside in Yemen and the United Arab Emirates. It includes both Sunni and Shia members.
- Dulaym: resides mainly in Al-Anbar governorate and many of its tribe leaders played an important role in supporting the regime of Saddam Hussein.
- Jibur: one of the largest tribal confederations in Iraq and includes both Sunni and Shia groups.
- Tikriti: is the tribal confederation of former senior officials in Iraq including Saddam Hussein. Albu Nasir tribe, Hussein's tribe, counts more than 350,000 young men.
- Al-Khaza'il: are found in Baghdad area.
- Anizah: is believed to be "the largest group of nomad Arab tribes" in terms of number and is considered to be the "hereditary foes" of Shammar.
- Banu Hushaim: resides on the Euphrates and its tribes are mostly of Shammar origin.
- Aqrah: is also of Shammar origin and its members work in agriculture and sheep breeding.
- Zubayd: believed to have migrated from Yemen, and "have a wide kinship".³⁶

9.2.5 The same source additionally listed the following tribal confederations, based on a journal article by Jesmeen Khan a Research Analyst at the International

³⁴ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 17-18), April 2023

³⁵ CRS, '[Iraq: Tribal structure, social, and political activities.](#)', 7 April 2008

³⁶ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 24), April 2023

Center for Political Violence and Terrorism³⁷ in 2007³⁸: ‘Tayy, Rubia, Ubayd, Al-Dhufair, Al-Muntafiq, Bani Rikab, Al-Soudan, Albu Mohammed, Al-Qarraghul, Al-Hassan, Yazzid, Ka’b, Shammar Touga, Al-Ghalal, Al-Sumaida, Bani Lam, Al-Azza, Al-Umtayr, Zoba, Midan, Al-Duriyeen, and Al-Suwarma.’³⁹

- 9.2.6 The above country of origin information provides a sample of the tribes and tribal confederations across Iraq and should not be considered exhaustive.

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9.3 Locations

- 9.3.1 On 7 April 2008, the Congressional Research Service (CRS), ‘a research entity within the Library of Congress that provides policy and legal analysis to committees and members of both chambers of the United States Congress’⁴⁰, updated a report entitled ‘Iraq: Tribal Structure, Social, and Political Activities’, originally published on 15 March 2007. The report contained the following map showing the distribution of ethnoreligious groups and major tribes across Iraq and the KRI which was originally produced by the Central Intelligence Agency (CIA) in 2007. CPIT were unable to find the original CIA publication, nor a more recently updated version of the map in the sources consulted (see [Bibliography](#)).

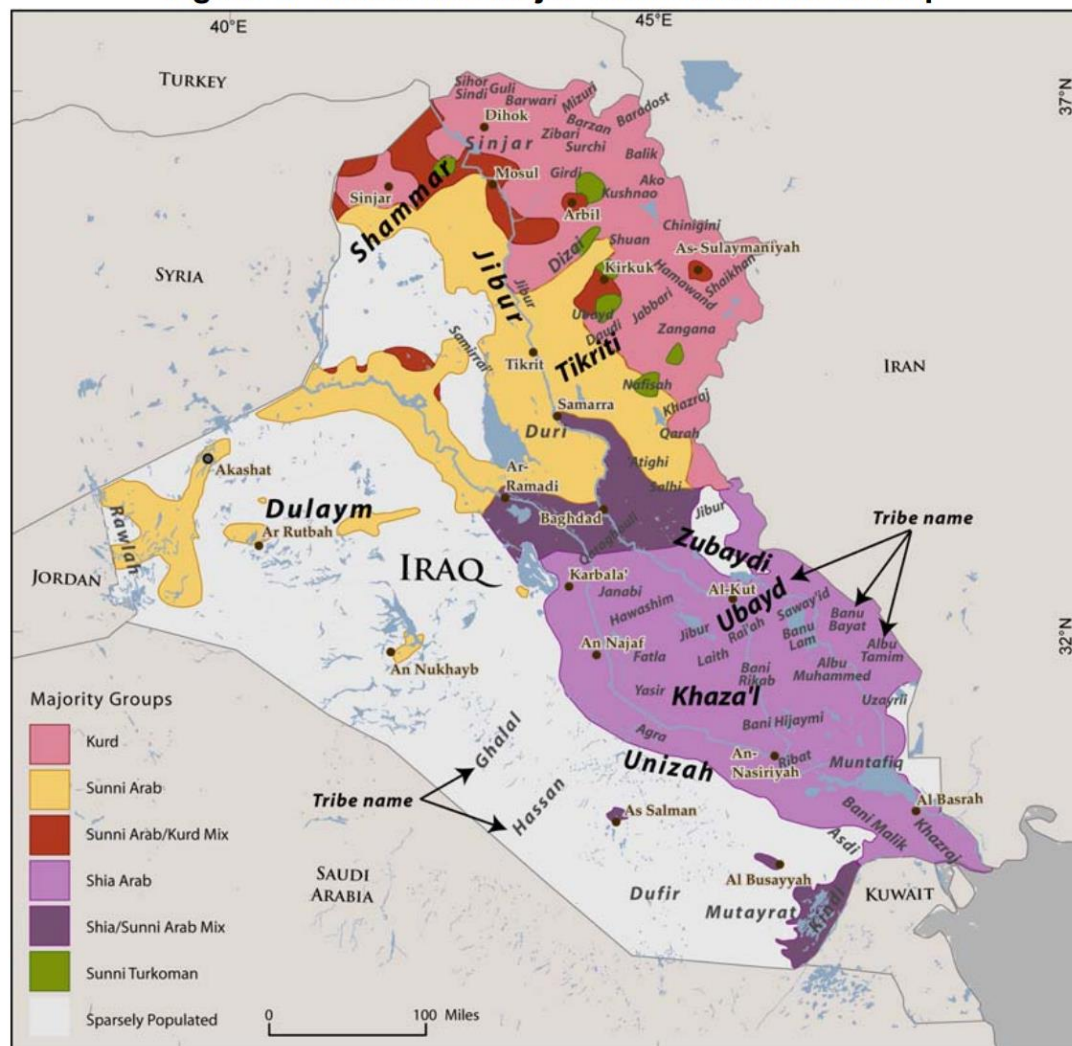
³⁷ Perspectives on Terrorism, ‘[About Perspectives on Terrorism](#)’, December 2014

³⁸ Jesmeen Khan, ‘[The Iraqi Tribal Structure: Background and Influence on \[CT\]](#)’, November 2007

³⁹ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 24), April 2023

⁴⁰ ecoi.net, ‘[Source description: Congressional Research Service \(CRS\)](#)’, 7 October 2019

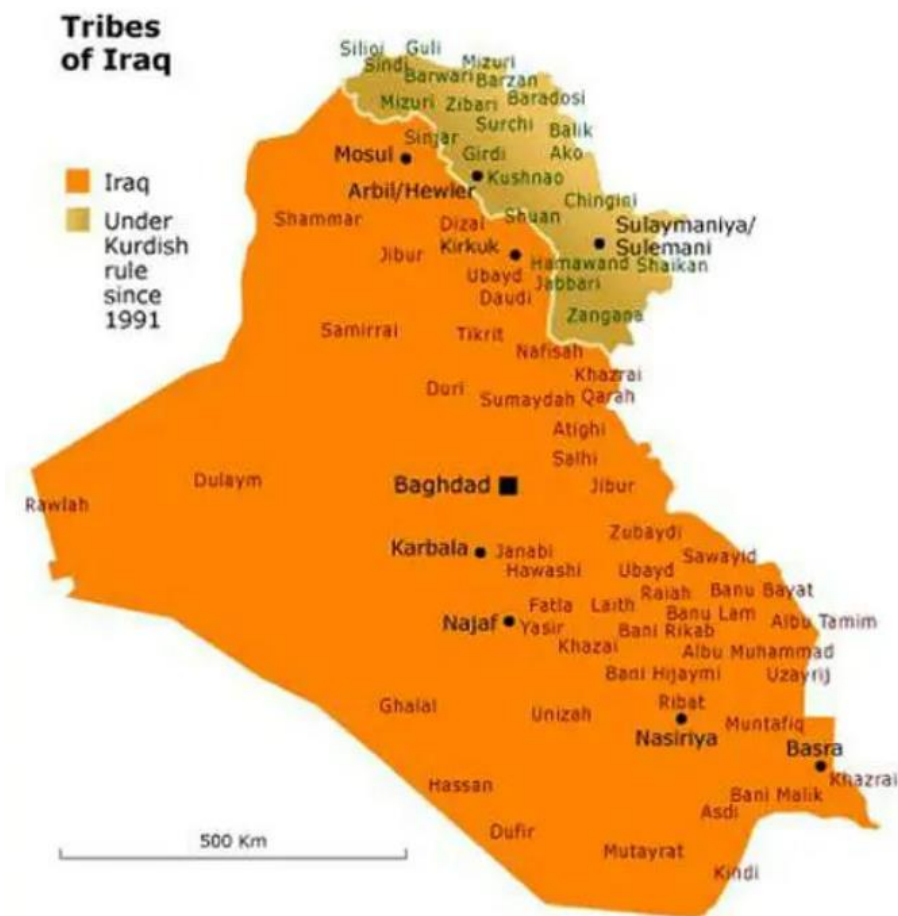
Figure 1. Tribes and Major Confederations in Iraq



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9.3.2 Fanack published the following map in their article entitled ‘Society of Iraq’ from 2 February 2021:

⁴¹ CRS, ‘[Iraq: Tribal Structure, Social, and Political Activities](#)’, (Page 6), last updated 7 April 2008



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9.4 Tribes in urban areas

9.4.1 Fanack said in their article 'Society of Iraq' from February 2021: 'Migrants to the city [N.B. the source uses the word 'city' to describe urban areas generally rather than a specific city in Iraq] generally settle in neighbourhoods where others from the same tribe or area.'⁴³

9.4.2 Alison Pargeter, a senior Research Fellow at the School of Security Studies, King's College London⁴⁴, published a book entitled 'Tribes and the State in Libya and Iraq' in April 2023 which stated: 'The borders between hinterland and urban centres were blurred long ago, with tribes and tribal structures having spilled over into the main cities [of Iraq and the KRI]. As a result, parts of these tribes became urbanised or semi-urbanised themselves... Many of today's sheikhs are professionals - doctors, lawyers, university lecturers, military officers - who are part of the urban elites of their own societies.'⁴⁵

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⁴² Fanack, '[Society of Iraq](#)', 2 February 2021

⁴³ Fanack, '[Society of Iraq](#)', 2 February 2021

⁴⁴ King's College London, '[Alison Pargeter](#)', no date

⁴⁵ Alison Pargeter, '[Tribes and the State in Libya and Iraq...](#)', (Introduction), 16 April 2023

9.5 Politics

9.5.1 The CSS paper 'The Persisting Past of Iraq' from September 2021 stated:

'It is important to keep in mind that the tribal system represents a crucial social system in the country, previous attempts at dismantling the tribal networks gravely destabilized the country and increased chances of armed conflict. For this reason, the Iraqi government continuously attempts to ensure that tribal loyalties, allegiances, and their affairs are taken into consideration to maintain social stability.

'... Tribes in Iraq have a semi-autonomous nature and follow their own set of customary laws and other sub-identities.

'... Tribal networks have played stabilization roles and have shifted alliances depending on personal interests.'⁴⁶

9.5.2 In September 2021, Rudaw media network, a news outlet in the KRI⁴⁷, published an article entitled 'Tribal affiliation and religion may determine outcome of Iraq's election which stated':

'In the Kurdistan Region and in particular Duhok province adjacent to the Turkish border, tribes and religious denominations rule supreme more than in any other locality in the region. Almost all the 31 candidates [for an election on 10 October 2021] in the three constituencies of the province, including those from the religious minorities as well as nationalists and political Islamists, have made sure that their candidates are identified by their tribal affiliation.'

'... Tribes have become an important component of the Peshmerga forces across the Kurdistan Region and the ruling parties often disregard the military law that bars the Peshmerga from involvement in party campaigning. Parties use commanders that come from powerful tribes for their own political gain.'

'... As local power holders, the tribal chiefs in some areas across Kurdistan have strong sway over their men when it comes to voting, especially if the candidate is from their own tribe. The political parties whose top leadership mostly come from the same tribes know how to exploit these competing loyalties.'

'... Both the KDP [Kurdistan Democratic Party] and the Patriotic Union of Kurdistan (PUK) have special offices that try to find resolutions for tribal disputes often at the expense of the judicial system and in the process secure tribal loyalties for times of election and war.'

'... Efforts to appease the tribe and their chiefs happen not only in Duhok but in Erbil also and to a lesser extent in Sulaimani. Tribes in Erbil, a stronghold of the KDP since 2003, have their own significance. The PUK has tried to counter the KDP by courting influential figures within the Hardki and Bradosti tribes.'⁴⁸

9.5.3 For more information on the KDP and PUK, see the CPIN [Iraq: Actors of](#)

⁴⁶ CSS, '[The Persisting Past of Iraq](#)', (Page 3), September 2021

⁴⁷ Rudaw, '[About us](#)', no date

⁴⁸ Rudaw, '[Tribal affiliation and religion may...](#)', 29 September 2021

[Protection.](#)

- 9.5.4 Alison Pargeter stated in her book that: ‘After decades living in the shadow of the revolutionary nationalist state, tribes in both Libya and Iraq have taken advantage of the fracturing and fragmentation that accompanied regime collapse to play a more expansive role in the political and security arenas.’⁴⁹
- 9.5.5 The April 2023 EUAA report noted, citing various sources⁵⁰:
- ‘[T]he tribe’s leader assumes the tasks of resource administration, conflict management, and law enforcement in periods where the state’s governing powers fluctuated.
- ‘...In Iraq, tribes can be viewed as “social, economic, cultural, and at times political organizations”, and have strength over the state socially, politically, and legally.’⁵¹
- 9.5.6 Fanack stated in the article ‘Tribalism in Iraqi Politics: Between Nationalism and the Sect’ from August 2023 that:
- ‘Tribalism has played a crucial role in shaping Iraq’s political landscape for centuries...
- ‘...He [Hudhaifa al-Mashhadani, a researcher in Iraqi affairs interviewed by Fenack] pointed out the prominent role of the al-Dulaim tribe, found in significant numbers in the western governorates. Muhammad al-Halbousi al-Dulaimi, the president of parliament, and three ministers in Iraq’s current government belong to this tribe. Additionally, several other administrative positions, including the governor of Anbar, deputy ministers and general directors, are filled by its members.’
- ‘Al Mashhadani also mentioned the Jabbour tribe, which has considerable influence in Iraq. It has numerous members in parliament and governors in key regions such as Mosul, Kirkuk and Salah al-Din. The Jabbour tribe is also well-represented in ministerial positions, with two ministers currently serving in the government.’
- ‘In the areas north of Baghdad, the competition for parliamentary representation is typically limited to two main tribes, the al-Dulaim and the al-Mashhadani tribes. Both usually secure two parliamentary seats.’⁵²

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9.6 Women in tribal society

- 9.6.1 The United Nations University Centre for Policy Research (UNU-CPR), in their report ‘The Limits of Punishment: Traditional Justice and Violent Extremism - Iraq case study’ from May 2018 stated, citing other sources:
- ‘...[S]ome Iraqis fear that tribal governance has the potential to undermine the constitutional principle of equal rights among Iraqi citizens. For example, one tribe may force women to marry members of another tribe “as a means of resolving a dispute between the two groups” – a practice that is prohibited

⁴⁹ Alison Pargeter, ‘[Tribes and the State in Libya and Iraq...](#)’, (Introduction), 16 April 2023

⁵⁰ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 94-111), April 2023

⁵¹ EUAA, ‘[Iraq: Arab tribes and customary law](#)’ (Page 18), April 2023

⁵² Fanack, ‘[Tribalism in Iraqi Politics: Between Nationalism and the Sect](#)’, 7 August 2023

by Iraq's Personal Status Law. Tribal law and politics are highly patriarchal. Women cannot serve in tribal leadership roles nor can they represent themselves in disputes adjudicated by tribal sheikhs. According to Holt, [Christopher Holt, Deputy Director of Programs for International Rescue Committee (IRC) in Erbil, Iraq. Interviewed 12 December 2017] "Customary justice is completely inaccessible to women; they need to be represented by a husband, brother, or other male guardian."⁵³

9.6.2 The EUAA report 'Targeting of Individuals' from February 2022 noted:

'According to human rights organisations interviewed by the Danish Immigration Service (DIS) during their fact-finding mission in 2018, the situation for single women may vary depending on their level of education, on whether they live in cities or not, and on their financial independence. Although it is possible for an educated woman with an income to live in a city on her own, "as long as she does not have an honour conflict with her family", in practice the possibility for single women to live on their own has been reduced due to deteriorating societal restrictions and financial situation in the country... [W]idows and divorced women face particular challenges.'⁵⁴

9.6.3 Fanack, in their article 'Women in Iraq's Endless Fight Against Violence and the Patriarchy' from April 2022 noted:

'Amer [an Iraqi Danish activist] told Fanack that one major difficulty is that violence against women is deeply ingrained in society. This is reflected in the penal code, which allows men to physically attack women or girls in order to "discipline" them. Article 128 provides a list of variables that can result in fines being reduced or dismissed, including actions done with "honorable intentions." This is an attempt to "protect" the tribe's honor and reputation, which is a major priority in patriarchal societies.'

'... Women are frequently stereotyped as housewives and mothers, rather than professionals and leaders. According to [Tamara] Amer [an Iraq-Danish activist], women in the southern region have a better chance of acquiring an education, whereas in the Bedouin western desert region patriarchal customs rule supreme.'⁵⁵

9.6.4 The April 2023 EUAA report noted, citing sources from 2020 and 2023 respectively: 'In the nahwa tradition, the cousin, uncle or other male relative of a girl or woman can prohibit or end her marriage to a person outside of the family, or tribe. Nahwa is the practice where a male cousin is entitled to marry his female cousin or decide on whom she can marry, and enables any clan to "reject marriage proposals from men who belonged to another clan, forcing the girl to marry from her own, without her parents' consent or hers.'⁵⁶

9.6.5 The UK Foreign, Commonwealth and Development Office (FCDO) in their report entitled 'Human Rights and Democracy: the 2022 Foreign, Commonwealth & Development Office report' published 13 July 2023 stated: 'Women and girls continued to be marginalised by conservative social,

⁵³ UNU-CPR, '[The Limits of Punishment, Transitional Justice and Violent ...](#)', (Page 24), May 2018

⁵⁴ EUAA, '[Iraq - Targeting of Individuals](#)', (Page 82), January 2022.

⁵⁵ Fanack, '[Women in Iraq's Endless Fight Against Violence and the Patriarchy](#)', 26 April 2022

⁵⁶ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 69), April 2023

religious and tribal norms, with high reported rates of gender-based violence, including honour killings.⁵⁷

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10. Blood feuds and tribal disputes/violence

10.1 Definitions of blood feuds and tribal disputes/violence

- 10.1.1 In November 2018, the Danish Immigration Service (DIS) and the Norwegian COI agency, LandInfo, published a joint report focussing on the security situation in the Kurdistan Region of Iraq (KRI). The report, based on interviews with various sources⁵⁸, stated: '[T]ribal violence is often the reason to conflict in the Iraqi society. If a member of a tribe kills a member of another tribe, even if it happens accidentally, the other tribe will target not only the perpetrator, but his tribe too.'⁵⁹
- 10.1.2 In January 2019, the Enabling Peace in Iraq Center (EPIC), an independent organization dedicated to improving human rights in Iraq⁶⁰, published an interview with Benedict Robin D'Cruz, who holds a PhD in Islamic and Middle Eastern Studies from the University of Edinburgh⁶¹. The transcript of the interview stated: 'The worst violence is typically the result of tribal feuding. It is not uncommon for tribal clashes to degenerate into armed street battles in which innocent bystanders are killed and injured. The fact that local media and politicians rarely name the tribes responsible illustrates the power these groups wield.'⁶²
- 10.1.3 The TCF paper stated, citing other sources: 'Under tribal custom, male members of an extended family unit, or "khamsa", are obligated to avenge the injury or death of another family member, whether through tit-for-tat killing ("dam butlob dam"), or through a negotiated solution.'⁶³
- 10.1.4 Mohammed Mojtahedi, a PhD candidate in Law at the University of Amsterdam⁶⁴ and Dr. Joris van Wijk, Associate Professor and fellow of the Center of International Criminal Justice⁶⁵, published a paper in the International Journal of Transitional Justice in June 2021 entitled 'Islamic law and the Balancing of Justice and Peace in Iraq's Post-IS Landscape', stated:
- 'Islamic law acknowledges that civilians may in times of war – similar to in peacetime – be victimized, for example by being murdered, raped or robbed. Such crimes that violate the "Rights of People" – or Haqq al-Nas – can, but do not necessarily have to, be revenged. Victims or their family members have substantial discretion to ask for one of the following options:
- Qisas (punishing a perpetrator with the same act in retaliation; the "eye for an eye" principle),

⁵⁷ FCDO, [Human Rights and Democracy: the 2022](#)', 13 July 2023

⁵⁸ DIS and LandInfo, '[Northern Iraq Security situation...](#)', (Page 40-109), November 2018

⁵⁹ DIS and LandInfo, '[Northern Iraq Security situation...](#)', (Page 48), November 2018

⁶⁰ EPIC, '[About](#)', no date

⁶¹ The University of Edinburgh, '[Benedict Robin-D'Cruz](#)', no date

⁶² EPIC, '[Violence in southern Iraq...interview with Benedict Robin D'Cruz](#)', 25 January 2019

⁶³ The Century Foundation, '[Tribal Justice in a Fragile Iraq](#)', (Page 6), 7 November 2019

⁶⁴ University of Amsterdam, '[Mohammed Mojtahedi](#)', no date

⁶⁵ University of Amsterdam, '[Dr. Joris van Wijk](#)', no date

- Diyaa (blood money or compensation which can be requested in the case of waiving the infliction of the similar harm on the perpetrator)
- and finally simply forgiving the offender, or so-called 'Afw'.⁶⁶

10.1.5 The EUAA report 'Targeting of Individuals' from February 2022 noted that '...[L]and feuds may escalate to blood feuds either when things can't be resolved using tribal reconciliation mechanisms, Iraqi state law, or when there is a lack of accountability and redress, people may attempt to take land (or take back land) by force.'⁶⁷

10.1.6 The April 2023 EUAA report noted (citing various sources⁶⁸):

'This tribal unit [Khamsa] is the one obligated by tribal custom to avenge the death or injury of a family member by either killing a member of the perpetrator's Khams or by obtaining a financial compensation (diyya). That is, "if a tribesman is murdered, his [male] relatives within the khamsah are required to avenge his death, and all members of the murderer's khamsah are considered to share responsibility and thus are legitimate targets for reprisal".

'According to the CNA [Center for Naval Analyses], "thar" refers to blood feuds or revenge killing to avenge the killing of a tribesman. Furthermore, "failure to fulfil the obligation of "al thar" badly damages the group's reputation; it is a loss of honour that weakens the group vis-à-vis other groups" and this can have implications for the tribes economic and political influence, as well as "potential marriage partners."⁶⁹

10.1.7 A United Nations High Commissioner for Refugees (UNHCR) report entitled 'International Protection Considerations with Regard to People Fleeing the Republic of Iraq' published in January 2024 and citing various sources stated that 'A blood feud usually involves members of one family threatening to kill members of another family in retaliatory acts of vengeance carried out according to an ancient code of honour and behaviour.'⁷⁰

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10.2 Motives for blood feuds and tribal disputes/violence

10.2.1 Fanack, in their article 'Society of Iraq' from February 2021 noted:

'The basic principle behind blood retaliation is, that where blood has been shed, it must be paid for in the same way – the Biblical eye for an eye, tooth for a tooth. When someone is killed by an act of violence, there are three options for the families of the perpetrator and the victim:

- 1) the victim's family can demand that the perpetrator's family deliver the perpetrator to them, or kill him themselves;
- 2) the victim's family agrees to accept blood money, the amount of which is established in negotiations;

⁶⁶ Mojtahedi, M & Wijk, J, '[Islamic Law and the Balancing of Justice...](#)' (Page 409), June 2021

⁶⁷ EUAA, '[Iraq- Targeting of Individuals](#)', (Page 89), January 2022.

⁶⁸ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 94-111), April 2023

⁶⁹ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 49), April 2023

⁷⁰ UNHCR, '[...People Fleeing the Republic of Iraq](#)', (Page 180), January 2024

3) the victim's family agrees that an unmarried woman from the perpetrator's family be forced to marry a member of the victim's family, so that the families are reconciled with one another through marriage.

'... The blood-money option is generally chosen, except in the case of a particularly gruesome or premeditated murder, when blood money is rarely accepted.

'... If, in the absence of a settlement, the victim's family commits violence against a random member of the perpetrator's family, they violate the Sharia. The Sharia, like Western law, respects the principle that the perpetrator, and only the perpetrator, is responsible for his act.'⁷¹

10.2.2 In June 2021, France24 published an article entitled 'Tribal Iraq: where petty squabbles turn lethal' which stated: 'In the city of Kut, in Wasit province, a duck was the source of a dispute between two women from different tribes that left a young man dead, said a local official, declining to be named for security reasons. "They squabbled over who owned the duck and their tribes, the Al-Hassaniya and the Al-Zubeid, fired live rounds and grenades".'⁷²

10.2.3 In January 2022, the EUAA published a report entitled 'Iraq - Security situation', citing various sources⁷³, which stated:

'Rich resources coupled with high corruption and unemployment spark tribal conflicts over access to employment in oil companies or compensation if oil is discovered on tribal lands.

'... Currently, tribal disputes related to water scarcity are responsible for about 10 % of all such conflicts. However, these conflicts are expected to increase in the future due to more intense periods of drought.'⁷⁴

10.2.4 The Carnegie Endowment for International Peace, a US peace think tank⁷⁵ in a report entitled 'The Growing Tribal Role in Iraq's Post-election Shia Politics' published in May 2022 stated: 'Sometimes those [Tribal] networks engage in armed clashes with security forces due to disputes over revenge killings and, water resources, employment in oil facilities in resource-rich areas, illicit trade, and de facto control of border-crossings with Iran, among other reasons. Such conflicts thrive as state authorities are incapacitated and local security actors collude with tribal networks or are co-opted by them.'⁷⁶

10.2.5 The April 2023 EUAA report noted (citing various sources⁷⁷): 'Tribal conflicts or disputes may be triggered by a range of different issues including:

- Intentional or unintentional killing
- Infliction of injuries

⁷¹ Fanack, '[Society of Iraq](#)', 2 February 2021

⁷² France 24, '[Tribal Iraq: where petty squabbles turn lethal](#)', 27 June, 2021,

⁷³ EUAA, '[Iraq - Security Situation](#)', (Page 310-440), January 2022

⁷⁴ EUAA, '[Iraq - Security Situation](#)', (Page 242), January 2022

⁷⁵ Carnegie Endowment for International Peace, '[About](#)' no date

⁷⁶ Carnegie Endowment for International Peace, '[The Growing Tribal Role in Iraq's ...](#)', 17 May 2022

⁷⁷ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 94-111), April 2023

- “Loss of ‘honour’ and honour violations, especially by women (also including ‘black crime’ (as-souda) such as rape, homosexual acts, kidnapping a woman, or stealing from a kinsman or host
- Being LGBTIQ
- Theft
- Verbal or other insults or offenses against a man’s honour
- Unpaid debts
- Financial problems
- Unresolved land disputes
- Access to water, property, or resources
- Car accidents
- Revenge
- Interpersonal, family, or intercommunal issues
- Competition between tribes over power or authorities in a city, village, or neighbourhood
- Medical errors or deaths blamed on doctors and medical professionals
- Moreover, tribal violence can also be triggered for minor reasons such as fights between children and social media posts, insulting a religious figure venerated by the members of another tribe or the children of two competing tribes fighting. [Hayley] Bobseine stated that it is important to note that minor disputes and a broad range of daily issues can escalate into tribal issues.’⁷⁸

10.2.6 The EUAA also noted ‘Thar [blood feuds] is thus both for vengeance to rebalance tribal power but also for self-protection of the tribe and tribes engage in thar to make known to others to refrain from trespassing against them.’⁷⁹

10.2.7 The January 2024 UNHCR report stated, citing various sources:

‘In Iraq, conflicts between (extended) families can reportedly be triggered by intentional or unintentional killing, but also by other offences such as the infliction of injury, loss of “honour” (e.g. as a result of the kidnapping or rape of a woman or girl, or socially unacceptable behaviour), theft, unpaid debts, or unresolved disputes over land, access to water supplies or property.

‘... Blood feuds may give rise to long cycles of retaliatory violence and revenge and can sometimes flare up after being dormant for years.’⁸⁰

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10.3 Prevalence of blood feuds and tribal disputes/violence

10.3.1 The UNHCR report published in January 2024 noted:

⁷⁸ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 29), April 2023

⁷⁹ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 49), April 2023

⁸⁰ UNHCR, ‘[...People Fleeing the Republic of Iraq](#)’ (Page 180, 182), January 2024

‘When tribes fail to resolve disputes between them through peaceful means, disputes can turn into blood feuds (tha’r). Such feuds, accompanied by armed confrontations, the shooting at or burning of home (dakkah), abductions and killings, are reported to remain a common occurrence in all of Iraq, particularly in Baghdad and the southern governorates. Tribal conflicts are not limited to rural areas, but, as a result of migration and urbanization, also prevalent in urban areas.’⁸¹

10.3.2 The New Arab in their article ‘Clan violence in Iraq: Oil companies targeted as poverty reigns’, reported in September 2021 that ‘In the last two years [2019-2021], Basra alone witnessed 280 armed disputes which left 35 dead and 74 injured... Around 85% of clan conflicts occur in the Basra districts of Al Hartha, Al-Qurna and Al-Midaina.’⁸² Note that this source quotes statistics from the years 2019 to 2021 it also does not specify if the 85% includes tribal violence in the Kurdistan region of Iraq or not. For more up to date statistics of the prevalence of tribal violence please see [Annex B](#) and [C](#).

10.3.3 The April 2023 EUAA report noted (citing various sources⁸³):

‘Tribal violence in Iraq is frequent, especially in the southern governorates which see an outbreak of tribal violence very often.

‘... Tribal disputes can continue for months or years, and usually impact civilians in areas in which those feuds breakout... Tribal disputes, according to a New Arab article from January 2022, are on the rise in Iraq, and tribal violence can be noticed across all the governorates of Iraq.

‘...A tribal leader from southern Iraq, cited in the New Arab article [in arabic], highlighted that the governorates of Thi-Qar, Maysan and Al-Basrah were the ones that registered the highest numbers of tribal disputes which led to dozens of casualties among those involved in the feuds, but also innocent bystanders... In the southern region (including Al-Basrah, Thi-Qar and Diwaniya) the tribes are heavily polarized and supported by key armed actors and have become a key competitor to state’s security institutions.

‘... [T]ribal militias have political connections, including in Baghdad, and the risk of escalation is increased due to both the armed capacity of tribes and the tribal affiliation of members of the security forces as well as with different tribal militias.’⁸⁴

10.3.4 The EUAA further noted, quoting from an interview with the Organization of Women’s Freedom in Iraq (OWFI)⁸⁵ in March 2023, that ‘Blood feuds and thar remain common in Iraq and remain a “major matter” within the tribal system that can go on for years.

10.3.5 The same report noted, citing sources from 2020 and 2018 respectively that ‘most urban Iraqis report that they know at least one person in their immediate entourage who is, or has been, at risk of thar. This practice remains “a common occurrence” especially in southern Iraq “with clashes

⁸¹ UNHCR, ‘[...People Fleeing the Republic of Iraq](#)’, (Page 181-182) January 2024

⁸² The New Arab, ‘[Clan violence in Iraq: Oil companies targeted as poverty reigns](#)’, September 2021

⁸³ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 94-111), April 2023

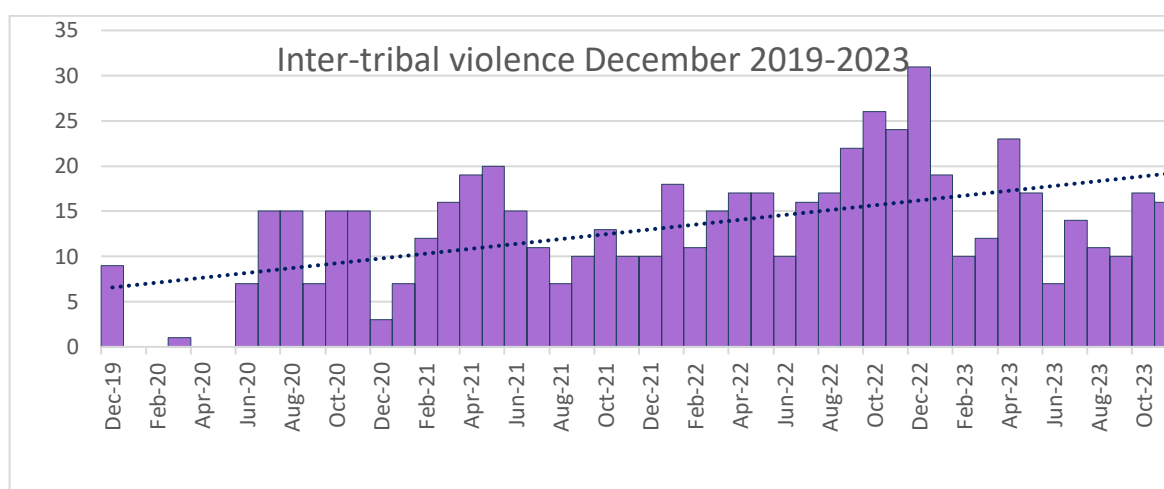
⁸⁴ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 82-83), April 2023

⁸⁵ OWFI, ‘[About us](#)’, no date

sometimes lasting for days with the use of heavy weapons.”⁸⁶

10.3.6 [Annex B](#) shows maps produced by CPIT using data from the Armed Conflict Location & Event Data Project (ACLED)⁸⁷ Data Export Tool. The maps show a concentration of inter-tribal violence in the south of Iraq from 2020 with an escalation of events in 2022. It also shows growing inter-tribal violence in northern Iraq and the KRI in 2022 and 2023. The maps only show battles between tribes and does not include other conflicts between tribes and state security forces, Popular Mobilisation Forces or Daesh. The Data is selected by “Armed clash” and Actor 1 and 2 as Tribal militia. ACLED defines Tribal militias under “Identity Militas”. In their Codebook published June 2023 ACLED states: ‘Events involving identity militias are often referred to as communal violence, as these violent groups typically act locally in pursuit of local goals, resources, power, security, and retribution.’⁸⁸ ACLED do not specifically collect data on individual blood feuds or honour crimes.

10.3.7 The following graph was produced using ACLED data from their Data Export Tool and shows incidents of inter-tribal violence per month between December 2019 and 2023 for the whole of Iraq and the KRI.



10.3.8 [Annex C](#) shows a map produced by CPIT using data from the ACLED data export tool. The map shows the geographic spread of Fatalities as a result of inter-tribal violence between December 2019 and December 2023. The largest number of fatalities in the time period were 33 across a total of 71 events in the Markaz Al-Thawra district of Baghdad. The highest fatality count from an individual event was 8 in Al-Mshara, Maysan governorate on 22 May 2022 over a land dispute. Again, there is a general trend of greater and more intense violence in the south of Iraq as well as Baghdad.⁸⁹

10.3.9 The following table was produced by CPIT using data from the ACLED data export tool and population estimates produced by the Iraqi Government Authority of Statistics and Geographic Information Systems (IGASGIS).

⁸⁶ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 49), April 2023

⁸⁷ ACLED, ‘[About](#)’, no date

⁸⁸ ACLED, ‘[Armed Conflict Location & Event Data Project \(ACLED\) Codebook](#)’, 2 June 2023

⁸⁹ ACLED, ‘[Data export: Battles, Tribal actors, December 2019-2023](#)’ downloaded 12 December 2023

Governorate	Number of fatalities from inter-tribal violence (Dec 2019–Dec 2023)	Number of inter-tribal violence events (Dec 2019–Dec 2023)	Fatalities per event	Population estimate ⁹⁰	Fatalities from inter-tribal violence per 10,000 population.
Maysan	107	117	0.91	1,202,175	0.89
Thi Qar	91	40	2.28	2,263,695	0.40
Al Muthanna	16	20	0.80	879,874	0.18
Al Basrah	46	115	0.40	3,142,449	0.15
Diyala	18	18	1.00	1,768,920	0.10
Baghdad	80	159	0.50	8,780,422	0.09
Al Najaf	12	12	1.00	1,589,961	0.08
Al Anbar	9	9	1.00	1,914,165	0.05
Wassit	7	8	0.88	1,489,631	0.05
Ninewa	16	15	1.07	4,030,006	0.04
Al Qadissiya	5	6	0.83	1,394,885	0.04
Kerbala	4	5	0.80	1,316,750	0.03
Erbil	6	4	1.50	2,003,963	0.03
Salah al Din	2	3	0.67	1,723,546	0.01
Babil	1	4	0.25	2,231,136	0.00
Al Sulaymaniyah	1	3	0.33	2,336,191	0.00
Duhok	0	1	0.00	1,396,480	0.00
Kirkuk	0	2	0.00	1,726,409	0.00

10.3.10 Amwaj.media, an Arabian Peninsula news website⁹¹, in their July 2022 article ‘Are new housing projects curbing tribal violence in Iraq?’ stated ‘[T]here are no official statistics on the number of dakkah [the tribal practice of shooting at or burning of an opponent’s home as a warning also known as ‘Degga Ashairiya’] incidents in Iraq. However, a security source from the Baghdad Operations Command told Amwaj.media that around 10 dakkah attacks occur every day in the capital city alone. The source said most of these cases occur in the eastern part of the city, which is densely populated.’⁹²

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10.4 Tribal dispute mechanisms

10.4.1 The TCF paper from November 2019 noted:

“Sulha” is the name of the tribal negotiation or conflict management process that occurs outside the purview of the state to resolve intra - or intertribal

⁹⁰ IGASGIS, ‘[Estimates of the population of Iraq by governorates...](#)’, page last updated 3 April 2024

⁹¹ Amwaj.media, ‘[About us](#)’, no date

⁹² Amwaj.media, ‘[Are new housing projects curbing tribal violence in Iraq?](#)’, 7 July 2022

disputes. This process may entail a series of sessions, or “jalsay” (usually open but sometimes closed) during which claimants and alleged perpetrators, and their respective sheikhs, as well as various mediators, experts in specific issues related to the dispute (such as land and property experts), and respected community elders (known as “woujaha”) may discuss the dispute.

‘... A tribal jurist (arfa) may be contacted to provide expert feedback on the case related to relevant tribal law (urf). A file, or “muhdar,” is drawn up to record the details of the dispute.’

‘... Once a solution, or “fasl,” is reached, both parties usually sign the final, handwritten agreement. The original copy is kept with the sheikh, and copies are provided to the parties.’

‘... Fasl ends the dispute and the agreement is almost always upheld. Fasl is not always financial - exile, agreement to provide services, and other solutions may be acceptable.’

‘... Diya is the financial payment made to the injured party in exchange for forfeiting the right to revenge (known as “tanazal”) after death, destruction of property, and accidents. Diya is sometimes paid to end revenge killings (“tha’ir”), between or among tribes. Payment of diya does not always represent an admission of guilt.’

‘... Extortionary demands are sometimes presented in the guise of fasl, which weaker parties may simply decide to pay in order to avoid further disputes.’

‘... Compensation is not always requested in manslaughter cases, as the victim’s family may consider the death to be divine will and decree (“al-qadaa wa al-qadr”).’

‘... Other solutions to such disputes may include exile (“jalwa”), which stipulates that the perpetrator and his family must leave the community for a period of anywhere from several months to more than five years. Formal expulsion of an individual from his tribe is possible but rarer.’⁹³

10.4.2 The same source stated:

‘Sheikhs insist that they do not and should not accept a percentage payment for concluding fasl, but said that gifts to them or their tribal guesthouse (“diwan”) are accepted. However, many Iraqis said that, without payment—often made quietly—cases would not move forward to their liking.

‘... Tribal procedures and negotiations are influenced by various factors including the social status and political connections of the tribes involved, the sheikhs’ level of influence and connections, the gender and social status of the perpetrator and the victim, and any history of feuding. Furthermore, the nature of this informal justice system means that there is no official standardization of rulings, and the system remains open to manipulation.’⁹⁴

10.4.3 Maamoon Mohammed, a lecturer at the Department of Peace and Human

⁹³ The Century Foundation, ‘[Tribal Justice in a Fragile Iraq](#)’, (Page 6), 7 November 2019

⁹⁴ The Century Foundation, ‘[Tribal Justice in a Fragile Iraq](#)’, (Page 6), 7 November 2019

Rights Studies at the University of Dohuk⁹⁵ in a paper entitled 'Traditional methods of resolving conflicts: the role of Kurdish Aghas (Tribal leaders)' from July 2020 noted: 'When a conflict is between two tribes, especially if blood has been spilled, then Aghas [Tribal leaders in the KRI] are especially preferred and well placed to resolve it. For the most complicated conflicts, the government institutions find it challenging to resolve, the governmental institutions usually seek Aghas to resolve it.'⁹⁶

- 10.4.4 The EUAA report 'Targeting of Individuals' from February 2022 noted that 'Disputes are generally mediated where the issue occurred, at the "house" or "clan" level where possible, though complex cases may be referred for adjudication by "high-ranking sheikhs at the level of the tribe."⁹⁷
- 10.4.5 The EUAA report 'Country Guidance: Iraq', from June 2022 noted: 'Particularly in the southern governorates, women and children may also be traded to settle tribal disputes through the tribal practice of forcing women to marry members of another tribe (fasliya). Women who enter fasliya marriages are stripped from all of their rights, even the right to divorce or separate from their husband.'⁹⁸ CPIT was unable to find information on the extent or prevalence of the practice of fasliya marriages within the sources consulted (see [Bibliography](#)).
- 10.4.6 The April 2023 EUAA report referring to an interview and email exchange with Al-Ibrahimi, CEO of Peace Paradigms in November 2022 stated: 'In a follow-up email on 28 November 2022, Al-Ibrahimi stated that people who do not have contact or engagement with the tribal system (which is mostly the case in urban settings), are not obligated by any code or tribal measure. However, if for any reason they become subject to a tribal disciplinary code, they have to attend the tribal dispute settlement meeting (fasl) and abide by the outcome or otherwise they will face consequences, which could take the form of aggressive reaction from the tribe. The reaction follows two steps. The tribes of the aggrieved and the perpetrator establish a conversation, a session where they discuss the issue and agree on the penalty. If the perpetrator (and his tribe) is compliant with the penalty, the issue is solved. If not, the aggrieved party (and his tribe) has the right to escalate, and escalation means violence.
- 10.4.7 The same report, citing various sources stated: 'A person who is not affiliated with a tribe, e.g., an urban professional or a non-Iraqi Arab can be called to a tribal dispute settlement meeting (fasl) if involved in a dispute with a member of a tribe, e.g., in the case of car accident. Such a situation is unfortunate because the person will not be able "to turn to anyone to represent his interests in this closed and insular system."⁹⁹
- '...When a party to a conflict fails to take part in a sulha [dispute settlement], or "notification does not lead to a fruitful result", the next step is a warning issued to compel that party to actively seek tribal reconciliation. This practice

⁹⁵ ResearchGate, '[Maamoon Mohammed](#)', no date

⁹⁶ Mohammed, Maamoon, '[Traditional methods of resolving conflicts...](#)', (Page 119), 17 July 2020

⁹⁷ EUAA, '[Iraq - Targeting of Individuals](#)', (Page 88), January 2022

⁹⁸ EUAA, '[Country Guidance: Iraq](#)', (Page 154), 29 June 2022

of tribal warning is known as *gouwama* (guama) and is best translated as “confrontation”.

‘...According to Hamoudi [from the University of Cincinnati College of Law, specialising in Islamic Law⁹⁹] *gouwama* is “not intended to be violent”, however, a tribal leader explained that in practice, violent acts such as shooting in the air at the threatened person’s house does occur during the warnings. In the past, tribal warnings used to take the form of firing into the air with a pistol, but since 2003, light and heavy weapons and grenades have been deployed and houses have been set on fire during this practice.’

‘...When a party to the conflict ignores the tribal warning, *gouwama* escalates to a more violent form known as *degge asha’iriyah* (*degge* for short). It refers to “the spraying of bullets on houses of wanted tribesmen during a tribal feud to force the clan of the enemy to depart from the area.”¹⁰⁰

10.4.8 The same report, citing other sources, stated in the context of exile:

‘Another tribal practice is expulsion from the tribe. Hamoudi et al. observed that in exceptional situations, a tribe would resort to “formal expulsion announced through a document known as the *sanad*, or certification, which is sent to all the tribes”.

‘According to the Iraqi journalist, Layth Natiq [from Al-Hurra, an Iraqi media outlet¹⁰¹] tribes continued to expel people from their land if they commit a “shameful” act. This practice spilled over from rural areas to the cities, where the sentenced people are compelled to leave their houses if the two disputing tribes agreed on this. According to Al-Ibrahimi [in a November 2022 interview], people are banned if they commit acts such as killing, rape, sexual harassment of any sort, and acts considered as a threat to security.’

‘Genat [a PhD student at Stanford University with extensive experience researching tribal justice and conflict resolution mechanisms in Iraq¹⁰²] also observed that people expelled collectively by a tribe can, in theory, be targeted by other actors and their tribe would not ask for *fasl* in case they were killed. She added that while banishment for cases related to honour can happen, it is not very common.

‘...The OWFI representative stated that exile or banishment can result from a combination of circumstances such as not paying money required by a tribal fine, not attending such meetings, and not respecting the patriarchs of the tribe.’

‘Banishment from tribe is, according to Genat, something that is meant to be advertised, and depending on the tribe and the offence committed, tribes usually announce that a person was banned and denounce the act committed. This can take place either informally through tribal meetings or more formally by posting this on the internet or publishing lists containing

⁹⁹ Cincinnati College of Law. ‘[Dean Haider Ala Hamoudi](#)’, no date

¹⁰⁰ EUAA, ‘[Iraq: Arab tribes and customary law](#)’ (Page 37-38), April 2023

¹⁰¹ Al Hurra, ‘[About](#)’, no date

¹⁰² Stanford University, ‘[Mélisande Genat](#)’, no date

names.¹⁰³

CPIT could not find information on the extent or prevalence of tribal banishment within the sources (see [Bibliography](#))

10.4.9 The Freedom House report published April 2023 covering events in 2022 stated 'Many Iraqis turn to tribal bodies to settle disputes, even those involving major crimes.'¹⁰⁴

10.4.10 For further information on the Tribal justice system see the [CPIN Iraq: Actors of Protection](#).

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10.5 Protection

10.5.1 Citing another source from 2015, the UNHCR report 'Tribal conflict resolution in Iraq' from 15 January 2018 stated: 'Law enforcement personnel, who are often themselves members of tribes in the area, are said to be reluctant to interfere in tribal conflicts as their involvement may risk further escalating the situation. Others are reported to take sides in tribal disputes along their own tribal affiliation.'¹⁰⁵

10.5.2 The European Asylum Support Office (EASO now EUAA) report 'Iraq: Actors of Protection' published November 2018, citing various sources¹⁰⁶ stated 'In 2018, the Ministry of Justice announced a new "arbitration initiative" to create a team of 47 Sheikhs who will work voluntarily as tribal arbitrators to resolve tribal disputes, in direct affiliation with the Ministry of Justice, to attempt prevention of escalation; though the initiative has been criticised by civil society for undermining state institutions, creating a parallel justice structure, and undermining human rights.'¹⁰⁷

10.5.3 The New Arab, in an article entitled 'Clan violence in Iraq: Oil companies targeted as poverty reigns' published in September 2021 stated,
'... [A]ccording to the spokesman for the Iraqi Ministry of Interior, Major General Khaled Al-Muhanna, 250 people accused of starting clan conflicts were arrested in the first quarter of 2021 and 5,000 firearms in Basra and Nasiriyah were confiscated during search operations in 2019 and 2020.
'... However, Al-Rikabi [a member of the Parliamentary Security and Defence Committee] does not think the Ministry's weapon-control measures will be effective: "The situation is out of control. We would not have reached this stage if it had not been for the state's weakness and inability to apply the law".'¹⁰⁸

10.5.4 The April 2023 EUAA report stated:

'The Iraqi government takes the tribal issue seriously, and several committees were formed to deal with tribal feuds and violence at the levels of the Council of Ministers, the Parliament, and the Ministries of Interior and

¹⁰³ EUAA, '[Iraq: Arab tribes and customary law](#)' (Page 43-45), April 2023

¹⁰⁴ Freedom House, '[Freedom in the World 2022 – Iraq](#)', 13 April 2023

¹⁰⁵ UNHCR, '[Tribal Conflict Resolution in Iraq](#)', (Page 4), 15 January 2018

¹⁰⁶ EASO, '[Iraq: Actors of Protection](#)', (Page 89-105), November 2018

¹⁰⁷ EASO, '[Iraq: Actors of Protection](#)', (Section 6.6, Page 67), November 2018

¹⁰⁸ The New Arab, '[Clan violence in Iraq: Oil companies targeted as poverty reigns](#)', September 2021

Defence. Tribes are represented in the Iraqi state institutions through the Directorate of Tribal Affairs which operates under the auspices of the Ministry of Interior and has branches in all the Iraqi governorates as well as a committee for Tribal Conflict Resolution.’

‘... In addition to the measures taken by the Iraqi Supreme Judicial Council, the Iraqi Ministry of Interior has a directorate dedicated to tribal affairs. The directorate engages with Iraqi tribes, resolves tribal disputes between tribes and prepares studies about the reasons that lead to such disputes.’

‘... Reportedly, the Directorate of Tribal Affairs has resolved more than 450 tribal disputes between July 2020 and June 2021 and more than 2 in 2022.’¹⁰⁹

The source does not provide further information on the nature of the tribal disputes, nor how they were resolved.

10.5.5 The April 2023 EUAA report noted (citing various sources¹¹⁰):

‘With regards to degge (striking), among the different tribal practices, the degge is the one that involves ‘the spraying of bullets on houses of wanted tribesmen during a tribal feud to force the clan of the enemy to depart from the area’. It has affected the lives of civilians which led the Iraqi Supreme Judicial Council to designate it as a terrorist crime in November 2018 and to include it under the Anti-Terrorism Law No. 13 of 2005.’

‘In December 2018, the Iraqi Supreme Judicial Council announced that 64 people were arrested across Iraq under the Anti-Terrorism Law for their involvement in the degge practice. The Council further announced subsequent arrests and sentences handed down to persons involved in degge in 2019, and 2021. Moreover, on 4 January 2022, three men involved in tribal disputes and convicted of murder in Babil were sentenced to death by the Babil Criminal Court.’¹¹¹

10.5.6 Simaet Bhatha, a website that provides ‘information about rights, legal procedures and basic and humanitarian services in Iraq’¹¹², stated in an article entitled ‘What is Threatening under the Iraqi Law?’, last updated 23 February 2024, that: ‘The threat in the Iraqi Law means the act of verbal or physical intimidation of a person to inflict pain, injury, damage, or other hostile action on someone in retribution for something that had been done or not done...According to Iraqi law, this crime is punishable with up to seven years imprisonment (according to Article (430) of the Iraqi Penal Code No. 111 of 1969, the first paragraph).’¹¹³

10.5.7 The January 2024 UNHCR report stated, citing various sources: ‘Under Iraqi law, tribal violence can carry heavy penalties, including the death sentence under the 2005 Anti-Terrorism Law; however, law enforcement personnel, who are often themselves members of tribes, are reported to lack “the means, authority, and legitimacy to counter these practices”. Similarly, judges may delay or suspend the proceedings, or issue reduced sentences

¹⁰⁹ EUAA, [‘Iraq: Arab tribes and customary law’](#) (Page 25), April 2023

¹¹⁰ EUAA, [‘Iraq: Arab tribes and customary law’](#), (Page 94-111), April 2023

¹¹¹ EUAA, [‘Iraq: Arab tribes and customary law’](#) (Page 25), April 2023

¹¹² Simaet Bhatha, [‘About us’](#), no date

¹¹³ Simaet Bhatha, [‘What is Threatening under the Iraqi Law?’](#), 23 February 2024

under the influence of the tribes.’¹¹⁴

For more information see the CPIN [Iraq: Actors of protection](#).

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10.6 Internal relocation

10.6.1 The April 2023 EUAA report noted (citing various sources¹¹⁵):

‘[Melisande] Genat [‘a PhD student at Stanford University with extensive experience researching tribal justice and conflict resolution mechanisms in Iraq’¹¹⁶] stated that there is no package of aid or help from tribes to returnees from internal displacement or abroad. She stated that “even for the weakest segments of the population, there have been complaints about the absence of help from the tribes”. Issues like the reason behind displacement and the person’s connections play a role in facilitating or hindering the person’s return. What exists are mainly informal mechanisms whereby notables and wealthy people help those in need through charity, but no tribal codes exist in this regard.’

‘... The OWFI representative stated that people relocate away from tribal issues when they have to, but that tribes have the capacity to locate a person due to their network connections and will “find a way to do it” if they desire finding the person.’¹¹⁷

10.6.2 For information on internal relocation see the CPIN [Iraq: Internal relocation, civil documentation and returns](#).

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11. Honour Crimes

11.1 Domestic violence laws in Federal Iraq

11.1.1 Fanack in their article ‘Women in Iraq’s Endless Fight Against Violence and the Patriarchy’ from April 2022 quoted Tamara Amer, a women’s rights Iraqi-Danish activist and stated: “Her organization’s [Iraqi Women’s Rights] most recent attempt to modify specific parts of the penal code that tolerate honor killings was met with swift rejection by the government.”¹¹⁸

11.1.2 In April 2024, the United States Department of State (USSD) published its annual report on human rights practices (USSD HRP) in Iraq covering events in 2023. The report stated, repeated from previous reports:

‘Men could “discipline” their wives and children “within certain limits prescribed by law or by custom,” and reduced sentences for violence or killing were applicable if the perpetrator had “honorable motives” or if the perpetrator caught his wife or woman relative in the act of adultery.

‘...“Honor” killings remained a serious problem throughout the country. A provision of the law limited the sentence for murder to three years in prison if a man killed his wife or a woman dependent due to suspicion the victim

¹¹⁴ UNHCR, ‘...People Fleeing the Republic of Iraq’ (Page 180, 182), January 2024

¹¹⁵ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 94-111), April 2023

¹¹⁶ EUAA, ‘[Iraq: Arab tribes and customary law](#)’ (Page 20), April 2023

¹¹⁷ EUAA, ‘[Iraq: Arab tribes and customary law](#)’ (Page 64, 81), April 2023

¹¹⁸ Fanack, ‘[Women in Iraq’s Endless Fight Against Violence and the Patriarchy](#)’, 26 April 2022

committed adultery or engaged in sex outside of marriage.’¹¹⁹

11.1.3 Freedom House, ‘Freedom in the World 2022’ published April 2023 stated:

‘Laws on marriage and divorce favor men over women. No law banning domestic violence exists, and Iraqi husbands are allowed to “punish” their wives and children. Iraqi women’s rights organizations’ efforts to compel Parliament to pass a law banning gender-based violence have been unsuccessful.’

‘... Rapists can avoid prosecution if they marry their victims; spousal rape is not prohibited. The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice.’¹²⁰

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11.2 Domestic violence laws in the Kurdistan Region of Iraq (KRI)

11.2.1 The USSD HRP 2023 noted (repeated from previous reports) ‘Federal law permitted “honor” as a lawful defense in violence against women, whereas in the IKR [Iraqi Kurdistan Region] the law prohibits “honor” as a mitigating circumstance’¹²¹

11.2.2 The SEED foundation, a women-led, local non-governmental organisation in the KRI¹²², in their report ‘Gender Analysis - Kurdistan Region of Iraq’ from September 2021 noted:

‘In 2011, the KRG [Kurdistan Regional Government] adopted the Law against Domestic Violence, a landmark piece of progressive legislation for both Iraq and the broader Middle East for criminalizing physical, sexual, and psychological abuse in the family unit. The legislation, however, requires more effective implementation and revisions to address shortcomings.’

‘... Pertaining to “honor”- based murder, the Penal Code was revised by the Kurdistan Parliament in 2002 to remove “honor” as a mitigating circumstance that carries with it a reduced sentence. While this change in the law was a step in the right direction, legal impunity for perpetrators of “honor” killing remains pervasive, and women’s rights activists and organizations advocate on a case-by-case basis to hold perpetrators accountable.’¹²³

11.2.3 The SEED foundation did not specify how pervasive legal impunity for perpetrators of honor killings is and CPIT could not find any statistics of information relating to this in the sources consulted (See [Bibliography](#)).

11.2.4 An English version of the [2011 Act of Combating Domestic Violence in the Kurdistan Region of Iraq](#) is available online.

11.2.5 Chatham House, an independent policy institute¹²⁴, stated in their July 2023 paper ‘Iraq 20 years on: Insider reflections on the war and its aftermath’:

‘Although the legal reforms [2002 removal of honour as a mitigating circumstance and 2011 law against domestic violence] are impressive, their

¹¹⁹ USSD, ‘[Human Rights Practices Iraq 2023](#)’, (Section 6), 23 April 2024

¹²⁰ Freedom House, ‘[Freedom in the World 2021 – Iraq](#)’, 13 April 2023

¹²¹ USSD, ‘[Human Rights Practices Iraq 2023](#)’, (Section 6), 23 April 2024

¹²² SEED Foundation, ‘[About](#)’, no date

¹²³ SEED Foundation, ‘[Gender Analysis- Kurdistan Region of Iraq](#)’, September 2021

¹²⁴ Chatham House, ‘[About Us](#)’, no date

implementation has been problematic. Activists argue that there is no genuine will among members of the Kurdish authorities to improve women's lives.'

'... Widespread corruption in the KRG has also given the traditionalists an excuse to reject the government's programme for women's rights. In October 2022, there was a serious risk that some of the rights granted by the 2011 law on combating violence within the family would be revoked, indicating the fragility of these gains.'¹²⁵

- 11.2.6 CPIT could not find further or current evidence to suggest these rights could be revoked in the sources (see [Bibliography](#)).

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11.3 Definitions of honour crimes

- 11.3.1 The Crown Prosecution Service (CPS) provided the following definition of honour based abuse on its website, last updated in September 2019: "[A]n incident or crime involving violence, threats of violence, intimidation coercion or abuse (including psychological, physical, sexual, financial or emotional abuse) which has or may have been committed to protect or defend the honour of an individual, family and/ or community for alleged or perceived breaches of the family and/or community's code of behaviour."¹²⁶

- 11.3.2 The website of His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) provided the following definition of honour-based violence: 'Honour-based violence (HBV) is the term used to refer to a collection of practices used predominantly to control the behaviour of women and girls within families or other social groups in order to protect supposed cultural and religious beliefs, values and social norms in the name of "honour."¹²⁷

- 11.3.3 Encyclopaedia Britannica provided the following definition of honour killings on its website: 'Honor killing, most often, the murder of a woman or girl by male family members. The killers justify their actions by claiming that the victim has brought dishonor upon the family name or prestige.'¹²⁸

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11.4 Notions of honour

- 11.4.1 The April 2023 EUAA report noted:

'In the tribal system, the acquiring of honour and conversely the avoidance of shame, disgrace, or humiliation are "key to the ethos of Iraqi society" underpinning value structure in the tribal system. Honour of the tribe may fluctuate with male behaviour (Sharaf), while family honour ('ird), mainly embodied in women, can only be lost as a result of female behaviour. The tribal system is also characterised by the strong sense of group identity that subordinates the individual's interest. There is significant pressure to conform for groups survival, but also as "survival of the individual", and in

¹²⁵ Chatham House, '[Iraq 20 years on: Insider reflections on the war...](#)' (Page 48), July 2023

¹²⁶ CPS, '[So-Called Honour-Based Abuse and Forced Marriage...](#)', last updated September 2019

¹²⁷ HMICFRS, '[So-called honour-based violence inspections](#)', last updated 31 October 2022

¹²⁸ Encyclopaedia Britannica, '[Honor killing](#)', no date

return for loyalty it provides protection.’¹²⁹

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11.5 Motives for honour crimes

11.5.1 Fanack, in their article ‘Society of Iraq’ from February 2021 noted that:

‘People resort to satisfying honour when their family’s reputation is damaged. In many cases, these situations arise from illicit contacts between men and women. Traditional societies do not permit unsupervised contact between males and females who are not married to one another and who could have sexual relations with one another. For minor violations the punishment is a beating or confinement at home for the woman.’

‘The consequences are more serious when illicit sexual contact has taken place. In these cases the woman involved may be killed by her father or brothers, in order to cleanse the family’s honour (when a family becomes known as ‘bad’, all its members are involved). Even when the transgression involves a married woman, male members of her family take action, and the deceived husband stays out of the picture.’¹³⁰

11.5.2 The April 2023 EUAA report noted (citing various sources¹³¹):

‘Violations of honour (“honour crimes”) that contravene tribal social norms and codes and that can spark honour-based violence against a person can be due to a range of reasons, including examples such as these for women/girls:

- seeking a partner of her own choosing, or having romantic relations without prior permission from respective male kin
- refusing an arranged marriage; seeking divorce against the will of the family or tribe
- expressed sexuality of women, including preservation of virginity and female “purity”
- sexual relations or male contact outside marriage; “fornication”; “adultery”; flirtation or even rumours or suspicion of an offence; “real or perceived unfaithfulness”; or if a girl/woman has texts/has correspondence “deemed inappropriate” between her and a man she is not married to;
- being a female victim of rape, sexual assault or kidnapping;
- “shameful” dress or behaviour, including on social media;
- showing disobedient behaviour to male relatives, elderly female relatives, or one’s husband.’¹³²

11.5.3 The same report additionally stated: ‘They [honour crimes] are also often motivated by financial (such as getting a woman’s inheritance) or personal motives, but they remain “conceal crimes” that are not discussed in public.

¹²⁹ EUAA, [‘Iraq: Arab tribes and customary law’](#) (Page 25), April 2023

¹³⁰ Fanack, [‘Society of Iraq’](#), 2 February 2021

¹³¹ EUAA, [‘Iraq: Arab tribes and customary law’](#), (Page 94-111), April 2023

¹³² EUAA, [‘Iraq: Arab tribes and customary law’](#) (Page 51), April 2023

Some families reportedly arrange honour killings to appear as suicides.¹³³

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11.6 Prevalence of honour crimes and profiles of victims

11.6.1 In November 2018, the DIS and LandInfo published a report entitled 'Kurdistan Region of Iraq: Women and men in honour related conflicts' based on interviews with a range of sources¹³⁴ during a fact-finding mission to the KRI (the DIS and LandInfo honour related conflict report). The report stated:

'The profile of women in honour conflicts are often younger, unmarried women from their teenage years to their early 30's. It happens in both poor and wealthy families. However, wealthy families will be able to cover up their conflicts and killings. There is no specific geographical area in which honour conflicts are more common than others.'

'... Asked if any ethnic minority commits honour based violence, the source [the Executive Director of the Wchan Organization for Human Rights Violations¹³⁵] noted that there are examples of honour based violence in Yazidi families. The source did not know of any examples of honour based violence among Christians.'

11.6.2 The same report, citing an unnamed academic informant stated 'Honour killings are widespread, not only in Kurdish families, but also in Arab and Turkmen families. The Turkmen families are even more conservative than the Kurds and the Arabs. The source was not sure whether honour killings also took place in Christian families.'¹³⁶

11.6.3 On 1 January 2021 Metro Center, a Kurdish free press website¹³⁷, published an article entitled 'Alarming Increase in "Honor Killing" of Kurdish and Iraqi Women' which stated:

'An increasing number of women are being murdered in the Iraqi Kurdistan region in the name of "honor," as local authorities fail to pass and enforce laws against these crimes, and social norms allow those responsible to avoid accountability.'

'... Killing women on the basis of honor is deeply rooted in the tribal and religious mentalities of Kurdish and Iraqi societies, and even within Kurdish and Iraqi communities living in diaspora.'

'... According to statistics by the Kurdistan Regional Government (KRG) Directorate of Combating Violence Against Women, 120 women were killed in the Iraqi Kurdistan Region (IKR) in 2019. Official statistics show a sharp rise in killing women in the name of "clearing dishonor," or forcing women to commit suicide. In 2018, 46 women were killed in this manner, and in 2017 the number was 50.'

'The situation in Iraq is worse even as it is difficult to have a precise number

¹³³ EUAA, '[Iraq: Arab tribes and customary law](#)' (Page 53), April 2023

¹³⁴ DIS & LandInfo, '[KRI: Women and men in honour related conflicts](#)', (Page 24-26), November 2018

¹³⁵ Wchan Organization, '[About](#)', no date

¹³⁶ DIS & LandInfo, '[KRI: Women and men in honour...conflicts](#)', (Page 30, 55-56), November 2018

¹³⁷ Metro Center, '[About](#)', no date

of honor killing victims since the police do not interfere in such cases and often record them as suicide.¹³⁸

- 11.6.4 Deutsche Welle (DW), a German media outlet¹³⁹, stated in their article entitled 'Murdered because of Snapchat' from January 2021:

"For decades, a girl breached the honor code if she lost her virginity or got pregnant out of wedlock," writes Iraqi journalist Diyar Raad. "Today it has expanded to include girls who post their pictures on Facebook or Instagram, or tweet bold things, or open accounts using their real names."

'... In 2018, the deaths of three Iraqi women - including Tara Fares, who had 2.8 million followers on Instagram and feared for her life because of her online presence - were connected by their frequent use of social media. Fares, 22, was shot as she drove through Baghdad in September that year.'¹⁴⁰

- 11.6.5 The EUAA report 'Targeting of Individuals' from February 2022 noted, citing various sources:

'Since there are not accurate statistics on the prevalence of so-called honour killings in Iraq, and since the phenomenon is severely underreported, its scale is unknown... In some cases, families reportedly arrange honour killings to appear as suicides. Generally, the practice is prevalent throughout the country, though its frequency has reportedly decreased in some geographical areas such as cities, while it is more widespread in more conservative areas, such as the southern part of the country.'¹⁴¹

- 11.6.6 The same report additionally stated '...During the COVID-19 pandemic,... the KRI saw an increase in sexual and domestic violence, honour crimes, child marriages, trafficking and FGM. A rising number of Kurdish women have reportedly committed suicide.'¹⁴²

- 11.6.7 CPIT has not found evidence that this trend has continued to rise, stay the same or reduce since the report was published in 2022 within the sources consulted (see [Bibliography](#)).

- 11.6.8 In a previous iteration of the USSD HRP covering events in 2022, it stated: 'On November 11 [2022], Rudaw TV reported the "honor killing" pretext had been used to justify the killings of at least 150 women during [2022]'.¹⁴³

- 11.6.9 Rudaw, in their article 'Another woman killed in the Kurdistan Region' published 7 March 2022 reported:

'Amid a spike of women killings in the Kurdistan Region, Eman Sami Maghdid, 20, was murdered by unknown assailants on Erbil's 100 meters street, Erbil's police department said early Monday.'

'Her murder also follows the death of at least ten other women who were killed in Erbil, Sulaimani, Duhok and Koya since the year began [2022].'

¹³⁸ Metro Center, '[Alarming Increase in "Honor Killing" of Kurdish and Iraqi Women](#)' 1 January 2021

¹³⁹ DW, '[About us](#)', no date

¹⁴⁰ DW, '[Murdered because of Snapchat](#)', 29 January 2021

¹⁴¹ EUAA, '[Iraq- Targeting of Individuals](#)', (Page 83), January 2022.

¹⁴² EUAA, '[Iraq- Targeting of Individuals](#)', (Page 79), January 2022.

¹⁴³ USSD, '[Human Rights Practices Iraq 2022](#)', 20 March 2023

‘A mother of ten was allegedly killed in Duhok’s Khanke camp earlier this week. Another woman, who was married off at a young age, was set ablaze by her husband in Sulaimani late last month.’

‘Twenty-four women were killed in the Region [IKR] in the past year [2021-2022], according to statistics from the Directorate of Combatting Violence against Women.’¹⁴⁴

- 11.6.10 An article entitled ‘Addressing Violence Against Women In Iraqi Kurdistan’ written by Ruwayda Mustafah, a prominent British-Kurdish activist¹⁴⁵, and published 28 March 2022 on the Fikra Forum, a Washington Institute for Near East Policy¹⁴⁶ initiative that provides diverse viewpoints from journalists, analysts, politicians, and human rights advocates¹⁴⁷ stated:

‘Every other week, a woman or young girl is killed to protect a man’s honor in the Kurdistan Region of Iraq (KRI). The killers are usually close relatives of the victims - on March 18 [2022], a 20-year-old was killed by her brother.

‘In actuality, more honor killings occur than what is reported, particularly in rural areas. Moreover, even within reported cases, violence against women and girls is on the rise...

‘Hate speech against women has become normalized on social networking sites in the Kurdistan Region. When news platforms share honor-killings, a significant number of people “praise” the perpetrators and justify the heinous act of killing in the name of honor. There is no requirement that news platforms monitor this sort of activity, making it difficult for the government to challenge this narrative.’¹⁴⁸

- 11.6.11 Australia’s Department of Foreign Affairs and Trade (DFAT) Iraq country report from January 2023 noted that ‘Yazidi women are reportedly vulnerable to “honour” crimes committed by relatives and others in their communities. Sources told DFAT of a number of cases of staged or forced suicides by Yazidi women who were perceived as bringing dishonour upon their community. These cases often go unreported.’¹⁴⁹

The source did not provide further details of the cases of staged or forced suicide by Yazidi women or quantify how many cases.

- 11.6.12 The April 2023 EUAA report stated:

‘Male family members who consider their honour damaged are usually the perpetrators; however female relatives may also be involved. The full extent of the problem, which occurs all over the country, is not known due to extreme underreporting. It remains a serious problem nationwide. UNAMI [United Nations Assistance Mission for Iraq] reported that several hundred women die each year from honour killings. In February 2023, widespread outrage in Iraq occurred when a young woman was killed by her father for so-called honour reasons, upon a return trip to Iraq. She had complained of

¹⁴⁴ Rudaw, ‘[Another woman killed in the Kurdistan Region](#)’, 7 March 2022

¹⁴⁵ Washington Institute, ‘[Ruwayda Mustafah](#)’, no date

¹⁴⁶ Washington Institute, ‘[About us](#)’, no date

¹⁴⁷ Washington Institute Fikra Forum, ‘[About us](#)’, no date

¹⁴⁸ Washington Institute, ‘[Addressing Violence Against Women in Iraqi Kurdistan](#)’, 28 March 2022

¹⁴⁹ DFAT, ‘[Country Information report: Iraq](#)’, (Page 22), 16 January 2023

being sexually assaulted by her brother in previous years, and had moved and was living abroad with her Syrian fiancé against her father's wishes, and become well known for making YouTube videos. Several sources mentioned her case as exemplifying the situation of women and honour violence in Iraq.

'Honour killings of those accused of honour crimes, occur with impunity, often in secret, or under the guise of other reasons... They occur more frequently in rural or poor areas. There are no reliable statistics, and they often remain unreported and unsolved.'¹⁵⁰

- 11.6.13 The Kvinna till Kvinna Foundation, a Swedish women's rights organisation¹⁵¹, in their report 'They came together not to be silenced: Gender-based violence in conflict & the role of women's rights organisations (Iraq excerpt)' published 19 June 2023 (available upon request) stated: 'Because of the honour system that is entrenched in the country, this [gender-based] violence is not only accepted but even expected, and condoned by law. Honour killings of women and girls by their family members are frequent and remain a serious concern.'¹⁵²

The source did not quantify the frequency or provide information of specific events.

- 11.6.14 Rudaw in their article 'Erbil glows orange for 16 days of activism on gender violence' from 26 November 2023 stated:

'At least 30 women have been killed in the Kurdistan Region since the start of 2023, according to Fenk Shafeeq, director general of the Combatting Violence against Women Directorate. The KRG's support hotline for victims of violence has been contacted over 10,000 times since the start of the year.'

'... At least 44 women were killed in the Kurdistan Region in 2022, according to statistics from the Directorate of Combatting Violence against Women, almost double the figure from 2021, when 24 women were killed.'¹⁵³

- 11.6.15 The USSD HRP 2023 stated 'The KRG [Kurdistan Regional Government] Ministry of Interior's Directorate General of Combating Violence against Women confirmed 30 "honor" killing cases in the IKR [Kurdistan Region of Iraq] during the year.'¹⁵⁴

- 11.6.16 The same source additionally stated that the 'UNAMI [United Nations Assistance Mission for Iraq] reported several hundred women died each year from "honor" killings. Some families reportedly arranged "honor" killings to appear as suicides.'¹⁵⁵

- 11.6.17 CPIT could not find any more up to date statistics than those shown above in the sources consulted (see [Bibliography](#)).

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11.7 Honour crimes against men

¹⁵⁰ EUAA, '[Iraq: Arab tribes and customary law](#)', (Page 52-53), April 2023

¹⁵¹ Kvinna till Kvinna Foundation, '[About us](#)', no date

¹⁵² Kvinna till Kvinna Foundation, '[They came together not to be silenced:...](#)', 19 June 2023

¹⁵³ Rudaw, '[Erbil glows orange for 16 days of activism on gender violence](#)', 26 November 2023

¹⁵⁴ USSD, '[Human Rights Practices Iraq 2023](#)', (Section 6), 23 April 2024

¹⁵⁵ USSD, '[Human Rights Practices Iraq 2023](#)', (Section 6), 23 April 2024

- 11.7.1 It should be noted that some of the following country of origin information included in this section is older material, some going back 10 years however CPIT was unable to find more up to date information other than what has been included in the sources consulted (see [Bibliography](#)). Additionally, CPIT could not find any specific incidents of men who were specifically killed or threatened by their own family due to a perceived loss of honour within the sources consulted (see [Bibliography](#)).
- 11.7.2 An article published in 2013 entitled “‘Honour’-based violence: Moving towards action in Iraqi Kurdistan”, written by Nazand Begikhani¹⁵⁶ and Gill Hague¹⁵⁷ from the University of Bristol stated: ‘Our findings revealed that both men and women may face murder if they are deemed to have damaged their family or community’s honour, especially via undertaking love affairs or even engaging in minor contacts with a member of the opposite sex.’¹⁵⁸
- 11.7.3 The authors did not provide examples of times when men have faced murder for damaging the family or community’s honour.
- 11.7.4 The DIS and LandInfo honour related conflict report citing various sources¹⁵⁹, stated:
- ‘Men who engage in extramarital relationship are not perceived as staining the family honour. A man in this situation can often easily escape the conflict. Nevertheless, 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.’¹⁶⁰
- 11.7.5 The same report additionally stated:
- ‘A man is less at risk to ruin the honour of a family. He may though by openly showing his homosexuality... In general, killing of men take place when a man has criticised religion or if he is a homosexual.’
- ‘... In most cases, however, a man gets killed for revenge which in some families can lead to blood feuds. In these cases, the tribe will step in to avoid further escalation. In other families, they will report the killing to the authorities and the courts.’¹⁶¹
- 11.7.6 Fanack, in their article ‘Society of Iraq’ from February 2021 noted that ‘In the case of illicit sexual contact, violence can also be used against the male partner, but only in cases in which the woman’s family, in light of their power and influence, do not fear repercussions from the man’s family.’¹⁶²
- 11.7.7 The April 2023 EUAA report, which cites various sources¹⁶³, stated:

¹⁵⁶ University of Bristol, ‘[Nazand Begikhani](#)’, no date

¹⁵⁷ University of Bristol, ‘[Gill Hague](#)’, no date

¹⁵⁸ Begikhani, Z, Hague, G, ‘[‘Honour’-based violence: Moving towards action...](#)’, (Page 216), 2013

¹⁵⁹ DIS & LandInfo, ‘[KRI: Women and men in honour related conflicts](#)’, (Page 24-26), November 2018

¹⁶⁰ DIS & LandInfo, ‘[KRI: Women and men in honour related conflicts](#)’, (Page 22), November 2018

¹⁶¹ DIS & LandInfo, ‘[KRI: Women and men in honour related conflicts](#)’, (Page 47), November 2018

¹⁶² Fanack, ‘[Society of Iraq](#)’, 2 February 2021

¹⁶³ EUAA, ‘[Iraq: Arab tribes and customary law](#)’, (Page 94-111), April 2023

'Norway's report on honour violations noted that the situation for males is not the same, noting: contact with the opposite sex or a premarital relationship is not in itself considered harmful to the collective honour of the man or his family, but he will be affected by the desire for revenge from the woman's family. Males may be considered to have damaged honour if they violate gender roles through dress or same-sex relationships. USIP [US Institute for Peace] also mentions "Black crimes" (as-souda) such as male same-sex relations, rape, kidnapping a woman, or theft from a fellow kinsman or host.'

'... Women and girls are the most frequent victims of honour killings, however men and boys may also be affected or killed, on a smaller scale.'¹⁶⁴

The source did not provide any further detail or quantify what is meant by 'on a smaller scale'.

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11.8 Tribal dispute mechanisms

11.8.1 Fanack, in their article 'Society of Iraq' from February 2021 stated that 'Affairs of honour cannot be satisfied by monetary payments.'¹⁶⁵

11.8.2 The Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), in a query response on Sulaymaniyah tribes and tribal conflict resolution mechanisms from October 2021 quoted a DIS report from 2010 which stated: 'There are major dissimilarities between tribes as to how honour issues are being addressed. It was stressed that most families would prefer to settle disputes related to honour through family or tribe rather than through the authorities as the honour and the reputation of the family when related to females is "better protected" (through the family or the tribe).'166

11.8.3 The EUAA report 'Country Guidance: Iraq' from June 2022 noted: 'Although Article 45(2) of the Iraqi Constitution prohibits tribal traditions that contradict human rights, tribal dispute mechanisms can involve violations of human rights, such as giving away female relatives as compensation, honour killings, retributive killings or banishment. Women are particularly vulnerable regarding tribal justice and can encounter harsh treatment for transgression of tribal customs.'¹⁶⁷

11.8.4 The April 2023 EUAA report noted: 'Hamoudi et al. observed that Women are not only excluded completely from "participating meaningfully in tribal resolution", but "they are treated as objects of exchange in a broader compensation system, even if for the most part the matter is symbolic."'¹⁶⁸

11.8.5 The same EUAA report stated, citing various sources, the following regarding tribal resolutions to honour violations:

'Tribal resolutions to honour violations include arranged or forced marriage; fasliya marriage; forced divorce; honour killing of women and/or the involved parties; non-lethal violence, forced suicide or contrived suicide, female-

¹⁶⁴ EUAA, '[Iraq: Arab tribes and customary law](#)' (Page 51-52), April 2023

¹⁶⁵ Fanack, '[Society of Iraq](#)', 2 February 2021

¹⁶⁶ ACCORD, '[Query response on Iraq...](#)', 15 October 2021

¹⁶⁷ EUAA, '[Country Guidance: Iraq](#)', (Page 156), 29 June 2022

¹⁶⁸ EUAA, '[Iraq: Arab tribes and customary law](#)' (Page 50), April 2023

genital mutilation, starving or poisoning; restricted freedom of movement or confinement; denial of basic rights; forced abortion; forced virginity testing; denial of personal autonomy; verbal abuse or abandonment. The aim of these actions is shame-washing to restore “honour”.

- 11.8.6 The same source, citing The USIP (US Institute for Peace) 2011 report¹⁶⁹ stated ‘Capital punishment is reserved for the most extreme cases, where honor cannot be retrieved in any other way (as in the case of female honor crimes or the murder of a tribal leader), if the victim’s family cannot be made whole in any other way.’¹⁷⁰

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11.9 Protection

- 11.9.1 Amwaj.media in their article “‘Honor’ killings rock Iraqi Kurdistan amid weak law enforcement’ from 24 March 2022 stated ‘Murders of women in the name of “honor” have been on the rise in Iraqi Kurdistan. This is attributable to a variety of factors, with the most significant being the failure of the authorities to fully enforce the law and hold perpetrators to account. This is especially true when the culprit is affiliated with powerful political parties or tribes.’¹⁷¹
- 11.9.2 Ruwayda Mustafah¹⁷² writing on the Fikra Forum on 28 March 2022 stated: ‘In the KRI, the problem is not a lack of legislation regarding honor killings; rather, the issue is the limitations on extant legislation’s application and effects. Legislation alone cannot shift cultural attitudes. For cultural attitudes to change, our society needs a national dialogue frankly addressing the issue and its damaging effects. Additionally, verbal condemnation must be backed up with harsh punishments for perpetrators. Without societal and legal deterrents, instances of violence against women are likely to continue.’ ‘... The government lacks the public incentive to fully engage on this subject because the public are simply not outraged enough...’¹⁷³
- 11.9.3 The EUAA report ‘Country Guidance: Iraq’, from June 2022 noted: ‘The Constitution prohibits all forms of violence and abuse in the family. However, the national draft “Family Protection Law”, which provides protections for gender and sexual-based violence, has not been passed and remains unimplemented. Spousal rape is not criminalised in Iraq. Domestic violence or honour killings are seldom punished in Iraq and cases of sexual violence are rarely reported to the police. Perpetrators frequently go unpunished, as they are able to escape punishment through bribery.’ ‘...Furthermore, police were reportedly not willing to meaningfully investigate killings of women and girls for honour during 2017, despite an increase in violence against women.’¹⁷⁴

CPIT could not find any more up to date information on the status of the draft

¹⁶⁹ USIP, ‘[Customary Justice and the Rule of Law in War-Torn Societies](#)’, 1 July 2011,

¹⁷⁰ EUAA, ‘[Iraq: Arab tribes and customary law](#)’ (Page 56), April 2023

¹⁷¹ Amwaj.media, ‘[“Honor” killings rock Iraqi Kurdistan amid weak law enforcement](#)’, 24 March 2022

¹⁷² Washington Institute, ‘[Ruwayda Mustafah](#)’, no date

¹⁷³ Washington Institute, ‘[Addressing Violence Against Women in Iraqi Kurdistan](#)’, 28 March 2022

¹⁷⁴ EUAA, ‘[Country Guidance: Iraq](#)’, (Page 232), 29 June 2022

family protection law within the sources consulted (see [Bibliography](#)).

11.9.4 The April 2023 EUAA report, citing various sources¹⁷⁵, stated:

‘According to Human Rights Watch [in an interview with EUAA in March 2023] given the tribalistic nature of Iraqi societal attitudes and the underlying concept of honour/shame, turning to the formal justice system in matters of personal or intercommunal disputes can itself be perceived as “shameful” and to protect one’s reputation, it is preferably [sic] to go through the tribal dialogue system.

‘...[I]n the case of violence against women, Ceasefire for Civilian Rights [in correspondence with EUAA in March 2023] also remarked that women do not report such violence against them because state institutions do not look positively on individuals (especially women), leaving their family/tribe and taking legal measures against their relatives, leading to underreporting.

‘... On 8 March 2022, an expert of the UN Human Rights Committee noted that although tribal courts “had the potential to enhance the administration of justice in the country, there were reports of abuses from such courts.” The expert questioned the Iraqi State’s ability to prevent such abuses and to offer means of recourse “for individuals who had suffered harm because of the application of tribal justice”... On the question of obtaining protection by the state if a person is fearing tribal violence or retaliation, according to the representative of OWFI [Organization of Women’s Freedom In Iraq], the police are not effective in providing protection in cases of thar revenge and blood feuds.

‘... OWFI stated that in the more than 4,000 cases of family violence that they documented, most went unreported, and for the police family units that do exist, they often try to mediate the conflict with the family/tribe with the agreement to drop charges and return home being seen as a success. The same source noted that family or tribe member who caused the violence may agree to sign a “pledge” not to cause further harm... Dr. Al-Obaidi [an Assistant Professor in international criminal law and a former member of the Iraqi High Commission for Human Rights¹⁷⁶] also stated that the community police stations are not considered a safe accommodation for women fleeing from violence, and often such police would return the victim to her family after making a promise not to hurt her.’¹⁷⁷

11.9.5 The same report, citing various sources also stated:

‘There is no law against domestic violence in Iraq, or that outlaws violence against women or sexual assault. Seeking assistance from authorities has not lead to results and the discussion of human rights violations such as these are very sensitive in the Iraqi context. The custom of honour killing is “in some ways integrated, or at least indirectly sanctions, by statutory law”. Iraqi law allows for “honour” to be seen as a mitigating circumstance for violence and such killings are considered separately from murder. There is a lack of modern and effective mechanism to protect victims of domestic

¹⁷⁵ EUAA, [‘Iraq: Arab tribes and customary law’](#), (Page 94-111), April 2023

¹⁷⁶ EUAA, [‘Iraq: Arab tribes and customary law’](#) (Page 19), April 2023

¹⁷⁷ EUAA, [‘Iraq: Arab tribes and customary law’](#) (Page 79-80), April 2023

violence and honour-related violence.¹⁷⁸

- 11.9.6 DFAT's January 2023 report noted 'While arrest warrants are sometimes issued for perpetrators of honour killing, many suspects flee the country or seek protection from tribal groups before they can be brought to trial.'¹⁷⁹
- 11.9.7 On 27 March 2023, Amnesty International (AI) published its annual report entitled 'The state of the world's human rights' which stated: 'The Iraqi parliament continued to fail to criminalize domestic violence despite an increase in "honour killings" and other forms of gender-based violence documented by national NGOs.'¹⁸⁰
- 11.9.8 In April 2023 Freedom House published its annual report on political rights and civil liberties in Iraq, covering events in 2022. The report entitled 'Freedom in the World 2023 – Iraq' stated: 'The law also allows reduced sentences for those convicted of so-called honor killings, which are seldom punished in practice. These types of crimes typically involve a male relative targeting a woman (sister or wife) or an LGBT+ person.'¹⁸¹
- 11.9.9 The FCDO Human Rights report from July 2023 stated:
'Discriminatory laws continued to expose women to violence, with incidents of gender-based violence increasing since COVID-19. There has been no progress on the passing of an anti-domestic violence law, and the Iraqi Federal Supreme Court upheld the view that a husband's legal right to "punish his wife within certain limits" is constitutional. Honour killings and violence against the LGBT+ community also continued across Federal Iraq and the KRI, often unreported.'¹⁸²
- 11.9.10 The Gulf Centre for Human Rights (GCHR), an independent non-profit NGO based in Lebanon¹⁸³, in their 30th Periodic Report on Human Rights Violations in Iraq, published 11 September 2023 stated:
'... [O]n 06 September 2023, citizens once again expressed their anger on social media about the killing of blogger Taiba Ali, whose father was sentenced last April to only six months in prison, as the case was not considered as murder, but rather as a premeditated honour killing.'
'GCHR previously documented the murder of blogger Taiba Ali, 22 years old, which occurred on the night of 31 January 2023, in Diwaniyah Governorate in southern Iraq, by her father, who strangled her while she was asleep. The father turned himself in to the police, declaring that he had committed an "honour killing" As he claimed.'¹⁸⁴
- 11.9.11 The USSD HRP 2023 stated (repeated since the 2019 report):
'The Ministry of Interior maintained 16 family protection units in separate buildings at police stations around the country designed to resolve domestic disputes and establish safe refuges for victims of sexual or gender-based

¹⁷⁸ EUAA, '[Iraq: Arab tribes and customary law](#)' (Page 53), April 2023

¹⁷⁹ DFAT, '[Country Information report: Iraq](#)' (Page 30), 16 January 2023

¹⁸⁰ AI, '[Report 2022/23: The state of the world's human rights](#)' (Page 203), 27 March 2023

¹⁸¹ Freedom House, '[Freedom in the World 2023 – Iraq](#)' (Section G3), 13 April 2023

¹⁸² FCDO, '[Human Rights and Democracy: the 2022...](#)', 13 July 2023

¹⁸³ GCHR, '[About us](#)', no date

¹⁸⁴ GCHR, '[30th Periodic Report on Human Rights Violations in Iraq](#)', 11 September 2023

violence. These units reportedly prioritized family reconciliation and lacked the capacity to support survivors. NGOs stated survivors of domestic violence feared approaching the family protection units because they suspected police would inform their families of their testimony. Some tribal leaders in the south reportedly banned their members from seeking redress through police family protection units, claiming domestic abuse was a family matter. The family protection units in most locations did not operate shelters. NGOs reported women survivors of domestic violence were reluctant to report crimes to the mostly men officers of the family protection units.¹⁸⁵

11.9.12 For more information see the CPIN [Iraq: Actors of protection](#).

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11.10 Internal relocation

11.10.1 The DFAT Iraq country report from January 2023 stated:

‘Where a person is relocating to avoid violence or the threat of violence at the hands of family, tribe, or community as a result of harmful traditional practices, including on account of preserving family “honour”, there is clear evidence that such actors will pursue the person to the proposed area of relocation, including, through tribal, family or other links. The endorsement of such norms and practices by large segments of society and the limitations of the state to provide protection against such abuses all mitigate against successful relocation.’¹⁸⁶

11.10.2 The April 2023 EUAA report noted ‘When women flee situations of domestic violence or need to escape the family home, tribes will pursue the woman.’¹⁸⁷

11.10.3 For information on internal relocation see the CPIN [Iraq: Internal relocation, civil documentation and returns](#).

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12. NGOs and shelters

12.1.1 A press release on the Organization of Women’s Freedom in Iraq (OWFI) website titled ‘Condemnation of the Killing of Six Young Iraqi Women in the Governmental Rehabilitation Shelter for Teenagers in Al-Athamiya’ from 6 January 2019 stated:

‘Official sources announced that the seven young women burned themselves in what amounted to a mass suicide attempt in protest against the management of the governmental rehabilitation shelter.

‘These young women asked the management to bring them back to the prison which they felt was less harmful than the governmental rehabilitation shelter. It is known that this shelter is dedicated to teenage females who have completed their prison sentences and have no family or supporters and houses displaced women from ages six to twenty-two. They consider girls in the shelter homeless and morally delinquent and they imprison them in the

¹⁸⁵ USSD, ‘[Human Rights Practices Iraq 2023](#)’, (Section 6), 23 April 2024

¹⁸⁶ DFAT, ‘[Country Information report: Iraq](#)’, (Page 40), 16 January 2023

¹⁸⁷ EUAA, ‘[Iraq: Arab tribes and customary law](#)’ (Page 81), April 2023

shelter without any possibility of communicating with the outside world.’¹⁸⁸

- 12.1.2 Following a request for information by CPIT in February 2021 (available upon request), Wadi, an NGO that supports various projects to empower women and youth in the Middle East¹⁸⁹, stated:

‘After the [passing of] Law 8 of 2011 [In the Kurdistan Region of Iraq]... centres for combating domestic violence in the towns and provinces where [sic] opened. Special courts were also set [up] for looking after domestic violence cases in coordination with NGOs like WOLA (Women Organisation for Legal Assistance), originally a centre started by WADI [and] then made into an NGO and [is] still a WADI partner. The support offered by the KRG is not very potential [effective] because of man domination and control in the Ministry of Interior, Police Depts, courts etc.’¹⁹⁰

- 12.1.3 CPITs WADI 2021 query also stated:

‘There are “shelters” that are more or less like prisons. With the difference that the inmate can leave after signing a form that she has left on her own will or a pledge signed by the family member, mainly the perpetrator, saying that they [will] stop threatening the girl or woman. In Iraq and the IKR there are some shelters, maybe one in the capitals and the main cities.

‘...NGOs that provide support are under threat, mainly the head of the NGO is liable to the threat. So they usually coordinate with the shelters run by the police. If victims refrain from going to the police centres due to distrust and...ill-treatment, the NGOs have to seek secret shelters and this is not easy but it [can be] done.’¹⁹¹

- 12.1.4 Al Jazeera in their article ‘Iraqi women struggle to escape abuse as domestic violence rises’ from 12 February 2021 stated:

‘Some rights groups run underground shelters, despite serious legal and security risks.

“We face many challenges and difficulties to operate shelters that protect women,” said Ibtisam Mania from the Organization for Women’s Freedom in Iraq [OWFI], which runs several shelters for women in Baghdad.

“We often face issues with tribes. When they know a woman from their tribe is in our shelter, it’s as if they start a war against us. The police has also assaulted several of our shelters.”¹⁹²

- 12.1.5 The April 2023 EUAA report stated, citing various sources: ‘There are no state-run shelters for women fleeing violence. The representative of OWFI indicated that women’s shelters have been targeted by authorities who perceive them as “brothels” or make accusations that they traffic women. The UN similarly reported that such shelters are stigmatised and targeted by various actors.’¹⁹³

¹⁸⁸ OWFI, ‘[Condemnation of the Killing of Six Young Iraqi Women in the Governmental Rehabilitation Shelter for Teenagers in Al-Athamiya](#)’, 6 January 2019

¹⁸⁹ WADI, ‘[Homepage](#)’ no date

¹⁹⁰ WADI, ‘Response to CPIT questions’ 22 February 2021 – available on request.

¹⁹¹ WADI, ‘Response to CPIT questions’, 22 February 2021 – available on request.

¹⁹² Al Jazeera, ‘[Iraqi women struggle to escape abuse as domestic violence rises](#)’, 12 February 2021

¹⁹³ EUAA, ‘[Iraq: Arab tribes and customary law](#)’ (Page 53), April 2023

12.1.6 The USSD HRP 2023 stated (repeated from the 2020 report):

‘Two privately operated shelters and four KRG Ministry of Labor and Social Affairs-operated shelters provided some protection and assistance for female survivors of GBV and human trafficking. Space was limited, and NGOs reported psychological and therapeutic services were poor. NGOs played a key role in providing services, including legal aid, to survivors of domestic violence, who often received no assistance from the government. Instead of using legal remedies, authorities frequently mediated between women and their families so that the women could return to their homes. Other than marrying or returning to their families, which often resulted in further victimization by the family or community, there were few options for women accommodated at shelters.’¹⁹⁴

12.1.7 In the Chatham House Article ‘Two decades of feminist struggle in post-invasion Iraq’ by OWFI co-founder Yanar Mohammed, published 14 June 2023 it stated ‘...[O]ver the course of two decades [2003-2023], our shelters have provided refuge to over 1,300 women and girls escaping ‘honour killings’, sex-trafficking and domestic abuse.’¹⁹⁵

12.1.8 The January 2024 UNHCR report stated, citing various sources:

‘Some civil society organizations reportedly run temporary safe houses in secret locations for individuals fearing harm. These safe houses are reported to operate at enormous risks for both the individuals as well as the organizations’ staff. For security reasons, these safe houses are operated only for short periods of time, normally several months, before they are either closed or relocated. They can only accommodate a small number of individuals at any given time in order not to attract the attention of the authorities and other actors.’¹⁹⁶

12.1.9 The Gender Security Project a website researching and documenting Feminist Foreign policy¹⁹⁷, in their article ‘Subversion Diaries: Building Resilience: The Story of OWFI’ from 2 January 2024 stated quoting OWFI cofounder Yanar Mohammed:

‘Between 2008 and 2018, however, OWFI’s shelters were targeted by members of the police and intelligence agencies, who intimidated them vis-à-vis the young women and girls in their care, particularly those who had no official identification. “Because we were housing women without male guardians, the authorities accused us of running brothels.”

‘However, in 2023, OWFI has been at the receiving end of a notification from the NGO Directorate to cease all its operations immediately.’¹⁹⁸

12.1.10 The UN Population Fund (UNFPA) announced in a press release titled ‘First Women’s Protection Centre in Mosul offers enhanced safety and living conditions for girls and women survivors of violence’ dated 28 February 2024 in which it stated:

¹⁹⁴ USSD, ‘[Human Rights Practices Iraq 2023](#)’, (Section 6), 23 April 2024

¹⁹⁵ Chatham House, ‘[Two decades of feminist struggle in post-invasion Iraq](#)’, 14 June 2023

¹⁹⁶ UNHCR, ‘[...People Fleeing the Republic of Iraq](#)’, (Page 177), January 2024

¹⁹⁷ Gender Security Project, ‘[Our work](#)’, no date

¹⁹⁸ Gender Security Project ‘[Building Resilience: The Story of OWFI](#)’, 2 January 2024

‘Today, UNFPA, in cooperation with the Ministry of Labour and Social Affairs and Ninewa Governorate, proudly announces the inauguration of the Women Protection Centre in Mosul, located in the Al-Akhaa area. The opening of the Centre, constructed with support from UN-Habitat and funding from the French Government, signifies a crucial step in addressing the urgent need to enhance access to protective services for girls and women survivors of violence.

‘The building of the Women Protection Centre in Mosul was part of a comprehensive project, “Restoring Women, Youth, and Health Services in Iraq,” that includes the establishment of new facilities in Diwaniyah and Anbar, as well as the improvement of conditions in the operating Centre in Baghdad, renovated in 2023. This encompasses not only the physical infrastructure but also the provision of necessary equipment and supplies. The Women Protection Center in Baghdad, already renovated and operational, exemplifies the project's commitment to creating secure spaces for survivors of violence.’¹⁹⁹

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¹⁹⁹ UNFPA, ‘[First Women's Protection Centre in Mosul offers enhanced safety and living conditions for girls and women survivors of violence](#)’, 28 February 2024

Annex A: Glossary of Terms

The following table is a glossary of terms compiled by CPIT using two reports published by the Center for Navel Analyses (CNA), an independent, non-profit research and analysis organisation based in America²⁰⁰, and the European Union Agency for Asylum (EUAA)²⁰¹:

Ayb	Shame
Arain/ Harem	Sanctuary. Each tribesman's home is regarded as a sanctuary for those escaping from a feud or conflict.
'Arfa	The knowledgeable. Tribal jurists or adjudicators.
Asabiyya	Group feeling. The sense of belonging to a group. The maintenance of tribal solidarity against an outside threat.
Ashira	Tribal organisation comprised of a cluster of clans.
'Atwa	A temporary cease-fire. Literally "gift"- the restraint of the injured party. During this time, the offender is in exile. Before coming to mediation, the offender's family asks for time to contact their tribesmen and makes arrangements. After the 'atwa, the criminal can come back to his tribe but must stay away from the victim's tribe.
Balash	The social death suffered by refuge seekers no longer able to live among their tribe.
Bara'a	Expulsion of a member from the tribe
Dakhala	Entering protection. Offenders can seek protection from any stranger after committing a crime. The custom of dakhala represents one of the most important mechanisms tribes use to contain conflict and suppress violence. Its success lies in the fact that it is universally practices; thus, everyone can offer it to others or seek it out when in need.
Dakhal Ad'difa	Protector. After a crime has been committed, a dakhal must immediately assume the responsibility of ensuring the safety of his daksheel (refuge seeker).
Dam butlab dam	"Blood demands blood". An Arab saying, referring to the revenge obligation among a male's khamsah group.
Degge asha'iriyah/ degge	A tribal practice whereby the injured tribe sends armed men to the home of the perpetrator and sprays it with some number of bullets as a warning.
Dira	A tribe's homeland or territory.

²⁰⁰ CNA, '[About](#)', no date

²⁰⁰ CNA, '[No Security without us: Tribes and Tribalism in Al Anbar Province, Iraq](#)' June 2014

²⁰¹ EUAA, '[Iraq: Arab tribes and customary law](#)' (page 17-18), April 2023

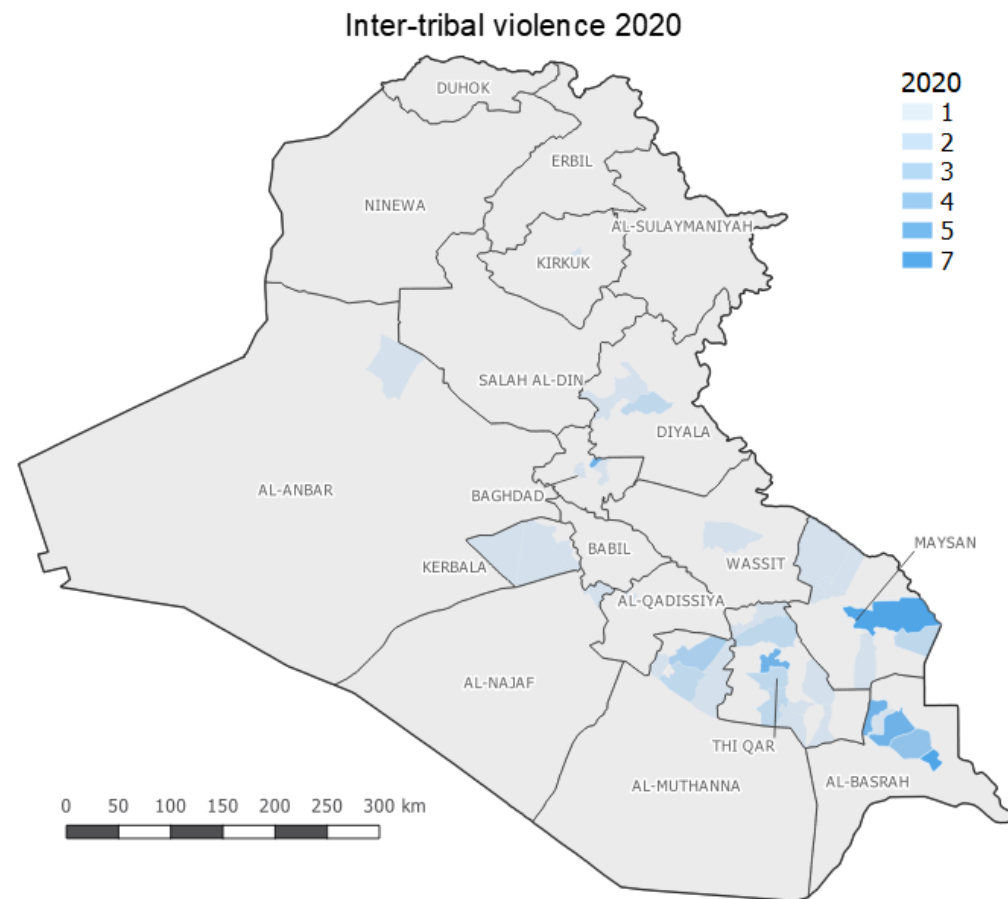
Diyya	Payment following death, insult, destruction of property, or accidents. Diyya also applies as payments for rights to safe passage through tribal territory. Payment of diyya does not necessarily signify an admission of guilt.
Eqrar al Fasil	The ratification of an agreement.
Fakhdh	Clan- a tribal unit comprised of a number of bayts
Faridya	Tribal judge.
Fasl	Rendering of judgment. "The solution" or agreement that ends mediation. This is a custom of compensation intended to prevent the escalation of conflict via payment for a wrong done where the culprit admits he was wrong. Fasl is also the term for a negotiated settlement that is paid after a intentional killing. Fasl does not have to be financial; exile is also common. This can also be the name for the entire resolution process.
Al Fassala	The negotiators during the fasl ritual.
Fasliya	A practice of trading women/ girls to settle tribal disputes
Fidiyya	Ransom.
Ghasl al-yar	Shame-washing: action taken, such as honour killing, to remove shame
Gouwama	Tribal warning- a tribal practice
Hadr al-damm	'Blood spilling'
Hurmat al-belt	Sanctuary of the house. The owner is duty bound to receive any fugitive who asks for his protection. Tribal law regarding this custom is very strict. There are scores of authentically documented cases where culprits have sought refuge in the homes of their foes and been granted protection.
Intiqaam	Revenge for loss of honour
'Ird	Family honour.
Jali/ Jalwa	Exile. The custom of exile away from one's tribal homeland serves several functions. First, it secures immediate protection for the exile's family within the territory of their protector. Second, jail saves the victim's group from dishonour, because the killer and his group are not within practical reach. Throughout the period of exile, which may extend for months or years, members of the killer's group are relegated to a marginal social political position within the tribal community offering them protection. After a period of time in exile, the mediation process can start.
Khamsah/ Khamsa	A man's khamsah group consists of all male-born children who share the same great-great grandfather. The khamsah is the traditional vengeance group which functions in cases of conflict, notably blood feuds. If a tribesman is murdered,

	is relatives within the khamsah are required to avenge his death, and all members of the murderer's khamsah are considered to share responsibility and thus are legitimate targets for reprisal.
Khulasiyyah/ Khoulasiya	A signed agreement that states that the conflict over a particular crime is settled.
Al Mithaq	A signed compact agreeing to a cessation of fighting after settlement of a dispute
Mahdar Sulh	A dispute settlement document
Mutalaba Asha'iriyah	Tribal summoning
Muzabin	Refuge seekers
Nahwa	A tribal tradition where the cousin, uncle or other male relative of a girl can prohibit her marriage to a person outside of the family
Al Nakhwa	Sense of honour. The offender's tribe goes to fellow tribes for help-to find a group that will go to the victim's tribe. The victim's tribe does not have to go to other tribes for support. They are in the power position.
Qabilah	Tribal confederation composed of multiple tribes, all of whom share a sense of solidarity and real or fictitious lineage.
Sanayin/ Sawani	Sets of codes constituting tribal law
Sharaf	A male's honor that can be won or lost and is determined by his own behaviour. Sharaf is distinct from family honor ('ird), which is mainly controlled by the females in the family and can, for the most part, only be lost.
Sheikh	A tribal leader or notable in the tribal community
Sulha	The best of judgments. A ritualistic peace making or conflict management process between tribe or sub-tribes that deliberately excludes the government. Complete sulha ends conflict between two parties according to conditions agreed upon during the settlement process.
Tabriya	Disowning a person e.g. in cases of affiliation with ISIL
Tahwila	A tribal delegation (also referred to as mashya)
Taqaliid	The traditions of the tribes.
Tanazul	Withdrawal of complaint
Al Tha'r/ Thar	Blood feuds or vengeance killing.
Urf/ a'araf/ adah	Tribal customary law
Wasit/ Arifa	Mediator or mediation

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Annex B: Maps of Tribal Dispute Events

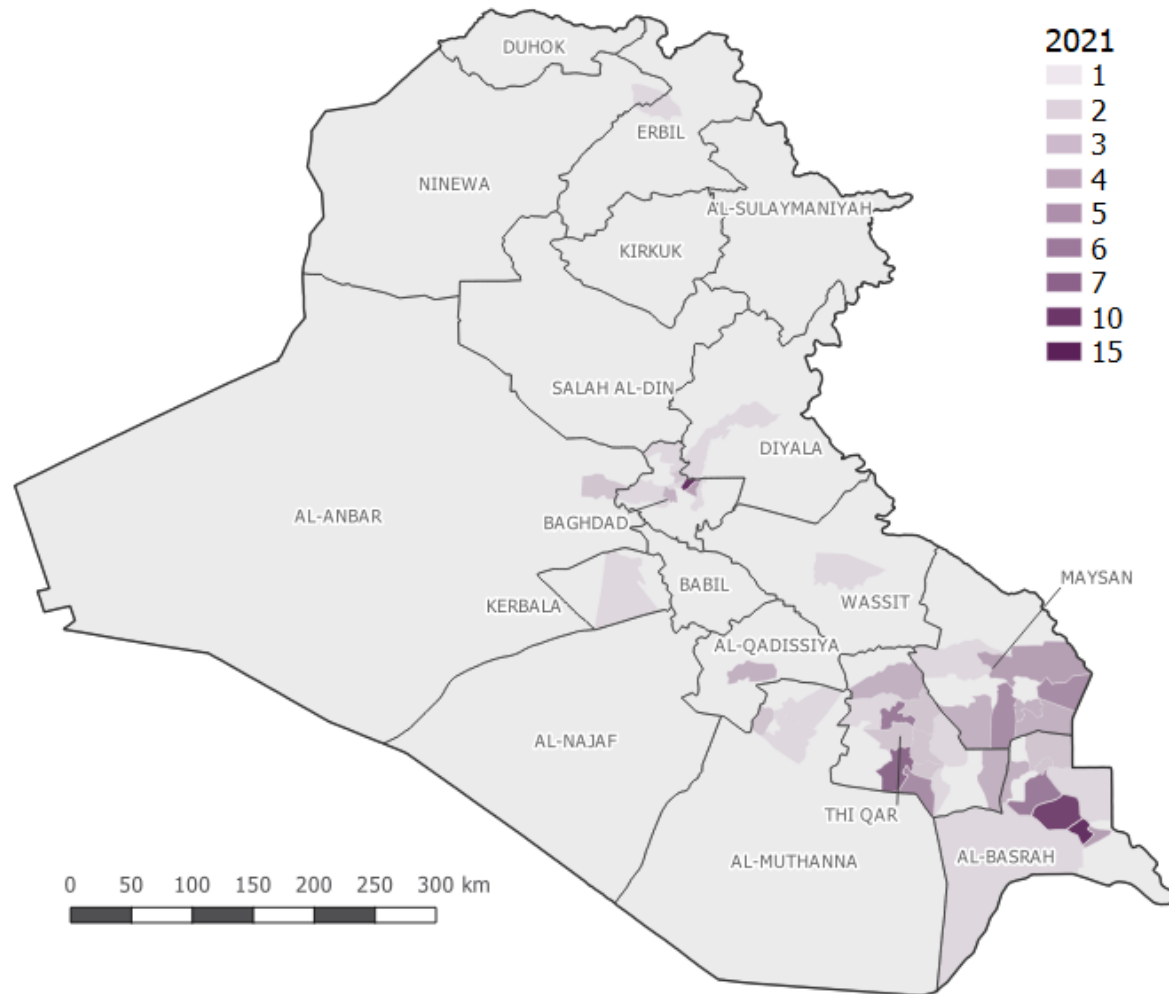
Maps produced by CPIT using data from the Armed Conflict Location & Event Data Project (ACLED)²⁰² Data Export Tool and UN Office for the Coordination of Humanitarian Affairs (OCHA) administrative boundaries.²⁰³



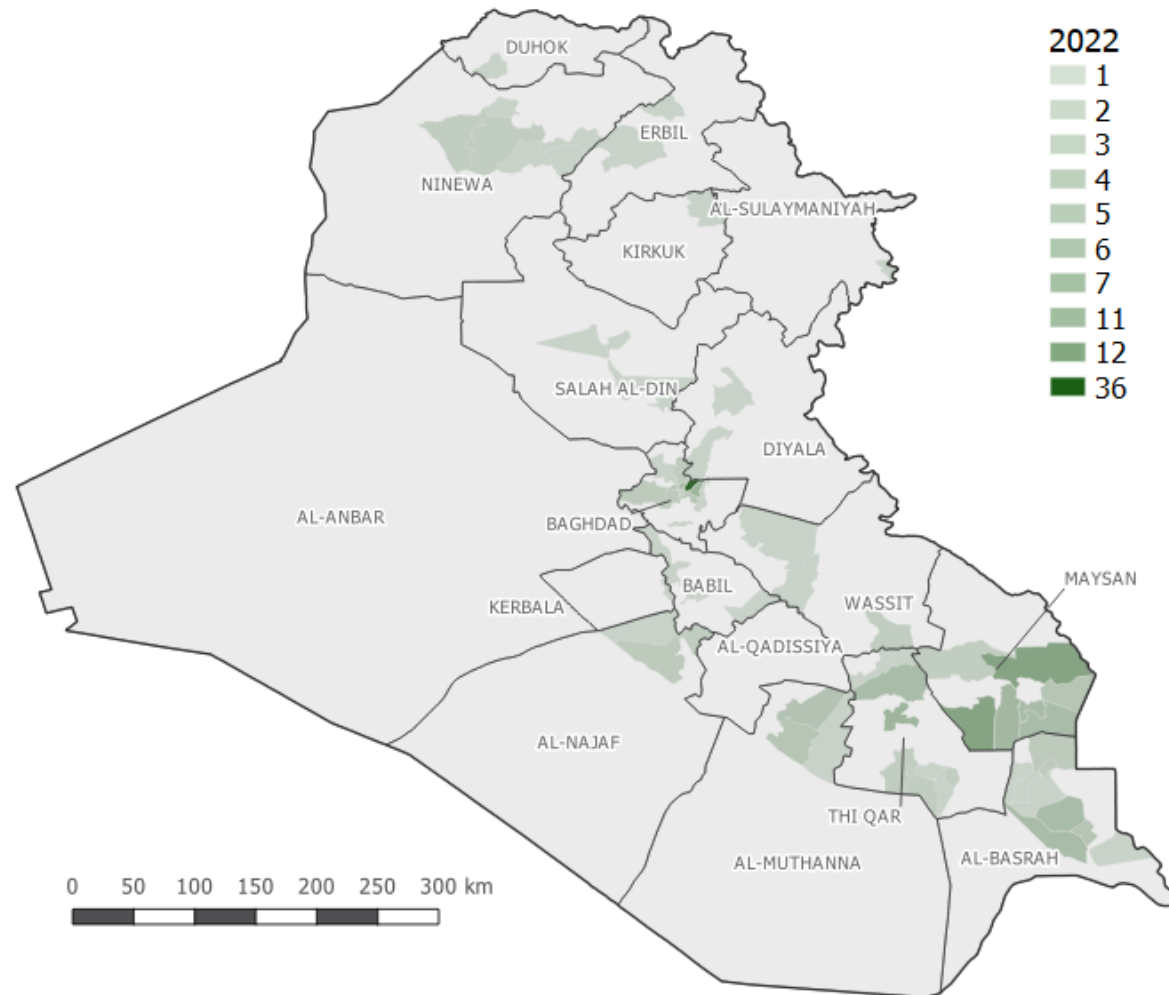
²⁰² ACLED, [‘About’](#), no date

²⁰³ OCHA, [‘Common Operational Datasets’](#), no date

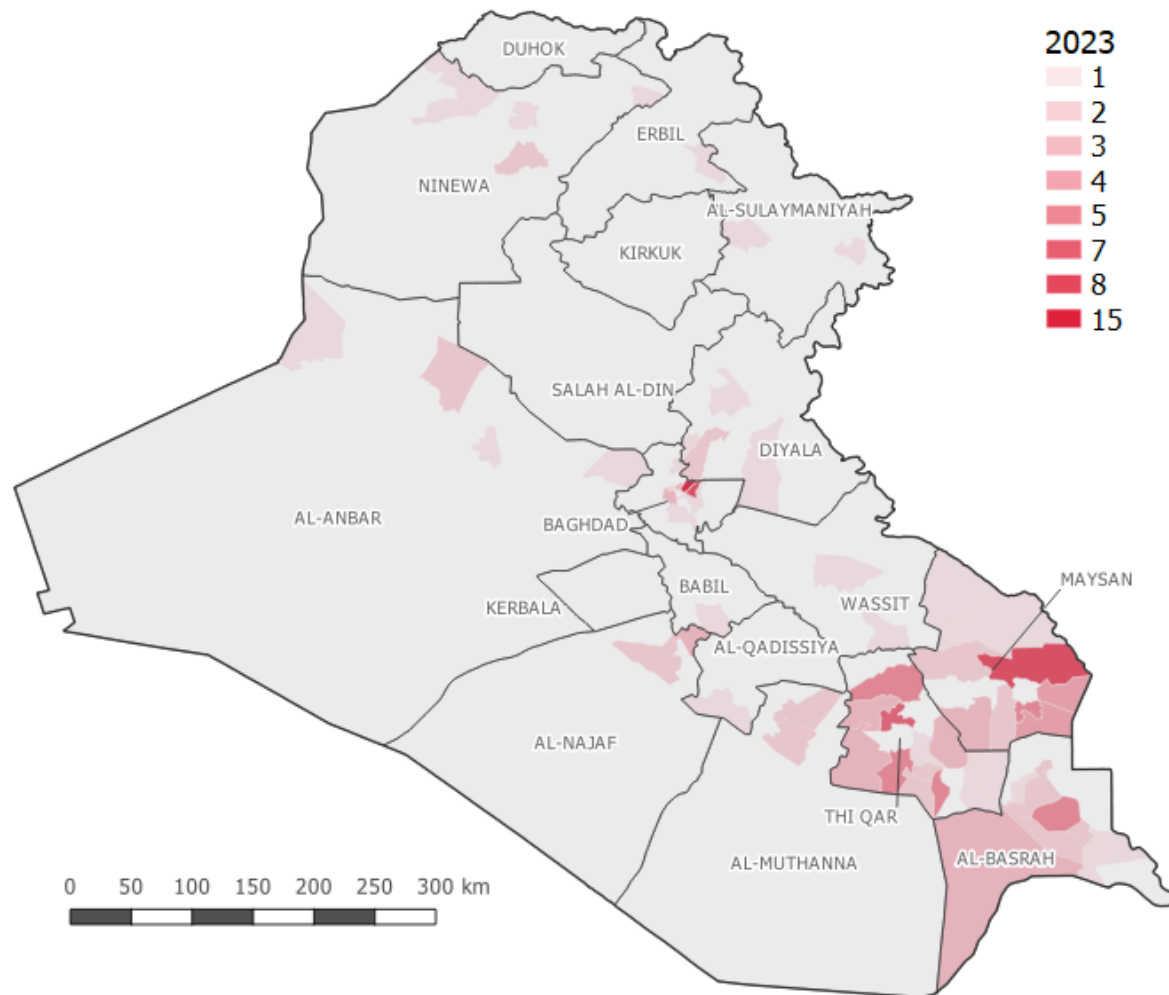
Inter-tribal violence 2021



Inter-tribal violence 2022

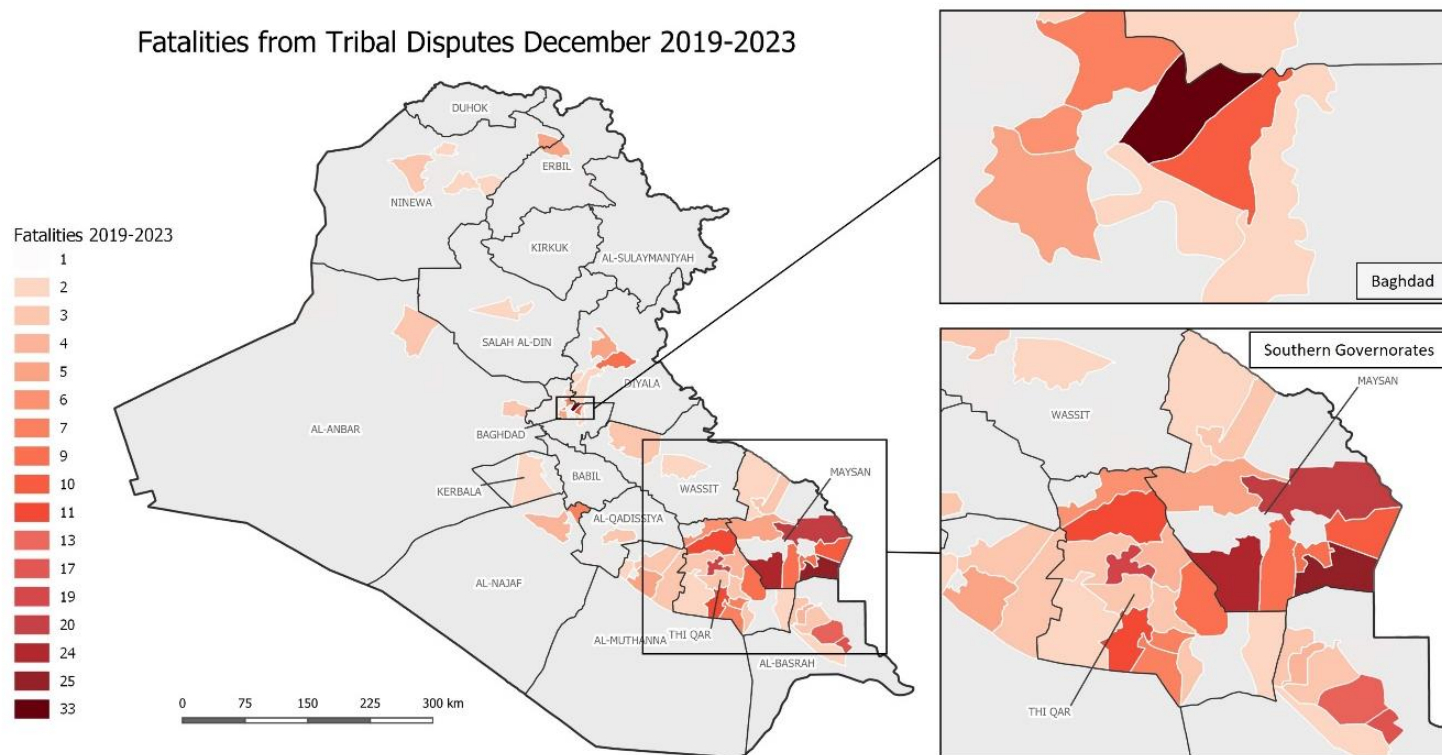


Inter-tribal violence 2023



Annex C: Map of Fatalities from Inter-Tribal violence 2019-2023

Maps produced by CPIT using data from the Armed Conflict Location & Event Data Project (ACLED)²⁰⁴ Data Export Tool and OCHA administrative boundaries.²⁰⁵



²⁰⁴ ACLED, '[About](#)', no date

²⁰⁵ OCHA, '[Common Operational Datasets](#)', no date

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Tribal society in Iraq
 - Tribal Law
 - Tribes in Politics
 - Women in Tribal society
- Blood feuds and Tribal violence
 - Prevalence
 - Geographic trends
 - Tribal dispute mechanisms
- Honour crimes
 - Prevalence
 - Motives
 - Honour crimes against men
 - Tribal dispute mechanisms
- Protection
 - Internal relocation
 - NGOs and Shelters

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **8 July 2024**

Official – sensitive: Not for disclosure – Start of section

The information on this page has been removed as it is restricted for internal Home Office use.

Official – sensitive: Not for disclosure – End of section

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Changes from last version of this note

First version of this note.

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Feedback to the Home Office

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The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support them in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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