

# IRAQ – POLITICAL AND SECURITY UPDATE

DECEMBER 2018

Report prepared by James Williams<sup>1</sup>

For Blue Mountains Refugee Support Group

## Contents

Overview .....	2
Security in Iraq – general .....	2
Security in Iraq – Iraqi Kurdistan .....	4
Overview of minority groups in Iraq .....	5
Internal displaced persons .....	7
Treatment of women .....	8
Violent protests in Basra .....	9
Christian update.....	11
Sabian-Mandaen update.....	12
Yazidi update .....	12
Retribution against Islamic State suspects .....	13
Treatment of GLBTI persons.....	14

---

<sup>1</sup> James Williams is a research and policy professional, with a background in public policy development. He has a Bachelor of Arts and Bachelor of Laws from the University of Melbourne, Australia. Email: james.k.williams@me.com.

## Overview

Since the withdrawal of Islamic State forces in northern Iraq, the national government has resumed de jure control of the country, and the security situation has tempered after the worst atrocities of Islamic State occupation. The Iraqi Kurdistan regional government has also been established. However, the national government of Iraq is struggling to contain militia groups and control national security. Underlying religious, ethnic and sectarian fault lines in Iraqi society have instigated civil and security instability, localised violence and intimidation towards targeted groups, including reported beatings and killings. Islamic State elements continue to operate in the country.

Powerful militias, some of which are known to have political factional support, are responsible for regional and localised violence towards a number of groups, including:

- intimidation and uncertain personal security across a range of minority groups, including Christians, Yazidis and Sabeen Mandaean
- violence towards and between Kurdish subgroups in north and north-east Iraq
- assault of women and GLBTI persons.

In recent months Basra in southern Iraq has experienced systemic electricity failures and water pollution, leading to anti-government and anti-Iran protests and the destruction of many government buildings (including the Iranian consulate in Basra). Local militias are reported to have both infiltrated the violent protests and being responsible for reprisals against suspected protestors.

Furthermore, a number of reports have been published describing retribution against Islamic State suspects without recourse to the rule of law or due process.

## Security in Iraq – general

The security and control of Iraq by the national government is being undermined by the re-emergence of terrorist cells linked to Islamic State, armed militias controlled by competing political factions, and allegedly interference from foreign actors, especially Iran.

After a sustained period of relative stability since the Islamic State withdrawal, media reports indicate that terrorist cells are reemerging across the country, resulting in localised terrorist activity aimed primarily towards civilians.

According to the United Nations Assistance Mission for Iraq (UNAMI), in September 2018 a total of 75 Iraqi civilians were killed, while 179 others were injured due to acts of terrorism, violence and armed conflict in Iraq. Baghdad recorded the highest civilian casualties (31 killed, 70 injured), followed by Anbar (15 killed and 37 injured).<sup>2</sup>

Since early October 2018, there has been a spate of car-bombings and attacks on civilians, particularly in Kirkuk and Baghdad. According to security experts, remnant Islamic State and emerging terrorist cells are seeking to influence the incoming Iraqi Government and to dissuade any reforms to the current political framework that apportions ministerial powers to specific ethnic groups.

Islamic State posted a propaganda video on 11 October 2018 - called Hasad al-Ajnad (Harvest of Soldiers) – in which it claimed it had carried out 55 operations in Iraq since the 4 October 2018, though the claim hasn't been verified.

The national government is seeking to contain the security situation, particularly after a period of relative stability since 2016. A key criticism of the government by security experts is the number of politicians and factions that fund and control their own militia groups, such as al-Abbas Combat Division, which is part of the Popular Mobilization Units (PMU). Politicians in turn stress the likelihood of external interference as giving rise to much of the violence.<sup>3</sup>

According to the UN refugee agency (UNHRC), the number of terrorism-related incidents in Mosul, Hammam al-Alil, and areas of Anbar (mainly Fallujah and Ramadi) was high as at May 2018. The UNHRC concluded that the capability to conduct terrorist attacks indicates the persisting presence of extremist groups.

UNHRC further reported that tribal feuds continue to prevent thousands of internally displaced persons from returning to their areas of origin, mainly due to discrimination based upon perceived affiliation with extremist groups. In the Rutba district of Anbar,

---

<sup>2</sup> <https://www.iraqnews.com/iraq-war/civilian-killed-in-armed-attack-southeast-of-baghdad/>

<sup>3</sup> <https://www.al-monitor.com/pulse/originals/2018/10/iraq-security-terrorism-syria-idlib.html>

150 returnee families reportedly faced discrimination based on such perceptions. Similarly, forms of collective punishment started to appear again in Shirqat district of the Salah al-Din governorate. Returns to certain areas of Baiji district, also in Salah al-Din, continue to be barred by local armed groups who control the area.<sup>4</sup>

## Security in Iraq – Iraqi Kurdistan

Parliamentary elections have taken place in Iraqi Kurdistan in early October 2018. After a three-week delay, the election results have been announced: voter turnout was low (at 43 per cent) and the two major parties – the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) – won most of the electorates. The principal opposition parties have rejected the results on the grounds of voter fraud.

The election results, and failure to secure confidence in the governance and process underpinning the result, indicate a region that is on edge and democracy at risk. Iraqi Kurdistan is also heavily in foreign debt, has high rates of youth unemployment and record poor services. Should these problems escalate, there is a risk that civic violence could occur and conditions could deteriorate with further risk of refugees and displaced persons.<sup>5</sup>

Minority groups have expressed concerns about ongoing tensions between the Kurdish Regional Government [KRG] and the national government, fearing that attaching the ‘disputed territories’ title to minority lands retaken from Islamic State will strengthen the claims of both governments and hinder minority land rights:

“These fears are fuelled by KRG’s territorial ambitions, not only indicated by the political rhetoric of regional government officials, but also in the KRG’s marking of a 650-mile trench running from Sinjar in Ninewa to Khanaqin in Diyala, which increases the KR-I territorial mass by up to 40 per cent.”<sup>6</sup>

---

<sup>4</sup> <http://reporting.unhcr.org/sites/default/files/UNHCR%20Iraq%20Flash%20Update%20-%2031MAY18.pdf>

<sup>5</sup> <https://www.al-monitor.com/pulse/originals/2018/10/iraq-kurdistan-parliament-election.html>

<sup>6</sup> <http://www.minorityvoices.org/news.php/en/5249/iraq-trapped-in-a-limbo-iraqs-displaced-minorities-and-the-difficulties-of-return>

## Overview of minority groups in Iraq

The Republic of Iraq is a predominantly Arab Muslim country, with a total population of around 37 million. Around 95 per cent of Iraqis are Muslim. The majority of the population are Shi'ite (60-65 per cent), with a large Sunni minority (35-40 per cent).

There are tensions between Shi'ites and Sunni Muslims in terms of political dominance and enfranchisement, historically due to the perceived privileges of the Sunni population during the Ba'ath Party regime. Unlike the Kurdish people, many of whom seek independence, the struggle between Shi'ites and Sunni Muslims relates to their relative dominance within the Iraqi state. Although Shi'ites are a majority in Iraq, since 2003 there have been numerous accounts of targeted violence by both Shi'ite and Sunni groups towards each other.<sup>7</sup>

Ethnically, the majority of Iraqis are Arab (about 75 per cent), with a significant Kurdish minority (around 15 per cent). However, the country has a rich cultural demographic history and Table 1 outlines what is believed to be the current state of religious and ethnic minorities in Iraq. The situation is fluid and a number of these minorities conceal their traditions and customs, making it difficult to pinpoint population levels and distribution.

---

<sup>7</sup> Minorityrights.org

**Table 1. Overview of minority groups in Iraq: October 2018**

Minority Group	Estimated population	Regions	Current issues
Kurds	500,000	Northern Iraq	Seek greater independence from Iraq – control of the Iraqi Kurdistan Regional Government shared between KDP and PUK <sup>8</sup>
Faili Kurds (Shi'ite Kurds)	150,000	Baghdad and the south east	Many are stateless and unable to access basic rights and services
Christians (inc. Armenian Catholics, Orthodox, Assyrian Orthodox, Chaldeans, Evangelicals and Protestants)	350,000	Baghdad, Mosul, Ninewa Plain, Kirkuk, Basra	Sporadic violence and discrimination. Significant exodus from Iraq.
Kaka'l (or Yarsan) religious minority – Kurdish subgroup with mix of Shi'ite and Zoroastrian beliefs	110,000-200,000	Kirkuk, Ninewa Plain	Experience harassment and discrimination because of ambiguous relationship with Islam. <sup>9</sup>
Shabak – Shi'ite (c. 70 per cent) and Sunni (c. 30 per cent)	200,000-500,000	Ninewa Plain, near Mosul	Pressured to identify as Kurdish. Experience persecutions from Arabs and Kurds. Border disputes in areas of Ninewa.
Turkmen (inc. Shi'a and Sunni Muslims, and a small Christian sub-group)	About 2.5 million - about 30,000 Christians	Kirkuk, Wassit (east Iraq), south east Baghdad	Returned to local areas (esp. Kirkuk) after displacement by Hussein; experiencing tensions with Arabs in contested areas.
Yezidis <sup>10</sup> (pre-Islamic religious group with elements of Zoroastrianism, Judaism and Christianity)	About 500,000	Northern Iraq	Restrictions on worship by government. Considered by Kurds as Kurdish, creating tension; considered heretics by some Muslims.
Bahá'l (monotheistic religious group)	Unknown – very small	Unknown	Considered by some Muslims to be apostates of Islam. Rarely engage in public discourse. Many lack identification and cannot access basic services.
Bedouin	About 100,000	Desert regions of the south west	Forced settlement by the national government
Black Iraqis (mostly Shi'ite, some Sunni)	About 500,000	Basra and Maysan and Dhi Qar Governates	Some rituals of Zanj (tribal African) origin have been retained. Face systemic poverty, discrimination and marginalisation. <sup>11</sup>
Circassians (people of Caucasian origin); primarily a cultural/language group. Sunni Muslims.	30,000-50,000	Dohuk, Baghdad and Kirkuk	Seek formal recognition as a minority group
Sabeen Mandaean	Less than 5,000	Southern Iraq	Targeted by Shi'ite and Sunni Islamic militants. Face extinction in Iraq.
Roma (mix of Shi'ite and Sunni Muslims)	50,000-200,000	Isolated locations in southern Iraq, and outskirts of Baghdad, Basra and Mosul	Targeted by militias because of their lifestyle and traditional occupation as entertainers, musicians and dancers. High level of poverty with little support from government to provide basic services.

<sup>8</sup> Minorityrights.org: Kurdistan Democratic Party (KDP) which is dominant north of the Greater Zab; and the Patriotic Union of Kurdistan (PUK) which claims a progressive ideology.

<sup>9</sup> Kaka'l men are easily recognisable because of their prominent moustaches, making them even more exposed to harassment and discrimination. Minorityrights.org.

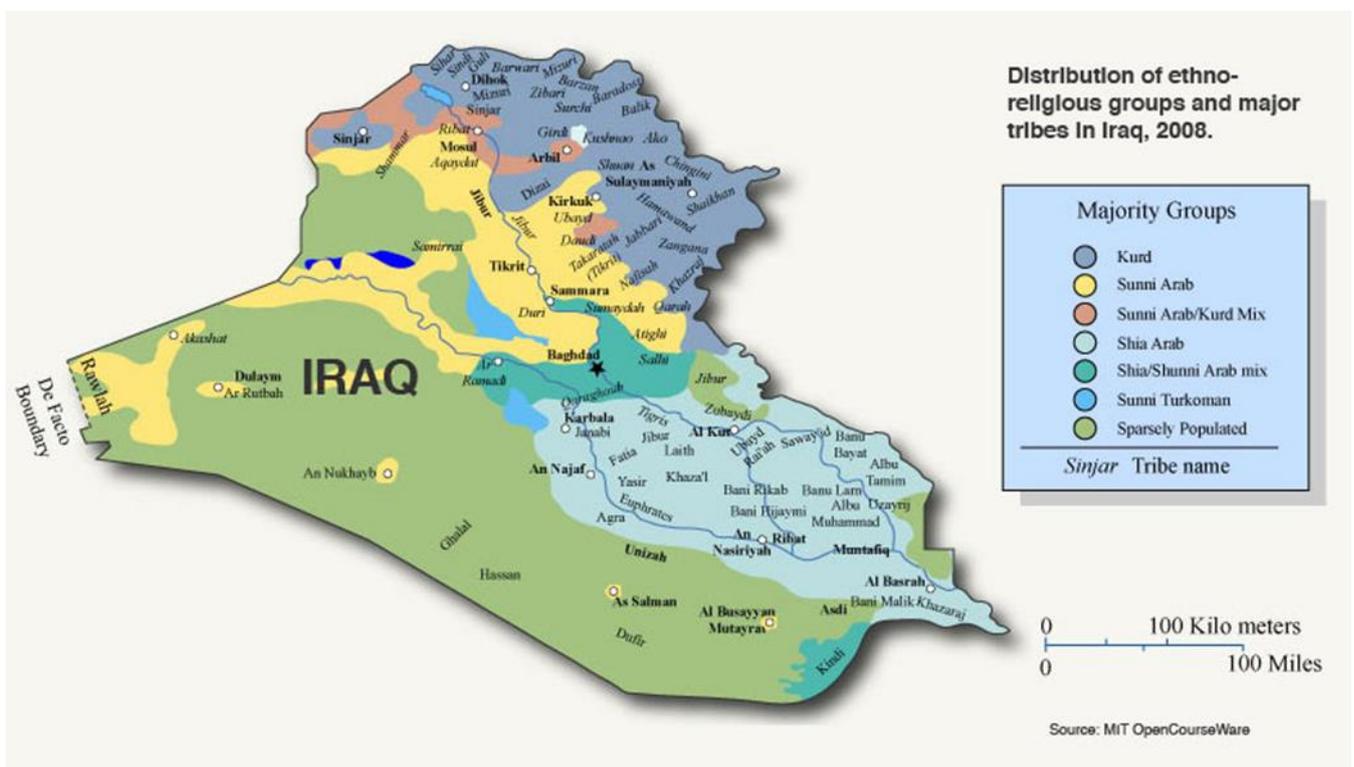
<sup>10</sup> Most Yezidis speak Kurmanji, a dialect of Kurdish.

<sup>11</sup> Minorityrights.org, November 2017. The report also notes that some black Iraqis lack nationality documents for reasons connected to the history of slavery and are therefore unable to access public services.

The Iraqi Ministry of Displacement and Migration estimated that between 2003 and 2008, nearly half of Iraq's minority communities had already left the country because of targeted violence including murder, abduction, torture, rape, and intimidation, along with the destruction of their religious buildings and homes. While the 2005 constitution includes some clauses guaranteeing religious freedom and political representation for minorities, with the Iraqi government, Kurdish authorities, and the international community still unable to ensure minorities' protection in post-Islamic State Iraq, the chances of their safe return remain low.<sup>12</sup>

Figure A provides a broad outline of the placement of larger population groups in Iraq. It does not capture the distribution of smaller minority groups.

**Figure A: Distribution of ethno-religious groups and major tribes in Iraq, 2008.**<sup>13</sup>



## Internal displaced persons

The distribution of ethnic and religious groups described above does not take into consideration internal displaced persons camps. As at October 2018, UNHCR estimated that there were 2,890,696 internal displaced persons in Iraq.<sup>14</sup> The most

<sup>12</sup> <https://www.theatlantic.com/international/archive/2018/08/mosul-reconciliation-isis/566420/>

<sup>13</sup> Source: MIT OpenCourseWare.

<sup>14</sup> <http://reporting.unhcr.org/sites/default/files/UNHCR%20Iraq%20Factsheet%20-%20October%202018.pdf>

recent major cause of displaced persons has been the retaking of Mosul by government forces. The operation lasted nine months, ending in July 2017 after having led to the displacement of over a million people. Mosul was heavily damaged, with the destruction of much of the city's service infrastructure.<sup>15</sup>

UNHRC reported in May 2018 that there were also 249,641 Iraqi refugees hosted in countries in the region, with 12,276 Iraqis in camps in the Al-Hassakeh Governorate of Syria. Furthermore, there were a reported:

- 638,874 internal displaced persons in Ninewa (including as a result of the Mosul military operation)
- 58,488 internal displaced persons in Hawiga (Kirkuk) and Shirqat (Salah al-Din), displaced due to military operations
- 43,208 internal displaced persons displaced due to military operations in west Anbar.

Migration flows in Iraq have followed identifiable patterns, with Christian and Yezidi communities primarily seeking refuge in Iraqi Kurdistan, while other minority groups, such as Shabak and Turkmen, have fled to Najaf and Kerbela in the south of the country.<sup>16</sup>

## Treatment of women

Women in Iraq generally face high levels of gender-based violence, including female genital mutilation, domestic violence, sexual harassment, murders in the name of honour, forced and early marriage, and human trafficking. These crimes continue to be perpetrated with impunity, with few prosecutions for rape and other acts of violence, exacerbated by the current violence that affects all minorities in the north.<sup>17</sup>

Women from minority groups are often singled out for gender-based violence and sexual subjugation and exploitation, creating double-discrimination in those cases.

According to Human Rights Watch, women have few legal protections to shield them from domestic violence. Iraq's criminal code includes provisions criminalising physical assault, but lacks any explicit mention of domestic violence. While more

---

<sup>15</sup> <http://www.internal-displacement.org/countries/iraq>

<sup>16</sup> <http://www.minorityvoices.org/news.php/en/5249/iraq-trapped-in-a-limbo-iraqs-displaced-minorities-and-the-difficulties-of-return>

<sup>17</sup> IILHR, MRG, NPWJ, UNPO, No Way Home: Iraq's minorities on the verge of disappearance (July 2016), p 12.

recent national studies are not available, women's rights organizations continue to report a high rate of domestic violence.<sup>18</sup>

In an address to the UN Security Council in August 2018, the Iraq Cross Sector Task Force has reported that sexual and gender-based violence continues at "alarming rates" in Iraq. The Coordinator of the taskforce stated that:

"Women and girls who have been living in areas under [Islamic State] control have been exposed to the most extreme forms of violence as a way to subjugate the whole community."

The Coordinator also highlighted that women's security and rights are tightly linked to their participation and role in decision-making, and that:

"In spite of a 25 per cent quota in the parliament and public institutions, women remain under-represented or absent in decision-making, including political parties, as there is a general lack of acceptance of the importance of women's role in decision-making... keeping in mind the double burden and social stigma they carry."<sup>19</sup>

UNHRC reported in May 2018 that female-headed households in Mosul camps are particularly vulnerable to stigmatisation and economic difficulties. Most of the families returning to camps east of Mosul that are female-headed households are divorced, widowed or have spouses who have been detained, and often decide to move to camps due to their lack of income. Moreover, in Jeddah and Hajj Ali camps, female-headed households struggle to obtain permission to move, suffer discrimination from camp managers, and are verbally harassed by armed actors and camp residents.<sup>20</sup>

## Violent protests in Basra

Basra has experienced sustained violent protests and riots since August 2018.

Government forces have opened fire on protesters on at least two occasions, with at least seven dead.<sup>21</sup> Amnesty International reported that, in July 2018, the government cut off internet access to prevent the sharing of footage and pictures of

---

<sup>18</sup> <https://www.hrw.org/world-report/2018/country-chapters/iraq>

<sup>19</sup> [https://www.youtube.com/watch?v=\\_yhqXJ6tMYA](https://www.youtube.com/watch?v=_yhqXJ6tMYA)

<sup>20</sup> <http://reporting.unhcr.org/sites/default/files/UNHCR%20Iraq%20Flash%20Update%20-%2031MAY18.pdf>

<sup>21</sup> <https://www.amnesty.org/en/latest/news/2018/09/iraq-deaths-of-protesters-in-basra-must-be-effectively-investigated/>

the excessive and unnecessary force used by security forces.<sup>22</sup> These are unstable conditions that could result in further government reprisals and another refugee crisis.

Most government buildings in Basra have either been attacked or set on fire, including the Iranian consulate, in protest of an electricity shortage and a water crisis that has resulted in over 17,000 residents being poisoned in recent months.<sup>23</sup> The government is experiencing significant criticism from Basra residents, due to its inability to provide fresh drinking water and underlying concerns related to systemic corruption within the government and perceptions that the Iranian Government is supporting corrupt Iraqi officials.

Protesters have also set alight the headquarters of nearly every Iran-backed militia group in Basra.

Shi'ite-backed militias are reportedly targeting street protestors, particularly women. There are reports that militia groups are intimidating, attacking and illegally imprisoning protestors. This has included beating women and pulling off headscarves. These reports suggest that many of these militias have Iranian or Iraqi Government backing and that much of the rioting and violence in Basra have been the result of militia groups that have infiltrated protest movements.

The situation in Basra is fermenting civic discord, and there are significant risks that armed men, mostly unemployed youth, are adopting violent responses to a dysfunctional government in an environment that is not dissimilar to the conditions that gave rise to Islamic State. If the violent protests are not contained – and functioning government and governance returned without recourse to violent reprisal – there is a risk that Basra will generate further militia activity and result in refugees fleeing an unstable region.<sup>24</sup>

---

<sup>22</sup> <https://www.amnesty.org/en/latest/news/2018/07/iraq-security-forces-deliberately-attack-peaceful-protesters-while-internet-is-disabled/>

<sup>23</sup> <https://www.al-monitor.com/pulse/originals/2018/08/iraq-basra-health-water.html>

<sup>24</sup> <https://www.vox.com/world/2018/9/7/17831526/iraq-protests-basra-burning-government-buildings-iran-consulate-water>

Shi'ite-backed militia groups are now represented in the Iraqi Parliament: Fatah has 48 seats in the 329-seat parliament. Fatah claims that violence perpetrated by militias is conducted by individuals and is not directed by Fatah.<sup>25</sup>

## Christian update

Islamic State was responsible for numerous killings of Christians and the large-scale destruction of churches. This included, in April 2018, the discovery of a mass grave of 40 Christians near Mosul.<sup>26</sup> According to the Minority Rights Group International, only 350,000 to 500,000 Christians remain in Iraq, compared to between 800,000 and 1.4 million in 2003.

News reports from March 2018 state that Christians in Iraq are subject to local violence and ghettoization, with land being taken from them.<sup>27</sup> The situation for Christians in Iraq remains fluid and uneasy, particularly given the relative weakness of the national government.

In Iraqi Kurdistan, there are reports that the regional government has now imposed additional taxes on the Christian community by implementing a new tax on the predominantly Christian towns of Ankawa and Semel, a move that has been described as “clearly discriminatory against Christians.”<sup>28</sup>

In December 2018, a Clarion Project Report<sup>29</sup> states that Christian harassment in the Nineveh region – including harassment by Shi'ite militias, some of whom were formally aligned with Islamic State – continues. The report notes religious and ethnic harassment towards Christians, and militia-controlled local government areas are not allowing Christians recourse to the Iraqi central government. In Erbil, many Christians are reportedly harassed, with Christian women hassled for not wearing the hijab.

---

<sup>25</sup> <https://gulfnews.com/news/mena/iraq/pro-iran-militias-wreaking-havoc-in-basra-1.2281526>

<sup>26</sup> <https://www.gatestoneinstitute.org/12076/iraq-christians-disappeared>

<sup>27</sup> <https://www.gatestoneinstitute.org/12076/iraq-christians-disappeared>

<sup>28</sup> <https://barnabasfund.org/en/news/iraqi-christians-suffer-discriminatory-taxation-by-the-kurdish-regional-government#>

<sup>29</sup> <https://clarionproject.org/the-new-phase-of-christian-persecution/>

## Sabian-Mandaen update

In July 2017, the Sabian-Mandaen religious community in the Basra province was prohibited by the local government from building a place of worship for their rituals on land belonging to the community.<sup>30</sup>

Between 2003 and 2011, 90 per cent of Mandaean have either died or left Iraq according to Human Rights Watch. Targeted killings have been reported.<sup>31</sup>

Mandaean have repeatedly called for the evacuations of their people from Iraq. They are attacked on religious grounds, but also because of their traditional occupations as goldsmiths and silversmiths.<sup>32</sup>

## Yazidi update

The Yazidi people traditionally live in northern Iraq, particularly in Nineveh and Dohuk provinces with large communities in Sinjar and Shekhan, where a number of their holy sites are located. In 2014, Islamic State militants captured and killed many Yazidi, while others fled.

On August 3, 2014, Islamic State overran Yazidi homes in Sinjar, killing and kidnapping hundreds of people and destroying their temples, villages and cemeteries. Critically, there were 10,000 Peshmerga (Kurdish military security forces) located in Sinjar at that time, and they pulled out during the night and enabled the Islamic State to invade the Yazidi.

Yazidis did not feel safe in their homeland, particularly after the Kurdish Peshmerga forces failed to protect the community in 2014.

Traditionally farmers and shepherds, the separation of the Yazidis from their traditional lands in Sinjar means many of them were left without a way to make a living.<sup>33</sup>

Ongoing instability and violence in northern Iraq have resulted in many Yazidi being granted asylum in many countries in the past year. There is now a small community of Yazidis of over 100 families in Toowoomba, QLD.<sup>34</sup>

---

<sup>30</sup> <http://www.basnews.com/index.php/en/news/iraq/365596>

<sup>31</sup> <http://www.minorityvoices.org/news.php/en/5215/iraq-the-genocide-against-mandaean-continues>

<sup>32</sup> <http://www.ipsnews.net/2012/01/the-ancient-wither-in-new-iraq/>

<sup>33</sup> <https://www.sbs.com.au/news/who-are-the-yazidis-and-why-are-they-persecuted>

<sup>34</sup> <https://www.abc.net.au/news/2018-06-21/yazidis-write-a-new-history-in-toowoomba/9889238>

In October 2018, Nadia Murad, a Yazidi woman and former prisoner of the Islamic State, became the first Iraqi to be awarded the Nobel Peace Prize for her efforts as an activist for the Yazidi religious minority.<sup>35</sup>

## Retribution against Islamic State suspects

According to Human Rights Watch, the war against the Islamic State displaced at least 3.2 million Iraqis, over 1 million of them to the Kurdistan region. Before defeat, Islamic State used civilians as human shields, carried out chemical attacks and targeted fleeing civilians:

“In their battle against [Islamic State], Iraqi forces summarily executed, tortured, and forcibly disappeared hundreds of [Islamic State] suspects. Communities in former [Islamic State-]-controlled territory took actions of collective punishment against families of suspected [Islamic State] members, displacing them and destroying their property with the complicity of government forces.”<sup>36</sup>

The international community has contributed over \$30 billion to rebuild areas damaged in the fight against ISIS.<sup>37</sup> But reconstruction has been reportedly restricted by corruption, disorganization and dysfunctional governance. Underpinning these challenges in and around Mosul is “lingering distrust and ongoing sectarian and ethnic violence” primary directed towards distrust of Sunni Arabs, the religious group from which Islamic State emerged.<sup>38</sup>

For example, in July 2017, four videos allegedly filmed in west Mosul appear to show Iraqi soldiers and federal police beating and extrajudicially killing detainees.<sup>39</sup> The national government did not comment on the mistreatment and killings in Mosul,

---

<sup>35</sup> <https://www.vox.com/2018/10/5/17941012/nadia-murad-nobel-peace-prize-denis-mukwege-yazidi-activist>

<sup>36</sup> <https://www.hrw.org/world-report/2018/country-chapters/iraq>

<sup>37</sup> <https://www.reuters.com/article/us-mideast-crisis-iraq-reconstruction-ku/allies-promise-iraq-30-billion-falling-short-of-baghdads-appeal-idUSKCN1FY0TX>

<sup>38</sup> <https://www.theatlantic.com/international/archive/2018/08/mosul-reconciliation-isis/566420/>

<sup>39</sup> <https://www.hrw.org/news/2017/07/13/iraq-investigate-possible-mosul-abuse>. According to Human Rights Watch, all four videos were published on Facebook on July 11 and 12, 2017, by an Iraqi named Salah al-Imara, who regularly publishes information regarding security and military activities in and around Mosul.

potentially fostering increased feelings of impunity amongst armed forces and police against Islamic State suspects.<sup>40</sup>

Key human rights issues related to managing the Islamic State retribution in Iraq include:

- fair trials for Islamic State suspects that allow for victim participation
- protection of families of suspected Islamic State members from collective punishment,
- free movement of the displaced
- cessation of forced returns and displacements
- accountability for abuses by anti-Islamic State forces.<sup>41</sup>

Since 2013, a UN study has found that Iraq has detained more than 19,000 people on terrorism-related charges, mostly related to Islamic State, and convicted at least 8,861.<sup>42</sup> At least 3,130 of those convicted have been sentenced to death on terrorism-related charges. The study also found that the justice system fails to distinguish between different levels of Islamic State involvement—an Islamic State fighter is often treated the same way as the wife of an Islamic State fighter. The government – including government-backed militias – has also often relied heavily on anonymous informants, and convicted suspects on thin evidence.<sup>43</sup> The danger is that punitive justice of this kind could backfire and create new grievances that would fuel more extremism and violence.<sup>44</sup>

## Treatment of GLBTI persons

Gays, Lesbians, Bisexuals, Transsexuals and Intersex (GLBTI) persons are subject to widespread discrimination in Iraq. Homosexuality has been legal since 2003, however openly gay men are not permitted to serve in the military and GLBTI persons do not have any legal protections against discrimination and are frequently victims of vigilante justice and honour killings.<sup>45</sup>

---

<sup>40</sup> <https://www.hrw.org/news/2017/07/13/iraq-investigate-possible-mosul-abuse>

<sup>41</sup> <https://www.hrw.org/middle-east/n-africa/iraq>

<sup>42</sup> <https://i.unu.edu/media/cpr.unu.edu/attachment/2768/2-LoP-Iraq-Case-Study.pdf>

<sup>43</sup> <https://www.apnews.com/bc113d09dc2e46a68adf45de6b956a6e>

<sup>44</sup> <https://www.theatlantic.com/international/archive/2018/08/mosul-reconciliation-isis/566420/>

<sup>45</sup> <https://www.equaldex.com/region/iraq>

GLBTI persons are at particularly high risk of killings from terrorists aligned with Islamic State, whose followers believe that the punishment for homosexuality is death.<sup>46</sup>

---

<sup>46</sup> <https://www.outrightinternational.org/content/exposing-persecution-lgbt-individuals-iraq>