

Iraq

Armed combat between the Iraqi government and the Islamic State (IS or Daesh) continued to cast a pall over human rights conditions in Iraq in 2015. With air cover from the US, the Iraqi government led the fight against IS with the support of Shia militias and Kurdish forces, as well as smaller Sunni tribal units and Turkmen, Yezidi, and Christian factions. UN and independent reports estimate that between 7,500 and 17,000 civilians were killed in the fighting and at least double that number were injured, making 2015 the fourth most deadly year in Iraq since the US invasion in 2003.¹

More than 3.2 million internally displaced persons (IDPs) continued to suffer, having been forced to leave their homes after IS's push into Sunni-majority governorates between June 2014 and May 2015. Currently, they look unlikely to return to the cities, towns, and villages that were liberated in 2015 due to the widespread destruction and fear of reprisals from both Shia militias, especially in the

¹ According to Iraq Body Count, 2006 and 2007 were the years with the highest death toll, with some 55,000 Iraqis killed in the waves of sectarian violence that erupted after the bombing of the Askari shrine in Samarra in February 2006. The year 2014, with 20,000 dead, was the third bloodiest year, which saw the spread of IS in northern and western Iraq and in the Diyala governorate near the Iranian border in the east. See figures at <https://www.iraqbodycount.org/database/>.

ethnically and communally mixed province of Diyala, and IS remnants or sleeper cells in al-Anbar. Major economic challenges face the Iraqi government as it attempts to rebuild these areas after the sharp decline in the price of oil, which accounts for 90 percent of government revenues.

Ironically, military successes against IS, in which some 40 percent of the territory seized by the group since its occupation of Mosul in June 2014 was reclaimed, coincided with the central government's continued loss of control over state institutions. This was due to several major developments, most significantly the growing power of Shia militias in the security realm and the increasingly strident Kurdish demands for independence. Reform and anti-corruption programs also proved to be severely limited, while regional and international interference in the country increased.

All of these developments exacerbated the already severe imbalances endemic in state structures before and after the US invasion in 2003. The dysfunction is most clearly demonstrated by the ill-defined relationship between the central government in Baghdad and the Kurdistan province, particularly over the distribution of wealth² and the borders of disputed areas, as well as conflicts over powers and responsibilities between the federal government and the 19 governorate-level assemblies. Although Iraqi Prime Minister Haidar al-Abadi promised to combat the corruption rife in state institutions,³ the package of reforms he unveiled in August 2015⁴ did not persuade large swathes of the population. Iraqis in Baghdad and

² Despite the prospect of improved relations between Baghdad and Kurdistan after the signing of the oil agreement on December 1, 2014 following years of tension, the agreement collapsed in just six months amid mutual recriminations. For more details, see <http://m.ahewar.org/s.asp?aid=492298&r=0&cid=179&u=&i=0&q>.

³ Iraq continues to be classed as a very corrupt country. In its annual 2015 report, Transparency International listed it among the ten most corrupt countries in the world. See www.transparency.org/cpi2015.

⁴Al-Jazeera,

<http://www.aljazeera.net/news/arabic/2015/8/10/%D8%A7%D9%84%D8%B9%D8%A8%D8%A7%D8%AF%D9%8A-%D9%8A%D8%B9%D9%84%D9%86-%D8%A5%D8%B5%D9%84%D8%A7%D8%AD%D8%A7%D8%AA-%D9%88%D9%85%D8%B8%D8%A7%D9%87%D8%B1%D8%A7%D8%AA-%D8%AA%D8%B7%D8%A7%D9%84%D8%A8%D9%87-%D8%A8%D8%A7%D9%84%D9%85%D8%B2%D9%8A%D8%AF>

northern and southern governorates continued to demonstrate, accusing authorities of failing to diligently fight corruption. Corruption affects not only the business sector, but also the provision of basic services, which have continued to deteriorate, especially electricity, water, education, and health.⁵

The government does not bear sole responsibility for the rampant corruption, which can be ascribed in part to deep-seated structural problems in the Iraqi state since the US invasion in 2003. Oversight mechanisms, including the parliament and the Commission of Integrity, are ineffective due to sectarian quotas in appointments⁶ and the nature of the electoral system, which tends to require the formation of broad coalition governments that limit genuine parliamentary opposition. The judiciary's lack of independence and its subordination to the executive also prevent it from playing a more active role.⁷

Erosion of State Institutions and Increasing Sectarian Conflict:

A sense of cautious optimism accompanied al-Abadi's assumption of the premiership, succeeding Prime Minister Nouri al-Maliki in August 2014,⁸ who was accused by opponents across the sectarian

⁵ See the International Crisis Group (ICG), <http://www.crisisgroup.org/en/publication-type/crisiswatch/crisiswatch-database.aspx?CountryIDs={18CB966A-0073-4264-B3F5-ED0472ED975C}#results>.

⁶ For a deeper look at the distortions in the political system, see the ICG report, "Failed Oversight: Iraq's Unchecked Government," <http://www.crisisgroup.org/en/publication-type/media-releases/2011/mena/failing-oversight-iraqs-unchecked-government.aspx>.

⁷ The government drafted three laws for judicial reform: a bill on the Supreme Federal Court (February 2015) and two bills on the Public Prosecution and a judicial oversight body (April 2015). But observers say that the three bills only promise cosmetic improvements. See the analysis of the Supreme Federal Court law at <http://aliraqtimes.com/ar/print/38803.html%29>.

⁸ Al-Maliki, who was the secretary-general of the Shia Islamic Dawa Party became prime minister in May 2006. For more details on Maliki's policies and style of governance, see the ICG report, "Déjà Vu All Over Again: Iraq's Escalating Political Crisis," July 2012, <http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq/126-deja-vu-all-over-again-iraqs-escalating-political-crisis.aspx>.

spectrum of concentrating power in his hands, mismanaging the country, contributing to the spread of corruption, sidelining Sunni and Kurdish forces, and proving incapable of building up Iraq's military and security capacities. As a result of the latter the Iraqi army rapidly collapsed in the face of IS, which occupied huge swathes of northern and western Iraq in 2014.

Nevertheless, a closer review of al-Abadi's policies and decisions reveals that building a unified, democratic Iraq based on national accord and respect for human rights is still a distant goal. The most serious developments seen under al-Abadi include the rapid increase in the activities of armed militias, particularly the Popular Mobilization Forces (PMF),⁹ as well as the ill-defined constitutional and legal framework that govern their operations. As a result, members of the PMF have not been subject to legal accountability for sectarian crimes or violations, some of which may amount to war crimes.¹⁰ Following increasing domestic protest at the acts of militias and regional and international pressure, the Cabinet on April 7, 2015 issued directives to all ministries and state institutions instructing them, when dealing with the PMF, to treat them as an official agency under the control and command of the prime minister and commander of the armed forces. But the decree did not remove the taint of

⁹ The PMF was established in June 2014 pursuant to a fatwa issued by Shia Grand Ayatollah Ali Sistani allowing the formation of paramilitary forces to defend Baghdad after IS occupied Mosul earlier that month. Sources estimate that as of late 2015, the PMF included 60,000–90,000 fighters belonging to some 20 Shia political and military factions. While Shias dominate the base and leadership positions of the PMF, the force does include Sunni Arabs, as well as some Christians and Turkmen. For more details, see,

https://en.wikipedia.org/wiki/Popular_Mobilization_Forces_%28Iraq%29. See also the report from the Middle East Institute, "The Hashd: Redrawing the Military and Political Map of Iraq," April 2015,

<http://www.mei.edu/content/article/hashd-redrawing-military-and-political-map-iraq>.

¹⁰ See Human Rights Watch, "Iraq: Possible War Crimes by Shia Militia," <https://www.hrw.org/news/2016/01/31/iraq-possible-war-crimes-shia-militia>.

unconstitutionality from the status of the PMF.¹¹ In addition, the decree was not followed by a law clarifying the militia's institutional subordination to either the military or security establishment or defining the framework for its domestic operations and rules for command, planning, control, and the financing of its various structures. This leaves militia members outside of any framework for accountability, whether in the ordinary or military justice system. As a result of this confused legal situation, these militias continued to commit grave violations, especially against Sunnis in the governorates of Baghdad, Diyala, Salah al-Din, al-Anbar, and Babel, including extrajudicial killing, abduction, property theft, the burning of homes and mosques, and forced displacement.¹²

The lack of accountability is not the only grave consequences of the lack of regulation of the PMF (attempts to integrate them into a new legal entity known as the National Guard failed).¹³ The ongoing institutionalization of the PMF threatens the structure of the Iraqi state itself, perhaps no less of an existential threat than IS. The continued

¹¹ Article 9(b) of the Iraqi constitution prohibits the formation of paramilitary forces outside the framework of the armed forces. For a discussion of the constitutional and legal framework of the PMF, see the report by Abd al-Qader Mohammed, April 2015,

<http://www.kitabat.com/ar/page/17/04/2015/49130/%D8%AF%D8%B3%D8%AA%D9%88%D8%B1%D9%8A%D8%A9-%D9%87%D9%8A%D8%A6%D8%A9-%D8%A7%D9%84%D8%AD%D8%B4%D8%AF-%D8%A7%D9%84%D8%B4%D8%B9%D8%A8%D9%8A-%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%89/1.html>.

¹² For example, in January 2015, the PMF carried out the extrajudicial execution of more than 50 Sunnis in the village of Barawna in Diyala who were handcuffed at the time, on the grounds that they were members of IS. See the section on Iraq in Amnesty International's 2015 annual report,

<https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/>.

¹³ Although the government submitted a bill on the National Guard in February 2015, it faced major opposition during the debate in parliament, which refused to ratify it in 2015. See,

<http://www.aljazeera.net/encyclopedia/events/2015/9/13/%D9%85%D8%B4%D8%B1%D9%88%D8%B9-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%AD%D8%B1%D8%B3-%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82%D9%8A>.

illegal conduct by militias threatens the Iraqi state's ability to win hearts and minds among the Sunni community, to turn the majority of the community away from a group like IS as the representative Sunni voice, both in liberated areas in Diyala, Salah al-Din, and al-Anbar¹⁴ and in areas still under the control of IS, especially in Nineveh. The success of the Islamic State is partially due to the Sunni community's sense of growing marginalization since the US invasion in 2003, reflected in their positions in state institutions and the security services in particular, their share of national wealth, or laws that seem to target Sunnis such as the de-Baathification law.

Many Sunnis are also dissatisfied with the political forces that ostensibly speak for them, seeing them as not representing their interests. Many Sunnis believe these forces emerged as a result of the corruption of some Sunni elite, which is loyal to Baghdad for reasons of money or positions, or are subordinate to other countries in the region, such as Turkey, Jordan, Qatar, and Saudi Arabia. As a result, Shia militias' increasing role in setting the political and security agenda will only further foreclose any possibility of a broad national reconciliation aimed at ending violence and terrorism and bringing Sunnis into the political process. It also threatens to reprise the experience of al-Qaeda in Iraq—the spiritual father of IS—which was militarily defeated in cities it had occupied from 2005 to 2008 before coming back in new form in 2014.¹⁵

The increasing military role of the PMF may even pose a danger to the cohesion of the Shia majority, as it may set off domestic conflict that could engulf the whole country. Most of these militias have political and region-based institutional extensions, some of which are represented in the parliament, such as the Islamic Supreme Council of Iraq, led by Ammar al-Hakim, and the Sadrist movement, led by

¹⁴ See “The Hell After Isis,” in *the Atlantic*, which looks at the fate of a Sunni family from the Anbar province under IS and later in a Baghdad neighborhood under the control of the League of the Righteous, a militia with the PMF.

http://www.theatlantic.com/magazine/archive/2016/05/the-hell-after-isis/476391/?utm_source=SFFB.

¹⁵ For a more detailed discussion of the status of the Sunni community after 2003, see the ICG report, “Make or Break: Iraq's Sunnis and the State,”

<http://www.crisisgroup.org/en/regions/middle-east-north-africa/iraq-iran-gulf/iraq/144-make-or-break-iraq-s-sunnis-and-the-state.aspx>.

Muqtada al-Sadr. The overlap of paramilitary and ostensibly political entities could encourage the use of weapons as an effective means of resolving any political dispute in the future as an alternative to traditional constitutional channels. In addition, most of these militias have strong ties with Iran for training, financing, and guidance, which gives them greater autonomy, not only vis-à-vis the central government, but also in their relationship with their public and voters in Shia provinces.¹⁶ Finally, the continued military reliance on these militias or the idea of integrating them into the regular armed forces will only exacerbate the difficulty of building a professional, cross-sectarian, Iraqi army and police force. In turn, this may bring about a repeat of the Iraqi army's rapid collapse in the face of the IS advance in the provinces of the Sunni triangle.

In addition to the strong Iranian role in Iraq, the country is still a stage for conflict between other regional powers, especially Turkey, Saudi Arabia, Jordan, and Qatar, all of which have strong financial, political, and military ties with various Sunni and Kurdish parties and movements. Turkey, for example, which sent small military forces to the city of Baashiqa near Mosul in 2015, is accused of supporting the Masoud Barzani, the president of the Iraqi Kurdistan Region and the leader of the Kurdistan Democratic Party (KDP), against Barzani's enemies, in particular the Patriotic Union of Kurdistan (PUK) and the Gorran movement, which is close to Iran. The Turkish military incursion into northern Iraq was welcomed by some influential Sunni forces and figures, such as Osama al-Nujaifi, the leader of the United for Parliamentary Reform coalition, and opposed by other Sunni politicians close to Iran and Qatar.¹⁷

In 2015, the largely independent Kurdistan Region was thrown into crisis after Barzani refused to vacate the presidency when his term ended on August 19. The last four months of the year saw widespread tension, protests, strikes, and acts of violence in which many were killed and injured, especially in the Suleimaniya province, which is

¹⁶ For example, neither the Baghdad government nor the US were able to prevent the PMF from taking part in the siege of Fallujah, the liberation of some cities in Salah al-Din in 2015, or preparations for the anticipated liberation of Mosul in the second half of 2016.

¹⁷ See "The Sunni Predicament in Iraq," Carnegie Middle East Center, <http://carnegie-mec.org/2016/03/03/sunni-predicament-in-iraq/iuys>.

not under the control of the KDP. Protestors demanded that Barzani step aside and a constitution be drafted for the region that would abandon the presidential system for a parliamentary system and establish institutional and legal foundations for the peaceful rotation of power, instead of through partisan compromises as is normal.¹⁸

The most violent crisis in the province since 2003, it severely undermined the ability of the major players in the region to preserve Kurdistan as an oasis of stability in Iraq and threatens to revive the military tensions seen in the Kurdistan region in the 1990s. The crisis could even open the door to the territorial partition of Iraq, if Barzani chooses to demand separation of the region to evade the internal crisis. This in turn would invite greater military intervention from Iran and Turkey, which both oppose Kurdish separatism.

Targeting and Killing of Civilians:

Indiscriminate killing and violence against civilians continued in 2015, claiming the lives of 17,078 Iraqi civilians in bombings, car bombs, suicide bombings, assassinations, extrajudicial executions, and military operations against IS. This is a 14 percent decrease from 2014, the year that saw the expansion of IS, in which 20,035 civilians were killed.¹⁹

¹⁸ See the report on the crisis from al-Jazeera on October 1, 2015, <http://www.aljazeera.net/news/reportsandinterviews/2015/10/13/%D8%A3%D8%B2%D9%85%D8%A9-%D8%B1%D8%A6%D8%A7%D8%B3%D8%A9-%D9%83%D8%B1%D8%AF%D8%B3%D8%AA%D8%A7%D9%86-%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82-%D8%AA%D8%AA%D9%81%D8%A7%D9%82%D9%85-%D9%88%D9%84%D8%A7-%D8%AA%D8%B3%D9%88%D9%8A%D8%A9-%D8%A8%D8%A7%D9%84%D8%A3%D9%81%D9%82>.

¹⁹ Figures from Iraq Body Count, an independent, non-governmental organization established after the invasion of Iraq. The group's statistics are widely seen as credible due to its documentation method. Its casualty figures are compiled using only deaths and injuries that have been reported, rather than extrapolating figures based on a sample of Iraqis. The group compares reports from the Ministries of Defense, Interior, and Health (the bodies responsible for documenting the number of casualties) with local and international media reports from all of Iraq's provinces. It provides the names of victims, date and place of death or injury, and the party responsible and the manner of death or injury if known. The manner of death or

As was the case in 2014, a varied assortment of actors were responsible for the deaths of Iraqi civilians in 2015, most importantly IS, the PMF, Iraqi forces, Kurdish Peshmerga forces, and small Christian and Yezidi militias, as well as US-led airstrikes targeting IS.

Killings in 2015 were concentrated in the five Sunni-majority or ethnically and religiously mixed provinces, where 85 percent of all deaths occurred, as follows: Nineveh (4,089), Anbar (3,930), Baghdad (3,426), Salah al-Din (1,745), and Diyala (1,315).²⁰

Iraq Body Count estimates that IS was responsible for the deaths of 7,101 Iraqi civilians, who were either executed or assassinated in areas under the group's control for various reasons, including to eliminate any Sunni organizations or clans opposed to IS, to punish violators of the group's extremist interpretation of Islamic law, to target Shia, Christian, Kurdish, Turkmen, and Yezidi minorities in areas its control, or to eliminate former IS supporters or persons suspected of being spies for the Iraqi government.²¹ Iraq Body Count also documented the extrajudicial execution of 1,246 Iraqis undertaken by unknown persons in areas outside IS's control, perhaps reprisals against Iraqi Sunni Arabs. According to the organization, airstrikes by the international coalition and Iraqi forces were responsible for the death of 1,295 Iraqis in 2015.²²

Right of Assembly, Association, and Freedom of Opinion and Expression:

Freedom of protest, association, and opinion and expression, including media freedoms, alternately improved and deteriorated throughout 2015. In January, the parliament established a consultative council for human rights non-governmental organizations, to consult

injury, the perpetrators, and even the motive (criminal or political) may be unknown in cases in which bodies are found in public places. For more information, see <https://www.iraqbodycount.org/>.

²⁰ Iraq Body Count, <https://www.iraqbodycount.org/analysis/numbers/2015/>.

²¹ Amnesty International, 2015 annual report.

²² Iraq Body Count.

with political groupings and rights groups about legislation related to human rights, but the council discussed no legislation during the year.

In September, the president ratified Law 36/2015 on the regulation of political parties.²³ The law prohibits parties from setting up armed wings, a provision that might later be used to dismantle militias in Iraq. But Article 8 of the law, which prohibits party membership for any persons who promotes ideas opposed to the provisions of the constitution, could allow the manipulation of the country's party system, especially since many articles of the 2015 Iraqi constitution are still quite controversial, such as those related to federalism, the role of religion, or de-Baathification.²⁴ Article 19 of the law, also controversial, establishes a department for political party affairs within the Ministry of Justice to monitor parties' compliance with the law in their charters and political activities. The provision may turn the ministry into an opponent of political parties, which could have been avoided by entrusting this task to the judiciary. Article 45 of the law prohibits parties from receiving foreign funding and requires them to disclose their annual budgets. The law also provides for state funding for nascent parties, as is the case in several democracies.

The Iraqi authorities continued to use excessive force to deal with peaceful demonstrators. In July and August, Iraqi forces killed at least five people in Baghdad and Basra who were protesting corruption and water and electricity shortages.²⁵

In June the government approved Law 26/2015 on the Iraqi media network. Welcomed by many Iraqi media workers and politicians, the

²³ Text of the law at <http://www.iraq-ig-law.org/ar/content/%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%A7%D9%84%D8%A7%D8%AD%D8%B2%D8%A7%D8%A8-%D8%A7%D9%84%D8%B3%D9%8A%D8%A7%D8%B3%D9%8A%D8%A9-%D8%B1%D9%82%D9%85-36-%D9%84%D8%B3%D9%86%D8%A9-2015>.

²⁴ For a critical look at the law, see Ahmed Fadel al-Maamouri, almothaqaf.com/index.php/qadaya2015/901149.html.

²⁵ Amnesty, 2015 Annual Report.

law transfers oversight, appointment, and funding authority over the network from the prime minister to the parliamentary culture committee.²⁶ Nevertheless, in 2015 journalists and media workers continued to operate in some of the most dangerous conditions in the world, targeted by the authorities, Shia militias, Kurdish authorities, and IS. According to the annual report of Reporters Without Borders, Iraq was ranked 158 of 180 states on journalistic freedoms.²⁷ Iraq was ranked fourth in the world for the numbers of journalists and media personnel killed or abducted.²⁸ The city of Mosul made the list of the worst Iraqi cities for journalistic freedom and journalists. Reporters Without Borders estimated that IS abducted 48 journalists between June 2014 and October 2015 and executed 13.²⁹

Crisis of Religious and Ethnic Minorities:

In 2015, religious and ethnic minorities continued to be targeted for killing, expulsion, or restrictions on freedom of movement due to the activities of IS, the PMF, and Kurdish forces, as well as the dominance of extremist discourses and groups on the political and cultural stage, including within the security establishment tasked with protecting these minorities.

IS continued to target members of Yezidi, Christian, and Turkmen minorities in areas under its control, especially in the Nineveh province. Under IS, these minorities were subject to killing, abduction, a special minority tax, forced displacement, and forced

²⁶ See the al-Jazeera report on the law, www.aljazeera.net/news/reportsandinterviews/2015/6/1/%D8%AC%D8%AF%D9%84-%D8%A8%D8%A7%D9%84%D8%B9%D8%B1%D8%A7%D9%82-%D8%A8%D8%B4%D8%A3%D9%86-%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B4%D8%A8%D9%83%D8%A9-%D8%A7%D9%84%D8%A5%D8%B9%D9%84%D8%A7%D9%85.

²⁷ rsf.org/en/Iraq.

²⁸ Committee to Protect Journalists, <https://cpj.org/killed/2015/>.

²⁹ "Mosul, Cemetery for Freedom of Information," <https://rsf.org/en/news/mosul-cemetery-freedom-informationhttps://cpj.org/killed/2015/>.

conversion, as well as rape, sexual slavery, and the demolition of their houses of worship.³⁰

On the legislative front, the adoption of the national identity card law by the Iraqi parliament in November sparked large protests among representatives of religious minorities in and out of the parliament. Article 26(1) of the law only permits non-Muslims to change their religion, while paragraph 2 states that children shall follow the religion of either Muslim parent.³¹ Although these provisions violate the right of freedom of belief, guaranteed in all international human rights conventions, reading the law against the Iraqi constitution gives rise to confusion, as is the case with other Arab and Islamic constitutions. Article 42 of the Iraqi constitution guarantees individuals the freedom of thought, conscience, and belief, regardless of their religious background, though Article 2 declares Islam to be the primary source of legislation and prohibits laws that contravene the immutable judgments of Islam.

The most controversial provision in the new law was the one on the religion of children. Representatives of religious minorities in the parliament cited Article 2(2) of the Iraqi constitution, which guarantees freedom of belief for Christian, Yezidi, and Sabeen sects, and the civil code, which sets the age of legal majority at 18.³²

In the present Iraqi context, the article introduces major legal complications, especially for Christian and Yezidi women who became pregnant following rape by IS members. The new law will compound their suffering if their children are required to adopt Islam,

³⁰ <https://www.youm7.com/story/2015/2/2/%D8%AF%D8%A7%D8%B9%D8%B4-%D9%8A%D9%81%D8%AC%D8%B1-%D8%A3%D9%83%D8%A8%D8%B1-%D9%83%D9%86%D9%8A%D8%B3%D8%A9-%D9%84%D9%84%D8%B3%D8%B1%D9%8A%D8%A7%D9%86-%D8%A7%D9%84%D8%A3%D8%B1%D8%AB%D9%88%D8%B0%D9%88%D9%83%D8%B3-%D9%88%D8%B3%D8%B7-%D8%A7%D9%84%D9%85%D9%88%D8%B5%D9%84/2051407>.

³¹ Text of the law at www.parliament.iq/details.aspx?LawN=%D9%82%D8%A7%D9%86%D9%80%D9%88%D9%86%20%D8%A7%D9%84%D8%A8%D8%B7%D8%A7%D9%82%D9%80%D8%A9%20%D8%A7%D9%84%D9%88%D8%B7%D9%86%D9%8A%D9%80%D8%A9.

³² For a critical view of Article 26 of the national identity card law, see Walim Warda, <http://www.ishtartv.com/viewarticle,64399.html>.

but ignoring the law makes the children subject to legal action if they decide to retain their mothers' religion on official documents, before or after the age of majority.

Women's Rights:

Iraqi women of all sects and ethnicities continued to face hardships in 2015, especially in areas under IS control where the group's extremist interpretation of Islamic law was applied. International and local rights reports documented systematic restrictions on Iraqi women and girls, including mandatory dress codes, restrictions on freedom of movement without a male relative, and for some sects, prohibitions on work. Non-Sunni women and girls were also subjected to killing, torture, rape, sexual slavery, and trafficking among IS members.

Human Rights Watch reported that hundreds of Yezidi women were taken captive in 2014 and 2015, for up to a year in some cases. During this time, they were forced to convert to Islam, were separated from their children, and were bought and sold in slave markets by IS members.³³ The organization noted that both Muslim and non-Muslim women face restricted access to healthcare and education because of IS's discriminatory policies "including rules limiting male doctors from touching, seeing, or being alone with female patients. In more rural areas, ISIS has banned girls from attending school. ISIS fighters and female ISIS 'morality police' hit, bit, or poked women with metal prongs to keep them in line, making them afraid to try to get services they needed."³⁴ In March, Amnesty International reported that armed IS elements killed at least nine Shia women belonging to the Turkmen minority because they refused to marry IS fighters after the latter had killed their husbands.³⁵

³³ HRW, "Iraq: Women Suffer under ISIS," <https://www.hrw.org/news/2016/04/05/iraq-women-suffer-under-isis>.

³⁴ Ibid.

³⁵ 2015 annual report.

Rights of refugees and IDPs:

The situation of refugees and IDPs remained a major political, social, and economic issue in Iraq. According to the UN High Commissioner for Refugees, by the end of 2015, some 3.2 million Iraqis were internally displaced, most of them after fleeing areas that fell under IS control in Nineveh, Salah al-Din, and Anbar, largely to the Kurdistan Region. There were also about 243,000 Syrian refugees in the country. Hundreds of thousands of Iraqis, particularly from Mosul, Ramadi, and Fallujah, faced life-threatening dangers due to the IS siege on these cities and its refusal to allow the population to flee airstrikes or due to a shortage of food and healthcare.

According to the UN Assistance Mission to Iraq, huge numbers of IDPs live in areas without regular adequate access to basic services such as water, sanitation, and electricity.³⁶

Reports from international and local bodies documented the various kinds of abuses faced by IDPs, especially Sunni Arabs, including killing, abduction, and assault, particularly in Baghdad and the Kurdistan Region, where they are suspected of ties to IS or are subject to reprisals based on their identity following suicide attacks or car bombings by IS.³⁷

³⁶www.uniraq.org/index.php?option=com_k2&view=itemlist&layout=category&task=category&id=167&Itemid=645&lang=ar.

³⁷ Amnesty International, 2015 annual report.