

TRAPPED BY VIOLENCE WOMEN IN IRAQ

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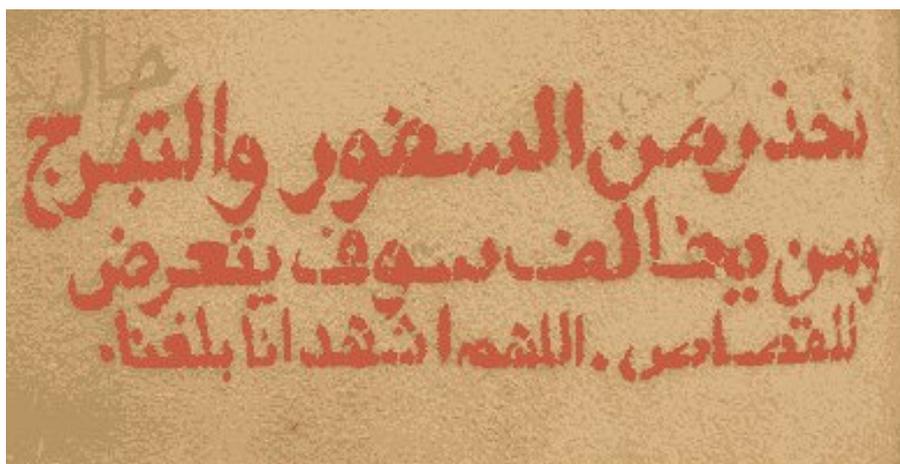


WOMEN AND GIRLS IN IRAQ ARE SUFFERING FROM SYSTEMATIC VIOLENCE AND A SUSTAINED ASSAULT ON THEIR HUMAN RIGHTS. IN ADDITION TO BEING VICTIMS OF THE BOMBINGS AND OTHER ATTACKS THAT PUT SO MANY IRAQIS IN DANGER EVERY DAY, THEY ARE ALSO BEING TARGETED SPECIFICALLY BECAUSE OF THEIR GENDER.

Early one morning, four armed masked men forced their way into a family home in Baghdad. The children and their father were beaten and shackled. Their pregnant mother was forced into another room, kicked in the abdomen, burned with a cigarette and raped. The rapist said that he wanted to make her miscarry because of her religion. The mother lost consciousness during the assault and woke up in hospital to discover that her pregnancy had been terminated because of the injuries caused by the attack. The family, members of the minority Sabeen-Mandaeen community, subsequently fled the country.

Further north, in Iraq's Kurdistan Region, a young woman was shot in the neck, apparently by one of her brothers. She had run away two days after she was forcibly married to her cousin. While her family negotiated conditions for her safe return with local authorities and community leaders, she was tracked down and attacked at the place where she had taken refuge. She survived, but must now live in hiding as the brother suspected of shooting her remains at large.

These cases, recorded in 2005 and 2007 respectively, illustrate the systematic discrimination and violence suffered by women and girls in Iraq in recent years, as well as the sustained assault on their human rights. Like men, they are victims of the daily sectarian and other violence that continues to rage in much of the country, despite some improvements in the security situation. Unlike men, they are also targeted specifically because of their gender.



This message was stenciled on walls across Basra: "We caution against immodesty and adornment. Any who offend will be exposed to retribution. God be witness, we have warned you."

Women and girls are being attacked in the street by men with different political agendas but who all want to impose veiling, gender segregation and discrimination. Islamist armed groups have claimed and justified violent attacks on women not complying with their views.

Women are also suffering violence at the hands of their fathers, brothers and other relatives, particularly if they try to choose how to lead their lives. Many face terrible retribution if they refuse to be forcibly married or dare to associate with men not selected by their families – even though Iraqi legislation specifically prohibits forced marriage, and the right to choose a spouse is guaranteed under international law applicable in all parts of Iraq.

Wars and conflicts, wherever they are fought, invariably usher in sickeningly high levels of violence against women and girls. Amnesty International is

concerned that even if greater stability and peace return soon to Iraq, levels of violence against women may remain high if the authorities continue to allow men to kill and maim women with impunity, and if gender segregation and discrimination against women become further entrenched.

An Amnesty International fact-finding team visited the Kurdistan Region of Iraq in May/June 2008, the first such visit for several years. Amnesty International's delegates met women human rights defenders and interviewed many women who have been exposed to serious violence, including at refuge shelters and places of detention. They also met legal and medical professionals, and ministers and officials of the Kurdistan Regional Government (KRG), including police and members of the judiciary.



WOMEN TARGETED AND KILLED

Women and girls have borne the brunt of the violence that has permeated so much of Iraqi society in recent years. Many have been targeted by Islamist armed groups in connection with their profession – as politicians, journalists or civil servants – or because of their religious affiliation or ethnic origin. Members of minority groups appear to be particularly vulnerable.

Crimes specifically aimed at women and girls, including rape, have been committed by members of Islamist armed groups, militias, Iraqi government forces, foreign soldiers within the US-led Multinational Force, and staff of foreign private military security contractors. Most of these crimes have been committed with impunity.

Women have also faced intimidation and harassment at checkpoints by Shi'a and Sunni militias, including for not complying with strict dress codes or for driving a vehicle alone. Many former militia members have been or are in the process of being recruited into Iraqi security forces. Their behaviour towards women needs to be kept under close scrutiny.

Acts of sexual violence against women in Iraq are severely under-reported, not least because of the victims' fear of reprisal, and reported incidents are not systematically recorded. However, the majority of women who responded to a survey conducted through networks of Iraqi women organizations and published by Women for Women International in 2008 said that violence against women was rising. Many women are trapped indoors as they fear the risks of stepping out of their homes.

Women demonstrating in front of the Kurdish Parliament in 2007 against the killing of Du'a Khalil Aswad (see case page 6).

Sahar Hussain al-Haideri, a 44-year-old journalist and human rights defender, was shot dead on 7 June 2007 in Mosul. In her reporting she had frequently covered the situation of women and criticized Islamist armed groups for their attacks on women's human rights. She had survived an abduction attempt and received several death threats. An Islamist armed group, Ansar al-Islam, reportedly claimed responsibility for her killing.



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Rand 'Abd al-Qader (pictured left) was killed on 16 March 2008 in Basra aged just 17. She was murdered by her father, apparently assisted by two of her brothers, because she had developed a friendship with a British soldier based in the city. 'Abdel Qader 'Ali, who admits killing his daughter, was questioned at a local police station. He told a British newspaper that police officers sympathized with his motive and released him after two hours of questioning. He has still not been charged or tried. **Leila Hussein** (pictured right), Rand 'Abd al-Qader's mother, denounced her husband's crime and left him, even though this meant she had to go into hiding. She did so with the support of a local women's organization. On 17 May 2008, she too was killed, shot dead in the street in Basra. Two women accompanying her were shot and wounded. The authorities have failed to identify the perpetrators.

The police chief in Basra reported a dramatic increase in the number of women killed in the city in 2007, and the killings continue. Often, relatives do not identify victims or claim them for burial, apparently because they believe the women may have been killed by members of Islamist armed groups or male relatives, and fear reprisals. In several incidents, notes signed by such a group were reportedly found next to the body accusing the victim of "un-Islamic" behaviour.

Many violent deaths of women and girls are also being reported in the Kurdistan Region of Iraq. According to the KRG, between July 2007 and June 2008, 102 women were killed and a further 262 died

or were severely injured due to intentional burning, including suicides. Relatives and friends of women suicide victims and suicide survivors have frequently reported that they were driven to attempt suicide to escape violence or repression within the family.

Rojan, a 13-year-old girl from Saydani village, near Bahraka, in Erbil governorate, was reported by *Awene* newspaper to have committed suicide by setting herself on fire on 16 March 2008. According to her brother, Rojan was to be forcibly married to an older man.



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LICENCED TO KILL

Many men who commit violent crimes against women are never brought to justice because the authorities are unwilling to carry out proper investigations and punish the perpetrators. Six years after the overthrow of former President Saddam Hussein, Iraqi legislators have yet to amend legislation that effectively condones, even facilitates, violence against women and girls.

The Penal Code, for example, provides that a convicted murderer who pleads in mitigation that he killed with "honourable motives" may face just six months in prison. It also effectively allows husbands



Iraqi women with their children wait to receive humanitarian aid, southern Baghdad, 2007.

to use violence against their wives. The “exercise of a legal right” to exemption from criminal liability is permitted for: “Disciplining a wife by her husband, the disciplining by parents and teachers of children under their authority within certain limits prescribed by Islamic law (Shari’a), by law or by custom.”

As a result, police frequently fail to arrest men accused of violence against their female relatives and, in the rare prosecutions, judges may hand down

lenient sentences, even when a woman has been murdered. This sends out a terrifying message to all women in Iraq – that they may be killed and beaten with impunity.

The KRG authorities have taken some positive steps. Law 14 of 2002 amended the Penal Code to remove the “honourable motives” clause in cases involving crimes against women.

In general, however, Iraqi law needs to be amended urgently to fully protect women against violence, and the Iraqi police, judicial and other authorities must rigorously pursue those who commit crimes against women and ensure that they are held fully to account.

PROTECTION NEEDS

Some women do escape domestic violence and seek refuge in special shelters, but there are far too few of these. In the Kurdistan Region, the local authorities have established shelters and others are run by non-governmental organizations (NGOs). In the rest of Iraq, the authorities do not provide shelters and those that do exist are run by NGOs and often have to function more or less clandestinely.

Shelters in the Kurdistan Region are emergency facilities and are generally not appropriate for long-term stays of women at risk. Despite this, some

Du'a Khalil Aswad, aged 17 and a member of Iraq's Yazidi minority, was stoned to death in the street by a group of men on 7 April 2007 at Bashiqa, near Mosul. Her murder was filmed by an onlooker and then widely circulated on the internet. The men who killed her reportedly included some of her male relatives. Her "crime" in their eyes was that she had formed an attachment to a young Sunni Muslim man. Other people, including members of local security forces, saw the murder but failed to intervene. Before her death, Du'a Khalil Aswad apparently sought protection from both the local police and the local office of the Kurdish Democratic Party. Neither took her in but she was referred to a local community leader, who allowed her to stay for a few days until one of her uncles and other members of her family had signed an agreement promising not to threaten her safety. Soon after, her male relatives killed her. Almost two years later, no one is known to have been charged or tried for her murder.



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obtaining the judicial approval formally required under Iraqi law for a marriage of anyone aged between 15 and 18. Marriages of girls younger than 15 are illegal, but they continue to be conducted in private or religious ceremonies without those responsible being held to account.

A 27-year-old mother of three children told Amnesty International in May 2008 that her father had forced her to marry an older man when she was just 13. Years later, she said, her husband falsely accused her of adultery because he wanted to divorce her and evade responsibility for supporting her. She was being detained in Erbil because of her husband's accusations. She said she had received only minimal education as a child and, alone, could not support herself and her children. She now hoped that her husband would allow her to return to the family home to live as her husband's "servant", if this was what he required, so that she could at least be with her children.

desperately frightened women have stayed in them for years. Others, equally frightened, have been prompted by the lack of proper facilities to leave the shelter, putting themselves at risk.

DISABLED BY DISCRIMINATION

Girls in Iraq remain less likely than boys to obtain a school education – in particular beyond primary school – and other qualifications, and so are less likely to fulfil their potential in all areas of employment. This is in part a result of girls' and women's lack of safety and security in education and work environments. Disparities in access to education and the labour market, as well as other factors that restrict women's choices, increase their vulnerability to

violence by men. Disempowered and subordinated, women become dependent, often trapped and unable to escape abusive relationships.

A 2008 World Health Organization survey revealed that an overwhelming majority (over 83 per cent) of married women interviewed said that they were subject to "controlling behaviour" by their husbands. This included husbands insisting on knowing where they were at all times. Amnesty International has observed that forms of gender discrimination and violence that pre-date a conflict situation appear to be exacerbated during periods of conflict.

Iraqi women human rights defenders say that many abused wives were forced to marry – often as a teenager without

WOMEN'S HUMAN RIGHTS DEFENDERS AT RISK

Despite the many challenges, women's rights activists have achieved some of their demands. These include the reservation of a quarter of seats for women in the National Assembly and, in the Kurdistan Region, changes to the Penal Code and Personal Status Law that enhanced women's rights. Amendments to the Personal Status Law passed in the Kurdistan Region in October 2008 included restrictions on polygamy, but many Kurdish women's rights activists keep calling for a total ban as they see the retention of discriminatory laws on polygamy as a capitulation to religious interests.

Outside the Kurdistan Region, however, Iraqi women human rights defenders fear that

changes to the Personal Status Law allowed under the new Constitution will further erode women's rights.

Women who have taken the lead in confronting violence against women and promoting women's rights have become targets themselves. Members of Islamist armed groups have threatened, targeted and killed women political leaders and women's rights activists.

Others at risk include women who run shelters for those escaping family or other violence, lawyers who help women to defend their rights, and those who campaign for an end to discrimination and gender equality. A woman caseworker at a shelter in the Kurdistan Region told Amnesty International: "I have received threats from the day that I started working here several years ago."

Begerd Hussein Muhammad Amin, a 27-year-old journalist, was murdered on 18 April 2008 at her home in Erbil, capital of the Kurdistan Region. She was stabbed to death, allegedly by her husband from whom she had separated after she formed an attachment with another man. Before her murder, she was threatened by her estranged husband and reported this to the police. She sought police protection, notably from the Police Directorate of Follow-up Violence against Women in Erbil, but was told to seek refuge in a shelter for women at risk. She declined as this would have made working as a journalist difficult. She asked for a police guard at her house, but this was denied. The police failed to propose or take other steps, such as issuing a restraining order against her husband. He is reportedly still at large despite being the principal suspect.

IRAQ'S INTERNATIONAL OBLIGATIONS

Iraq has ratified international treaties, including the Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights, that oblige the authorities to take immediate steps to ensure women's equality and protect in practice the human rights of women and girls. They oblige the state to prevent and investigate attempts or acts of violence against women and girls. They require the Iraqi authorities to ensure equality of women in entering marriage, during marriage and upon its dissolution. They also require the government to take positive and effective steps to ensure equality of access of girls and women to education and employment.



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In Suleimaniya, a shelter run by ASUDA, an NGO helping women at risk of violence, was attacked on 11 May 2008. Gunmen believed to be relatives of a woman who was seeking

refuge there fired several shots from a neighbouring building, seriously wounding the woman. No one has been charged or tried for the attack.

EMPOWERMENT REQUIRED

Women play a transformative role in building and supporting a non-sectarian society. But the attacks and threats against women in Iraq have restricted their participation in civil society, particularly in education, employment and political decision-making, at a critical time in the country's development.

To counter the threats to women in conflict-affected situations, the UN Security Council adopted Resolution 1325 urging states to ensure increased participation of women in conflict resolution and peace-building processes as well as in development and reconstruction. In Resolution 1820, the Security Council drew attention to the "persistent obstacles and challenges to women's participation and full involvement in the prevention and resolution of conflicts as a result of violence, intimidation and discrimination... acknowledging the negative impact this has on durable peace, security and reconciliation".

Urgent action is needed if women in Iraq are to liberate themselves from the shackles and terror of discrimination and violence that they face now and seek to overcome. As the Security Council resolutions indicate, gender discrimination and sexual and other forms of gender-based violence in conflict-affected situations are concerns at the heart of national and international security.

Cover photo: Iraqi women students in Baghdad

TAKE ACTION NOW

Write to the Iraqi government and the KRG urging them to consult with women human rights defenders on measures to combat violence against women and, in particular, to:

- **amend all legislation that discriminates against women and, in the case of the Iraqi government, allows mitigation on grounds of "honour" for violent crimes against women;**
- **establish effective accountability mechanisms to ensure prompt and thorough investigations of crimes of violence against women, and bring those found responsible to justice;**
- **provide adequate protection measures and facilities for women at risk of violence, including shelters and restraining orders;**
- **rigorously enforce the ban on forced marriages;**
- **improve women's access to education and the labour market through effective policies and concrete programmes and ensure their safety and security in work and education environments;**
- **provide or support protection mechanisms for women human rights defenders to ensure that they can work free from discrimination, coercion and violence.**

PLEASE WRITE TO:

Prime Minister of Iraq
Nuri Kamil al-Maliki
Convention Centre (Qasr al-Ma'aridh)
Baghdad
Republic of Iraq
Salutation: Your Excellency

Prime Minister of the Kurdistan Region of Iraq
Nechirvan Idris Barzani
Kurdistan Regional Government
Erbil
Republic of Iraq

email: erbil@rp.krg.org
or via: http://www.krg.org/krg_contact.asp?Ingr=12&smap=01000000
Choose: Department of Foreign Relations - KRG
Salutation: Your Excellency

PLEASE SEND COPIES TO:

Embassy of the Republic of Iraq
3 Elvaston Place
London SW7 5QH
United Kingdom

Kurdistan Regional Government Representation
Winchester House
8th Floor
259-269 Old Marylebone Road
London NW1 5RA
United Kingdom

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Our vision is for everyone to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

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