



Now *is* the Time: Research on Gender Justice, Conflict and Fragility in the Middle East and North Africa

Country synthesis note: Iraq

Author:
**Matthew Bamber, Consultant,
International Alert**



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Background

This country synthesis note accompanies the research report "Gender Justice, Conflict and Fragility in MENA" that was commissioned by Oxfam Great Britain to International Alert to examine the impact of fragility and conflict on gender justice and women's rights in the Middle East and North Africa (MENA).

Women rights organisations (WROs) have played a prominent role in Iraqi history, although their influence has at times been affected by various conflicts. Prior to the Ba'athist takeover in 1968, there was a strong civil society movement, with the first Iraqi and Kurdish women's organisations founded in 1924 and 1928, respectively.¹ Many of these independent WROs were shut down by former-President Saddam Hussein and were replaced by the Ba'athist-affiliated General Federation of Iraqi Women. Despite this, prior to the 1990–1991 Gulf War, the Iraqi government felt that the participation of women was essential to the attainment of rapid economic growth and thus implemented a number of progressive employment, education and social laws that encouraged women to participate in the workforce and public life.² However, this progress was rapidly halted and swiftly degraded after the Gulf War as a result of both economic sanctions and Hussein's increasing reliance on religious and tribal constituencies for political support.³ Despite US claims of 'liberating women',⁴ the 2003 Iraq War and subsequent civil war had a devastating impact on Iraqi women, manifesting in an increase in human trafficking and forced prostitution, assassination of female activists, domestic violence, family violence and honour killings, discriminatory legislation and higher poverty rates.⁵

¹ Background on women's status in Iraq prior to the fall of the Saddam Hussein government, Human Rights Watch, Briefing Paper, November 2003, https://www.hrw.org/legacy/backgrounder/wrd/iraq-women.htm#P15_3742

² J. Suad, "Elite Strategies for State-Building: Women, Family, Religion and State in Iraq and Lebanon," in *Women, Islam and the State*, ed. D. Kandiyoti, Leiden: E.J. Brill, 1992

³ N. Al-Ali, "A feminist perspective on the Iraq War," *Works and Days*, 29(½), 2011, http://eprints.soas.ac.uk/12116/1/Works_%26_Days.pdf

⁴ N. Al-Ali and N. Pratt, *What kind of liberation?: Women and the occupation of Iraq*, Berkeley: University of California Press, 2010

⁵ *At a crossroads: Human rights in Iraq eight years after the US-led invasion*, Human Rights Watch, 21 February 2011, <https://www.hrw.org/report/2011/02/21/crossroads/human-rights-iraq-eight-years-after-us-led-invasion>

The predominant conflict in Iraq currently is between the Islamic State in Iraq and Syria (ISIS) and a loose coalition comprised of the Iraqi military and its international allies, Kurdish Peshmerga forces, Shia Popular Mobilization Forces (PMF) militia, and other tribally- or ethnically-based non-state armed groups. In 2013–2014, ISIS captured large parts of western and northern Iraq, and there has been constant conflict ever since. This has had a destructive impact on civilian populations in Iraq, especially on women and girls, and contributed to the internal displacement of around three million Iraqis to other areas of the country, including the Kurdistan Region of Iraq (KRI). The focus on ISIS has temporarily calmed existing tensions between the Kurdistan Regional Government and the federal government over disputed borders, which has previously resulted in conflict.⁶

Methods and challenges

This case study is based on interviews conducted with two WROs in Baghdad, one in Basra and eight in the KRI (two in Dohuk governorate, two in Erbil and four in Sulaymaniyah). In addition, interviews were carried out with one activist in Erbil, two academics in Baghdad and one international non-governmental organisation (INGO) headquartered in Erbil. Seven focus group discussions, involving 33 women aged 16–55 residing in Erbil and Dohuk, were also conducted.

Findings

1. Who is filling the gaps left by the state in Iraq? What positions, discourses and actions do these actors and the state adopt towards gender justice and women's rights? In what ways have the positions, discourses and actions of these actors changed over time?

In the KRI, the predominant actor is the KRG, with a cabinet composed of representatives from the two largest political parties, the Kurdistan

⁶ For background to these disputes, see: I. Rogg and H. Rimscha, The Kurds as parties to and victims of conflicts in Iraq, *International Review of the Red Cross*, 89(868), December 2007

Democratic Party (KDP) and the Patriotic Union of Kurdistan. **WROs feel that the KRG's discourse on women's rights is relatively progressive compared to other areas of Iraq** and that the KRG has publically confronted previously taboo issues associated with gender-based violence (GBV) such as the 'honour killings' and early marriage. The KRG has also established the necessary state institutions to effect an improvement in the situation of women's rights, including the High Council of Women's Affairs, the Directorate to Combat Violence Against Women and the Women's Rights Monitoring Board. However, most WROs do not believe that these institutions have the requisite financial or political support to make a notable difference. **In addition, they maintain that the KRG's progressive discourse on gender issues does not necessarily reflect a true desire to improve the situation of women in the KRI, but is there to appease INGOs and state partners that fund the KRG.** A few WROs noted a recent negative change in the discourse of the KRG on women's rights as a result of the KDP's growing reliance on tribes for political and financial support.

Outside of the KRI, political leadership on women's rights issues is contested between various actors including the federal and local government, religious and customary authorities, ISIS and various other non-state armed groups. For its part, the Iraqi government has established a number of institutions and initiatives – including the Ministry of Women's Affairs (MoWA), the National Action Plan (NAP) 1325 Initiative and a 25% quota for female MPs – that are theoretically aimed at improving women's rights. However, WROs consider these to be superficial bodies that were created in order to satisfy the demands of the international community, evidenced by the fact that the MoWA has now been dissolved and that the NAP 1325 Initiative received no funding.⁷ **WROs therefore consider the federal government to be generally hostile towards women's rights.** Furthermore, the position of the government towards women's rights has deteriorated over time as it has increasingly relied on the political backing of influential religious leaders and

⁷ See: Iraq in crisis-women demand increased protection, Kvinna till Kvinna, 12 March <http://kvinnatillkvinna.se/en/2015/03/13/iraq-in-crisis-women-demand-increased-protection/>; Iraqi ministries to be eliminated as premier advances reforms, Rudaw, 16 August 2015, <http://www.rudaw.net/english/middleeast/iraq/160820156>

tribes: two groups that generally have a negative and conservative outlook on women's rights. Meanwhile, the PMFs have control over large parts of Iraq, including former ISIS-held territories and parts of Baghdad and Basra governorates. It is difficult to ascertain the PMFs' discourse on women rights as they encompass over 40 different fighting units with different priorities and diverse political patrons. Certain PMF units have been accused of human rights violations against civilians⁸ and WROs reported that they have been prevented from working in PMF areas. Finally, ISIS has consistently held a primordial attitude towards women's rights and gender justice, subjecting women and girls to extrajudicial killing, mass torture, forced detention, early marriage, rape and sexual slavery. **Unsurprisingly, no WROs continue to operate in ISIS-held territory. WROs (particularly those interviewed in the KRI) are, however, at the forefront of dealing with the emergency humanitarian needs of women and girls displaced by ISIS.**

2. What are the consequences of the above on the ability of CSOs and WROs to drive a gender justice agenda? That is, how is the women's rights and gender justice agenda being prioritised by state actors and/or other governance actors, compared to [national] security agendas and other competing agendas (e.g. humanitarian response imperatives, donor pledges and priorities), and the need to contend with ongoing economic crises?

In the KRI, many WROs actively work with the KRG, the judiciary and local/governorate authorities in order to drive forward the gender justice agenda. WROs are regularly consulted by the government and have provided training to state employees and the police on issues such as good governance, GBV and female genital mutilation (FGM). Some WROs also enjoy regular access to members of parliament, governors and ministers, which increases the success of their lobbying campaigns. Achievements include the 2011 Law

⁸ Iraq: Fallujah Abuses Inquiry Mired in Secrecy, Human Rights Watch, 7 July 2016, <https://www.hrw.org/news/2016/07/07/iraq-fallujah-abuses-inquiry-mired-secrecy>

Against Domestic Violence⁹ and the 2011 Law Against FGM.¹⁰ In spite of this, **all WROs interviewed believe that gender is not a priority of the KRG** and that its most pressing concerns are the security situation and economic crisis. WROs believe that the KRG has introduced gender justice legislation superficially and only acts when a crisis or scandal occurs. In one example, the KRG only pushed through legislation on honour killings following mass protests due to the brutal killing of a 15-year-old girl in Dohuk in 2014.¹¹ In contrast, **WROs do not have a similarly positive relationship with the federal government.** Most WROs there reportedly only interact with the federal government in order to get their licence, and the WROs interviewed felt that the corruption and bureaucratic delays caused by the state were large impediments to the implementation of their programmes. It is difficult for WROs to effectively lobby the government, as they consider the government's clear priority to be the fight against ISIS and dealing with the economic crisis created by falling oil prices. The gender-focused state institutions that should be open to WROs are perceived to be ineffective and do not seek to collaborate with them. This makes it exceptionally difficult for WROs to improve the situation of women's rights, if working through the state.

3. What are the strategies developed by national and regional WROs and civil society organisations (CSOs) to counter this reduction in space and push the women's rights agenda forward? What are they striving for and what are the commonalities? What gendered role and influence, if any, do women's Islamic or other faith-based civil society actors exert, and do such groups complement or compete with non-religious WROs and CSOs in advocating for women's rights and participation? Have any CSOs or WROs operating in regions that are controlled by non-state actors found it easier to push forward their agenda in comparison to those operating exclusively in government-controlled areas?

⁹ English translation: http://www.ekr.org/files/pdf/combat_domestic_violence_english.pdf

¹⁰ Iraqi Kurdistan: Law Banning FGM A Positive Step, Human Rights Watch, 25 July 2012, <http://www.hrw.org/news/2011/07/25/iraqi-kurdistan-law-banning-fgm-positive-step>

¹¹ Kurdish girl's murder case triggers widespread protests across Iraqi Kurdistan, EKurd Daily, 2 June 2014, <http://ekurd.net/mismas/articles/misc2014/6/state8046.htm>

WROs in the KRI have been able to push the women's rights agenda forward by providing community-level services that are often the traditional purview of the state.

In one example, many WROs responded to the increase in internally displaced persons (IDPs) and refugees fleeing ISIS by opening up new centres in Dohuk¹² to provide humanitarian relief, trauma care and psycho-social counselling. This strategy has been difficult to implement as WROs believe that much of the international donor funding is only allocated to WROs affiliated with the major political parties, resulting in a severe amount of competition between independent WROs. This discourages collaboration and pushes WROs to keep their programmes secret from each other.

Another strategy employed by WROs in the KRI is to use the influence of religious and community leaders to advocate for the women's rights agenda.

Although the WROs interviewed believe that Islam generally has a negative influence on women's rights – especially as religious practices in the KRI have become more conservative over the past few years – some Islamic religious leaders are amenable to the women's rights agenda. WROs have therefore conducted workshops with local mullahs to educate them on less taboo issues such as recognising GBV, inheritance rights and FGM, in the hope that this will contribute to an improvement in women's rights at the community level.

The situation is very similar in federal Iraq where there are sharp divisions between faith-based, party-affiliated and independent WROs. The latter are sceptical about working with faith-based groups as they have divergent aims and are also reluctant to work with party-affiliated groups since their activities are reported to the party authorities. WROs have also focused on community-level programmes, although this has been complicated by the fact that many WROs face resistance from the local community when implementing these. Many WROs reported that their staff members have often faced death threats. Moreover, most WROs interviewed have abandoned contentious programmes following backlashes in the local

¹² The governorate with the second highest number of IDPs (389,556 people as of April 2017). Up to date figures available here: <http://iraqdtm.iom.int/IDPsML.aspx>

community. These include running shelters for domestic abuse victims/survivors, providing free legal aid to women in divorce cases and conducting outreach advocacy activities on confronting honour killings. **Unlike their counterparts in the KRI, WROs in federal Iraq are more hesitant to engage with religious leaders.** The WROs interviewed consider the religious community to be generally negative towards women's rights, and that the most taboo subjects in Iraqi society are those that contradict predominant societal norms that are perceived among some people to have a religious justification or basis, such as marital rape, early marriage, polygamy and honour killings.

4. What role do international development actors (donors, INGOs) have to play in countering the negative effects of conflict and fragility on the realisation of women and girls' rights? What can be done at the national, regional and international level? How does the role and scope that international development actors could play differ, depending on the area in which they are trying to operate (state/non-state governed areas)? How can INGOs support WROs/CSOs and gender-sensitive programming, while mitigating for political, security and reputational risks to national partners and to beneficiaries?

In general, WROs across Iraq believe that the international community (donors and INGOs) has a largely positive effect on the realisation of women and girls' rights. The physical presence of the international community in key locations such as Erbil and Baghdad has led to both the KRG and the federal government paying greater attention to the local WRO community. However, **WROs feel that the international community often imposes its own agenda and priorities on them, and that donors and INGOs do not consult WROs about the actual needs of local women.** As a consequence, many projects implemented by INGOs are unworkable and are not sensitive to Iraq's cultural complexities. To counter this, WROs suggested that they are treated as equal partners, and be given the opportunity to suggest suitable programmes and activities. Furthermore, many WROs believe that much of the international funding in the KRI only goes to political party-affiliated WROs that are often based in Erbil and frequently conduct fewer

programmes than independent organisations. This issue has become more pertinent as WROs perceive that lots of international funding has been reallocated from other areas of Iraq to the KRI in response to the refugee and IDP crisis. **WROs in the KRI urged the international community to maintain its funding in other areas of Iraq while also providing funds to independent WROs in the KRI to ensure that the women's rights situation in both areas does not degrade.**

A further issue mentioned by WROs is that the international community is allocating greater funds to short-term humanitarian relief work rather than longer-term development work. The majority of projects are now funded for a maximum of one year. Furthermore, programmes on topics such as legal awareness training and GBV advocacy programmes have been defunded in favour of trauma and psycho-social care programming. Although acknowledging that dealing with the IDP and refugee crisis is essential, **WROs fear that the international community's short-term outlook will lead to a deterioration of women's rights over the longer term.**

The final issue concerns the mass entry of INGOs into the KRI from 2013 onwards, which has precipitated a brain drain of qualified local staff from WROs to INGOs, who are attracted by INGOs' higher salaries and better benefits. This has left WROs chronically understaffed and unable to find suitably qualified candidates. In order to improve the situation, **WROs urge the international community to provide more funds for capacity-building to strengthen the ability of local organisations to implement projects.**

