Global Fund for Widows

# The Widows of Iraq

## Forgotten Victims of War


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For years Iraq has experienced intense sectarian violence, most recently with the conflict against ISIL. While the number of casualties is difficult to calculate, estimates state that since the 2003 US invasion of Iraq there have been hundreds of thousands of deaths.[1] The violence has had a massive impact on all aspects of the Iraqi social fabric and has disrupted the family structure of millions. The UN Office for the Coordination of Humanitarian Affairs' most recent estimate shows that 6.7 million Iraqis are in need of humanitarian aid and 1.8 million remain internally displaced.[2]

A 2017 survey by the Iraqi Central Statistical Organization showed that 1,983,000 women have either been divorced or widowed since the onset of conflict. The number may be significantly higher since the survey did not include the provinces of Ninawa and Anbar, as well as districts within Kirkuk and Salahuddin. [3] These areas have seen heavy fighting between government forces, local militias, and Islamic militants. According to the Iraqi Widows Organization, around one-sixth of Iraqi widows are receiving government aid, which ranges between $34-81 per month. The widows who receive this money are often only the most well connected or those who enter 'temporary marriages' with government officials. This widespread financial insecurity has driven widows into begging, prostitution, servitude and in some cases joining insurgent groups in exchange for money.[4] Iraq has passed several laws aimed at assisting this population, the Law on the Establishment of the Martyrs' Foundation (2006) and the Law on Rights and Privileges of the Families of Martyrs and Anfal Victims in the Kurdistan Region (2007). These laws aim to give the family members of "martyrs" assistance and benefits such as "pensions, housing, tax benefits, (and) scholarships".[5] However, most widows either do not meet the requirements or are unable to access this aid, leaving them alone and impoverished.

*Temporary Marriages*

With growing frequency widowed women are driven into 'temporary marriages' in exchange for money/security, a practice that has been called "essentially prostitution". This practice is known locally as *nikah mut'ah* and is broadly considered legitimate in Shia Islam, despite the practice being banned under the Ba'ath Party's rule. While a similar practice called *nikah misyar* exists in Sunni Islam, it is extremely rare. These marriages are becoming increasingly commonplace and pray on vulnerable women without economic opportunity, especially widows. If a woman gives birth after engaging in a temporary marriage the father has

[1] http://web.mit.edu/humancostiraq/
[2] http://www.globalr2p.org/regions/iraq
[3] https://www.middleeastmonitor.com/20170111-survey-2-million-women-widowed-or-divorced-in-iraq/
[4] http://exhibitions.globalfundforwomen.org/economica/marriage-and-money/iraqi-widows
[5] https://www.icmp.int/where-we-work/middle-east-and-north-africa/iraq/

no legal responsibility for the child.[6] This leaves the widow alone with a child that they likely cannot care for.

*Childhood forced marriage*

Following the economic collapse and rise of ISIL in 2016, child marriage rates in Iraq spiked to new highs. Girls Not Brides estimates that as of 2017, 24 percent of Iraqi girls are married before the age of 18 and 5 percent before the age of 15. This is a dramatic rise from 20 years earlier in 1997 when around 15 percent were married by 18. There are several provinces with significantly higher rates such as "Al-Najaf (where 30% of women aged 20-49 were married before the age of 18), Al-Muthanna (29%), Thi-Qar (27%), Ninewa and Karbala (26%)".[7]

Child marriage occurs most often amongst uneducated and impoverished girls, with 33 percent of women without education being married as children. Poverty as a result of war is viewed as a major contributing factor, as families leverage girls into marriage in order to escape financial burdens. According to Girls Not Brides "28% of women in Iraq's poorest households were married as children, compared to only 16% from the richest households".[8]

*Sexual violence and ISIL related forced marriage*

While controlling vast swaths of Iraqi and Syrian territory ISIL engaged in massive and systemic acts of sexual violence, sexual slavery, forced marriages and human trafficking. These actions occurred mostly against occupied populations, with the Yezidi women suffering from the greatest persecution. Upon capturing new territory, militants would execute all non-Muslim men and force non-Muslim women into slavery. These slaves lived in deplorable conditions, and frequently attempted escape and suicide.[9]

> The sexual violence acts perpetrated by Daesh have not only been systematic but institutionalized as part of their ideology and instructions to their fighters. They have used sexual violence as a tool to advance core strategic objectives such as incentivizing recruitment through the promise of women and girls to the young men enlisted to their cause; fundraising through the sale, trade and trafficking of women and girls; as a means of punishing, controlling and displacing civilian populations; or as a tool of interrogation employed especially against men and boys. The use of sexual violence as a tactic of terrorism which was acknowledged by the Security Council in another landmark resolution 2331 adopted in December 2016.
> - Under-Secretary-General Ms. Pramila Patten Special Representative on Sexual Violence in Conflict[10]

Women who resisted marrying ISIL fighters were subject to retaliatory violence, blackmail and arrest. Threats and abuse were used to force women into arranged marriages and "temporary marriages" which last anywhere from an hour to months and were often simply a religious cover

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[6] https://thearabweekly.com/marriages-pleasure-take-iraq-storm

[7] https://www.girlsnotbrides.org/child-marriage/iraq/

[8] Id.

[9] ISIS's Persecution of Women (2017) https://www.counterextremism.com/sites/default/files/ISIS%20Persecution%20of%20Women_071117.pdf

[10] UN Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, Statement by Under-Secretary-General Ms. Pramila Patten Special Representative on Sexual Violence in Conflict Welcoming the Adoption of Security Council resolution 2379 on Accountability for Daesh Crimes, 23 September 2017

for rape and abuse.[7] Upon the deaths of their ISIL husbands, many of these widows have suffered systemic persecution at the hands of the Iraqi government. Testimonials from these widows paints a picture of rampant human rights abuses.

*Reconciliation needs*

As the war against ISIL comes to an end over much of Iraq, the need for widespread community-based reconciliation efforts is apparent. The widows of ISIL members face massive discrimination, with abuse, disenfranchisement and even murder being evident across the country. Women who are believed to have been affiliated with ISIL, voluntarily or involuntarily, are victims of retaliatory abuse, especially those who seek refuge in camps for IDPs.

"Because they consider me the same as an IS fighter, they will rape me and return me back [to my tent]. They want to show everyone what they can do to me – to take away my honor."
Dana (20 years old)[11]

In most administrative agencies, routine bureaucratic processes will involve a security check on a woman's male relatives. "Registrars refuse to register births to women with suspected ISIL husbands, and schools will not enroll their children. Mothers are turned away from welfare, and mukhtars (community mayors) won't let the families move into their neighborhoods".[12] Many of these widows were forced into marrying ISIL fighters, with some being married as young as 9 years old and "most" by the ages of 16 or 17.[13] In addition to the direct impact that this is having on thousands of women, it currently stands poised to create an intergenerational crisis as an entire generation of Iraqi children are raised essentially stateless, paperless and uneducated. All conventional knowledge of extremism suggests that this disenfranchised and uneducated generation will be at significantly elevated risk for radicalization and prolonged sectarian violence.

"IKR-based NGOs documented numerous cases of women forced by ISIS to marry fighters who became widows with children, but lacked marriage and birth certificates required to obtain legal documentation for their children. These women and children were stigmatized because of their association with ISIS, leaving them at heightened risk of suicide, retaliation, and sexual exploitation. Honor killings remained a risk, although some communities issued edicts and took steps to absolve women of any perceived guilt associated with their sexual exploitation by ISIS fighters. Communities generally did not accept children born to ISIS fighters, however, and they were frequently abandoned or placed in orphanages, as reported by Yezidi NGOs and media." (2018, US Department of State) [14]

*Missing persons and mass graves*

Mass executions and the subsequent use of mass graves has been widespread in Iraq's numerous conflicts over the past several decades. Most recently, ISIL's invasion of northern Iraq

[11] https://www.justsecurity.org/60426/isis-widows-boko-haram-wives-overlooked-abuses-iraq-nigeria/
[12] https://www.apnews.com/21ffa86803964ed79b34d397735e1736
[13] https://www.counterextremism.com/content/isiss-persecution-women
[14] Iraq 2018 Human Rights Report https://www.state.gov/wp-content/uploads/2019/03/IRAQ-2018.pdf

resulted in numerous atrocities being committed against minority groups such as the Yazidis, Shabak, Turkmen and Christians. The UN Commission of Inquiry on Syria declared in 2016 that these mass killings amounted to "the crime of genocide as well as multiple crimes against humanity and war crimes against the Yazidis". As of November 2018, there have been over 200 mass graves found with the estimated number of bodies ranging from 6,000 to 12,000. These bodies represent a fraction of the estimated 30,000 civilians killed since 2014.[15] In 2006, Iraq passed the Law on Protection of Mass graves, creating a formal mechanism for locating missing persons in the excavations of mass graves. The International Committee on Missing Persons remains active in Iraq and estimates that there are between 250,000 and one million people currently missing. [16] Wives of the permanently missing or disappeared are left in the precarious situation of half-widowhood. Prohibited by Islamic doctrine from moving on and stricken by grief and uncertainty, they wait in limbo, often to never learn of their husband's fate or access his assets.

***Needs***

**Improving security screening process.** Iraq's security services have undertaken significant efforts to capture ISIL fighters and affiliates following its collapse. These efforts have resulted in the arbitrary detention and disappearance of thousands, despite deep flaws in the process as documented in a 2018 report by Amnesty International. [17] Ensuring the protection of civilians and victims is an obligation of the Iraqi government and international coalition under international humanitarian law.

**Improving access to documentation/ID cards.** Families, often headed by single women, who are perceived as having been affiliated with ISIL are denied access to government identity cards and civil documents. This restricts them from work, pensions, travel, and education. These restrictions have left thousands in de facto detention camps, where many are victims of rape, harassment and exploitation by camp authorities, armed groups, and residents. This demonstrates the need for **increased oversight and security in IDP camps.**

**Reconciliation and reparation programs.** Communities ravaged by the war against ISIL require a sweeping social transformation if they are to move past deep rooted distrust. Expanding and integrating women into existing reconciliation efforts can empower families and work towards healing the post-conflict divide. As noted in UNSCR 1325 "peace and security efforts are more sustainable when women are equal partners in the prevention of violent conflict". Programs such as Support for Integrated Reconciliation in Iraq (SIRI) have worked towards this but their results have been very small in scale. Efforts are further stunted in regions such as Yathrib where large numbers of Sunni and Shia are present. In rural regions like Yathrib, tribal retribution laws are applied to thousands of Sunni widows despite warnings from the government of long-term consequences and conflict.[18] Focusing reconciliation programs on the

[15] http://www.globalr2p.org/regions/iraq
[16] https://www.icmp.int/where-we-work/middle-east-and-north-africa/iraq/
[17] https://www.amnesty.org/en/countries/middle-east-and-north-africa/iraq/report-iraq/
[18] https://www.ft.com/content/77082afa-3816-11e8-8eee-e06bde01c544

shared loss experienced by both Sunni and Shia widows allows widows to act as agents of peace and reconciliation.

**Prioritize improved access to pensions, government aid and economic empowerment.** Countless women widowed due to recent conflicts remain without aid from the government or civil society. A 2019 report from the Iraqi Human Rights Commission estimates that there are at least 3 million widows and 5 million orphaned children effected by Iraq's conflicts over the past two decades. According to local NGOs, at least 20,000 impoverished widows are within the Old City of Mosul.[19] Development and aid efforts must prioritize accessing and assisting these widows and their children as soon as possible, as the conditions faced by this vulnerable population threaten to only exasperate the human rights emergency.

[19] https://alshahidwitness.com/tribulations-widows-iraq/