



COI QUERY

Country of Origin	Iraq
Question(s)	Treatment, by Shia militias, of persons working in Non-Governmental Organisations (NGOs) supporting women's rights, in the Kurdistan Region of Iraq (KRI)
Date of completion	7 May 2018
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Contributing EU+ COI units (if applicable)	

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The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

The information in the response does not necessarily reflect the opinion of EASO and makes no political statement whatsoever.

The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on the 7 May 2018. Any event taking place after this date is not included in this answer.



COI QUERY RESPONSE

Amongst consulted and listed sources, no information could be found on the Shia militias' treatment of persons working for Non-Governmental Organisations (NGOs) in the Kurdistan Region of Iraq (KRI territories). This concerns NGOs in general, as well as those supporting women's rights in particular.

Nonetheless, the below information on NGOs in Iraq and, in the KRI, in particular, as well information on the Shia militias presence in the KRI could be of relevance.

Non-Governmental Organisations (NGOs) in the Kurdistan Region of Iraq (KRI)

The activities of NGOs in Iraq are regulated by the Law on Non-Governmental Organizations (Law 12 of 2010)¹.

In the KRI, activities of NGOs are specifically regulated by the Law on Non-Governmental Organizations in the Iraqi Kurdistan Region (Kurdistan Regional Government Law 1 of 2011)².

According to the International Center for Not-for-Profit Law (ICNL), this law 'was a significant milestone for Kurdish and Iraqi civil society and laid the groundwork for a new era in civil society-government relations in Kurdistan'³. According to the ICNL, among other significant changes, the new law: improved and simplified the process of registration; created the conditions for NGO financial sustainability; removed all restrictions on the associational rights of foreign residents in Kurdistan; removed all criminal penalties for individuals associated with NGOs and added greater transparency to government funding of NGOs⁴.

In Kurdistan, the NGO Directorate reported approximately 4,100 NGOs registered as of March 2018⁵.

A paper by the Middle East Centre (London School of Economics) on Gender and Statehood in the KRI (January 2017) observes that there are 'high levels of corruption amongst local women's rights organisations' and that 'local NGO activities are highly politicised and geographically divided'. According to this paper: 'Kurdish women's rights NGOs tend to be linked to one of the main political parties, especially in the Erbil and Sulaymaniyah governorates'⁶.

According to the US DoS' annual report on human rights practices:

'In January [2017], KRG [Kurdistan Regional Government] officials in Dahuk temporarily closed the offices of the Yazda organization⁷, allegedly because it did not abide by NGO regulations

¹ Iraq, *Number (12) of the Year 2010 The Law of Non-Governmental Organizations*, 2010, ([url](#)).

² The National Assembly of Kurdistan – Iraq, *Law No. (1) Of 2011, Non-Governmental Organizations Law in the Iraqi Kurdistan Region*, 2011, ([url](#)).

³ ICNL, *Civic Freedom Monitor: Iraq*, last updated 4 April 2018, ([url](#)).

⁴ ICNL, *Civic Freedom Monitor: Iraq*, last updated 4 April 2018, ([url](#)).

⁵ ICNL, *Civic Freedom Monitor: Iraq*, last updated 4 April 2018, ([url](#)).

⁶ LSE Middle East Centre, *Gender and Statehood in the Kurdistan Region of Iraq*, by Zeynep N. Kaya, Middle East Centre Paper Series 18, January 2017, ([url](#)), p. 19.

⁷ See: Yazda, *About us*, ([url](#)).



requiring it to obtain approval to do advocacy work. A local NGO reported that the PUK Asayish prevented it from holding a meeting on corruption in February [2017]⁸.

According to the website of the Yazda organisation:

‘Yazda is a global Yazidi organization that strives to bring justice, sustenance, healing and rejuvenation to Yazidis who have suffered under or are affected by, the genocidal campaign against their people by the so-called Islamic State (IS) as well as the IS campaign against other vulnerable ethno-religious minorities⁹.

Amongst other projects, the NGO runs a center for Yazidi women and girls¹⁰.

On 17 January 2017, Ekurd Daily announced that Yazda had reached a deal with the Kurdistan Regional Government to reopen its offices in the Kurdish region. According to the official statement of the NGO: ‘The closure of Yazda’s facilities and projects was due to a misunderstanding and translation of some of Yazda activities as transgression to KRG laws and regulations relates to NGOs’¹¹.

NGOs supporting women’s rights in Iraq and in the KRI, in particular

There are a number of local NGOs supporting women’s rights and currently operating in Iraq and/or the KRI. This includes, amongst others: Women Empowerment Organization (WEO)¹², Women Rehabilitation Organization (WRO)¹³ and Yazda¹⁴. This list is not exhaustive.

Amongst all consulted and listed sources, limited information was found on the specific situation of persons working for NGOs supporting women’s rights in the KRI.

A February 2016 report by openDemocracy, an independent global media platform, states that:

‘Civil society organisations working on women’s issues flourished in the region, receiving support from the UN, international NGOs, foreign states and the Kurdish government. They were also more able to carry out activities compared to their counterparts in the rest of Iraq due to greater relative security and stability in Iraqi Kurdistan’¹⁵.

The below sources refer to the situation of NGOs supporting women’s rights in Iraq, in general.

In its concluding observations regarding victims of gender-based violence (2015) the UN Committee against Torture (UN CAT) called on Iraq to ‘provide better protection and appropriate care for such victims, including access to safe houses, State-run and private shelters...’, as well as ‘increase

⁸ US DoS, *Country Reports on Human Rights Practices 2017 - Iraq*, 20 April 2018, ([url](#)), p. 27.

⁹ Yazda, *About us*, ([url](#)).

¹⁰ See: Yazda, *Women Center*, ([url](#)); See also: Ekurd Daily, *Yazidi rights organization YAZDA to reopen offices in Iraqi Kurdistan: statement*, 18 January 2017, ([url](#)).

¹¹ Ekurd Daily, *Yazidi rights organization YAZDA to reopen offices in Iraqi Kurdistan: statement*, 18 January 2017, ([url](#)).

¹² [Website](#)

¹³ [Website](#)

¹⁴ [Website](#)

¹⁵ openDemocracy, *Women in post-conflict Iraqi Kurdistan*, 26 February 2016, ([url](#)).



cooperation with non-governmental organizations working to protect women and girls from violence throughout the country, and ensure that such organizations are protected from all forms of harassment and violence¹⁶.

A Human Rights Watch report (March 2017), on anti-domestic violence law in Iraq, states that women's rights NGOs, which have provided shelter for domestic violence survivors, 'have often been subject to physical attack and threats by perpetrators, and faced hostility by some government officials'¹⁷.

On the issue of NGO-ran shelters, the annual US DoS report on human rights practices (2017) for Iraq mentions:

'While the government does not have a law that explicitly prohibits NGO-run shelters for victims of gender based crimes, the law allows the Ministry of Labor and Social Affairs to determine if a shelter may remain open. NGOs reported that communities often viewed the shelters as brothels and asked the government to close them. In order to appease community concerns, the ministry regularly closed shelters, only to allow them to reopen in another location later'¹⁸.

In its March 2017 report on anti-domestic violence law in Iraq, Human Rights Watch recommends that 'the [Iraqi] authorities should also ensure that the ministry [of Labor and Social Affairs] works with local women's rights NGOs in the administration of such shelters, and that officials do not harass or attack existing NGO shelters'¹⁹.

Shia militia presence in the Kurdistan Region of Iraq (KRI)²⁰

The UK Home Office states, in a report dated June 2017, that 'Shia militia are not present in the Kurdistan Region of Iraq (KRI)'²¹.

Other consulted sources do not necessarily refer to the presence of Shia militias in the territories, which officially constitute the KRI. They nevertheless do refer to the presence and activities of Shia militias, specifically the Popular Mobilization Forces (PMF; also referred to as Popular Mobilization Units (PMU) or Hashd al-Shaabi), including human rights violations, in the so-called disputed areas in the governorates of Kirkuk, Nineveh, Salah al-Din and Diyala²².

¹⁶ UN CAT, *Concluding observations on the initial report of Iraq [CAT/C/IRQ/CO/1]*, 7 September 2015, ([url](#)), p. 7.

¹⁷ Human Rights Watch, *Commentary on the Draft Anti-Domestic Violence Law in Iraq*, 19 March 2017, ([url](#)), p. 19.

¹⁸ US DoS, *Country Reports on Human Rights Practices 2017 - Iraq*, 20 April 2018, ([url](#)), p. 40.

¹⁹ Human Rights Watch, *Commentary on the Draft Anti-Domestic Violence Law in Iraq*, 19 March 2017, ([url](#)), p. 20.

²⁰ The KRI is officially comprised of the governorates of Duhok, Erbil, Sulaimaniya and Halabja.

²¹ Home Office (UK), *Country Policy and Information Note, Iraq: Sunni (Arab) Muslims*, June 2017, ([url](#)), p. 7.

²² DFAT, *DFAT Country Information Report Iraq*, 26 June 2017 ([url](#)); Human Rights Watch, *Iraq: Displacement, Detention of Suspected "ISIS Families"*, 5 March 2017, ([url](#)); IRIN, *Iraq's Yazidis return to a healthcare crisis*, 16 March 2018, ([url](#)); MRG, *No Way Home: Iraq's minorities on the verge of disappearance*, July 2016, ([url](#)); US DoS, *Country Reports on Human Rights Practices 2017 - Iraq*, 20 April 2018, ([url](#)).



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