

Irak: foyers pour femmes à Kirkouk

Recherche rapide de l'analyse-pays

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1 Introduction

Le présent document a été rédigé par l'analyse-pays de l'Organisation suisse d'aide aux réfugiés (OSAR) à la suite d'une demande qui lui a été adressée. Il se penche sur les questions suivantes:

1. Quelle est la situation des femmes enceintes non mariées à Kirkouk?
2. Existe-t-il à Kirkouk des foyers pour femmes ou d'autres types d'établissements s'occupant des femmes touchées par la violence domestique?
3. Quelle est la perception sociale du divorce et des grossesses non désirées?

Pour répondre à ces questions, l'analyse-pays de l'OSAR s'est fondée sur des sources accessibles publiquement et disponibles dans les délais impartis (recherche rapide).

2 Situation à Kirkouk

Pas de foyer pour femmes à Kirkouk, seulement une «family protection unit» dans un poste de police. Selon un article d'*Ekurd Daily* (octobre 2012), il n'existe pas de foyer pour femmes à Kirkouk. Un rapport de la *Mission d'assistance des Nations Unies pour l'Iraq* (MANUI) et du *Haut-Commissariat aux droits de l'homme* (HCDH) (juin 2013) mentionne l'existence à Kirkouk d'une «family protection unit» (FPU) spécialisée dans les cas de violence domestique et de violence contre les enfants [la MANUI et le HCDH utilisent le terme «family police unit», toutes les autres sources que nous avons consultées se réfèrent à des «family protection units». Nous supposons qu'il s'agit des mêmes unités]. Cependant, la capacité de l'établissement serait limitée et celui-ci manquerait de personnel qualifié et de places d'accueil pour les femmes concernées. En 2012, la «family protection unit» n'avait pas d'employées femmes et était logée au deuxième étage d'un poste de police – des facteurs qui, selon la MANUI et le HCDH, dissuadent les femmes de se rendre à la FPU. Au cours de la période de rapport (juillet à décembre 2012), seuls quelques cas ont été renvoyés à la FPU, et ce, par des organisations de défense des droits des femmes.

Sur son site web, l'organisation suédoise *Kvinna till Kvinna* mentionne le *Pana Centre* à Kirkouk, centre qu'elle soutient (*Kvinna till Kvinna*, sans date, accès le 24 janvier 2018). *Kvinna till Kvinna* explique que le *Pana Centre* lutte contre la violence à l'égard des femmes et fournit des services juridiques gratuits et des conseils aux femmes. Le centre fournit également des avocats, qui représentent les femmes devant les tribunaux. En outre, le *Pana Centre* mène diverses campagnes de sensibilisation.

Augmentation de la violence à l'égard des femmes à Kirkouk. Selon des informations fournies par des responsables de la sécurité et des militant-e-s des droits des femmes à Kirkouk, la violence contre les femmes a augmenté de façon spectaculaire entre 2010 et 2012 (*Ekurd Daily*, octobre 2012). La MANUI et le HCDH (juin 2013) ont également signalé un nombre élevé de cas de violence domestique à Kirkouk, en rapide augmentation depuis 2011.

Selon un rapport alternatif d'une coalition de trois ONG soumis à la *Convention sur l'élimination de toutes les formes de discrimination à l'égard des femmes* (CEDAW) (2014), 19 femmes ont été tuées au cours des quatre premiers mois de 2012 à Kirkouk, contre 28 femmes en 2013 pour la même période (*coalition du rapport alternatif de la CEDAW*, février 2014). Le rapport de la MANUI et du HCDH (2013) fait en outre état d'enlèvements de femmes et de filles au sein du gouvernement de Kirkouk. Diverses organisations, des citoyen-ne-s et des représentant-e-s du gouvernement supposent que ces enlèvements ont été perpétrés par des officiers de police et des forces de sécurité dans l'intention de faire de la traite d'êtres humains et de l'esclavage sexuel (MANUI et HCDH, 2013).

3 Foyers pour femmes et unités de protection de la famille (FPU) au centre et au sud de l'Irak

Interdiction pour les ONG de gérer des foyers pour femmes et obligation d'offrir des services dans la clandestinité. Les foyers pour femmes sont la cible d'attaques violentes. L'USDOS (mars 2017) et l'*International Women's Human Rights* (IWHR), la *Clinic at the City University of New York School of Law*, MADRE et l'*Organisation of Women's Freedom in Iraq* (OWFI) (août 2015) s'accordent à dire que les ONG du centre et du sud de l'Irak font face à des obstacles qui les empêchent de proposer des foyers pour les femmes touchées par la violence domestique, par les tentatives de crimes d'honneur, par la traite des êtres humains ou par d'autres types de violence sexuelle et de crimes sexospécifiques. L'IWHR et al. (août 2015) et le magazine en ligne irakien *Nina* (février 2017) parlent même d'une interdiction faite aux ONG irakiennes d'offrir aux femmes touchées par la violence un lieu de refuge. Toutefois, selon l'USDOS, il n'existe aucune loi interdisant explicitement les foyers pour femmes gérés par des ONG. Conformément à la loi en vigueur, c'est le Ministère du travail et des affaires sociales qui décide si un foyer pour femmes peut être exploité. Selon les indications fournies par une ONG anonyme à l'USDOS (2017), le gouvernement refuse d'enregistrer et d'accorder des licences aux foyers pour femmes. Si le gouvernement irakien exige régulièrement à cette ONG de fermer les foyers pour femmes qu'elle gère, il arrive toutefois que des fonctionnaires du gouvernement réfèrent «inofficiellement» des femmes à ces points de contact. Quelques jours après leur fermeture, les foyers pour femmes seraient rouverts (USDOS, 2017). Selon l'IWHR et al. (2015), les organisations de femmes sont contraintes de mener leurs activités de manière clandestine. Selon un rapport publié par *Kvinna till Kvinna* (2015), l'organisation de défense des droits des femmes OFWI (*Organization of Women's Freedom in Iraq*) gère ainsi des foyers pour femmes à Bagdad sans approbation officielle.

Les foyers pour femmes gérés par des ONG étant considérés contraires à l'ordre public, des descentes ont souvent lieu (IWHR et al., août 2015). De plus, ils ne sont pas protégés contre les menaces de violence de la part de groupes extrémistes. Selon l'USDOS (2017), les «safe houses» gérées à la fois par des ONG et le gouvernement font souvent l'objet d'attaques violentes.

Les foyers pour femmes perçus comme contraires à l'ordre et la stigmatisation des femmes qui y cherchent protection. Selon l'IWHR et al. (août 2015), la gestion de foyers

pour femmes dans le centre et le sud de l'Irak est considérée comme une violation de l'ordre public. Les foyers pour femmes seraient des endroits où des femmes «immorales» vivraient sans tuteur masculin. Il s'agirait donc probablement de bordels. Les femmes et les filles y seraient encouragées à s'opposer à leur mari et à ne pas obéir à leurs parents. Diverses organisations irakiennes de défense des droits humains ont confirmé l'existence de cette attitude à l'égard de l'IWHR et al. (voir aussi *Nina*, février 2017).

Dans tout le pays, il existe 16 unités étatiques de protection de la famille (FPU), qui mettent l'accent sur la réconciliation plutôt que sur la protection des victimes. La plupart des FPU ne gèrent pas de foyer pour femmes. Selon l'USDOS (mars 2017), le Ministère de l'Intérieur gère 16 unités de protection de la famille (FPU) au niveau national («*family protection units*» - FPU) (voir aussi *Minority Rights Group International* et *Ceasefire*, novembre 2015). Celles-ci auraient pour but de régler les conflits domestiques et d'offrir un refuge sûr aux victimes de violence sexuelle et sexospécifique. Cependant, elles chercheraient surtout la réconciliation au sein de la famille et non la protection des victimes. Selon la *coalition du rapport alternatif de la CEDAW* (février 2014), les FPU fonctionnent sans base légale pour mener leur travail. En outre, la plupart des employé-e-s sont des agents de police de sexe masculin et nécessiteraient une formation sur la violence sexiste. Selon l'USDOS, il manque la capacité suffisante pour soutenir les personnes affectées (USDOS, mars 2017). Comme la plupart des FPU ne gèrent pas de foyers pour femmes, le nombre de places de refuge pour les victimes de violence domestique est limité (USDOS, 2017). Selon *Kvinna till Kvinna* (2015), il n'existe pas de foyer pour femmes financé ou soutenu par l'État en Irak.

4 Situation pour les femmes non mariées ou divorcées, pour les veuves et les mères seules

Stigmatisation des femmes non mariées, divorcées ou veuves par la société irakienne. Selon le *Geneva International Centre for Justice* (2015), les femmes non mariées en Irak sont socialement stigmatisées. Un rapport de *Care* (avril 2015) indique que les normes sociales en vigueur ne permettent pas aux femmes de vivre sans homme. Les ménages gérés par des femmes en particulier risquent de subir des violences. Selon *Care*, les femmes enceintes et/ou allaitantes, les femmes non mariées et les veuves comptent parmi les groupes les plus vulnérables en Irak. Un rapport d'une *fact-finding-mission* du *Danish Refugee Council* et du *Danish Immigration Service* (janvier 2016) souligne également que, parmi les personnes déplacées à l'intérieur du pays (PDI), les femmes non mariées et les ménages gérés par des femmes sont «particulièrement vulnérables». Selon la *coalition du rapport alternatif de la CEDAW* (2014), la «catégorie des veuves et des femmes divorcées» est particulièrement confrontée à des obstacles sociaux majeurs et à des traditions discriminatoires. Ces femmes risquent souvent d'être victimes d'exploitation sexuelle, de prostitution et de mariages temporaires. Les ménages gérés par des femmes vivent dans des conditions financières très difficiles en raison de faibles revenus.

La crainte de la stigmatisation et de l'isolement financier dissuade les femmes de divorcer. Selon l'IWHR et al. (août 2015), les femmes irakiennes dépendent souvent de leurs parents masculins après un divorce. En particulier les femmes divorcées sans éducation ni

expérience professionnelle sont confrontées à de grandes difficultés, surtout dans les zones rurales. De nombreuses femmes choisissent de maintenir leur relation avec leur partenaire violent par crainte de représailles violentes, de stigmatisation sociale et d'isolement financier en cas de séparation.

Difficultés juridiques pour les mères seules et leurs enfants. L'USDOS (mars 2017) et l'IILHR (mai 2013) font état de difficultés pour les mères seules et les veuves au moment d'enregistrer leurs enfants. Selon l'IILHR (mai 2013), certaines autorités irakiennes exigent un certificat de mariage et des documents d'identité des deux parents pour enregistrer la naissance d'un enfant. Lorsqu'un parent est décédé, un certificat de décès est parfois demandé. En outre, certain-e-s fonctionnaires exigent que les documents soient soumis en présence d'un homme, bien que dans certains cas, selon l'IILHR, une telle exigence n'existe pas dans la loi. Ces mesures posent des problèmes supplémentaires, en particulier pour les femmes célibataires et les veuves (IILHR, mai 2013). Selon l'USDOS (mars 2017), les enfants qui ne sont pas des ressortissant-e-s irakien-ne-s se voient refuser le soutien de l'État. Les familles de ces enfants apatrides («*noncitizen children*») seraient contraintes de payer pour des services qui sont gratuits pour les autres, comme les écoles publiques et les soins médicaux.

Discrimination à l'égard des femmes, en particulier des veuves et des femmes divorcées, lors de la délivrance d'un passeport. Il n'est pas possible pour les femmes irakiennes de se voir délivrer un passeport sans le consentement d'un tuteur («*guardian*») ou d'un représentant légal (*coalition du rapport alternatif de la CEDAW*, 2014). Pour les veuves et les femmes divorcées qui n'ont pas de tuteur ou de représentant légal, le directeur du Bureau des passeports peut décider de délivrer ou non le passeport.

Selon la loi sur l'adultère, les personnes qui entrent en relation avec une personne mariée sont également punissables. Comme dans la plupart des autres pays musulmans, l'adultère est une infraction pénale en Irak. Cette infraction est punie en Irak d'une peine d'emprisonnement de trois mois à cinq ans (*Heartland Alliance*, 2011). L'article 377 du Code pénal irakien stipule, entre autres, que les personnes non mariées qui entrent en relation avec une personne mariée doivent également être punies pour adultère (*Heartland Alliance*).

5 Sources

Care, avril 2015:

«The most vulnerable groups are those living in dire dwelling conditions, and particularly pregnant and/or lactating, single/widowed women and persons with disability. (...)

Social norms appear to prevent women from living without men, leaving female-headed households particularly at risk of violence.» Source: Care, Iraq, Needs Assessment, Kirkuk City, avril 2015, p. 5, 11: [www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/CARE%20Kirkuk%20City%20MSNA%20\(wash%20and%20shelter\)%5B1%5D.pdf](http://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/assessments/CARE%20Kirkuk%20City%20MSNA%20(wash%20and%20shelter)%5B1%5D.pdf)

Coalition du rapport alternatif de la CEDAW (Coalition of CEDAW Shadow Report), février 2014:

«The category of widows and divorced women in particular face harsh social challenges and difficult discriminatory traditions, and often are at risk of sexual exploitation, prostitution and temporary marriages. The households headed by women live in miserable economic conditions, due to the low income. (...)

Iraqi women still cannot get a passport without the consent of the guardian or anyone represents her legally to the law and in accordance with the instructions of the Ministry of Interior, and in the following cases and in accordance with the following: 1. The virgin girl the age of 12 -40 , a married woman, the widow and divorced women to get a passport without the consent of the parent or of his legal representative. 2. For widows and divorced women, if there is no guardian or her legal representative, the Director of the Passport Office has the right to issue the passport or not. (...)

d. Family Protection Units (FPU)

1. The Iraqi government has taken measures to reduce gender-based violence by establishing Family Protection Directorates in the Ministry of the Interior, in 2007 by two directorates in Baghdad and one directorate in each governorate, **they are still operating without a law regulating their work, most of its cadres are men from the police force, and they need training for their cadres on violence and GBV**, and to strengthen its capacity to increase the number of women officers, policewomen and social workers at various administrative levels, the challenge lies in establishing an effective referral system to provide support and protection for survivors. (...)

As part of the 16 days of Activism campaign to combat violence against women in November 2013, No to Violence against Women Gathering in Kirkuk, issued a statement on the following statistics about the **murder of women in Kirkuk in 2012**, as well as the first months of 2013 (taken from credible resources). The statement noted the growing proportion of cases of women assassination in general in 2013 compared to 2012, as recorded **19 cases of murder from the date of 1/1/2012 to 20/4/2012, whereas 28 cases for the same period in 2013**, with an increase of (9) murder cases.» Source: Coalition du rapport alternatif de la CEDAW (Coalition of CEDAW Shadow Report), Iraqi Women in Armed Conflict and post conflict Situation, Shadow Report submitted to the CEDAW committee at the 57th Session, février 2014, p. 26, 40, 47, 49: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/IRQ/INT_CEDAW_NGO_IRQ_16192_E.pdf.

Danish Refugee Council et Danish Immigration Service, janvier 2016:

«5.8 Vulnerable groups

Various sources pointed to single IDP women and female headed households as being particularly vulnerable.²⁰⁸ According to IOM, the most vulnerable IDPs are those without financial resources, IDPs living in various kinds of informal settlement like unfinished buildings, the sick and disabled, female headed households and those without family or network, especially single women. (...)

Single women and other vulnerable groups among IDPs According to INTERSOS, female headed households and handicapped individuals are among the most vulnerable IDPs. Without family to protect her, a single woman would be vulnerable. It does happen that

single women live alone, but it is rare. There are some single women in living in IDP camps. This tends to make the women a bit more vulnerable, since tradition dictates that single women are taken care of by family.» Source: Danish Refugee Council et Danish Immigration Service, The Kurdistan Region of Iraq (KRI) Access, Possibility of Protection, Security and Humanitarian Situation Report from fact finding mission to Erbil, the Kurdistan Region of Iraq (KRI) and Beirut, Lebanon, 26 September to 6 October 2015, janvier 2016, p. 61, 146-147: www.nyidanmark.dk/NR/rdonlyres/4B4E8C12-84B7-4ACB-8553-5E0218C5689A/0/FactfindingreportKurdi-stanRegionofIraq11042016.pdf.

Ekurd Daily, 7 octobre 2012:

«Security officials and women's rights activists in Kirkuk say that violence against women has increased dramatically in the past two years. (...)

There are no women's shelters in Kirkuk. Nuri and her colleagues have to send victims of domestic violence to shelters in Erbil (Hewlêr) and Sulêmani (Sulaimaniyah) city. But according to Nuri, this does not provide a solution to the rising number of women in need of shelter.» Source: Ekurd Daily, Activists report spike in violence against women in Kirkuk, 7 octobre 2012: <http://ekurd.net/mismas/articles/misc2012/10/kirkuk748.htm>.

Geneva International Centre for Justice, 2015:

«The deteriorating security situation, displacement of families, *social stigma of being a single mother* and exceptionally low employment rates of women have contributed to the increased number of women living below the poverty line.» Source: Geneva International Centre for Justice, publié par UN Committee on Economic, Social and Cultural Rights (CESR), Iraq; The Deterioration of Economic, Social & Cultural Rights, 2015, p. 20: www.ecoi.net/en/file/local/1216794/1930_1461164387_int-cescr-css-irq-21658-e.pdf.

Heartland Alliance, 2011:

«2. Adultery

Adultery is a crime in Iraq as it is in most Islamic countries.¹⁵ In some Muslim countries there is a growing perception of adultery as a moral crime that is a matter better dealt with privately between spouses rather than within the criminal justice system.¹⁶ In Iraq it continues to be a criminal act and a grave social offense against family/community/tribal honor, leading women to face serious threats of honor killing by their husband's and natal families. The mere suspicion or allegation of adultery places all parties at risk, but especially women and girls who carry the heavy burden of maintaining honor.

Men are also criminally liable under the IPC Article 377, however Iraqi law discriminates against women by holding them responsible for adultery committed anywhere, whereas men are only liable for acts of adultery committed in the marital home. In 2001 the Kurdistan Regional Government amended Article 377 in Law No. 9 to hold men liable to the same extent as women; thus a married man may be charged and convicted of committing adultery whether the act is committed inside or outside the home.¹⁷ **Also liable under Article 377 are unmarried persons who engage in relationships with married persons. The crime of adultery is a misdemeanor offense which is punishable with a jail sentence from three months to five**

years under the IPC Article 26.» Source: Heartland Alliance, Institutionalized Violence against Women and Girls. Laws and Practices in Iraq, 2011, p. 21: www.heartlandalliance.org/international/wp-content/uploads/sites/15/2017/02/Institutionalized-Violence-Against-Women-and-Girls-in-Iraq-Laws-and-Practices-January-2011.pdf.

Institute for International Law and Human Rights (IILHR), mai 2013:

«Single women in particular report problems at the directorate level when registering children because some authorities require a marriage certificate and identification documents from both parents, or a death certificate if a parent is deceased. Though in some cases such requirements are not legally or procedurally mandated, individual officials in some ministries and directorates reportedly require submitting documentation in the presence of a male. Given the destruction of documents over years of war and the significant numbers of IDPs in Iraq over the last 10 years, this demand is particularly burdensome for single women and widows.» Source: Institute for International Law and Human Rights (IILHR): Iraq's Minorities and Other Vulnerable Groups: Legal Framework, Documentation and Human Rights, mai 2013, p. 29: http://lawandhumanrights.org/documents/MinorityHB_EN.pdf.

International Women's Human Rights (IWHR) Clinic at the City University of New York School of Law; MADRE; Organisation of Women's Freedom in Iraq (OWFI): 31 août 2015:

«A. The Iraqi Government does not provide adequate shelter to women fleeing violence in Iraq, and prohibits Iraqi NGOs from providing such services.

With over 3 million displaced and over 8 million Iraqis in need of humanitarian assistance, it is no surprise that in the current climate of the conflict in Iraq, there is an exponentially higher need for NGO-run shelters for displaced persons.

Unfortunately, in central and southern Iraq it is against public policy for Iraqi NGOs to provide shelter to women escaping domestic violence, attempted honor killings, trafficking or other forms of gender-based violence. Consequently, NGO-run shelters and their service providers are not only vulnerable to police raids; they also lack protection from threats of violence by extremist groups. (...)

One Iraqi women's rights activist explained, "[S]helters are thought of as encouraging women to disobey their husbands, and daughters to disobey their parents. This leads to the presumption that a shelter----a place where a group of immoral women reside without a male guardian----is likely a brothel." This belief towards women's shelters has also been touted in other countries including Afghanistan.⁹ Several Iraqi women's human rights organizations also confirmed this belief. (...)

Women contemplating divorce in situations of domestic violence are faced with the harsh realities of life as a divorcee, which weigh disproportionately heavy on women. Less likely to have education or professional work experience, particularly in Iraq's rural regions, many women are dependent on male relatives for survival. Many opt to stay in abusive relationships rather than risk violent reprisals, crippling social stigma and financial isolation created by leaving their violent spouses.

*In addition to being denied protection by the legal system, women threatened with honor crimes are also left with limited recourses should they try to flee. Options may include shelters and even prison, though neither is a sustainable long-term setting.⁸⁸ Any available shelters that can provide support are under-resourced, and **shelter employees may even become targets of violence themselves for providing services to victims.**⁸⁹ Further limiting options for victims is the fact that **in Central and Southern Iraq, women's shelters are outlawed. Women's organizations seeking to help potential victims of "honor"-based violence are forced to run their operations underground.**» Source: International Women's Human Rights (IWHR) Clinic at the City University of New York School of Law; MADRE; Organisation of Women's Freedom in Iraq (OWFI): Women's Rights Violations in Iraq, 31 août 2015, p. 7-8, 13, 21: www.ecoi.net/file_upload/1930_1461163226_int-cescr-css-irq-21592-e.pdf.*

Kvinna till Kvinna, sans date (accès le 24 janvier 2018):

«Pana centre – Kirkuk

Pana centre for combating violence against women works to increase the knowledge among Iraqi women about their rights. The centre has several lawyers who defend women's rights in courts and provide free legal services and consultations to women. It is also running an awareness raising campaign, for increasing the knowledge and understanding of gender equality. Pana centre aims to strengthen the voices of women in the Iraqi community.» Source: Kvinna till Kvinna, sans date (accès le 24 janvier 2018): <http://thekvinna-tillkvinnafoundation.org/country/iraq/organisations-we-support/>.

Kvinna till Kvinna, 2015:

«Lack of protection

*A woman or a girl who has been the victim of violence has little hope of seeing her abuser or abusers being brought to justice. She also has great difficulties in accessing protection against further abuse and medical and psychological rehabilitation. Often a woman's possibility to get support is dependent on her being able to seek out one of the women's organisations offering counselling or legal aid. **In Iraq there are no publicly funded or supported shelters for victims of domestic violence. The women's rights NGO OFWI (Organization of Women's Freedom in Iraq) runs shelters in Baghdad but without government permission. In the Kurdistan Region of Iraq, there are government shelters for women victims of gender-based violence. However, even when women are admitted to a shelter it is rare that they find effective protection against future violence. Both the legislation and the authorities are focusing on mediation with the families involved. Too often a woman at risk has no other option than returning to the family where she was originally abused.***» Source: Kvinna till Kvinna, Violence against Women in Iraq, 2015: <http://thekvinna-tillkvinnafoundation.org/en/files/qbank/91394d0fbf2b331b4859ae219f2d6ea6.pdf>.

Minority Rights Group International et Ceasefire, novembre 2015:

«In recent years, the Iraqi government has established Family Protection Units (FPUs) under the auspices of the Ministry of the Interior in each of the country's governorates. The FPUs are mandated to receive complaints from women and children about domestic violence and other abuses, conduct initial investigations, and refer the cases to the competent

judicial authority when necessary.²² Between 2010 and November 2014, the FPU recorded a total of 22,442 cases of family violence across the country.²³ The vast majority of these cases were assaults perpetrated by the husband against the wife. These numbers likely represent a very small proportion of the true number of domestic violence cases, due to under-reporting. The Personal Status Court in Maysan Governorate saw 8,646 cases of divorce due to domestic violence throughout 2013 and the first quarter of 2014, suggesting a much larger problem.» Source: Minority Rights Group International und Ceasefire, The Lost Women of Iraq: Family-based violence during armed conflict, novembre 2015, p. 17, 30: <http://minorityrights.org/wp-content/uploads/2015/08/Lost-Women-English.pdf>.

Mission d'assistance des Nations Unies pour l'Irak (MANUI) Bureau du Haut-Commissariat aux droits de l'homme et Haut-Commissariat des Nations Unies aux droits de l'homme (HCDH) Bagdad, juin 2013:

«During a visit to Kirkuk Court on 4 July, UNAMI observed a number of cases involving allegations of domestic violence made by women against their husbands. According to investigating magistrates, and although precise statistics are not available, **there appears to be a high incidence of cases of domestic violence in Kirkuk, with a significant rise in numbers since 2011. Although a Family Police Unit (FPU) specialising in cases of domestic violence against women and children was opened in Kirkuk, the unit has limited capacity owing to a lack of suitably qualified staff and inadequate space. The Unit currently has no female staff. The FPU is located on the second floor of a regular police station, which discourages women from entering it. During the reporting period, only a few cases had been referred to the FPU, all of them through women's rights organizations.** (...)»

There were a number of cases of kidnapping of women and girls reported in Kirkuk and Salahaddin governorates, some of which involved allegations that women and girls had been targeted by police officers and members of the security forces involved in trafficking and sexual slavery rackets. These allegations were made to UNAMI in relation to a number of cases by a range of reliable sources, including individual Iraqi citizens, civil society organisations and government officials speaking anonymously, out of fear of possible retaliation if their allegations were to be made public. UNAMI is not able to verify these allegations. However, UNAMI calls on the GoI to do all it can to fully investigate such claims, to protect women who may be the victims of such abuse, and to hold any perpetrators accountable according to law.» Source: Mission d'assistance des Nations Unies pour l'Irak (MANUI) Bureau du Haut-Commissariat aux droits de l'homme et Haut-Commissariat des Nations Unies aux droits de l'homme (HCDH) Bagdad (UN Assistance Mission for Iraq (UNAMI) Human Rights Office, Office of the High Commissioner for Human Rights (OHCHR) Bagdad), Report on Human Rights in Iraq: July–December 2012, juin 2013, p. 19: www.ohchr.org/Documents/Countries/IQ/HRO_July-December2012Report.pdf.

Nina, 18 février 2017:

«Despite the struggle and the turbulent situation in Iraq, **shelters for women fleeing from persecution or domestic violence are banned.** The government maintains a hardline approach against opening shelters for battered women despite rising levels of violence against women and the security and political turmoil in Iraq. (...)»

The progression of women has been forgotten to the extent such that **it is now thought that women shelters “are thought of as encouraging women to disobey their husbands and daughters to disobey their parents. This leads to the presumption that a shelter – a place where a group of immoral women reside without a male guardian – is likely a brothel”**<http://nina-iraq.com/2017/02/18/call-protection-patriarchy/> - [_ftn4](#) according to Yanar Mohammed director of the Organization for Women’s Freedom in Iraq (OWFI). This attitude reflects the high levels of patriarchy and misogyny in Iraqi society and more importantly the frightening level of neglect and disconcert in securing women’s safety. It is shocking that even a time of such danger and threat from ISIL, patriarchal attitudes and behaviours prevail, even at the level of government.» Source: Nina, A Call for Protection over Patriarchy, 18 février 2017: <http://nina-iraq.com/2017/02/18/call-protection-patriarchy/>.

USDOS, mars 2017:

«Another NGO reported the government refused to register and license its women’s shelters. The government periodically asked the NGO to close them down, even though government officials “unofficially” referred women to the shelters. After each such closure, the shelters would reopen a few days later. (...)

Public policy prevents NGOs from maintaining shelters, which severely limited the number of NGO-run shelters available to victims of gender-based crimes and their ability to access health care and psychosocial support. The Organization for Women’s Freedom in Iraq (OWFI) recommended legislation to provide a legal status for women’s shelters administered by NGOs. **While the government does not have a law that explicitly prohibits NGO-run shelters, current law allows the Ministry of Labor and Social Affairs to determine if a shelter can remain open.** OWFI reported that many communities viewed the shelters as brothels and asked the government to close them down. To appease community concerns the ministry regularly closed shelters, only to allow them to reopen in another location and at a later date.

The Ministry of Interior maintained 16 family protection units around the country, which aimed to resolve domestic disputes and establish safe refuges for victims of sexual or gender-based violence. These units tended to prioritize family reconciliation over victim protection and lacked the capacity to support victims. Hotline calls went to the male commanders of the units, which did not follow a regular referral system to provide victims with services, such as legal aid or safe shelter. Victims of domestic violence in Basrah told UNAMI they feared approaching the family protection units, because they suspected that police would immediately inform their families of their testimonies. **Shelters for victims of domestic abuse were limited; the family protection units in most locations did not operate shelters. Safe houses, which the government and NGOs operated, were often targets for violence.** Minority Rights Group International, an EU-funded human rights organization, noted that the Ministry of Interior Family Protection Units, responsible for receiving complaints about domestic violence, recorded a total of 22,442 cases of family violence across the country between 2010 and November 2014, the latest date for which statistics were available. (...)

Birth Registration: The constitution states that anyone born to at least one citizen parent is a citizen. Failure to register births resulted in the denial of public services such as education, food, and health care. **Single women and widows often had problems registering their children.** Although in most cases authorities provided birth certificates after registration of the birth through the Ministries of Health and Interior, this was reportedly a lengthy and at times

*complicated process. The government was generally committed to children's rights and welfare, although it **denied benefits to noncitizen children. Families of noncitizen children had to pay for services, such as public schools and health services that were otherwise free.***» Source: USDOS, Country Report on Human Rights Practices 2015 – Iraq 2016, mars 2017 p. 48, 50-51, 55: www.state.gov/documents/organization/265710.pdf.