

**Series of Online Roundtables - Dealing with Sexual and Gender-Based Violations in Iraq: A Gender-transformative Approach to Justice**

**Panelists**

**Dr Ilham Makki**, Gender Adviser, Iraqi al-Amal Association

**H.E Michel Rentenaar**, Ambassador of the Netherlands to Iraq

**Mr. Bahaa Al Kays**, Advisor to the Minister of Immigration and the Displaced for Civil Society Affairs, Iraq

**Dr. Yosra Karim Mohsen**, Director General of the Women Empowerment Department of the Council of Ministers, Iraq

**Dr. Ebtissam Aziz**, Director General of the Protocol Department, Iraq

**Mr. Noel Kututwa**, Senior Women Protection Adviser, United Nations Assistance Mission for Iraq (UNAMI)

**Moderator:** Mr. Jamal Al Jawahiri, Executive Director, Iraqi al-Amal Association

**Roundtable 1: SGBV Mapping Report Launch and discussion on how to Move Forward**

**OVERVIEW**

Marking the 20th anniversary of the United Nations Security Council Resolution 1325 on Women, Peace and Security, [Impunity Watch](#), [Iraqi Al-Amal Association](#) and [PAX](#) organised a series of three virtual roundtables on sexual and gender-based violence (SGBV) in Iraq. The first roundtable was held on 21 October 2020, when the mapping report on “[Sexual and Gender-Based Violence in Iraq](#)” (2003-2018) was launched, followed by a discussion of the findings by the lead researcher and representatives of Iraqi CSOs, government authorities, international organizations and experts in the field.

The session explored the root causes of SGBV in Iraq, by looking at historical and cultural factors, the existing legal framework, and the procedures for referral of cases. Participants then proposed actionable recommendations to tackle SGBV in Iraq, such as amendments to existing laws, and means to increase the responsiveness of the relevant national and local authorities.

**ROOT CAUSES OF SGBV IN IRAQ**

Participants discussed the root causes of SGBV in Iraq in the context of structural injustices and communal norms. The lead researcher, Ilham Makki, presented the main findings of the mapping report and shed light on the flawed official referral system for cases of SGBV, which is contributing to the increase of violations and reinforcing a culture of fear in the community for women survivors. To address this, a majority of participants emphasized the need to reform the referral and protection system, making sure that women are actively participating in this process and decision-making around it. The main priorities identified for the reform process included engagement with all stakeholders including the community and official authorities, to support women to report, and protect them from reprisals. One of the CSO representatives suggested working with specific dedicated units within the ministries, and to complement reforms with media work and education to improve their social acceptance.

## REPORTING GAPS

Participants highlighted the gaps in the reporting of SGBV cases, and noted the lack of accurate statistics, attributed mainly to the stigma associated with SGBV in Iraq. Indeed, there is a general fear among women to talk about these violations, especially in the absence of legal and communal safeguards that protects them from revenge and retaliation. Participating international actors highlighted the role of international NGOs and supporting states, in breaking the culture of silence as part of the global effort to combat SGBV, shed light on survivors' stories, and stop victim-blaming. The researcher highlighted that 2014 was a key year for the analysis of SGBV in Iraq, as three governorates fell under the control of ISIS resulting in gross violations against Yazidi women. The courageous advocacy by Yazidi women about the violations they suffered has contributed to breaking the taboo around SGBV in Iraq.

## FLAWED LEGAL FRAMEWORK

Participants reviewed the existing legal framework and laws relevant to SGBV, regarding both the survivors and perpetrators. A key legal recommendation was to review the mitigating measures for

so-called honour crimes. Participants highlighted that changing the law is only a starting point, and can only have impact in parallel to a change in social norms, on the community level. On this note, the Director General of the Protocol Department, Dr. Ebtissam Aziz, mentioned that the department is reviewing legislation related to domestic violence, and had suggested the creation of safe spaces for women and a hotline. Additionally, she mentioned that the Protocol Department worked on the submission of the draft law for survivors of ISIS crimes, formerly known as the Yazidi survivors' law, in order to make the legislation more inclusive of all women that suffered from conflict-related SGBV. One of the participants recommended a revision of the definition of rape in the penal code, especially given that it does not address related key concepts of consent, and sexual assault.

Nonetheless, participants noted that progress had been made via a [joint communiqué on prevention and response to conflict-related sexual violence](#) between the Iraqi government and the UN office of the Special Representative of the Secretary General on Sexual Violence in Conflict, which is a milestone and an opportunity to address the plethora of issues related to SGBV.

## RECOMMENDATIONS

- I. In the context of the UNSCR 1325, participants emphasized the crucial role of women, in the design, development and implementation of all SGBV related policies. To achieve this, there was a collective call to engage women at all levels of decision making, in order to design policies and procedures that respond to the needs of survivors and their families.
- II. Work on SGBV issues in Iraq should be a joint effort, bringing together CSOs, and the government, (including the relevant executive bodies and the parliament) and international actors. Dr. Yosra Karim Mohsen, Director General of the Women Empowerment Department of the Council of Ministers said that the main root causes, which are preventing the change of the current laws, are cultural and centered on the community's beliefs in masculinity and honor. Through awareness raising on the community level, legislators need to have the supporting environment for them to be able to introduce amend laws. Ambassador of the Netherlands to Iraq H.E Michel Rentenaar recommended that women from different backgrounds should be included in the decision making process. The security policy should be based on women policy recommendations as well as an understanding of the different gender roles. All sides should be engaged in developing this policy including the Ministry of Interior and the Ministry of Defense.
- III. The Iraqi state should work on a number of action points, such as the ratification and amendment of laws to ensure protection for SGBV survivors; the review of its reservations to CEDAW; the establishment of a framework for the rehabilitation of SGBV survivors; creating safe spaces for SGBV survivors; and providing psychosocial support for women survivors.

**To know more about SGBV in Iraq:**

**[Sexual and Gender Based Violence in Iraq 2013-2018: A Mapping report](#)**

**[Stories of Iraqi women survivors of SGBV: I Fought Back and Survived](#)**