

Iraq



Population: 29,671,605 (July 2010 est.)
Population Growth Rate: 2.449% (2010 est.)
29.41 births/1,000 population (2010 est.)
Birth Rate: 30.09 births/1,000 population
Life Expectancy: total population: 70.25 years; male: 68.88 years; female: 71.69 years (2010 est.)
Literacy Rate: total population: 74.1%; male: 84.1%; female: 64.2% (2002 est.)
Net Migration Rate: NA
Unemployment Rate: 15.2%
Gross Domestic Product Per Capita: \$3,600 (2009 est.)
Religions: Muslim 97% (Shia 60%–65%, Sunni 32%–37%), Christian or other 3%
Languages: Arabic, Kurdish (official in Kurdish regions), Turkoman (a Turkish dialect), Assyrian (Neo-Aramaic), and Armenian
Ethnic Groups: Arab 75%–80%, Kurdish 15%–20%, Turkoman, Assyrian, or other 5%
Capital: Baghdad¹

Trafficking Routes

Iraq is a country of origin and destination for trafficked persons. Trafficking routes allow Iraqi women and children to be kidnapped and trafficked to Syria and Jordan, or to Gulf regions such as Saudi Arabia and the United Arab Emirates.² It is suspected that many of the trafficked children are also sold to European countries, particularly to the Netherlands and the United Kingdom.³ Iraq is also a destination country for victims trafficked from low-wage Asian countries such as the Philippines, India, Pakistan, Sri Lanka, Nepal, and Pakistan for labor exploitation.⁴ Although this practice occurred before the current war, the rate of such incidences being reported has increased since the war began.⁵

¹ CIA, World Fact Book, available at:

<https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html> (last visited Jan. 29, 2010).

² Rania Abouzeid, *Iraq's Unspeakable Crime: Mothers Pimping Daughters*, TIME MAGAZINE, (Mar. 7, 2009), available at: <http://www.time.com/time/world/article/0,8599,1883696,00.html>.

³ United Nations Integrated Regional Information Network, *Iraq: Concern over Reports of Child Trafficking*, (June 29, 2006), available at: <http://www.irinnews.org/report.aspx?reportid=27083>.

⁴ David Isenberg, Asia Times Online, *Slaving Away for Uncle Sam*, 2 August 2007. See also, Jim Kouri, AMERICAN CHRONICLE, *Human Trafficking and Sexual Exploitation in Iraq*, (Mar. 7, 2006), available at: <http://www.americanchronicle.com/articles/view/6600>.

⁵ Human Rights Watch, *Climate of Fear: Sexual Violence and Abduction of Women and Girls in Baghdad*, (July 15, 2003), p.3, available at: <http://www.hrw.org/reports/2003/iraq0703/iraq0703.pdf>.

Factors That Contribute to the Trafficking Infrastructure

The US-led war in Iraq and subsequent sectarian violence and instability have led to a number of factors that have increased the amount of trafficking in persons both to and from the country. More than 4.7 million Iraqis have left their homes, with 2.7 million being internally displaced persons, who are at a great risk of being victims of trafficking.⁶

The atmosphere of instability in Iraq leads to an extreme human rights abuses, the conditions for trafficking are ripe in this country. Violence against women and young girls in Iraq is a serious problem; members of insurgent groups, soldiers, militia, and police are among the chief perpetrators of the heinous abuses against women. Even convictions in high profile cases against the police are rare; more often than not the men walk free.⁷

In Iraq, human trafficking is linked with money and drug trafficking, document forgery, with terrorist networks, networks of prostitution, and foreign and forced labor. Criminals are known to exploit the economic conditions and the security situation within Iraq and with the absence of the government's capability of protecting the people and protecting itself - these gangs make trade deals that change the lives of thousands of Iraqi women and children. Women are considered a cheap commodity and are exploited through slave trading and human trafficking. These women live in harsh conditions, are threatened and humiliated daily, and in many cases beaten and killed.⁸

The security improvements of 2008, however, did not ease Iraq's crisis of displacement. About 2.8 million Iraqis are currently displaced within the country's own borders, and another 2 million have been displaced abroad, many in Syria and Jordan.⁹ The more than 2 million refugees that have fled to neighboring states are also at risk of being exploited and trafficked. In Syria, for example, where there are between 1.2 million and 1.4 million Iraqi refugees, Iraqis are prohibited from working once they have their passport stamped upon crossing the Syrian border. Though many Iraqis are hired illegally and some are issued work permits, Syrian authorities have reported an increase in the growing number of refugees in the sex trade, who are reportedly forced into prostitution by their families to earn money.¹⁰

Massive numbers of Iraqi refugees are poor and reside in low-income areas in Damascus, Amman, Beirut, and Cairo. There are reports of women and young girls being forced into prostitution, or "survival" sex, and children being forced into labor and other forms of exploitation in order to survive.¹¹ With the lack of economic growth due to the Iraq War and the recent fall in oil prices, families have become increasingly desperate to find ways to support themselves; mothers often resort to selling their teenage daughters to make a living.¹²

⁶ United Nations High Commissioner of Refugees, *The Iraq Situation: The Continuing Needs of Iraq's Displaced*, (2008), available at: http://www.networklobby.org/issues/global_peace/Iraqrefugees-IDPs11-07.pdf, and United Nations Children's Fund, *Iraq—Country in Crisis*, (Oct. 2004), available at: <http://www.unicef.org/emerg/iraq/index.html>.

⁷ Human Rights Watch, *World report 2009 – Iraq*, available at: <http://www.hrw.org/en/world-report-2009/iraq>.

⁸ *Universal Period Review (UPR) Appreciation of the Comprehensive Periodic Review / Iraq -2010, Organizations of Civil Society, Trafficking in Human Beings Report*, PUBLIC AID ORGANIZATION (Mar. 2010).

⁹ *Supra*, note 7.

¹⁰ Amnesty International, *Iraq: Millions in Flight: The Iraqi Refugee Crisis*, (Sept. 24, 2007), available at: <http://www.amnesty.org/en/library/asset/MDE14/041/2007/en/dom-MDE140412007en.pdf>.

¹¹ United Nations High Commissioner of Refugees, *Supplementary Appeal Iraq Situation Response*, (Jan. 2007), available at: <http://www.unhcr.org/partners/PARTNERS/45a296f24.pdf>.

¹² *Supra*, note 2.

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Missing and/or separated children who are kidnapped and sold, as well as children who are recruited by extremist groups, are ongoing issues, and remain a challenge to prevent. In communities assessed in Anbar, Babil, and Basra, less than 60 percent of children, from ages six to eleven, regularly attended school in the past few months. The gap between the number of boys and girls enrolled, and those who actually attend, remains significant.¹³

Forms of Trafficking

Trafficking in Iraq exists for purposes of prostitution, forced labor, and the trade of human organs.¹⁴ Medical providers, victims, witnesses, and law enforcement agencies have documented reports of sexual violence and abduction. However, an accurate number is impossible to calculate, given the breakdown in keeping accurate and accessible police and hospital records. This is coupled with the fact that many victims do not seek medical attention or justice for fear of retribution. It is assumed, however, that the level of sexual violence and abductions against women has increased sharply since the U.S.-led invasion. One nongovernmental organization estimated in 2006 that more than 3,500 women had gone missing since 2003, and that 25 percent have been trafficked abroad since the beginning of 2006.¹⁵

Frequently, Iraqi women and girls undergo forms of trafficking such as forced labor, sexual exploitation, slavery, and forced servitude. Some are even forced to take part in criminal activity. When mothers sell their daughters into the sex market, female pimps then transport these girls, who can be as young as 11 and 12, after illegally forging passports or “legally” forcing them into marriage. This is because when young girls are married, questions concerning their status and whereabouts are not raised in Iraqi society. Upon arrival to their destination, the girls are then immediately divorced and put to work. By the traffickers’ standards, the younger the girl, the better, because those who reach the age of 20 are considered too old for forced servitude.¹⁶

According to a report by a Baghdad NGOs in 2006, the number of women and children being abducted by Iraqi groups for ransom significantly increased compared to previous years. Out of the 20,000 people abducted, at least half were women and children—both boys and girls, due to the attacks on Iraqi schools.¹⁷

In 2008, Cohen Milstein, represented a trafficking victim and the families of other victims, he filled a lawsuit on behalf of his clients against a U.S. Military contractor, Kellogg Brown and Root, Inc. (KBR), as well as its Jordanian subcontractor, Daoud & Partners. According to the lawsuit, 13 Nepali trafficking victims, ages 18–27, were taken to Iraq against their will to provide labor at a U.S. military base. The men had been recruited to work as kitchen staff in hotels and restaurants in Amman, Jordan. Upon victims’ arrival in Jordan, their passports were taken and they were told that they would be sent to work at a U.S. military base in Iraq. On their way to Iraq, a vehicle containing 12 of the victims was stopped by an insurgent group and

¹³United Nations Children’s Fund, *Iraq: Funding Appeals and Humanitarian Action Updates*, (Jan. 19, 2009), available at: http://www.unicef.org/infobycountry/iraq_31597.html.

¹⁴ *Organ trafficking in Baghdad, US\$ 30,000 for a kidney*, ASIANEWS.IT, (Sept 29, 2004), available at: <http://www.asianews.it/view.php?l=en&art=1577>.

¹⁵ *United Nations Integrated Regional Information Network*, Iraq-Syria: Sex Traffickers Target Women in War-Torn Iraq, (Oct. 26, 2006), available at: <http://www.irinnews.org/Report.aspx?ReportId=61903>.

¹⁶ *Supra*, note 2.

¹⁷ “Child Soldiers Global Report 2008: Iraq” Coalition to Stop the Use of Child Soldiers, (2008), available at: <http://www.childsoldiersglobalreport.org/content/iraq>.

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men executed. The suit claims that the entire trafficking scheme, from their recruitment in Nepal to their employment in Iraq, was the responsibility of KBR and Daoud. After the U.S. Department of Defense investigated the claims and confirmed the facts to be true, the United States has enforced its anti-human trafficking measures.¹⁸

Another form of trafficking is due to the increased demand and therefore the increase in the supply of human organs. Although Iraqi law does permit the donation of organs such as kidneys, it does not permit their sale. However, due to increased poverty rates, it is believed that hundreds of people have been selling their kidneys through organ dealers outside of hospitals in the capitol of Baghdad. With low wages and lack of work opportunities, the desperately poor have turned to selling their kidneys. It costs about \$15,000 for the purchase of a kidney, but only one-third of the profit goes to the donor, and the dealer claims the rest. "It is impossible to know when we check for the donor's health to be able to donate whether they are actually donating them, or whether they have already secured a deal with an organ dealer," states Dr. Walid Al-Khayal, the owner and chief surgeon of a Baghdad clinic.¹⁹

Government Responses

The Government of Iraq is in the process of drafting legislation outlawing human trafficking. The draft law stipulates life imprisonment and a maximum fine of 25 million dinars if the victim "is under 15, or female, or has special needs."²⁰ If the trafficker is a family member or caretaker of the victim a similar punishment is applicable. The draft law however fails to address the trafficking of women using religious justification, including entering into a temporary marriage with the intent of trafficking across borders.²¹

The draft legislation, if passed, will replace the former Iraqi criminal code which considered slavery and trafficking illegal but failed to include laws defining and criminalizing trafficking specifically. The indirect nature of the laws outlined in the criminal code left a large protection gap for victims. Penalties that were defined by the criminal code of 1969 and could be associated with human trafficking include the following; article 393, outlawing rape, article 421 criminalizes kidnapping and article 424 section 3 and 4 outlawing the promotion of prostitution or owning a brothel.²²

The Iraqi government does not currently offer protection services to victims of trafficking. As of 2008, the government had yet to prosecute any traffickers and had successfully prevented any nongovernmental organizations from visiting prisons where incarcerated victims of trafficking have been identified.²³ According to Iraq's former Minister of Women's Affairs Nawal al-Samarraie, "The ministry is just an empty post; why do I come to the office every day

¹⁸ Reuters News, *Cohen Milstein Files Human Trafficking Victims Lawsuit Against U.S. Military Contractors*, (Aug. 27, 2008), available at: <http://www.reuters.com/article/pressRelease/idUS183487+27-Aug-2008+BW20080827>.

¹⁹ *Poverty Drives Iraq Organ Trade*, AL-JAZEERA NEWS, MIDDLE EAST, (July 20, 2009), <http://english.aljazeera.net/news/middleeast/2009/07/200972052636416787.html>.

²⁰ Rania Abouzeid, *Will Iraq Crack down on Sex Trafficking*, TIME, Apr. 13, 2009, available at: <http://www.time.com/time/world/article/0,8599,1890728,00.html>.

²¹ *Id.*

²² SHERIZAN MINWALLA AND SCOTT PORTMAN, HEARTLAND ALLIANCE, HUMAN TRAFFICKING IN IRAQ: PATTERNS AND PRACTICES IN FORCED LABOR AND SEXUAL EXPLOITATION, (2007), available at: <http://www.heartlandalliance.org/whatwedo/advocacy/reports/human-trafficking-in-iraq.html>.

²³ *Supra*, note 2.

if I don't have any resources?" Al-Samarraie resigned in February 2009 to protest the lack of resources being provided by the government.²⁴

Nongovernmental and International Organizations Responses

The Organization of Women's Freedom in Iraq (OWFI), a women's rights NGO founded in 2003, is a leading organization in the fight against trafficking in Iraq. The organization aims to protect women who are victims of violence due to religious traditions in Iraq and random acts of aggression.²⁵ The director of the organization, Yanar Mohammed, has discussed the role of corruption within government as a major challenge in enforcement and protection of victims. He has also rebuffed politicians who downplay the severity of trafficking in Iraq. When the former minister of Women's Affairs claimed that sex-trafficking was limited in Iraq he replied with disbelief saying, "let me take her to the nightclubs in Damascus and show her [trafficked] women by the thousands."²⁶ Activists are now going undercover, as pimps, to document trafficking in persons within Iraq. By infiltrating trafficking rings and taking photographs of the women being trafficked, they hope to be able to prosecute traffickers and identify the victims.²⁷ OWFI also runs multiple shelters for victims of gender-based violence, including women who have been trafficked.²⁸

Many organizations have reported difficulty in operating shelters for women citing government bureaucracy and obstructionist policies. In order to open a shelter, an organization must first secure permission from four ministries and the Baghdad city council.²⁹

Multilateral Initiatives

In early 2009, Heartland Alliance implemented a two-year prevention, education, and protection services project to address the needs of Iraqi sex trafficking victims in Jordan, Syria, and Lebanon, as well as within Iraq's own borders. The project aims to develop partnerships with women's NGOs, UN agencies, and law enforcement agencies, and develops training programs for agencies and law enforcement officials who protect and provide services to victims of trafficking. The goal is to better understand trafficking networks so that they may develop preventative measures for the future.³⁰

The International Organization for Migration (IOM) established a multitude of programs in 2003 in Iraq to deal with the overwhelming number of humanitarian issues. One of these programs,—the Multi-Action Program for Prevention, Protection, and Assistance to Iraqi Victims of Trafficking in Lebanon, Syria, Iraq, and Jordan,—specifically addresses the need to identify and protect victims of trafficking, as well as to prevent trafficking altogether. The IOM

²⁴ *Id.*

²⁵ *Supra*, note 2.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Supra*, note 22.

²⁹ Brian Bennett, *Stolen Away*, TIME, (Apr. 23, 2006), available at: <http://www.time.com/time/magazine/article/0,9171,1186558-2,00.html>.

³⁰ *Regional Protection for Iraqi Victims of Sex Trafficking*, HEARTLAND ALLIANCE: INTERNATIONAL PROGRAMS, (2009), available at: <http://www.heartlandalliance.org/international/wherewework/project-pages/regional-protection-trafficking.html>.

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works closely with the United Nations High Commissioner for Refugees on cases where victims are given refugee status and are in the process of resettlement.³¹

³¹ *IOM Iraq Mission Statement*, INTERNATIONAL ORGANIZATION ON MIGRATION, (Feb. 5, 2008) available at: <http://www.iom.int/jahia/Jahia/about-iom/lang/en>.