

March 2021

Building the Evidence Base for Effective Antislavery  
Governance

# Iraq Country Profile

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# About this report

This report was prepared by Dr Ana Valverde-Cano (Rights Lab Research Fellow in Antislavery Law and Policy), Dr Katarina Schwarz (Rights Lab Associate Director), and Dr Daniel Ogunniyi (Rights Lab Research Fellow).

The report is based primarily on research conducted from 2020-2021 and may not therefore consider more recent emerging evidence. Updates to the report to reflect new and emerging evidence are ongoing.

The authors welcome enquiries on the report and the project more broadly, which may be directed to Katarina Schwarz at [Katarina.Schwarz@nottingham.ac.uk](mailto:Katarina.Schwarz@nottingham.ac.uk)

# About the project

The report was produced to support the research project ‘Building the Evidence Base for Effective Antislavery Governance in the UK and the Top 20 UK Source Countries’, funded by the Modern Slavery and Human Rights Policy and Evidence Centre. The research team consisted of Dr Katarina Schwarz (Rights Lab, University of Nottingham), Dr Ana Valverde-Cano (Rights Lab), Dr Daniel Ogunniyi (Rights Lab), Alexandra Williams-Woods (CSIS, University of Liverpool), and Prof Jean Allain (Wilberforce Institute, University of Hull).

The **Rights Lab** is a University of Nottingham “Beacon of Excellence” and home to the world’s largest and leading group of modern slavery researchers. Through its five research programmes, impact team, and INSPIRE project, the Rights Lab is underpinning antislavery with an advanced research agenda, collaborating with civil society, business, and government, and elevating survivor-informed research as a key part of knowledge production to help end slavery.

The **Wilberforce Institute** at the University of Hull aims to advance fundamental knowledge of slavery and emancipation, informing policy, business practice and public debate at local, national and international levels. The Wilberforce Institute brings together experts in humanities, law and social sciences to help tackle this global problem head on.

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# 1. Overview of antislavery and anti-trafficking governance in Iraq

## 1.1. The Walk Free Foundation's Global Slavery Index<sup>1</sup>

	Vulnerability		Prevalence			Government response	
	Ranking <sup>2</sup>	Score <sup>3</sup>	Ranking <sup>4</sup>	Absolute <sup>5</sup>	/ 1000 <sup>6</sup>	Ranking <sup>7</sup>	Rating <sup>8</sup>
<b>2013</b>	17	68.34	104	27,000	0.82	-	-
<b>2014</b>	16	71.7	13	345,900	10.3	158	D
<b>2016</b>	9	63.83	13	403,800	11.3	-	-
<b>2018</b>	9	85.7	65	174,000	4.8	-	-

Although the nature of modern slavery makes measuring the phenomenon an inherently difficult task, the Walk Free Foundation's Global Slavery Index (GSI) aims to provide the 'best available data and information about the scale and regional distribution of modern slavery'.<sup>9</sup> This includes **national prevalence estimates** of the number of people experiencing modern slavery in each country, calculated on the basis of a predictive model that accounts for individual and country-level risk factors.

National prevalence estimates are analysed in the context of results of Walk Free's **Vulnerability Model**. This model uses 'statistical testing and processes to identify the factors that explain or predict the prevalence of modern slavery'.<sup>10</sup> The 2018 Vulnerability Model features five factors, made up of 23 distinct variables: governance issues, lack of basic needs, inequality, disenfranchised groups, and effects of conflict.

Walk Free also tracks **government responses** to modern slavery, tracking government efforts across five milestones: (1) survivors of slavery are identified and supported to exit and remain out of slavery; (2) criminal justice mechanisms function effectively to prevent modern slavery; (3) coordination occurs at the national and regional level, and governments are held to account for their response; (4) risk factors such as attitudes, social systems, and institutions that enable modern slavery are addressed; and (5) government and business stop sourcing goods and services produced by forced labour.<sup>11</sup>

It should be noted that the scope, methodology, and sources underpinning GSI findings has changed over the years. This means that data between different reporting years is not directly comparable.

<sup>1</sup> Walk Free Foundation, 'The Global Slavery Index 2013' (2013), available [here](#); 'The Global Slavery Index 2014' (2014), available [here](#); 'The Global Slavery Index 2016' (2016), available [here](#); 'The Global Slavery Index 2018' (2018), available [here](#) accessed 09 November 2020.

<sup>2</sup> Note: a higher ranking (closer to 1) indicates high vulnerability relative to other countries.

<sup>3</sup> Note: a higher score indicates increased vulnerability to modern slavery, with a median country score of 47.28 in 2018.

<sup>4</sup> Note: a higher ranking (closer to 1) indicates a high number of people experiencing modern slavery per 1000 in the overall population relative to other countries.

<sup>5</sup> Note: absolute prevalence measures the estimated number of people experiencing modern slavery in the country.

<sup>6</sup> Note: prevalence /1000 measures the number of people estimated to experience modern slavery per 1000 people in the overall population.

<sup>7</sup> Note: a higher ranking (closer to 1) indicates better government responses to modern slavery relative to other countries.

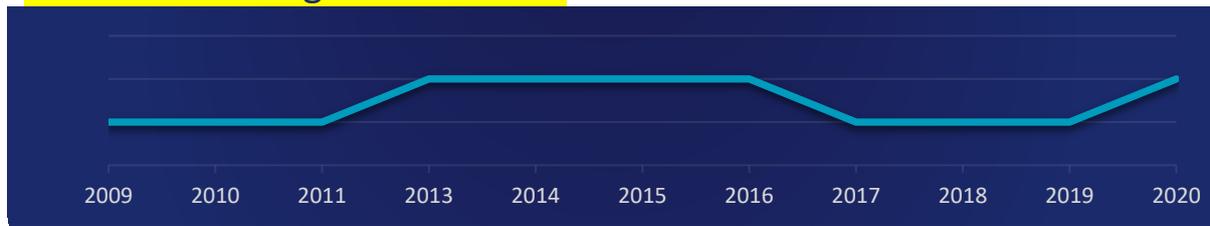
<sup>8</sup> Note: government response ratings are broken into scoring bands, with an A rating representing the strongest government response to modern slavery (with a score of 70-79.9), followed by BBB (60-69.9), BB (50-59.9), B (40-49.9), CCC (30-39.9), CC (20-29.9), C (10-19.9), and D (<0-9.9).

<sup>9</sup> Walk Free Foundation, 'Global Findings' (2018), available [here](#).

<sup>10</sup> Walk Free Foundation, 'Methodology: Vulnerability' (2018), available [here](#).

<sup>11</sup> Walk Free Foundation, 'Methodology: Government Response' (2018), available [here](#).

## 1.2. TIP Rankings 2001-2020<sup>12</sup>



The Trafficking in Persons report ranks countries into one of four tiers, as mandated by the Victims of Trafficking and Violence Protection Act 2000 (TVPA). A country's ranking is based on an assessment of the government's efforts to address trafficking in persons, rather than on the extent of trafficking within the country, and considers government action against the TVPA's minimum standards.<sup>13</sup>

**Tier 1:** Countries whose governments fully meet the TVPA's minimum standards for the elimination of trafficking. To maintain a Tier 1 ranking, the country must continue to make progress in its anti-trafficking efforts each year.

**Tier 2:** countries whose governments do not fully meet the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards.

**Tier 2 Watch List:** Countries whose governments do not fully meet the TVPA's minimum standards but are making significant efforts to bring themselves into compliance with those standards, and for which:

- (a) the absolute number of victims of severe forms of trafficking is very significant or is significantly increasing;
- (b) there is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year, including increased investigations, prosecution, and convictions of trafficking crimes, increased assistance to victims, and decreasing evidence of complicity in severe forms of trafficking by government officials; or
- (c) the determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional steps over the next year.

**Tier 3:** Countries whose governments do not fully meet the TVPA's minimum standards and are not making significant efforts to do so. Countries ranked as Tier 3 may be subjected to restrictions on non-humanitarian, non-trade foreign assistance from the US. Impositions of such restrictions are determined by the President.<sup>14</sup>

<sup>12</sup> US Department of State, '2020 Trafficking in Persons Report' (2020), available [here](#); (2019) available [here](#); (2018), available [here](#); (2017), available [here](#); (2016), available [here](#); (2015), available [here](#); (2014), available [here](#); (2013), available [here](#); (2012), available [here](#); (2011), available [here](#); (2010), available [here](#); (2009), available [here](#); (2008), available [here](#); (2007), available [here](#); (2006), available [here](#); (2005), available [here](#); (2004), available [here](#); (2003), available [here](#); (2002), available [here](#); (2001), available [here](#)

<sup>13</sup> Minimum standards for the elimination of trafficking are found in section 108, Victims of Trafficking and Violence Protection Act 2000 (United States), available [here](#).

<sup>14</sup> See further Department of State (2020), above n **Error! Bookmark not defined.**, 40-41.

### 1.3. Quantitative measures on anti-trafficking governance (TIP Reports)<sup>15</sup>

Measure	Year	Qty	
Estimated number of people that remain internally displaced	2020	1,96 m	[1]
Trafficking shelters	2019	1	[2]
Trafficking victims identified	2019	72	[2] <sup>16</sup>
Trafficking victims identified	2018	148	[2]
Trafficking cases investigated	2018	362	[4]
Trafficking convictions	2018	56	[4]
Trafficking cases investigated	2017	266	[4]
Trafficking victims identified	2017	42	[3]
Trafficking convictions	2017	22	[4]
Labour inspections conducted	2017	9,129	[5]
Number of labour inspectors	2017	98	[5]
Trafficking victims identified	2016	29	[3]

### 1.4. 1.4 Statistics on children's work and education<sup>17</sup>

	Age	Percent
Working (% and population)	5 to 14	5,3 (454,330)
Attending School (%)	5 to 14	75,0
Combining Work and School (%)	7 to 14	4.2
Primary Completion Rate (%)		Unavailable

Children faced numerous barriers to accessing education, including displacement, the lack of schools nearby, the use of schools as shelters by internally displaced persons (IDPs), costs of transportation and school supplies, lack of sufficient educational facilities, and IDPs' and refugees' lack of identification documents. Children in Iraq engage in the worst forms of child labour, including in forced recruitment, forced begging and commercial sexual exploitation, each sometimes as a result of human trafficking.

<sup>15</sup> Sources:

[1] Global Conflict Tracker, 'Iraq' (2020) <<https://www.cfr.org/global-conflict-tracker/conflict/political-instability-iraq>> accessed 19 October 2020.

[2] US Department of State, above n 12.

[3] Human Rights Council, '2019 National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21' (22 August 2019) A/HRC/WG.6/34/IRQ/1.

[4] US Department of State, '2019 Trafficking in Persons Report' (2019) <<https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>> accessed 26 August 2020.

[5] US Bureau of International Labour Affairs, '2018 Findings on the Worst Forms of Child Labor' (US Department of Labour, 2018) <[https://www.dol.gov/sites/dolgov/files/ILAB/child\\_labor\\_reports/tda2018/ChildLaborReportBook.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2018/ChildLaborReportBook.pdf)> accessed 19 October 2020.

<sup>16</sup> Of which 51 were male and female victims of sex trafficking, 6 child trafficking victims, and 10 foreign labour trafficking victims

<sup>17</sup> US Bureau of International Labour Affairs, '2018 Findings on the Worst Forms of Child Labor- Iraq' (US Department of Labour, 2018)

<[https://www.dol.gov/sites/dolgov/files/ILAB/child\\_labor\\_reports/tda2018/Iraq.pdf](https://www.dol.gov/sites/dolgov/files/ILAB/child_labor_reports/tda2018/Iraq.pdf)> accessed 09 November 2020



## 2. Treaty commitments<sup>18</sup>

Instrument	Ratification date
1926 Slavery Convention	18 January 1929
1953 Protocol to the Slavery Convention	23 May 1955
1930 Forced Labour Convention	27 November 1962
2014 Protocol to the Forced Labour Convention	N/A
1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery	30 September 1963
1957 Abolition of Forced Labour Convention	15 June 1959
1966 International Covenant on Civil and Political Rights (ICCPR)	25 January 1971
1966 Optional Protocol to the ICCPR	N/A
2005 Council of Europe Convention on Action against Trafficking in Human Beings	N/A
1990 Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	N/A
1998 Rome Statute of the International Criminal Court	N/A
1999 Worst Forms of Child Labour Convention	9 July 2001
2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children	9 February 2009
2000 Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography	24 June 2008
2000 Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict	24 June 2008
2011 Domestic Workers Convention	N/A
<b>Regional and bilateral agreements</b>	
1969 Organisation of Islamic Cooperation	1975
2002 Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime	2002
<b>Key International Commitments</b>	
1948 Universal Declaration of Human Rights	
1985 Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power	
2005 UN Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law	
2015 UN Sustainable Development Goals (5.3, 8.7)	
2017 Call to Action to End Forced Labour, Modern Slavery and Human Trafficking	

<sup>18</sup> UN Treaty ratification info sourced from UN Treaty Collection available [here](#); ILO Convention ratifications available [here](#); Rome Statute ratification status available [here](#). Membership data on the 2017 Call to Action is found at Delta8.7, 'Call to Action' available [here](#), accessed 09 November 2020

## 3. General country context

### 3.1. Constitutional structure<sup>19</sup>

The Republic of Iraq operates a multiparty, unitary, representative, parliamentary democracy system with a bicameral legislature.<sup>20</sup> Under the 2005 Constitution,<sup>21</sup> two deliberative bodies are vested with legislative power: the Council of Representatives (*Majlis al-Nawwāb*) and the Council of Union (*Majlis al-Ittiḥād*), the former electing the President of the Republic by a two-thirds vote. The executive branch is composed of the President of the Republic and the Council of Ministers, headed by the Prime Minister. The President is elected to a term of four years, and is limited to serving only two terms. The Prime Minister is nominated by the Council of Representatives from the largest bloc and appointed by the President.<sup>22</sup> He or she heads the government, while the President has limited executive power (Article 73 of the Constitution). The judiciary is free and independent of the executive and the legislature (Article 87 and 88), in a hierarchical system where the Supreme Court is the highest federal court, consisting of judges with expertise in Islamic law.<sup>23</sup> Judicial affairs in Iraq are administered by the Supreme Judicial Council, which intervenes in the nomination of high judicial officials, such as the Supreme Court.<sup>24</sup> The Federal Supreme Court has the power to interpret the constitution and determine the constitutionality of approved laws and regulations, and its decisions are 'final and binding on all authorities' (Article 94). This means that it has the power to overturn laws and regulations approved by the legislative and executive branches when they conflict with the provisions of the Constitution.<sup>25</sup>

Iraq is divided administratively into 18 muḥāfaẓāt (governorates), 3 of which constitute the autonomous Kurdistan Region.<sup>26</sup> Although the Kurdish Autonomous Region was formed by government decree in 1974, is not until Iraq's 2005 Constitution when recognition and protection of Kurdish self-determination rights are endowed, including Kurdish culture and language.<sup>27</sup> It also authorizes the establishment of future regions in other parts of Iraq as part of a federal state. Regarding Iraq's legal system, it fits within the more general legal tradition of civil law. However, a mixture of other legal traditions and customs have

<sup>19</sup> See an unofficial English version of the Iraq's Constitution: <[https://www.constituteproject.org/constitution/Iraq\\_2005.pdf?lang=en](https://www.constituteproject.org/constitution/Iraq_2005.pdf?lang=en)> accessed 13 October 2020.

<sup>20</sup> Stanford Law School and American University of Iraq, 'Constitutional Law of Iraq' (2013) 12 <<https://law.stanford.edu/wp-content/uploads/2018/04/ILEI-Constitutional-Law-2013.pdf>> accessed 13 October 2020.

<sup>21</sup> Pursuant the overthrow of the Ba'ath government in 2003 by the United States and its coalition allies, twenty-five members of the Iraqi Governing Council (IGC) signed the Transitional Administrative Law (appointed by the established Coalition Provisional Authority, headed by a senior American diplomat). The IGC approved an interim constitution in March 2004, and a permanent constitution was approved by a national plebiscite in October 2005. See further: *ibid*, 9 ff.; Britannica Encyclopaedia, 'Iraq' (8 October 2020) <<https://www.britannica.com/place/Iraq>> accessed 13 October 2020. For an in-depth analysis of the Constitutional process and trade-offs, see: Haider Ala Amoudi, *Negotiating in civil conflict: constitutional construction and imperfect bargaining in Iraq*, (University of Chicago Press, 2013).

<sup>22</sup> It has been highlighted that the federal executive power in Iraq is exercised through a "hybrid presidential-parliamentary executive", which means that Iraq's executive represents a broader representation than a simple majority. See: John McGarry and Brendan O'Leary, 'Iraq's Constitution of 2005: Liberal Consociation as Political Prescription' (2005) 5 *International Journal of Constitutional Law* 670.

<sup>23</sup> 'Members of the Supreme Court are required to be experts in civil law and Muslim canon law and are appointed by two-thirds majority of the legislature'. See Britannica Encyclopaedia, above n 21.

<sup>24</sup> See Constitutionnet, 'Constitutional history of Iraq' (2012) <<http://constitutionnet.org/country/constitutional-history-iraq>> accessed 13 October 2020.

<sup>25</sup> See further Stanford Law School and American University of Iraq, above n 20, 21 ff.

<sup>26</sup> 'Each governorate has a governor, or muḥāfiz, appointed by the president. The governorates are divided into 91 aqdiyyah (districts), headed by district officers, and each district is divided into nāhiyāt (tracts), headed by directors. Altogether, there are 141 tracts in Iraq. Towns and cities have their own municipal councils, each of which is directed by a mayor. Baghdad has special status and its own governor'. See further Britannica Encyclopaedia, above n 21.

<sup>27</sup> International Institute for Democracy and Electoral Assistance, 'Annual Review of Constitution-Building Processes: 2017' (2018) 29 <<http://constitutionnet.org/sites/default/files/2018-12/annual-review-of-constitution-building-processes-2017.pdf>> accessed 13 October 2020.

influenced the Iraqi legal order, shari'a law and the common law tradition.<sup>28</sup> Article 2 of the Constitution specifically envisions that "No law may be enacted that contradicts the established provisions of Islam".

### 3.2. Political context

Political divisions, high unemployment and recurrent wars remain a source of instability in Iraq. Following the liberation from the invasion of Iraq by the Islamic State (IS) group in December 2017,<sup>29</sup> the intensity of conflict in the country decreased, although members of the group continued to carry out deadly attacks and kidnappings. The Kurdish independence referendum in September 2017 reinvigorated internal disputes between the Shi'a paramilitary forces (the Popular Mobilization Forces, PMF), the Iraqi army and the Kurdish forces (Peshmerga), which ceased when the Kurdistan Regional Government (KRG) agreed to suspend the results of the referendum.<sup>30</sup> Current relations between the federal government in Baghdad and the KRG have significantly improved, in spite of the government's reassertion of federal authority in disputed areas, which reportedly resulted in abuses and atrocities by the federal security forces.<sup>31</sup> The State does not maintain monopoly over the use of force, as shows the PMF's low-intensity operations in Sunni areas under the pretence of counterinsurgency that were aligned with Iran.<sup>32</sup>

Within this context, the 2018 parliamentary elections generally met international standards of free and fair elections and led to the peaceful transition of power from Prime Minister Haider al-Abadi to Adil Abd al-Mahdi, an independent politician and a former member of the Supreme Islamic Iraqi Council. A member of the Kurdish PUK party – Barham Saleh – was elected as Iraq's new president,<sup>33</sup> which resulted in a political landscape of the federal government dominated by the Shiite Arab majority.<sup>34</sup> However, widespread negative attitudes towards Iran among the Shiite masses of Iraq fuelled nationwide protests in October 2019 in Baghdad and the South, which brought to substantial changes including the resignation of Prime Minister Abdul-Mahdi in favour of Kadhimi, who has long been accused of being influenced by US.<sup>35</sup>

The country remain highly dependent on the public sector, and corruption remain endemic, undermining governmental performance in protecting socioeconomic and political outcomes, and the rights of citizens.<sup>36</sup> After a period of relatively economic stability, the COVID-19 crisis has threatened Iraqi economy with collapse due to its dependence to the oil sector.<sup>37</sup> This economic pressure risks creating new instability and providing an opening for ISIS, which is already mounting an increasing number of attacks across rural parts of

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<sup>28</sup> Stanford Law School and American University of Iraq, 'Introduction to the Laws of Kurdistan, Iraq. Working Paper Series' (2013) 9 ff. <<https://law.stanford.edu/wp-content/uploads/2018/04/ILEI-Working-Paper-Series-Overview-2013.pdf>> accessed 13 October 2020

<sup>29</sup> For an in-depth description of the IS group's invasion of Iraq, see: Council on Foreign Relations, 'Global Conflict Tracker- Political Instability in Iraq' (12 October 2020) <<https://www.cfr.org/global-conflict-tracker/conflict/political-instability-iraq>> accessed 13 October 2020.

<sup>30</sup> BTI, 'BTI 2020 Country Report' (2020) 3-4 <[https://www.bti-project.org/content/en/downloads/reports/country\\_report\\_2020\\_IRQ.pdf](https://www.bti-project.org/content/en/downloads/reports/country_report_2020_IRQ.pdf)> accessed 13 October 2020.

<sup>31</sup> International Institute for Democracy and Electoral Assistance, above n 27, 32. To see the measures adopted by the government, see pp. 32-34.

<sup>32</sup> US Department of State, '2019 Country Reports on Human Rights Practices: Iraq' (2019) <<https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/iraq/>> accessed 13 October 2020.

<sup>33</sup> Ibid.

<sup>34</sup> Primoz Manfreda, 'Current Situation in Iraq' *ThoughtCo* (14 January 2020) <<https://www.thoughtco.com/current-situation-in-iraq-2353055>> accessed 13 October 2020.

<sup>35</sup> Center for Strategic & International Studies (CSIS), 'The New Three-Dimensional Political Situation in Iraq: An Iraqi Point of View' (19 May 2020) <<https://www.csis.org/analysis/new-three-dimensional-political-situation-iraq-iraqi-point-view>> accessed 13 October 2020.

<sup>36</sup> BTI, above n 30, 4.

<sup>37</sup> Previously, the federal government and the KRG had called on private companies to participate in its reconstruction plans after the IS conflict, working on the 'Agenda 2030' Strategy and the National Development Plan 2018 2022, 'which aim to support short- and long-term reconstruction needs across the country and particularly in areas liberated from the IS group'. Ibid.

Iraq, focused on Diyala, Kirkuk, and Salahaladdin provinces.<sup>38</sup> The escalation in the US-Iran rivalry also threatens stability in Iraq, which risks becoming the 'key battleground' in this struggle.<sup>39</sup>

### 3.3. Migration profile

At mid-2019 the country's emigrant population was estimated in 2 million, while the estimated number of international migrants residing in the country were 368.1 thousand (0,9% of the total population).<sup>40</sup> This low number of immigrants contrasts with the high numbers of them in the countries of the region, such as Iran and Jordan. In terms of emigration, Iraq has large diaspora communities abroad, with common regions of destination being the EU, USA and Gulf Cooperation Council (GCC) states.<sup>41</sup>

In December 2019, it was released the Migration Profile for Iraq, a project assisted by the International Organization for Migration (IOM) which presents facts and figures about migration and offers a statistical overview of migration in Iraq.<sup>42</sup> This report shows that patterns of emigration have shifted significantly since 2003. 'During the period between the Gulf War and 2003, the primary destination for Iraqis migrating abroad was Iran; after 2003, Jordan and Syria emerged as primary destinations. Europe became a major destination after 2014, with Sweden, Germany and the UK standing out as significant destination countries'.<sup>43</sup> While insecurity and economic factors –such as the loss of arable land and water scarcity– have been identified as the top two reasons for migration in Iraq, lack of educational opportunities and poor-quality education remain also as important push factors for migration.<sup>44</sup> 'Displacement driven by the war against the Islamic State in Iraq and the Levant (ISIL) presents a peculiar case, in that it has provoked more internal displacement than international migration – in part because previous countries of refuge were in crisis themselves (Syria) or inaccessible (Jordan). Emigration as a result of ISIL's presence has reached Turkey, Europe and Western countries, rather than former asylum countries (Iran, Jordan, Syria)'.<sup>45</sup>

According to the IOM Displacement Tracking Matrix, 1,299,987 persons remained internally displaced in the country as of August 2020, mainly in Erbil, Duhok, and Ninewa Governorates;<sup>46</sup> and returnees accounted for 4,744,050.<sup>47</sup> Iraq is in the top 10 countries with higher number of people displaced due to conflict.<sup>48</sup> While being predominantly an

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<sup>38</sup> Sajad Jiyad (European Council on Foreign Relations), 'Torn between two allies: How Europeans can reduce Iraqi dependence on Iran and the US' (28 July 2020) <<https://www.ecfr.eu/publications/summary/torn-between-two-allies-europeans-can-reduce-iraqi-dependence-on-iran-us>> accessed 13 October 2020.

<sup>39</sup> Ibid.

<sup>40</sup> Migration Data Portal (2020) <[https://migrationdataportal.org/?i=stock\\_abs&t=2019&cm49=368](https://migrationdataportal.org/?i=stock_abs&t=2019&cm49=368)> accessed 13 October 2020.

<sup>41</sup> International Centre for Migration Policy Development, 'Targeting Vulnerabilities: The Impact of the Syrian War and Refugee Situation on Trafficking in Persons: A Study of Syria, Turkey, Lebanon, Jordan and Iraq' (2015) 45 <[http://www.migration4development.org/sites/default/files/targeting\\_vulnerabilities\\_en\\_soft.pdf](http://www.migration4development.org/sites/default/files/targeting_vulnerabilities_en_soft.pdf)> accessed 19 October 2020.

<sup>42</sup> IOM, 'Government of Iraq and IOM Share Findings of First Ever Nationwide Migration Profile' (20 December 2019) <<https://www.iom.int/news/government-iraq-and-iom-share-findings-first-ever-nationwide-migration-profile>> accessed 13 October 2020.

<sup>43</sup> Ibid.

<sup>44</sup> IOM, 'Iraq: Survey on drivers of migration' (2019), 13 <[https://reliefweb.int/sites/reliefweb.int/files/resources/SDM\\_IRO.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/SDM_IRO.pdf)> accessed 19 October 2020.

<sup>45</sup> US Department of State, above n 32.

<sup>46</sup> For an in-depth analysis, see Lorenza Rossi et al, 'Iraqi IDPs Access to Durable Solutions: Results of Two Rounds of a Longitudinal Study' (2019) 57(2) *International Migration* 48, 48-64.

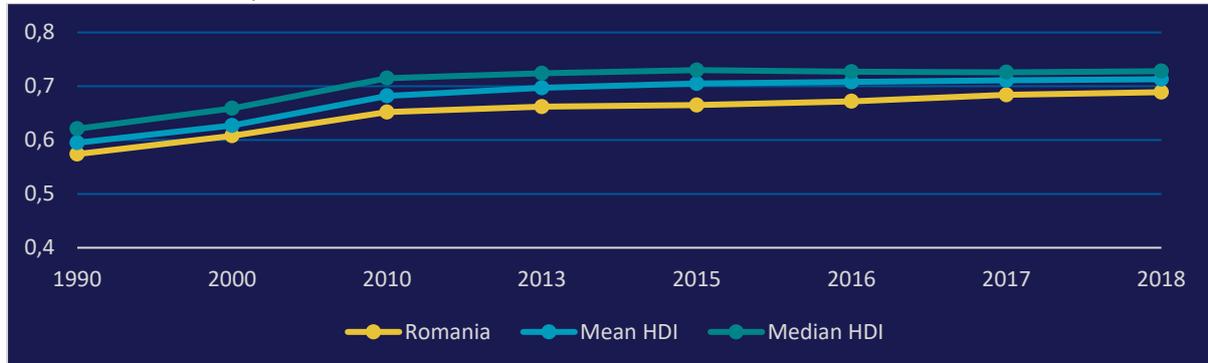
<sup>47</sup> The Displacement Tracking Matrix (DTM) is IOM's information management system to track and monitor population displacement during crises. See DTM, 'Iraq Mission' (31 August 2020) <<http://iraqdtm.iom.int/>> accessed 13 October 2020.

<sup>48</sup> IOM, 'World Migration Report' (2020) 43 <[https://www.un.org/sites/un2.un.org/files/wmr\\_2020.pdf](https://www.un.org/sites/un2.un.org/files/wmr_2020.pdf)> accessed 13 October 2020.

origin country for refugees (344,5 thousand),<sup>49</sup> Iraq is also itself a hosting country. The total number of refugees in Iraq in 2019 reached the 274 thousand.<sup>50</sup>

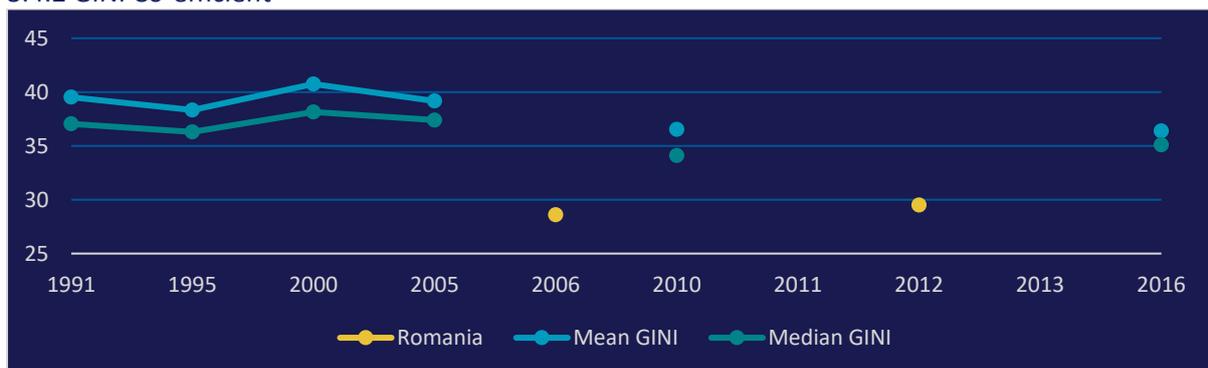
### 3.4. Development profile

#### 3.4.1 Human Development Index



The Human Development Index (HDI) measures average life expectancy, level of education and income for each country in the world. Each country is given a score between 0 and 1 - the closer a country gets to 1, the more developed it is.<sup>51</sup>

#### 3.4.2 GINI Co-efficient<sup>52</sup>



Gini index measures the extent to which income distribution or consumption expenditure among individuals or households within an economy deviates from a perfectly equal distribution. A Gini index of 0 represents perfect equality, while an index of 100 implies perfect inequality.<sup>53</sup>

#### 3.4.3 Iraq Sustainable Development Goals<sup>54</sup>

Year	Rank	Score
2020	113	63,14
2019	117	60,8
2018	127	53,7
2017	118	56,6

The Sustainable Development Reports assess implementation of, and progress towards, the 2015 UN Sustainable Development Goals. The SDG Index and Dashboards summarise countries' current performance and trends across the 17 SDGs. All SDGs are weighted equally in the index. Changing indicators, data, and methodology used to determine rankings and scores mean that SDG index results are not comparable over time.<sup>55</sup>

<sup>49</sup> Migration Data Portal, above n 40.

<sup>50</sup> Ibid.

<sup>51</sup> UNDP, 'Human Development Reports' <<http://hdr.undp.org/en/humandev>> accessed 03 November 2020

<sup>52</sup> World Bank, 'Gini index (World Bank estimate) - Iraq' <<https://data.worldbank.org/indicator/SI.POV.GINI?locations=IQ>> accessed 14 October 2020.

<sup>53</sup> World Bank, 'Metadata Glossary' <<https://databank.worldbank.org/metadataglossary/gender-statistics/series/SI.POV.GINI>> accessed 03 November 2020.

<sup>54</sup> Sustainable Development Report (2020) <<https://dashboards.sdgindex.org/rankings>> accessed 05 November 2020.

<sup>55</sup> Bertelsmann Stiftung and Sustainable Development Solutions Network, 'Sustainable Development Report 2019' (June 2019) 19.

<b>2016</b>	105	50,9
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### 3.4.4 GDP Rates

#### 3.4.4.1 GDP Growth Rate

<b>Iraq GDP Growth Rate - Historical Data</b>		
<b>Year</b>	<b>GDP Growth (%)</b>	<b>Annual Change</b>
<b>2018</b>	0.63%	2.30%
<b>2017</b>	-1.67%	-15.24%
<b>2016</b>	13.57%	11.09%
<b>2015</b>	2.48%	1.78%
<b>2014</b>	0.70%	-6.90%
<b>2013</b>	7.60%	-6.34%
<b>2012</b>	13.94%	6.39%
<b>2011</b>	7.55%	1.14%
<b>2010</b>	6.40%	3.02%
<b>2009</b>	3.38%	-4.85%
<b>2008</b>	8.23%	6.85%
<b>2007</b>	1.38%	-8.78%
<b>2006</b>	10.16%	5.76%
<b>2005</b>	4.40%	-49.76%
<b>2004</b>	54.16%	87.26%
<b>2003</b>	-33.10%	-26.20%
<b>2002</b>	-6.90%	-9.21%
<b>2001</b>	2.31%	0.90%
<b>2000</b>	1.41%	-16.18%
<b>1999</b>	17.58%	-17.27%
<b>1998</b>	34.86%	13.62%
<b>1997</b>	21.24%	10.22%
<b>1996</b>	11.02%	8.90%
<b>1995</b>	2.12%	-1.73%
<b>1994</b>	3.85%	-26.44%
<b>1993</b>	30.29%	-2.30%
<b>1992</b>	32.59%	96.64%
<b>1991</b>	-64.05%	-121.86%
<b>1990</b>	57.82%	60.94%

#### 3.4.4.2 GDP per capita (current US\$)<sup>56</sup>

Year	GDP per capita
1990	10.326,9
2004	1.391,9
2010	4.657,2
2011	6.045,4
2012	6.836,0
2013	7.076,5
2014	6.818,8
2015	4.989,8
2016	4.776,7
2017	5.205,2
2018	5.834,1
2019	5.955,1

#### 3.4.5 Other relevant indicators

Indicator	2014	2015	2016	2017	2018	2019	2020
Unemployment rate (%) <sup>57</sup>	10,59	10,71	10,82	13,02	12,86	12,82	-
Youth unemployment rate (%) <sup>58</sup>	14,94	15,21	15,45	15,4	15,24	15,39	15,5

Other relevant indicators include the UNDP's 2019 Gender Inequality Index, which assigned Iraq 0,540 points;<sup>59</sup> the Freedom House's Global Freedom Score, which ranked Iraq 31/100;<sup>60</sup> and the Transparency International's Corruption Perception Index, where Iran is ranked 162 out of 180 countries.<sup>61</sup>

### 3.5. Iraq's Human Rights Record

High levels of corruption and poverty, the lack of comprehensive and institutionalized policies, limited access to health care services, and poor environmental conditions remain key challenges for the country.<sup>62</sup> Furthermore, significant human rights issues persisted including:<sup>63</sup>

<sup>56</sup> World Bank, 'GDP per capita (current US\$) - Iraq' <<https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=IQ>> accessed 14 October 2020.

<sup>57</sup> Statista, 'Iraq: Unemployment rate from 1999 to 2019' (2020) <<https://www.statista.com/statistics/327328/unemployment-rate-in-iraq/>> accessed 14 October 2020.

<sup>58</sup> World Bank, 'Unemployment, youth total (% of total labor force ages 15-24) (modeled ILO estimate)' (2020) <<https://data.worldbank.org/indicator/SL.UEM.1524.ZS>> accessed 14 October 2020.

<sup>59</sup> The relevant period is 2018. See UNDP, 'Gender Inequality Index (GII)' (2019) <<http://hdr.undp.org/en/indicators/68606>> accessed 14 October 2020.

<sup>60</sup> Freedom House, 'Freedom in the World 2020-Iraq' <<https://freedomhouse.org/country/iraq/freedom-world/2020>> accessed 14 October 2020.

<sup>61</sup> Transparency International, 'Country Data-Iraq' (2020) <<https://www.transparency.org/en/countries/iraq>> accessed 14 October 2020.

<sup>62</sup> BTI, above n 30, 4.

<sup>63</sup> US Department of State, above n 32.

- Unlawful or arbitrary killings, including extrajudicial killings, by the government, members of the security forces, nongovernmental militias, and ISIS affiliates. During 2019 protests, Iran-backed militias and governmental forces carried out mass killings of protesters.<sup>64</sup> These events were subjected to limited investigations, resulting in a State report 'largely blamed protesters and low-level security officials for the violence and avoided mentioning key violations, such as sniper attacks and assaults on journalists and civil society activists'.<sup>65</sup> Additionally, despite its territorial defeat and a reduction in numbers, ISIS remained a major perpetrator of serious abuses and atrocities, including killings through suicide bombings and improvised explosive devices (IEDs).<sup>66</sup> Amnesty International also reported waves of Sunni abductions and killings by Shi'a militias with almost total impunity.<sup>67</sup>
- Forced disappearances 'by or on behalf of government forces, including Federal Police, PMF, Peshmerga, and Asayish, as well as by nongovernment militias and criminal groups. The International Commission on Missing Persons estimated 250,000 to a million persons remained missing from decades of conflict and human rights abuses'.<sup>68</sup>
- Torture and other cruel, inhuman, or degrading treatment or punishment. There is extensive evidence of torture before, during and after detention, particularly of Sunni Arabs, including children.<sup>69</sup>
- Arbitrary detention and harsh and life-threatening prison and detention centre conditions.<sup>70</sup> Iraqi authorities systematically violated the due process rights of ISIS suspects –predominantly Sunni Arabs– and other detainees, including IDPs, Kurds, Turkmen, Christians, and other minorities. Iraqi forces also prosecuted child suspects as young as 9 with ISIS affiliation, who do not reach the minimum age of criminal responsibility under international law.<sup>71</sup>
- Arbitrary or unlawful interference with privacy. Human rights organisations have continuously reported the collective punishment and retaliation of displaced families, especially female-headed families for offenses allegedly committed by their relatives. Many of these family members were held in detention facilities, faced threats of violence, and they 'continue to face obstacles in accessing identity cards and other official documents. Without these, women are unable to work, move freely or inherit property or pensions, and their children are often unable to attend school or obtain medical care and are at risk of becoming stateless'.<sup>72</sup>
- Legal or customary restrictions on freedom of movement of women,<sup>73</sup> and lack of legal protection from domestic violence.<sup>74</sup>
- Unlawful recruitment or use of child soldiers by elements of the Kurdistan Workers' Party (PKK), Shingal Protection Units (YBS), and the Iran-aligned PMF that operate outside government control.<sup>75</sup>

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<sup>64</sup> See Human Rights Watch, 'Iraq: Basra Political Group Targeted' (26 August 2020) <<https://www.hrw.org/news/2020/08/26/iraq-basra-political-group-targeted>> accessed 14 October 2020.

<sup>65</sup> US Department of State, above n 32.

<sup>66</sup> Ibid.

<sup>67</sup> See Amnesty International, 'Iraq: The rise of militia rule' (12 January 2018) <<https://www.amnesty.org.uk/iraq-rise-militia-rule>> accessed 14 October 2020.

<sup>68</sup> US Department of State, above n 32.

<sup>69</sup> Human Rights Watch, 'Iraq. Events of 2019' (2020) <<https://www.hrw.org/world-report/2020/country-chapters/iraq>> accessed 14 October 2020; Human Rights Watch, 'Iraq: Torture Persists in Mosul Jail' (18 April 2019) <<https://www.hrw.org/news/2019/04/18/iraq-torture-persists-mosul-jail>> accessed 14 October 2020; Human Rights Watch, 'How to Answer Iraq's Dangerous Failure to Put a Stop to Torture' (16 September 2020) <<https://www.hrw.org/news/2020/09/16/how-answer-iraqs-dangerous-failure-put-stop-torture>> accessed 14 October 2020.

<sup>70</sup> US Department of State, above n 32.

<sup>71</sup> Human Rights Watch, 'Iraq. Events of 2019' (2020) <<https://www.hrw.org/world-report/2020/country-chapters/iraq>> accessed 14 October 2020.

<sup>72</sup> Ibid. Amnesty International, 'Nobody wants us: The plight of displaced female-headed families in Iraq' (11 June 2019) <<https://www.amnesty.org/en/latest/news/2019/06/nobody-wants-us-the-plight-of-displaced-female-headed-families-in-iraq/>> accessed 14 October 2020; US Department of State, above n 32.

<sup>73</sup> US Department of State, above n 32.

<sup>74</sup> Human Rights Watch, above n 71.

<sup>75</sup> US Department of State, above n 32

- The worst forms of restrictions on free expression, the press, and the internet, including violence against journalists, censorship, site blocking, and criminal libel. The Constitution allows limits on free expression to preserve ‘public order’ and ‘morality’. In practice, there are few politically independent news sources and journalists face legal repercussions or violent retaliation.<sup>76</sup>
- Significant interference with the rights of peaceful assembly. Protesters face violence or arrest, as shows the 2019 protest movement’s consequences.<sup>77</sup>
- Criminalization of lesbian, gay, bisexual, transgender, and intersex (LGBTI) status or conduct; violence targeting LGBTI persons.<sup>78</sup>

### 3.6. Social support systems

As is shown in the scheme, social protection in Iraq comes in various forms involving

Social Protection Policies in Iraq <sup>79</sup>										
Retirement and social insurance		Other provisions				Social protection networks	Labour Market Policies	Supplementary Social Welfare services	Food security policies	
Private sector retirement	Public sector retirement	Student subsidies	Victims of terrorism	Families of martyr welfare	Families of political prisoners	Subsidies and services	Training, subsidies	Health service	Public Distribution System	
Subscription-based insurance		Special Groups				Vulnerable groups	Unemployed	All individuals		

various authorities, which often leads to coordination problems and increases administration costs.<sup>80</sup> The social insurance system covers old-age pension, allowance or settlement; disability pension or allowance; survivor pensions or allowance; sickness benefit; maternity benefit and grant; work-based injuries; permanent disability pension; and survivor benefit for spouses and orphans.<sup>81</sup> The social welfare program includes non-contributory schemes including a family allowance covering citizens and residents of Iraq with household per capita income below the national poverty line.<sup>82</sup> The Public Distribution System (PDS) is a food-based safety net, launched after the 1991 economic sanctions imposed on Iraq after the Kuwait crisis, which remains available to most of the population today and therefore not restricted to the poor.<sup>83</sup> Under the 2014 Social Protection Law 2014, migrants who have been residing in Iraq permanently, continuously and lawfully have access to social protection equal to that of Iraqi nationals.<sup>84</sup>

Access to health care is based on health insurance contributions, which means that only employed persons have access to full coverage. Furthermore, subsequent wars in Iraq have dismantled most of the health facilities, which has subsequently resulted in a lack of infrastructures, medical equipment, personnel and medicines. An UN report shows that approximately 20% of the population (7 million people) cannot access to basic health care

<sup>76</sup> Freedom House, above n 60.

<sup>77</sup> Ibid.

<sup>78</sup> US Department of State (2020), above n 12.

<sup>79</sup> Hasan Latef K. Alzobaidee, ‘Social Protection and Safety Nets in Iraq’ (December 2015) 21.

<sup>80</sup> Ibid, 21, 23.

<sup>81</sup> See further: US Social Security, ‘Social Security Programs Throughout the World: Asia and the Pacific, 2016’ (2016) <<https://www.ssa.gov/policy/docs/progdesc/ssptw/2016-2017/asia/iraq.html>> accessed 14 October 2020.

<sup>82</sup> Ibid.

<sup>83</sup> This is considered as one of the disadvantages of the system. See Hasan Latef K. Alzobaidee, above n 79, 26 ff.

<sup>84</sup> IOM, ‘Migration Governance Indicators (MGI): Republic of Iraq 2020’ (2020), 12 <<https://publications.iom.int/system/files/pdf/mgi-iraq-2020.pdf>> accessed 14 October 2020.

services, within a context in which women and children particularly vulnerable to poverty related diseases.<sup>85</sup> In general, the social protection system face important financial challenges due to long and sustained periods of conflict.<sup>86</sup>

Other informal Islamic or community-based safety nets have been identified in various ethno-sectarian groups, such as *waqf* (endowments) and clan funds.<sup>87</sup>

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<sup>85</sup> UNOCHA, '2015 Iraq Humanitarian Response Plan. Overview: Iraq on the brink' (June 2015) <<https://reliefweb.int/sites/reliefweb.int/files/resources/2015-Iraq-Humanitarian-Response-Plan-Overview.pdf>> accessed 14 October 2020.

<sup>86</sup> See Hasan Latef K. Alzobaidee, above n 79, 23.

<sup>87</sup> *Ibid*, 48 ff.

## 4. National modern slavery context

### 4.1. Modern slavery profile

The Republic of Iraq is both a source and destination country for men, women and children trafficked for the purposes of mostly servitude and commercial sexual exploitation. During the Iraq-ISIS conflict (2014-2017), and particularly during ISIS's summer 2014 offensive in northern Iraq, it has been widely documented that ISIS militants abducted and held captive several thousand women and girls, particularly Christians and Yazidis. Human trafficking turned into a revenue source, as women and girls were subjected to forced marriage, sexual slavery, domestic servitude or were forced into brothels.<sup>88</sup> ISIS maintained an organized system to buy and sell women and girls for sexual slavery in other Gulf countries or in Turkey,<sup>89</sup> including sales contracts notarized by ISIS-run courts.<sup>90</sup> The government's defeat of ISIS resulted in an improvement of civilians' conditions and an amelioration of their vulnerability to trafficking, although insecurity persisted in some areas. 'Throughout 2015-2019, thousands of women and children escaped ISIS captivity—many of whom were pregnant as a result of rape, forced marriage, and sex trafficking; these women and girls, including IDPs among this population, remain highly vulnerable to various forms of exploitation, including re-trafficking'.<sup>91</sup>

Since 2018, it has been reported an influx of more than 2,000 Iranian, Iraqi, and Syrian women and girls into the Iraqi Kurdistan Region (IKR), and other neighbouring countries, many of whom were victims of sex trafficking in hotels, night clubs, bars, casinos, and massage parlours, allegedly in acquiescence with Iraqi law enforcement officials. In this vein, the Iraqi Observatory for Victims of Human Trafficking (IOVHT) noted that 'human trafficking networks regard Iraqi Kurdistan as a safe haven for their crimes'.<sup>92</sup> Traffickers use social media to operate their networks and recruit victims, such as false promises of jobs,<sup>93</sup> and the 2020 TIP Report also indicates that trafficking gangs increasingly used social media sites, particularly Facebook, to buy and sell women and girls for sex and labour exploitation,<sup>94</sup> or for the harvesting of human body parts.<sup>95</sup> The KRG law enforcement reported that IKR-based taxi drivers facilitate the transportation from Iran to the IKR under the cover of tourism. Once they find themselves in a situation of commercial sexual exploitation, they are forced to continue under threats of publicising compromising photos. Many Iraqi women and girls are trafficked to Syria and Jordan, as well as Saudi Arabia and the United Arab Emirates (UAE), considered the latter the most important regional sex market, with Dubai as a particular destination.<sup>96</sup>

Traditional practices, including *fasliya* and 'temporary' marriages also place women and girls at increased risk of trafficking within the country, since they are used to hide sex trafficking situations.<sup>97</sup> Employers also 'subjected women to involuntary domestic service

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<sup>88</sup> Ariel I. Ahram, 'Sexual Violence, Competitive State Building, and Islamic State in Iraq and Syria' (2019) 13(2) *Journal of Intervention and State-building* 180, 187. See also Nadia Al-Dayel et al, 'Not Yet Dead: The Establishment and Regulation of Slavery by the Islamic State' (2020) *Studies in Conflict and Terrorism* 1.

<sup>89</sup> US Department of State (2020), above n 12, 268.

<sup>90</sup> ISIS leaders sought a religious ruling to legitimise the enslavement of Yazidi women: 'The ISIS religious scholars affirmed that because Yazidis were polytheists and not explicitly referred to in the Qur'an as a protected group like the Jews and Christians, then their enslavement was permitted'. See Nadia Al-Dayel et al, above n 88.

<sup>91</sup> US Department of State (2020), above n 12, 268.

<sup>92</sup> Iraqi Observatory for Victims of Human Trafficking, 'Human trafficking has prospered in Iraq since end of Saddam era' (5 August 2019) <<https://www.middleeastmonitor.com/20190805-human-trafficking-has-prospered-in-iraq-since-end-of-saddam-era/>> accessed 14 October 2020.

<sup>93</sup> Ibid.

<sup>94</sup> US Department of State (2020), above n 12, 269.

<sup>95</sup> Iraqi Observatory for Victims of Human Trafficking, above n 92.

<sup>96</sup> International Centre for Migration Policy Development, above n 41, 50.

<sup>97</sup> 'In 2019, an international media outlet reported clerics operated "marriage offices" in areas outside of important shrines in Iraq, which advertised "temporary marriages" with girls as young as nine years old for the purpose of sex trafficking. Some militia groups, such as the AAH, reportedly provide security for these "offices" and rely on them for income". US Department of State, above note 5, pp. 269

through forced marriages and the threat of divorce, and women who fled such marriages or whose husbands divorced them were vulnerable to social stigma and further forced labor'.<sup>98</sup> In some occasions, family members coerce girls and women into prostitution to escape desperate economic circumstances, to pay debts, or to resolve disputes between families.<sup>99</sup>

As of the end of 2019, 1.4 million people were internally displaced in Iraq, most of whom have been displaced for more than three years. This situation of economic and social vulnerability and lack of protection networks has resulted in refugees and IDPs facing heightened risk of forced labour, sex trafficking, and other forms of exploitation. On this note, 'between 2015-2018, NGOs reported trafficking networks in the IKR targeted refugees and IDPs, operating with assistance from local officials, including judges, officials from the Asayish forces, and border agents. Women and girls in IDP camps whose family members have alleged ties to ISIS continue to be exposed to a complex system of potential sexual exploitation, sex trafficking, and abuse by armed actors residing in the camps, security and military officials'.<sup>100</sup> Through false promises of resettlement, or through forcing girls into early temporary marriages, trafficking networks exploited IDPs and refugee women in hotels and brothels in Baghdad and other cities in southern Iraq, and forced the women's children to beg on the street. Furthermore, criminal gangs reportedly force children to sell and transport drugs and weapons, particularly in southern Iraq.<sup>101</sup> In general, female IDPs, single women, and widows were particularly vulnerable to economic exploitation and discriminatory employment conditions.

Children are very vulnerable to various forms of exploitation, including sex trafficking in Syria, Jordan, Saudi Arabia, Lebanon, and the UAE,<sup>102</sup> and commercial sexual exploitation in neighbouring countries and Europe. They are also recruited and used by various armed groups operating in Iraq, including ISIS, Iran-aligned militias, and Kurdish and governmental security forces. ISIS forces continued to recruit and use children as young as eight years old in combat and support roles, including as human shields, informants, bomb makers, executioners, and suicide bombers.<sup>103</sup> According to the 2020 US TIP Report, although the number of incidents of child soldier recruitment and use is declining, child recruitment and use in operations continues to be a widely spread practice by all forces.<sup>104</sup>

Some migrants from throughout Asia and Africa –particularly from Ghana, Kenya, and Sierra Leone– who migrate to Iraq are subjected to forced labour predominantly in the construction or domestic sector. Employers and recruitment agents exploited undocumented workers by withholding their salaries and subjecting them to substandard living conditions. There were cases of employers withholding travel documents and preventing foreign employees from leaving the work site.<sup>105</sup> In some cases, they were forced, coerced, or deceived into working in Iraq and the IKR, varying from their original route to another country.<sup>106</sup>

## 4.2. Causes and drivers of modern slavery and transnational trafficking

Trafficking in persons and other slavery-related offences in the context of armed conflict have received increased attention by the international community. In November 2017, the United Nations Security Council outlined that trafficking in persons in areas affected by

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<sup>98</sup> US Department of State, above n 32.

<sup>99</sup> Democratic Arabic Center, 'Human trafficking and sexual exploitation: Iraq as a case study' (2016) <<https://democraticac.de/?p=36202>> accessed 14 October 2020.

<sup>100</sup> US Department of State (2020), above n 12, 268-269.

<sup>101</sup> Ibid.

<sup>102</sup> "Foreign media reports from 2018 suggested a growing trend of child sex trafficking of Iraqi girls aged 11-16 in Syria, Jordan, Saudi Arabia, Lebanon, and the UAE." Ibid, 269.

<sup>103</sup> Ibid, 268.

<sup>104</sup> Ibid.

<sup>105</sup> US Department of State, above n 32.

<sup>106</sup> US Department of State (2020), above n 12, 269.

armed conflict is more likely to occur.<sup>107</sup> It is widely recognised that violent conflict with ISIS and the subsequent reconstructions needs have exacerbated population's vulnerability to trafficking and impairing their access to basic humanitarian services.<sup>108</sup> For instance, the fighting in Iraq has created tens of thousands of widows and female-headed households, escalating their vulnerability,<sup>109</sup> and so does the mass population displacement generated by the conflict. Displaced persons have limited access to education, financial resources or opportunities for income generation, which 'provides a fertile environment for traffickers to promise safe migration routes, employment and education or skills training, and deceive them into exploitative situations'.<sup>110</sup> The conflict has also exacerbated child recruitment practices.<sup>111</sup> According to the Special Representative on Children and Armed Conflict, the recruitment and use of children associated with armed groups nearly always constitutes trafficking in persons.<sup>112</sup>

Additionally, 'the erosion of the rule of law, which safeguards and protects individuals in peacetime, is one common consequence of armed conflict. The breakdown of state institutions and resulting impunity contribute to generating an environment where trafficking in persons can thrive'.<sup>113</sup> After the end of the conflict, problems derived from the erosion of the rule of law persist against a backdrop of a stagnant economy, budget shortfalls, understaffing, political unrest, and vast reconstruction needs, limiting the Iraqi government and KRG's ability to coordinate antitrafficking efforts and dedicate resources to combat trafficking.<sup>114</sup>

Other practices acting as facilitators for trafficking include temporary or fraudulent marriages, which are often misused by men to traffic women within Iraq or to neighbouring countries for purposes of sexual exploitation.<sup>115</sup> More generally, 'poverty may lead some parents to give or trade their daughters for marriage. In the poor socio-economic conditions of some refugee families, having one less dependent to care for and additional income from a dowry payment provide strong economic incentives'.<sup>116</sup>

### 1.1. Particularly vulnerable groups

- IDPs. While more than 4 million people have returned to their communities, approximately 1.4 million people remain displaced. Some of these displacements are of a very prolonged nature –over 3 years–, and IDPs face immense challenges and very high severity of needs.<sup>117</sup> Among these groups, families with perceived affiliations to extremist organizations are the most vulnerable, since government officials frequently preclude them from obtaining civil documentation, medical treatment or security clearances, which lead them to a limited freedom of movement, among other restrictions. NGOs have widely documented that women are often subjected to verbal and physical harassment, including rape, sexual assault, and exploitation, by government forces and camp residents.<sup>118</sup>

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<sup>107</sup> See Resolution 2388: S/RES/2388 (2017), available [here](#).

<sup>108</sup> US Department of State (2019), above n 12, 249.

<sup>109</sup> Valeria Vilardo and Sara Bittar, 'Gender Profile- Iraq' (UN Women, Oxfam, 2019), available [here](#).

<sup>110</sup> UNODC, 'Trafficking in persons in the context of armed conflict' (2018) 6, available [here](#).

<sup>111</sup> See further US Department of State (2020), above n 12, 268

<sup>112</sup> See Human Rights Council, 'Annual report of the Special Representative of the Secretary-General for Children and Armed Conflict', A/HRC/37/47, paras. 15-16.

<sup>113</sup> UNODC, above n 110, 5. The CEDAW Committee has noted that, as a consequence of the dissolution of the Iraqi army and other security institutions, internal and cross-border trafficking in women and children in the State party has increased. See CEDAW Committee, 'Concluding observations on the seventh periodic report of Iraq' (8 November 2019) CEDAW/C/IRQ/CO/7, 6.

<sup>114</sup> US Department of State (2020), above n 12, 268.

<sup>115</sup> CEDAW Committee, above n 113, 6.

<sup>116</sup> International Centre for Migration Policy Development, above n 41, 58.

<sup>117</sup> UNOCHA, 'Iraq: 'Internally displaced persons must be presented with options beyond life in a camp' – Humanitarian Coordinator' (04 March 2019), available [here](#).

<sup>118</sup> See Amnesty International, 'The condemned: Women and children isolated, trapped and exploited in Iraq' (17 April 2018) 36, available [here](#). The UNHRC has reported 'many IDPs and returnees continue to face significant protection risks due to restrictions on freedom of movement, confiscation of documents, forced encampment, detention due to perceived affiliation with extremists, forced and premature returns, and risk of sexual and

- Yazidis are particularly vulnerable to modern slavery. An NGO has reported that some '6,418 Yazidis (women, young men, and children) were captured for the purposes of slavery. As of March 2019, 3,371 women, children and men were reportedly rescued, but 3,047 women and children remained vulnerable to abuse and enslavement'.<sup>119</sup> The 2019 TIP Report has further noted that 'between 2014 and 2018, ISIS militants kidnapped and held captive thousands of women and children from a wide range of ethnic and religious groups, especially Yezidis, and sold them to ISIS fighters in Iraq and Syria, where ISIS fighters subjected them to forced marriage, sexual slavery, rape, and domestic servitude'.<sup>120</sup>
- Women and girls. They are particularly exposed to institutions –temporary marriages, forced or child marriages– which facilitate various forms of exploitation, such as sex trafficking, domestic servitude and sexual exploitation.
- Children remain highly vulnerable to various forms of exploitation, including forcible recruitment and use by multiple armed groups operating in Iraq.<sup>121</sup>

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gender-based violence (SGBV) as well as risks related to inter-communal tensions': UNHRC, 'Iraq' (UNHRC Operations Worldwide, 2020) <<https://reporting.unhcr.org/node/2547?y=2020#year>> accessed 13 October 2020. "Households with perceived ties to ISIS faced stigma and were at increased risk of being deprived of their basic rights [...] HRW reported in August that the government was denying thousands of children whose parents had a perceived ISIS affiliation their right to access an education. They reported that officials were instructing school principals and aid groups that undocumented children were barred from enrolling in government schools, despite a September 2018 document signed by senior Education Ministry officials that appeared to support allowing children missing civil documentation to enroll in school. See US Department of State, above n 32.

<sup>119</sup> Human Rights Council, 'Summary of Stakeholders' submissions on Iraq' (16 August 2019) A/HRC/WG.6/34/IRQ/3, 6 <<https://digitallibrary.un.org/record/3830834>> accessed 16 October 2020.

<sup>120</sup> US Department of State (2019), above n 12, 249

<sup>121</sup> Ibid.

## 5. Antislavery governance frameworks

### 5.1. Legislative measures

#### 5.1.1. Iraqi Constitution 2005<sup>122</sup>

Forced labour, slavery, slave trade, trafficking in women or children, and sex trade are prohibited under Article 37 third of the 2005 Constitution:

Article 37.

First:

A. The liberty and dignity of man shall be protected.

C. All forms of psychological and physical torture and inhumane treatment are prohibited. Any confession made under force, threat, or torture shall not be relied on, and the victim shall have the right to seek compensation for material and moral damages incurred in accordance with the law.

Second: The State shall guarantee protection of the individual from intellectual, political and religious coercion.

Third: Forced labour, slavery, slave trade, trafficking in women or children, and sex trade shall be prohibited.

Article 29 provides that the economic exploitation of children in all its forms is prohibited, and establishes the state's obligation to take necessary measures for their protection. All forms of violence and abuse within the family, school, and society are also prohibited. Other provisions establish the protection against illegitimate interferences of the right of the individual to enjoy life, security, and liberty (Article 15); a general freedom of movement (Article 44); and the principles regulating employees-employers working relationships, including dignity and social justice (Article 22).<sup>123</sup>

#### 5.1.2. Law No. 28 Combating Trafficking in Persons 2012<sup>124</sup>

Article 1 establishes the legal meaning of trafficking in persons and requires the use of the force, fraud or misuse of power to constitute a child trafficking offence, which is reportedly inconsistent with the definition of trafficking under international law:<sup>125</sup>

Article 1:

First: For purposes of this law, the term 'Human Trafficking' shall indicate recruiting, transporting, housing, or receiving individuals by force, threat to use force, or other means, including by coercion, kidnapping, fraud, deception, misuse of power, exchange of money, or privileges to an influential person in order to sell and exploit the trafficked individuals by means of prostitution, sexual abuse, unpaid labor, forced labor, enslavement, beggary, trading of human organs, medical experimentation.

Second: the victim here means, the person who suffered from material or moral damage caused by one of the crimes stipulated in this law.

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<sup>122</sup> See an unofficial translation of the Constitution: <[https://www.constituteproject.org/constitution/Iraq\\_2005.pdf?lang=en](https://www.constituteproject.org/constitution/Iraq_2005.pdf?lang=en)> accessed 15 October 2020.

<sup>123</sup> Article 22:

First: Work is a right for all Iraqis in a way that guarantees a dignified life for them.

Second: The law shall regulate the relationship between employees and employers on economic bases and while observing the rules of social justice.

Third: The State shall guarantee the right to form and join unions and professional associations, and this shall be regulated by law.

<sup>124</sup> See an unofficial translation in English: <[https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=94253&p\\_country=IRQ&p\\_count=232&p\\_classification=04&p\\_classcount=6](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=94253&p_country=IRQ&p_count=232&p_classification=04&p_classcount=6)> accessed 15 October 2020. For an analysis of the Law, see: IOM, 'The protection of victims of trafficking in Iraq: Review of the applicable legal regime and assessment of related practices in the field' (04 February 2020) <<https://iraq.iom.int/publications/protection-victims-trafficking-iraq-review-applicable-legal-regime-and-assessment>> accessed 14 October 2020.

<sup>125</sup> IOM, above n 124, 247.

Article 5 prescribes penalties from 5 to 15 years' imprisonment<sup>126</sup> and a fine of up to 10 million Iraqi dinar (\$8,790) for trafficking offenses involving adult male victims, or a penalty of up to 15 years' imprisonment and a fine of up to 10 million Iraqi dinar when resorting to the following aggravating circumstances:

- A. The use of any form of coercion, including blackmail, threat, and/or confiscation of travel or official documents.
- B. The use of fraudulent means to deceive or victimize victims.
- C. Giving or receiving money or privileges in exchange for approval from a person of authority or guardianship over the victim

On another hand, Article 6 prescribes penalties up to life imprisonment and a fine of 15 million to 25 million Iraqi dinar (\$13,180 to \$21,970) if the offense involves an adult female, disabled or child victim, among other circumstances.<sup>127</sup> The facilitation of human trafficking through Internet website is punished under Article 7 with not less than 3 years' imprisonment and a fine, and Article 10 refers to the irrelevance indicating that 'consent by a victim to human trafficking shall not be accepted as a defense'.

The anti-trafficking law is also applicable within the Kurdistan region since the IKR's regional parliament approved it in 2018.<sup>128</sup>

### 5.1.3. Law 111 on the Penal Code 1969<sup>129</sup>

#### **Penal Code**

<b>Article 320</b>	Use of slave labour by a public official
<b>Article 325</b>	Enslavement by a public official in activities unconnected with the legally or constitutionally recognized public interest
<b>Article 392</b>	Forced begging of minors
<b>Article 399</b>	Abetting to prostitution of minors
<b>Article 421</b>	Kidnapping

Although Article 13 extends the scope of universal jurisdiction to international trade of women, children, and slaves, it is not regulated as a separate crime throughout the text.<sup>130</sup>

The Penal Code contains relevant provisions regarding the use of slave labour with a punishment of up to 10 years of imprisonment. It is important to note that the scope of these Articles is circumscribed to actions carried out by public officials:

#### Article 320

<sup>126</sup> Article 87 of the Iraqi Penal Code defines "temporary imprisonment" as imprisonment for a period of more than 5 years and less than 15 years.

<sup>127</sup> Article 6-

First: If the victim is under 18 years of age

Second: if the victim is female, or disabled

Third: If the crime was committed by an organized crime group or of international nature

Fourth: The crime was committed by kidnapping or torture

Fifth: The perpetrator is an immediate or second relative, guardian, or spouse of the victim

Sixth: The trafficking resulted in terminal illness or permanent disability to the victim

Seventh: The trafficking affected multiple persons or for a multiple of times

Eighth: The trafficking was carried out by a government employee or a person commissioned to public service

Ninth: Exploitation of influence or a victim's weakness or need

<sup>128</sup> US Department of State (2012), above n 12, 263.

<sup>129</sup> See an unofficial English translation of the Criminal Code: <[https://www.unodc.org/res/cld/document/irq/1969/penal\\_code\\_html/Iraq\\_The\\_Penal\\_Code\\_1969ENG.pdf](https://www.unodc.org/res/cld/document/irq/1969/penal_code_html/Iraq_The_Penal_Code_1969ENG.pdf)> accessed 15 October 2020.

<sup>130</sup> Article 13: In circumstances other than those stipulated in Articles 9, 10 and 11, the provisions of this Code are applicable to all those who enter Iraq subsequent to committing an offence abroad whether as principals or accessories to the following offences: Destroying or causing damage to international means of communications or trading in women, children, slaves or drugs.

Any public official or agent who employs others to carry out the activities relating to his position and who retains for himself in whole or in part the wages or other recompense due to his employees or who employs slave labour and takes their wages for himself or who enters in a government register the names of fictitious or genuine persons who have not been engaged in those activities and retains their wages for himself or who pays such employees their wages at the government's expense is punishable by a term of imprisonment not exceeding 10 years or by detention.

#### Article 325

Any public official or agent who engages slave labour in activities unconnected with the legally or constitutionally recognized public interest or activities other than those that are prompted by necessity or who obliges a person to engage in activities or circumstances other than those in which the law sanctions such activity is punishable by detention. This is in addition to an order that he pay any wages due to those people he has unlawfully employed.

Minors have a special protection against forced begging and incitement of prostitution. While forced begging punished with up to 3 months' imprisonment and a fine abetting is punished with up to 10 years' imprisonment:

#### Article 392

Any person who compels another under the age of 18 to become a beggar is punishable by a period of detention not exceeding 3 months plus a fine not exceeding 50 dinars or by one of those penalties. The penalty will be a period of detention not exceeding 6 months plus a fine not exceeding 100 dinars.

#### Article 399

Any person who incites a boy or girl under the age of 18 to indulge in fornication or resort to prostitution as a profession or assists him or her to do so is punishable by detention. The penalty will be a term of imprisonment not exceeding 10 years or by detention if the offender is a person described in Sub-Paragraph 2 of Paragraph 393 and intends to profit by his action or receives money for such action.

Article 421 more generally refers to illegitimate deprivation of liberty –kidnapping–, and establishes a set of aggravating circumstances:

#### Article 421

Any person who seizes, detains or deprives a person of his liberty in any way without an order from a competent authority in circumstances other than those described in the laws and regulations to that effect is punishable by detention. The penalty will be a term of imprisonment not exceeding 10 years in the following circumstances:

- (1) If the offence is committed by a person who is wearing the uniform of a government employee without being entitled to do so or a distinctive official insignia belonging to such employee or assumes a false public identity or issues a false order for the arrest, imprisonment or detention of a person while claiming it to be issued by a competent authority.
- (2) If the offence is accompanied by the threat of death or physical or mental torment.
- (3) If the offence is committed by two or more persons or by a person openly carrying a weapon.
- (4) If the period of seizure, detention or deprivation of freedom exceeds 15 days.
- (5) If the motive for the offence is financial gain or the sexual assault of the victim or the taking of vengeance on the victim or on another.
- (6) If the offence is committed against a public official or agent in the execution of his duty or employment or as a consequence of it.

#### 5.1.4. Labour Law 2015<sup>131</sup>

Article 6 safeguards freedom of work and establishes the State's obligation to adopt policies promoting full and productive work and respect its fundamental principles and rights, including:

1. Freedom of association and the effective recognition of the right to collective bargaining
2. Elimination of all forms of forced or compulsory labour.<sup>132</sup>
3. Effective abolition of child labour.
4. Elimination of discrimination in employment and occupation

Article 9 specifically prohibits modern-slavery related practices:

- Article 9 – 1- This law prohibits forced or compulsory labor in all its forms, including:
- a- Slavery and bonded labor
  - b- Secrete human trafficking, trafficking of immigrant workers, which is by nature a non-freely chosen work.
  - c- Domestic work, which includes compulsory factors.
- 2- The work shall not be deemed forced or compulsory labor, if performed according to the following:
- a- Any work or service imposed on any person based on the conviction of a court of law, provided that these works or services are performed under the supervision and control of the public authorities, and that this person is not rented to individuals, companies or associations or put at their disposal.
  - b- For the completion of any work or service, which is part of the normal civic duties in accordance with the provisions of this law.
  - c- Any work or service which is imposed in emergency situations and in general, in any circumstance threatening the survival or well-being of the whole population or part of the population.

Article 11 refers to the workers' complaint procedure when exposed to any form of forced labour, discrimination or harassment in employment and occupation, and establishes a punishment of up to six months' imprisonment and a fine not exceeding one million dinars or by any of the two sanctions, to whoever violates the provisions related to child labour, or forced labour.

Chapter 10 addresses specific women workers' protection provisions, and so does Chapter 11 with minor workers. Importantly, Article 7 sets a minimum age of 15 for valid employment. Articles 126 to 135 provide the legal framework for labour inspection, which cover forced labour in all its forms.

#### 5.1.5. Law No. 8 on Combating Prostitution 1988<sup>133</sup>

This Law criminalises the forced prostitution in Article 5:

Article 5:

1. One who kept, in some place, a male or a female of more than eighteen years of age for prostitution or sodomy by deception, coercion, force or threat shall be punished with imprisonment for a period not to exceed ten years.
2. If the age of the victim is less than eighteen years, the penalty shall not exceed fifteen years of imprisonment

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<sup>131</sup> See an unofficial English translation of the Labour Code: <<https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/96652/114261/F-218842884/IRQ96652%20Eng.pdf>> accessed 15 October 2020.

<sup>132</sup> Importantly, Article 1(12) provide the definition of forced labour or service: "Any work or service imposed on any person under threat of any sanction, and which this person did not volunteer to perform of his own free will";

<sup>133</sup> See an unofficial English translation: <<http://qipi.org/2010/02/20/combating-prostitution-law-no-8-of-1988/#:~:text=8%20of%201988,-%2D%20February%2020%2C%202010March&text=It%20provides%20for%20stiff%20penalties,prostitutes%20themselves%20can%20be%20rehabilitated.>> accessed 15 October 2020.

The Law also criminalises voluntary prostitution and imposes penalties on female sex workers (Article 4).<sup>134</sup> I also and bans 'brokerage' in Article 2, which means 'the mediation between two persons with the intention of facilitating the act of prostitution in any way. This includes the incitement even with the consent or request of one of them. It also includes the exploitation for prostitution of a person wither complicit or under duress'.

#### 5.1.6. Law No. 188 on the personal status code 1959<sup>135</sup>

Article 16(2) prohibits the betrothal or marriage of a child, and sets in 18 years old the minimum age for a valid marriage (Article 7), establishing some exceptions in the following articles. Article 9(1) prohibits forced marriage:

1- No relative or non-relative has the right to force marriage on any person, whether male or female, without their consent. The contract of a forced marriage is considered void if the marriage is not yet consummated.

## 5.2. Prosecution

In 2019, the government authorities arrested and detained 504 individuals for alleged involvement in trafficking crimes;<sup>136</sup> of which 160 were referred for prosecution, 48 were acquitted and 34 were released.<sup>137</sup> In 2018, the Ministry of Interior's anti-trafficking unit investigated 362 cases of human trafficking (266 in 2017; 314 in 2016); 413 individuals were accused (244 in 2017; 311 in 2016); and there were 56 convictions (22 in 2017; 17 in 2016).<sup>138</sup> 'The government convicted and sentenced 67 traffickers under the anti-trafficking law and sentenced them to five to 15 years in prison, but it did not provide additional details of these cases. This demonstrated an increase from the 426 alleged traffickers it detained, 105 referrals for prosecution, and 53 traffickers convicted and sentenced during the previous reporting period [2018]'.<sup>139</sup> By contrast, the KRG did not report prosecuting or convicting any traffickers in 2019, which represented a decrease from the 89 prosecutions and seven convictions during 2018.<sup>140</sup>

Notwithstanding the above, both Iraqi and KRG government continued to lack implementing regulations for the anti-trafficking law, hindering their ability to enforce the law, bring traffickers to justice, and protect victims.<sup>141</sup> Problems related to lack of resources, a generalised lack of understanding of trafficking and modern-slavery related offences, and a weak coordination among governmental ministries also hindered trafficking investigations. For instance, the 2020 US TIP Report noted that 'the judiciary often used prostitution or residency laws in the criminal code, which carried lesser penalties for offenders than the anti-trafficking law, to prosecute sex trafficking offenses'.<sup>142</sup> Despite alleged official complicity in trafficking cases, there were no efforts to investigate such allegations.<sup>143</sup>

## 5.3. National policies and plans

There is no evidence of specific action plans to combat trafficking in persons or modern slavery more broadly in Iraq. More general action plans include:

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<sup>134</sup> Article 4: The prostitute, if her practicing of prostitution is proved, shall be punished by lodging her into one of the reforming houses established for the direction and rehabilitation of women, for a period not less than three months and not to exceed two years.

<sup>135</sup> See an unofficial English translation: <[https://www.peacewomen.org/sites/default/files/lawref\\_iraqpersonalstatuslaw1959\\_aba\\_0.pdf](https://www.peacewomen.org/sites/default/files/lawref_iraqpersonalstatuslaw1959_aba_0.pdf)> accessed 15 October 2020.

<sup>136</sup> The Ministry of Interior's anti-trafficking unit arrested 54 of these alleged traffickers after conducting 37 raids on massage parlours, coffee shops, and other establishments known for human trafficking activities. See US Department of State (2020), above n 12, 265.

<sup>137</sup> Ibid, 263.

<sup>138</sup> US Department of State (2019), above n 12, 247 ff.; US Department of State (2018), above n 12, 231 ff.

<sup>139</sup> US Department of State (2020), above n 12, 264

<sup>140</sup> Ibid.

<sup>141</sup> Ibid. See further Valeria Vilaro and Sara Bittar, above n 109, 14.

<sup>142</sup> US Department of State (2020), above n 12, 264.

<sup>143</sup> Ibid; US Department of State (2019), above n 12, 247.

### 5.3.1. The Poverty Reduction Strategy (2018–2022)<sup>144</sup>

It provides a holistic approach to addressing children's needs, including ameliorating the child labour situation in the country through prevention, protection, and rehabilitation programs such as a poverty alleviation initiative, and educational and mental health services. Includes a component to provide rehabilitation and reintegration activities for children previously engaged in armed conflict and children who experienced trauma during the period of ISIS occupation.<sup>145</sup>

### 5.3.2. Humanitarian Response Plan to provide relief, shelter and resettlement for displaced families (2018)<sup>146</sup>

Its main objective is supporting highly vulnerable displaced families living in camps and substandard accommodation by providing services and assistance packages

### 5.3.3. Strategy for the Combating Violence against Women (2017-2027)<sup>147</sup>

It is a national plan aimed at providing protection, prevention and care for women survivors of violence. However, the Iraqi Women Network expressed concerns regarding the lack political will in the implementation of women-related policies and plans, highlighting that these 'lacked indicators to measure the impact and assessment of women's participation in restoring stability, building security, peace and community reconciliation, and providing women with adequate protection from armed conflict'.<sup>148</sup>

### 5.3.4. National Strategy for the Development of the status of Women in Kurdistan Region (2016-2026)<sup>149</sup>

It aimed at empowering Kurdish women and promoting gender equality, and based on improving the legal, educational and health environment, integrating women into the labour market, participation in decision-making and peace-building, and supporting institutions specializing in women's affairs.<sup>150</sup>

### 5.3.5. National Plan for the Implementation of the Joint Communiqué to combat Sexual Violence in of Conflict 2018<sup>151</sup>

It aims at addressing conflict-related sexual violence effects.

## 5.4. National institutions and inter-departmental coordination

- The **inter-ministerial counter-trafficking committee (CCCT)** composed of members from the Ministries of Human Rights, Foreign Affairs, and Labour and Social Affairs, serves as a coordinating body on human trafficking issues, and comprises anti-money laundering and terrorism finance offices, in recognition that funds generated from trafficking cases sometimes supported terrorist organizations.
- The Ministry of Interior's **anti-trafficking unit** coordinates trafficking investigations. Structurally is equivalent to a Directorate, and included six sections, 14 units, and two offices in Baghdad. The anti-trafficking unit includes a **strategic planning unit** which

<sup>144</sup> See an English version of the executive summary: <[https://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/iraq\\_prs\\_summary\\_en\\_2018.pdf](https://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/iraq_prs_summary_en_2018.pdf)> accessed 16 October 2020.

<sup>145</sup> See US Bureau of International Labor Affairs, above n 17, 648. See further: Human Rights Council, '2019 National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21' (A/HRC/WG.6/34/IRQ/1, 22 August 2019) 4, 17 ff.

<sup>146</sup> See in English: <[https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/iraq\\_2018\\_hrp.pdf](https://www.humanitarianresponse.info/sites/www.humanitarianresponse.info/files/documents/files/iraq_2018_hrp.pdf)> accessed 16 October 2020.

<sup>147</sup> Human Rights Council, above n 145, 4.

<sup>148</sup> Iraqi Women Network, 'List of Issues on the Iraq's report on the implementation of CEDAW in Iraq submitted by the Iraqi Women Network – 2019' (2019), 1-2.

<sup>149</sup> Human Rights Council, above n 145, 4

<sup>150</sup> Iraqi Women Network, above n 148, 2

<sup>151</sup> UNOCHA, 'The United Nations and the Government of Iraq Sign Landmark Agreement on the Prevention and Response to Conflict-Related Sexual Violence' (23 September 2016) <<https://reliefweb.int/report/iraq/united-nations-and-government-iraq-sign-landmark-agreement-prevention-and-response>> accessed 16 October 2020. See further Iraqi Women Network, above n 148, 1.

develops targeted policies on victim identification and identification of trafficking crimes, and long-term tracking of trafficking networks. It includes academic members. Other units are either dedicated to provincial outreach or focused on coordinating the activities of the anti-trafficking unit.<sup>152</sup>

- Regionally, the KRG's anti-trafficking committee and sub-committees address implementation of the anti-trafficking law.
- The KRG's Erbil Office of the Directorate of Combatting Human Trafficking coordinates victims' assistance efforts.

## 5.5. Victim support and assistance frameworks

The Ministry of Labour and Social Affairs runs the only trafficking shelter in Baghdad, which provides 24-hour protection to victims involved in trafficking cases with psycho-social, trauma, and reintegration services and medical care. Four other shelters for women exist in the Kurdistan Region of Iraq (KRI) but they are not exclusively dedicated to victims of trafficking.<sup>153</sup> In 2019, the Iraqi authorities identified 72 trafficking victims,<sup>154</sup> which represents a decrease in comparison with 2018, with 148 identified victims.<sup>155</sup> Of the 72 identified victims, 26 adult female victims were referred to the shelter, four child victims to orphanages, six labour trafficking victims to rehabilitation services, and four labour trafficking victims were repatriated.<sup>156</sup> The KRG's Erbil Office of the Directorate of Combatting Human Trafficking assisted 155 potential trafficking victims, 11 of whom were confirmed trafficking cases. However, it did not report if it referred or provided protection services to these victims.<sup>157</sup> Assistance to female victims of violence during the armed conflict was reported by the Iraqi government in its 2019 report to the Human Rights Council.<sup>158</sup>

Protection services to trafficking victims are widely considered underfunded and inadequate, limited in capacity, staffing, and case management training and provided inadequate psychosocial and medical care and vocational training specifically for trafficking victims, and did not operate shelters specifically for male trafficking victims. Furthermore, while the Iraqi anti-trafficking law allowed for the government to provide special residency status benefits to foreign trafficking victims, the government did not report offering this assistance to any victims during 2018, and neither did the KRG.<sup>159</sup> The Iraqi government noted in its 2019 report to the Human Rights Council that amendments had been made to the laws regulating shelters for trafficking victims with the aim to increase the numbers of care homes in the governorate of Baghdad and in other governorates, including a shelter for male and female victims.<sup>160</sup> However, the fact that the Iraqi government is the only authority legally allowed to provide shelter to trafficking victims limits in practice its availability, and lack of dedicated funding limits severity the quality of these services.<sup>161</sup> Reportedly, NGOs that provided shelter and other forms of assistance to trafficking victims

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<sup>152</sup> US Department of State (2020), above n 12, 264.

<sup>153</sup> See IOM, above n 124, 31.

<sup>154</sup> Including 51 male and female victims of sex trafficking, six child trafficking victims, and 10 foreign labour trafficking victims: US Department of State (2020), above n 12, 266.

<sup>155</sup> Including 74 female victims of sexual exploitation, 64 male and female victims of forced labour, one child trafficking victim, and nine male and female victims of forced begging. US Department of State (2019), above n 12, 248.

<sup>156</sup> US Department of State (2020), above n 12, 266

<sup>157</sup> Ibid.

<sup>158</sup> Human Rights Council, above n 145, 22: 'Assistance is provided to women and girls who have been freed from the clutches of ISIL. The Amnesty Act excludes offences of rape and the courts have considered 5,000 cases of Yazidi women who suffered violence at the hands of ISIL. Of them, 1,529 – as well as 88 Shabak women who had suffered sexual violence – were exceptionally included in the social protection network and registration offices were opened for them in the governorates of Dohuk and Erbil. A sum of money has been paid to all female victims of violence during the armed conflict, as well as compensation to persons who suffered damages in the conflicts of 2015. In addition, clinical measures have been rolled out by the Ministry of Health and the Environment for survivors of sexual violence, and 28 free legal clinics have been opened across the length and breadth of Iraq.'

<sup>159</sup> US Department of State (2020), above n 12, 266

<sup>160</sup> Human Rights Council, above n 145, 22, 16 ff.

<sup>161</sup> US Department of State (2020), above n 12, 266

faced harassment by Iraqi authorities, as well as obstacles to registering to obtain certificates to legally operate.<sup>162</sup>

The lack of victim identification guidelines and of a national referral mechanism led to victims' misidentification and inefficiencies in the government's ad hoc referral process. The victims' protection and safeguard frameworks were also hindered by a lack of a general understanding of the crime of trafficking by Iraqi and KRG authorities. For instance, while foreign labour trafficking victims were proactively identified by police officials, authorities did not adequately screen for victims among Iraqi citizens or during investigations of prostitution crimes. Therefore, some officials continued to criminalize and punish trafficking victims for crimes related to prostitution, immigration violations or child soldiering.<sup>163</sup>

Neither the Iraqi government nor the KRG provided adequate safeguards to victims or witnesses to encourage their assistance and participation in investigations and prosecutions of traffickers, therefore precluding victims from accessing to compensation or redress.<sup>164</sup> Importantly, as of October 2020, there is no existing case of compensation and remedy.<sup>165</sup> For instance, because judges required victims to testify in front of their perpetrators in court, many victims did not come forward due to fear of retaliation, which resulted in victims' denial of access to protection services due to the lack of evidence –in Iraq, victims' access to shelter is conditional on recognition of the case by a judge–. Iraqi courts either did not provide translation and interpretation services for foreign trafficking victims, or used unqualified interpreters, which resulted in delays or harmed the credibility of victims' testimonies.<sup>166</sup> 'In camps, when victims are aware of the IOM hotline to report cases, they are deterred from accessing it due to a lack of phone credit, access to a phone, and a safe space to call'.<sup>167</sup> It is important to note that victims have no right to legal assistance during investigation and legal proceedings, or free access to legal services. Neither victims of trafficking receive legal support from government or shelters.<sup>168</sup>

Foreign trafficking victims faced regular discrimination in the criminal justice process, and they were arrested, rather than the perpetrators, after employers and recruitment agents filed false claims of theft against the victim in retaliation. The government also required foreign labour trafficking victims—both identified and unidentified—to pay overstay fines to obtain an exit visa to legally exit the country. 'Although employers were legally responsible to pay immigration fees or liabilities related to foreign workers under Iraq's sponsorship system, in practice authorities penalized workers for failing to pay'.<sup>169</sup>

## 5.6. Training and capacity-building for responders

The 2019 TIP Report indicates that, 'during the reporting period, the Ministry of Interior provided several trainings for Ministry of Interior, Ministry of Justice, and Ministry of Labour and Social Affairs personnel on victim identification and protection'.<sup>170</sup> During 2019, the 2020 TIP Report also noted that Iraqi authorities continued to provide several anti-trafficking trainings on victim identification and protection.<sup>171</sup> However, in none of both instances evidence on the actual numbers of officials trained were reported. The KRG did

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<sup>162</sup> Ibid, 267.

<sup>163</sup> Ibid, 266.

<sup>164</sup> 'The MOI reported that any foreign or Iraqi trafficking victim could file a civil lawsuit against a trafficker, but an NGO reported no victims filed such lawsuits in 2019, likely due in part to authorities' poor investigative techniques for trafficking cases and the overall lack of protections provided to victims during trial. Ibid, 267.

<sup>165</sup> IOM, above n 124, 37.

<sup>166</sup> Ibid. See further US Department of State (2019), above n 12, 248-249.

<sup>167</sup> IOM, above n 124, 31.

<sup>168</sup> Ibid, 36. 'IOM and some partner IO and INGO may accompany victims to court and provide legal support in complex cases, though this is generally an exception'.

<sup>169</sup> US Department of State (2020), above n 12, 266

<sup>170</sup> US Department of State (2019), above n 12, 247.

<sup>171</sup> US Department of State (2020), above n 12, 265.

not report providing anti-trafficking training for its personnel.<sup>172</sup> More generally, labour law enforcement reportedly suffers from a lack of specialised training.<sup>173</sup>

## 5.7. Public awareness raising

In Iraq, there was initially a low level of implementation of the 2012 anti-trafficking law, though this started to change in 2014 with awareness-raising and capacity-building of law enforcement and the judiciary.<sup>174</sup> Since 2012, the US TIP Reports have noted Iraqi government's efforts to provide anti-trafficking awareness activities and campaigns.<sup>175</sup> The 2018 TIP Report indicated that the Iraqi government reportedly undertook trafficking awareness campaigns in print media, television, and radio, and through seminars at universities.<sup>176</sup> These efforts were maintained in 2019 and 2020, and Iraqi government continued to operate a 24-hour anti-trafficking hotline, and it reported receiving 26 alleged trafficking cases in 2019.<sup>177</sup> However, the need to raise awareness about trafficking in persons at community and operational level persists.<sup>178</sup>

## 5.8. Efforts to address vulnerabilities and drivers

Both Iraqi and KRG government have established frameworks and strategies aimed at wrestling with women's vulnerabilities: the Strategy for the Combating Violence against Women (2017-2027); the National Strategy for the Development of the status of Women in Kurdistan Region (2016-2026); and a national plan for the implementation of Security Council resolution 1325 (2000).<sup>179</sup> The National Development Plan (2018-2022) also ensures the mainstreaming of gender strategies in national policies, and the 2030 Iraqi Vision, adopted in 2019, aims at ensuring overall implementation of the Sustainable Development Goals, and particularly target 5.1 to end all forms of discrimination against all women and girls.<sup>180</sup>

A humanitarian response plan to provide relief, shelter and resettlement for displaced families was adopted in 2018. In 2012, the Government of Iraq formed a Relief Committee, chaired by the Minister of Migration, and a group of support committees to facilitate procurement, camp constructions, and provision of health services.<sup>181</sup>

The National Strategy for Education (2012–2022) includes projects for allowing children to access to basic services. The 'child protection policy document was approved and includes programmes, activities and other measures aimed at providing protection. The policy implementation plan, which has also been completed, adopts the approach of protecting children in areas of displacement and in liberated areas'.<sup>182</sup>

## 5.9. Frameworks for international coordination

Iraq is a member of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, established in 2002 with the aim of addressing practical issues related to smuggling, trafficking and related transnational crime.<sup>183</sup> Iraq's inter-ministerial counter-trafficking committee also cooperates with relevant international

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<sup>172</sup> Ibid.

<sup>173</sup> US Department of State, above n 145, 641.

<sup>174</sup> International Centre for Migration Policy Development, above n 41, 43

<sup>175</sup> US Department of State, '2012 Trafficking in Persons Report: Iraq' (2012) <<https://www.refworld.org/docid/4fe30cbf32.html>> accessed 19 October 2020.

<sup>176</sup> US Department of State (2018), above n 12, 233.

<sup>177</sup> US Department of State (2019), above n 12, 249; US Department of State (2020), above n 12, 267.

<sup>178</sup> See UNODC, 'GLO.ACT supports counterparts in Iraq to review national legislation on Trafficking in Persons' (13 January 2020) <<https://www.unodc.org/unodc/en/human-trafficking/glo-act2/Countries/glo-act-supports-counterparts-in-iraq-to-review-national-legislation-on-trafficking-in-persons.html>> accessed 19 October 2020.

<sup>179</sup> Human Rights Council, above n 145, 4.

<sup>180</sup> CEDAW Committee, above n 113, 1-2.

<sup>181</sup> International Centre for Migration Policy Development, above n 41, 39.

<sup>182</sup> Human Rights Council, above n 145, 25.

<sup>183</sup> See <<https://www.iom.int/bali-process>> accessed 19 October 2020.

organizations, such as Interpol, United Nations Office on Drugs and Crime and ILO.<sup>184</sup> The Global Action against Trafficking in Persons and the Smuggling of Migrants - Asia and the Middle East (GLO.ACT Asia and the Middle East) is a four-year (2018-2022) joint initiative by the European Union and the UNODC being implemented in partnership with the International Organization for Migration (IOM) in Iraq, Iran, Afghanistan and Pakistan, to assist governmental authorities and civil society organizations in sustaining policy development, capability development, legislative review and harmonization, and regional and trans-regional cooperation.<sup>185</sup>

Iraq has also cooperation agreements that specifically address migration. Article 105 of the European Union–Iraq Partnership and Cooperation Agreement (2012) outlines that member parties ‘shall establish a comprehensive dialogue on all migration-related issues, including illegal migration, smuggling of migrants and trafficking in human beings, as well as the inclusion of the migration concerns in the national strategies for economic and social development of the areas from which migrants originate’.<sup>186</sup> ‘In addition, migration issues are addressed by cooperation agreements with Sweden, Norway and Denmark, and informal arrangements with the Syrian Arab Republic and Turkey. In 2018, Germany and Iraq had reached an agreement to facilitate the return and reintegration of Iraqis who had not received asylum in Germany. Iraq has formal cooperation arrangements with other countries to prevent and counter smuggling.<sup>187</sup> For instance, the Sweden’s strategy for development cooperation with Iraq is a cooperation framework aimed at contributing to general peacebuilding and state-building in Iraq.<sup>188</sup>

## 5.10. Key challenges to effective antislavery governance

- Erosion of rule of law and impunity.

The erosion of rule of law and resulting impunity contribute to generating an environment where trafficking in persons can easily thrive. Despite it is widely documented that public officials are often involved in trafficking cases, measures to prosecute them are not yet in place.

- Poverty.

The impact of COVID-19 has brought the national poverty rate to 31.7% and the total number of poor to 11.4 million.<sup>189</sup> Poverty creates a breeding ground for vulnerability to emerge.

- Structural imbalances and social attitudes towards women and girls.

Women and girls are disproportionately exposed to trafficking and slavery-related risks, often because of the misuse of socially accepted practices such as temporary marriages or child marriages. Cases related to gender violence are generally underreported because of social barriers and vulnerabilities affecting women, or because they are afraid they may risk honour killing by their own family.<sup>190</sup>

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<sup>184</sup> IOM, above n **Error! Bookmark not defined.**, p. 20.

<sup>185</sup> See <<https://www.unodc.org/unodc/en/human-trafficking/glo-act/>> accessed 19 October 2020.

<sup>186</sup> See <[https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:22012A0731\(01\)&qid=1498939228584&from=EN](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:22012A0731(01)&qid=1498939228584&from=EN)> accessed 19 October 2020. The EU and Iraq held their first Political Dialogue under their Partnership and Cooperation Agreement in 14 January 2020: European Union External Action, ‘First Political Dialogue under the EU-Iraq Partnership and Cooperation Agreement’ (14 January 2020) <[https://eeas.europa.eu/headquarters/headquarters-homepage/73058/first-political-dialogue-under-eu-iraq-partnership-and-cooperation-agreement\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/73058/first-political-dialogue-under-eu-iraq-partnership-and-cooperation-agreement_en)> accessed 19 October 2020.

<sup>187</sup> IOM, above n 84, 216. See further Human Rights Council, above n 145, 11, 14.

<sup>188</sup> Ministry for Foreign Affairs Sweden, ‘Sweden’s strategy for development cooperation with Iraq’ (2016) <<https://www.government.se/4a4af1/contentassets/9eff707db38046b8bc21b873b6c5a80c/swedens-strategy-for-development-cooperation-with-iraq-2017-2021.pdf>> accessed 19 October 2020.

<sup>189</sup> UNICEF Iraq, The World Bank, ‘Poverty and Human Development Initiative and the Ministry of Planning in Iraq’ (2020) 22-23 <<https://www.unicef.org/iraq/media/1181/file/Assessment%20of%20COVID-19%20Impact%20on%20Poverty%20and%20Vulnerability%20in%20Iraq.pdf>> accessed 19 October 2020.

<sup>190</sup> International Centre for Migration Policy Development, above n 41, 115.

— Conflict vestiges.

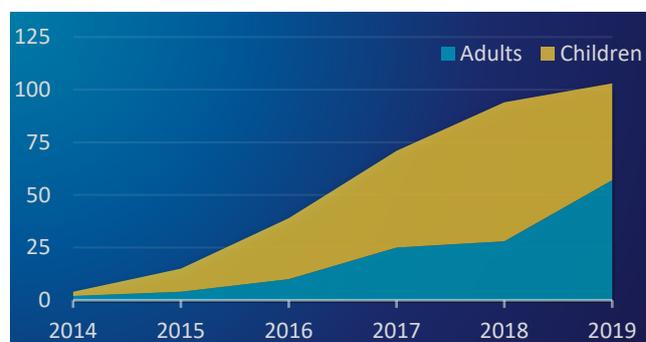
A relevant mass of displaced people, reprisals against groups suspected to have ties with ISIS fighters, etc., might hinder effectiveness of antislavery efforts.

## 6. Experiences of modern slavery of Iraqi nationals in the UK

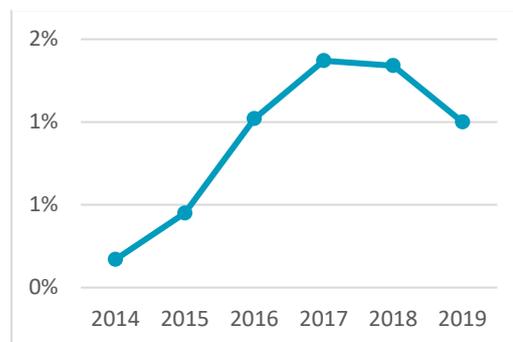
### 6.1. Demographics of Iraqi nationals in the NRM (including intersectionality)

Iraqi nationals have consistently been in the top twenty nationalities represented in National Referral Mechanism (NRM) referrals since 2016, although they have typically represented less than 2% of all referrals. The number of Iraqi nationals referred into the NRM has varied from 4 potential victims referred in 2014, up to 107 referrals in 2019. Children have typically made up the majority of Iraqi nationals referred into the NRM, with between 2 (2014) and 57 (2019) Iraqi nationals adult referred from 2014-2019.<sup>191</sup> Since 2016, the proportion of Iraqi nationals referred, as a proportion of all referrals, has remained steady.

Number of Iraqi nationals referred into the NRM by age at time of exploitation



Proportion of potential victims referred into the NRM that are Iraqi nationals

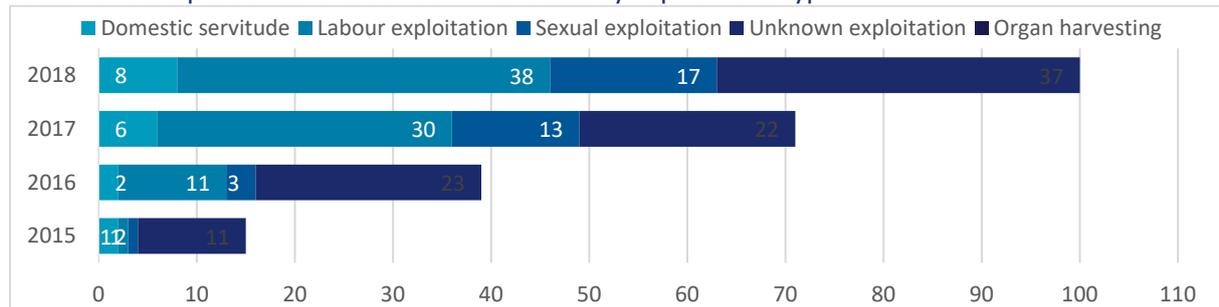


Iraqi nationals referred into the NRM typically experience either unknown forms of exploitation or labour exploitation, with only a relatively small proportion of Iraqi potential victims recorded as having experienced domestic servitude or sexual exploitation. While gender data was not disaggregated by nationality from 2015-2019, NRM reports included

<sup>191</sup> Home Office, 'National Referral Mechanism Statistics UK: End of Year Summary 2019: Data tables' 2<sup>nd</sup> edn available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2018' (2019) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2017' (2018) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2016' (2017) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2015' (2016) available [here](#); National Crime Agency, 'National Referral Mechanism Statistics – End of Year Summary 2014' (2015) available [here](#); National Crime Agency, 'United Kingdom Human Trafficking Centre: National Referral Mechanism Statistics 2013' (2014) available [here](#).

such data in the 2013 and 2014 reports. In these years, the majority of Iraqi nationals referred into the UK NRM were female (100% in 2014).

Number of Iraqi nationals referred into the NRM by exploitation type<sup>192</sup>



## 6.2. Typical journeys from Iraq to the UK for trafficking victims

Despite the lack of separate figures of trafficking routes from Iraq to the UK, we know that Syrian, Afghani and Iraqi nationals tend to enter in Europe through the Eastern Mediterranean Route, mostly from Turkey to the Greek islands of Lesbos, Chios, Samos, Leros and Kos. Most of them subsequently crossed the border between Greece and North Macedonia and carried on along the Western Balkans Route to Western and Northern Europe.<sup>193</sup> Regarding the Balkan route, cases of sexual exploitation have been reported in transit countries in return for shelter, food, or the continuation of their journey.<sup>194</sup> Although women are considered particularly vulnerable to this type of exploitation, it is important to note women and girls from Iraq or Syria are considered less at risk because they rarely travel alone.<sup>195</sup> A 2016 IOM study also noted that Iraqi nationals often faces problems derived from their belonging to religious or ethnic minorities during the journeys.<sup>196</sup> On the other hand, Europol has underscored the increase of trafficking and exploitation for unaccompanied minors fleeing from countries embedded in conflicts, predominantly from Afghanistan, Iraq, Pakistan and Syria.<sup>197</sup>

It is important to note that the information on forms of trafficking and vulnerabilities to trafficking along the route has been designated as 'patchy and anecdotal' considering the lack of reliable data. For instance, according to 'Frontex's Annual Risk Analysis for 2017,

<sup>192</sup> Ibid. Note that exploitation type data is not disaggregated by nationality in the 2013, 2014, or 2019 data and these years are therefore excluded.

<sup>193</sup> See International Centre for Migration Policy Development, 'Trafficking along Migration Routes to Europe. Bridging the Gap between Migration, Asylum and Anti-Trafficking' (European Union, 2018), p. 22 <<https://riselearningnetwork.org/resource/trafficking-along-migration-routes-to-europe-bridging-the-gap-between-migration-asylum-and-anti-trafficking/>> accessed 19 October 2020. In 2016, the European Border and Coast Guard Agency (Frontex) detected over 885,000 people entering the EU irregularly along the Eastern Mediterranean Route 90% of these people self-identified as Syrian, Afghani or Iraqi. See further IOM, 'Assessing the risks of migration along the central and Eastern Mediterranean Routes: Iraq and Nigeria as Case Study Countries' (2016) <[https://publications.iom.int/system/files/dfid\\_report\\_2016\\_final\\_sml.pdf](https://publications.iom.int/system/files/dfid_report_2016_final_sml.pdf)> accessed 19 October 2020. See graphically: Rhipto, 'Syria and Iraq smuggling routes' (2017) <https://www.rhipto.org/maps-and-graphics?lightbox=dataItem-j4tj9420> accessed 19 October 2020.

<sup>194</sup> International Centre for Migration Policy Development, above n 41, 206. See further Oxfam, 'Closed Borders: Programme Report on the impact of the border closures on people on the move, with a focus on Women and Children in Serbia and Macedonia (2016) 8 <<https://policy-practice.oxfam.org.uk/publications/closed-borders-the-impact-of-border-closures-on-people-on-themove-with-a-focus-620155>> accessed 19 October 2020; UNHRC, 'Desperate Journeys: Refugees and migrants arriving in Europe and at Europe's borders (2018), p. 10 <<https://www.unhcr.org/desperatejourneys/#>> accessed 19 October 2020. For specific information regarding Iraqi Kurdish asylum migration to Europe, see: Erlend Paasche, 'Elites and emulators: The evolution of Iraqi Kurdish asylum migration to Europe' (2020) 8(2) *Migration Studies* 189.

<sup>195</sup> International Centre for Migration Policy Development, above n 193, 80.

<sup>196</sup> IOM, above n 193, 30.

<sup>197</sup> Europol, 'Situation Report- Criminal Networks involved in the trafficking and exploitation of underage victims in the European Union' (2018) 20: 'According to Eurostat, between 2015 and 2017, a total number of 189.845 unaccompanied minors applied for asylum in the EU. The majority of these unaccompanied children were boys between 15 and 17 years old'.

despite indications of widespread exploitation along migration routes on the way to Europe: 'So far, irregular migrants do not appear to be subject to systematic abuse once they reach the EU, even though individual cases were reported. For example, in December 2016, police in northern Greece freed two asylum seekers, a Syrian and an Iraqi man, who had been locked in a room for more than a week for failing to pay transit fees after being smuggled across the border from Turkey'.<sup>198</sup>

### 6.3. Experiences of exploitation and working conditions

There is a lack of reliable data about the specific experiences of exploitation of Iraqi nationals into the UK. We know that exploitation largely affects male workers who are exploited in the labour sector or are subjected to unknown forms of exploitation.<sup>199</sup>

### 6.4. Consequent effects of trafficking on survivors

In general terms, human trafficking exerts psychological effects on survivors that persist after intervention, and even after community reintegration. Effects include anxiety, depression, alienation, disorientation, aggression, suicidal ideation, attention deficit, and posttraumatic stress disorder (PTSD). In this context, community support and coping mechanisms may mitigate these effects.<sup>200</sup>

### 6.5. Particular needs, requirements, and considerations for support and engagement

Despite the lack of data on particular needs for support and engagement for Iraqi nationals, a study conducted analysing the experience of Iraqi refugees in two English cities (Sheffield and Hull), showed that the settlement in cosmopolitan neighbourhoods around the city centre, where there was an acceptance of diversity and difference, was important for their integration.<sup>201</sup>

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<sup>198</sup> International Centre for Migration Policy Development, above n 193, 55.

<sup>199</sup> UK Home Office, above n **Error! Bookmark not defined.**, 47.

<sup>200</sup> See David Okech et al, 'Social Support, Dysfunctional Coping, and Community Reintegration as Predictors of PTSD Among Human Trafficking Survivors' (2018) 44 *Behavioral Medicine* 209; Asefch Haileselassie Reda, 'An investigation into the experiences of female victims of trafficking in Ethiopia' (2018) 11 *African and Black Diaspora: An International Journal* 87.

<sup>201</sup> Deborah Platts-Fowler and David Robinson, 'A place for integration: refugee experiences in two English cities' (2015) 21(5) *Population, Space and Place* 476.

## 7. The impact of COVID-19

### 7.1. The Government's response to COVID-19

First case identified in February 2020, the coronavirus pandemic has prompted a series of measures by Iraqi and KRG authorities. By mid-March, Iraq imposed strict lockdown and social distancing measures, including a 24-hour nationwide curfew, closure of border crossing points, suspension of international flights, and disinfection campaigns, among others.<sup>202</sup> According to the University of Oxford's Government Stringency Index, which measures the strictness of policy responses to the coronavirus outbreak,<sup>203</sup> Iraq reached 96,3 out of 100 in the score between March and April, maintained 92,6 between May and August, and dropped until 78,7 at mid-October.<sup>204</sup> Measures in different areas have been adopted to mitigate the effects of the COVID-19 pandemic, including economic stimulus, employment-related and tax-related measures.<sup>205</sup> NGOs and other entities delivering humanitarian assistance were excluded from strict movement restrictions, although their capacity to provide support was still affected.<sup>206</sup>

### 7.2. The impact of COVID-19 on workers and modern slavery victims

Notwithstanding the above-mentioned relief measures, the COVID-19 crisis has affected already vulnerable population living in Iraq. According to UNHCR, 'the main concern raised by refugees, IDPs, returnees, and persons at risk of statelessness across Iraq is the inability to access livelihood opportunities as a result of current and previous movement restrictions. Most individuals affected by displacement were living on daily wages, and the movement restrictions have significantly affected their ability to make ends meet. This has translated into an increase in the number of individuals resorting to negative coping mechanisms. Challenges to reach persons of concern in certain locations, psychological trauma, stress and anxiety, halt of education activities, and the rise of domestic violence, among others, have also been raised widely as a direct concern'.<sup>207</sup>

The COVID-19 crisis will presumably have longstanding effects on the vulnerability of Iraqi population within a context of an already deteriorated situation after decades of conflict, rampant corruption, and erosion of democratic institutions. In a newly released report from UNICEF and the federal government – 'Assessment of COVID-19 Impact on Poverty and Vulnerability in Iraq', the increase of vulnerability parameters is measured, and policies aimed at tackling the vulnerability peaks are suggested.<sup>208</sup> For instance, the findings show that poverty increases by 11.7% reaching a 31.7% compared to 20.0% in 2017-2018 –4.5 million additional of poor–; '42% of the population suffers from deprivation in more than one dimension of the vulnerability index (education, health, living

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<sup>202</sup> See UNHRC, 'Iraq-Fact sheet' (September 2020), pp. 2-3 <[https://reporting.unhcr.org/sites/default/files/202009%20UNHCR%20Iraq%20Factsheet%20September%202020\\_0.pdf](https://reporting.unhcr.org/sites/default/files/202009%20UNHCR%20Iraq%20Factsheet%20September%202020_0.pdf)> accessed 19 October 2020.

<sup>203</sup> See in depth: <https://www.bsq.ox.ac.uk/research/research-projects/coronavirus-government-response-tracker>

<sup>204</sup> Our World in data (2020) <<https://ourworldindata.org/coronavirus/country/iraq?country=~IRQ#government-stringency-index>> accessed 16 October 2020.

<sup>205</sup> For a description, see KPMG, 'Iraq Government and institution measures in response to COVID-19' (24 June 2020) <<https://home.kpmg/xx/en/home/insights/2020/04/iraq-government-and-institution-measures-in-response-to-covid.html>> accessed 19 October 2020.

<sup>206</sup> UNHRC, above n 202, 3.

<sup>207</sup> Ibid.

<sup>208</sup> UNICEF, Iraqi Ministry of Planning, World Bank, 'Assessment of COVID-19 Impact on Poverty and Vulnerability in Iraq' (July 2020) 23 and ff. <<https://www.unicef.org/iraq/media/1181/file/Assessment%20of%20COVID-19%20Impact%20on%20Poverty%20and%20Vulnerability%20in%20Iraq.pdf>> accessed 19 October 2020.

conditions and financial security), which makes them more vulnerable to disease and to the increase of severe deprivation'.<sup>209</sup> Children face a higher vulnerability rate (48.8%).<sup>210</sup>

Thus, considering the already high existing levels of poverty and informal economy, the COVID-19 crisis will presumably make a significant proportion of population vulnerable to trafficking and exploitation.<sup>211</sup>

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<sup>209</sup> Ibid, 23.

<sup>210</sup> Ibid.

<sup>211</sup> John Hannah (FDD), 'COVID-19 in Iraq' (06 April 2020) <<https://www.fdd.org/analysis/2020/04/06/covid-19-in-iraq/>> accessed 19 October 2020.