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WOMEN AND PEACE IN IRAQ:

OPPORTUNITIES, CHALLENGES, AND PROSPECTS FOR A BETTER FUTURE

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Foreword

The following study is a result of one year of extensive research and deliberate joint efforts between Dr. Zeynep Kaya and Dr. Ilham Makki, with support from a local team of researchers, within the framework of the implementation of "Women Talking Peace-Women Leading Peace Talks" project, implemented by elbarlament and supported by Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH on behalf of the German Government.

Dr. Zeynep Kaya and Dr. Ilham Makki have painstakingly drawn on their extensive knowledge and expertise in the field to provide a thorough analysis of women's participation in peacebuilding processes in Iraq, highlighting opportunities, challenges and recommendations to different stakeholders for a better future of Iraq. The following text is contributing not only to the existing literature on Women, Peace and Security (WPS) in Iraq, but also articulating guidelines for the different interventions to enhance women's engagement and effective participation in formal and informal peacebuilding processes. Women and girls have suffered from the long-term conflicts in Iraq, with detrimental impacts on their social, economic and political conditions. Important strides, including drafting an Iraqi National Action Plan (INAP) for the monitoring and implementation of United Nations Security Resolution 1325 of 2000, have been made, which acknowledge that women must participate on an equal footing with men in peacebuilding processes, and that gender equality is crucial in establishing sustainable peace and building democratic functioning Iraqi state organs. However, women's effective participation in formal and informal peace processes in Iraq still lags behind.

On the other hand, Iraqi women and girls continue to defy the challenges to participation in peacebuilding processes. As a pillar of the protest movement, young women have established/founded the "Their Homeland" movement, through which they seek to affect fundamental change in the Iraqi system. They also continue to play a role that is integral to the quest for change and gendering peace and justice processes. That too comes at a cost, as women's presence in Iraqi public life puts them at a risk of harassment and assassination in some cases, among others. But as feminists scholars argued that "the fate of women is indicative of the fate of societies" (Nadje Al-Ali and Nicola Pratt 2009), sustainable peace and justice in Iraq can only be achieved when Iraqi women's opinions and efforts are recognised on local, national and international levels. We hope the study informs and inspires all those writing and working in the field, with the aim of supporting Iraqi women and girls to have power and peace. We would like to thank Dr. Zeynep Kaya and Dr. Ilham Makki for this excellent study and, of course, all the women who were interviewed and who contributed important information to the success of this study.

Finally, we would like to thank Susan Leichtweiss from GIZ for her constant support and a very special thank goes to Magdolin Harmina, who has managed this study carefully and with great commitment from the very beginning.

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Abbreviations

CCCP: Community for Coexistence and Community Peace
CEDAW: Convention on the Elimination of Discrimination Against Women
CSOs: Civil Society Organisations
GIZ: German Corporation for International Cooperation GmbH
HCWA: High Council of Women's Affairs
IDPs: Internally Displaced Persons
INAP: Iraqi National Action Plan
ISIS: Islamic State of Iraq and Syria
IWN: Iraqi Women Network
IWU: Iraqi Women's Union
KRG: Kurdistan Regional Government
LPCs: Local Peace Committees
NDI: National Democratic Institute
NRC: National Reconciliation Committee
LDWR: League for the Defence of Women's Rights
PKK: Kurdistan Workers' Party
PMFs: Popular Mobilisation Forces
PUK: Patriotic Union of Kurdistan
PVE: Preventing Violent Extremism
UN: United Nations
UNAMI: United Nations Assistance Mission for Iraq
UNDP: United Nations Development Programme
UNSC: United Nations Security Council
USAID: United States Agency for International Development
WPS: Women, Peace and Security

Interview Codes

BD: Baghdad ('BD1' refers to the interviewee number 1 in Baghdad)
BS: Basra
E: Erbil
K: Kirkuk
NF: Najaf
NV: Nineveh

Executive Summary

Women in Iraq have a lot to say about peace and what they say should be listened to. This research project tried to do just that. We talked to 91 women (and some men) activists, civil society representatives, journalists, legal experts and academics in Baghdad, Basra, Erbil, Kirkuk, Najaf and Nineveh. We listened to what they had to say about peace and justice, existing challenges to achieving these, and how the challenges can and should be overcome. We adopted a lens that focuses on women and gender and through this lens we looked at the processes of formal and informal peacebuilding and transitional justice.

As expected, the research showed that Iraqi activists have valuable insights to offer when it comes to issues of peace and justice in Iraq. It also showed that Iraqi peace activists work hard, indeed harder than the government, and make real change and impact on the ground. However, despite the impressiveness and value of this work, it remains small-scale and unnoticed as it is surrounded by a large web of 'continuum of violence',[1] legal and institutional obstacles, long-term gendered structural context, social gender norms and a political establishment that adheres to a conservative and patriarchal interpretation of religious and tribal norms. The obstacles and limitations to women's participation in peacebuilding are immense and manifold, but these have not stopped Iraqi women in the past and will not stop them today or in the future either.

Several important insights and lessons emerged from our conversations. It is impossible to do justice to all that rich and incredible knowledge, experience, and wisdom. However, here is an attempt to summarise the most important messages to emerge out of these:

First, this research showed that there is a rich plethora of definitions of peace in Iraq. Peace activities are defined in a comprehensive way by women and men in Iraq, which goes well beyond the narrow, formal conceptions of peace and justice. When women (and men working on human rights and women's rights) talk about peace, they do not just talk about the absence of violence and order. They also talk about transformational peace that creates tolerance and coexistence in society, about peace that enables women to receive the right kind of health service, to find a job and earn a living for their families, to protest and use their freedom of opinion, to get out of the house without fear of harassment, kidnap, assassination and to take an active role in public and social media without the fear of misogynistic defamation, amongst others.

Second, Iraqi activists define and understand peace and its relationship to justice in different ways and these depend on the line of work they pursue, the circumstances of the province, and the specific community, group or people and issue under discussion. Multiple feminisms, multiple visions of peace and different views on how they should be pursued, exist on the ground. Therefore, it is essential to adopt a holistic view of

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1   Cockburn, Cynthia, 2004. 'The Continuum of Violence: A Gender Perspective on War and Peace'. In Sites of Violence: Gender and Conflict Zones, eds. W. Giles and J. Hyndman. University of California Press, Berkeley, CA, 24-44.

peace, leaving room for unique and relevant conceptions and methods to emerge and initiate change through that. International actors should be aware of this and adopt a more nuanced approach to 'women and peace' when they carry out work in Iraq. Women peace activists and feminists call for a proper implementation of CEDAW and other international human rights principles that affect women and girls. However, this does not mean that they endorse the political agendas pursued by foreign states. Women peace and rights activities are stuck in a complicated place defined by the intersection of foreign funding and international/regional politics and this creates significant potential risks for them. The more the women's rights agenda is seen as a 'Western' political agenda, the more it harms women's rights work in Iraq, which was already present in Iraq prior to 'western' involvement.

Third, so much existing peace work is going unnoticed in Iraq in which women and men of all ages, but especially the young, are working relentlessly. Despite difficult circumstances, these individuals and groups carry out impressive voluntary work often in collaboration with local civil society organisations. They sometimes receive funding from international organisations to carry out this work, but on many occasions, they fund this work through charity and their personal income. These initiatives are small-scale but impactful. However, they are hard to sustain due to lack of political and financial support and in the absence of a state-led national agenda it is a challenge to build peace. Most peace activists reported political leaders act as if they do not want peace. The deep-seated problems, divisions and long-term conflict that has ruined the country and traumatised generations of Iraqis make it very hard to build peace through small-scale voluntary initiatives. Despite this, informal peace initiatives continue and prevail, and they are far more inclusive of women and youth compared to formal processes. They are creative, able to think outside the box and they are more embedded in local communities.

Fourth, formal peacebuilding mechanisms, on the other hand, such as the Committee for Coexistence and Community Peace, had less positive attributes compared to their informal counterparts. Some of the local peace committees have carried out important work and have been more inclusive than the other formal mechanisms such as the Martyrs Foundation. Still, formal mechanisms are less inclusive and informal mechanisms, and only a small number of women take part in them. When women take part in these local committees, they do not get to hold important positions. The Committee, and its local peace committees, at times remains cosmetic and their work too broad without making a tangible impact on the community. Their projects are usually short-term, and they do not receive genuine and sustained political support from the government. The work of the Committee for Coexistence and Community Peace does not fully reflect the circumstances, needs and expectations on the ground and its work is less flexible and more bureaucratised than formal peacebuilding mechanisms.

Fifth, opinion is divided about the Iraqi National Plan regarding resolution 1325, which was seen by respondents as another form of formal peacebuilding. The Plan is considered to be a huge achievement in bringing the issue of women's participation in peace processes to the political agenda. However, the Plan has not made a real impact and has not changed

the status of women's participation in formal peacebuilding and negotiations in Iraq. Some of the respondents, including women civil society representatives, had not even heard of the Plan while others had heard of it in name only but not witnessed any of its work. Most of the work and discussion in relation to INAP takes place in Baghdad and Erbil. However, the Plan mostly remains unimplemented due to a lack of political will and a limited budget to fund its activities.

Sixth, there is huge discrepancy between existing transitional justice mechanisms used by the Iraqi government and what respondents called 'real justice', as well as legal discrimination against women, a lack of legal protection for women, and the lack of punishment for perpetrators of violence against women. Respondents provided a much wider scope of issues and activities in relation to peace and transitional justice, issues that go beyond the formal justice procedures offered by the government. Peace activists have a different understanding of the relationship between peace and justice compared to state institutions and formal legal procedures. Moreover, existing transitional justice mechanisms lack a gender perspective and fail to address women's specific needs and expectations about peace and justice. The way the state conceptualises justice and implements it fails to address key conflict-related issues such as genocide, mass atrocities and sexual violence.

Seventh, customary rules have a significant impact on women's participation in peacebuilding by limiting women's participation in public life in the following categories: the idea that the role of women in the domestic sphere trumps their public roles; sexist views of women's ability to take responsibility and leadership roles; women's lack of economic power; sexual and gender-based violence; legal rules and norms that discriminate against women; and the lack, or weak, implementation of gender-equality laws due to customary norms. All these factors are intertwined with each other, particularly in terms of how customary rules and the legal system create and perpetuate violence against women. Moreover, tribal and religious authorities promote patriarchal customary rules and traditions. Their influence on women's participation in peace processes, as well as in public and political life differs from governorate to governorate. Their influence is particularly strong in the south and centre of Iraq, and less so in the north according to respondents. Moreover, religious and tribal actors within each governorate have more authority outside the cities.

Introduction

The insights and background in this report are based entirely on data collection undertaken by a fantastic group of Iraqi women. What made this research particularly valuable is that it was collectively designed with the research team in Iraq led by Dr Ilham Makki, an ethnographer, researcher and a women's rights activist, and her team of researchers composed of young women's rights activists and feminists. The team led by Dr Makki conducted the interviews in an intuitive and flexible manner, gathering insights that move our understanding beyond mere generic information. Indeed, the interviews unpacked the meaning of the processes of peace, conflict and gender relations on the ground, and the conversations engaged deeply with the meaning of 'peace', 'reconciliation', 'violence', 'rights' and the nature of the relationship between gender and peace in Iraq today. Therefore, their work shines a light on the situation in Iraq to help us better understand peace, women and gender in Iraq.

This research report seeks to provide an analysis of women's involvement in formal and informal peacebuilding and transitional justice processes, examining how these processes are impacting women. The research for this report was conducted in six provinces: Baghdad, Basra, Erbil, Kirkuk, Najaf and Nineveh, which were chosen to reflect the variety of gender, peace and conflict processes in a comprehensive manner throughout Iraq. The research conducted for this report sought to reflect the varied experiences of women, their access to rights, participation in peace processes and transitional justice. It also looked at the impact of different types of conflicts, processes and dynamics of displacement of women from different geographic, socio-economic, religious, sectarian and ethnic backgrounds and types of peacebuilding processes that are present or lacking in each context.

After providing an explanation of methodology for data collection and assessment of the research methods and challenges in the first chapter, the second chapter of the report provides a discussion of the concepts of peace and women and their inter-relationship. This discussion critically engages with the concept of peacebuilding and how international peacebuilding has incorporated gender into its agenda, as well as the implications of this incorporation for women's rights activism. The third chapter, 'Women and Women's Rights in Iraq', offers background about women historically and the state of women's rights activism today. This chapter then provides an account of the challenges women and women's rights activists have faced in Iraq since the invasion in 2003. These include the Iraqi governments' approach to women's rights and to political participation, legal and judicial issues embedded in Iraqi institutions and their practices, a lack of trust among citizens in the state's institutions, sectarianism and divisions, gender and sexual-based violence, conflict, and displacement.

Next, the report shifts to providing an account and analysis of what the 91 respondents shared with the research team in relation to formal and informal peacebuilding mechanisms in Iraq, transitional justice and what should be done.

Chapter 4 offers some background on the six provinces where research was conducted and Chapter 5, 'The Impact of Customary Rule and Tribal and Religious Authorities', provides an account of the impact of tribal and religious authorities on women's status and their inclusion in peacebuilding processes. Chapter 6, 'Formal Peacebuilding and Women', assesses the work of the Committee for Coexistence and Community Peace and the Iraqi National Action Plan on 1325, and the role of women in these mechanisms and the impact these are making on Iraqi women. Chapter 7, 'Informal Peacebuilding and Women', provides an account of the informal peace processes and their difference to formal peace mechanisms as described by the respondents. Chapter 8 focusses on transitional justice, assessing the existing mechanisms and discussing the relationship between justice and peace, and the situation of women in transitional justice based on the respondents' accounts of justice. The final chapter of the report then offers recommendations on what needs to be done according to the 91 interviewees.

1. Methodology

The research for this report was conducted between September and December of 2020. A qualitative methodology was adopted with two components: a comprehensive and systematic survey of the empirically grounded academic literature and grey literature (policy reports, research reports, issue papers, government reports, fact sheets, newspaper articles, conference proceedings, etc.) from a variety of national and international resources; and semi-structured interviews with women's rights activists, peace activists, civil society actors, academics, researchers, journalists, protesters and state officials. The research for this report was conducted in six provinces of Iraq: Baghdad, Basra, Erbil, Kirkuk, Najaf and Nineveh. In each province, 15 interviews (16 in Baghdad) were conducted for a total of 91 interviews. In each governorate, a local researcher was responsible for carrying out the interviews. Each researcher was a women's rights or peace activist, a volunteer from local civil society organisations (CSOs), and/or a research student. Due to restrictions deriving from Covid-19, researchers were not able to hold focus group discussions with women in different geographical areas, as originally hoped. However, despite the difficulties posed by Covid-19, most of the interviews (90 per cent) were conducted face-to-face and some via telephone.

1.1. Selection of Provinces

The reason for conducting the research in six different provinces was to avoid presenting a narrow and singular view of peace and women's position and roles in peace processes in Iraq and to reflect a variety of perspectives and experiences in different political, social and security contexts. Iraq has a diverse ethnic, religious and ideological composition. Different regions and provinces have experienced conflict, displacement, instability and political tensions in different ways. Each province also has its own characteristics and internal political contexts that differ from others.

We chose *Baghdad* as it is the centre of political power in Iraq and a key location for women's peace activism. *Basra* was chosen as it offers a representative example of the southern provinces and due to its role in the protests. *Najaf* is the heart of the Shi'a community and political organisation, and the main Shi'a religious sites are located in this province. *Kirkuk* is the only province in Iraq where no single ethnic group is in the majority; Kurds, Arabs and Turkomans, as well as other minority religious and ethnic communities constitute the demography of the region. Kirkuk also has rich oil resources, and its governance is a source of contestation and tension between the Kurdistan Regional Government (KRG) and the Government of Iraq. *Erbil* is the political centre of the Kurdistan Region of Iraq (Kurdistan Region), populated mainly by Kurds but with substantial numbers of ethnic and religious minorities. *Nineveh*, the province with the largest proportion of religious minorities in Iraq with a majority Sunni population, was the main battleground of Islamic State of Iraq and Syria's (ISIS) attacks.

1.2 Research Team

The Iraqi research lead, Dr Makki, is, as previously mentioned, an ethnographer and women's rights activist based in Baghdad. She has extensive experience in working with leading women's rights organisations. Her position as an academic, ethnographer and women's rights activist helped shape the process of the interviews and led to a deep understanding and discussion on gender and peace dynamics in each context. The other research lead, Dr Kaya, an academic based in the UK with expertise in women, gender and politics in Iraq, had the role of designing the research, analysing the data and writing the report in collaboration with Dr Makki.

In each governorate, the interviews were conducted by a researcher that lives in that governorate and speaks the local language. They were all female activists with experience in building peace. Therefore, the researchers that conducted the research can be considered as "cultural insiders".[2] Working with cultural insiders helped conduct the interviews in "location". It helped to obtain in-depth understandings of issues around gender, peace and peacebuilding in each individual province (with its specific social, political and conflict-related characteristics). It also enabled the researchers to carry out research more sensitively. Local familiarity gave them the ability to conduct the interviews in the form of a conversation instead of iteratively and monotonously. They were able to build on the respondents' questions to develop sub-questions that might be relevant and useful for the research or redirect the respondents if they moved away from the topic and question the information provided if it was possibly incorrect or based on assumptions. Another advantage of being insiders was that researchers were able to identify relevant individuals for the research through their position of working in the field of peace and gender in that province.

After recruiting the researchers in each province and forming the research team, Dr Makki provided online training about conducting ethnographic research, interview techniques, ethics around data collection, personal safety, data security as well as a detailed introduction to the goals of the research project. After each researcher had their first interview, they were given feedback to address the issues that might have emerged. After the initial set of interviews, the research leads in Baghdad and London adjusted the semi-structured interview content and schedule and incorporated insights and insider perspectives to develop a more reflexive analysis.

The researchers provided the research lead in Baghdad with transcripts of the interviews, who then either translated the interviews themselves or had them translated. All the data and documents were encrypted, and the data was immediately anonymised after transcription. All recordings were deleted after transcription. Written consent forms in Kurdish and Arabic were provided for all interviewees and consent was obtained from all participants. Some interviewees indicated they were happy to provide their names and

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2   Louis Botha (2011). Mixing methods as a process towards indigenous methodologies. *International Journal of Social Research Methodology* 14(4): 313-325.

institutional affiliations, but the rest preferred to stay anonymous. We decided to keep all interviewees' identities anonymous and will only provide background to the position of the interviewee paying extra attention to not revealing their identity.

1.3. Selection of Participants

The researchers approached potential interviewees whose experience would be relevant for the topic of the research. Using snowballing, the researchers reached out to other potential interviewees recommended or referred by the participants they interviewed. Researchers communicated with the research lead in Baghdad regularly to discuss potential interviewees and agree on who to approach, paying attention to include a diverse range of participants based on gender, ethnicity, religion, class, occupation and education. Therefore, it can be said that the method used for recruiting participants was non-probability snowball sampling. Findings included in this report have been anonymised to protect the identities of informants. A portion of the data collected has been excluded from the report due to the personal nature of the information and the sensitive nature of the security context where participants work.

One thing that was common among all participants was that they were involved in an area of work, voluntarily or as a profession, related to peace, peacebuilding, or reconciliation. Most of the participants were involved in work related to women and gender. Talking to interviewees who have informed perspectives on issues around peace and gender enabled us to access to first-hand knowledge and in-depth information needed for the research. This resulted in a comprehensive and detailed understanding of issues and enabled generating relevant recommendations based on interviewees' insights. Interviewees were deliberately not asked to reveal their ethnic, religious and sectarian identity unless they voluntarily shared this information. All the interviewees were Iraqi, and no foreign individual was interviewed, although a small number of the interviewees worked for international organisations. Most of the participants had multiple positions. For example, they could be a legal expert working for both the government and a civil society organisation, some participants were journalists but also working independently as peace activists with a variety of organisations; while others still were civil society activists taking part in Local Peace Committees (LPCs) led by the government and funded by international actors such as United States Agency for International Development (USAID), German Corporation for International Cooperation GmbH (GIZ), or Danish Refugee Council (DRC). Therefore, it is difficult to neatly categorise the participants based on their work field but the categorisation below was made based on the work respondents said they were doing at the time of the interview and the work they most associated with.

Gender	Baghdad	Basra	Erbil	Kirkuk	Najaf	Nineveh	Total
Women	13	11	10	11	14	10	**69**
Men	3	4	5	4	1	5	**22**

Age	Baghdad	Basra	Erbil	Kirkuk	Najaf	Nineveh	Total
20-29	0	4	2	3	3	7	**19**
30-39	3	4	0	5	6	6	**24**
40-49	6	4	7	5	6	2	**30**
50-59	5	3	4	1	0	0	**13**
60-69	2	0	2	1	0	0	**5**

Area of work/institutional affiliation	
Leaders or employees in Iraqi civil society organisations	**42**
Civil activist (did not want to reveal institutional affiliation)	**14**
Government official	**15**
Legal expert (usually working for the Courts or Ministry of Justice)	**4**
Working for International Non-Governmental Organisations	**6**
Working in the media sector	**4**
Business	**2**
Academic	**3**
Police (female)	**1**

1.4. Challenges and Difficulties During Fieldwork

The process of conducting the interviews took place during the open period when Covid-19 curfew was partly lifted by the government. Therefore most of the interviews could be conducted face-to-face (under Covid safe conditions). Nine interviews were conducted over the phone because the respondents did not want to meet face-to-face due to Covid-19 related concerns. However, it was not possible to conduct focus groups discussions due to Covid-19 restrictions. There were also delays caused by the pandemic in the data collection process as one of the project researchers contracted Covid-19 and had to self-isolate.

The security situation greatly affected the conduct of the interviews. Women's rights issues are highly controversial and several women in Iraq have been publicly humiliated, assaulted and murdered. Women working on women's rights can be labelled as agents of foreign actors and threats to Iraqi culture and customs. Some of those approached did not accept the invitation for an interview as they believed that the researchers were affiliated with women's activists, whom some consider as non-patriotic or *safara* – people of the embassies. Some of the potential respondents declined to participate in an interview due to their fear that this research might be supported by external parties hostile to the political blocs and parties. The security-related constraints were most influential in Basra Governorate. Some of the respondents did not want the interviews to be recorded or

required further assurance that their audio record would not be shared and deleted as soon as the transcript was complete. The researchers being insiders helped give confidence and assurance to interviewees in the data protection protocols of the project.

Being an insider in the research also comes with challenges. Being an insider required the researchers to take a step back and hear the perspectives without assumptions about what they hear and what they want to hear. Sometimes, the position of the researchers led the participants to have expectations around what type of information would be published about the Iraqi context rather than providing their insights on the issue under question.

The interviews were translated from Arabic into English. The translation also took longer than initially anticipated because of the long duration of some interviews. However, this assured us that the data collection process was comprehensive in scope. Overall, the transcribed interviews came to more than 320,000 words. Unfortunately, it was, therefore, impossible to do justice to all the themes that came up in this rich spate of data.

1.5. Data Analysis

It is important to start this section by stating that the findings in this report should not be taken as generalisable information. Some informants did not fit the target profile as closely as anticipated prior to the interview, or security-related and political concerns prevented the researchers from reaching all relevant participants, particularly those from religious and tribal backgrounds and those that are critical of women's rights movement but who are involved in 'peace' activities.

Therefore, their conceptions of peace, security and gender are not fully represented in the report. Moreover, each respondent had their own view of the situation, had gaps of knowledge about ongoing gender- or peacebuilding-work in Iraq. Therefore, the interviewees' thoughts about the work they do is best thought of as a representation of their view of the situation on the ground in that particular context and area of work, offering privileged insights from this perspective. Therefore, the account of the information provided here should be read with this in mind and the findings presented here should be taken as suggestive themes.

Given the diversity of the respondents and the geography covered, the aim of the data analysis was not to draw on generalisations, but instead to contextualise a variety of themes and experiences related to gender and peace work in Iraq, while also highlighting some general themes across the six provinces to illustrate in what specific ways they played out in each context.

The qualitative data analysis used in this report included a content-analysis in order to collate, integrate and contextualise the data in a comprehensive, systematic and rigorous way. This entailed a line-by-line reading of all the transcripts. After this, certain themes were identified and the data was re-read and examined again to code, categorise and organise the data and each section was written based on each thematic category. The coding scheme was as follows:

1. Formal peacebuilding processes (including INAP and its implementation, or lack of implementation)

2. Informal peacebuilding processes (including those led by local civil activists and organisations usually funded by INGOs, foreign governments or the United Nations, or not funded at all)

3. Women's involvement in both informal and formal peacebuilding processes, obstacles andopportunities

4. Transitional justice mechanisms

5. Women's representation in transitional justice mechanisms and their access to justice

6. Ways of increasing women's involvement in peacebuilding

7. Conceptions of peace, justice and security and the relationship between them

   - How gender/women related to these concepts

   - The transformation of gender roles

   - the meaning of inclusion and participation, and how it relates to peace (particularly in relation to the debates around the impact of the categorisation of the society along ethnic, religious and sectarian lines).

2. Women And Peace

Women's rights activists and feminists across the world have campaigned for the recognition of women's roles in building peace, preventing conflict, humanitarian support and post-conflict reconstruction since the beginning of the twentieth century.[3] One of the recent achievements of this work is the launch of the United Nations Security Council (UNSC) Resolution 1325 in 2000. Since then, an additional nine resolutions have been passed by UNSC and together these resolutions constitute the Women, Peace and Security (WPS) agenda. WPS is comprised of four pillars: participation, prevention, protection, and relief and recovery. The focus in this report is on the participation pillar, although it is important to note that these pillars are interlinked, and it is hard to analyse any of these in isolation from the others. Participation – women's meaningful and equitable representation and identification of their interests and needs in peace processes – is essential for achieving the goals of other pillars.[4]

Women's participation in negotiations and political processes has been largely neglected despite the multiple ways women contribute to peace. Instead, at both international and national level gender programming, the 'protection' element of the WPS agenda has dominated others.[5] Actually, UNSC Resolutions 1889 (2009) and 2122 (2013) have highlighted this issue and encouraged actors to include women in peace processes. Still, women's participation in formal peace processes has remained low. According to data collated by the Council on Foreign Relations, between 1992 and 2019, only 13 per cent of negotiators, 6 per cent of mediators and 6 per cent of signatories were women in formal and major peace processes across the world. Moreover, 7 out of 10 peace processes did not include women at all.[6]

The reasons for the necessity of including women in peacebuilding processes from governmental-level decision-making, to negotiations, to being part of security forces, post-conflict political processes and peacebuilding activities during and after conflict are manifold. This is not only a rights issue, but also there is reliable evidence that meaningful and non-tokenistic participation of women increases the likelihood of durable peace and helps to prevent violence and conflict (Perry 2020: 3). Scholars and activists have repeatedly stated that women have certain capacities that render them valuable as agents of peace and reconciliation. For instance, women peacemakers tend to focus on the root causes of instability and long-term solutions; they usually have access to diverse social groups that make them ideal mediators and that enable them to connect elites and grassroots and different ethnic, political and religious positions; and they inspire more trust and

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3 Due to lack of space, the history of this struggle work will not be discussed here.

4 Kristin Perry (2020) Securing the participation of women in Iraq's reconciliation program. Policy Brief. MERI. Vol. 4, No. 36, p. 2.

5 Jana Krause and Cynthia Enloe (2015) A wealth of expertise and lived experience. *International Feminist Journal of Politics* 17(2): 328-338, p. 329.

6 Council on Foreign Relations (2020) Women's participation in peace processes.

confidence than men.[7] Women's inclusion in a peace process increases the likelihood of reaching a peace agreement, as well as making that agreement last, be more successfully implemented and prevent relapse into conflict.[8] According to O'Reilly, if women are part of the development of peace agreements, agreements are 35 per cent more likely to last at least 15 years. There are several of examples and experiences of women across the world being involved in "brokering ceasefires, coordinating humanitarian support, shaping peace negotiations and leading reconciliation efforts"[9] but these remain limited in scope and localised and are not built upon sufficiently. In Iraq, for example, there is a tendency to overlook women's small or large peace initiatives.[10] However, this does not stop Iraqi women activists and men from working on these issues as the fieldwork conducted for this research shows.

Women's inclusion in peacebuilding and post-conflict contexts is presented by international actors as an opportunity to empower women economically, socially and politically[11] and, as mentioned above, including women in peace processes is believed to make peacebuilding more effective and long-lasting. Efforts at gender mainstreaming, increasing gender equality and involving women in peace processes and conflict prevention (and statebuilding in general) has become integral to peacebuilding as we saw in the statebuilding work after international invasions in Afghanistan and Iraq. Today, the UN promotes women's participation in peacebuilding by positing that engaging women is not only a rights issue but also because "it makes for lasting peace", as coined by Hiba Qasas, Chief of UN Women's Humanitarian Action and Crisis Response Office in Geneva.[12] Therefore, there is a clear effort by the international community to include women to create durable peace. For instance, peacebuilding after the defeat of ISIS has heavily focused on stabilisation, which leads to short-term and limited funding for peace initiatives.[13]

However, these prevalent views about 'peacebuilding and women' and the work promoted by international actors along these lines are rarely discussed among policymakers and organisations that promote and implement peacebuilding principles and policies. This work is actually imbued with cultural stereotypes and generalisations about women's

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7   Sanam Anderlini (2007) *Women Building Peace: What They Do, Why It Matters*. Boulder, CO: Lynne Rienner Publisher.

8   Marie O'Reilly, et al. (2015) Reimagining Peacemaking: Women's Roles in Peace Processes. International Peace Institute.

9   Krause and Enloe, p. 328

10 Yasmin M. Khodary (2016) Women and peace-building in Iraq. Peace Review 28(4): 499-507, pp. 499-501.

11 Helen O'Connell (2011) What are the opportunities to promote gender equity and equality in conflict-affected and fragile states? Insights from a review of evidence. *Gender and Development* 19(3): 455-466, p. 455; Khodary 2016, p. 501.

12 Hiba Qasas, Humanitarian actors highlight women's role in recovery and peacebuilding in Iraq. Speech. UN Women News and Events, 20 September 2017.

13 UNDP (2020) Funding Facility for Stabilization Annual Report 2019; EPLO (2017) Civil society peacebuilding actors in Iraq. Civil Society Dialogue Network Discussion Paper, No. 12, p. 2

situations in specific contexts, for instance, in Iraq. There is a tendency to treat the Middle East as somehow different when it comes to gender issues. These assumptions lead to inaccurate conceptions of problems and their causes, and therefore in turn lead to ineffective strategies and policies. There should be more work done to understand the conditions of women and gender norms and relations to challenge misconceptions, stereotypes, and civilisational explanations that are rooted in western colonial approaches that devalued the 'non-western', 'the Islamic' or 'the underdeveloped'.[14]

Typically, religion is presented as the reason for women's position in the Middle East. However, as Keddie argues, the condition of women in Islamic societies changed throughout history and religion played a varied role as it interacted with pre-Islamic, tribal and colonial traditions, and Western and capitalist influences.[15] A failure to understand this leads outsiders to criticise culture and religion, especially Islam, to explain the treatment of women – a dynamic that often creates a backlash against women's rights defenders in these societies. The gender rhetoric at the international level is often interpreted by power holders, the proponents of the status-quo, and conservatives in Iraq as part of the Western political agenda and as a form of intervention and threat against the country. Both the counter-feminist rhetoric in Iraq and the international gender agenda overlook the fact that women's rights activism is not an external phenomenon – it always existed in Iraq. International actors should not treat this agenda as a panacea for women's problems and conflict in Iraq, nor those in Iraq critical of women's rights activism should treat it as an internationally imposed agenda. Neither are true and the fieldwork conducted for this research clearly shows this.

In the international policy field, peacebuilding is presented as a desirable frame of thinking and policy, and the appropriateness of its methods and strategies are generally taken for granted at the policy level. Liberal peacebuilding, especially since the end of the Cold War, has been the dominant thinking around how states and societies can move from a state of conflict towards peace. The UN has been a key actor that promoted liberal peacebuilding as the key security activity since the end of the Cold War.[16] Peacebuilding has its roots in the conceptions of liberal peace and liberal governance and is often coined as liberal peacebuilding. The UN defines peacebuilding as entailing "a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development".[17] Roland Paris, one of the key scholars of peacebuilding, has defined it as "helping societies make the transition from civil violence to a durable peace".[18]

14 Robbie Shillam (2011) Non-western thought and international relations. In: Shillam (ed.) *International Relations and Non-Western Thought: Imperialism, Colonialism and Investigations of Global Modernity*, New York: Routledge, pp. 1-11.

15 Nikki R. Keddie (2007) *Women in the Middle East: Past and Present.* Princeton University Press.

16 Roland Paris (2018) Peacebuilding. In: Thomas G. Weiss and Sam Daws (Eds.). *The Oxford Handbook on the United Nations*, 2nd Edition. Oxford: Oxford University Press, pp. 70-87, p. 70.

17 UN Peacebuilding Support Office (2010) UN Peacebuilding: An Orientation, p. 1.

18 Paris 2018, p. 70.

With the increased prevalence of the liberal peacebuilding agenda in international politics, the world has witnessed an increasing number of peace operations, interventions, conflict resolution and mediation efforts, post-war statebuilding, reconstruction, civil society building, socio-economic development initiatives, institutional and political reforms, and security sector reform. As a result, the peace policy began to resemble statebuilding with frequent resort to military force as a standard practice, blurring the distinction between war and peace in today's international politics.[19] Peacebuilding interventions have become a policy for reforming and reconstructing 'collapsed,' 'failed' or 'fragile' states based on the assumption that certain forms of governance and institutions (liberal democratic) lead to stability and prevent the emergence of war and violence.[20]

In that sense, democracy, institutional reform, development, supporting civil society, the emergence or development of market economics and statebuilding became interlinked in peacebuilding processes. However, the illiberal methods and ideas embedded in liberal peacebuilding (Duffield 2007), its top-down approach that resembles aspects of colonisation and the discrepancy between its goals and its actual outcomes are typically overlooked by those pursuing this agenda around the world.[21] Therefore it is important to understand what peace and peacebuilding look like from the perspective of Iraqi women rather than seeing these concepts top-down models of governance. This should be done without assuming that binary divisions such as local-international are clear cut and without perceiving the 'local' and the 'international' in a hierarchical relationship.

These problems and assumptions of peacebuilding create issues for the success and acceptance of the women's rights agenda in certain contexts. This is because the agenda on women's participatory rights has become enmeshed into the political, military, economic and social dynamics of peacebuilding and statebuilding at national and international levels.

A key implication of this is related to the meaning of 'peace' and 'war' in the peacebuilding agenda. These concepts are typically considered as the opposite of each other; chaos and violence are usually associated with conflict and war, and peace is associated with order and lack of violence. However, these notions do not actually embody opposite processes, and the meanings of 'peace' and 'war' are contested. Their different meanings are connected to different world views, ideological positions, contexts and the actors who are defining them. Peace as order and stability is different from structural peace and it tackles issues of 'structural violence,' which continues to exist in the absence of war and violence.[22]

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19 Michael Pugh (2005) The political economy of peacebuilding: a critical theory perspective. *International Journal of Peace Studies* 10(2): 23-42; Heathershaw, John (2008) Unpacking the liberal peace: the dividing and merging of peacebuilding discourses. *Millennium: Journal of International Studies.* 36(3): 597-621, p. 597.

20 Ottaway, Marina (2002) Rebuilding state institutions in collapsed states. *Development and Change* 33(5): 1001-1023, p. 1002.

21 Roland Paris (2004) *At War's End: Building Peace after Civil Conflict*. Cambridge University Press.

22 Johan Galtung (1969) Violence, Peace and Peace Research. *Journal of Peace Research* 6(3): 167-191.

Moreover, processes defined as 'peace' can be extremely violent; post-conflict contexts sometimes can be even more violent than 'wartime'. Therefore, associating peace simply with lack of violence prevents us from seeing other forms of violence that are prevalent in society and state control mechanisms, and in the institutional and legal system. This is particularly the case in relation to gender-based violence against women and girls. Structural violence and impunity that lead to violence against women during 'peacetime' continue and exacerbate during 'war' and 'conflict'.[23]

A second implication of tethering the women's rights and participation agenda to liberal peacebuilding is related to its securitisation and instrumentalization. The peacebuilding agenda has increasingly entailed militarisation and securitisation of peace and this has also led to the securitisation and instrumentalisation of the women's rights agenda, specifically the WPS agenda.[24] For instance, the Preventing Violent Extremism (PVE) framework makes direct references to women's participation in countering violent extremism and working with women's organisations in conflict and post-conflict states to implement this strategy.[25] The UNSC Resolution 2242 has formulated this policy by directly connecting the WPS agenda with PVE. Indeed, the UN clearly adopted this position, as exemplified Qasas's speech, where she stated, "While women can be victims and their rights are violated and compromised, they are also a strong constituency to counter and prevent extremism and radicalisation".[26]

A third important issue that should be highlighted here is the assumed distinction between the local and international, and the way 'local' is conceptualised. Liberal peacebuilding overlooks the complexity of the reality: it fails to acknowledge how issues, identities and conflicts are contextualised and that local women cannot be categorised as a homogenous group without an intersectional lens to understand how factors such as geographic location, educational background, societal/family status, ethnic and religious background, political position and other factors all interact.

Therefore, this raises a crucial question – what does peacebuilding look like from the perspective of Iraqi or other domestic (who are usually also transnational) actors, specifically women? Peacebuilding is usually the outcome of a top-down imposition of an institutional model or agenda. However, in practice, it is negotiated between international and domestic actors, or it leads to hybrid forms of power and governance.[27] Therefore, it looks different in different contexts. Although the discourse and principles are similar elsewhere, it is important to appreciate how the 'local' context understands, engages with, or rejects peacebuilding. The concept of 'local' also needs to be brought into question here. Typically, policymakers and policy documents use the concept of 'local' to refer to

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23 Valentine M. Moghadam (2005) Peacebuilding and reconstruction with women: reflections on Afghanistan, Iraq and Palestine. Development 48(3): 63-72, p. 70.

24 Dianne Otto (2016) Women, peace and security: a critical analysis of the Security Council's vision. LSE Centre for Women, Peace and Security Working Paper Series, No. 1, LSE WPS: London.

25 Zeynep Kaya (2020) Feminist Peace and Security in the Middle East and North Africa. Oxfam, p. 15.

26 Qasas, Speech 2017.

27 Krause 2012, p. 40.

a space, or a group of actors (for instance women's rights organisations), or governing actors.[28] But the clear-cut division between 'international' and 'local' does not always make sense because such a view assumes a hierarchical relationship between the two and overlooks the interconnected nature of local-international relations. It also overlooks the complex web of sub/ultra-national and transnational processes that take place between a variety of actors.

To conclude, the work on gender and peace is situated within an international political and normative context that generates certain meanings and assumptions about the concepts of 'peace', 'peacebuilding' and the 'local'. These meanings and assumptions have significant implications on women and women's rights movement across the world and in Iraq. The meanings and implications of these concepts are shaped by the liberal peacebuilding agenda. As a result, different actors treat and perceive women's rights activism in different ways depending on their political positions. Iraqi political elite with conservative views about women's position, Iraqi women's rights activists and their allies within the transnational feminist movement, foreign states, and the international development and humanitarian actors approach the women's rights issues based on their position vis-à-vis national and international politics.

Women peace activists and feminists in Iraq call for a proper implementation of CEDAW and other international human rights principles that affect women and girls. However, this does not mean that they endorse the political agendas pursued by foreign states. Women peace and rights activities are stuck in a complicated place defined by the intersection of foreign funding and international/regional politics and this creates significant risks for them. The more the women's rights agenda is seen as a 'Western' political agenda, the more it harms women's rights work in Iraq, which was already present in Iraq prior to 'western' involvement, as the next section explains.

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28 Columba Achilleos-Sarll and Yasmin Chilmeran (2020) Interrogating the 'local in Women, Peace and Security: reflections on research on and in the UK and Iraq. International Feminist Journal of Politics 22(4): 596-605, p. 597.

3. Women and Women's Rights in Iraq

3.1. Historical Context: Women's Situation and Violence Against Women

Understanding the position of Iraqi women in private and public life requires a look at the history of the Iraqi state's treatment of women. This section provides a brief overview of this historical context and shows that the status of women has not improved for the better. The roots of the problem were seeded during the British Mandate rule in the early twentieth century (1920-1932).

The British Mandate's decision to maintain existing social hierarchies based on supposed religious and customary rules led to the institutionalisation of patriarchal and patrimonial gender hierarchies. Based on these divisions, women's legal rights fell under different family laws based on particular customary and religious rules. Their issues were dealt with by religious courts in urban areas and by tribal courts in rural areas, leading to the 'tribalisation of women' under British rule.[29] This status continued under the monarchical rule in Iraq from 1932 to 1958, which ended with General Qasim's takeover of the state.

Under General Qasim's new Iraqi Republic (1958-1963), huge progress was made regarding women's rights. Improvements to the welfare state, land reform and the creation of a more unified and civic law led to the weakening of tribal, religious and sectarian affiliations, which duly improved women's positions. The 1959 Personal Status Code offered a more unified and egalitarian family law on issues pertaining to marriage, divorce, inheritance and custody. However, legally, women were still considered as inferior to men, despite the provision of gender equality in the constitution.[30]

The Ba'ath regime (1968-2003) initially pushed for female empowerment, such as encouraging and creating opportunities for women's education and employment, under the premises of an Arab nation-building effort. However, the 1969 Penal Law authorised domestic violence as 'domesticating the wife' and positioned men as the head of the family.[31] Moreover, after the 1980s, during the Iran-Iraq War in 1980-88, the Gulf War in 1990-91 and the international economic sanctions that followed it, the regime increasingly reinforced militant and hegemonic masculinity and a patrimonial nationalism.

It reinforced conservative and traditional gender norms intersecting with religious and sectarian hierarchies. A combination of gender and identity hierarchies began to manifest itself in increasingly violent forms, especially for women caught in such intersections. Gendered violence became a core component of the discriminative, exclusionary and unfair practices under the Ba'ath regime in its later years.

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29 Noga Efrati (2012) *Women in Iraq: Past Meets Present*. Columbia University Press, pp. 51-55.

30 Zahra Ali (2018) *Women and Gender in Iraq: Between Nation-Building and Fragmentation*. Cambridge: Cambridge University Press, pp. 62-63.

31 *Ibid.*, p. 96.

This gendered and identity-based violence took place against the backdrop of increased discrimination and violence against women, and validation of militant and hegemonic masculinity in general. For instance, early marriage was encouraged, polygamy was revived and honour killing was briefly legalised.[32] The regime provided financial rewards to families who gave birth to a fourth child and defined the 'good' Iraqi women as the mother of future soldiers.[33] This reinforced the idea that women's main role is reproduction and objectified their bodies as tools for this.

The Ba'ath regime used sexual violence against women and men who opposed the regime.[34] Abduction, rape, harassment and other crimes against women became widespread after 1991. The deterioration of security, the large-scale destruction caused by coalition bombings, the impact of sanctions and the violent suppression of the Shi'a uprising in 1991 created a trauma across Iraqi society, hardened divisions and 'normalised' violent acts.[35]

The repertoire of norms and practices of tribal and Islamic conservatism in the later years of the Ba'ath regime provided a source of 'legitimacy' for such acts, which treated women's bodies as 'things' that should be controlled and managed. The regime's 'Faith Campaign' made the punishment for 'honour killing' lighter, banned women from travelling abroad without a male relative and prostitution became punishable by death.[36]

Saddam Hussein's son, Uday and his militia, *Feda'iyye Saddam*, kidnapped and raped young Iraqi women and girls for sexual gratification, killed alleged sex workers and beheaded women using swords in front of their homes without any judicial process in Baghdad and Mosul.[37] Making allowances for domestic violence and women's murder, not properly punishing perpetrators, treating victims as criminals and sexual maltreatment of women in prisons exacerbated and deepened the informal and formal institutionalisation of sexual violence against women.[38]

Women with particular identity affiliations experienced specific gendered violence, justified by attributing lesser value to the lives and bodies of those women. For instance, the state offered cash rewards for divorcing Iranian wives, sexual violence against Kurdish women was notorious during the *Anfal* Campaigns and rape was seen as part of an ethnic cleansing strategy.[39]

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32 Rohde 2010, pp. 102-111.

33 Ali 2018, p. 100.

34 Although cases of women experiencing this is reported more than men's probably due to the greater stigma around the rape of men. Nadje Al-Ali (2018) Sexual violence in Iraq: challenges for transnational feminist politics. *European Journal of Women's Studies* 25(1): 10-27.

35 Nadje Al-Ali and Nicola Pratt (2009) *What Kind of Liberation? Women and the Occupation of Iraq.* Berkeley: University of California Press.

36 Ali 2018, p. 113.

37 Amnesty International (2001) 2001 *Report*. London, p. 132.

38 Al-Ali 2018, pp. 18-19.

39 Hardi 2011; Ahram 2019.

3.2. Women's Rights Activism in Iraq

Women's rights activism in Iraq goes back to the birth of the state and this struggle has sought to challenge women's exclusion from politics and the customs and laws that are coercive and discriminative. Women's rights activists' efforts today are connected to this long history and they focus on ensuring women's meaningful participation in politics, protecting and amending the Personal Status Law that governs marriage, inheritance, divorce, citizenship, custody issues, changing the laws and regulations that discriminate against women, and preventing discriminative and coercive interpretations of customary and religious rules.[40]

Both men and women intellectuals have been long-standing critics of the subordination of women to second-class citizens since the British Mandate and Hashemite Monarchy, during which the institutionalization of pre-existing tribal law and the increased dominance of religious interpretations into law prevented women from being a part of political life.[41]

During the period of Hashemite rule (1932-1958), political and social activism that was critical of the system grew, including activism on women's issues. Under the Hashemite Monarchy different discourses of women's rights began to circulate; one based on the principles of equality and justice and the other based on the principles of national progress and women's role in this.[42] The Women's Awakening Club was the first women's organisation in Iraq. It was established in 1923 by a group of middle and upper middle-class women and supported the education of women, including their right to vote and work.[43] Women were also part of the independence struggle in the 1920s and 1930s. They established charitable organisations focusing on education, poverty and health, and in the 1940s women activists began to form organisations with more political goals, such as the Women's League Against Nazism and Fascism.[44]

Two prominent women's organisations were the Iraqi Women's Union (IWU) (established in 1945) and the underground League for the Defence of Women's Rights (LDWR) (founded in 1952). Each of these organisations had different approaches: the IWU tried to unite all women's organisations under one umbrella and was hesitant to be critical of the government; the LDWR was formed by leftist and communist women, some were activists excluded from IWU after government crackdown, and worked underground for political and social change.[45]

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40 Efrati 2012, p. x.

41 *Ibid.*, p. xiv.

42 Ali 2018: 59

43 Nadje Al-Ali (2012) The Iraqi women's movement: past and contemporary perspectives. In: Pernille Arenfeldt and Nawar Al-Hassan Golley (eds.) Mapping Arab Women's Movements: *A Century of Transformations from Within*. Cairo Scholarship Online, pp. 105-121, p. 106.

44 Al-Ali and Pratt 2009: 24

45 Efrati 2012: 113.

Women's activism, campaigning and lobbying in the 1950s played an important role in shaping the more progressive discourse adopted by the new regime that came to power after the 1958 coup. The new regime passed a progressive Personal Status Code in 1959 and introduced changes to previous laws that were less discriminative.[46] When the Ba'ath regime took over in 1968, the educational, economic and social emancipation of women moved into a more central place in the regime's policies, especially in its early years. The General Federation of Iraqi Women, established in 1968, was the key organisation that facilitated this process with the support of the regime.[47] These changes were intertwined with nationalist goals like the goal of creating 'Iraqis', as well as to the need for creating a labour force in a growing economy.[48] However, the regime rejected demands by women's rights activists for a deeper transformation, such as secularising the legal system, and avoided challenging gender relations.[49] In its later years, the regime became less progressive and began to work with tribal and religious elements in Iraqi society to consolidate its position in the face of challenges posed by the 1980-88 Iran-Iraq War, 1991 Gulf War, economic sanctions and the deterioration of the economy and living standards.

Women in the Kurdistan region faced similar issues to women in other parts of Iraq. Many Kurdish women's rights activists worked in collaboration with those based in Baghdad. However, the situation of Kurdish women was worse compared to those in other parts of Iraq before 1991. In addition to the highly patriarchal and tribal societal structure, the region was suffering from underdevelopment, poverty, unemployment and poor educational, health and services infrastructure due to lack of state investment in this area. Kurdish women's activism became more active after the Gulf War and the introduction of the safe haven in northern Iraq which created an autonomous Kurdish region. Women's rights advocates and organisations increased their activities and began to organise more. The post-1991 context offered more opportunities and space for women's rights in the region compared to previous years.[50]

With the increase in humanitarian and development aid in the Kurdistan region, civil society organisations focusing on women's issues flourished after 1991, and especially after the 2003 intervention. Their pressure resulted in important changes in the Kurdish legal system and women's participation in public and political life. A significant increase in the number of women's civil society organisations took place in other parts of Iraq after 2003. Not only elite organisations but also organisations with a smaller scope or national level scope too. These organisations tried to tackle the lack of employment and education,

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46 Al-Ali 2012, p. 108.

47 *Ibid.*, p. 110.

48 *Ibid.*, p. 109

49 *Ibid.*, p. 111

50 Lucy Brown and David Romano (2006) Women in post-Saddam Iraq: one step forward or two steps back? *NWSA Journal* 18(3): 51-70; Mojab, Shahrzad (2004) No 'safe haven': violence against women in Iraqi Kurdistan. In: Giles, W. and Hyndman, J. (eds.) *Sites of Violence: Gender and Conflict Zones*. Berkeley: University of California Press, p. 119.

the impact of years of poverty and economic deprivation, destruction caused by conflict, through income generation activities, training, and so on, and push for women's inclusion in politics and the elimination of discrimination against women.

Women's campaigning played an important role in the adoption of a 25% quota for parliamentary seats and quotas in local governorates. This quota is 30% in the Kurdistan Region. However, women's substantive participation in formal politics has remained limited and tokenistic attitudes towards the quota are widely prevalent across Iraq. Women's ability to influence decision-making processes and to take roles in higher political positions have not been achieved. Similarly, women's inclusion in conflict resolution and peace processes has also remained limited, resulting in decisions and policies that are not gender-sensitive.[51]

This is partly because the Iraqi political elite understands women's political participation in terms of numbers rather than as meaningful or 'substantive' participation. 'Substantive representation' is usually understood as the ability to use discretion and act for the political interests and political positions of the people being represented.[52] Descriptive representation on the other hand refers to numerical representation. In other words, the difference between descriptive and substantive representation is about the number of women represented in political bodies versus the impact women make on politics and in enhancing gender equality.

Women's rights activists put emphasis on the importance of the quality of women's participation (substantive participation) vis-à-vis the number of women being represented.[53] For example, in Iraq, a project led by women activists in 2018, assessed the peacebuilding processes in post-ISIS Iraq and pointed out that including the voices of women in a meaningful way and ensuring their impact in decision-making is essential if the aim is to develop an inclusive social and political framework.[54] However, this does not mean that descriptive participation is not important. Descriptive representation "is not a tool for achieving better substantive participation" and it also "matters in and of itself" as it challenges the existing social and political hierarchies.[55] Indeed, the interviews conducted for this report showed that Iraqi women's rights activists believe that descriptive and substantive representation are both necessary and important, and they cannot be separated from each other.

In conclusion, Iraqis have experienced critical peace and security issues for decades that led to disastrous and destructive outcomes, which are the result of a complex web

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51 Gender-Sensitive National Reconciliation Platform 2018, p. 8.

52 Hanna Pitkin (1967) *The Concept of Representation*. Berkeley and Los Angeles: University of California Press.

53 O'Reilly et al. 201

54 Gender-Sensitive National Reconciliation Platform (2018) Her Role: A Strategy for Peace. National Democratic Institute, p. 10.

55 Anne Philips (2012) Representation and inclusion. *Politics and Gender* 8(4): 512-518, pp. 516-517

of internal, regional and international factors and processes. The country has been a long-term site of conflict with detrimental impacts on women and girls, and their social, political and economic rights. The impact of the US invasion, sectarian conflict, the ISIS insurgency, the war against ISIS, displacement, humanitarian crises, crisis of governance, ongoing corruption, economic issues and poor service delivery perpetuated existing issues and created new challenges for Iraqis. However, despite the prevalence of conflict and violence and the huge impact this makes on women, women have been excluded from political decision-making and the processes of conflict resolution and peacebuilding. This is still the case even though women' rights activists and the civil society actors have been advocating for women's meaningful inclusion in these processes. The 25 per cent quota for women's political representation since 2005 and the launch of the Iraqi National Action Plan (INAP) on WPS in 2014 have not changed the situation. Women's involvement in political processes related to peacemaking, conflict resolution and peacebuilding still faces serious obstacles, where formal peacebuilding spaces are often restricted to religious and tribal leaders and established political actors.

3.3. Post-2003 Invasion: Issues and Challenges

This section summarises the issues and challenges Iraqi society in general and women in particular have been facing in Iraq since the invasion of Iraq in 2003 by the US-UK coalition forces. The volatile and unstable political and security context this generated, increased sectarianism and divisions exacerbated the on-going issues faced by women and added new problems.

a. Lack of Trust in the State

A key big challenge Iraq faces is the government's inability to generate trust among citizens towards its governance, institutions and political decisions. The Iran-Iraq War, Gulf War, the 2003 invasion, sectarian conflict and ISIS's insurgency in Iraq have weakened the state institutions, the rule of law and infrastructure significantly. International sanctions – the harshest sanctions in diplomatic history – and an internationally imposed regime, in combination with conflict, sectarian politics and corruption had a destructive impact on state-society relations in Iraq.[56] This creates significant challenges for women in terms of enjoyment of their rights. The weakening of the rule of law, institutional rules and regulations and prevalent impunity exposes women to all types of risks, fails to provide protection that experienced unfair treatment and sexual and gender-based violence and prevents their full participation in public life.

Ongoing protests since 2015 across the country, especially in Baghdad and Basra, are an indication of the collapse of the state-society relations. These protests are results of long-standing issues Iraqi people have been experiencing and grievances in response to a seeming lack of interest among policymakers to address these issues. These are lack of basic public services, collapsed economic infrastructure, corruption, and sectarianism

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56 Toby Dodge (2013) *Iraq: From War to A New Authoritarianism*. London: Adelphi Series.

that has been deliberately institutionalised and politicised. The Iraqi state has been heavy-handed in its response to protests, further undermining trust in the state.[57]

The collapse in citizens' trust in the state and its institutions are caused by multiple interconnected reasons. Poor governance is a key factor, which has not only led to grievances among the population but has also fuelled violence and corruption.

The government is unable to assure its citizens that stability and better provision of services will happen one day. The institutional and political system that is still based on political sectarianism, issues with public service delivery, poor quality education in conflict-affected areas, corruption, patronage, questions around the independence of the judiciary, arbitrary arrests and killings and a context of negligence and exploitation have all combined to lead citizens to question the government.[58]

The government and its institutions are not held accountable and are not inclusive of different political positions, young people, women and minorities, and the Shia-led government excluded and marginalised the Sunni communities under the pretext of De-Ba'athification policies. Existing institutions require urgent investment, revitalisation and reform. For instance, the education system is underfunded and archaic, failing to prepare children and young people adequately for the future or to equip new generations to contribute to Iraq's social and economic development.[59] All these factors, and the grievances these generated, prepared the conditions for ISIS. If they are not addressed, there is the risk the past might repeat itself.[60]

Another source of the problem is the permanency of crisis and issues in the political governance of the country. The tension between the Kurdish government and Iraqi government over disputed territories, control of natural resources and the issue of decentralisation, legislative issues in the parliament, the Popular Mobilisation Forces (PMFs) relationship with Iran and wider Iranian influence in Iraq, corruption, budgetary issues are only a few of the main issues that Iraqi politics suffer from.

These political crises and the political elite's increased disconnect from citizens, and tensions between whether politicians represent the interests of all citizens or political factions lead the citizens to be disillusioned with the political processes in Iraq.[61] As a result, the relationship between citizens and the political elite and between the government and other provinces is dominated by distrust. Minorities are particularly concerned about their future within Iraq and are distrustful of local and national level political, administrative and military authorities.

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57 Women's International League for Peace & Freedom (WILPF) (2019) How a collective of Iraqi women is bringing the country closer to peace, 1 Nov.
58 Gender-Sensitive National Reconciliation Platform 2018, pp. 25, 42
59 *Ibid.*, pp. 36-37.
60 *Ibid.*, pp. 42-43.
61 *Ibid.*, p. 44

Insecurity is another important factor leading to weakened trust in the government and the state. After the defeat of ISIS in late 2017, many believed that the government failed to develop a long-term and sustainable plan to prevent the emergence of groups like ISIS. Communities living in areas that were controlled by ISIS, or those who fled ISIS, continue to live in insecurity due to sleeper cells, an ongoing security vacuum, revenge-killings, the existence of multiple armed groups and the proliferation of weapons. Multiple armed groups, predominantly Shia PMFs in the liberated territories inhabited by Sunnis and minorities, are creating arbitrary security measures for the control of territory and checkpoints to control travel. Their presence has led to the proliferation of light and heavy weapons within the population.[62]

Even before ISIS, these problems were prevalent. During the post-2003 sectarian conflict in Iraq, members of religious and other minorities were viciously targeted. Nearly 60 per cent of ethnic and religious minorities, and 80 per cent of Christians, were internally or externally displaced and their numbers in Iraq decreased significantly during the sectarian conflict.[63] Uncertainties around the restructuring of the Iraqi police and the army continue. Indeed, today Iraq has a fragmented security sector and includes groups such as PMFs working under a loose regulatory framework with an unclear role post-ISIS.[64]

Moreover, the government has failed to provide for the needs of victims and survivors or to guarantee security and safety for minorities in their place of habitation. Iraqi society, especially the minority populations, do not believe that they will be protected or that stability and security will take hold one day. This is made worse due to increased distrust between members of different communities, religious sects and tribal groups. Instead, sectarian and extremist religious discourse has reinforced identity-based stereotypes and tensions and violence between these groups.[65]

The draft bill proposed to the Iraqi parliament in 2019 on the Support to Yezidi Women Survivors seeks to respond to this need, however, it is limited as it only covers Yezidi women kidnapped by ISIS, not men, boys, girls and those from other communities with similar experiences at the hand of ISIS.[66]

b. Sexual and Gender-Based Violence

Iraqi women have become direct targets and have experienced specific challenges during the period of sectarian conflict and extremist violence. Such violence was perpetrated by militias and gangs as well as the Iraqi police and occupation forces – the infamous US-run

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62 Gender-Sensitive National Reconciliation Platform 2018, pp. 20, 24.

63 Mokhtar Lamani (2009) Minorities in Iraq: the other victims. Special Report. The Centre for International Governance Innovation, p. 5.

64 International Organisation for Migration (IOM) (2020) Iraq Crisis Response Plan 2020. Global Crisis Response Platform, IOM UN Migration.

65 Gender-Sensitive National Reconciliation Platform 2018, p. 26.

66 Bor 2019.

Abu Ghraib facility is a case in point. According to an Oxfam survey, by 2009, 55 per cent of Iraqi women experienced violence after 2003.[67] Sexual and gender-based violence in its many forms, including harassment, human trafficking, forced prostitution, temporary (pleasure) marriages, rape, kidnapping and femicide, became rampant, especially during the sectarian war.[68] Increased insecurity and religious extremism made Yezidi women (as well as Shi'a, Shi'a Turkmen, Christian, Shabak and Kaka'i women) direct targets before and during the ISIS insurgency in disputed territories.[69]

Women of all backgrounds, especially Yezidis, were killed, raped or exploited by ISIS systematically. ISIS severely restricted women's movements, imposed strict dress codes, pushed women away from public life, and forcefully married women to ISIS fighters.[70]

Sexual violence is typically justified using specific gender norms in intersection with perceptions and prejudices towards specific religious or ethnic minorities,[71] and ISIS was no exception to this. Indeed, sexual violence can be used as a deliberate and systematic tool in acts of genocide and ethnic cleansing against religious and ethnic minorities in several contexts and women and girls who experience sexual violence face stigma on top of the trauma they experience.[72]

Other forms of gender-based violence are so-called honour killings, early marriage, and domestic violence sanctioned by tribal and religious practices. These tribal rules, and interpretations of religious rules in particular, are also used to allow polygamy and informal marriages and marrying girls to settle disputes between tribes.[73] Early marriage has increased as a result of physical and economic insecurity and high dropout rates from school.[74] Lack of impunity leads to increased violence against women and harassment in public and private life and assassinations, attacks and blackmailing of women significantly increased.[75]

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67 Oxfam (2009) In Her Own Words: Iraqi Women Talk about their Greatest Concerns and Challenges. Report.

68 Al-Ali and Pratt 2009; UN Iraq (2015) Women in Iraq Factsheet: Displaced Women and Women in Conflict.

69 Sebastian Maisel (2008) Social change amidst terror and discrimination: Yezidis in the new Iraq. *The Middle East Institute* Policy Brief, 18: 1-9.

70 Iraqi Women Network (2019) Iraqi Women Challenges of Security, Peace and Justice. Shadow Report to the CEDAW Committee, pp. 7-8.

71 S.E. Davies and J. True (2015) Reframing Conflict-Related Sexual and Gender-Based Violence: Bringing Gender Analysis Back In. *Security Dialogue* 46(6), 495-512, p. 505.

72 Sitkin et al. (2019) 'To destroy a people': sexual violence as a form of genocide in the conflicts of Bosnia, Rwanda and Chile. *Aggression and Violent Behavior* 46: 219-224; Zeynep N. Kaya (2019) Iraq's Yazidis and ISIS: The Causes and Consequences of Sexual Violence in Conflict. LSE Middle East Centre Report. London, p. 14; Hanan Tabbara and Garrett Rubin (2018) Women on the Frontlines of Conflict Resolutions and Negotiation: Community Voices from Syria, Iraq and Yemen. Academic Paper. UN Women, p. 19

73 Gender-Sensitive National Reconciliation Platform 2018: 16

74 Iraqi Women Network 2019, p. 9.

75 *Ibid.*, p. 9.

c. Displacement and Minorities

Displacement due to war, conflict and economic deprivation has been a recurrent theme throughout Iraq's history. The displacement caused by ISIS's insurgency and later by the war against ISIS is the most recent case of displacement in Iraq. Iraq has a long history of conflict-related displacement cases, caused by the Iran-Iraq War in 1980-88, the Gulf War in 1991, the 2003 invasion and the sectarian war that followed it. Since the defeat of ISIS in December 2017, 4.6 million internally displaced persons (IDPs) returned to their areas of origin. As of February 2020, 1.3 million IDPs remain displaced while many returnees are living in conditions with severely limited access to basic services, livelihoods and safety.[76] This is mainly the result of the government's camp closure policy in the second half of 2020 to force IDPs to return without first ensuring safety and access to services and livelihood in place of return.[77] Tensions remain between those affected by ISIS violence and those that are seen as affiliated to ISIS. Syrian refugees in the Kurdistan Region, around 250,000 people, live in poor conditions and insecurity.[78]

Displaced women are severely affected by the circumstances created by conflict and displacement. The government has failed to address the situation of displaced women and girls during and after conflict. These women, including those that experienced sexual violence, live in inhumane housing conditions without access to basic services, to education and health services and living with restrictions to their freedom and mobility. Syrian refugee women in camps have been subjected to sexual exploitation, forced into prostitution and sexual trafficking and camp protection personnel either do not take sufficient precautions to prevent this exploitation, or in some cases play a role in facilitating it.[79]

Moreover, many of the displaced families are female-headed households with little opportunities for livelihood generation.[80] Poverty and unemployment have significantly increased in areas that were under the control of ISIS. Government has failed to provide sufficient protections for women that experienced sexual violence, their children, or women who were married to ISIS members and their children. These women and their children face discrimination and marginalisation and reside in camps rejected by the wider community. Social and legal obstacles for children born from forced marriages and sexual violence are significant. Since the documentation provided for these children by ISIS are not valid, their citizenship is in question. The legal obstacle for women to pass their nationality to their children without proof of marriage is rendering the status of these children precarious.[81] Some Yezidi women have left their children behind and some decided to stay with their children in camps in Syria.[82]

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76 IOM 2020.

77 *Ibid.*

78 Iraqi Women Network 2019, p. 11.

79 *Ibid.*, p. 11.

80 Gender-Sensitive National Reconciliation Platform 2018, p. 14.

81 *Ibid.*, p. 32.

82 Iraqi Women Network 2019, p. 6.

Security clearance processes and the lack of documentation create significant problems for displaced families. The frequency of checkpoints prevents people without documentation from moving around freely. ISIS authorities destroyed official documents of people and issued their own, which are not recognised by Iraqi authorities. Many families' documentation is either lost, damaged or confiscated by Iraqi state security forces as well during their flight or arrival at camps.[83] What is more, replacing missing documents requires security clearance in Iraq, which is not easy to obtain. According to Human Rights Watch, a Ministry of Interior official estimated 250,000 people could not get security clearance and return home due to suspected ISIS affiliation.[84] Missing official documents severely affect all women, especially IDP women who typically lack the means to replace documentation on their own. Rejecting requests of widows and single women for documents, because they are unaccompanied by a male relative is a common practice.[85] Moreover, some members of minority communities or Sunni populations concerned about being perceived as affiliated with ISIS hesitate to reveal their identity. This is mainly because of the fragmented security sector, and members of these communities have safety concerns about revealing their identity or location of origin.[86]

d. Legal Discrimination Against Women and Coercive Customary Rules

The Iraqi state introduced a range of legal changes and policy initiatives to further women's rights – such as the introduction of the National Strategy to Combat Violence Against Women in 2013, the launch of INAP in 2014 and the Strategy for the Advancement of Women in 2014. After ISIS's insurgency and as a result of the large-scale displacement, massacres and sexual violence, the Iraqi government also launched an emergency plan for implementing UNSC Resolution 1325 in May 2015. In August 2015, the Iraqi government abolished the Ministry of State for Women's Affairs and formed the National Multisectoral Team to implement Resolution 1325. However, these institutions have overlapping mandates and compete for resources.[87] These new regulations are not implemented fully or, in some cases, even at all. Discriminative laws continue to exist in the legal system along with customary laws that not only violate women's rights to equality but also create significant impediments for improving women's socio-economic status and participation in politics.

There are legal provisions in Iraqi law that condone violence against women. Iraq's Penal Code does not criminalise violence against women and several provisions create impunity for these crimes. For instance, Article 41(1) of the Penal Code provides that "the punishment of a wife by her husband, the disciplining by parents and teachers of children under their authority within certain limits prescribed by law or by custom" is

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83 Human Rights Watch (2019) World Report, p. 5.

84 *Ibid.*

85 Tabbara and Rubin 2018, p. 19.

86 *Ibid.*, p. 20.

87 Iraqi Women Network 2019, p. 4.

the exercise of a legal right and as such, is not a crime. Articles 128(1), 398 and 409 of the Penal Code also condone violence against women.[88] Penal Code No. 111 and the Code of Criminal Procedure No. 23 perpetuate violence and discrimination against women and impunity for crimes against women. Article 128 provides justification for crimes that are the result of "provocation" and protection of "honour," and Articles 130 and 131 provides mitigations for related felonies and misdemeanours.[89] Prostitution and sex work are harshly penalised – at least 15 years' imprisonment or death penalty.[90] The very small number of shelters is not sufficient, and many victims are sent to stay in prison temporarily.[91] The number of shelters are small because the government does not provide funding for establishing and maintaining shelters. Most shelters are founded and supported by NGOs. There is only one government shelter in Baghdad and one shelter in each of the three cities (Erbil, Sulaimniyah and Duhok) in the Kurdistan Region. Women have access to these only through a court order.[92] The lack of laws against domestic violence in Iraq (Kurdistan Region has laws against violence against women) is the main reason for the lack of shelters and as a result, most shelters are established and run by NGOs.

In addition, Article 41 of the Constitution provides for the possibility of advocating sectarian personal status law, including early marriage.[93] The Anti-Violence Against Women Strategy (2013-2017) and the National Strategy on Advancement of Women in Iraq (2014) called for legislation on domestic violence/violence against women. However, the draft Domestic Violence Law proposed to the Iraqi parliament in 2015 and further amended in 2016, have not been passed yet despite efforts. Even then, the draft law is still not ideal as it prioritises reconciliation over protection and justice for women.[94]

The Iraqi Civil Code also contains discriminatory articles. Article 102 of Code 40 stipulates fathers, grandfathers or a court appointed person can serve as the guardian of a child, not the mother. This is in contradiction with the personal status law that grants custody and guardianship to the mother or leaves it to the court to decide.[95] Women are not eligible for a housing card if they are unmarried, abandoned, or live alone based on the Ministry of Interior regulations (except orphans, widows and divorced women). Lack of access to a housing card prevents access to other services such as applying for loans, receiving pensions and issuing passports among others such as women's organisations like Jinda-Centre (opened by WADI) that support Yezidi survivors and refugees.[96] there

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88 Human Rights Watch 2019, pp. 7-8.

89 Iraqi Women Network 2019, p. 2.

90 *Ibid.*, pp. 2-3.

91 Human Rights Watch 2019, p. 8.

92 Domestic violence increase in Iraq as survivor shelters go underground. 13 February 2021. *The New Arab* *https://english.alaraby.co.uk/english/news/2021/2/13/domestic-violence-increase-in-iraq-as-shelters-go-underground*

93 Iraqi Women Network 2019, p. 1.

94 Human Rights Watch 2019, p. 7.

95 Iraqi Women Network 2019, p. 2.

96 *Ibid.*, p. 3. https://wadi-online.org/2017/03/15/assistance-for-yazidi-refugees/

are some efforts by different NGOs and women's organisations (including Jinda-Center) to support survivors to get identity cards - In case you think this info could enrich this part Even hotels are expected not to allow women to stay alone unless they are with a male relative or have written permission.[97] Even though martyrs' wives have rights and privileges granted by the Martyrs' Institution Law, the entitlement are typically delayed for widows who remarry.[98]

Many women's rights organisations are trying to prevent and eliminate the legal discriminations against women described above. For instance, the Iraqi Women Network prevented the adoption of Decree 137, which was introduced by the Iraqi Supreme Court. Decree 137 sought to make Sharia law as the main source of the rules that govern the personal and civil lives of individuals.[99] However, despite their pressure, campaigning and advocacy, change in all the issues described above is either not happening or is extremely slow. It is also important to note that not all women's organisations are on the same page about the issue of legal rights; there is a variety of positions women's organisations take on these issues.

e. Pressure on Women's Rights Activists and Civil Society

The conditions in Iraq for women peace workers and women's human rights defenders are dangerous. Women's rights activists, organisations and women who are in the public eye face significant challenges. This takes different forms from online defamation and harassment, threats and assassinations. Women civil society actors can sometimes be seen as allies of international actors. Conservative sections of society and most of the political actors consider the ideas of equality and women's empowerment advocated by these women as part of a western agenda and sometimes consider them as 'traitors' or *safara* (embassy people referring to having connection with foreign staff in the embassies). Moreover, civil society organisations receive a substantial amount of their funding from international donors and this further increases the suspicion towards these women. Yet, ironically, the same individuals that criticise women for receiving funding from international donors conveniently overlook the even greater amounts of international funding, political support and technical assistance that has gone to reforming and redesigning Iraqi institutions, particularly the security sector and military equipment.

There are several other factors that create pressure for women's rights activists and civil society organisations and hinder their ability to work effectively. For example, their dependence on external funding creates pressures on these organisations while also creating competition for funding rather than encouraging cooperation between organisations. Civil society organisations end up having to work like contractors to implement donors' policies rather than develop programmes and strategies themselves.[100] Moreover, women activists are not included in discussions around justice, security sector

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97 *Ibid.*.

98 *Ibid.*

99 WILPF 2019.

100   EPLO 2017, p. 3.

reform and transitional justice because of a political culture that considers these issues as sensitive and important and that associates women with only issues to do with women.[101] This marginalises women and their representatives in political and security-related issues, rather than giving them a stake in these processes.

f. Justice and Reconciliation

In Iraq, the justice system is perceived as lacking fairness and the justice and reconciliation processes in Iraq has significant limitations. The mechanisms established after the collapse of the previous regime – the Martyrs Foundation and the Prisoners Foundation – focused on correcting the crimes committed by the previous regime. These were part of the de-Ba'athification process policy adopted by the Coalition Provisional Authority and the Iraqi governments that followed it. The effort to deliver justice to the victims of the previous regime went hand in hand with sectarian attitudes. This led to new victimisations and new injustices, such as the treatment of the Sunnis in the new Iraqi regime. The outcome has been a political process rather than a judicial process. The compensations provided by the Martyrs or Prisoners Foundation and other mechanisms introduced do not cover a large section of the society that suffered new injustices since the establishment of the new regime due to conflicts, de-Ba'athification, sectarian violence, ISIS among others. As discussed extensively by respondents to this research, the Community for Coexistence and Community Peace (CCCP) and its programmes have failed to prioritise victims' rights and only investigate and prosecute crimes of one party to the conflict, leaving others with criminal activities go unpunished.[102] When it comes to reconciliation efforts, there is a disconnect between community-level initiatives and formal processes that take place at the national level. The latter is typically obstructed by conflict or trust issues between political leaders.[103] Another issue is the duplication of efforts in relation to the work carried out by the National Reconciliation Committee, where the support provided by United Nations Assistance Mission for Iraq (UNAMI)'s and United Nations Development Programme (UNDP) has been uncoordinated.

However, war crimes, crimes against humanity or genocide are not criminalised in the Iraqi legal system. This is despite the fact that Iraq ratified the International Covenant on Civil and Political Rights in 1971 and the Convention on the Rights of the Child in 1994. It is also a party to the Geneva Conventions of 1949. In 2016, the Iraqi government signed the joint statement with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict. The plan to implement this was launched in March 2018.[104] The proceedings rely on the Criminal Procedure Code.[105] The criminal proceedings to process ISIS cases use the Anti-Terrorism Law adopted in 2005 by the

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101   *Ibid.*

102   *Ibid.*

103   *Ibid.*, p. 2.

104   Iraqi Women Network 2019, p. 5.

105   United Nations Assistance Mission for Iraq (UNAMI) (2020) Human Rights in the Administration of Justice in Iraq: Trials under the anti-terrorism laws and implications for justice, accountability and social cohesion in the aftermath of ISIL. Report by the Office of the United Nations High Commissioner for Human Rights. Baghdad, p. 4.

Iraqi Federal Government and in 2006 by the KRG. However, the acts carried out by ISIS systematically violated the Iraqi citizens' human rights and their rights within the international humanitarian law. These were war crimes, crimes against humanity, sexual violence in conflict and genocide.

Moreover, reports by UNAMI, civil society organisations, the Convention on the Elimination of Discrimination Against Women (CEDAW) Shadow Report 2019 and Human Rights Watch show that post-ISIS trials have not respected basic fair trial standards. These reports argue that the 2005 Anti-Terrorism Law has been used freely, and in many cases, unfairly against Sunnis.[106] In most cases, adequate time and circumstances were not provided for defence. For instance, defence lawyers were appointed at the beginning of a trial without getting a chance to familiarise themselves with the case and prepare a defence and court-appointed lawyers were not actively engaged with the case. The primary evidence used in prosecutions was confessions, however, there are allegations and credible reports of torture or ill-treatment during interrogations.[107]

Those who are perceived to be associated with ISIS face stigma, isolation, harassment, sexual violence, and deprivation from basic services in isolation camps. In some cases communal judgements and punishments (such as confiscation of property), preventing from going back to the place of origin, and in some cases revenge killings, take place.[108] This is made worse by the legal proceedings and the way Anti-Terrorism law defines 'terrorism' and 'terrorist acts', which lead to the conviction of a wide range of people including family members and children. The definition of 'terrorism' and 'terrorist acts' are not clear in this law and focuses on 'membership', 'support', 'sympathy', 'assistance' or 'association' without specifying criminal acts.[109] This 'general' nature of the definition of terrorist acts, leads to acts of membership or support by individuals to be identified arbitrarily without relying on or assessing criminal evidence. This had led to the conviction of individuals who were cooks or vendors who sold services or goods to ISIS and family members of ISIS members.[110] The legal cases women and children who are foreign nationals and accused of affiliation with ISIS have been handled without due process and resulted in unfair and harsh convictions and sentences, even in the case of children ages 9 and up.[111] The Human Rights Office at UNAMI said that in the cases it observed, those who were tried, including families of ISIS members, were not afforded due examination on whether their association with ISIS was coerced or voluntary.[112] Moreover, as a result of the heavy reliance on Anti-Terrorism Law in the trial of ISIS members serious offenses committed by ISIS go unacknowledged and unpunished, such as sexual violence in conflict.[113]

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106   Gender-Sensitive National Reconciliation Platform 2018, p. 20.

107   UNAMI 2020, pp. 6-9.

108   Iraqi Women Network 2019, pp. 6-8.

109   UNAMI 2020, p. 13.

110   *Ibid., p. 10.*

111   Human Rights Watch 2019, pp. 3-4.

112   UNAMI 2020, p. 10.

113   Human Rights Watch 2019, pp. 1-2.

Finally, according to the Iraqi Women Network (IWN), a civil society collective that seeks to achieve women's involvement in peace and security in Iraq, and the CEDAW Shadow Report, submitted to the CEDAW Committee in 2019, the Iraqi government's performance on non-legal aspects of justice, reconciliation and restorative justice (rehabilitation) has been weak. These are related to the issues that lead to the lack of trust in the state as discussed above. The government has not been addressing the loss of personal property, corruption, destruction of infrastructure, issues with the provision of basic services and safe return of displaced communities and proper support for the returnees in terms of safety, access to services and employment, the dire situation of the displaced communities in camps.[114] The government has not made meaningful and efficient attempts to find out the fate of women abducted by ISIS who remain missing. The government allocated a stipend ($90) and provided compensation (2 million Iraqi dinars - 1,135 Euro in Feb 2021) for some of the survivor women and children, but survivors still face challenges in receiving appropriate support and protection.[115]

g. Political Representation

In Iraq, the constitution guarantees 25 per cent gender quota at the parliamentary and provincial levels. The KRG increased its gender quota to 30 per cent in 2009. However, despite the quota, women's meaningful participation is far from being achieved and their needs and voices remain marginalised.[116] The Government of Iraq established the Ministry of State for Women's Affairs to facilitate coordination at the national level, however this was abolished in 2015. The KRG established the High Council of Women Affairs (HCWA) in 2012 to advise the government on gender-mainstreaming policies and to develop appropriate strategies to achieve this.

Women who join formal politics face several challenges. Most recently, during the 2018 elections, women who participated in politics as electoral candidates or members of parliament faced character assassinations and defamatory sexist false claims on social media. In the absence of political parties, female candidates and politicians are not able to receive institutional support. In many cases, many women end up having to withdraw their candidacy to protect their reputations.[117]

The political elite and parties in Iraq tend to understand the participation of women in terms of representative participation rather than substantive participation. Women remain underrepresented in political parties, political and public institutions, ministerial bodies, unions and the media. The role of women who get elected to the parliament and councils remain limited and ineffective.

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114   Iraqi Women Network 2019, p. 5.
115   *Ibid.*
116   Khodary 2016.
117   Iraqi Women Network 2019, p. 12.

They usually take administrative roles without access to decision-making processes.[118] There are no women in the cabinet formed after the 2018 election. In the previous term, there were only two female ministers (Ministry of Health and Ministry of Housing) out of 33 ministries.[119] Moreover, women are not included in processes that inform policies and decision-making and in the national reconciliation processes[120] and they represent 7 per cent of the total number of judges (1,090 judges).[121]

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118   Gender-Sensitive National Reconciliation Platform 2018, p. 15.
119   Iraqi Women Network 2019, pp. 12-13.
120   *Ibid.*, p. 25.
121   *Ibid.*, pp. 13-14.

4. Brief Background on the Six Provinces

Baghdad

The Baghdad province, where Iraq's capital is located, is the centre of political power and host to some of the largest numbers of IDPs. Baghdad city is the largest city in Iraq and has the largest population (about 8 million) of all Iraqi governorates. The Government of Iraq is located in Baghdad and, like other provinces, the province also has its provincial council and mayor. Other key government institutions, legislative and judicial authorities are located in Baghdad, as well as the UN and its agencies, foreign embassies and international organisations. These have provided women with opportunities to carry out political and women's rights activism, more so than for women in other governorates (perhaps with the exception of Kurdish governorates). Most of the meetings, trainings, workshops and advocacy campaigns to protect women's rights and achieve equality take place in Baghdad. For many organisations, such as Iraqi Al-Amal Association, Baghdad is the centre for their rights activism programmes and networks across Iraq.[122]

Political party leaders and members are active actors in the province and most of them are part of Shi'a and Sunni blocs. The parliament is composed of representatives of Shi'a, Sunni or Kurdish parties. PMFs and other armed groups, as well as protestors, are all important political actors in Baghdad. Baghdad is also the economic centre of the country and most of Iraq's manufacturing, finance, and commerce is concentrated in and around Baghdad.

People in Baghdad often live in relatively homogenous ethnic and sectarian communities, but there are several neighbourhoods with mixed communities and minorities (Christians, Baha'is, Sabians). Political tensions and conflict have changed and shaped the relationship between politically active actors and the wider population.[123] There are significant problems and frustrations in relation to access to services, corruption, the nature of the political system, lack of infrastructure, unemployment, health care and housing. The protests and the heavy government crackdown have influenced the political scene in Baghdad in recent years, as well as in other provinces such as Basra.[124]

Basra

Basra province has Iraq's third largest city, Basra, and is located in the far south of Iraq. It is located near the Arab Gulf, it includes Iraq's only water outlet and possesses vast oil resources. Historically, people in Basra were from various religions: Muslim, Jewish, and Christian, but political issues have affected this diversity. The political chaos after the US invasion in 2003, the spread of militias and violent groups with strict Islamic/Shiite

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122   https://iraqi-alamal.org/?page_id=1101&lang=en

123   Scott Peterson, In Baghdad, a sense of home resurfaces a decade after ethnic cleansing, *The Christian Science Monitor*, 2 May 2018.

124   More protests in Iraq as anger over services grows. *AlJazeera* 28 July 2020.

orientations led to the exodus of minorities from Basra.[125] Basra has been a centre of protests, with issues relating to the lack of services and water pollution being particular sources of tension that have led to large-scale protests in Basra since 2018.[126]

Over the past decade, the deepening sectarian divide has strengthened Basra's ties with the rest of Iraq's Shiites. The tribes and their authority are strong in Basra and after 2003 they became even more powerful due to the weakening of the government and security institutions. The rate of violence against women in Basra increased dramatically and several women's rights activists, such as Reham Yaqoob and Suad Al-Ali, have been killed by extremist groups. Today, women activists in Basra face great challenges and fear for their safety.[127] Some of them stopped their activities, while many have either left the city or think of leaving the province.

Erbil

Erbil is located in the north of Iraq and most of its population is Kurdish, but Erbil and the rest of the Kurdistan Region (composed of Erbil, Sulaimaniyah and Duhok) is home to a large number of ethnic and religious communities. These include the Shabaks, Yezidis, Chaldeans and Assyrians among others. The city of Erbil is the capital of the Kurdistan Region, which was unofficially formed in 1991 as an autonomous region. The Kurdistan Democratic Party is the dominant political authority. Kurdistan's regional autonomy within federal Iraq became official in 2005 after the fall of the Ba'ath regime in 2003. Erbil has witnessed security tension due to bombings and acts of violence, but security reinforcements throughout the whole of the Region have made Erbil one of the most stable Iraqi cities. Most of the embassies, UN bodies and international organisations have offices in Erbil due to the stable security situation. The region's economy has achieved growth rates of about 10 per cent annually until 2012. The city has benefited from major investment in real estate, infrastructure and oil exploration contracts by international oil companies. In 2014 after ISIS's control of parts of Nineveh, Salah al-Din and Anbar, most of the population in these provinces fled to Erbil, Sulaimaniyah and Duhok.

In general, women in Erbil have a relatively higher level of freedom and independence compared to women in other provinces of Iraq. Several women's rights organisations are located in Erbil, as well as in other cities of Kurdistan Region. Women's rights activism, particularly since 1991, has led to important changes in women's positions in the Region vis-à-vis the rest of Iraq. New pieces of legislation have been introduced and amendments have been made to the legal system to eliminate discrimination against women. Although legal and procedural discrimination, restrictions, tribal and religious norms, gender-based violence and barriers to women's participation in socio-economic and political life

125   Preti Taneja (2007) Assimilation, exodus, eradication: Iraq's minority communities since 2003. Report. Minority Rights Group International.

126   Thousands of protesters block traffic in Iraq's Basra over delayed salaries. *Middle East Monitor*, 21 December 2020.

127   Iraq: Prominent female activist killed by unknown gunmen in Basra. AlJazeera, 20 August 2020.

continue to exist, women's rights activists across Iraq consider the situation of women in the Kurdistan Region to be better than in other parts of Iraq.

Kirkuk

Kirkuk is about 250 kilometres north of Baghdad and has some of the largest gas and petroleum deposits in Iraq. It is inhabited by diverse ethnic groups and religious groups, including Kurds (including Kakaye Kurds), Sunni Arabs, Shia Arabs, Turkmen, Shia Shabak and Christians (Chaldo-Assyrians). No single group constitutes a majority in Kirkuk. Political tension between the KRG and the Government of Iraq over the control of Kirkuk has a long history.[128] Today, the most influential political actors in Kirkuk are the government of Iraq, the provincial government, Kurdish parties, especially the Patriotic Union of Kurdistan, the Iraqi Turkmen Front and the Arab Gathering and the PMFs.

The politico-historical context has shaped the demography of Kirkuk greatly. In the 1970s the Ba'ath regime tried to Arabise the city by resettling Arab families in the province, by expelling Kurdish families from Kirkuk city and its environs and by changing its name to *Tamim* province.[129] Since 2003 Kirkuk has been a core area in the disputed territories between the federal government in Baghdad and the KRG.[130] Therefore, there is huge political and even military tension as seen after the Kurdish independence referendum in 2017.[131] The province witnesses constant political and armed conflict to the huge detriment of the lives of the people living there. In 2014, ISIS took control of some areas of Kirkuk, such as Hawija, where women were subjected to various forms of violence.[132] There are different types of tensions ongoing in different parts of the province. In addition to the divided context (Turkmen, Kurdish, Arab) fuelled by distrust, frustrations over services, education, employment and bad governance experienced across all of Iraq, there are also more localised tensions. These include those between ISIS victims and so-called supporters of ISIS in Hawija as well as between the Kakayee Kurds and PMF-affiliated Shia Turkmen in Daquq.

Najaf

For Shi'a Islam, Najaf is the holiest city in the world (the other most holy Shi'a city is Karbala, which is also in Iraq). Najaf is historically and religiously significant because Imam Ali Bin Abi Taleb's tomb is located near the city's centre and the province has other sacred locations and treasures. Religious tourism is an important source of income in Najaf. The

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128   Inter-Agency Information and Analysis Unit (2010) Kirkuk Governorate Profile.

129   Human Rights Watch (2004) Claims in Conflict: Reversing Ethnic Cleansing in Northern Iraq. Vol. 16, No.4, p. 15.

130   Stefan Wolff (2010) Governing (in) Kirkuk: resolving the status of a disputed territory in post-American Iraq. International Affairs 86(6): 1361-1379.

131   Sofia Barbarani (2017) A look into Iraq's disputed Kirkuk before referendum. AlJazeera 24 September 2017.

132   Human Rights Watch (2017) Iraq: Sunni women tell of ISIS detention, torture. 20 February.

majority of the population in this province is Shi'ite and the religious establishment and Islamic political parties control all aspects of life, and state and social institutions.[133]

The religious status of the city imposes limitations and restrictions on the participation of women in the public sphere. At the same time, the religious establishment in the Najaf strongly encourages the participation of women in religious rituals in the public sphere to support a Shi'ite political identity. Women's rights activists in Najaf face difficulties in dealing with women's issues and rights, because they are often accused of distorting Islam and imitating Western societies. As a result, women's rights activists in Najaf approach women's issues with extreme caution for fear of being accused of opposing the religious establishment.

Nineveh

Nineveh is located in northern Iraq and its main city, Mosul, is Iraq's second largest city. Sunni Arabs represent the majority in the governorate, but Nineveh is distinguished by its extremely diverse population. It has the largest minority population in Iraq including Shia Turkmen, Shia Shabaks, Chaldeans, Syriacs, Assyrians, Yazidis and Kakayee. Large numbers of Christians live in the Qaraqosh area of Hamdaniya district, and in the Alqosh area of the Telkaif district. Yezidis are mainly located in the Sinjar and Sheikhan districts. Turkmen are spread in the Tal Afar district, while the Shabaks are spread in villages around the city of Mosul.[134] According to a local census in 2013 carried out by the Nineveh Statistics Department, the number of Nineveh's residents reached 5,750,000 with arrivals fleeing poor security conditions in Basra and Baghdad and displacement after 2003, however about a decade later, this was reversed due to ISIS's attacks.

Nineveh is the province that was most affected by ISIS insurgency and violence. Its capital Mosul was under ISIS occupation for three years. In 2014, when hundreds of ISIS militants stormed Mosul airport, military bases and camps, and the headquarters of Nineveh Governorate, thousands of people escaped and took refuge in neighbouring governorates. ISIS practiced systematic terrorism and imposed strict moral codes and restrictions on women's mobility.[135] After the liberation of Nineveh from the ISIS terrorist groups 2017, many women were able to participate in the activities, workshops and projects implemented by international and local organizations, despite the social, cultural and tribal restrictions.

Sections of Nineveh's territories are disputed between the government of Iraq and the KRG. PMFs are highly active in the province, along with Shia Shabak military groups, both supported by the government in Baghdad. The KRG and its peshmerga forces are also influential actors. The provincial government has a contentious and complex relationship

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133   Inter-Agency Information and Analysis Unit (2010) Najaf Governorate Profile.

134   Inter-Agency Information and Analysis Unit (2009) Ninewa Governorate Profile.

135   Luisa Dietrich and Simone E. Carter (2017) Gender and conflict analysis in ISIS affected communities of Iraq. Oxfam.

between Kurdish and Iraqi authorities.[136] Different ethnic and religious groups and different sections within each group support different political factions in Nineveh. For instance, parts of the Yezidi community have a long-term alliance with Kurdish political actors, but some are aligned with the government in Baghdad, PMFs or the Kurdistan Workers' Party.[137] This province, like others, also suffers from issues around corruption, lack of jobs and lack of provision of basic services and education. Minorities in Nineveh have serious concerns about their future existence in the province and in Iraq in general. Despite this, the government of Iraq is pursuing a large-scale return policy with regards to IDPs from Nineveh.[138]

136   Mac Skelton and Zmkan Ali Saleem (2019) Iraq's disputed internal boundaries after ISIS: Heterogenous actors vying for influence. LSE Middle East Centre Report, London.

137   Mehmet Alaca (2020) Iraqi Yazidis: Trapped between the KDP and the PKK. The Washington Institute for Near East Policy.

138   Dylan O'Driscoll and Irene Constantini (2019) Minorities, displacement, and citizenship in Northern Iraq. LSE Middle East Centre Blog, 3 July.

5. Customary Rules and Religious and Tribal Authorities

5.1. The Impact of Customary Rules on Women's Position in Family and Society

Customary rules and gender norms, and their impact on women's participation in peacebuilding, were discussed and defined in multiple ways by the respondents. These definitions paralleled the themes covered in Section 3 on normative and institutional reasons for sexual and gender-based violence and legal discrimination against women. Respondents talked about how these limit women's participation in public life around the following categories: the priority given to women's domestic roles, sexist views of women's ability to take responsibility and leadership roles, women's lack of economic power, sexual and gender-based violence, legal rules and norms that discriminate against women, and the lack or weak implementation of gender-equality laws due to customary norms. All these factors are intertwined with each other, particularly how customary rules and the legal system create and perpetuate violence against women.

a. Women's Domestic Roles and Questions About Their Ability for Public Roles

Many of the respondents talked about sexism as an attitude that defines women's roles in public and private spheres in Iraq. Sexism towards women presents itself in different ways. First, many in society are not convinced about women's mental capabilities, for instance, their ability to lead, to have authority, and even to drive [BS3, BS6]. They are seen as emotional and not capable of making appropriate decisions or they are expected to prioritise their marital and maternal responsibilities rather than taking administrative, management and political roles [K8, NF3]. While women are seen as 'naturally' capable in domestic duties, authority in the public realm is typically associated with men [BS3, E3, E11, K1, K12, K14, NV7]. One of the participants said, in an office environment, men and sometimes women have difficulty in accepting a woman "as a manager who gives orders. He does not want to see the woman as his manager at work" [NF3]. In politics, women rarely hold leadership positions, and they are usually found in lower positions with little responsibility or authority [K1, K3]. According to K9, this is because men fear that women will threaten their position in society. Male politicians are not convinced about including women and they do not take them seriously, therefore exclude them and their voice [BD11, BS2, BS3].

One of the respondents, a female government employee in Basra, talked about her experience of sexism in the workplace: "colleagues, even bus drivers, challenged me in all respects and in the simplest and smallest matters, even with regard to the way I walk, my clothes, the colour of my clothes, my dress, even though it was modest … They want to control everything" [BS9]. She reported that the trainer of a workshop she attended at work said "women are weak and should not work in government institutions, or any institution. And, if she wants to work, she must first get married." BS9 also said that she worked in the private sector and experienced harassment by the staff and managers.

Respondents also connected the customary rules to women's economic disempowerment, especially in rural areas but also in cities. For instance, in cities, it is common for a single working woman to give up work after getting married [K4]. Limitations to women's mobility prevent their economic empowerment. This, in turn, confines women to the domestic realm preventing them from taking roles in the public realm and participating in peacebuilding work [BD3, BS4, BS5, BS12, E3, E8, E11, E12, E14, K1, K5, K6, NF9]. As a result of their economic disempowerment, women end up being dependent on men. In many cases, women end up having to put up with violence in the home because they do not have the means to break out from the situation they are in [BS6, E12, K9, NF3]. The position of widow and divorced women is particularly precarious because "people think they are disgraced, they should not leave their houses at all" [K7, NV6] and most cannot support themselves and their families economically.

Political participation is also limited by customary norms. For instance, in rural areas of Kirkuk, such as in Hawja, many women are not allowed by their fathers, husbands or brothers to vote "because they are considered as incapable and inferior" [K3, K4]. On the other hand, women who are politically active find it difficult to run their own election campaigns due to lack of economic means and are dependent on men in their lives to do so [BS6].

b. Silencing of Women: Violence, Harassment, Defamation and Lack of Protection

The respondents drew clear connections between sexism, economic disempowerment and violence against women. Sexism and economic disempowerment facilitate and/or lead to violence and violence against women, in turn, is as a key factor in hindering women's participation in peace processes [BD4, BD6, BS4, BS6, E4, E15, K4, NF13, NV6, NV7]. This becomes a reinforcing cycle where the lack of women's participation leads to violence because women and their voice are overlooked, and they become "an easy prey to violence" [E4]. Therefore, there is an intrinsic relationship between the silencing of women and the barriers to their participation in peace work.

Respondents defined sexual violence in broad terms to include not only physical violence, but also emotional, social and legal violence as well as the silencing of women by preventing their participation in public, politics and peacebuilding [NV1, NV7, NV13]. In this context, they also touched upon the violence against other marginalised and disempowered sections of society such as the disabled, children, elderly, displaced, widows and divorced women whose experience of violence is exacerbated by hunger, poverty, drugs, and so on [K7, K9, NF10, NF14].

The silencing of women was described in multiple ways by the respondents. First, harassment and defamation, which can escalate to physical attacks and killings, are prevalent forms of violence against women. Publicly visible women are being harassed or defamed, especially through social media, which leads women to refrain from joining in public activities, including peace-related processes [BS2, BD7, K3, K14, NV8]. Certain sections of society believe that if women want to avoid being harassed or attacked, they should stay at home; "most people, even women themselves, consider harassment

and violence as normal" [BD10, K14]. On the other hand, "men can do anything they want" including harassing women on the street, which is considered "manliness" [K12]. Assassinations and attacks against women during the protests have pushed women away from the streets [BD7, BD11, K8, NF2, NF6].

Second, online defamation was described as a widespread phenomenon by the respondents and there is no legal mechanism to protect women against it [BS4, K2, NV5]. Activists working in organisations and women protestors "suffer from defamation, scandals" [BS15]. The society criticises, defames, bullies, demoralises women candidates in elections and their personal lives are publicly discussed and connected to their political career. However, male candidates are not exposed to such treatment. As a result, many female candidates withdraw from elections or do not join elections to protect their 'reputation' because their 'honour' is brought into question [K9, K10]. Under these circumstances, a respondent asked, "how can a woman raise her voice, participate in public activities, work?" [BS6].

Third, community judgment is another form of violence against women that silences women and prevents them from seeking their rights. Community judgment derives from gender-discriminative customs and traditions prevalent in society. Many women who experience domestic violence choose to stay married and endure abuse rather than face social stigma around being a divorced woman [BS6, BS5, NF2]. One of the participants, a divorced woman and mother of three daughters, said "when I go to the court for procedures, they look at me as if I am flawed and should be ashamed. My daughter is 13 years old. When she goes out to the street without a hijab, they say to her, 'What is this, are you a Christian?" [BS15]. One of the respondents in Kirkuk said "you do not have the same freedom that your younger brother does. I see my 15-year-old brother leaving the house at night and no one tells him not to go out. But I am 30 years older than him, and I still cannot leave the house at night. Is this not violence?" [K2]. Women's mobility is particularly restricted in more conservative governorates, such as Najaf, and in rural areas.

Fourth, and linked to the previous point, those that adhere to traditional customs and gender-discriminative norms consider women's desires to be active outside the home and to participate in political and peace processes as 'dishonourable' acts. Society believes that women imbue men with a source of 'honour' and men are considered as protectors of this 'honour'. Therefore, "women are expected to obey the men, and if she disagrees with him, he has the right to use violence against her to protect his honour." [E2] "Everything that concerns women is sacred to them" [NF1].

The problem is not just men, however. This is a societal problem because many women also have similar convictions about gender roles and women's position and impose social stereotypes to maintain 'stability' in community [E14, K10]. A participant said conservative women and men see gender equality as something that sabotages their thinking and their way of life, and when women raise their voice and seek their rights, they are seen to be working against their families and society, inciting chaos and instability [E10, NF14]. Men think the agenda on women's rights will lead to negative outcomes because he

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believes his wife is being taken from him, his daughter is challenging his authority, "he thinks it is a rebellion" [NF6]. Conservative families believe that "university will corrupt their daughters' morals and therefore do not want them to go to university" [NV12].

Finally, another key factor that silences women is that, on one hand, laws that protect women are not implemented and, on the other, there are no laws that protect women, such as against harassment on the street or on social media. When a woman is subjected to blackmail, especially cyber blackmail, and goes to the police station, she receives harassment or is discouraged from going to court; sometimes this pressure has even led some to commit suicide [NF6, NV1]. When violence against women takes place in the family or in the community, the community blames the woman [BS10]. When a woman gets harassed, "she is the guilty one, they will tell her 'why did you go out in the first place?', 'why do you put makeup on, why do you wear such a thing, why do you join the parliament?'" [K2]. If she complains about violence committed against her, "authorities try to make her give up or apologise instead of seeking her rights" [BS11]. As a result, for instance, a woman who experiences domestic violence does not complain because either she does not want to shame her husband and family, or she believes nothing will change even when she complains, or she fears experiencing violence in the police station [NF6, NV11].

c. Weak Implementation of Gender Equality Laws and Existing Laws That Discriminate Against Women

The gender-discriminative legal system, and the weak (or no) implementation of laws that provide for gender equality, strengthen gender-discriminative customary norms. Many respondents defined the issues in the legal system, combined with the government's lack of will to address these issues, as key underlying structural problems that hinder the possibility of changing customary norms.

The Iraqi government is not serious about ensuring women's rights and always talks about having other priorities (such as security concerns, economic crises, etc) that they believe trump women's issues [BS10]. The embedded gender-bias in the minds of the political elite and in-state institutions impact the laws and their implementation. They do not genuinely try to change discriminative laws or introduce gender-equal ones [K15, NF4]. Political parties that are dominated by men "have a problem with women having an equal status and do not understand the needs of women" [E9]. For instance, the domestic violence law is still waiting to be adopted, and even if it is adopted, it is very likely that it will not be properly implemented [NF2, NF5].

Judges interpret laws based on their perceptions of women's position in society and the customary rules and traditions. E12 said even in the case of female judges in the Kurdistan Region "most of them unfortunately think like men because she was brought up like this." [E12]. Moreover, respondents talked about several specific laws that are discriminatory against women: according to Article 380 of the Penal Law a woman is a criminal when she cheats on her husband, but not the man if he cheats on his wife [BS2]; men can marry multiple wives and if a woman is divorced, her children can be taken from her

[E13]; civil laws give guardianship of the child to the father, then to the grandfather or the uncle, not the mother, and a woman lives under the order of a male guardian (brother, father, husband or other male relative), "who might be less educated than her, or could be a criminal in some cases" [BS11, E13]; if a daughter wants to marry, her father must be present, not the mother [E9]; the testimonies of women and men in courts are not treated as equal [E13]. One of the participants said "I saw with my own eyes in 2012. A woman who brought her son and daughter as witnesses to her divorce hearing because her husband left her 20 years ago. The judge accepted the testimony of the boy but did not accept the testimony of the girl" [E9]. Indeed, some of the discriminative laws in the Penal Code – those related to wife discipline, marital infidelity, and 'honour' killing – have been changed in the Kurdistan Region [E12, K8]. The Directorates for Combating Violence, established in the Kurdistan region played a big role in raising awareness and reducing violence by working with police stations, which resulted in positive outcomes for women who reported domestic violence at home [E11]. A respondent in Erbil suggested that appointing women in police stations would further improve the support women would receive [E4].

To wrap up, this section showed that customary rules and gender-norms lead to women's exclusion from politics, decision-making at all levels and participation in peacebuilding processes. These rules and norms emphasise women's domestic roles over their public roles, reinforce sexism, question women's capabilities to carry out responsibilities typically carried out by men, lead to sexual and gender-based violence, silence women's voices through harassment, defamation and violence, and perpetuate gender discrimination in the legal system.

5.2. Religious and Tribal Authorities

Tribal sheikhs and religious clerics were defined by most of the respondents as key forces that restrict women's roles in the public realm and hinder women from reaching their goals and raising their voices [BD3, BD5, BD14, BD15, BS6, E4, E5, E8, K1, K5, K7, K12, K13, K14, NF2, NF4, NF10, NF14, NF15, NV1, NV7]. They play a key role in promoting customary rules on women's position in the family and in society. They are the most conservative forces and most resistant to change and are strongly committed to their interpretations of religious rules, customs and traditions [NV4]. The respondents observed that the influence of religious and tribal authorities since the invasion of Iraq has further increased. However, respondents also talked about exceptions to this general trend and gave examples of more moderate religious clerics and tribal sheikhs that are open to the idea of women's participation in public, albeit in limited forms, and collaborating with CSOs. However, they said, the number of such examples are very small [NF2].

The influence of tribal and religious authorities on women's participation in peace processes and their participation in public and political life differs from region to region. Their influence is particularly strong in the south and centre of Iraq [BD14, BS7]. Women are affected by tribal conflict and kidnapping in Basra, but this is less common but still present, in Mosul and Baghdad [BS3, BS12]. Religious authorities in Erbil, and

the Kurdistan region in general, are less influential in public life compared to other parts of Iraq [E4]. There is also variation within each governorate. For instance, in Kirkuk, a more moderate religious discourse is prevalent in the city, mainly due to the Endowment Department's control of the clerics and the content of their sermons. However, outside the city, the Department's control is weaker and "so clerics say what they want" [K5].

a. Religious Authorities' View of Women and Women's Rights

Most of the religious clerics promote male-biased customary rules and traditions, including the idea of 'honour'. In their view, women and men are not equal and, therefore, women do not have the same participation rights as men neither in day-to-day life nor in the political arena [BD3, BD9]. They define a woman's place to be in the home and undervalue the role of women, limiting it to raising children and providing for the needs of their husband [NF6]. Clerics were reported to say, "a woman is a queen in her home … So why would a woman participate, why would women go out?" They would justify this based on the argument that "Men are in charge of women so that they can take care of women and make sure all her needs are provided for, not to forbid her from going out" [NV7]. Religious leaders do not want women to mix with men and even argue that women's voices are shameful and should not be heard by those outside their household. One of the respondents said, "my father used to say that he heard an imam say [during Friday sermons] that a woman is never permitted to go out" [K7]. As a result, women end up being isolated and unable to make their voices and needs heard [NF1, NV1, NV3].

Religious authorities also create obstacles to the adoption of laws that will benefit women, such as the draft Domestic Violence Law [BD3]. Clerics believe that women's rights are against religion and openly state that "equality of women is against religion" [BS7, BS8, E5, NF5, K14]. As a result, MPs in the parliament who listen to religious authorities "assume that religion does not allow activating the Domestic Violence Law" [BS8]. Respondents also said that the clerics claim that female activists are acting against religion and "in their sermons, clerics curse publicly visible women and consider the women who participated in the protests to be adulterous and immoral" [E4].

b. Why Are Most Religious Authorities Against Women's Equal Participation?

Clerics interpret religion based on their personal interests, goals and on what they want [BD8, BS15, NF5], therefore, as one respondent put it, "people do not follow religion; they follow whatever the religious leaders say" [E12]. Many clerics use religious rules in a selective way and rely on particular interpretations of religion to instigate sectarianism, discrimination and division, and incite violence, extremism and conflict. Therefore they "have a dangerous influence" [BD5, E5]. There are those who call for peace, love and acceptance of others, but most clerics "inflame people for setting up activities such as burning an embassy or a news channel office" [NF1]. Many of the respondents criticised the speeches and sermons of religious authorities as being far from religion [BD15, K3]. They said religious authorities exploit religion, they have connections with politicians and tribes; and in turn, politicians use this religious rhetoric for their political ends [BD15,

E12]. Rather than raising religious and spiritual awareness, they use religion to launch attacks and criticism against the political or religious 'others' [K3]. As one respondent argued, "Everyone knows that the view in religion is completely different from what he says. They deceive people for political purposes through their platforms" [K8]. Participants said that after the war of Mosul the influence of the clergy has weakened "because the people now see that Allah doesn't accept these things ... After ISIS, people now see the clergy and their words for what they are." [NV15].

Many of the respondents said that the clergy do not follow the real religion when it comes to women's rights as well. They follow social customs and deliberately choose to use interpretations of religion that reduce the status of women, restrict their freedoms, prevent or limit their education and prevent their economic and political empowerment [BD14, K14, NV15]. One of the respondents said that "Islam actually raises the status of women and emphasises their roles in society" [K14]. Similarly, another respondent said, "Islam emphasises importance of the role of women and accepts them as partners in society in all fields and even in wars." In addition, one of the respondents in Nineveh talked about how the many men actually do not agree with the religious authorities' rhetoric on women but they are also restricted by the society: "there are many men in Mosul that do not object to their wives taking roles outside the house, but they are afraid of people talking. As a result, people restrict their women within the Mosul community. But when he goes outside Mosul you find him behaving differently, meaning that this person is afraid of the society's view of him." [NV12].

Finally, some of the respondents argued that most religious clerics are against women's equal rights to maintain their control over society [E10]. According to BD9, religious authorities think they are not ordinary citizens and that they have a right to decide how other people should live their lives. Their authority and the validity of what they say are rarely questioned [BD11, BS1, E5]. One of the respondents said "we are in a society that listens to the priest and the sheikh more than her/his father. For example, my father and mother go to the sermon and listen to his speech. If I tell them that this is a mistake, they say, 'no, the sheikh said this'" [E12]. Another respondent said, "people see the mosque is the house of God and say 'who are we to reject his word?'" [K4].

c. Tribal Authorities' View of Women and Their Rights

Respondents described the attitude of most of the tribal leaders towards women and their rights in a similar way to that of the religious authorities and considered them also as one of the main forces that hinder women's participation in politics and peacebuilding. Tribal customary law is called *urf*, which is a combination of tribal customs, interpretation of religious rules.[139] Tribal leaders are particularly influential in rural areas and they oversee

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139   Haley Bobseine (2019) Tribal Justice in a Fragile Iraq. The Century Foundation, p. 4.

civil and criminal matters from disputes over land and property, inheritance, 'honour' crimes, fraud, murder among others. Tribal leaders

Most tribal leaders adhere to customary tribal rules and traditions. These rules and traditions consider family, individual and community honour to be held and protected by men. Women are seen as a source of honour. In tribal communities, women do not take leadership roles. They need male intermediaries, usually a male relative or an elder community member, to be able to approach the tribal leadership.[140] This leads women to have limited access to mediation, justice or reconciliation.

Tribal customs limit women's mobility that consider women leaving the house alone as a shameful act, even for education or work, as a damage to their 'honour'. They do not want women to raise their voices and contribute to decision-making [BS6]. Most tribal leaders "block women's roles due to tribal code which denies women the right to education and work" and use religion, 'honour' and the perceived authority of men over women as reasons for this [E9, BS14]. In rural areas, tribal communities consider women "like maids" who clean, cook, look after children and provide for their husbands and others in the family – "they do not have any respect towards her and for this reason they do not allow women the freedom to do anything she loves" [BS15]. The respondents described most tribal leaders as rigid and not open to conversation about including women because "they believe they are right and have authority" [NF14]. One of the respondents who is part of the Al-Multaqa Peace Committee in Kirkuk said: "The tribal sheikh who is with us in the committee always used to mock my words because I am a woman" [K7].

Respondents said that tribal codes are some of the biggest obstacles to women's participation. The tribal code prevents the implementation of governmental laws that introduce equality and fair treatment of genders [BD6, BS2]. Tribal leaders do not agree with laws that introduce gender equality or agree with the work of women's rights organisations because they believe these threaten their authority and "their gender-exclusive tribal-based principles" [K8]. For instance, 'honour crime,' one of the tribal codes, allows the brother or cousin of a woman to kill her if she commits a 'mistake'. However, when a man commits the same "mistake", "no one will hold him accountable, while women are considered guilty everywhere and are punished." [BS2]. A tribal code called *nahwa* allows "marrying a girl to her cousin by force when she's little. No one has the right to object to this phenomenon" [BS2]. *Kessa bi kessa* (woman for a woman) is a tribal code where a man does not pay dowry to the family of the bride if he marries his sister to the brother of the bride.[141] *Faslia*, another tribal code that is common among Shia tribes in the South,[142] allows exchanging women for compensation to resolve issues and conflicts between tribes and families [BD12, NF1]. Women living in tribal communities rarely file a complaint with the Family Protection Police because of the fear of their husbands, in-laws or their own families [BS3].

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140   *Ibid.*, p. 11.
141   *Ibid.*
142   *Ibid.*, p. 12.

On the other hand, the authority of the tribes is strengthened due to the weakness of the rule of law and state institutions in the first place [E13]. Weak state institutions means that people depend on tribes for justice, which inadvertently strengthens tribal authorities' positions. The stronger tribes are, the more they can freely implement their gender-discriminative codes and rules without taking into account existing laws and regulations of the state [K4, NV6].

d. Is It Possible to Work with Religious and Tribal Authorities to Enhance Women's Participation?

The respondents said religious and tribal leaders have enormous influence on people and if they adopted the agenda of women's rights, their words would have a huge positive impact in removing the obstacles to women's participation [BD10, BS4, BS12, BS13, NV12, NV13]. As BD2 said, Iraqi society has changed "but it remains a society that counts on the opinions of religious leaders and tribes. If Sistani gives a fatwa, everyone will implement it, exactly like what happened with the fatwa of Hashd Al-Shabi [Popular Mobilisation Forces]." [BD2]. Therefore, some of the respondents suggested, and emphasised the need for cooperation with tribal and religious authorities to get them to agree with women's rights and thus benefit from their influence [BD11, BS3, E12, E14, NV12, NV13]. K4 said "I think winning them to our side is better than them being against us, we just need to change their mindset" [K4]. They emphasised that there are moderate clerics and tribal leaders that can be convinced through dialogue, seminars and training who can then promote these ideas through sermons and speeches [BS5, BS6, NF2, NF12, NV9, NV11]. They said "we can show them that women's rights are not contrary to Islam and that we are not trying to defy them" [NV3] and talk about known women in religion such as Maryam, Khadija,[143] Umm Musa (Moses' mother) [NF6].

Some of the respondents said that the number of moderate tribal and religious leaders, who could support resolving some of the issues women experience and enhancing their participation is very small [E5, K9, NF2, NV2, NV7, NV8, NV9, NV11]. One of the respondents, of a women's CSO, said her organisation worked with moderate clerics and tribal sheikhs, but said "only a few could be relied upon" [BS3]. She said "their role is very important, as both are a point of contact with the community. People in general may not listen to organisations and they need a party they can trust. But where do we get a tribal sheikh who supports the empowerment of women? The sheikh of the clan who gives the woman as compensation! How do we ask him to believe in women's role? A cleric who believes in polygamy, how can we ask him to stop polygamy or not allow underage marriage?" [BS3].

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143   Khadijah was a merchant. She was the first wife of the Prophet Muhammad and first believer of Islam. He was her employee when she offered to marry him.

Some of the respondents said tribal leaders are more flexible and easier to work with than religious authorities [K1, BS8]. It was argued that, while most religious leaders are resistant to change, tribal leaders do not strictly adhere to religion therefore it is easier to work with them [NV7]. Some of the respondents said the idea of women's involvement in decision-making is not entirely alien to some of the tribes. BS4 talked about past tribal values and customs that appreciated women's participation: "women used to participate in trade and people used to listen what women said" and even today, "some tribal leaders say 'give me some time, I need to seek my mother's counsel then return to solve the issue'" [BD12].

Some tribal men allow their daughters to run for office but do this while continuing to stick to traditional customs and rules. It is hard for women in rural and tribal areas to receive education and participate in elections, but still, there are tribal women who do those things [BS1]. A respondent, who is a tribal leader in Basra, said the attitude is slowly changing for the better "previously, especially in rural areas, when a woman's name was mentioned, it would be followed by a pardon, as to belittle her, like they are not mentioning a human! But now with the change and education, women are the mothers, wives, sisters and daughters." [BS5]. He said he worked with moderate religious leaders to change the *faslia* system and said some "women now sit with men in *mudhiefs* [guest houses of tribal leaders where they meet with people to discuss issues] in some rural areas such as the marshes" [BS5].

Respondents emphasised that the role of tribal leaders differ from region to region and even from individual to individual. One of the respondents said, "some of them have a very high cultural awareness, so their role is positive because of their understanding and social intelligence." [NF2]. Younger tribal leaders were defined to be more flexible and open to accepting change. NF3, a female community police officer in Najaf, said during their work with the Tribal Coordination Unit she observed that some clans praise working women and said "some clans elected a woman candidate and provided her with support, meaning they have a culture that this woman represents them" [NF3]. Another example about the support from tribal authorities was from Nineveh. A respondent in Nineveh said, the two female members of the 20-member Rabia Peace Committee repeatedly talked to and negotiated with tribal leaders to understand why they do not allow women to go out, work and volunteer in peace work. They tried to convince them about women's important role in peacebuilding. As a result, there are now five new female employees in the Rabia Municipality Directorate [NV7].

However, respondents said that religious authorities are harder to convince than tribal leaders. BS5 said the biggest responsibility falls on religious clerics: "if religious leaders were enlightened, they could convince tribal leaders of women's roles and they could

promote women's roles through Friday sermons or daily gatherings ... When we obtained the approval of religious leaders, we were able to move freely, but if they were fanatic then it is natural that they would be an obstacle" [BS5]. However, respondents emphasised that a very small number of clerics believe that Islam gives women rights, but the rest are obstructive [BS13, E13].

Respondents also talked about cases in which religious authorities have been useful in pushing the 'peace' in general and addressing women's rights issues in particular. For instance, BS12 talked about her project that aimed to support the Romani people in her region. She received support from the religious leaders in carrying out that project, however she added that this was perhaps "because of my Islamic attire or because I am a well-known personality or because of the support I received for my campaign from Sadr". Another example given by the respondents was in relation to the anti-female genital mutilation (FGM) campaign in the Kurdistan region. One of the respondents in Erbil said, "Kurdish society used to think the Qur'an allowed female genital circumcision" [E10] and another said, "When the sheikhs began to say in their sermons that religion does not mention female circumcision and it is a heritage that came from other regions, the per centage of circumcisions actually declined." Others added that this change was the result of the KRG's anti-FGM law [E11] and that "we must not rely on the clergy to bring change; there is a law so the clergy should encourage the implementation of the law" [E12].

Respondents talked about the relative ease to work with religious leaders of minority communities, such as the Christians and the Yezidis. They gave examples of Christian clergy working directly with the peace committees in the Nineveh governorate, as discussed in another section. They said clerics played important roles in including the women of minorities in the negotiation process, peaceful coexistence and processes of reintegration in communities that witnessed armed conflict such as Yezidis and Christians [BS14, E3, NV4]. Yezidi religious leaders have reinforced the status of women through religious decrees to support women who were captured by ISIS return to their lives without harassment [BD15, E12, E13].

However, the general impression of the respondents was that religious authorities are not easy to work with. On most issues, they have been obstructive. For instance, one of the participants in Erbil said, the clergy might have been supportive about FGM, but when it comes to other issues, such as polygamy or early age marriage, this is not the case, "only a few of the clerics don't have underage wives." [E15]. Another participant said the clergy perceives the work against underage marriage as a threat against themselves and against their wish to marry minors [K6] and, in general, they do not want to give up their power and authority over society [K10]. A women's CSO representative in Basra said her organisation decided to open a shelter for women that experienced violence and the biggest challenge she faced was from the clerics. The clerics told her "women will gather there and in the future this place will become a brothel, not a shelter" [BS8].

5.3. Conclusion

Gender discriminative customary rules were defined as important obstacles to women's involvement in peace work in Iraq. The examples of such rules included sexism that associates certain roles and spaces with women and men and perpetuates a pejorative view of women's ability and capacity to carry out non-domestic work. Another range of customary rules justify and perpetuate all types of sexual and gender-based violence against women in the home, on the street, in the workplace, as well as online. Respondents repeatedly emphasised that the weak implementation of gender-equality laws and existing laws that discriminate against women lead to the perpetuation of gender-discriminative customary rules. Therefore, a stronger rule of law and political will to eliminate discrimination against women was seen as necessary to weaken gender-discriminatory customary rules.

In addition, another key factor that perpetuates such customary rules was the tribal and religious authorities. Most of the tribal and religious leaders are against gender-equality for various reasons, they do not support the existing gender-equality laws and they disseminate a negative view of women's rights activists and CSOs working on women's rights, often criticising and disrespecting them [BS10]. Even when they appear to support women's participation in peacemaking, they say the right things in meetings and seminars, but in practice they do not do anything [BD3, BD4, NF13]. There are tribal and religious authorities who have played positive roles, but their numbers are small and the issues areas they have focused on are very narrow. Finally, most of the respondents defined religious clerics as harder to work with on women's rights than tribal leaders.

6. Formal Peacebuilding and Women

The failure to include women in formal decision-making processes was considered to be one of the reasons for the failure to achieve peace in Iraq: Respondents said that most of the formal processes failed to include women or if they included, women's roles were limited and tokenistic. The main formal peacebuilding mechanisms raised by the respondents were the CCCP (Committee for Coexistence and Societal Peace), INAP, the Peaceful Coexistence Pacts for Tribes (that seeks the reconciliation of conflict between different tribes in Basra and Nineveh) and some activities connected to the Ministry of Youth and Sports.

CCCP was mentioned the most in Baghdad and Erbil, whereas in Kirkuk, Najaf, Basra and Nineveh a large number of respondents either complained about its absence or were highly critical of the existing mechanisms in their governorates. Several of the respondents openly stated that there is no formal peacebuilding in Iraq [K2, K7, NF7, NF8, NF11, NF15, NV5, NV7, NV11, NV14, NV15], or said that there are mechanisms on paper, but nothing meaningful was implemented on the ground [BS1, BS3, BS7, BS10, BS15, NV6]. As one respondent put it, "the government doesn't seek to find any peace mechanism and their sole interest is politics and gaining positions, for instance, how to control a party or specific ministry" [BS1]. Another stated that "The mechanisms of peace are found in laws, legislation, decisions but not on the ground. On the ground there are no peace tools" [BS3]. Moreover, official mechanisms were seen as disconnected from the communities and did not emanate from the public [BS10].

Regardless of this pessimistic portrayal of *formal* peacebuilding mechanisms, respondents reported a plethora of *informal* peace activism in Iraq, which continues despite lack of government support. However, their impact is very limited due to their small capacity and the lack of support from the government. Many believed that unless government takes the issue of peace seriously, no matter how hard activists, volunteers and organisations work, the situation will not improve [NV4, NF7, NF1, NF6, E10]. This is because the impact of these initiatives are limited and the government does not support them. One respondent noted that, "There are no peacebuilding initiatives in Iraq. If there are any, these are some initiatives by CSOs. This country suffered wars and sectarianism, it needs to take more measures so we can say there are peacebuilding mechanisms in Iraq, the existing mechanisms do not respond to any of the issues Iraq has and is still suffering from." [BS6] Instead, the government's peace processes heavily focus on security, control and military measures [NF1] and its public initiatives, such as large gatherings, conferences and seminars, remain cosmetic measures with no meaningful dialogue or reconciliation [NF6, NV14]. The way the government handled the 2019-21 protests was particularly criticised by the respondents in this respect: "The government does not engage in dialogue. The evidence is the October demonstrations that took place last year and this year. The government did not fulfil any of our demands because it did not negotiate with the protesters and only implemented the demands that serve its interest" [NF6].

INAP was another formal peace mechanism discussed extensively by some of the

respondents, particularly those in Baghdad and Erbil. However, a large number of respondents in other governorates said they either have not heard of INAP or know it only in name but have not seen any implementation. The general idea that came through the interviews was that the government was interested neither in 'peace' nor in increasing women's participation in peace processes and in political and socio-economic life in general. As stated by one of the respondents, "Our peacebuilding mechanisms at the national level are very limited despite the presence of slogans calling for the role of women in society. In reality, we find that this is just ink on paper" [NF5].

6.1. Committee for Coexistence and Community Peace

When respondents talked about existing peace mechanisms in Iraq, CCCP was mentioned as a key example of peacebuilding mechanisms led by the government. CCCP was established by the Prime Minister's Office in 2017, where it replaced the National Reconciliation Committee (NRC), which had been established in 2004. One of the respondents, also a member of the CCCP, said that NRC had "done nothing but waste unimaginable sums of money on nothing", and that partisan conflict (Fatah and Nasr Alliances) played a key role in its dissolution [BD5].

The main activity of the CCCP has been to establish local peace committees (LPCs) in collaboration with the UNDP in conflict-affected governorates (Nineveh, Anbar and Diyala). These were formed to promote peace, social cohesion and to build trust, and they mainly carried out awareness raising seminars, conferences and dialogue sessions between different communities [E5, BD10, BD14]. A member of an LPC in Nineveh and a CCCP member in Baghdad also defined LPCs as a bridge between society and the government, seeing the Committees as having the job of communicating local problems to the Prime Minister's Office [NV3, BD14]. They are officially established but all their members are volunteers, mainly young men, who do not receive financial support from the government [NF13]. Their work entirely depends on funding from foreign organisations, such as UNDP, USAID and GIZ, and they collaborate with local civil society organisations in carrying out their work [E10, E15, NV8].

However, some of the informants reported that the work of CCCP has stopped "since the revolution of October 2019 and we have not heard nor received any information that these mechanisms are continuing to work" [BD4].

Yet like all formal peace activities mentioned by the respondents, rates of activity by LPCs differed from governorate to governorate. LPCs were mentioned often during the interviews in Nineveh. In Basra and Baghdad, respondents mostly talked about the committees that work to resolve tribal conflicts and also the work done to mediate between protestors and security forces. Respondents said that smaller peace committees were also established in the liberated areas as well as in the camps in the Kurdistan Region.

In Nineveh, three LPCs were established, two on the Left and Right Banks of Mosul and one in the Nineveh Plains. Again, these were only supported by international funding

[NV11, NV4]. These LPCs organised dialogue sessions and meetings that brought together religious leaders and elders to build trust between Muslims, Christians, Yezidis and other communities in the Nineveh Plains [NV3] as well as cultural festivals to bring communities together [E3]. For instance, in Tal Afar, a project funded by ACTED, sought to open dialogue between Sunnis and Shias by bringing district and sub-district representatives together [NV7, LPC volunteer].

An LPC member in Nineveh, who is also a government official, said they have worked on security, defence, media, culture, and education through separate committees. Speaking about their current work, he noted that "now we work on suspicious names to reduce the number of arrests of people (especially those with similar names as known terrorists). But right now, our work is also almost cancelled" [NV8]. His committee also worked on issuing identity cards, restoring school life on the Right Bank of Mosul and encouraging teachers to return to schools on the Left Bank of Mosul. They also encouraged some local organisations to return to the narrow residential neighbourhoods in old Mosul to assure people that life is returning to these areas. NV8's team has been working on projects focusing on encouraging teachers to re-join their schools, returning Christian IDPs back to their homes, distributing baskets during the pandemic. In their work about the return of Christian IDPs (supported by GIZ) they collaborate with Father Raed Adel, who oversees Mosul's Syriac Catholic churches. The committee also carried out major work with the UNDP during the pandemic "to supply baskets of food, masks and sanitiser gel. We had three campaigns and now we will start the fourth" [NV8].

a. Assessing Official Peace Mechanisms

Most of the respondents were critical of the work of CCCP and its peace committees. They either did not consider official peace mechanisms effective and sufficient, or they reported that government-led peace work simply does not exist in Iraq.

i. Peace initiatives are not effective

Several respondents said there are no peace committees, particularly at the local level, apart from conferences and workshops. Particularly respondents in Basra, Baghdad, Kirkuk, Najaf pointed to the absence of local peace work [BD12, BD13, BS3, BS6, BS8, E2, K1, K4, K5, K6]. Some referred to the community police and the family police that work on community-level issues and domestic violence, but apart from these they have not heard of committees specialising in peace [BS8]. As explained in this section, some respondents rejected the idea that the work of Committees of Martyrs, Prisoners and Human Rights in the parliament could be considered to be peace work. This is mainly for two reasons, first, they are not seen as effective and second, they are perceived as connected to the society. Underlying these main factors was also the general feeling among the interviewees that any 'peace-related' work by the government does not appear to instil trust among the citizens as there is a lack of trust in government in Iraq among the society in general as discussed above in Section 3.

Respondents considered LPCs to be ineffective for two main reasons. Firstly, the work of LPCs was described as inconsistent and dispersed, and lacking continuity, strong mechanisms, clear structure and genuine government support [BD1, E15, E14]. Existing mechanisms were seen narrow and limited, mainly focused on activities such as meetings and conferences through the CCCP and not reflecting a proper understanding of conflict, reconciliation and peace [MV9, NV10]. E15 reported the experience of a Yezidi sheikh at one of these events attended by community leaders in Nineveh. When the Yezidi sheikh gave his account of the suffering of his community at the hands of ISIS, an Arab sheikh responded disapprovingly and said he also suffered and lost 300 heads of livestock. E15 reported that the Yezidi sheikh said "I was very upset and, although I respect the right of the animal, this talk was an insult. This comparison is really an insult." E15 considered the reconciliation and dialogue work as unsuccessful because it is mostly a show-off with no serious depth.

Similar comments were made in relation to committees in Basra. They were described as tokenistic initiatives that exist only on paper with no real intention to solve community problems. The committees in Basra were described as being composed of people who like to have the title but do not like working much [BS3]. A respondent said local peace mechanisms are carried out by separate groups through short-term events rather than something led by a team specialised in the resolution of tribal conflicts or mediating between the state and protestors [BS10]. Moreover, fighting and tension in daily life in general in Basra is prevalent and the official authorities are not interested in alleviating it. One of the respondents gave the example of a fight that took place at the hospital in which the police and security personnel did not even intervene and just watched [BS15].

Second, formal peace mechanisms were considered to be ineffective because they lacked sufficient and direct engagement with people at the community level. The local figures that take part in these committees are not seen as influential actors on the ground, and in many cases, they are not seen as representing the communities' wants and needs. As a result, society does not fully accept or endorse the LPCs [NV7]. People working in these committees are not influential individuals in the community and so are unable to take a meaningful role in peacebuilding at the community level [BS11, NV4]. Disconnected from local populations, they overlook the views, needs and wishes of communities and individuals when it comes to security and peace [BD1]. Furthermore, when agreements are struck between authorities about local issues, relevant communities are often not consulted. For example, the recent Sinjar agreement[144] in October 2020 between the KRG and the Iraqi government to address the security issue in the Sinjar district was reached without the inclusion of Yezidi authorities [E15]. LPCs were seen as being confined to certain groups rather than being inclusive. This lack of inclusion and real community reach prevents them from fully understanding how issues on the ground impact the whole community. As a result, their mechanisms and strategies are not defined in a relevant and

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144   Baghdad, Erbil to finalize new Sanjar security plan: KRG official, 8 October 2020. https://www. kurdistan24.net/en/news/bf1667cd-a616-476f-8ced-c11f27befafa

careful way, leading to obvious limitations in their ability to solve existing problems [BS5, NF13]. For instance, BS5 noted that minorities in Basra are victims of organised crime – since they lack tribal support, they are an easy target for gangs and criminals, but this is rarely taken into account in work related to supporting the minorities.

ii. Political issues as a huge obstacle

One of the biggest problems raised by respondents was the role of politics as a barrier to effective formal peace mechanisms. It was political party divisions that led to the abolition of the NRC and the establishment of the CCCP in the first place. NRC was described as having done nothing and being a centre of partisan competition (BD5), but CCCP was also described as a failure. According to BS14, CCCP's actual goal is not really peace; it is to achieve the political goals of its leaders related to elections and party alliances. It was argued that the CCCP does not carry out any serious work on peacebuilding; rather the political interests of the day drive its work [BS10]. Similarly, respondents in Kirkuk were also critical of formal peace mechanisms because political authorities dominate the public life and do not leave much space for peace work, instead sometimes wanting to maintain tension and conflict for their own interests [K1, K5].

The respondents also pointed to the limited (or total absence of) support by the government for other peace initiatives. Even when the government appears to be promoting and supporting peacebuilding activities, this is typically superficial and has no significant impact on the ground; rather, the government is often just trying to improve its image in front of the international community [BS11]. Another politics-related issue that obstructs the formal peace work is related to the working of the bureaucracy and red-tape. The government's work was described as rigid and bureaucratic, and partisan parties dominate the work on peace. As a result, CSOs and peace activists have no real influence, leading to archaic and ineffective initiatives at the expense of more creative and new ideas [NF10].

b. Do Women Take Part in Formal Peace Mechanisms?

Many participants talked about how since ISIS's attacks there has been an increased realisation of the need to include women in peace processes. After its treatment of Yezidi and other women and the displacement it generated led to the realisation that women's needs should be taken into account and they should be included to properly instil and sustain peace [BD6]. A very small number of participants said that the government has done everything to ensure women's participation in politics and peace processes. They referred to the 25 per cent parliamentary quota as an example of government's support for women's participation in peace and decision-making processes and to the "government's hard work" to advocate for women's empowerment and inclusion in peace and security through symposia and conferences; but they blamed customs and traditions that lead men to dominate the field [BD14; NV2]

Most of the respondents, however, shared insights that directly contradicted these views. They said that women in general and women peace activists in particular are absent in

these formal peace committees in Baghdad and at governorate levels and therefore are not able to contribute to peace and security (except one example mentioned in Nineveh in an LPC [NV3] and another around women's role in distributing food baskets and supporting communities during the pandemic in general). Formal peace committees' activities, such as meetings, talks, conferences, instead are dominated by the local police, tribal and religious sheikhs and civil society representatives who are men, and the government does not support women's inclusion [BS3, E15, NV3, NV4, NV6, NV11, NV12, NV15]. A female volunteer in an LPC in the Left Bank of Mosul said there are only a few women ready and able to volunteer in a peace committee and said "Women listen to women. In Mosul, if I have a problem, I cannot go to a man and tell him about it. But it is possible for me to go to a woman who will listen to me" [NV3]. Moreover, BD6 mentioned that when the topic of women comes up in their work it is mainly in relation to a specific women's issue and not about women's views of peace and conflict resolution.

6.2. Iraqi National Action Plan on Resolution 1325

INAP was mentioned by almost all respondents as both the main potential tool to integrate women in building peace and as an important peace mechanism in Iraq. Respondents reported positive things about the fact that INAP exists, that Iraq is the first country in the Middle East with such a plan and that this is a good thing for enhancing the role of women. But they also complained about the lack of implementation of the plan and raised concerns about it.

The first INAP was ratified in 2014 but was not implemented. After ISIS's attacks, its take-over of Mosul, its brutal attacks against the Yezidis and other minorities, and the humanitarian crisis and displacement this created led to the development of an Emergency Plan 1325 in 2015 [E13]. CSOs played a key role in the development of both INAP and the Emergency Plan. A respondent said "they (*CSOs*) are the ones who wrote the entire plan and they presented it on a golden plate to the government" [BD5]. However, the government removed two main sections (the legislation and the budget), before adopting it [BD5]. INAP's implementation was planned as a participatory process in which CSOs and the government would work together [E7]. However, by the end of its implementation period in 2018, it was evident that the plan was not actually implemented. A second INAP (2020-2024) has been written and was submitted to the Council of Ministers at the beginning of 2020. At the time of fieldwork for this report (October-December 2020), it was still under discussion and not yet ratified, a delay attributed to COVID-19, a change in the government and ongoing protests [BD5, BD7].

After the first INAP was adopted, a National Multisectoral Team was formed to lead on its implementation. This team worked with the federal government and the KRG to form implementation teams in each ministry [BD15]. It also initiated the development of the Emergency Plan 1325 following ISIS's attacks in an effort to prioritise the needs of displaced women and girls [E5], which was neglected in the original plan. Sectoral teams and mobile teams were established in each ministry and many conferences, workshops and training sessions were held to train and inform the staff and public about

1325 Resolutions, laws and practices, and the role of women [E5, E11, NF3, NF9]. The HCWA was established by the KRG to coordinate the work on women's rights, 1325 and women's political participation. Many respondents reported that the KRG took a more comprehensive approach to the implementation of INAP than the Government of Iraq.

Respondents in Erbil who were involved in the implementation of INAP said they have worked on its implementation for five years despite the lack of a ring-fenced budget [E12]. E5, who was involved in the implementation of INAP in the Kurdistan Region said, "We succeeded in that although some say that there is no implementation, there was implementation on the ground and some ministries, not everyone of course, made some changes". They said, the Ministries of Health and Education were particularly involved in supporting displaced women and girls [E5; E13].

On the other hand, some of the respondents said they have not even heard about INAP or Resolution 1325, and some others said, they knew about it but only in name, but nothing more than that [K1, K6, K8, K9, K13, NF11, NF14, NV9, NV6, NV11, NV12, NV13, NV15]. Rates of unawareness were highest in Najaf, Basra Nineveh and Kirkuk. For instance, NF11 said "I have no idea about it". K8 said "Frankly, we only hear about this plan, there is no implementation by the government, organisations or the media". NV15 said "Honestly, I don't have any information about this plan. This is the first time I hear about this decision." women activists in Kirkuk and Basra were particularly critical and said that the implementation of the plan is neglected in their governorates.

a. Assessment of INAP

Almost all the respondents who knew about INAP described its implementation as non-existent, extremely weak, or something undertaken only in form but not substance. This was despite the huge efforts of the CSOs to push for meaningful implementation of the plan. For one respondent, CSOs keep working and pushing for its implementation, but the government is not supporting these [K14]. Again, it was noted that very few government departments actually gave women leadership roles in its implementation [NF6]. As a result, INAP was seen as having failed to achieve its goal of promoting and achieving women's participation in peacebuilding [BS1, BS2].

It was also argued that INAP failed to reach the wider public and only remained known within CSOs and activists. Indeed, it was defined by some of the participants as an initiative led by elite women with no tangible work on the ground [E1, E4]. Indeed, there might be an issue of elitism in some women's organisations, but even then, these organisations work with a wide network of women and carry out activities in all sections of the society. There are also several small women's organisations that carry out important work on the ground in direct contact with the community. Most of INAP-related activities were described as those that do not go beyond training sessions or workshops for women and that do not lead to any real outcome [BS7, BS12, E10, NV10]. What they meant with 'real outcome' things such as change in legislation about women's status, prevention of violence against women, changes in customary rules that prevent women from accessing social, economic and political rights. However, the perception that, in relation to INAP,

these organisations only organise events and do not do anything else is misplaced. This view overlooks the work they do in their day-to-day activities to support and protect women, advocacy with government bodies, putting pressure on officials and pushing for legislative change typically go unnoticed. Moreover, these organisations bear the burden of implementation, but they have not been given a budget. As a result, their public activities are limited to organising events to raise awareness and facilitate dialogue and exchange. Overall, the negative view that women's organisations inability to make tangible changes overlooks the structural barriers and obstacles for changing gender-related policies and transform gender norms without government support and political will.

The plan was also criticised for not being inclusive of all women in Iraq and their circumstances. Some mentioned the lack of specific focus on widows and homeless children. BS12 said the plan-writing did not include women in central and southern Iraq and failed to fully reflect the situation on the ground, notably the circumstances of displaced women in the Kurdistan Region [E15]. One of the respondents, who was involved in the writing of the plan said "we wrote it as if we knew the situation in all Iraq and women's needs, but when we saw reality, we realised that the plan suits some governorates but not others and we avoided this mistake in the second plan" [BD10]. Moreover, some of the women's rights activists, especially in Najaf and Kirkuk, said they follow INAP-related discussions in Baghdad, but they have not been invited to any of the INAP-related activities [NF1]. Overall, the Kurdistan Region was considered to be more ahead of other parts of Iraq not only its implementation of the Plan but also in relation to women enjoying more equal rights in general.

Respondents who were involved in the writing of the second INAP said the second plan tries to overcome the limitations of the first one. For, instance, the re-writing of the second plan was described to be more inclusive and to be making an effort to cover all women's needs in relation to peace, socioeconomic and personal security, and addressing all three pillars of protection, prevention and participation in a more balanced way [BD7].

b. Obstacles to the Implementation of INAP

i. Lack of political will

Respondents said that the government and political parties are typically more interested in their short-term political interests rather than long-term transformations and are more interested in stirring up sectarian strife than developing solutions [NF1, ND2]. While party leaders and representatives may talk about women's participation in elections, this was seen as only words and, in reality, they were not seen as seeking real change or being serious about enhancing women's status [K10, NV5]. The lack of trust in the government was widely mentioned by respondents. They said the laws are not implemented, there is widespread corruption, both financial and administrative. As a result, people do not trust the political establishment, authority figures or political leaders and parties [BS10, E13].

Respondents defined the main obstacle to the implementation of INAP as political actors themselves and their lack of political will or interest in implementing it [BD1,

BD10, BS11, BS12, E15, NF7, NV4]. According to respondents, political parties and their leaders do not view the implementation of the INAP as among their priorities [BD3]. Even though the ministries were given responsibilities to implement the plan, the government, especially in Baghdad, did not implement any of the identified strategies. The CSOs remained the bearer of this responsibility, but their activities could not go beyond awareness raising, forming specialised committees in advancing women's status and other activities [BD5, E5]. The policies and measures remained as formalities, but no serious steps have been taken for peace and for including women in key political processes. When included, women do not take roles as decision-makers but mainly as part of décor and without a voice. Their presence is just lip service to the 'democracy' talk by the government and its efforts to gain support from the international community [BD8, K5, K10].

Another factor reported by the respondents that prevents the implementation of INAP is related to the bureaucracy, described as entailing "exhausting and complicated procedures" [BD11]. Governmental staff constantly change, and this prevents continuity of work in relation to INAP. One of the INAP trainers in Erbil said they work with ministerial staff, train them but then the staff is typically transferred and they end up having to restart [E5]. Moreover, the governmental staff responsible for implementing INAP are often unqualified and untrained [BD4]. And, finally, there is a lack of coordination or a single overarching entity with the authority to lead the work. The Ministry of Women was abolished. There are now multiple entities within the state – the Secretariat for the Implementation of INAP, the National Team for implementing INAP, the Supreme Committee for the Advancement of Women, and the Women's Empowerment Directorate – and this leads to the dispersion of efforts [E5].

Finally, a lack of awareness about the INAP and women's issues at the governmental (both national and local) level was reported as an obstacle to the implementation of the plan. It was said that the "government institutions are not familiar with the international laws that Iraq signed" [BS3]. E5, with her team, carried out a lot of activities in ministries but realised that many of them do not know what INAP entails, and she drew attention to the importance of raising awareness on this issue [E5]. It was mentioned that, whenever this issue is mentioned, "it falls on deaf ears" [BD12] and that the local government, central government and the House of Representatives do not understand the content of Resolution 1325, as a result INAP had no positive impact on women's inclusion in peacebuilding processes [BD7, BS10, NF1].

ii. Lack of budget and ISIS

As mentioned before, INAP as well as the Emergency Plan 1325 were approved without a ring-fenced budget nor was a budget allocated after being approved [E5]. The lack of a budget allocated for the implementation of INAP led to its failed implementation and inability to embed it in the governmental administration structure or to generate processes of evaluation and follow-up [BD7, BS12, E5, E7, E15, NV10, K1]. For K1, this starkly showed that the government "did not have a sincere desire to implement the plan in the first place" [K1].

In order to overcome budgetary limitations, the National Multisectoral Team for the implementation of INAP, the ministries and the team of CSOs decided that funding would be taken from the ministry budgets [E5]. This created a huge miscoordination and tension between overlapping roles and leadership. As a result, the work that emerged was not disconnected from each other and not complementary [BD4, BD7]. Moreover, ministries mostly included any kind of relevant activity and attributed them to INAP, which gave the impression that they did some work in the area while in reality they had not [BD4].

A large number of respondents also mentioned ISIS's attacks as a significant reason for why INAP was not implemented. It was said that the dangerous security situation caused by ISIS's invasion led to the prioritisation of security concerns [BD1, BD4, BD6, BS5, E7]. On the other hand, what happened in Sinjar and what Yezidi women went through led to the need for an emergency plan [BS13] and made this issue all the more important. According to BD7, thanks to the Emergency Plan 1325, CSOs worked on many of INAP's activities, especially regarding protection and prevention. It was also argued that the CSOs did an important job implementing the first plan despite the budgetary difficulties. Big steps were taken especially in the Kurdistan Region, where committees and units for gender equality were established and the HCWA worked with each ministry on gender mainstreaming and INAP goals [E7].

iii. Gender norms, customary rules and structural issues

Structural factors, customary rules and gender norms were mentioned as underlying obstacles to the implementation of INAP by nearly all respondents. It was clear that they thought the problems that hinder the implementation of INAP are deep-seated and grounded in wider norms and values [E9].

It was argued that gendered barriers in Iraq hinder the ability to put women and their views at the centre of politics and peace. Men occupy and dominate the political space and political parties, and most of the parties have connections to conservative religious currents [NF8]. The political establishment and religious and tribal authorities do not accept the INAP because it goes against their interests and their conceptions of religious and customary rules. This matters greatly because without the approval of tribal leaders and religious authorities, INAP and its goals are not accepted by ordinary citizens either [NF10].

It was said that INAP-related activities, such as meetings and workshops, are seen as activities that "take women out of her home, damaging her chastity" [E14]. E14 said that this perspective is prevalent because men want to continue to be in control of women and fear losing this control. As BD1 put it, "how can I work on a policy that helps women in peace and security programmes while politics is completely run by men? ... as a result, we cannot put women's visions, a feminist vision of peace, in government programmes or press for enhancing women's status. It is a structural matter".

BD11 argued that the political elite still believes that "women lack the mental capacity or ability to understand political issues" and the fact that most peace committees lack women is an indication of this. Despite the Article 14 of the Iraqi Constitution, which states that all individuals are equal before the law, women are not treated equally. Moreover, legal protections for women either do not exist or are not implemented meaning that women are scared to go out because of security threats, and they fear harassment, assassination and kidnapping [BD14, K11]. All this prevents women from going out, participating, and taking their rights [NV7; K2].

7. Informal Peacebuilding and Women

Informal peace mechanisms were extensively discussed by the respondents. These mechanisms were perceived as distinct from formal peace mechanisms – more connected to the community, more flexible and small-scale, but vitally important. Respondents also reported that women play a larger role in informal peace processes than formal ones. Tribal and religious authorities are also involved in informal activities, but most of the respondents in this research talked about individual peace activists and CSOs.

A significant insight that emerged from the interviews was that a wide range of activities were defined as 'peace' work. Respondents often described peace work and community work interchangeably. The community work carried out by activists and CSOs included, organising events for community dialogue and awareness-raising, organising cultural festivals, carrying out media campaigns, providing support for families during the COVID-19 crisis, among many others. Activities such as supporting displaced women and girls, providing psychological support to those who experienced sexual and gender-based violence, capacity-building activities for women, and creating livelihood activities were also considered to be important peacebuilding activities by the respondents. The interviews also showed that, despite some commonalities, the range and scope of peace work in each province often differed, highlighting how informal peacebuilding activities are adaptable and flexible to different situations [BD1, NV10]. What is more, informal peacebuilding is shaped by political and security situations. The informal peace activities were mostly seem in areas that were affected by ISIS's violence such as Mosul, Nineveh Plains, Tal Afar, but activities in Najaf and Basra were also mentioned.

7.1. Informal Peace Mechanisms and Their Activities

Respondents talked about different activities under the umbrella of informal peace mechanisms. Most of this work is carried out by volunteer groups and civil society organisations, whose activities are mostly funded by international organisations [BD3, NF13]. Customary peace mechanisms were also mentioned by the respondents under informal peace mechanisms. These are processes in which community members resort to tribes, clerics, *mukhtars* and sometimes to civil society organisations. Respondents argued that these methods are preferred as they are less expensive and less time-consuming than the formal legal system often combined with a lack of trust towards state institutions [E9].

Respondents referred to several types of work carried out by volunteers as peacebuilding, for instance, supporting women by training them in livelihood-generation skills and other activities as well, such as attempting to establish a school for autistic children, and this is all important for achieving peace. These types of work were all seen important for achieving and contributing to peace because they provide a space for civil society and for women to have a presence in society and make a positive impact [NF14, NF10, NV11]. These activities were defined to facilitate coexistence, coherence and protect community peace, preventing the use of weapons, working with tribes to resolve issues, providing aid to injured and sick people in the displacement camps, organising festivals to cultivate

peace among Iraqi people or between different regions, ethnicities, and nationalities of the Iraqi people [BD1, BD4, BD8, E3, NF8]. Some examples of these types of activities are those organised by Al-Amal Association, Al-Mawja Organisation and projects such as the Alternatives to Violence Programme [NF4, NV5].

Several respondents in Nineveh and Erbil talked in detail about the informal peacebuilding work in Nineveh after ISIS in 2017. Two young peace activists said this work is necessary because Nineveh, as a province with a population of multiple sects and religions, renders integration and coexistence especially necessary [E2, NV6]. NV6 said "we as youth do not have big influence at local and national levels because there are big political problems … but we were able to change the stereotypical image between societies, sects, and religions and we were able to achieve positive results in the Nineveh Governorate." Other project examples included: memorandum of agreement between the sheikhs of Tal Afar; a project funded by GIZ to build peace in Nineveh by bringing different communities together and building confidence through organising workshops with women and young people [NV9]; and, a workshop in Najaf that brought young men and women from five different governorates together to build bridges between different communities and promote peaceful coexistence [NV5, NF8, NF11]; in Mosul, a volunteer group of university students from different religions and sects organised a campaign to clean the city of Mosul [NV15].

In most cases informal peace activities have remained as small volunteer activities conducted by young volunteers (including women and men) in collaboration with CSOs [NF7, BS9, BS11]. In some instances, volunteers carry out such work without funding and support these activities with their personal income [BS9]. Activities of informal peace committees are also supported by international organisations, such as UNDP, GIZ, ACTED, and others, but the government does not support or contribute to this work [BS6]. Some of the participants involved in peace work said that the government should play a bigger role and should plan larger-scale work and campaigns at national level. The work that was done by the government in Mosul was considered to be good but insufficient and small. These types of work have mainly stayed at local level and there is no such work or campaigns at national level [NV12, NV13, NV15].

7.2. How Different Are They from Formal Mechanisms?

A key difference indicated by the respondents between formal and informal peace mechanisms is that women play a more significant role in the latter. Informal peace committees are formed by both women and men who are civil activists and members of women's CSOs [BD7].

According to E1, only unofficial initiatives make a sustained effort to include women in their work. CSOs working on peace are more inclusive, cover a wider range of activities and are more focused on developing effective solutions relevant to the issues on the ground [BS5, NF9, NF15]. Informal peace committees in liberated areas in Diyala, Mosul and Anbar have women among them, and they are influential in their society.

E5 said that women in these committees make their voices heard and they have an effective role in resolving conflicts and tensions within their communities. Women's organisations carry out work on peace and conflict resolution and provide training and seminars on these issues for young women and men, and there are examples of women legal experts working with families to resolve conflicts [BS3]. Women's rights activists carry out work in the fields of education, health and wellbeing; raising awareness of issues faced by women and leading on calls for peace.

Another significant difference between formal and informal peacebuilding activities raised by many respondents is that informal activities are considered to be more connected to the community. They have contact with the people on the ground and understand their needs, making them more capable of being flexible in their work, adjusting peacebuilding activities as needed according to age groups, cultural and social backgrounds, geographical location and educational background. In contrast, formal peace processes tend to "collide with the governmental authority" and other non-governmental and informal institutions such as the tribal or religious establishments [BS11].

Respondents also reported that the informal peace activists are more able to come up with creative ideas and solutions and know how to promote and apply them. For instance, a group of young volunteers works to disinfect the mosques, churches and Yezidi temples to fight COVID-19 and to spread the message of peace [NV4].

NV4, who is a female volunteer in this group said formal peace committees do not think in this way. BD6 said "the youth have a fresh way of thinking about the issues, their mentality is beautiful and mature, they learned from our mistakes. Our mistakes are so many, and the youth learnt from them and will hopefully avoid them" [BD6]. For instance, it was stated that government agencies and formal peace initiatives in Nineveh failed to achieve results, while organisations and volunteer teams were fully aware of the problems in their communities, and therefore were able to harness this community knowledge and develop effective initiatives [NV2, NV3].

7.3. Assessment of Informal Mechanisms

One of the main issues raised about the informal peace mechanisms is that they are short-lived and their impact, if any, lasts only for a limited period of time [BS11, NF10]. Many of the activities described by the respondents were conferences and symposia and it was argued that these gatherings only affect their narrow surroundings and do not have widespread influence over society [BD7, E6, NF15].

As BS12 said "peacebuilding needs to be sustainable and it is not possible for one activity or a set of activities alone to build peace, nor from one program or from a number of people". Similarly, in Najaf, civil peace work by women had an impact on the street but not at the required level. A respondent stated that the government carries out work through the committees, but this is only partial work, and the heavy burden of peace work falls on the shoulders of civil society [NV9].

On the other hand, some respondents considered peace activities, especially workshops and seminars, as useful and impactful. The work of CSOs in bringing different communities and perspectives together and closer was considered particularly valuable [NF6]. For instance, some of the respondents talked about a Peace Forum in Nineveh that was attended by a very large number of people, which in their opinion had a huge impact [NV9, NV10]. For these respondents, informal peace committees, in Nineveh and elsewhere, are seen as having greatly contributed to diagnosing and challenging the obstacles to peace and to restoring trust between different sections of the society.

A respondent from Najaf also said a workshop she attended helped her to understand people in other provinces and integrate with them; she noted that "integration is necessary to build friendships, as in the Najaf camp, which contains people from other provinces. These [workshops] are all things that promote peace" [NF11]. Similarly, another respondent, a displaced woman and a civil activist for the last seven years, joined workshops that were attended by people from different provinces, genders, sects and religions.

These were credited with changing her views because she "had not previously met young people from Anbar and I learnt about their environment, their culture and their way of thinking" [NF15]. Similarly, a respondent in Nineveh talked about the presence of several volunteers, activists and local organisations and their work and how this has changed things in Nineveh, even though this is not at a desired level [NV4].

7.4. Protesters and Peace

Respondents who are involved in the protest movement or those who talked about protests drew significant parallels between peacebuilding and the protest movement. They connected the protests to the right to freedom of opinion and the demand for civil peace and human rights, therefore defined the demonstrations as examples of 'peace' work. Protests were defined as a way for people to express their dissatisfaction with the direction of the political system [BD9].

BD9 described the work of protestors and activists as 'peace work' as a form of national duty that falls on all citizens to take a stance and call for civil peace. For instance, a recent campaign was launched by around 160 organizations, unions and newspapers, and coordinated protests took place in three governorates to "put an end to murders and assassinations of protesters, activists, media persons, bloggers and civil activists, as well as campaigns against kidnapping and enforceable disappearance" [BD9].

NF13 described the demonstrators' methods and intentions in Najaf, as well as in other provinces, as peaceful and non-violent resistance. It was stated that these local youth groups are very effective in making peace "In Najaf, the majority of girls who participate from young ages of about twenty and less than 25, and most of their roles are voluntary [NF13].

Peace activists, including the protesters, face lots of challenges. They are under pressure from the government – their work is being prevented, they are not able to express their opinions on social media, and there is heavy surveillance and monitoring during protests or campaigns [BD9]. Peace activists, protestors, journalists, and bloggers are in constant fear of harassment, blackmail, kidnap, assassination or malicious charges, but there is no law protecting their work [BD9, NF12].

Most importantly, it is getting increasingly difficult for activists to carry out their work in safety. The situation of peace activists working informally is particularly risky. Some of their work is considered as outside the law and there is no protection for women activists and protestors from the threats they face. One of the respondents said the conditions for peace activists' work is getting harder. She said previously she was able to work in relative comfort and safety, however, now her and other women peace activists face problems and threats and they do not feel safe when they carry out their work or when they protest [BS9].

8. Transitional Justice and Women

Transitional justice, and justice in general, and the gendered dimensions of these processes were extensively discussed by the respondents in all governorates. In each governorate, different aspects of transitional justice were mentioned, but in all governorates the unfairness of the system in place or issues with implementation were common themes. For respondents in Baghdad and Najaf, the discussion mainly focused on the victims of the previous regime as well as women while in Nineveh and Erbil the focus was on those affected by ISIS's violence. Transitional justice was least discussed in Kirkuk, where when it came up respondents mainly talked about its absence and the negative impact of partisan politics on building a process of transitional justice. The main issues that were raised across all provinces, however, were the discrepancy between existing justice mechanisms in Iraq and what respondents called 'real justice', as well as legal discrimination against women, a lack of legal protection for women, and the lack of punishment for perpetrators of violence against women.

8.1. Discrepancy between Existing Mechanisms and Justice in Iraq

Some of the respondents defined existing transitional justice mechanisms as implementing a hollow definition of justice that fails to promote social justice or to solve profound problems in society. BD1 said existing mechanisms heavily focus on financial compensation without addressing root causes of the problems. It was noted that existing processes overlook important components of transitional justice, such as uncovering facts, punishing the perpetrators, redressing the harm, or developing special programmes and reconciliation at local and national levels [BD1, BD5]. NV4 stated that "financial compensation and privileges are not enough" when real reconciliation is what is needed. It was said that there is a lack of awareness of what transitional justice is and it is entrusted to unqualified people who do not know what transitional justice, peace and reconciliation mean [BD11, BD5]. BS10 said there is no respect for human rights and added that "Today, when the human rights file is passed to the Governor of Basra, they will ridicule it because they do not believe in the full implementation of human rights." Perhaps most pessimistically, K5 said "there is no justice in Iraq, the strong eat the weak. This law of the jungle applies in Iraq with no justice for all."

Many of the respondents talked about the conception of justice in Iraq and how it mainly builds on the idea of justice as retribution, punishment, revenge or a balancing act [BD4, BD5, NF13, NV8]. As a result, they believed that the avenging nature of transitional justice in Iraq cannot promote peace within society. BD4 said that the new regime wanted to avenge the previous regime and take back all of which they were previously deprived of. She defined the process of transitional justice as a vendetta, and therefore it led to societal collapse and made it impossible to achieve peace and justice in the future. NV4 (a female lawyer and activist) said people are full of feelings of revenge, but this is negative energy that prevents people from sympathising with each other and provokes a desire for vengeance and produces further violence. NV4 said that society tells the person who

lost his loved ones that "even after 40 years, your right does not go away, take your right, your revenge. Our tribal culture leads people to think that a person should not let go of revenge."

In contrast, respondents sought transitional justice mechanisms that could serve as tools for building peace and social justice. According to NF13, justice and building peace should entail restoring social cohesion, working on issues of truth, hearing from aggressors about their possible victimisation, understanding safety and security in non-military terms and creating a safe and secure environment. As BD8 said "the spiral of violence and revenge cannot be resolved unless the psychological trauma of victims is treated so that the spiral does not convert the victims into perpetrators of violence." For instance, BD9 said the treatment of women and children perceived to be affiliated with ISIS – their rejection by society, poor living conditions and often being trapped in isolation camps in miserable conditions – does not look like transitional justice. Others mentioned sectarianism as constituting the existing political system in which one sect is trying to impose their vision on others and leading to constant rivalry between different factions. They defined this system as built on a "disfigured foundation" [BD9] or sitting on a volcano that can erupt anytime [E8]. As a result, injustices continuously increase, and disputes can erupt at any moment because there is no real radical solution being developed [E13].

Some of the respondents said there has been no transitional justice in Iraq since 2003 and if there was transitional justice "we wouldn't have these issues of suicides, murders, conflicts" [BS1] and "many crimes would not have happened. Many people were killed even though everyone knows that Ba'ath Party membership was compulsory, and these people were not criminals" [BS2]. BS14 said that the law of eradication of Ba'ath was not justice, because it resulted in a massive arbitrary exclusion of a group and "Iraq is paying the price of it from 2003 until now".

8.2. Issues with the Implementation of Transitional Justice

The first parliament after the 2003 invasion adopted a number of laws for transitional justice, which covered the martyrs and victims of the former regime [BS7, BS2]. This law was later amended to include victims of terrorism and military operations, and those who died fighting for PMFs and their families as well [BD1, BD6, BS13]. These laws address issues related to compensation (in the form of land, salary, jobs) for victims, families of the martyrs and prisoners and address issues such as property and land disputes. These laws and the institutions established to implement them, such as the Martyrs Foundation (responsible for providing the rights of the families of salaries and sorting out inheritance issues, etc.) engaged in a process that is defined as "de-Ba'athification," rather than a judicial process (BD5). E8 said that this legislation was "built with a Ba'ath mindset". As a result, the institutions that govern politics and society, including the transitional justice institutions are formed of employees and directors from a particular group or party, making the Martyrs Foundation as an institution with no diversity among its employees [BD4].

The majority of respondents said that these laws need to be changed and updated to include those affected by violence in post-conflict contexts, such as post-ISIS and post-liberation contexts. These laws should also address crimes committed during conflict, such as mass murder, genocide and sexual violence, and they should address the different stages of peace and conflict, displacement and its protracted nature [BD3, BD7, BS10, BS14]. E10 and E15 mentioned the international investigation team set up for ISIS crimes according to UNSC Resolution 2379 that is taking statements from victims and preparing a field report of mass killings, survivors and missing persons. However, this work is not connected to an Iraqi or international judicial process. Gathering evidence for the cases is difficult and complicated. The judicial process based on the Terrorism Law, which usually leads to a judicial process that results in the execution of the ISIS members, is preventing the possibility of gathering statements from perpetrators and hindering the ability of a judicial process for crimes that are not covered under the Terrorism Law [E10]. E15 added that the historical crimes of genocide and violence against the Kurds (Anfal, Halabja) have been overlooked in the current system.

Many of the respondents also stated that transitional justice can only work if its foundation is built correctly and if it compensates victims without discrimination. They pointed out that the compensation payments did not cover everyone. Many victims of murders and violence during and after the US invasion, the sectarian conflict and the protests demand their rights and justice [NF13]. There are no investigative committees to find the truth and provide compensation to the victims of these crimes and their families [BD8]. The transitional justice law also does not cover the victims of ISIS. There is no justice and no investigation for the crimes ISIS committed against women, men and children (BD3; BS14; BS14).

BD9 said that in 2019 200 protesters were killed and their cases were transferred to general prosecution and then to the courts, still with no results, "while several other similar cases are resolved in two days... so why aren't the cases of protesters also resolved in two days?" BD9 added that the martyrs of protest movements since 2015 have not been recognised as martyrs and said, "700 martyrs and 25,000 injured, vast numbers disabled; where is the peace in this?" The authorities only try to relieve pressure rather than fully address the issue. For instance, after the October 2019 protests, the government resigned, and its successor tried to give a simple financial compensation package for direct assassinations and included the rights of demonstrators in the Political Prisoners Law. However, the perpetrators of the crime have not been punished [BS11] and several young people who were disabled during the demonstrations did not get any support, not even the cost of treatment [NF10].

Another important problem that came up in the interviews with regard to the implementation of transitional justice is that the existing transitional law has not been implemented equally. Although some of the respondents (especially those based in Baghdad, Basra and Najaf) said the compensation payments have been provided for the victims of the previous regime without discrimination, majority of the respondents highlighted the issue of unfair implementation. Respondents in Kirkuk were particularly

critical of the mechanisms of justice. It was said that these laws were not implemented in Kirkuk – for example, wives of victims are deprived of pensions and there are several survivors whose homes are destroyed but they did not receive any compensation [K5] and when the compensation law is implemented those in power distribute it to their own people [K7]. Even the distribution of food baskets during COVID-19 crisis is not managed fairly because each authority figure or staff informs their own people about the availability of such services [K5, K7].

In Kirkuk, respondents also mentioned the highly negative attitudes and perceptions towards displaced communities, especially those based in Hawija. K7 gave an example of a woman she knows, who informed the authorities that her husband was an ISIS member; the husband was arrested and executed, but the wife was also arrested and sexually assaulted while in police custody [K7]. Another respondent from Kirkuk also talked about unfair treatment at the hands of security and justice institutions. He said if you go to a police station to "submit a complaint, if you do not have a party to rely on or an acquaintance, then you will continue to go back and forth to the station for months. If you actually know someone, in one hour or through a call, you can finish everything" [K5].

In Najaf, many victims of the previous regime received compensation, both women and men, and this was pointed out as a positive by many participants in Najaf. For instance, it was mentioned that the government has provided compensation to those who were mistreated by the previous regime and families of PMF fighters and if someone makes a claim, their claim is processed without delay [NF3]. It was also mentioned that political prisoners and displaced persons received their compensations and rights in the form of re-ownership of houses and lands that had been confiscated from them by the previous regime and even those who left the country and did not return received their compensation and rights [NF9]. But other respondents noted due to economic stagnation, issues with the approval of the national budget [NF4] or an employee not doing their job properly [NF14], payments are getting delayed.

However, several respondents raised issues of unfair implementation of compensation in Najaf and Basra, the exploitation of the system for the advantage of certain groups at the expense of others who also deserve compensation. NF5 said that transitional justice was described as something that exists only in name and, when it is applied, this is not done "fairly or seriously". Compensation is distributed unfairly, and victims of the previous regime are continuously being prioritised. For instance, NF4 said, "martyrs' families receive five places at postgraduate studies at a university while there is only one seat allocated for general admissions". Similarly, a respondent in Basra said that the PMF families (who are the newest recipients of compensation) applied and registered to colleges and graduate studies free of charge and they were supported through the allocation of a certain per centage of jobs in government offices [BS14]. Minority groups have not received such privileges even if they were mistreated by the previous regime, for example the victims of Halabja [NF5]. It was also said families of militias or armed groups receive privileges while overlooking others who have been affected by conflict directly [NF1]

as well as those who have been affected by conflicts, massacres, and displacements since the sectarian violence [NF2]. The way compensations are managed creates a crisis and families end up in disputes, conflict and enmities [NF2, NF8]. NF15 said "whoever has a voice in parliament or in the state only serves his family and his people at the expense of others. ... politicians exploit the conditions that the people are going through for their own benefit."

The situation does not appear to be different in Nineveh. It was stated that the compensation committee in Nineveh works based on favouritism and lots of people, including government officials, have complaints about the Compensation Committee [NV1, NV10]. NV10 stated that "there is no programme for transitional justice in Iraq and in Nineveh, and even if there is, it is mere formality." Mosul is still in ruin, citizens do not have access to information about the prosecution processes for those accused of murder and mass murder, rape and exile and "there is no transparency, no media coverage, no follow-up or monitoring" [NV10]. NV7 said that the CCCP talks about transitional justice in Nineveh, but this remains at the level of talk and does not translate into serious action. NV11 said "there is no house in Mosul that has not been damaged by the way, but no one has received any compensation. We went to government departments and tried, but there was no support." She also added that Anbar, a city that was also badly affected by the same war, is being redeveloped because there is a member of Parliament who supports Anbar, whereas the city of Mosul remains unsupported and not even the bridges have been repaired [NV4, NV11].

8.3. Women in Transitional Justice

Women and men have equal rights according to the law and many of the respondents (especially those in Baghdad, Basra and Najaf) stated that male and female victims of the previous regime were provided compensation without discrimination. However, one respondent in Basra, BS4, said that women affected by conflict including displaced women in northern Iraq are getting more justice and support compared to women in central and southern Iraq. Most of the respondents from Najaf described Najaf as a relatively safe province for women compared to other provinces in terms of being affected by conflict, displacement and sexual violence.

Several issues were raised about the treatment of women in transitional justice mechanisms or the lack of mechanisms and procedures that apply to women. These issues are embedded in the wider structural, institutional, social, economic and legal inequalities seen in Iraq. For instance, NV10 talked about the interconnection between sexual violence in conflict and other forms of gender-based violence in relation to what happened to women during ISIS conflict. The experiences of women and the issues raised by the respondents show the extent of discrimination against women and the continuities between all types of gender-based sexual violence in 'peace' and 'conflict'. Their comments and insights also indicate how women's needs and the way they are affected by conflict vary based on the context in which they are located, their affiliation with a certain ethnic, religious or sectarian group, and their age, level of education and employment status.

The legislation that was introduced after 2003 only focused on a specific group persecuted by the Ba'ath Party, but women were not mentioned in any of the articles even though they were directly affected by the oppression before and after 2003 [E7, BD5]. For instance, national strategies for combating corruption and extremism do not even mention women and how they are affected and what should be done to support them. All transitional justice mechanisms have been led by men until one female member joined the CCCP recently. BD5 noted that there are no female counsels and members of parliament in committees on the "basis that men are more capable, but the truth is they are worse". BS11 said if there was legislation on transitional justice regarding women "we would have seen its positive impacts and results today". Female members of parliament were criticised for not raising the issue of transitional justice for women affected by conflict, especially women who are displaced and women leading households after the death or injury of their husbands, brothers or fathers [BD3].

One of the issues that was mentioned by most of the respondents was related to the distribution of compensations for women. It was argued that none of the laws related to transitional justice does justice to women, and compensations are provided to the household and overlook the specific needs and experiences of women [E4]. It was pointed that there are no women on the committee that deal with compensations or provision of rights and that women should be represented, as should displaced women and men [E4]. In Nineveh, the compensation committee and justice mechanisms do not include all women, notably widows of liberation battles, and their cases are pending in the court for justice [NV1, NV5, NV11]. It was also mentioned that the government should pay more attention to the situation of minority women – Yezidis, Christians, Shabak, Turkmen [NV14].

The Institution of Martyrs was criticised for trying to prevent wives of martyrs from accessing their rights if they re-marry [BD1]. She considered this as against the law because whether a woman remarries or not, she suffered pain, injustice, physical and psychological harm, and economic and social damage due to the arrest, death or execution of her husband and this must be compensated. On the other hand, BD7 said that some women benefit from positive discrimination when it comes to compensation. For instance, a woman who has been imprisoned for a month by the previous regime receives the same amount as a man who was imprisoned for life. The reason for this was explained as the possibility of having been subjected to rape and other forms of abuse in prison [BD2]. BS9 said, after the war in 2003, families of women killed in Basra and other governorates were not compensated. Compensation took place for those who were killed before 2003, but not after 2003.

Respondents raised the issue of inadequate compensation provided for displaced women and [BS15, E4]. BS15 said she and her family had to flee Basra when their relatives were killed during the sectarian conflict and "nobody intervened at all, neither the police nor any other party". Her brother's wife (he was killed by the American forces in Ramadi)

received a small compensation but needed to use mediation and acquaintances to be able to receive this: "not all the wives of the martyrs received compensation unless they had a go-between person who facilitated things" (BS15). Similarly, E2 said a huge number of widows did not receive their compensation or received it with delay, as late as 16 years. E2's husband was martyred 14 years ago, and she has not received her compensation yet. E2 said that corruption is widespread, and the families of martyrs end up having to bribe officers to process their paperwork.

As such, administrative and financial corruption were seen as huge obstacles to achieving transitional justice and women's ability to access compensation and other rights [E2]. Most women have few connections in public offices or among community leaders, therefore it is harder for them to use these tools to access their rights. Corruption and bribery create further barriers to women's enjoyment of their rights and receive fair treatment [NV11]. Women are highly marginalised in society and often harassed, subjected to verbal violence, especially in government departments: "When they go to demand their rights, in fact, there are women who cannot claim their right as they do not have the money to go to the government department in the first place". [NV12]

b. Justice for Women Who Experienced Sexual and Gender-Based Violence

Some of the respondents talked about justice for domestic violence and other forms of gender-based violence in the context of transitional justice. They talked about how women's existing rights and certain laws discriminate against them. This was brought up by respondents particularly in relation to violence against women and the lack of protection for these women [BS12, BS13, NF8, NF13]. When a person violates a woman's rights and treats her violently, they are not punished and, in Najaf, resolving the issue "is always left to the tribes; there are laws that are in place but not implemented" [NF8]. There is a law penalising harassment, but this law is not implemented and "even when a woman goes and complains, no one listens to her" [NF8]. There are no arrest warrants for crimes against women because the security files are controlled by parties and politicians [BS12]. The file says the killer is unknown, or women are killed in the name of 'honour' or most crimes are registered as suicide, despite meeting the legal criteria to be criminal cases [BS12].

In Basra and elsewhere women's rights activists are murdered and threatened because they express their opinion, join protests and support the Domestic Violence Law. These women who speak up about women's rights, engage in social media and work with local or international organisations are dismissed as "embassy girls" (a label implying they are not working in the interest of Iraq and are traitors) [BS12]. They are exposed to rumours, defamation, accusations and assassinations for defending the rights of women [BS12]. As result, as NF13 put it, women's rights are violated in multiple ways, in the form of both direct and indirect violence. They experience direct violence, and legal and administrative violence due to a lack of protection, as well social pressure and threats for which the law does not provide any support. The net effect is that "all this builds, adds, and accumulates on top of the direct violence they experience" [NF13].

The issue of women affected by violence and justice for these women was repeatedly raised by respondents, especially those in Erbil, Nineveh and Kirkuk. The need to provide legal, psychological, moral and material support and protection for <u>all</u> women affected by conflict was repeatedly emphasised [K5]. Many survivors of violence, Yezidi, Turkmen, Shiite, and Christian women, have not received support even in the form of compensation [E3]. What is more, E9 said what happened to these women and to their communities, the disintegration of an entire society, a family or a village – these issues require more than just financial compensation.

The criminal code in relation to conflict under the Terrorism Law does not deal with crimes and violations during conflicts; there is no category for crimes committed against kidnapped and abused women and girls [BD7]. As a result, for example, women who were victims of ISIS's violence, who were kidnapped and survived have not been allocated a continuous salary. Sometimes they receive a one-off sum of money, but this does not meet their needs at all. As a result, women are not properly included in transitional justice and are not receiving the support they deserve in Nineveh [NV10]. A respondent in Basra mentioned women affected by armed violence and the lack of legal support for these women and tribes make decisions on behalf of these women most of the time and she ends up being persecuted despite being a victim [BS7].

There is a need to change the legislation to enable the provision of compensation and the right type of support for those subjected to sexual violence, whose families and communities were killed or displaced, whose houses are destroyed by ISIS and during the liberation war [BD4].

The Yezidi Female Survivors Law has been recently proposed in Parliament to redress the damage caused by ISIS to Yezidi women. This law is a good development as it tries to address the damage caused to the victims and treat the lasting trauma. Many respondents pointed that this law should not only focus on Yezidi women but also other women who experienced sexual violence such as Shia Turkmen, Christian and Sunni women. Therefore, the law is now being revised to include all those affected by ISIS in a more comprehensive way [BD1, BD14].

Some respondents argued that Yezidi women should form a particular focus in transitional justice processes because what they and their community experienced was genocide, but this notion does not exist in the Iraqi law [BD10]. Moreover, the children of Yezidi women are not registered and the solution the Iraqi courts are offering for these women is to become Muslim so that their children also become Muslim. Yet forcing these women to embrace Islam is "another form of invasion" [E9]. NV10 emphasised the importance of treating Yezidi women and other women who experienced ISIS's violence fairly and justly. For this, he said, it is very important for the society to know more about the processes of trials, who are accused, what happens to them, and who are behind the crimes, murders, and sexual violence.

Families suspected of having links to ISIS or considered as 'ISIS families' are in a difficult position, and according to some respondents the current situation of these women and children is appalling. These families are currently trapped in isolation camps living in miserable and harsh conditions. Because they were married to ISIS members, they "are exposed to violence and are often raped in the camps... They have children without identity, children born in the camps" [NV4]. BD9 said "women once again suffer violence, rape and intimidation by officials in these camps" and their children are not recognised by Iraqi authorities. The government arrests 'ISIS families' and does not release them until they disown their husband or son. There is a huge identification gap that affects a very large number of children, even beyond those in isolation camps. It was argued that this will create significant challenges for these children and their families, but the state does not appear to be willing to tackle this issue [BD4]. Most of the respondents defined these children as 'time bombs' as they grow up in these conditions. Being vilified, badly treated, and without an ID, they will not be able to register to a school, integrate, work or build a future for themselves.

Several respondents noted the importance of this problem and argued that the situation of 'ISIS families' should be addressed, where they should be supported and treated carefully and fairly before people end up trapped in camps all their lives [BS14]. It was noted that wives and children of ISIS members should be protected by the law and a well-thought-out solution should be developed that entails better treatment and economic support whether these women are criminal or not [NV2, NV4, NV5]. A need for clear and fair procedures that differentiate between the accused, the contributors to the crime, who defended ISIS, who worked for ISIS and those who are innocent and were in the wrong place and time was called for [NV10]. Instead, the society thinks everyone in those camps are criminal, but this is a mistake because such generalisations would only create a new generation of avengers, which will only affect women negatively again some stage in the future and will only increase violence and possibly lead to the emergence of a new ISIS [NV5, NV10].

9. Recommendations: What Needs to be Done?

A broad range of strategies were identified by respondents with regard to how to improve women's contribution to peacebuilding in Iraq. This section provides an account of these strategies, which ranged from short-term and immediate actions to more long-term strategies pursuing structural change. There was no real variation in recommendations according to the different provinces of the respondent, except for the specific circumstances in a particular province. In fact, the more remarkable aspect was the common understanding across all respondents of possible strategies to enhance women's contributions to peace. Inevitably there was some variation according to the position of the respondent (NGO respondents look at civil society strategies; those working in government looked more at factors relating to government and formal legal processes, etc), but in general there was common ground on ways forward.

9.1. Training, Education, Advocacy and Women's Empowerment

By far the most common recommendation cited by a large majority of respondents was the need for extensive training and education programmes. Respondents cited a need for training to empower women, create women leaders, and train women to participate in peacebuilding processes and on how to act as advocates for women's rights. Respondents varied on the form such training should take – some argued that ideally it should be undertaken with girls in school at an early stage or in university, while others saw it as an important tool for training women in the community. Others also noted the need for training programmes for specific groups of women, such as those currently residing in camps. Recurring themes around what such training should cover included advocacy training, leadership skills, basic employment skills, and training for leaders on how to use the media to promote their message within wider society. In fact, training on the use of media came through very strongly from respondents, who saw this as a valuable tool that women's rights activists could use to empower themselves, make other women aware of relevant issues, and to promote social change on attitudes towards women.

Recommendations for training programmes were not just restricted to training for women. Many also called for training for men to develop greater awareness of women's rights, why these are important, and how they are limited in the Iraq context. As one respondent put it, before empowering women, "we first need to train and convince the male dominated [sic] mentality in decision-makers" to support change [BD7]. As another argued when it came to providing training, "we should do this for men before women because who is preventing women from becoming a leader of peace and being present in society? Men are the main constraint on women's activities" [BD13].

When it came to the reach of the training, a number of respondents [BS8, BS14, K8, NV1, NF8] argued that it was important to ensure training and education was delivered to women from all ethnic or religious backgrounds and ensuring diversity in training courses was seen as vital. One respondent noted from their own experiences of delivering training in Basra that what made such sessions successful was that it "included all groups

such as the Christian community, and all other sects". Delivering training targeted just at specific groups was warned against, such as ensuring training did not only target Kurdish women or Sunni women, and so on. This was especially noted from respondents in diverse governorates. Bringing together women from diverse backgrounds was seen as important because it allowed women to see they shared similar problems and to cohere around a shared sense of the need for women's rights. However, it should be noted that one respondent worried that structuring training around including diverse backgrounds and ensuring quotas in training ran the risk of essentialising these identities rather than choosing all qualified women to receive support [BS9].

The ultimate purpose of training and education was seen by many respondents as being to develop capabilities within women and empowering them to become activists and community leaders. Central to this was building up women's confidence and faith in their own abilities, something that was seen as lacking in many women [K1]. Many respondents hoped that by building up leaders from the community, these would then serve as examples for others to follow [BD2, BD4, BD11]. The aspiration was that "when we shed light on success stories of women peacemakers locally and in the region, we will encourage women who have the simple principles and mentality to become decision-makers".

Another strategy identified by a number of respondents to empower women was for CSOs to engage in advocacy on behalf of women and to provide women with information on their rights and services from which they could avail. One respondent saw her role as demanding a change in policies on behalf of vulnerable women [BD2] while another noted the importance of advocating for women who have 'no voice' and delivering tangible change in their lives [NV6]. Another respondent saw her organisation's role as holding workshops in rural areas to make women aware of their rights when she has been given to a man as part of a *Falsia* system. In this way, awareness raising makes a direct impact on the quality of the lives of women caught up in this position [BS5]. Raising awareness within women of their rights was seen as a way to empower women to become self-reliant [BS7, NV6, NF9], while another respondent noted that such awareness training needed to target the whole of society, not just women [K14].

9.2. Improving Services Aimed at Women

While making women aware of their rights and services available to them was seen as an important component of training, others discussed the vital importance of ensuring that the services being delivered to women were actually effective in the first place. Many respondents noted that the services delivered, whether by the government or civil society and community groups, simply did not provide what was needed. The consequence of not providing relevant (or indeed any) services was that it forced women to leave Iraq or become internally displaced. As one respondent noted "immigrant women in general are far from government programmes" and "most who have been subjected to violence left Iraq as a result of the loss of services provided by the government" [BD1]. Another noted that organisations provided relief and aid but without providing for basic human needs of women, which were necessary to rehabilitate women and reintegrate them into society [BD2].

The first step that was seen as necessary to improve this was to listen more carefully to the women who needed these services to identify their needs [BD2, BS4, E9, NF13]. Listening to women and knowing their needs was seen as an important way to make action plans and strategies more than just "ink on a page" [BS14]. One respondent went so far as to recommend building a national database documenting the needs of particular vulnerable women so they can access necessary services [BS4]. Another whilst talking about women in camps, saw the solution as lying in giving women a say over existing committees that oversee the design of camps and to represent their needs [E9].

Another theme that emerged as a way to improve programme delivery for women was to have greater coordination between governmental bodies and NGOs and civil society groups working in the area of women's rights. One respondent noted that "the government in general relies on civil society initiatives" for such initiatives and therefore coordination between them was particularly important [BD1, K9, BS11]. Coordination was also seen as important between the national and local level on the one hand and the international community on the other. Finally, there was also a need for greater coordination across different civil society groups around Iraq rather than disjointed working in different governorates [BD9, BS11, NV1].

9.3. Increasing Women's Participation

The other most common theme from respondents on how the position of women could be improved was simply to increase the levels of women's participation, or more particularly, to increase the levels of women's meaningful participation in decision-making. This was seen as being necessary at the community level, governmental level and international level. As one respondent put it, what was required was the "inclusion of women in all fields, not only in training courses, but also in meetings and committees" [BS8]. It is one thing to provide training and empower women, but it was another to give women a meaningful voice in decision-making and governance.

It was also emphasized that such participation needed to be meaningful and significant, and not tokenistic. As one respondent argued, "now we have two problems. One is that women are almost absent from all the committees and mechanisms for peacebuilding, and the other is that if women exist [on these committees], they are without power. We must now strive for them to exist [on these committees] and then we must give them authority" [BD1]. Another noted that "they might exist but not be heard, have no authority, these women are not influential".

This was seen as necessary because many of those in government were seen as not genuinely having the political will to improve the position of women in society. As one respondent noted, "those who work on women's issues or any human rights must always have belief in them and not only just talk. Officials always talk about human rights and respecting freedoms, including women's, but when it comes to implementation, we do not find real action appropriate to the talk and the vision they spoke about" [BD7]. This was linked back to raising awareness within decision makers as to why women's participation and rights were an important element of peacebuilding [BD1, BD3]. Greater meaningful

participation was seen as required throughout government and society as a whole, including in the various committees dealing with women's rights, on the CCCP, in Parliament, on budgets, in political parties, and in civil society organizations.

9.4. Legal and Political Reform

Many respondents saw the core reason for the poor standing within Iraq of women's rights as lying in a weak legal framework and therefore a common recommendation was to strengthen the position of women through legislation. Such recommendations ranged from general calls for strengthening legal protections [BD3, BS2] to more specific recommendations, such as criminalizing *nahwa* and *faslia* [BS1], domestic violence legislation [BS2, BS4, K2, K4, K5], increasing the women's quota in parliament to 50 per cent or greater participation on legislative committees [BS2, K5], revitalising the Ministry of State for Women's Affairs [E7], abolishing articles hindering the participation of women in the full socio-economic and political life of Iraq. Linked to this, some called for reforms of formal political institutions as a route to empower women – fair elections, a fair and independent electoral commission, strong courts, clamping down on corruption, were all mentioned.

Other respondents noted the importance of security sector reform, especially the police. Three respondents noted that a lack of female police officers and investigating officers posed a great problem for women interacting with the police or reporting crime [E9, K4]. There were calls for stronger efforts to recruit more women into the police and creating an environment where they would be comfortable to work. Anti-Violence Directorate within the Ministry of Interior in the KRI that region deals with domestic violence as well as violence related to military affairs and issues was provided as a positive example, which should be further developed in and of itself but also imitated in other provinces as well [E11]. The Anti-Violence Directorate organised trainings and seminars for the staff at the Kurdish Ministries of Interior and Defence about children's rights, how to receive and deal with survivors during the investigation stage, the psychological and moral aspects of sexual violence in conflict and how to treat raped women or women who experienced violence (E11).

9.5. Economic Empowerment

Respondents noted the importance of greater economic empowerment and economic independence for women was necessary for both women's empowerment and for them to be able to increase their participation in social and political life. As one respondent noted, "we need economic empowerment first, so the needs of life must be met. Only then can I participate and integrate into society" [BS15]. Central to this was infrastructural and economic investment from the government [K14], especially in those areas where infrastructure was destroyed during conflict and crises: underdevelopment, a lack of schools and a lack of employment opportunities were all seen as holding back women. Here the main recommendation was to provide employment projects to enable women's economic participation [NF4]. Economic empowerment was not just about increasing social and political participation, however. At a more fundamental level, providing

employment opportunities were also seen as vital for reintegrating displaced women into society, for empowering widowed and divorced women, and empowering women who were the victims of violence during the conflict [K6, NV13].

9.6. Changing Gender Norms in Society

A recurring theme was that women's rights activism and women's vulnerable position stemmed from patrimonial dynamics embedded in society. As one respondent noted "we are a society based on the fact that the authority is in the hands of the man, whether he is the father, brother or husband" [NV12]. The result was that empowering women was seen as provoking a backlash from such authorities. This was seen as particularly true for conservative religious leaders. Challenging these gender norms was seen as vitally important. For example, one respondent stated that "there must be awareness of men also to accept the presence of women and of women being leaders and having a role in society" [K2]. Changing values throughout the community was seen as vital to achieving women's rights if women are ever to be accepted in meaningful decision-making and leadership positions [BS14]. It was also seen as important to reduce social stigma that exists for survivors [NF9]. For some respondents, the best way to achieve this is to work with religious leaders and work to persuade men in authority to change their values. Failing to bring these groups along was seen as merely provoking a backlash and therefore realise change [NV12]. Some argued that if religious leaders could be brought on-board and persuaded of the importance of changing gender norms, they could serve to spread this throughout the community and deliver this message to tribal leaders as well [K12, NF9].

10. Conclusion

This research report provided an analysis of women's involvement in formal and informal peacebuilding and transitional justice processes, in particular focusing on how these processes are impacting women. The fieldwork for this research was conducted in six provinces – Baghdad, Basra, Erbil, Kirkuk, Najaf and Nineveh – which were chosen to reflect the variety of gender, peace and conflict processes in a comprehensive way across Iraq. 91 in-depth interviews were conducted with Iraqi peace activists, civil society actors, journalists, government officers, legal experts and academics to explore women's views of peace and how they are involved in, and affected by, existing mechanisms and processes related to peacebuilding and justice. Through a critical engagement with the concept of peacebuilding, the research adopted a concept of peace that encompasses a wide range of activities that are not traditionally considered as 'peacebuilding' or 'peace'. These included the community work carried out by peace activists and civil society organisations.

As the section on 'Women and Women's Rights in Iraq' in the report explained, women's rights activism has a long history in Iraq. Throughout this history, women's rights activists have challenged the discriminatory aspects of Iraq's institutional, political, legal and social structure. This work has changed and transformed over time and has been affected by the transnational women's rights movement. Today, women activists in Iraq use tools and principles, such as CEDAW, which are the outcome of the transnational women's rights movement pushing the agenda of women's rights in Iraq. However, the international liberal political agenda that also uses the human rights and women's rights agenda in their economic, military and political engagements in Iraq creates a backlash against Iraqi women's rights activists. This is because, the international political agenda of Western states fails to contextualise the Iraqi women's rights movement as part of a transnational feminist agenda, instead incorporating it into their own international policy agendas.

The political and economic evolution of the Iraqi state, conflicts and wars, the prevalence of patriarchal and hierarchical gender norms among the political leadership linked to religious and tribal authorities have prevented a majority of Iraqi women from enjoying equal socio-economic, legal and political rights with men. Women's enjoyment of their rights and the degree of discrimination change based on geographical context, rural-urban habitation, social and religious rules, class, level of education. The challenges women and women's rights activists face have been exacerbated since the invasion of Iraq by US and UK military forces in 2003. The collapse of the state and the security system, sectarian conflict and terrorism, political instability, corruption and the weakening of rule of law, sectarianism and divisions in the society created significant challenges for women in general, and for women's rights activists and peace activists in particular.

The accounts of the respondents about women in formal and informal peacebuilding and transitional justice processes revealed that there are significant discrepancies between the top-down political decisions and strategies and what is needed and expected on the ground. Most of the formal processes and tools were seen as disconnected from the community and implemented in a way that excludes women. In contrast, informal

peacebuilding processes differ from formal mechanisms in significant ways. Interviews indicated that existing informal peace work is going unnoticed in Iraq. In this work, women and men of all ages, especially the young, are volunteering and working hard despite difficult circumstances. These activities are usually short-term and sporadic, with localised or individualised impact rather than large-scale societal impact. The respondents reported that these activities take place in difficult financial, political and security circumstances and so without an ambitious state-level and sustainable initiative, the informal peacebuilding work is not able to generate large-scale impact. Despite this, these activities were defined as creative, effective, inclusive and important. The interviews revealed that women and young people play a much bigger role in informal peacebuilding activities both in terms of numbers as well as the positions they take in these initiatives.

On the other hand, formal peacebuilding mechanisms, such as the CCCP and LPCs are mostly dominated by men. These were not considered to be as well-connected to the community, and were seen as rigid and bureaucratic. LPCs are also not funded by the government, and their members work on a voluntary basis, which is limiting their ability to organise impactful, long-term term and large-scale activities. The INAP, a key formal mechanism for women's involvement in peacebuilding, was also defined as a formal peacebuilding mechanism by respondents. Yet INAP has remained unimplemented and has not made an impact on the ground due to a lack of political support and funding for its implementation. As a result, respondents defined INAP as just 'ink on paper' and the activities, seminars and conferences organised in relation to INAP as 'talk but no action'. In the absence of genuine political push and funding, civil society actors are doing what they can to push for its implementation. Another criticism directed against the INAP was that it did not reflect the circumstances of certain groups of women and regions in Iraq. The second version of INAP is said to have addressed these limitations. However, many activists on the ground, especially outside Erbil and Baghdad, are not even aware of the INAP or they have not seen any tangible activity related to the INAP.

The interviews also showed that there is a huge discrepancy between transitional justice mechanisms used by the Iraqi government and the situation on the ground. Respondents provided a much wider range of issues and activities under the concepts of peace and transitional justice that go beyond formal peace and justice procedures. Peace activists have a different understanding of the relationship between peace and justice compared to the way the state institutions and legal procedures understand it. Moreover, existing transitional justice mechanisms lack a gender perspective and fail to address women's specific needs and expectations about peace and justice. The way the state conceptualises justice and implements it fails to address key conflict-related issues such as genocide, mass atrocities and sexual violence.

Iraqi activists' definitions and understandings of the meaning of peace and its relationship to justice are manifold and they depend on the line of work they pursue, the circumstances of the province or local context, and the specific community, group or people and issue under discussion. For instance, the activities of the protestors were extensively discussed by the respondents as peace activism. Multiple feminisms, multiple visions of peace and

different views of how they should be pursued exist on the ground. Therefore, it is essential to adopt a holistic view of peace and leave room for unique and relevant conceptions and methods to emerge and initiate change through that. International actors should be aware of this and adopt a more nuanced approach to 'women and peace' work they carry out in Iraq. Women peace activists and feminists call for a proper implementation of CEDAW and other international human rights principles that affect women and girls. However, this does not mean that they endorse the political agendas pursued by foreign states. Therefore, it is important to acknowledge and take into account the complicated place in which women's peace and rights activities are stuck. This position is shaped by the intersection of foreign funding and international/regional political agendas and creates important risks for publicly active women. The more the international women's rights agenda is seen as a 'Western' political agenda, the more it harms women's rights work in Iraq.

Understanding the relationship between women and peace, and feminist peace (however it is defined) and supporting this work locally, nationally or internationally require a proper understanding of the different meanings of these concepts in the Iraqi context. Therefore, it is necessary to carry out an in-depth study of the concepts of peace, feminism and feminist peace in Iraq to have a better understanding of the multiple meanings and forms they take in the Iraqi context. The fieldwork conducted for this research indicated that there is a rich plethora of definitions of peace in Iraq. Peace activities were defined in a comprehensive way by women (and men working on human rights and women's rights) in Iraq, which goes well beyond the narrow formal conceptions of peace and justice. When women talk about peace, they do not only talk about an absence of violence and order. They talk about transformational peace that creates tolerance and coexistence in society and about peace that enables women to receive the right kind of health service, to find a job and earn a living for their families, to protest and use their freedom of opinion, to leave the house without fear of harassment, kidnap, assassination and to take an active role in public and social media without the fear of misogynistic defamation, among many others. Therefore, it is important to better understand what 'peace' means for Iraqi women, how they envision it and develop programmes and policies, to reach that goal.

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