



**THE CHILD, EARLY, AND FORCED MARRIAGE,
ONLINE SEXUAL EXPLOITATION OF CHILDREN AND
THE IMPACT OF COVID-19 ON EARLY MARRIAGE
AND ONLINE SEXUAL EXPLOITATION OF CHILDREN
IN IRAQ AND THE KURDISTAN REGION**

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LIST OF ACRONYMS

ADWI	Awareness and Development Organization for Women and Children in Iraq
AGTF	Adolescent Girls Task Force
CEFM	Child, Early, and Forced Marriage
CSA	Child Sexual Abuse
CSO	Civil Society Organization
FGD	Focus Group Discussion
GBV	Gender-based Violence
GC	Global Coalition
GDCVAW	General Directorate of Combatting Violence Against Women
GoI	Government of Iraq
I3RF	Iraq Reform, Recovery and Reconstruction Fund
ICT	Information and Communication Technology
IDP	Internally Displaced Person
IED	Improvised Explosive Devices
IMC	International Medical Corps
IOM	International Organization for Migration
IPC	Infection Prevention and Control
ISIL	The Islamic State of Iraq and the Levant
ISIS	The Islamic State of Iraq and Al-Sham
ITU	International Telecommunications Union
KRG	Kurdistan Regional Government
KRI	Kurdistan Region of Iraq
LGBTQ	lesbian, gay, bisexual, transgender, and questioning (or queer)
MENA	Middle East and North Africa
MHPSS	Mental Health and Psychosocial Support
MNH	maternal and newborn health
MoLSA	Ministry of Labor and Social Affairs
NATO	North Atlantic Treaty Organization
NCPP	The National Child Protection Policy
NGO	Non-governmental Organization
OPSC	Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
OSEC	Online Sexual Exploitation of Children
OXFAM	Oxford Committee for Famine Relief
PSEA	Protection from Sexual Exploitation and Abuse
PSOP	Peace and Stabilization Operations Program
RDPP	European Regional Development and Protection Program
REACH	Rehabilitation Education and Community Health
SEA	Sexual Exploitation and Abuse
SEC	Sexual Exploitation of Children
SGBV	Sexual and Gender-based Violence
SIDA	Swedish International Development Cooperation Agency
SRH	Sexual and Reproductive Health
UN	United Nations
UNDP	United Nations Development Program
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund

WADI	Association for Crisis Assistance and Development
WASH	Water, Sanitation and Hygiene
WOLA	Women Legal Assistance Organization
WRC	Women’s Refugee Commission
WUSC	World University Service of Canada
WVI	World Vision International

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I. Introduction

Protection and promotion of the rights of children present a crucial element of the international system for the protection of human rights. Recently, we have seen substantial progress toward embedding the rights of children to be protected from sexual exploitation and sexual violence into both local and international agendas. Due to years of conflict and unrest, however, Iraq has seen a considerable increase of child marriages, early and forced marriages (CEFM)¹, and sexual exploitation of children (SEC) in different forms.² Protracted conflict, the rise of an armed group referring to itself as the Islamic State of Iraq and the Levant (ISIL) and poverty have been reported to be the main risk factors in increasing SEC in the country. More precisely, children (both boys and girls) and adolescents have faced high levels of sexual exploitation, sexual violence, and sexual enslavement by members of ISIL as reported by the relevant sources. In some cases, sources have also stated that boys have been required to provide sexual services in exchange for remuneration.³ It is also important to mention that easy access to the Internet and distinct mobile apps increase the risk of online SEC without their parents even being aware.⁴ The COVID-19 pandemic left a major impact on people's lives, mental health, and wellbeing around the world. Children are also affected by the COVID-19 crisis, and the pandemic has increased different types of domestic violence against children including child abuse, SEC, child labor, child marriage, etc.

SEC manifests itself in different forms and dimensions including CEFM, online sexual exploitation of children (OSEC), exploitation of children in prostitution, and trafficking of children for sexual purposes in the context of travel and tourism. However, this assessment reviews CEFM, OSEC, and the impact of COVID-19 on CEFM and OSEC in Iraq and the Kurdistan Region of Iraq (KRI) through desk research and conducting interviews with the relevant stakeholders and non-governmental organizations (NGOs).

Child marriage puts the lives, well-being and future of girls in danger. In Iraq, we have witnessed a steady increase in child marriage over the past few years from 20% in 2012 to 24% in 2016 – in which it is reported that 5% of those marriages were below the age of 15.⁵ However, this data is likely to be much higher as some marriages in Iraq and the KRI, being conducted by imams (Muslim religious leaders) and thus outside the formal legal system, go unreported.⁶

Drawing on data collected for this study, the next chapters provide a comprehensive yet non-exhaustive list of major issues related to CEFM and OSEC in Iraq. The report concludes with recommendations to the Government of Canada, civil society organizations (CSOs) and other relevant stakeholders outlining steps necessary for effective identification, prevention and suppression of CEFM and OSEC in Iraq.

II. Methodology

The approach applied in this assessment report is a combined methodology comprising: secondary data analysis through a desk review of research and reports around CEFM and OSEC globally and in Iraq before and after the coronavirus pandemic; and primary data collection through 19 key informant interviews with relevant stakeholders which include United Nations (UN) organizations such as: the United Nations High Commissioner for Refugees (UNHCR), the United Nations International Children's Emergency Fund

¹ In what follows the terms child, early and forced marriage, CEFM, child marriage and early marriage will be used interchangeably but are to denote the same phenomena: marriage, official, unofficial, religious or traditional, of two persons where at least one of them is below 18 years of age.

² ECPAT International. (2019, March), [Country overview: A report on the scale, scope and context of the sexual exploitation of children](#). Iraq: ECAPT International. p. 4.

³ ECPAT International. (2019, March), [Country overview: A report on the scale, scope and context of the sexual exploitation of children](#). Iraq: ECAPT International. 4.

⁴ ECPAT International. (2019, March), [Country overview: A report on the scale, scope and context of the sexual exploitation of children](#). Iraq: ECAPT International. 4.

⁵ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 2.

⁶ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 3.

(UNICEF), the United Nations Population Fund (UNFPA), international organizations such as: Save the Children, World Vision International (WVI), Oxford Committee for Famine Relief (OXFAM International), Rehabilitation Education and Community Health (REACH), and International Medical Corps (IMC), national NGOs such as: Jiyan Foundation for Human Rights, Women Legal Assistance Organization (WOLA), Development Organization for Women and Children in Iraq (Adwi), Emma Organization, and Awareness and Association for Crisis Assistance and Development (Wadi), government institutions such as: General Directorate of Combatting Violence Against Women (GDCVAW) – KRI, and the Ministry of Labor and Social Affairs (MoLSA). To see a full list of the stakeholders with positions, see Annex. As such, the content of this assessment is based on the outcomes of these two stages, desk research, and primary data collection. Based on the major findings, specific, hands-on recommendations are communicated to the Government of Canada with a view of eliminating different forms of sexual violence against children, including SEC in Iraq.

This assessment report is primarily aimed at reviewing the progress that has been made by the Iraqi Government, the Canadian Government, NGOs, and other relevant parties who work on the ground to protect children from negative practices such as CEFM and OSEC. This assessment intends to provide relevant findings informing the discussion and engaged stakeholders. It will, hopefully, serve as a useful tool for those who work on the front line against SEC. Hence, the principal objective of this action is to contribute to raising the level of child protection and their rights in Iraq and the KRI.

III. Iraq: Country Overview

The Republic of Iraq is a federal country composed of 19 governorates, out of which 4 are part of the KRI in the north. The KRI was recognized as an autonomous federal region by the Constitution of 2005 and is run by the Kurdistan Regional Government (KRG).⁷ Baghdad is the capital of Iraq and Erbil the capital of the KRI. The country is home to several diverse ethnic groups including Arabs, Kurds, Assyrians, Turkmen, Armenians and Yezidis, as mentioned in different provisions of the Iraqi Constitution.⁸ The total population is 39,650,145.⁹ Children comprise 45% of the total population.¹⁰ 18.9% of the population lived below the poverty line in 2012 (latest available data as of April 2020).¹¹ It currently hosts 254,561 Syrian refugees and 1,198,940 internally displaced persons (IDPs) (data from 2021).¹²

IV. Existing Research

The current chapter highlights the existing research on CEFM, OSEC and the impact of COVID-19 on CEFM and OSEC in Iraq and KRI. Also, to have a better insight and understanding of the three issues, we have conducted interviews with the relevant stakeholders, NGOs, government departments, researchers and gynecologists. As such, the write up in this chapter is divided into three main sections mentioned above. What follows is a detailed explanation of each section.

A. The CEFM in Iraq and KRI

Child marriage refers to any formal marriage or informal union between a child under the age of 18 and an adult or another child.¹³ It is a harmful practice that limits girls in making important decisions about their sexual health and well-being.¹⁴ It forces them to experience a life of poor prospects and deprives them of their

⁷ Constitution of Iraq. (2005), ([Republic of Iraq's constitution of 2005](#)), p. 35.

⁸ Constitution of Iraq. (2005), ([Republic of Iraq's constitution of 2005](#)), p. 4.

⁹ Iraq, [The World Factbook](#), CIA.

¹⁰ UNICEF. (2020, July). [Assessment of COVID-19 Impact on Poverty and Vulnerability in Iraq](#), p. 19.

¹¹ World Bank. (2020, April). [Poverty and Equity Brief: Middle East and North Africa – Iraq](#). Washington D.C.: World Bank.

¹² Iraq, [The World Factbook](#), CIA.

¹³ UNICEF. (2021, June), [Child marriage threatens the lives, well-being and futures of girls around the world](#). UNICEF.

¹⁴ Plan International. (n. d.), [Child Marriage](#). Africa: Plan International.

education. UNFPA estimated that in 2016 there were over 700 million women worldwide who were married before they reached 18 years of age.¹⁵

A number of international legal instruments address the issue of child marriage, such as prohibiting child marriage, including the standardization of marriage consent, setting a legal age of marriage, and marriage registration. These instruments include the 1962 Convention on Consent to Marriage, Minimum Age of Marriage, and Registration of Marriage; the Convention on the Elimination of All Forms of Discrimination against Women (1979); the Convention on the Rights of Child (1989). Iraq has ratified and is legally bound by the two latter instruments.¹⁶

Child marriage is usually common in developing countries and in countries affected by violent conflict. While undergoing medium intensity conflict,¹⁷ Iraq is a country where CEFM is widely spread. According to a reliable survey carried out in 2018, a quarter of Iraqi women between 20 and 49 years old married before they reached 18 years, including 6% of those who married before the age of 15. As to women in the age group (20-24) years, 28% married before turning 18 whereas 7.2% before 15.¹⁸ The majority (80%) of these marriages were reportedly concluded outside the formal judicial system by religious imams.¹⁹

In 2014, the number of married girls aged between 15 and 19 in the KRI was 2755 (20.53%) which is lower if compared to 9618 (23.02%) in the south and center of Iraq which has been released officially by government agencies, and many more child and forced marriages take place outside the legal system.²⁰ Child marriage in KRI is often conducted without formal registration, and thus allowing for inaccurate statistics, and are underreported on the actual rate of child marriage²¹. Therefore, the issue of child marriage in KRI has not been fully and adequately documented in order to address it through systematic advocacy and policy recommendations.²² Likewise, in Iraq, CEFM continues to occur in large numbers, especially in rural areas.²³

“Although we sit once a week in our committee, we receive between three to four cases of early or child marriage in Koya, which is a small town; one could, therefore, plausibly claim that this is the case in many other areas within KRI which reveals that early marriage has increased in the region.”²⁴

The occurrence of child marriage was highest among IDPs compared to refugees and host populations in KRI in 2019.²⁵ Raising concerns across Iraq, on 28 November 2021, the court of Baghdad’s Kadhamiya district resumed hearing a case in which a judge was requested to formalize a religious marriage between a 12-year old girl and a 25-year old man.²⁶ The case got nationwide attention when the girl’s mother went on social media.

¹⁵ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 1.

¹⁶ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 2.

¹⁷ The World Bank. (2021, July), [Classification of fragile and conflict-affected situations](#). The World Bank.

¹⁸ UNICEF, (2018), [Iraq Multiple Indicator Cluster Survey](#), p. 40.

¹⁹ Anfal Abed. (2020, July), [Violence against women in Iraq: Between practice and legislation](#). London: LSE.

²⁰ El-Kak, Dr. Faisal. (2014, December), [Document advocating against teenage marriage, Beirut, Lebanon. Ending child marriage: progress and prospects](#). American University of Beirut Medical Center: UNICEF.

²¹ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 3.

²² UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 2.

²³ Sardar Sattar. (2021, October), [Child marriage in Iraq turning into an alarming phenomenon](#). KRI: basnews.

²⁴ Interview with Shahla Rauf Abdulrahman, gynecologist and member of Clinical Committee at the Directorate of Health in Koya (Kurdistan Region – Iraq), 16 December, 2021, online.

²⁵ Women’s Refugee Commission. (2021, April), [Child marriage in humanitarian settings infographic](#): Kurdistan Region of Iraq. Women’s Refugee Commission. 1. Internal displacement has also been cited as a factor contributing to increased level of; rape; child, early and forced marriage; economic and financial abuse; and negative coping mechanisms (including survival sex). OHCHR, UNAMI (2021, January), [The Right to Education in Iraq - Part Two: Obstacles to Girls’ Education after ISIL](#). p. 6.

²⁶ Shawn Yuan. (2021, November), [Iraq: Court hearing resumes on marriage of 12-year-old girl](#). Doha: AL Jazeera.

Nonetheless, many other child marriage situations remain unknown or unreported and they therefore went ahead without much notice or condemnation as they don't get the same level of attention.

a. Negative Effects of Child Marriage

Child marriage has major negative consequences on the physical, sexual, psychological, emotional and social wellbeing of children.²⁷ CEFM often results in increasing the risk of maternal and other pregnancy complications. Younger women usually have less knowledge about their bodies and rights, and they are specifically weak to speak up to their husbands if they are sick, hurt or face home violence.²⁸ Regarding the health risks associated with early marriage or early sexual activity, a study found that early marriage and first pregnancy are risk factors for developing cervical cancer.²⁹ Child spouses are therefore more likely to experience life-threatening complications during pregnancy and child delivery. This is specifically because girls under the age of 15 are five times more likely to pass away during delivery than adults.³⁰

“CEFM can increase the rate of miscarriage, psychological disorders, family violence, cesarean birth, and premature birth.”³¹

“Children are mentally not ready for marriage, and 90% of them will not be stable forever and then they are suppressed by the society.”³²

A strong connection between higher rates of child marriage and lack of education opportunities for girls has also been established in Iraq.³³

b. Iraqi Legal and Policy Framework on Early Marriage

1. Minimum Legal Age of Marriage

Iraqi Personal Status Law No. 188 from 1959, applicable in both Central Iraq and KRI, sets the minimum age for marriage at 18 years.³⁴ However, the law allows for an exception and stipulates that children between the ages of 15 and 18 who submit a marriage request may marry if the judge is convinced that they have reached the requisite physical ability and maturity and the marriage is prompted by an “urgent necessity”. The judge is mandated to obtain the views of the legal guardian, but, should the latter object, may nevertheless authorize the marriage if it considers the objection unreasonable. It follows that child marriage is legally possible and depends entirely on the judge's discretion. In the KRI, the Personal Status Law has been amended to raise the minimum age for marriage to 16 years.³⁵

2. Consent for Marriage

²⁷ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 4.

²⁸ Musawah Thematic Report. (2014, February), [Musawah Thematic Report on Article 16: Iraq](#). Malaysia: Musawah for equality in the Muslim family. p. 7.

²⁹ May Kasim Khalaf, Faris Anwer Rasheed & Saad Abdulrahman Hussain. (2015, September), [Association between early marriage and other sociomedical characteristics with the Cervical Pap Smear results in Iraqi women](#). Iraq: Scientific Research Publishing Inc.

³⁰ UNHCR, UNICEF, ACTED, Save the Children, QANDIL, EBC, (2014, October), [Prevention of and response to child marriage Kurdistan Region of Iraq \(KRI\)](#). KRI: Inter Agency. p. 5.

³¹ Interview with Shahla Rauf Abdulrahman, gynecologist and member of Clinical Committee at the Directorate of Health in Koya (Kurdistan Region – Iraq), 16 December, 2021, online.

³² Interview with Salah Ahmad, Chairman of Jiyan Foundation for Human Rights, 16 December, 2021, online.

³³ OHCHR, UNAMI (2021, January), [The Right to Education in Iraq - Part Two: Obstacles to Girls' Education after ISIL](#), p.5.

³⁴ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 5.

³⁵ Iraqi Kurdistan National Assembly. (2008), [The act to amend the amended Law \(188\) of the year 1959: Personal Status Law, in Iraq Kurdistan Region](#). KRI: Iraqi Kurdistan National Assembly.

According to the Iraqi Personal Status Law, no relative or non-relative has the right to force marriage on any person, whether male or female, without their consent.³⁶ Where there has been a forced marriage, either a specialized “personal status” court or the victim must refer the case to criminal justice authorities. The contract of a forced marriage is considered void if the marriage is not yet consummated. However, the law does not automatically void forced marriages that have been consummated. In KRI forced marriages are to be suspended even if consummated. Forced marriage is envisaged as a crime in both Iraq and KRI.³⁷

3. Legal Conundrums

The jurisdiction of personal status courts in Iraq is not limited to seeing only cases from the administrative geographic areas they are located in; instead, their jurisdictions are nationwide and can decide on all cases brought to them irrespective of legal residency of concerned individuals. This means that 15-year-old children from the KRI can get married in central Iraq where the amended KRI personal status law is not applicable.³⁸ This is unfortunately not a theoretical possibility only, as it has been documented that Kurdish men do cross over into federal Iraqi territory to acquire a child bride.³⁹

“This difference in the Article 8 of the Iraqi Personal Status Law between the central Iraq and KRI has increased early marriage in KRI because Kurdish men would go to the south and central of Iraq to establish their marriage certificates.”⁴⁰

In 2011, the Parliament of Kurdistan passed Domestic Violence Law No. 8. Under this law, child marriage was recognized as an act of domestic violence and a criminal offence carrying the sentence of imprisonment from 6 months to 3 years with a fine of 1 to 5 million Iraqi dinars. It is unclear, however, how this relates with the Personal Status Law provision allowing children that reached 16 years to marry. According to article 3 of the Domestic Violence Law in the KRI, the MoLSA is mandated to provide shelter, whereas the Ministry of Health healthcare and rehabilitations to all survivors of domestic violence including CEFM.⁴¹

Iraq, on the other hand, has not criminalized child marriage officially.⁴² Reason to this might lie in the Article 2 of the Iraqi Constitution which states, “No law may be enacted that contradicts the established provisions of Islam.”⁴³ The same article of the Iraqi Constitution also states that, “laws may not be enacted that contradict the principles of democracy or the rights and basic freedoms stipulated in the Constitution.”⁴⁴ This constitutional article is therefore problematic because it is not clear who has the authority to interpret Islam. For example, some clerics believe that Islam does not set a minimum age for marriage, and thus objects passage of any law that criminalizes child marriage.⁴⁵

Iraq’s Constitution allows for marriage laws to be determined according to religion (Article 41). Religious marriages concluded outside civil or religious courts are not allowed. However, unregistered marriages still

³⁶ Iraqi Personal Status Law. (1959), [Article 9 of the Personal Satus Law](#). Iraq.

³⁷ Iraqi Kurdistan National Assembly. (2008), [The act to amend the amended Law \(188\) of the year 1959: Personal Status Law, in Iraq Kurdistan Region](#). KRI: Iraqi Kurdistan National Assembly.

³⁸ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p.7.

³⁹ U.S. Department of State. (2021, March), [2020 Country Reports on Human Rights Practices: Iraq](#). USA: U.S. Department of State.

⁴⁰ Interview with Izzadin Abdullah Yasin, legal consultant at the GDCVAW – KRI, 1 December, 2021, face to face recorded.

⁴¹ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 6.

⁴² Tahirih Justice Center. (n. d.), [Forced marriage overseas: Iraq](#). US: Tahirih Justice Center.

⁴³ Iraqi Constitution. (2005), [Iraq's Constitution of 2005](#). Iraq. p. 4.

⁴⁴ Iraqi Constitution. (2005), [Iraq's Constitution of 2005](#). Iraq. p. 4.

⁴⁵ Miriam Puttick. (2015, November), [The lost women of Iraq: Family-based violence during armed conflict](#). UK: Ceasefire Centre for Civilian Rights and Minority Rights Group International. p. 6.

happen regularly and can be formalized through payment of a small fine.⁴⁶ Religious marriages are especially relevant in the context of child marriages as “most unregistered marriages concern the marriage of a minor.”⁴⁷

In 2014, a draft law regulating personal status issues for Iraqi Shia community only (known as the Jaafari Law) was submitted to the parliament by the Iraqi Government. This proposal lowered the marrying age for girls to 9 years, and even below 9 with parental consent. After strong protest by the international community and CSOs, this draft law was eventually dropped.⁴⁸ However, formal endorsement of such a draft law by the Council of Ministers and subsequent official submission to the legislators indicates a high level of tolerance of child marriages involving very young girls.⁴⁹

4. Policy Agenda

UN announced an initiative in 2016 which was called ‘the Global Program to End Child Marriage.’⁵⁰ The initiative helped about 7.9 million girls from 2016 to 2019. The program aimed at education, healthcare access for younger girls, educating families about the risks and consequences of child marriage, and supporting governments to develop their strategies to end child marriage. Due to the immediate needs of the country in response to ISIL and other relevant factors, one of the major geographic focuses of the program was Iraq.⁵¹

Moreover, Girls not Brides has committed efforts to end child marriage in developing countries. More specifically, Girls not Brides makes sure that girls in about 100 countries, including countries in the Middle East, are capable of achieving their own life goals and dreams.⁵² Being an extensive program, Girls not Brides consists of about 1500 member organizations which work in raising awareness about child marriage, hold governments and countries accountable to have national plans and strategies to combat child marriage and share solutions. UNICEF reports reveal that combined efforts of organizations in combatting child marriage, including Girls not Brides, have been able to prevent approximately 25 million arranged child marriages in developing countries, including Iraq.⁵³

In 2015 the Ministry for Women’s Affairs and Ministry of Human Rights was abolished as part of a government effort to curb public spending.⁵⁴ These ministries, however, are about to be reinstated as per GoI National Human Rights Plan. In 2007, the KRG established the High Commission on Violence against Women and the GDCVAW as a division of the Ministry of the Interior. Directorates were also set up in each Kurdish governorate to receive complaints and collect data about violence against women.⁵⁵

In 2010, the Iraqi Ministry of Health introduced, with the support of UNFPA, the adolescent health programme to deal with early teenage marriage and childbirth. In addition, the GoI and UN in December 2018 launched a national strategy to combat violence against women. This strategy provides an overall framework on which policy and decision makers draw on to take concrete actions aimed at preventing violence against women and

⁴⁶UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 7.

⁴⁷ USAID. (2014, March), [Iraq access to justice program: values of access to justice and unregistered marriage](#). Iraq. p. 32.

⁴⁸ Miriam Puttick. (2015, November), [The lost women of Iraq: Family-based violence during armed conflict](#). UK: Ceasefire Centre for Civilian Rights and Minority Rights Group International. p. 8-9.

⁴⁹ Save the Children, (2021, June), [Married by Exception: Child marriage policies in the Middle East and North Africa](#), p. 14

⁵⁰ Lauren Spiers. (2021, July), [The fight against child marriage in Iraq](#). The Borgen Project.

⁵¹ Lauren Spiers. (2021, July), [The fight against child marriage in Iraq](#). The Borgen Project.

⁵² Lauren Spiers. (2021, July), [The fight against child marriage in Iraq](#). The Borgen Project.

⁵³ Lauren Spiers. (2021, July), [The fight against child marriage in Iraq](#). The Borgen Project.

⁵⁴ Miriam Puttick. (2015, November), [The lost women of Iraq: Family-based violence during armed conflict](#). UK: Ceasefire Centre for Civilian Rights and Minority Rights Group International. p. 9.

⁵⁵ Miriam Puttick. (2015, November), [The lost women of Iraq: Family-based violence during armed conflict](#). UK: Ceasefire Centre for Civilian Rights and Minority Rights Group International. p. 9.

girls to reassure Iraqi families that girls are protected from violence and can continue their education and get married at the right age.⁵⁶

The Human Rights National Action Plan, prepared by the Ministry of Justice and endorsed by the Council of Ministers in the middle of 2021, seeks to harmonize national legislation with international human rights standards, strengthen national policies for the protection and promotion of human rights, and build human rights capacity within government institutions.⁵⁷ In this document, GoI has committed to reforming its criminal legislation in order to prevent and eradicate harmful traditional practices, especially CEFM throughout its territory.⁵⁸ It further pledged to abolish the legal exceptions of the minimum age for marriage for girls stipulated in the Personal Status Law and amend provisions of Personal Status Law on Forced Marriage.⁵⁹ However, due to political uncertainty caused by early elections, it refrained from setting a final date for passing these legislative changes and other measures in the parliament.

Moreover, it envisaged that the Ministry of Human Rights and Ministry for Women's Affairs will, after being reinstated, take measures to prohibit forced marriage and raise awareness of its negative effects.⁶⁰ GoI also promised to combat trafficking in women and girls for the purpose of forced and temporary marriage by criminalizing these marriages and adopting a national action plan to combat these practices and closing offices that facilitate the regulation of these forms of marriages.⁶¹

The KRG's Labor, Social Affairs, Education, and Culture and Youth Ministries launched a toll-free hotline to report violence against children's rights. Soon after the hotline was operated, several reports of CSA were surfaced – and among them reports of sexual abuse by relatives were increasing⁶². Among other combatting activities of the KRG, the police and major officials were assigned to combat domestic violence to prevent parents from forcing their children into early marriage and also provide awareness campaigns of sexual abuse.⁶³

“UNHCR has worked on prevention of all forms of violence and human rights violations for refugees (Syrian and other nationalities) including IDPs. Also, we have had prevention activities included trainings for persons of concern, NGOs, and government counterparts including MoLSA, DCVAW, Ministry of Education and Ministry of Health. This is in addition to awareness raising sessions, FGDs with persons of concern on specific topics, sensitization campaigns, etc. UNHCR's main mandate is to support asylum-seekers and refugees fleeing their countries of origin due to fear of persecution. Through its specialized partners, UNHCR provides case management services for cases of children at risk including child marriage, survivors of other forms of GBV (physical, sexual, and emotional abuse, and denial of resources) survivors of sexual exploitation by aid workers and those in need of general protection, legal support and cash assistance. UNHCR also supports IDPs through the cluster

⁵⁶ Shaima Ibrahim. (2021, March), [Child Marriage is a Consistent Phenomenon](#). FIGO: Iraq.

⁵⁷ Human Rights Office, (2021, July), [Iraq launches a new 'Human Rights National Action Plan'](#). United Nations: Iraq.

⁵⁸ Iraqi Ministry of Justice, Human Rights Department, (2021), National Human Rights Plan in Iraq 2020-2024, p 18, unpublished, cited from the copy on file with the authors.

⁵⁹ Iraqi Ministry of Justice, Human Rights Department, (2021), National Human Rights Plan in Iraq 2020-2024, p 21, unpublished, cited from the copy on file with the authors.

⁶⁰ Iraqi Ministry of Justice, Human Rights Department, (2021), National Human Rights Plan in Iraq 2020-2024, p 59, unpublished, cited from the copy on file with the authors.

⁶¹ Iraqi Ministry of Justice, Human Rights Department, (2021), National Human Rights Plan in Iraq 2020-2024, p 79, unpublished, cited from the copy on file with the authors.

⁶² U.S. Department of State. (2021, March), [2020 Country Reports on Human Rights Practices: Iraq](#). USA: U.S. Department of State.

⁶³ U.S. Department of State. (2021, March), [2020 Country Reports on Human Rights Practices: Iraq](#). USA: U.S. Department of State.

approach and works with DCVAW and support women and children at risk, including CEFM cases in camps and urban locations in Sulaymaniyah.⁶⁴

Finally, GoI has committed to preventing girls' interruption of education by, inter alia, fighting harmful practices such as child marriage.⁶⁵ It is difficult to assess whether and to what extent will GoI make good on these promises, but judging on their previous record, and commitment to respecting their international obligations, one can be rather skeptical. These written commitments may nevertheless play a positive role by providing a strong base for civil society engagement and advocacy in pushing GoI to action. The downside is that GoI did not, as of yet, made the National Action Plan freely accessible to CSOs, international partners and general public.

c. Risk Factors of Child Marriage

Child marriages in Iraq stem from a number of interrelated factors including, religious, social, and economic factors.⁶⁶ It is reported that child marriages increased in both Central Iraq and the KRI due to uncertainty about the future and economic problems. Thus, Iraqi families who fled to KRI from the fear of ISIL tend to marry off their daughters at an early age to secure their daughters' future.⁶⁷ Extreme poverty seems to be one of the main reasons for the proliferation of early marriages in Iraq.⁶⁸ Some families resort to early marrying their daughters to settle feuds or to avoid schooling payments.⁶⁹ Fear of sexual violence has also been cited as one of the factors that push families towards arranging child marriages, as a negative protection mechanism.⁷⁰ Another study identifies COVID-19, poverty and displacement as the main factors contributing to worsening of the situation⁷¹, and these factors make some families think of early marriage of their daughters as a coping mechanism.⁷² Although poverty and family economic instability are seen as central reasons for child marriage, the practice is also enshrined in the traditional and cultural standards of these communities.⁷³ ISIL conflict and displacement have been identified as a major factor contributing to the increase of child marriage in the KRI:

“Before 2010, early marriage was not very common. However, due to openness, having refugees in KRI, and more exposure to the Arab culture through having thousands of Arabs in the camps across KRI, marrying younger daughters, or girls of underage increased to a larger extent because it is culturally common among Arabs where older men marry younger girls with bigger gap in their age.”⁷⁴

“One major factor behind CEFM is because of uneducated parents when they don't want to take their responsibility about their children”. He also added, “Religious factor is another major reason that motivates fathers to go for early marriage of daughters in Iraq and KRI

⁶⁴ Interview with Doaa Elbayad, UNHCR Protection Officer, Sulaymaniyah, December 15, 2021, Email interviewing.

⁶⁵ Iraqi Ministry of Justice, Human Rights Department, (2021), National Human Rights Plan in Iraq 2020-2024, p 97, unpublished, cited from the copy on file with the authors.

⁶⁶ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 3.

⁶⁷ Salim Ibrahim. (2019, April), [Child marriage widely tolerated in Kurdistan Region IDP camps](#). KRI: Rudaw.

⁶⁸ OHCHR, UNAMI (2021, January), [The Right to Education in Iraq - Part Two: Obstacles to Girls' Education after ISIL](#), p.7,9; A survey conducted in 2018 in KRI IDP camps suggests that 41.9% of child marriage was concluded due to poverty, PDO, Emma Organization & ASFL. (2019), [UPR Report - Kurdistan region- Iraq – 2019](#). KRI: Universal Periodic Review. p. 13.

⁶⁹ Lauren Spiers. (2021, July), [The fight against child marriage in Iraq](#). The Borgen Project.

⁷⁰ OHCHR, UNAMI (2021, January), [The Right to Education in Iraq - Part Two: Obstacles to Girls' Education after ISIL](#), p.10.

⁷¹ Save the Children. (2021, June), [Girls facing higher risk of 'summer' marriages in Middle East and North Africa](#). Iraq: Save the Children.

⁷² Joud Monla-Hassan & Mona Yacoubian. (2020, August), [COVID will lead to more child marriage — what can be done?](#) Syria: United States Institute of Peace.

⁷³ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 3.

⁷⁴ Interview with Izzadin Abdullah Yasin, legal consultant at the GDCVAW – KRI, 1 December, 2021, face to face recorded.

before the age of 18”. Moreover, “war and ISIL have had negative impact on the people of Iraq and KRI in relation to poverty, where it is estimated that 23% of the people of Iraq are under the poverty line which motivates families to marry their daughters off at an early age of their life.”⁷⁵

“Early marriage exists in less-privileged neighborhoods where they marry their daughters for social norms of their understanding of girls’ puberty age, which motivates several families to think of child marriage in KRI.”⁷⁶

The main problem with the current marriage legislation in central Iraq and the KRI is the wide latitude of discretion granted to the personal status courts and a considerable level of tolerance in the society towards this negative phenomenon.⁷⁷ Despite the legal age of marriage requirements, there have been little efforts made to prevent child marriage by the Iraqi government, and the “tradition of forced marriages for girls as young as 11 years old continues, particularly in rural areas.”⁷⁸

B. OSEC in Iraq and KRI

Sexual exploitation of children and child sexual abuse are related and overlapping terms which nonetheless differ in important respects. Namely, child sexual abuse is an umbrella term covering a number of sexual activities committed with different motives by those close or at least known to the child. SEC has a commercial element as it presupposes taking part in sexual activity in exchange for something and can be committed by any person, not just those close to the child. It follows that OSEC refers to the “use of the Internet as a means to exploit children sexually” and “includes all acts of a sexually exploitative nature carried out against a child that have, at some stage, a connection to the online environment. It includes any use of information and communication technology (ICT) that results in sexual exploitation or causes a child to be sexually exploited or that results in or causes images or other materials documenting such sexual exploitation to be produced, bought, sold, possessed, distributed, or transmitted.”⁷⁹

Iraq has ratified key international instruments related to OSEC: Convention on the Rights of the Child of 1989, and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography (OPSC) of 2000.

Reports reveal that one in every five children in Iraq is at serious risk of death, injury, sexual violence (or abuse) and recruitment into armed groups, while nearly 1,500 children have been taken from the streets or their homes since 2014.⁸⁰ In 2016, UNICEF reported that “Iraq is one of the most dangerous places in the world for children, with 3.6 million children at risk of death, injury, sexual violence, and exploitation.”⁸¹

In the immediate outcome of a disaster like wars, children are vulnerable to be exposed to specific risks such as separation, which may make them vulnerable to trafficking and even kidnapping, or to sexual assault. Also, children as refugees and IDPs are at an increased risk of sexual exploitation and abuse.⁸² According to a report

⁷⁵ Interview with Salah Ahmad, Chairman of Jiyon Foundation for Human Rights, 16 December, 2021, online.

⁷⁶ Interview with Bashdar Jabar Mustafa, Case Manager at IMC, 30 November, 2021, online.

⁷⁷ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 5.

⁷⁸ United States Department of State. (2017, March), [Iraq 2016 human rights report](#). US Department of State: Bureau of Democracy, Human Rights and Labor. p. 56.

⁷⁹ Susanna Grijer and Jaap Doek. (2016, January), [Terminology guidelines for the protection of children from sexual exploitation and sexual abuse](#) Adopted by the Interagency Working Group in Luxembourg. p. 18-20, 24-26, 27.

⁸⁰ Clár Ní Chonghaile. (2016, June), [Millions of Iraqi children repeatedly and relentlessly targeted](#). UK: the Guardian.

⁸¹ Alaa Al-Marjan. (2016, May). [Iraqi security forces and Shi’ite fighters in military vehicles near Falluja](#). Iraq: Human Rights Watch.

⁸² Ecpat International. (2006, March), [Protecting children from sexual exploitation & sexual violence in disaster & emergency situations](#). Bangkok: Ecpat International. p. 15.

by Reuters, 1.3 million children have been displaced due to ISIL-created conflict in Iraq.⁸³ Yazidi children and young girls were particularly targeted and subjected to abduction, sexual enslavement, human trafficking, torture, rape and other grave human rights violations by ISIL.⁸⁴

a. OSEC Enabling Factors

Considering that OSEC presupposes the use of ICT as a medium to sexually abuse or exploit children, the fact that one in three Internet users globally is under 18⁸⁵ creates an environment conducive to abuse. About two-thirds of girls and boys, regardless of social levels, reported upsetting experiences online ranging from cyberbullying to sexual exploitation.⁸⁶ In addition to widespread access to ICT as a major factor enabling OSEC, other factors also play a role in increasing vulnerability of children such as lack of protective mechanisms, especially in developing countries and belonging to certain disadvantaged groups such as LGBTQ and displaced communities.⁸⁷

According to the International Telecommunications Union (ITU), 87% of Iraqi citizens have a mobile phone and among those, 49% have access to the Internet.⁸⁸ In 2013, a survey conducted in the Middle East and North Africa (MENA) region by telecom association GSMA found that 68% of the 500 children (aged 8-17) interviewed across Iraq possessed a mobile phone, reaching to over 80% by the age of 15 and 16.⁸⁹ The most common age for receiving a first mobile phone in Iraq is between 10 and 12 years.⁹⁰ According to a survey, 90% of children using mobiles in Iraq reported that “social networking strengthens relationships with close friends” and that “it helps them build relationships with friends to whom they are not so close and with friends of friends.”⁹¹ Interestingly, Iraq was found to have the largest gap between parents and children using social networking services amongst the 4 countries surveyed in the MENA region.⁹² It follows that a generation gap preventing parents from effectively protecting their children in cyber environments is especially wide in Iraq.

“The majority of the OSEC cases don’t go reported because of the culture, the social norms, and of the society and stigma, and families don’t trust government departments.”⁹³

b. Common OSEC Practices

The term ‘grooming/online grooming’ is widely utilized to describe a “process of establishing/building a relationship with a child either in person or through the use of the Internet or other digital technologies to facilitate either online or offline sexual contact with that person.”⁹⁴ Any content produced as a result of

⁸³ Reuters Staff. (2018, January), [1.3 million children displaced by Iraq's war with Islamic State: UNICEF](#). Geneva: Reuters.

⁸⁴ Amnesty International. (2020, July), [Iraq: Legacy of terror: the plight of Yazidi child Survivors of ISIS](#). UK: Amnesty International.

⁸⁵ Ecpat International. (2020, November), [Summary paper on online child sexual exploitation](#). Bangkok: Ecpat International, p. 1.

⁸⁶ Patrick Burton & Monica Bulger (2019). [How can understanding children’s online behaviour inform protection strategies in East Asia?](#) UNICEF: Asian’s Children Summit. p. 4.

⁸⁷ Ecpat International. (2020, November), [Summary paper on online child sexual exploitation](#). Bangkok: Ecpat International. P. 7

⁸⁸ ECPAT International. (2019, March), [Country overview: A report on the scale, scope and context of the sexual exploitation of children](#). Iraq: ECPAT International. p. 1.

⁸⁹ GSMA. (2014). [Children’s use of mobile phones: an international comparison 2013](#). GSMA and Mobile Society Research Institute of NTT Docomo Inc.

⁹⁰ UNICEF. (2017, December). [State of the World’s Children 2017](#). New York: UNICEF. p. 64.

⁹¹ UNICEF. (2017, December). [State of the World’s Children 2017](#). New York: UNICEF. p. 64.

⁹² GSMA. (2014). [Children’s use of mobile phones: an international comparison 2013](#). GSMA and Mobile Society Research Institute of NTT Docomo Inc. p. 3.

⁹³ Interview with Izzadin Abdullah Yasin, legal consultant at the GDCVAW – KRI, 1 December, 2021, face to face recorded.

⁹⁴ Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#), p. 51.

grooming is usually utilized to blackmail a child, playing on a child's fear of getting in trouble to force the victim into performing more sexual acts which can become increasingly exploitive.⁹⁵

“In KRI, it is common that the perpetrators exploit and work on the trust of children so they can work on their fear and threaten them for performing online grooming. They also take advantage of children's social and cultural norms, family honor and stigma.”⁹⁶

Another growing threat to children is sexual extortion, also called “sextortion”⁹⁷ which refers to “blackmailing of a person with the help of self-generated images of that person in order to extort sexual favors, money, or other benefits from her/him under the threat of sharing the material beyond the consent of the depicted person (e.g., posting images on social media).”⁹⁸ Iraq and KRI are not outside this phenomenon as it is generally believed that sextortion in Iraq and the KRI is on the rise. Perpetrators take advantage of fear and anxiety around social norms in society related to sexuality. It cannot be emphasized enough that narration of sexual abuse and exploitation (online and offline) in Iraqi society remains silent due to the specific culture and misogynic social (and legal) norms where shame may be brought to the family of the girl.⁹⁹

“The availability of social networks and increasing unemployment in Iraq and KRI augmented improper use of the Internet and smart devices.” “Often times, online grooming and sextortion possibly take place when younger girls send their own videos and then they get threatened by men which is a typically common phenomenon in Iraqi and Kurdish communities. Unfortunately, these cases usually go unreported as sexual predators continue to exploit young girls. Reported cases bring societal shame to the family and may even end up in honor killings.”¹⁰⁰

“It is worth mentioning that these types of OSEC are heightening in Iraq and KRI, but they don't usually go reported because they believe such cases bring shame to their families. For example, there have been cases where they have committed suicide due to sextortion.”¹⁰¹

Live online child sexual abuse is often transmitted to viewers through “streaming” over the internet. This means the data are transmitted instantaneously to the viewer, who can watch and engage while the abuse is occurring.¹⁰²

c. Iraqi Legal and Policy Framework on OSEC

Cybercrime is defined as any criminal offence or act which involves the use of a computer and a network or the Internet.¹⁰³ Currently, Iraq does not have any specific law on cybercrime.¹⁰⁴ Likewise, it has not established or changed any laws to criminalize OSEC offences in alignment with international legal standards, nor did it

⁹⁵ James, Thorn Staff. (2020, June), [Online grooming: What it is, how it happens, and how to defend children](#). Cambodia: Thorn.

⁹⁶ Interview with Izzadin Abdullah Yasin, legal consultant at the GDCVAW – KRI, 1 December, 2021, face to face recorded.

⁹⁷ Office to Monitor and Combat Trafficking in Persons. (2017, June). [Online sexual exploitation of children: An alarming trend](#). US: US Department of State.

⁹⁸ Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology Guidelines for the Protection of Children from Sexual Exploitation and Sexual Abuse](#), p. 52.

⁹⁹ Ruba Ali Al-Hassani. (2020, March), [Corruption and exploitation of gender in Iraq \(Part I of III\)](#). Inside Arabia: Voice of Arab Women.

¹⁰⁰ Interview with Salah Ahmad, Chairman of Jiyān Foundation for Human Rights, 16 December, 2021, online.

¹⁰¹ Interview with Muhammad Kaka, Legal Consultant of Jiyān Foundation for Human Rights – Chamchamal Center, 17 December, 2021, online.

¹⁰² Interagency Working Group on Sexual Exploitation of Children. (2016). [Terminology guidelines for the protection of children from sexual exploitation and sexual sbuse](#), p. 47.

¹⁰³ Aro Omar. (2017, September), [Cybercrime legislation in Iraq](#). Erbil: Al Tamimi and Co.

¹⁰⁴ Tania Nehme. (2020, April), [Impasse of cyber laws: Iraqi case](#). US: ABD, Rutgers University.

introduce changes that would facilitate successful investigation and prosecution while enabling prevention and access to justice of child victims.¹⁰⁵ This being said, cybercrime, which involves sexual exploitation, may be prosecuted under the Iraqi Penal Code article 396 penalizing sexual assault or an attempt to do so, with the use of force, menaces, deception or other means with imprisonment up to 7 years, or 10 years if the victim is under 8 years old.¹⁰⁶ With the exception of disseminating, exporting and offering, Article 403 of the Criminal Code prohibits the acts prescribed by the OPSC when they involve book, printed or other written material, drawing, picture, film, symbol or any other things that violate the public integrity or decency. However, the provision requires those acts to be committed with the intent to exploit or distribute such material. In addition, the legal framework does not correctly reflect the gravity of child sexual abuse material by failing to have specific criminal provisions defining, in accordance with the OPSC, child sexual abuse material and sanctioning not only its production, distribution, sale, import, but also its dissemination, offer, export or possession for the above purposes. The Criminal Code also remains silent on online grooming,¹⁰⁷ even though depending on the appreciation of the judges, this could be prosecuted on the basis of Article 399 of the Criminal Code which prohibits incitement of minors to sexual relations.¹⁰⁸ In conclusion, considering that the Iraqi legislation is inadequate, to say the least, to prevent, punish and redress sexual and gender-based violence crimes in general,¹⁰⁹ environment for combating OSEC in Iraq is extremely unfavorable.

In the KRI, the Parliament of the Kurdistan Region adopted the Misuse of Communication Devices Law (No. 6 of 2008) to combat cybercrimes in the region. The law provides for the punishment of six months to five years of imprisonment or a fine of one to five million Iraqi dinars for anyone convicted of using communication devices for any kind of threat, curse, and publish personal conversations or photographs.¹¹⁰

d. OSEC in Iraq

Though data on the types of cybercrime in Iraq are uncommon, reports released by the Iraqi government in 2013 indicate that the vast majority of cybercrimes are conducted through social media platforms such as Facebook, and mostly against individuals. The most commonly conducted cybercrimes are Internet fraud, identity theft, child pornography, cyber-stalking, and cyber-blackmail copyright infringement, satellite piracy, and cyber-terrorism.¹¹¹

The posting of Yezidi children on social media for the purpose of sexual and economic exploitation and human trafficking constitutes a form of OSEC. As part of its genocidal campaign, ISIL terrorists posted numerous hateful and violent images online to facilitate human trafficking and sexual explanation. These should be “presumed to have been sexually and/or economically exploited and human trafficked by ISIS fighters, not just

¹⁰⁵ Regular global reviews of laws against Child Sexual Abuse Materials (CSAM) related offences indicate that Iraq is one of the few countries that made no progress whatsoever concerning specific laws that proscribe and/or penalize CSAM offences, definition of the CSAM, possession of CSAM and internet service providers’ obligation to report suspected CSAM to law enforcement agency. See [International Centre for Missing & Exploited Children. \(2018\). Child sexual abuse material: Model legislation & global review](#). Ninth Edition. 5.

¹⁰⁶ Aro Omar. (2017, September), [Cybercrime legislation in Iraq](#). Erbil: Al Tamimi and Co.

¹⁰⁷ International Centre for Missing & Exploited Children. (2017). [Online Grooming of Children for Sexual Purposes: Model legislation & global review](#). First Edition.

¹⁰⁸ ECPAT International. (2019, March), [Country overview: A report on the scale, scope and context of the sexual exploitation of children](#). Iraq: ECAPT International, p. 18.

¹⁰⁹ Iraqi penal and criminal procedure laws display significant deficiencies. Rape is considered a private offence, prosecution of which needs to be initiated by a victim. State cannot take legal action against the alleged perpetrator without the consent of a victim or its legal guardian. Furthermore, legal proceedings against an alleged rapist are to be discontinued or conviction quashed in the event he marries his victim. See generally, GLOBAL JUSTICE CENTER (2018) [Iraq’s Criminal Laws Preclude Justice For Women And Girls](#). P. 3-7; Miriam Puttick. (2015, November), [The lost women of Iraq: Family-based violence during armed conflict](#). UK: Ceasefire Centre for Civilian Rights and Minority Rights Group International. p. 7-8.

¹¹⁰ Parliament of Kurdistan Region. (2008, May), [Misuse of Communication Devices Law](#). KRI: Parliament of Kurdistan Region.

¹¹¹ Aro Omar. (2017, September), [Cybercrime legislation in Iraq](#). Erbil: Al Tamimi and Co; Tania Nehme. (2020, April), [Impasse of cyber laws: Iraqi case](#). US: ABD, Rutgers University.

once, but many times over. These social media postings have caused grave emotional distress and despair to the families of Yezidi captives held by ISIS as well as to the entire Yezidi community displaced by ISIS.”¹¹²

The extent of OSEC in Iraq, apart from that committed by ISIL militants, is extremely difficult to determine owing to the scarcity of national data on reported cases, prosecution and conviction of perpetrators exploiting children online.¹¹³ It has been reported that OSEC takes place in refugee camps in the KRI where boys are photographed via mobile phones while undressing or using the bathroom and later blackmailed into performing sexual favors. Similarly, photos of rape of boys are taken to silence the victims by threatening to show them to their communities.¹¹⁴ OSEC cases dealt with before Iraqi courts or law enforcement agencies could not be identified during this research. This being said, taking into account a large number of Internet users among Iraqi youth one could assume that there is a vast number of unreported cases involving online sexual exploitation or abuse of children.

e. Addressing OSEC at Policy Level

The Republic of Iraq launched the National Child Protection Policy (NCPP) in 2017¹¹⁵ that provides a framework for action to prevent and protect Iraqi children and adolescents from violence, abuse, exploitation and neglect, and to provide services and support for children and adolescents who are at risk and experienced violence. Unfortunately, this policy has only been minimally implemented. NCPP does not specifically address the manifestations of SEC. It does however recommend the formation of a national committee on the safety of children on the Internet, which could encompass elements of OSEC. The committee is to propose preventive plans and coordinate efforts of the stakeholders involved, and include especially private sector actors such as Internet service providers and communication companies. Further, there is limited information on ongoing efforts to implement the NCPP.¹¹⁶ The Human Rights National Action Plan, though silent on NCPP, features a commitment to protect children from violence and sexual exploitation and allocate resources for their rehabilitation.¹¹⁷

"OSEC conducted by community members is a type of GBV. On the other hand, UN also has supported survivors of sexual exploitation and abuse (SEA) committed by Aid workers (UN agencies, national/international organizations, government, local authorities, etc.). Both are also supported by UNHCR through case management services.”¹¹⁸

On March 1 2021, the Yezidi Women Survivors Law was passed by the Iraqi Parliament. This law mandates a number of critical reparations for survivors of, among others, CEFM and OSEC from the Yezidi, Christian, Turkmen, and Shabak communities, including financial support; medical and psychological care to facilitate rehabilitation; the provision of land, housing, and education. No funds have been allocated for its implementation and the application process, as of yet, did not commence.¹¹⁹

¹¹² Call and demand for an international investigation into and prosecution of global technology and social media companies for aiding and abetting ISIS in the persecution, torture, enslavement, human trafficking and exploitation of Yezidis and for facilitating terrorism financing through the human trafficking of Yezidis, et al, p.34-5. <https://img1.wsimg.com/blobby/go/43ab8240-b257-4d94-ba26-e83119d1a4c4/REPORT%20FOR%20YEZIDI%20GENOCIDE%20JUSTICE%20CAMPAI-0001.pdf>

¹¹³ ECPAT International. (2019, March), [Country overview: A report on the scale, scope and context of the sexual exploitation of children](#). Iraq: ECPAT International. P.9

¹¹⁴ Chynoweth, S. (2017, October). [Sexual violence against men and boys in the Syria crisis](#). UNHCR. p. 34-35.

¹¹⁵ UNAMI, 2017, [National Child Protection Policy of Iraq launched in Baghdad](#)

¹¹⁶ ECPAT International. (2019, March), [Country overview: A report on the scale, scope and context of the sexual exploitation of children](#). Iraq: ECPAT International. P.21.

¹¹⁷ Iraqi Ministry of Justice, Human Rights Department, (2021), National Human Rights Plan in Iraq 2020-2024, p52, unpublished, cited from the copy on file with the authors.

¹¹⁸ Interview with Doaa Elbayad, UNHCR Protection Officer, Sulaymaniyah, December 15, 2021, Email interviewing.

¹¹⁹ Coalition for Just Reparations, [Media release](#) marking 6 months from the adoption of the Yezidi Women Survivors law.

There is a significant gap on both the legislative and policy level in addressing SEC in general and OSEC in particular in Iraq. In addition to bringing the legislative framework in line with international standards and best practices, Iraq should work more diligently on policy level to detect, sanction and prevent OSEC in its many forms.

C. Impact of COVID-19 on CEFM and OSEC

Generally speaking, the pandemic had a clear and major effect on people's lives, specifically in terms of livelihoods, mental health and well-being. Children were particularly affected through diverse containment measures such as forced childcare/school closures, reduced supervision and peer contact, caregivers' distress, financial hardship, etc. which led to the increased incidents of domestic violence, child abuse, and online sexual exploitation and abuse. Children from the disadvantaged communities in particular, being especially vulnerable, are disproportionately impacted by the adverse effects of the pandemic resulting in child labor, child trafficking, child marriage, and SEC.¹²⁰ For example, data from WVI showed that in 2020, child marriage was mounting in comparison with the last 25 years. Moreover, between March to December 2020, early and child marriages were doubled in many communities compared to 2019.¹²¹

“For UNFPA, COVID-19 was a disruption of their working plans on child marriage and caused wide-reaching economic consequences. Based on a UNFPA report, potentially resulting in an additional 13 million child marriages taking place between 2020 and 2030 that could otherwise have been averted.”¹²²

“COVID-19 increased economic hardships which is one of the factors that usually increases child marriage within the poor communities.”¹²³

In Iraq, COVID-19 has reduced the provision of basic services to poor and disadvantaged communities which has pushed millions into poverty.¹²⁴ As the results of the pandemic, 4.5 million Iraqis are now under the poverty line. Thus, as many Iraqi parents struggle to make ends meet, having less dependent family members pushed them to resort to child labor, early and child marriage.¹²⁵ “COVID-19 has increased poverty rate in Iraq in general, which has pressured vulnerable families to use child marriage as a negative coping mechanism to decrease economic burdens. In this case, caregivers may either end up forcing their daughters either to decrease family expenditure or to receive dowry.”¹²⁶

“During the pandemic in Iraq and KRI, families were hit by financial and economic difficulties, and they therefore pushed their daughters to get married earlier so they can get off their financial responsibilities.”¹²⁷

Poverty is on the rise as a result of unemployment during the pandemic, and violence against children appears to be growing in Iraq and KRI.¹²⁸ Children and adolescents are therefore at a higher risk as families struggle to

¹²⁰ Ghosh R, Dubey MJ, Chatterjee S, & Dubey S. (2020, July), [Impact of COVID-19 on children: special focus on the psychosocial aspect. India](#); Minerva Pediatr.

¹²¹ Senyo K. (2021, October), [Child marriages increasing as a result of COVID-19 — World Vision](#). Modern Ghana.

¹²² Interview with Naz Hoshyar, UNFPA Humanitarian Program Associate, 4 December, 2021, email interviewing.

¹²³ Interview with Abduljabar Arab, UNICEF's Child Protection Officer – Duhok Field Office, 9 December, 2021, email interviewing.

¹²⁴ Reliefweb. (2021, June), [Iraq: multi-cluster needs assessment \(MCNA\) - Round VIII](#). Reliefweb.

¹²⁵ United Nation. (2020, August), [Iraq socio-economic response plan](#). Iraq: United Nations, p. 18.

¹²⁶ Interview with Esmat Ahmed, WVI– West Zonal Manager- Duhok Office, 16 December, 2021, email interviewing.

¹²⁷ Interview with Ihab Khudhair, Save the Children's Child Protection Program Manager, 11 December, 2021, online.

¹²⁸ UNICEF. (2020, November), [COVID-19 and its impact threaten to undo many of the achievements made in Iraq and around the world on the path to fulfilling the United Nations Convention of the Rights of the Child](#). Baghdad: UNICEF.

meet their basic needs and cope with the shortage of health, education, and essential services.¹²⁹ The economic impact specifically on families and societies, school closures and interruptions in services addressed to girls, is threatening progress and putting millions of girls at risk of CEFM.¹³⁰ In Iraq, many have been losing their jobs which, together with rising prices, propelled national poverty rate from 20% to 31.7% in 2018.¹³¹ While 1 out of 5 children were poor before the crisis, the ratio is now almost doubling to over 2 out of 5 children (37.9%) as the crisis unfolds.¹³² Oxfam's research conducted in Kirkuk, Diyala, and Sulaymaniyah governorates of Iraq on the prevalence of gender based violence during the pandemic, revealed that women and children faced increased protection risks as a result of the COVID-19 pandemic.¹³³ Therefore, children and women seem to be one of the most affected groups in Iraq by the COVID-19 pandemic and its consequences.

“In KRI, COVID-19 pandemic has a negative impact on family issues, and in particular, increasing of early marriage due to financial hits on the families.”¹³⁴

The COVID-19 pandemic has also changed the way and patterns of how perpetrators go about SEC by moving their activities online, and disseminating materials online. Therefore, the increase in online activities by those seeking child abuse material, on account of increased time spent indoors due to the pandemic, has worsened the already-available patterns of sexual exploitation and cyberbullying of vulnerable children.¹³⁵ It is crucially important to point out that due to the pandemic, children and teenagers spent more time online, and that has created a ‘perfect storm’ in increasing SEC across the globe.

“OSEC has increased due to accessibility of the internet to larger Iraqi population with poor awareness about use of communication channels without due internet safety awareness.”¹³⁶

“COVID-19 drastically reduced the time children used to spend at school and subsequently increased their time online, and while we do not have a study that connects the OSEC to their increased online time, we assume that this remains one of the factors.”¹³⁷

A 2021 global survey on OSEC found that in the last two years, the reporting of SEC and abuse online has dramatically increased and reached its highest levels. 44% of 18 to 20 years old respondents from the MENA region reported having experienced online sexual harm.¹³⁸ Though not focusing on Iraq only, survey results strengthen the assumption that COVID-19 pandemic had a profoundly negative impact by significantly increasing the cases of online grooming, the volume of child sexual abuse (CSA) materials available online, the sharing and distribution of CSA material and “live streaming” for payment.¹³⁹ An additional global study also supports the claim that OSEC has increased during the COVID-19 pandemic.¹⁴⁰

¹²⁹ UNICEF. (2021, November), [Social policy specialist, NO-C, Baghdad, Iraq](#). Baghdad: UNICEF.

¹³⁰ OHCHR. (n. d.), [Child and forced marriage, including in humanitarian settings](#). UN: OHCHR

¹³¹ UNICEF Iraq, The World Bank, Oxford Poverty and Human Development Initiative and the Ministry of Planning in Iraq. (2020, July), [Assessment of COVID-19 impact on poverty and vulnerability in Iraq](#). Iraq: UNICEF

¹³² UNICEF Iraq, The World Bank, Oxford Poverty and Human Development Initiative and the Ministry of Planning in Iraq. (2020, July), [Assessment of COVID-19 impact on poverty and vulnerability in Iraq](#). Iraq: UNICEF

¹³³ Oxfam (June 2020), [Gender Analysis of the COVID-19 Pandemic in Iraq](#): Conducted in Kirkuk, Diyala and Sulaymaniyah Governorates.

¹³⁴ Interview with Shoxan Ahmad, WOLA Director, Sulaymaniyah, 2 December, 2021, online.

¹³⁵ Mama Fatima Singhateh. (2021, March), [COVID-19 pandemic has amplified the risks of vulnerable children to trafficking and sexual exploitation, Special Rapporteur on the sale of children tells Human Rights Council](#). United Nations Human Rights Council.

¹³⁶ Interview with Esmat Ahmed, WVI– West Zonal Manager- Duhok Office, 16 December, 2021, email interviewing.

¹³⁷ Interview with Abduljabar Arab, UNICEF's Child Protection Officer – Duhok Field Office, 9 December, 2021, email interviewing.

¹³⁸ We Protect Global Alliance (2021) [Global Threat Assessment Report](#), p. 17.

¹³⁹ Jennifer Bell. (2021, October), [Half of children in MENA experience online abuse, sexual exploitation: Report](#). Alarabiya News.

¹⁴⁰ NetClean. (2020), [COVID-19 impact 2020: a report about child sexual abuse crime](#). NetClean Report.

As explained above, the COVID-19 pandemic is deeply affecting the everyday lives of girls, their physical and mental health, their education, and the economic circumstances of their families and communities. These changes tend to increase the possibility of child marriage globally. Before the COVID-19 pandemic, more than 100 million girls were expected to marry before their eighteenth birthday in the next decade. Now, up to 10 million more girls will be at risk of becoming child brides as a result of the pandemic.¹⁴¹

Research conducted across 4 MENA countries (Egypt, Iraq, Lebanon, and Turkey) consistently cited COVID-19 as an exacerbating factor contributing to poor prospects for refugee or displaced girls continuing their education, thus putting them at a greater risk of child marriage. Practical obstacles caused by the pandemic were low-quality distance learning and associated costs (mobile phones and internet).¹⁴²

V. Government of Canada Programming in Iraq

Canadian programming in Iraq is grounded in Canada's major strategy for the Middle East and countering ISIL. Canadian programming is divided into three main sectors including, humanitarian, development, and stabilization. The main objective of the program is to help people most affected by violence and years of conflict and its consequences in the region. More specifically, Canada's bilateral development assistance program in Iraq seeks to ease the burden on host communities; help refugees, IDPs and others; increase the resilience of communities and government institutions; improve access to government services and support better governance.¹⁴³ Canadian programming in Iraq is especially interested to develop the capacity of local administrations to deliver necessary services, create improved conditions for employment, and lay the foundations for stability and prosperity of the region.

A. Breakdown of Funds

Canada's response to the crisis has focused on immediate humanitarian assistance and longer-term development assistance to help those most in need.¹⁴⁴ Moreover, Canada intends to contribute to an improvement in security and stability by helping to address some of the underlying causes of the crisis and challenges in Iraq and Syria. Over the course of six years, between 2016 and 2022, Canada had invested over \$4 billion to respond to the crises in Iraq and Syria, and lessen its impact on Lebanon and Jordan.¹⁴⁵ During the years 2016 to 2022, up to \$570 million is allocated for development assistance. This focuses on Iraq, a country in need of stabilizing after years of conflict, Jordan, and Lebanon, which have borne the destabilizing effects of the conflicts in Iraq and Syria, including hosting hundreds of thousands of refugees.¹⁴⁶ This assistance has four priority areas:

1. Empowering women and girls and advancing gender equality
2. Supporting effective and accountable governance
3. Improving the quality and sustainability of gender-responsive social services (including education)
4. Fostering economic growth that works for everyone (e.g., vocational and business training, innovative financing, and entrepreneurship training)

Canada is an active and committed member of the Global Coalition against ISIL/Daesh (GC) and a leading contributor to the North Atlantic Treaty Organization (NATO) Mission Iraq. Over \$325 million from 2016 to 2022 has been earmarked for stabilization and security programming. This is an important contribution to the GC's efforts to dismantle and ultimately defeat ISIL, counter violent extremism, restore stability, and promote regional security. In addition, over the course of six years, Canada will continue to work with the international

¹⁴¹ UNICEF. (2021, March), [COVID-19: A threat to progress against child marriage](#). UNICEF.

¹⁴² Save the Children, (2021, June), [Married by Exception: Child marriage policies in the Middle East and North Africa](#). p. 28

¹⁴³ Government of Canada. (2017, June), [Canadian international assistance in Iraq](#). Government of Canada.

¹⁴⁴ Government of Canada. (2017, June), [Canadian international assistance in Iraq](#). Government of Canada.

¹⁴⁵ Government of Canada. (2017, June), [Canadian international assistance in Iraq](#). Government of Canada.

¹⁴⁶ Government of Canada. (2017, June), [Canadian international assistance in Iraq](#). Government of Canada.

community, and has committed funding over \$110 million to support and sustain diplomatic engagement efforts.¹⁴⁷

As part of Canada's \$4 billion, over \$442 million is reserved for humanitarian assistance over the next three years that will help save lives and ease the suffering of millions of conflict-affected people in Syria, Iraq and the region by helping them meet their basic education, food, health, water, shelter and protection needs.¹⁴⁸ For example, Canada is providing \$100 million in support of the UNHCR's emergency response to the Syrian and Iraqi crisis over the next three years. Canada is also providing \$78 million to UNICEF over the next three years to provide educational opportunities and child protection services to conflict-affected children in the region as part of the No Lost Generation Initiative. This initiative is helping to ensure that children are able to continue their education in a safe and secure environment. Canada is also providing over \$40 million to UNFPA to provide reproductive health services to women and girls, and assistance to victims of sexual and gender-based violence (GBV).¹⁴⁹

In 2019, Canada pledged to contribute more than \$1.5 billion over the next three years towards its new approach to security, stabilization, humanitarian and development assistance in response to the crises in Iraq and Syria, and their impact on Jordan and Lebanon.¹⁵⁰ Similarly, on March 30, 2021, the Government of Canada announced more than \$43.6 million in funding for 11 stabilization projects in Iraq and Syria. 8 of these projects implemented in Iraq, funded through the Peace and Stabilization Operations Program (PSOP), are aligned with GC against ISIL's stabilization efforts in these countries as listed below:

- Project 1: Return and Reintegration of Iraqi Families with Perceived ISIL Affiliation (Funding: \$2,902,437)
- Project 2: Community Policing in Liberated Areas in Iraq (Funding: \$4,000,000)
- Project 3: Funding Facility for Stabilization (Funding: \$10,000,000)
- Project 4: Complex Improvised Explosive Device Clearance in Liberated Areas of Iraq (Funding: \$10,000,000)
- Project 5: Integrated Clearance of Explosive Remnants of War (ERW) in Iraq (Funding: \$2,000,000)
- Project 6: Mine Action Supporting Stabilization and Gender Equality (Funding: \$1,073,000)
- Project 7: Preparing for the Prosecution of Breaches of ICHL in Iraq (Funding: \$917,124)
- Project 8: Preventing Reprisals and Mitigating Violence in Iraq (Funding: \$4,709,391)¹⁵¹

As its Middle East strategy, Canada has allocated the total budget of \$1,690,385,515 which is divided among 181 projects in the Middle East- regional, Iraq, Jordan, Yemen, Syria, Lebanon, and Turkey and others. In this, projects that are implemented in Iraq and are still operational are listed below:

1. Community Policing in Liberated Areas of Iraq with the amount of \$9,000,000.00 received by International Organization for Migration (IOM) from 2018 to 2022. This project aims to increase the capacity of local police and civil society to work together to address security issues in Nineveh and Anbar, Iraq through the use of community policing practices. Police forces are currently supporting other Iraqi Security Forces in their fight against ISIL.
2. Preventing Violent Extremism through Education in Iraq with the amount of \$5,000,000.00 received by UNESCO Institute for Lifelong Learning from February 6, 2020 to February 28, 2023. This project aims to build more resilient communities in Iraq from ISIL, in particular the governorates of Anbar and Ninewah, in order to counter the violent and sectarian narratives advanced by ISIL.

¹⁴⁷ Government of Canada. (n. d.), [Canada's Middle East engagement strategy](#). Government of Canada.

¹⁴⁸ Prime Minister of Canada. (2016, September), [Canada provides significant support following UN meeting on refugees and migrants](#). New York:

¹⁴⁹ Prime Minister of Canada. (2016, September), [Canada provides significant support following UN meeting on refugees and migrants](#). New York:

¹⁵⁰ Brad Salzberg. (2019, December), [Trudeau Government commit over \\$1.5 billion dollars To Iraq, Syria](#). Canada: Cultural Action Party of Canada.

¹⁵¹ Government of Canada. (2021, March), [Canada's stabilization projects in Iraq and Syria](#). Global Affairs Canada.

3. Improving Sexual and Reproductive Health in the Middle East received by UNFPA from 2019 to 2021 with the amount of \$59,000,000.00. This project aims to contribute to meeting the sexual and reproductive health needs of vulnerable women and girls in sexual and reproductive health, and preventing and responding to sexual and GBV.
4. Iraq Crisis - Emergency Assistance for Conflict-Affected Populations received by IOM from 2019 to 2021 with the amount of \$5,000,000.00. The project activities include: (1) providing support for shelter and non-food items; (2) providing primary health services; (3) monitoring and addressing protection and psychosocial needs; (4) supporting Water, Sanitation and Hygiene (WASH) services; and (5) supporting camp co-ordination and camp management services in IDP camps and informal settlements.
5. Iraq Crisis - Healthcare for Conflict and Displacement-Affected People with the amount of \$4,500,000.00 received by Doctors of the World Canada from 2020 to 2022. This intervention aims to reach up to 130,000 individuals. The project activities include: (1) supporting the provision of the Basic Health Service package, including sexual and reproductive health (SRH) and mental health and psychosocial support (MHPSS); (2) providing medical and MHPSS services to survivors of GBV; (3) providing logistical support to primary health care centres; (4) providing training to national health service providers on Basic Health Service package, including on SRH, MHPSS, and referrals; and (5) providing training in coordination with local health authorities on GBV prevention and response.
6. Enhanced Governance for Improving the Well-Being of the Most Vulnerable Women and Girls in Iraq with the amount of \$5,000,000.00 received by UNFPA from 2018 to 2021. The project aims to increase awareness of the need to prevent and respond to GBV and other harmful practices.
7. Work Empowerment for Women in Iraq with the amount of \$4,250,000.00 received by Partners Global from 2019 to 2022. The project aims to increase protection and access to equitable employment for women in Iraq. The project informs women of their rights in the workplace, gives them resources to ensure they are respected, and thereby encourages them to join the workforce.
8. Support to Iraq Reform, Reconstruction and Recovery Fund which is \$14,000,000.00 received by World Bank from 2020 to 2024. The project aims to address the underlying drivers of instability in Iraq and support the Government of Iraq (GoI) in meeting the needs of the Iraqi people. This project supports the Iraq Reform, Reconstruction and Recovery Fund (IRRF), a five-year (2019-2023) World Bank-managed multi-donor trust fund launched in November 2018.
9. Bolstering Reconstruction in Iraq through Development, Growth and Employment which is the amount of \$17,283,137.95 received by WUSC - World University Service of Canada from 2017 to 2022. The project aims to recognize the urgent need for short-term stabilization in Iraq by supporting the transition into new livelihoods for conflict-affected male and female youth and adult women.
10. Mobilizing the Media to fight COVID-19 which is a project aims to combat the impact of COVID-19 on human rights, particularly those of women and girls with the amount of \$979,856.00 received by JHR - Journalists for Human Rights operating from July 14, 2020 to February 15, 2022.
11. Mashreq Gender Facility: Advancing the Child Care Agenda in Iraq with the amount of \$1,333,333.00 received by the Umbrella Facility for Gender Equality from March 31, 2021 to September 30, 2022. This project aims to build on the Mashreq Gender Facility Child Care work to support women's participation in the Iraqi economy. Access to quality child care services is key to facilitating women's economic activity in the Mashreq region.

From the Canadian programming in Iraq, it seems that there has been very little allocated to combat CEFM, and especially OSEC and the impact of COVID-19 on CEFM and OSEC. It is worth mentioning that as with most of Canada's foreign aid/programming, the majority of it is allocated towards peace-building and community initiatives. Whilst sexual and gender-based violence (SGBV) and CEFM have been indirectly tackled, there has not been much funding available for programming focusing solely or mainly on CEFM and OSEC. Based on the above discussion, important recommendations to the Government of Canada are presented.

B. Combatting CEFM and SEC in Iraq and KRI

There is a large number of organizations, NGOs and government departments in Iraq and the KRI which have been working on the ground to combat CEFM. Among the stakeholders interviewed for the purpose of this assessment, UNFPA has been directly funded by the Government of Canada mainly in combatting CEFM and OSEC to a lesser extent. Oxfam International, WOLA, GDCVAW, and MoLSA have been funded by Canada indirectly through UNFPA. Other NGOs we have interviewed which addressed CEFM in their projects, have not received any funding from the Government of Canada. They are, therefore, not listed in this section.

As a major player in Iraq and the KRI, UNFPA and its partners have been working to end sexual abuse through a range of actions known as “protection from sexual exploitation and abuse” (PSEA). UNFPA has trained up to 400 humanitarian workers in Sulaymaniyah, Dohuk, Baghdad, Basra, Soran, and Erbil.¹⁵² Likewise, in 2016, the formation of the Adolescent Girls Task Force (AGTF) was announced. The AGTF consists of members from the UN, government, and civil society organizations. The AGTF played a key role in raising awareness about adolescent girls, including capacity building and the awareness of GBV and girls’ healthcare. A co-lead of the AGTF with UNICEF, UNFPA has conducted various evidence-based advocacy on child and early marriage in Iraq including the KRI.

“In response to CEFM, UNFPA adopted a multi-sectoral prevention and response strategy to address the issue of child marriage in Iraq. The program aims to reduce CEFM amongst adolescent girls aged less than 18 years in the targeted areas where the prevalence of CEFM is high. At the national level, UNFPA has focused on policy dialogue and advocacy to put in place and implement a National Action Plan for Elimination of CEFM in Iraq; supporting and promoting national laws/policies that protect and promote young/adolescents; generating the evidence and creating knowledge base for policy and effective behavior change communication strategies, awareness and advocacy to combat CEFM.”¹⁵³

“UNFPA together with implementing partners engaged to develop and implement social and behavior change communication strategies; creating awareness amongst target groups and to mobilize community structures and leadership involved in child marriage to transform social norms related to harmful practices.” “Currently, UNFPA is in the process of conducting key stakeholders’ consultancy and focus group discussion (FGD) to collect qualitative data on child marriage to draft Behavior Change Communication strategy for 2022.”¹⁵⁴

“Last but not least, UNFPA conducted a mixed methods research on “Child Marriage in Humanitarian Settings” with John’s Hopkins University and Women’s Refugee Commission (WRC) with European Regional Development and Protection Program (RDPP) fund in 2018.”¹⁵⁵

UNFPA has also conducted various evidence-based advocacy on OSEC in Iraq including KRI.¹⁵⁶

- UNFPA targets young people, women, men and boys as from age of 11 and above.
- UNFPA financially supports DCVAW to establish and manage the 119 hotline to support GBV survivors.

¹⁵² UNFPA. (2018, January), [Preventing sexual abuse and exploitation in Iraq](#). UNFPA.

¹⁵³ Interview with Naz Hoshyar, UNFPA Humanitarian Program Associate, 4 December, 2021, email interviewing.

¹⁵⁴ Interview with Naz Hoshyar, UNFPA Humanitarian Program Associate, 4 December, 2021, email interviewing.

¹⁵⁵ Interview with Naz Hoshyar, UNFPA Humanitarian Program Associate, 4 December, 2021, email interviewing.

¹⁵⁶ Interview with Naz Hoshyar, UNFPA Humanitarian Program Associate, 4 December, 2021, email interviewing.

- UNFPA will continue to support MoLSA to deploy “SafeYou” app to reach out to GBV survivors to run women safe spaces.¹⁵⁷ The app will provide legal and other related information for the population.

As explained above, UNFPA has been collaborating mainly with GDCVAW. On 26 September 2018, UNFPA and GDCVAW launched the first helpline in KRI as a 24-hour call center established to offer confidential support and guidance to survivors of GBV. Those who call are connected with trained social workers as well as legal and psychosocial support counsellors, both female and male.¹⁵⁸ In parallel with this, the KRG has initiated a plan to prevent child marriage proposed by the High Council of Women Affairs, which includes the implementation of the “Ensuring My Future” Campaign to change prevailing societal attitudes towards marriage as a means of securing girls’ futures.¹⁵⁹

“In 2016, we conducted a research study in partnership with the High Council of Women Affairs in KRI which was funded by UNFPA about early marriage, raising awareness through a number of campaigns”. Likewise, GDCVAW’s legal consultant has published 102 books and booklets on different issues related to women and children including, ‘No to Child Marriage’, ‘Underage Marriage’, ‘Steps to Combat Sexual Violence Against Children’, ‘Sexual Harassment’, ‘Sexual Violence and Bad Usage of Technology’, and ‘Preventing Bad Usage of Communication Devices in KRI’. It is worth mentioning that all these materials are published by GDCVAW, and are mainly supported by UNFPA.”¹⁶⁰

“WOLA has been working on CEFM through spreading awareness, and on the ‘family law’ which considers CEFM as a crime”. Currently, “WOLA and OXFAM are running a project together on early marriage which focuses on providing seminars, group therapy for women in the camps available in KRI and we visit villages and spreading legal awareness on CEFM.”¹⁶¹

“As the Directorate of Social Affairs, in KRI’s scope of work in the Ministry of Social Affairs, we have a family protection section, and in this section, we have a child protection unit. We have projects such as social and psychological support projects for refugees in the camps. REACH also has mobile teams to provide awareness in the camps about the risks and impacts of child marriage. We also have training to our staff members how to provide awareness about child marriage and how to manage child marriage cases in the region.”¹⁶²

In conclusion, the Government of Canada has mainly funded UNFPA particularly in combatting CEFM in Iraq and the KRI. Also, it is crucial to note that UNFPA has supported MoLSA, GDCVAW, and WOLA, mainly in combatting CEFM whereas they have focused on OSEC to a lesser extent.

C. Government of Canada Changes in Programming Due to COVID 19 Pandemic

To recover from the coronavirus pandemic, the Canadian government has pivoted its recovery strategy to support and fund programs that attract and retain employees, and resiliency building within organizations.¹⁶³ Canada also recognizes the impact of COVID-19 disease on the delivery of international development

¹⁵⁷ Salwa Moussa. (2021, December), [UNFPA, MOI KRI launch SafeYou App, helping women and girls in Kurdistan be protected from gender-based violence](#). UNFPA.

¹⁵⁸ Dlnia Rhman. (2021, April), [Gender-based violence helpline in Kurdistan registering more calls in 2021](#). Erbil: Rudaw.

¹⁵⁹ UNFPA. (2016, August), [Child marriage in Kurdistan region – Iraq](#). UNFPA. p. 6.

¹⁶⁰ Interview with Izzadin Abdullah Yasin, legal consultant at the GDCVAW – KRI, 1 December, 2021, face to face recorded.

¹⁶¹ Interview with Shoxan Ahmad, WOLA Director, Sulaymaniyah, 2 December, 2021, online.

¹⁶² Interview with Banan Wahab, PSS Manager, Sulaymaniyah, December 12, 2021, Online.

¹⁶³ Mentor Works. (n. d.), [COVID-19 grant, loan, and funding programs from the Canadian Government](#).

assistance projects with its international partners.¹⁶⁴ Canada’s response particularly focused on supporting the world’s poorest and vulnerable people pertaining to education, nutrition, healthcare, and the different needs of women and girls.¹⁶⁵

“In Iraq and the KRI, the Government of Canada’s response to COVID-19 was quick for adaptation in their international strategy, and their instructions on the pandemic.” Regarding their budget, they offered flexibility to their international partners to cover the expenses of the coronavirus needs including hygiene, sanitizer, sanitation, masks, gloves, etc. They also showed flexibility towards their partners by extending the initial project timelines due to the pandemic. Canadian citizen’s safety in Iraq was another major concern for Canada so they can safely return to their homes.”¹⁶⁶

As of its international partnership assistance program, Canada has supported the global effort to beat COVID-19 from the beginning in developing countries. In doing so, Canada has directed more than \$2.5 billion in response to the COVID-19 pandemic, and this includes tests, treatments, vaccines, tools, and urgent needs.¹⁶⁷ On 25 July, 2021, as part of its changes in programming and directing funds due to COVID-19, Canada provided UNICEF with \$200,000 of funding to support sustaining the continuous provision of quality health services for refugees in Iraq which have been negatively impacted by the COVID-19 pandemic.¹⁶⁸ These funds were intended to reach over 5,000 children with routine and supplementary immunization activities, more than 2,000 newborn babies and their mothers with maternal and newborn health (MNH) services and over 35,000 individuals - parents of U5 children were reached by community health workers through the tent-to-tent awareness sessions in these camps and also procurement of essential MNH supplies. As part of the COVID-19 pandemic response, these funds supported the local health authorities to conduct infection prevention and control (IPC) orientation sessions for health personnel as well as bolster COVID19 vaccination services in these communities.¹⁶⁹

In line with its international assistance program in response to the COVID-19 pandemic, on 27 July, 2020, the Government of Canada contributed \$1.85 million to support the GoI’s response to the COVID-19 pandemic, in partnership with the United Nations Development Programme (UNDP) in Iraq. The funds were directed toward two critical areas of work. \$1.85 million supported UNDP Iraq’s immediate response to COVID-19, which supported 12 governorates, and included increasing the testing capacity of laboratories, providing personal protective equipment to healthcare workers, increasing the number of isolation wards, and undertaking assessments to establish post-COVID-19 recovery strategies. An additional \$75,000 were used to provide local police engaged in Iraq’s COVID-19 response with personal protective equipment including masks, gloves and hand sanitizer, largely focusing on officers in Baghdad, which has seen the highest number of cases in the country.¹⁷⁰ Alongside with this, a number of donors including Canada, Denmark, Finland, Germany, Japan, Kuwait, Netherlands, Sweden, the United States, and the European Union have supported immediate health activities in response to COVID-19 in Iraq by financing

¹⁶⁴ Global Affairs Canada. (2021, September), [Guidance on eligibility of COVID-19 potential costs](#). Canada.

¹⁶⁵ Government of Canada. (2021, December), [Canada’s aid and development assistance in response to the COVID-19 pandemic](#). Government of Canada.

¹⁶⁶ Interview with Bzhar Mohammed, Senior Development Officer at the Canadian Consulate, Erbil, December 12, 2021. Phone call.

¹⁶⁷ Government of Canada. (2021, December), [Canada’s aid and development assistance in response to the COVID-19 pandemic](#). Government of Canada.

¹⁶⁸ UNICEF. (2021, July), [UNICEF receives USD 200,000 from the Government of Canada to support the continuous provision of quality health services for refugees in Iraq](#). UNICEF.

¹⁶⁹ UNICEF. (2021, July), [UNICEF receives USD 200,000 from the Government of Canada to support the continuous provision of quality health services for refugees in Iraq](#). UNICEF.

¹⁷⁰ UNDP. (2021, July), [Protecting communities from COVID-19: Canada commits funds to tackle growing pandemic in Iraq](#). UNDP Iraq.

the UN System and/or through other implementing partners.¹⁷¹ As COVID-19 response program, and to support developing countries during the course of the coronavirus, Canada has also funded OXFAM through a project on gender analysis of the covid-19 pandemic in Iraq which was conducted in Kirkuk, Diyala, and Sulaymaniyah Governorates.¹⁷²

VI. Key Findings

The current assessment report holds a number of seminal and important findings. The prevalence of CEFM in Iraq and KRI seems to be significantly higher than that officially estimated. This is mainly because CEFM is usually arranged outside the judicial system, and the cases therefore go unreported. This assessment shows that a number of factors contribute to CEFM and its rise in the region, including poverty, social and cultural norms, religion, forced displacement driven by the ISIL created conflict in Iraq and armed conflict in Syria the gaps in Iraqi and KRI laws on CEFM as well as improper, if not arbitrary, application of the positive law, family honor, and traditional factors driving parents and family to arrange marriages of minor girls are to get married early in order to secure their future.

The findings show that the concept of OSEC is mostly unknown to the Iraqi communities including Kurdish communities, though usage of the Internet and other related ICTs have increased significantly among the Iraqi youth, and that Iraq does not censor on the network which leads to the increase of OSEC. It is crucial to note that due to the lack of reporting, and official statistics on OSEC in Iraq and the KRI, most of the cases go unreported due to fear and anxiety around families, family honor, COVID-19, armed conflicts (ISIL, for example), and trust of the people toward governments. This report also reveals that the vast majority of the NGOs interviewed for this contribution have primarily focused on combatting CEFM on the ground in Iraq and KRI.

In Iraq and the KRI, COVID-19 had a major impact on children and adolescents. Based on the existing research and the interviews conducted, COVID-19 has increased poverty rate, which eventually escalated CEFM. Likewise, COVID-19 has widely heightened OSEC due to the fact that the majority of people went online due to the transition of work responsibilities to online platforms. To the best knowledge of the authors, no empirical study has been carried out to examine the effect of COVID-19 on CEFM and OSEC in Iraq and the KRI.

As discussed before, Canadian programming in Iraq is divided into three main sectors: humanitarian, development, and stabilization. To respond the crises in Iraq and Syria including ISIL, Canada has allocated \$4 billion over the course of six year from 2016 to 2022. Specifically, the current assessment report shows that Canada has mainly supported and funded UNFPA to combat CEFM in Iraq including KRI. This assessment also shows that UNFPA has supported OXFAM International to combat CEFM. Due to the outbreak of the COVID-19 pandemic, Canada quickly responded and adapted its programming in Iraq, but has not funded any NGO to address and/or mitigate the impact of COVID-19 on OSEC.

VII. Recommendations for the Government of Canada

From the assessment report and its findings, we can offer a number of crucial and important recommendations for the Government of Canada to focus on ways how the Canadian funding can be more effective and better directed toward CEFM, OSEC, and the effect of COVID-19 on both CEFM and OSEC in Iraq and the KRI. Findings of the present assessment, point out that little funding has been made available for combating CEFM, and especially OSEC and the effect of COVID-19 on CEFM and OSEC in the region.

Based on most of Canada's foreign aid and/or funding programming, it is worth mentioning that although there is some attention and focus on anti-CEFM and OSEC efforts by Canada in Iraq, the majority of its funding program is about peace-building, immigration, and community initiatives. This assessment holds

¹⁷¹ United Nation. (2020, August), [Iraq socio-economic response plan](#). Iraq: United Nations.

¹⁷² OXFAM. (2020, June), [Gender analysis of the covid-19 pandemic in Iraq](#). Iraq: Global Affairs Canada.

important recommendations based on the major findings derived from the existing research and the interviews we conducted with the NGOs and government departments mentioned in the introductory chapter.

1. Awareness

- a. Canada should support projects focused on community dialogue, and raising awareness about CEFM and OSEC in schools, educational sectors, and in camp and out of camp settings, where displaced persons reside.
- b. Canada can also financially support local, national, and international NGOs working in Iraq and Kurdistan to train professionals working directly with children in raising awareness about CEFM and OSEC.
- c. Targeted support for projects on girls' education should be included.
- d. Funds / projects can/should focus on the rural areas to combat CEFM.

2. Lobbying and advocacy

- a. Support relevant stakeholders to lobby and advocate for developing, adopting and effectively implementing key policy documents tackling CEFM and OSEC with specific goals, targets, indicators and timetables.

3. Capacity Building

- a. In addition to project funding, the interventions of the Canadian embassy should include a capacity building program / project for local NGOs and other stakeholders on CEFM and OSEC, advocacy strategies, project management, etc. This should enable local actors to address the challenges on the ground more effectively and comply with stakeholders requirements concerning reporting, audit etc.

4. Survivor Support

- a. Provide funding for NGOs, and projects aimed at providing access to justice, rehabilitation, and reparations for child victims of sexual exploitation and forced marriage.
- b. Support the implementation of the *Yezidi Women Survivors Law* which mandates a number of critical reparations for survivors from the Yezidi, Christian, Turkmen, and Shabak communities, including financial support; medical and psychological care to facilitate rehabilitation; the provision of land, housing, and education.

5. Sustainability of Project Funding

- a. Create a fund administered by an INGO for local NGOs to secure long-time exchange (networking) and engagement of different local NOGs working on CEFM and OSEC.
- b. Ensure that funding support for NGOs to combat CEFM and OSEC can support medium to long term programming and planning, including work to influence social norms.

6. Covid-19 impacts

- a. Make funding available for projects assessing the impact of COVID-19 on CEFM and OSEC.
- b. And additional funds should be allocated to ensure adequate response to the findings of these assessments.

7. Cybercrime in Iraq and Kurdistan

- a. Provide funding to local stakeholders for projects addressing online sexual exploitation of children including funds for more research to better understand the issue and develop relevant projects to fight OSEC and lobby for the criminalization of cybercrime.

Annex

Key Informant Interviews:

No.	NGOs/Government Departments	Interlocutor	Position	Date of Interview (2021)	Venue	Form of Interview
1.	UNICEF	Abduljabar Arab	Child Protection Officer	December 11	Duhok Office	Email
2.	UNHCR	Doaa Elbayad	Protection Officer	December 15	Sulaymaniyah	Email
3.	UNFPA	Naz Hoshyar	Humanitarian Program Associate	December 4	Sulaymaniyah	Email
4.	Save the Children	Ihab Khudhair	Child Protection Program Manager	December 11	Erbil	Online
5.	WVI	Esmat Sadeq	West Zonal Manager (Erbil, Duhok, Ninewa)	December 16	Duhok Office	Email
6.	OXFAM International	Zaynab Farhad	Gender and Policy coordinator	December 13	Erbil	Email
7.	REACH	Hawraa Khaleel	Project Manager	December 13	Sulaymaniyah	Email
8.	IMC	Bazhdar Jabar Mustafa	Case Manager	November 30	Erbil	Online
9.	Jiyan Foundation For Human Rights	Salah Ahmed	Chairman	December 16	Germany	Online
10.	WADI	Abdulla Sabir	Iraq Project Coordinator	November 30	Sulaymaniyah	Email
11.	ADWI	Shox Mohammed	Project Supervisor	November 30	Sulaymaniyah	Email
12.	WOLA	Shoxan Ahmad	Director	December 2	Sulaymaniyah	Online
13.	Emma Organization	Hozan Bamerni	Project Manager	December 12	Duhok Branch	Online
14.	Jiyan Legal Team	Mhammed Kaka	Lawyer	December 17	Chamchamal Branch	Online
15.	MoLSA /Ministry - KRI	Banan Wahab	PSS Manager	December 12	Sulaymaniyah	Online
16.	GDCVAW / KRI	Haji Ezadin	Legal Consultant	December 1	Erbil	Face to Face
17.	-	Payraw Anwar	Researcher	December 6	Erbil	Online
18.	-	Shahla Rauf Abdulrahman	Gynecologist	December 16	Koya	Online
19.	-	Bzhar Mohammed	Senior Development Officer – Canadian Consulate	December 12	Erbil	Phone Call