



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

25.11.2014

B8-0305/2014

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Iraq: kidnapping and mistreatment of women
(2014/2971(RSP))

Javier Couso Permuy, Malin Björk, Ángela Vallina, Marina Albiol Guzmán, Paloma López Bermejo, Patrick Le Hyaric, Kateřina Konečná, Kostadinka Kuneva, Emmanouil Glezos, Marisa Matias, Rina Ronja Kari, Lidia Senra Rodríguez, Georgios Katrougkalos, Sofia Sakorafa
on behalf of the GUE/NGL Group

B8-0305/2014

European Parliament resolution on Iraq: kidnapping and mistreatment of women (2014/2971(RSP))

The European Parliament,

- having regard to its previous resolutions in particular those of 17 July 2014 and 27 February 2014 on the situation in Iraq, of 14 March 2013 on Iraq: the plight of minority groups, including the Iraqi Turkmen, of 10 October 2013 on recent violence in Iraq and of 18 September 2014 on the situation in Iraq and Syria, the IS offensive, including the persecution of minorities;
- having regard to the joint Statement by the Special Representative of the UN Secretary-General (SRSG) on Sexual Violence in Conflict, Ms. Zainab Hawa Bangura, and the UN Special Representative of the Secretary-General for Iraq, Mr. Nickolay Mladenov of 13 August 2014;
- having regard to the Statements by the Spokesperson of the EU High Representative on ISIL atrocities in Iraq of 30 October 2014; on attacks in Iraq and Syria of 2 October 2014; on the deterioration of the situation in Iraq of 10 August 2014 and on the situation in northern Iraq of 4 August 2014;
- having regard to the Statement to the UN Security Council on Iraq by the UN High Commissioner for Human Rights of 18 November 2014;
- having regard to the UN Human Rights Council Resolution S-22/1 of 1 September 2014 on the human rights situation in Iraq in the light of abuses committed by the so-called Islamic State in Iraq and the Levant and associated groups;
- having regard to the Concluding observations on Iraq (2014) by the UN Committee on the Elimination of Discrimination against Women and by the UN Committee on the Elimination of Racial Discrimination;
- having regard to the Report on the Protection of Civilians in the Non International Armed Conflict in Iraq by the United Nations Assistance Mission for Iraq (UNAMI) and the Office of the High Commissioner for Human Rights (OHCHR) of September 2014;
- having regard to the Conclusions adopted at the Special meeting of the European Council of 30 August 2014 on Iraq and Syria;
- having regard to the Council conclusions on the ISIL/Da'esh crisis in Syria and Iraq of 20 October 2014 and to the Council conclusions of 15 August 2014, 23 June 2014 and February 2014 on Iraq;
- having regard to the Convention on the Elimination of All Forms of Discrimination

against Women (CEDAW) ratified by Iraq in 1986;

- having regard to the UN Declaration on the Protection of Women and Children in Emergency and Armed Conflict, and to UN Security Council Resolutions 1325(2000) and 1820(2008) on Women, Peace and Security,
- having regard to the Fourth World Conference on Women held in Beijing in September 1995, the Declaration and Platform for Action adopted in Beijing and the subsequent outcome documents of the United Nations Beijing +5, +10 and +15 Special Sessions on further actions and initiatives to implement the Beijing Declaration and Platform for Action adopted on 9 June 2000, 11 March 2005 and 2 March 2010 respectively,
- having regard to the implementation of the Programme of Action of the International Conference on Population and Development (ICPD) that took place in Cairo in 1994, where the global community recognized and affirmed that sexual and reproductive health and reproductive rights are fundamental to sustainable development,
- having regard to the Charter of the United Nations,
- having regard to the Universal Declaration of Human Rights,
- having regard to the United Nations Convention on the Rights of the Child and its three Optional Protocols,
- having regard to the Geneva Conventions on refugees,
- having regard to Rule 135 of its Rules of Procedure,

A. whereas Iraqi women are the victims of various forms of violence including murder, burning, privation, forced evictions from their homes by their husbands, gender-based discrimination, neglect, threats, abuse, slander, harassment and genital mutilation;

B. whereas these crimes are perpetrated by members of the armed groups as ISIS, militias, Iraqi government forces, multinational forces, private military and security companies, mercenaries or by the community or immediate family of the victim; whereas most of these crimes are committed with total impunity;

C. whereas several sources have reported acts of violence by IS, including sexual violence, abduction and detention against women and teenage girls and boys belonging to Iraqi minorities such as Yazidi, Christian, Turkomen and Shabak; whereas according to UN investigations more than 1,500 Yazidi and Christian women and children may have been forced into sexual slavery;

D. whereas women and children are groups particularly disadvantaged in conflicts; whereas sexual violence against women is not random, as rape is a terrifyingly common weapon used to terrorise and control communities during warfare;

E. whereas it has been reported that in the Iraqi areas under IS control the extremists target women with repression and violence, where women are ordered to cover themselves fully and stay in the house and according to many testimonies numerous women have been seized from

their homes and raped;

F. whereas Iraqi authorities are detaining thousands of Iraqi women illegally and subjecting many to torture and ill-treatment, including the threat of sexual abuse; whereas while both men and women suffer from the severe flaws of the Iraqi criminal justice system, women are frequently targeted not only for crimes they themselves are supposed to have committed, but to harass male family or members of their communities;

G. whereas it has been also reported the Iraqi military's use of rape and torture as tools of intimidation, whereas Iraqi security forces conduct random and mass arrests of women that amount to collective punishment by alleged terrorist activities by male family members; whereas once women have been detained, even if they are released unharmed, they are frequently stigmatized by their family or community, who perceive them to have been dishonoured;

H. whereas the entire population of Iraq has suffered from a war that has led to more than 1 500 000 casualties and destroyed large parts of the Iraq's infrastructure; and from the consequent increase of violence in the country since 2003, with alarming number of terrorist attacks and human rights violations;

I. whereas resulting from the conflict there are an estimated 1 500 000 widows in Iraq, the majority of whom are heads of households; whereas widows are at a high risk of being subjected to violence and different forms of exploitation, including sexual exploitation, owing to their precarious economic and social situation;

J. whereas formal equality between men and women was formally recognised by the Iraqi Constitution already in 1970, the situation of women started to deteriorate in the country since 1991 after the I Gulf War and with the social and impact of the UN sanctions on women's life; whereas the US invasion dismantled Iraq's secular government bureaucracy; whereas the political process imposed by post-occupation divisive politics imposed by the Anglo-American neo-colonialists which turned a theological difference into a dangerous political division has resulted in a country divided along sectarian and ethnic lines; whereas this have resulted into a significant worsening of women rights situation in the country;

K. whereas the strengthening of the role of the security sector in Iraq have resulted in rampant impunity, whereas this factor together with the pervasive corruption has contributed to an increase in violence against women by State and non-State actors and the reinforcement of traditional and patriarchal attitudes that limit women's and girls' enjoyment of their rights;

L. whereas the disintegration of the Iraqi-Syrian border, motivated by the destruction of the country since the US invasion in 2003, has provided the IS with opportunities to enhance its presence in Iraq; whereas the IS has been tolerated or even supported by parts of the disenchanted Sunni population in Iraq;

M. whereas the IS is being accused by the UN of committing 'mass atrocities' and war crimes; whereas it has also been accused by human rights organisations of the ethnic cleansing of minority groups in northern Iraq; whereas the US has already targeted the IS in Iraq with air strikes; whereas this air strikes have caused the death of many civilians, including women and children;

N. whereas the lack of protection by Iraqi authorities for Yazidis, Christian, Turkomen and Shebek Shias led to their uprooting from communities in Mosul, Telafar and Sinjar where they have lived for centuries; whereas since the US invasion of Iraq in 2003 at least half of Iraq's Christians are believed to have left the country whereas the process of division along lines of ethnicity, religious sect and tribalism has been rapidly exacerbated by the IS expansion;

O. whereas Iraqi Lesbian, Gay, Bisexual and Transgender Individuals are exposed to an even higher risk of violence and grave abuses against their human rights;

P. Whereas according to the United Nations mission in Baghdad, at least 1,273 Iraqis were killed in violence in October, this without taking into account casualties in Anbar province or some other IS controlled parts of Iraq;

Q. whereas according to the Office for the Coordination of Humanitarian Affairs (OCHA) 1.2 million Iraqis have been internally displaced; whereas 1 million Iraqis are living in refugee camps or receiving emergency supplies; whereas the upsurge of the IS has produced a humanitarian crisis, notably a massive displacement of civilians;

R. whereas since August this year the Duhok province in the Kurdistan Autonomous Region of Northern Iraq has received more than 600.000 internally displaced persons, many of whom are from Sinjar and Mosul; whereas the government and local governments of the Kurdistan Autonomous Region of Northern Iraq have made a tremendous effort to manage the large influx of IDPs they urgently need support from the international community;

S. whereas in Iraq women are no longer guaranteed equal treatment under one law in terms of marriage, divorce, inheritance and custody, as the former Family Statutes Law has been replaced by another giving religious and tribal leaders the power to regulate family affairs in the areas they rule according with their interpretation of religious laws;

T. whereas economically women have gone from being visibly active in the Iraqi work force in the 1980s, particularly in the farming, marketing and professional services sectors, to being nearly invisible nowadays;

U. whereas on August 2014 IS fighters pushed further into northern Iraq, overwhelming Kurdish Peshmerga forces that had moved into areas abandoned by the Iraqi army; whereas the town of Sinjar was overrun and the strategically important Mosul dam, which supplies water and electricity to big parts of Iraq was also seized and the IS fighters came within 40 kilometres of Irbil, the capital of Iraqi Kurdistan whereas many Kurdish women are fighting IS in Kobani as members and leaders of PKK forces; whereas on 15 November 2014 an all-female group called "Women of Justice" has been formed aimed at fighting IS in the Sunni-stronghold province of Anbar;

V. whereas despite the fact that Iraqi Constitution guarantees a quota of 25% parliamentary representation of women, women participation at the decision-making is clearly poor, as one out of 36 ministers is a woman; whereas there is also a very low level of participation of women in the judiciary, with only 6% of the total number of judges and prosecutors;

1. Strongly condemns the attacks perpetrated by the so-called Islamic State against Iraqi peoples, and the explicit targeting of women and children in the framework of the criminal acts perpetrated in areas under its control leading to summary executions, destruction and violence against civilian populations; expresses its deepest sympathy and condolences to the families of the victims; calls for the immediate, safe and unconditional release of all those who are kept hostage by this terrorist group; with special reference to those more disadvantaged as women, children and old people;
2. Expresses its deep concern by continued reports of acts of violence, including sexual violence against women and teenage girls and boys belonging to Iraqi minorities, such as Yazidi, Christian, Turkomen and Shabak strongly condemns the use of sexual violence against women and children as a weapon in armed conflict;
3. Calls for the immediate release of the women hold in arbitrary detention in Iraqi prisons; calls the Iraqi authorities to put an end to the illegal detention and sexual violence against women by its security forces and to ensure that allegations by women detainees of human rights violations, in particular arbitrary detention, torture and sexual violence, are effectively investigated and the perpetrators prosecuted and adequately punished;
4. Reminds all armed groups in Iraq that acts of sexual violence are grave human rights violations that can be considered as war crimes and crimes against humanity; considers that accountability for perpetrators needs to be ensured; calls for those responsible for violations or abuses of human rights or violations of international humanitarian law to be held prosecuted for their actions;
5. Considers that the eradication of all forms of violence against women and girls is essential in order to bring about more egalitarian societies and calls, therefore, for this to be made a priority objective;
6. Calls for the promotion and implementation of the UN Security Council resolution 1325 on Women, Peace and Security to ensure the participation of women in conflict resolution and democracy building; insists that without women's participation in the decision-making there will be no real protection nor real security for women in Iraq;
7. Urges the Iraqi government to establish an immediate moratorium on death penalty in view of the elimination of this barbaric punishment;
8. Expresses great concern at the discriminatory provisions against women in the Iraqi laws and government practices; is strongly worried about Iraq's pending Ja'afari legislation, which would change the legal marriage age for girls to 9-years-old and permit marital rape; calls the Iraqi authorities to respect its international engagements, in particular with the compliance of the UN Convention on the Elimination of All Forms of Discrimination against Women, which the Iraqi State has ratified;
9. Condemns that with the advance of the Islamic State, violence and murders against LGBT Iraqis have been taken place with total impunity; notes that while LGBT Iraqis are not the only group at risk in the current crisis and conflict, their situation is extremely disadvantaged, given limited family and community support and government protection; notes that LGBT Iraqis remain marginalized and at risk in refugee communities or in certain host societies;

calls on the Iraqi government and EU Embassies to establish protected spaces within Iraq for LGBT Iraqis and to expedite direct resettlement of those LGBT individuals fleeing due to safety concerns;

10. Stresses the fact that in the fight against the IS human rights and international humanitarian law must be respected; calls on the Governments of Iraq and of the Kurdistan Autonomous Region of Northern Iraq to take the necessary measures to provide for the security and protection of the people in their territory;

11. Expresses its deep concern at the humanitarian crisis in Iraq which has been exacerbated by the IS, forcing hundreds of thousands of refugees to flee their homes; encourages the Council, the Commission and the High Representative to make all necessary financial and human resources available to assist the refugees; stresses the need to provide appropriate humanitarian aid to those displaced and appropriate assistance to the survivors of barbaric acts;

12. Is deeply concerned by the high rates of serious mental health disorders among the victims of kidnappings, sexual and others forms of violence, calls for support and assistance to be granted to the survivors including full range of medical, legal and livelihood services;

13. Is convinced that immediate humanitarian assistance and protection requirements needs to be complemented with long-term strategies in support of the socioeconomic rights and livelihood opportunities of returnee, internally displaced and refugee women, enhanced leadership and participation, with a view to empowering them to choose durable solutions that suit their needs; considers there is a need to address the specific risks and particular needs of different groups of women, who are subjected to multiple and intersecting forms of discrimination;

14. Calls for the EU to increase international support and assistance both for internally displaced refugees in Iraq, in particular to those displaced to the Kurdistan Autonomous Region of Northern Iraq which are in a particular vulnerable situation due to the scarce humanitarian aid; as well as to those crossing into neighbouring countries; draws attention to the increased numbers of refugees who risk their lives in open vessels to flee to Europe, and calls for asylum and support to be granted to them;

15. Is deeply concerned about the current economic and political situation in Iraq, which is aggravating the fragile living conditions of the population; reaffirms its commitment to the sovereignty, independence and territorial integrity of Iraq; reiterates its support for the inalienable right of peoples to have access to and control their country's resources;

16. Warns of the risk of the fragmentation of Iraq into three different areas on confessional or ethnic grounds, which would impede the existence of an Iraqi national and democratic multiconfessional project with equal rights for all Iraqi women;

17. Calls for an international conference under the auspices of the United Nations and neighbouring countries in the region to allow for the participation of all of Iraq's diverse groups and promote the formation of a united government which could put an end to all sectarian and violent policies in the country;

18. Reiterates its opinion that the full respect for the independence and sovereignty of states such as Iraq, Syria and Libya is the only guarantee of avoiding the spill-over of the IS and further suffering to their populations;

19. Instructs its President to forward this resolution to the President of the European Council, the President of the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Head of Delegation in Iraq, the presidents of the parliaments of the Member States, the Government and Council of Representatives of the Republic of Iraq, the Secretary-General of the Union for the Mediterranean and the League of Arab States.