

# Karamatuna كَرَامَتُنَا

## An investigation into the sex trafficking of Iraqi women and girls

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### An Investigation into the Sex Trafficking of Iraqi Women and Girls

SCEME (Social Change through Education in the Middle East) launched the Karamatuna (“Our Dignity”) Programme on International Women’s Day, 8th March 2011.

The Karamatuna programme addresses the **trafficking of women and children in the Middle East and North Africa (MENA) for the purposes of sexual exploitation** and focuses, in particular, on the trafficking of Iraqi refugees. This programme is vital as it confronts this serious problem within some Middle Eastern countries and gives precedence to an issue that would otherwise have limited domestic and international exposure.

Our aim is to educate the international community by spreading awareness about, and understanding of, the realities of sex trafficking in the MENA region. It moves towards the recommendation and implementation of responses to address, challenge and eliminate such sex trafficking and provide support and a new future for its victims.

This paper focuses closely on the trafficking of Iraqi women and girls into neighbouring Syria, offering additional snapshots from across the region. It precedes future field-based research from which SCEME and the international community can work together in order to formulate appropriate responses to this under-researched and under-considered issue.



## Foreword

When I heard of women trafficking in the Middle East, I simply never believed it. Being an Arab female, I never witnessed any talk or a history of women-trafficking within the Arab world and to find out that this was happening in Iraq, made me want to discover the facts. I started two years ago and as someone who has lived under occupation and suffered attacks due to their ethnicity, I was inspired by those who searched for truth and justice and was determined to find out the reality of this awful situation.

What I came across was closed doors, shame, the unwillingness of authorities in Syria and Jordan and the quietness of civil society on this issue. Questions were met with aggression from authorities, letters of dismissal from British Ministers and the unwillingness of families and women to talk about what happened. Undeterred by the closed doors, I set up SCEME, (*Social Change for Education in the Middle East and North Africa*) in order to investigate and highlight whether these abuses were taking place. With three colleagues by my side, we uncovered the terrible abuse of women and children, trafficked from post-war Iraq into Syria, Jordan and the far corners of the region. Some were girls as young as eleven years old who were sold as sex slaves in nightclubs. Others were young women who had been seeking work as domestic servants but were deceived, their ultimate destination was the brothel where they were subjected to rape and forced prostitution.

Wars, sanctions, poverty, the manipulation of the poor and fear have led to an increase in the numbers of women and children being trafficked. Moreover, the wars in Iraq have created an environment where this abuse may thrive. Our role is simply to break the silence on this trade but we know that what is stated within the pages of this report is just the tip of the iceberg. Therefore, we will continue to work to uncover more hidden truths; conduct the vital field investigations; challenge authorities and spread awareness internationally so that the world can stand up to fight against the trafficking of women and girls in the Arab world.

A handwritten signature in blue ink, reading 'Iman Abou-Atta', is positioned above the printed name.

Iman Abou-Atta

Founder and Director



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## 1. Introduction

Trafficking and sexual exploitation of women and girls has long existed in Iraq, as has forced marriage and domestic servitude.<sup>1</sup> However, with the 2003 invasion of Iraq, and the chaos and anarchy that have come to dominate the country in its wake, it became a major source of victims of trafficking who are now being transported to neighbouring Middle Eastern countries, most notably Syria, but also as far afield as the UAE and Saudi Arabia. The neglect of authorities to deal with this problem effectively has fostered a state of impunity in which crimes against women are neglected and offenders go unpunished. It is troubling that domestic violence, rape and other forms of gender based violence have become a common practice among the internally displaced persons in Iraq and the large refugee communities in Syria, Jordan, Lebanon and other countries of the MENA region. This report investigates the trafficking and prostitution of Iraqi women and girls and recommends actions that can be taken to address this violence and protect the victims.

This report begins with an introduction to sex trafficking, framing the boundaries within which the human rights violations explored throughout the course of this paper, and the Karamatuna programme as a whole, fall. This introduction to the nature of sex trafficking highlights the global initiatives undertaken in order to combat this problem as well as the recent tendencies towards the adoption of a broader definition ascribed to trafficking, which encompasses all forms of exploitation of the human being. The aims of the report, and the methodology used throughout the research stages, will be detailed before moving forward to address the central question. It will consider, in the first instance, the situation faced by many Iraqi young women and girls, both internally displaced and not, within the borders of the country. This initial section provides an overview of the development of trafficking in Iraq by considering the situation during the reign of Saddam Hussein prior to the intervention in Iraq of 2003, up until the invasion and its aftermath and will shed light upon the origins of this problem within recent history. Within this section, prostitution and sex trafficking are examined and analysed, taking into consideration the women's political and economic situation during these periods, the abuses of their human rights, and the various factors that contributed to the rise of trafficking and forced prostitution after the outbreak of war. The plight of the young Iraqi refugee women and girls who have left Iraq for

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<sup>1</sup> Organization of Women's Freedom in Iraq (2010)



Syria, their realities and the dire socio-economic conditions that force them into sexual exploitation are examined in this paper as well as the domestic and international responses to their exploitation. Syria has been identified as the main country of focus for this paper as it is often the very first destination country for trafficking. Additionally, more evidence exists relating to the trafficking of Iraqis into Syria, than other states at present. This has also been a consideration as this paper is intended to be a preliminary report, informed by existing evidence. The paper then moves forward to offer snapshots of the challenges faced by international civil society and governments in dealing with sex-trafficking and forced prostitution across the wider Middle Eastern region. It explores sex trafficking in states such as Jordan, Lebanon and the UAE before closing with recommendations for activists; civil society organisations; governments and the international community to address the causes and effects of sex trafficking of women and girls in the MENA region.

## **2. Aims and Methodology**

The Karamatuna research programme addresses human rights abuses of Iraqi women and girls and allows their voices to be heard. This programme focuses, in particular, on the trafficking of women and children for sexual exploitation and is crucial as it addresses this serious problem within some Middle Eastern countries; an issue that otherwise receives little domestic or international exposure.

Our aim is to educate the international community by spreading awareness about, and understanding of, the realities of sex trafficking in the MENA region and moves towards the recommendation and implementation of responses to address, challenge and eliminate such sex trafficking and provide support and a new future for its victims.

This preliminary report is the first stage of the Karamatuna research programme. It aims to identify the extent of trafficking of Iraqi women and the ways in which women are trafficked for sexual exploitation in the region. This report is a qualitative preliminary report based on secondary data analysis. It reviews existing literature with a view to undertaking original primary research and analyses information and data collected by international organisations and field NGOs. For example, case studies included in this report are based on the fieldwork undertaken by other institutions and organizations.





This initial research stage was essential in allowing first-hand analysis of the issue of trafficking as data is dispersed and still insufficiently analysed. By doing so, SCEME is trying to fill the literature gap that will help identify the routes of trafficking. Secondary data analysis will also help us appropriately design subsequent primary research and will provide a baseline with which future collected data results can be compared to.

Therefore, on a long-term basis, SCEME expects that Karamatuna will help people understand the routes of trafficking as well as identify and implement sufficient support systems for victims of trafficking. In this perspective, the next stage of the Karamatuna research programme will involve conducting qualitative interviews with victims so that the international community realises the urgency of the situation and the need for a collective organised response.

### 3. What is Sex Trafficking?

Prior to 2000, the international community had neglected to agree upon a uniform definition of 'trafficking' and although it was recognised as a serious violation of human rights, it is only in recent years that trafficking has been associated with other transnational concerns, such as smuggling on the level of serious organised crime.<sup>2</sup> Although labour migration, smuggling and trafficking are distinct issues, which have differing national and international impacts; they are often misused or interchangeably used in national and international debates on trafficking.<sup>3</sup> However, contrary to labour migration, trafficking in persons involves the movement of people for the purpose of exploitation. As explained throughout this paper, for the majority of trafficked persons, it is only once they arrive in the country of destination that they discover that the work they were promised does not exist and they are instead forced to work in jobs and conditions to which they did not consent.

The definition of sex-trafficking was formalised in 2003 by the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons. This provides an international framework for combating transnational trafficking and it may be considered to be the first document that defines human

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<sup>2</sup> Minwalla and Portman Rights (2007)

<sup>3</sup> National Committee to Combat Human Trafficking (2007)



trafficking in a way that responds to its transnational character. It also designates a global response to both protect the victims and punish the offenders. The definition ascribed to the term 'trafficking' by the United Nations, and the one referred to in the course of this paper is:

The recruitment, transportation, transfer, harbouring or receipt of a person (the method); by means of the threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim (the means) for the purpose of exploitation.<sup>4</sup>

Therefore, the 2003 definition provides states that are in the process of drafting a national counter-trafficking legislation with a general guidance on the various aspects of trafficking and helps them form a basis for designing prosecution, protection and prevention strategies. Important protection and prevention measures for victims include legal information, appropriate housing, medical material and psychological assistance as well as employment, educational and training opportunities.

The understanding of the reasons, forms, methods and means of trafficking is of paramount importance, especially when we focus on the MENA region. The war in Iraq has caused millions of refugees to flee, primarily to Syria and Jordan as well as inside the country. This has been identified as the largest displacement of people in the region since the 1948 displacement of the Palestinians, making Iraq a source and destination country for trafficking<sup>5</sup>. Traffickers employ a vast array of means, such as personal and family threat, coercion, abduction, fraud, deception, abuse of power or even giving payments to a person in order to control the victim. Once traffickers have control of the victims, they utilize all of their means in order to keep them under their control. Physical and mental torture, beatings, rape and sexual assault are the main ways that traffickers gain victims' compliance. In addition to this, traffickers use deceptive measures, such as promises of employment, marriage, adoption and other benefits in order to gain the trust of the victims and facilitate travel across borders. All of these methods have been used to traffic persons internally as well as outside of Iraq<sup>6</sup>.

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<sup>4</sup> UNODC (2000)

<sup>5</sup> Minwalla and Portman (2007) and United States Department of State (2011)

<sup>6</sup> Ibid.



#### 4. Historical Context: The Human Rights Situation of Iraqi Women and Girls

##### Women in Iraq: Human Rights and Status; 1986-2003

After seizing power in 1968, the Ba'ath party embarked on a programme to consolidate its authority and to achieve rapid economic growth. The first five years of Saddam's regime appeared to place great priority on Women's participation. Education for girls dramatically improved and although many conservative sectors in Iraqi society prevented girls from attending school, the literacy gap between males and females narrowed significantly, giving them the opportunity to have easier access to the labour market.<sup>7</sup> Women's personal freedoms increased. Changes to personal status law saw developments in the conditions under which a woman could seek divorce; with further legal changes made concerning custody, polygamous marriages and inheritance that somewhat improved the outcomes for women in these arenas.<sup>8</sup> In 1980, women attained suffrage and gained the right to be elected. Iraq also became one of the first countries to ratify *The Convention on the Elimination of All Forms of Discrimination against Women*. However, it is of great importance to note that the reservations entered into articles 2(f), 2(g), 9, and 16<sup>9</sup> vastly undermined the guarantees of equality at the heart of the convention.<sup>10</sup> It is argued that women's strides during the 1980s can be attributed mainly to the absence of able-bodied men who were mobilized for the war with Iran that lasted for eight years. During these years, the lack of a labour force of men in Iraq enabled highly qualified women to dominate in formerly male-dominated sectors, such as science, engineering and medicine.<sup>11</sup>

However, under the oppressive regime of Saddam Hussein, many Iraqi citizens were subjected to arbitrary detention, torture, religious and political persecution, forced relocation and execution. Both Shia and Kurdish women were raped by Saddam Hussein's militias and military personnel, and many others became victims of trafficking into Iran, Turkey, Egypt and Sudan.<sup>12</sup> Unable to seek help amongst their often highly traditional communities, many of the women who suffered sexual violence were

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<sup>7</sup> Human Rights Watch (2003)

<sup>8</sup> For instance, divorced mothers were granted custody of their children until the age of ten (previously seven for boys and nine for girls) at which time, at the discretion of a judge, custody could be extended to the child's fifteenth birthday.

<sup>9</sup> Article 2(f) and (g) of the CEDAW requires States Parties to modify or abolish discriminatory existing laws, regulations, customs and practices regarding the status of women. Article 9 guarantees women's right to confer nationality upon their children and Article 16 pertains to the elimination of discrimination in all matters relating to marriage and family relations.

<sup>10</sup> Human Rights Watch (2003)

<sup>11</sup> Norwegian Church Aid (2010)

<sup>12</sup> *Ibid.*



stigmatized as immoral. Some were even killed for having violated religious and customary codes in addition to the honour of their family and tribe. The increased prosperity that Iraq enjoyed prior to the Gulf War in 1991 attracted a small but not inconsequential number of traffickers from other parts of the world. Secluded gypsy settlements were also known to host parties for government officials and sheikhs in which women were prostituted.<sup>13</sup>

In the years following the 1991 Gulf War Saddam Hussein's decision to embrace Islamic and tribal traditions, with the view to consolidating his power, further impacted upon the rights and status of women. In many respects, women's status was wholly reversed. Elements of Sharia law were reinforced, and legislation was introduced which had a further negative impact on women's legal status in the labour code, criminal justice system and personal family law.<sup>14</sup> According to the UN Special Rapporteur for Violence against Women, an estimated of 4,000 women and girls have been victims of "honour killings", in the 12 years following the enactment of these reforms in 1991. Male perpetrators of such violence against women were given immunity in 1990.<sup>15</sup> The economic sanctions imposed on Iraq in order to overthrow Saddam's Ba'ath Regime resulted in unprecedented poverty and the further socio-economic isolation of women. In 1998, all women secretaries working in government agencies and ministries were dismissed. The gender gap in school enrolment, and subsequently female illiteracy, increased dramatically due to families' inability to pay for their children's school fees.. Women's freedom to travel outside of Iraq was also legally restricted.<sup>16</sup> This starvation-style economy increased the exploitation of women in the workplace, and led to an alarming increase in prostitution. A huge number of widowed and single mothers, facing either no income or a monthly salary of just a few dollars, were forced into prostitution to merely survive.<sup>17</sup>

#### Women in Iraq: Trafficking and Sexual Exploitation; 2003 – Present

The chaos of the war in Iraq opened new, and exacerbated old, avenues of violence, discrimination and internal and external displacement that greatly affected the country's women and children. Women

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<sup>13</sup> Organisation of Women's Freedom in Iraq (2010)

<sup>14</sup> *Ibid.*

<sup>15</sup> Human Rights Watch (2003)

<sup>16</sup> *Ibid.*

<sup>17</sup> Organization of Women's Freedom in Iraq (2010)



continued to face daily struggles in securing employment, the results of which were made all the worse by the conflicts and violence. Many men were absent from households, rendering women to be the sole breadwinners, often with a weakened support base.<sup>18</sup> With an estimated 1-2million widows in Iraq as of 2009;<sup>19</sup> a great many women also struggled to protect themselves and their children and became, along with young girls, targets of rape and other forms of gender-based violence by gangs and armed forces.<sup>20</sup> Indeed, as early as 2003, UNICEF warned that the conflict had resulted in an increased number of children living on Baghdad's streets who were particularly vulnerable to trafficking and exploitation. They noted that this phenomenon, which was simply unheard of prior to the first Gulf War of 1991, was rapidly worsening. UNICEF also noted that the community networks and organisations that existed to protect such vulnerable children were unable to fully function in the environment that they now found themselves in.<sup>21</sup>

It remains unknown exactly how many women and girls may have been subjected to sex-trafficking. The Iraqi NGO, *The Organization for Women's Freedom in Iraq*, has estimated that approximately 4,000 women, one fifth of whom are under 18, disappeared in the first seven years of the 2003 invasion. Many are believed to have been nationally and internationally trafficked for sexual exploitation by criminal gangs, but also by members of their families;<sup>22</sup> with sale or forced marriage being the most prevalent method of sex-trafficking of Iraqi girls and young women.<sup>23</sup> As noted by the U.S. Department of State, girls and women have been trafficked by their own families in a bid to overcome economic hardship, repay debts, and resolve disputes between families.<sup>24</sup> It has been reported that Iraqi women and girls are being subjected to the following types of domestic and, increasingly since 2001, transnational trafficking:<sup>25</sup>

- 1) Exploitation of prostitution
- 2) Forced labour or services

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<sup>18</sup>Karama Movement in the Arab Region (2008)

<sup>19</sup>Tirman, J. (2009)

<sup>20</sup>Karama Movement in the Arab Region (2008)

<sup>21</sup>UNICEF (2003)

<sup>22</sup>Organization of Women's Freedom in Iraq (2010)

<sup>23</sup>United States Department of States (2009)

<sup>24</sup>*Ibid.*

<sup>25</sup>Minwalla and Portman (2007)



3) Slavery or practices similar to slavery and

4) Servitude

The occupation; its resulting chaos; the absence of the rule of law; corruption amongst government authorities; the rise of religious extremism; economic strife; as well as familial pressures, have all been identified as contributing to this rise in transnational trafficking. Accurately measuring the true level and intensity of trafficking within and from Iraq is exceptionally challenging. However, evidence does exist to show the patterns of trafficking. This has lead data analysts to conclude that there is a strong likelihood of hundreds of women having been trafficked, within the Kurdistan region and thousands elsewhere in Iraq, to other Arab and European countries.<sup>26</sup> Within Iraq, Kurdish women are trafficked mainly into Baghdad or Basra in the South; whereas women and girls from southern regions are trafficked northwards to areas such as Sulaymaniya.<sup>27</sup> In central and southern Iraq, where violence and socio-economic insecurities dominate the political landscape, women are also particularly vulnerable to other forms of gender-based violence, such as rape and forced prostitution, when compared to those from other regions.<sup>28</sup> This lack of security has had a notable impact on the daily lives of women and girls, who often confine themselves to their homes from fear of rape or kidnap, hindering their participation in public life.<sup>29</sup>

**University Student, Baghdad** - I don't go anywhere at night, and only go to school and places close to my home.<sup>30</sup>

**Pharmacist, Baghdad** - We are all afraid and I cannot go alone anywhere. Even my older daughters, I fear for them. This is not a normal life we are living anymore.<sup>31</sup>

Authorities' estimations would suggest that the majority of victims of sex-trafficking are forced into sexual servitude in Baghdad, principally in al-Baia' and al Battaween – two regions known for the

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<sup>26</sup> Minwalla and Portman (2007)

<sup>27</sup> Norwegian Church Aid (2010)

<sup>28</sup> Minwalla and Portman (2007)

<sup>29</sup> El-Amin (2003)

<sup>30</sup> Jamail (2005)

<sup>31</sup> *Ibid.*



prevalence of the sex trade.<sup>32</sup> Brothels (some of which have been established purely to meet the demand created by United States service personnel<sup>33</sup>), restaurants, beauty salons and places of entertainment are used for the purposes of exploiting women and girls; as well as night clubs, legal in the capital since 2009, which constitute a major supplier of young girls who have been exploited into the sex industry.<sup>34</sup>

### **Amira's Story<sup>35</sup>**

Amira's family was facing dire financial problems in Iraq, when a man came to her father with an offer to hire Amira for 200 US dollars a month in order to help take care of his wife, who was handicapped. The impoverished family agreed with this tempting offer, but Amira, 17 years old, had no idea what was in store for her. Her work was not restricted to only housework; she had to have sexual intercourse with the son, and friends of, the man who hired her.<sup>36</sup>

Analysis suggests a common trend in the tactics employed by sex traffickers within Iraq. Professional traffickers target young girls and women whilst they are still inside the borders. These traffickers, very often women, target young girls who have left their families (for reasons of fear, abuse, forced marriage or the threat of honour crimes) typically in large cities or on public transportation. Kidnapped, the girls may be kept for a period of time while negotiations on their prices are undertaken before they are sold on.<sup>37</sup> In other cases, male solicitors are recruited by trafficking gangs. These men are used to lure vulnerable young girls, eventually persuading them to elope whereby; again, they will be sold for sexual servitude.<sup>38</sup> Some taxi drivers are also used as recruiters to lure girls with the false pretense of help, whereas women who are already involved in the sex industry are used as intermediaries who again

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<sup>32</sup> El-Amin (2003)

<sup>33</sup> Gaudett and Thompson (2011)

<sup>34</sup> Norwegian Church Aid (2010)

<sup>35</sup> Names ascribed to all women and girls mentioned in this report are pseudonyms

<sup>36</sup> al-Haideri (2007)

<sup>37</sup> Norwegian Church Aid (2010)

<sup>38</sup> *Ibid.*



pretend to provide assistance, offering to bring the girls to shelters when, in fact, they bring them to brothels.<sup>39</sup>

### **Farrah's Story**

Following the death of her father in 2003, Farrah was taken to a Baghdad orphanage. Befriended by a nurse who offered to adopt her in order to protect her from the death she faced over the shame she had put upon her family; Farrah was lured to leave the orphanage whereupon she was kidnapped by the nurse and tortured for three weeks, while negotiations were made over her price with a bidder in Dubai. With the help of a local boy, Farrah managed to escape and her captor was arrested. Farrah and her captor shared the same prison for the following 6 months, before Safah was released back to the orphanage.<sup>40</sup>

Both the Iraqi government and the Kurdistan Regional Government have failed to address the problem of sex trafficking. Article 37 of the Iraqi constitution prohibits the trafficking of women and children, as well as the sex trade and slavery.<sup>41</sup> However, aside from this constitutional provision there have been no legislative training efforts to combat trafficking, developments in such training being hampered as a consequence of security concerns being placed as the main priority for the country after the invasion.<sup>42</sup> Furthermore, Iraq has failed to take adequate steps to identify and prosecute traffickers or to protect victims and often punishes victims of trafficking for crimes committed as a direct result of being trafficked (including forced prostitution).<sup>43</sup> Within Iraqi law, prostitution, adultery and sodomy are similar offences, thus reflecting the norms that govern the status and representation of women in the society, their relationships with the opposite sex as well as its ideas about and practices surrounding sexuality.<sup>44</sup> Because there is no set human trafficking law in place, there is a level of uncertainty as to the specific entities involved in combatting the issue.<sup>45</sup> Moreover, as Hakary Dzayi, of the Terrorism,

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<sup>39</sup> Norwegian Church Aid (2010)

<sup>40</sup> Bennett (2006)

<sup>41</sup> Government of Iraq (2005)

<sup>42</sup> Minwalla and Portman (2007)

<sup>43</sup> United States Department of State (2011)

<sup>44</sup> Norwegian Church Aid (2010)

<sup>45</sup> Allawi (2010)





Transnational Crime and Corruption Centre (TraCCC) affirms, “those in power expedite the way for traffickers because trafficking in females has a big profit; the good bribes motivate them to not follow the cases of the trafficked women”.<sup>46</sup>

Analysis suggests that a network of government ministries, legislative bodies and a large number of domestic and international NGOs that are critical of the government, are the main entities that have assumed responsibility for preventing trafficking, prosecuting traffickers and protecting the victims of trafficking. However, coordination of actions between these entities, working to tackle a problem that does not specifically exist within the law, has been exceptionally troubling.<sup>47</sup> The failure of existing national and international entities to counter the sex-trafficking of Iraqi women and girls is particularly frustrating in light of early warnings from *The Commission on Security and Cooperation in Europe* which, in May 2003, recognised the dangers facing Iraq’s most vulnerable people and called for increased attention to trafficking in post-conflict environments, such as Iraq. The Commission stressed to the International Community ‘The need for a strategy to prevent the emergence of prostitution and human trafficking in post-conflict Iraq is manifested by the experiences in post conflict Bosnia-Herzegovina and Kosovo. In both areas, prostitution and human trafficking were allowed to develop and thrive due to the arrival of large numbers of multinational personnel involved in post-conflict reconstruction and peacekeeping.’<sup>48</sup>

## 5. From Domestic to Transnational Trafficking

It would be unjust to state that there has not been important steps taken towards the equality and protection of women in Iraq. Yet, the impact of war and sectarian violence on a state that already possesses repressive laws, policies and traditions against women, and which hinders their sexual and individual autonomy, has placed women in situation where they are the victims of a cruel reality. The human rights violations taking place against women have been exacerbated by war, moving them into a new dimension in which young women and girls are trafficked, no longer primarily within state borders, but internationally, to countries including Syria, Lebanon, Jordan, Kuwait, UAE, Turkey, Iran and

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<sup>46</sup> Thompson (2011)

<sup>47</sup> Ibid.

<sup>48</sup> USAID (2004)



Yemen.<sup>49</sup> Children are especially vulnerable to being trafficked because they are often poorly educated, easy to overpower and easy to convince that they must do what an adult tells them to do. As witnessed in the case of Iraq, children may also be sold and trafficked across state boundaries by family members to support their families.<sup>50</sup> Moreover, both domestic and trans-national trafficking are exceptionally difficult crimes to combat; cases in which family members are responsible for trafficking pose incredible problems in prevention and prosecution, yet cases in which girls may never meet the traffickers which organise the moves across borders also pose their own stark challenges. The two main destinations for trafficked Iraqi women and girls are Syria and Jordan, not only because of their geographical proximity, but also because these two countries both at one time practiced a relative open door policy vis-à-vis Iraqis since the beginning of the invasion.

## 6. Syria

### The Refugee Influx

Official figures estimate that 1 million Iraqi refugees are currently residing in Syria, a significant figure in a population of approximately 22.5 million.<sup>51</sup> A UNHCR survey has shown that the overwhelming majority of respondents fled to Syria because of a direct threat to themselves or their families.<sup>52</sup> Whilst the highest number of Iraqi refugees is to be found in Damascus, where their settlement has generated profound changes in entire neighbourhoods such as Sayda Zaynab, Jaramana, Massaken Barzeh, Yarmouk and Qodsiyyeh; refugee communities are spread across all governorates and districts and have influenced the character and realities of other cities like Aleppo, Lattaquieh and Deir el Zor, where accommodation and living costs are lower than the in the capital.<sup>53</sup>

Female Iraqi refugees, and their families, face a series of economic, social and physical challenges in Syria. Some Iraqis have been granted temporary visas to enter Syria; however, visa restrictions were stringently tightened in 2007. This has resulted in many refugees becoming ineligible for legal residency in the country. By crossing the Syrian borders, Iraqis' passports are stamped banning them from

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<sup>49</sup> Allawi (2010)

<sup>50</sup> ECPAT International (2011)

<sup>51</sup> UNHCR (2011)

<sup>52</sup> UNHCR(2010)

<sup>53</sup> Dorai (2010)



working. Such restrictions have inevitably led to a situation in which girls and women are more susceptible to becoming the targets of trafficking into sexual exploitation.<sup>54</sup>

### Trafficking in Syria

On the basis of the fieldwork conducted by organisations inside Iraq, and the data available thus far; it is deemed that the sex work of Iraqi refugees could be divided into three levels, namely: prostitution on the individual level, on a family level and on the level of organized networks.<sup>55</sup>

The first level refers to a woman who has made the decision to engage in prostitution without the knowledge of her family. In reality, this decision is often one arrived at as a consequence of poverty and difficult circumstances. Whilst the well-being and safety of these girls is crucial, this paper focuses on the subsequent, and often interconnected, two levels which relate to the forced sexual servitude of girls and women; the levels of family and organized networks.

The second level refers to those forced into work with the knowledge and active involvement of family members; these family members are most often male.<sup>56</sup> This type of prostitution is also called “secret prostitution” and is most frequently reported in the Jaramana area of Damascus.<sup>57</sup>

### Leyla’s Story

Leyla, an Iraqi refugee, was last known to be living with her mother and brothers. Prevented as refugees from working legally in the country, her family had run out of its savings. By the age of 14, her mother had forced her to work in a nightclub as a prostitute in order to generate income for the family.<sup>58</sup>

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<sup>54</sup> Amnesty International (2007)

<sup>55</sup> Gimon (2007)

<sup>56</sup> *Ibid.*

<sup>57</sup> *Ibid.*

<sup>58</sup> Sinjab (2007)



Complexly interwoven with trafficking and forced prostitution, Iraqi girls are increasingly finding themselves in *mut'a* marriages. As the Karama Movement in the Arab Region has uncovered,<sup>59</sup> on Fridays young girls are married off at a price and on the following Sunday the couple is divorced.<sup>60</sup> Research suggests that the rates at which these *mut'a* marriages are carried out intensifies in the summer when male tourists visit Syria from the Gulf. Some of these tourists arrive looking to pay dowries to the families or pimps of these girls in exchange for brief marriages for the purposes of sexual exploitation for the duration of their visit.<sup>61</sup> These so called 'summer-marriages' in which the girls and their husbands live together, temporarily of course, also provide none of the legal rights associated with marriage, such as alimony and inheritance, making vulnerable both the women involved and their resulting children.<sup>62</sup> Although this particular kind of marriage is not explicitly called prostitution, it is in effect sexual exploitation, often forced, as means of either securing livelihood, or generating profit.

### Salma's Story

Salma was forced by her father into a *mut'a* marriage with her cousin at age 15. After 48 hours, upon sexually exploiting her, he abandoned her. Her father refused to take her back; instead insisting that he take her to Syria to find her mother. At the border, her father left, selling her to a stranger who subjected her to a series of rapes and forced her into sex work in a Damascus nightclub for 2 years. Upon becoming pregnant, she was once again abandoned to the streets of Damascus.<sup>63</sup>

The third level involves organized networks and criminal gangs which offer women and young girls for sale to people in the local community, tourists, as well as night clubs and casinos.<sup>64</sup> Traffickers played an important role in opening such nightclubs in collaboration with brokers in Syria, relying on the selling of the bodies of female Iraqis, some of whom are as young as 6 years old.<sup>65</sup> Clubs such as *Al Nigma* and *Al*

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<sup>59</sup> The Karama Movement is initiative, headquartered in Cairo and launched in 2005, fueled by a coalition of partners as constituencies to build a movement to end violence against women in the Middle East and North Africa

<sup>60</sup> Karama Movement in the Arab Region (2008)

<sup>61</sup> Muhanna (2011)

<sup>62</sup> *Ibid.*

<sup>63</sup> UNHCR (2008)

<sup>64</sup> *Ibid.*

<sup>65</sup> Arwa (2007)



*Manara* in the suburbs of Damascus are frequented both by local Syrians and tourists from the Gulf and beyond.<sup>66</sup>

Some impoverished Iraqi families have abandoned their girls at the nation's borders whereby Syrian, and also Jordanian, traffickers either arrange forged documents for them or force the girls into a 'legal' marriage, to be immediately divorced upon arrival at their destination.<sup>67</sup> The latter route into the country is facilitated by a culture within Iraqi society of not raising questions about a girl's status and whereabouts when she is married. After the sale of these young girls into the sex market, traffickers, who are often female themselves, then transport these girls, who can be as young as 11 and 12, into sexual servitude in a nightclub or brothel.<sup>68</sup> It has been reported that 95% percent of the sex workers in Syrian brothels are Iraqis; the majority of whom are suspected to be young teenage girls.<sup>69</sup> The youngest girls are favored by the traffickers', who consider girls to have become too old upon reaching the age of 20. For virgin girls, the sale price can reach thousands of dollars and in some devastating cases; girls are obliged by their traffickers to undertake painful and dangerous hymen operations in order that they might be re-sold again as virgins.<sup>70</sup>

### **Shada's Story**

Shada, 16, was left by her father at the Syrian border. She was trafficked to Damascus, whereupon she was raped by five men and sold to a woman who forced her to work as a prostitute in nightclubs. The last knowledge of her whereabouts suggests that she was being held in a protection centre waiting for repatriation.<sup>71</sup>

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<sup>66</sup> Karama Movement in the Arab Region (2008)

<sup>67</sup> United States Department of States (2011)

<sup>68</sup> United States Department of State (2010)

<sup>69</sup> Choudhury (2011)

<sup>70</sup> Gimon, M., (2007)

<sup>71</sup> Sinjab (2007)



## Actions of the Government of the Syrian Arab Republic against Sex Trafficking of Iraqi Women and Children

Bashar Al-Assad, President of Syria, issued a legislative decree in January 2010, detailing criminal penalties for individuals found guilty of committing the trafficking of persons. The sanctions imposed on girls who practice prostitution by force were, rather than being curtailed, merely decreased, despite recognition that they are victims in such cases and not perpetrators. However, it must be noted that the sanctions imposed on men involved in trafficking were toughened.<sup>72</sup> In addition to this, the founding of a new shelter for trafficked women in Aleppo, along with the drafting of a plan to increase prevention efforts nationwide, also contributed to a sense that the state is moving in the right direction.<sup>73</sup>

Syria does, however, remain far from fulfilling the expectations of the Palermo Protocol,<sup>74</sup> which it signed and ratified in 2000, because it shows little evidence of increased investigation of human trafficking activity or training to law enforcement officials to assist them in identifying violations.<sup>75</sup> Whilst Syria has increased its partnerships with local NGOs in order to help identify victimized women and protect them in shelters in the capital and Aleppo, the government has failed to recommend women to shelters, typically committing them to detention centres with the view to repatriating them without any legal alternative. Moreover, neither the Ministry of Social Affairs nor Syria's juvenile detention centres are equipped to address this growing problem. They do not have the tools necessary to provide effective and just rehabilitation or reintegration programmes for those who have been the victims of forced prostitution. Similarly, they do not have the mechanisms to provide support to victims of trauma and exploitation, as their role is primarily focused on holding young women until they are released or repatriated by court order. The Syrian authorities repatriate a large number of Iraqi refugees every day on the grounds that they have broken the law. A policy that makes it illegal to work and then leads to the deportation of those who have broken the law, puts Iraqi women refugees, especially those

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<sup>72</sup> United States Department of State (2010)

<sup>73</sup> United Nations in Syria (2010)

<sup>74</sup> The Palermo Protocol is the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime

<sup>75</sup> UNHCR (2010)



who have been forced into the sex trade, at an increased risk of repatriation and of losing their right of Non-Refoulement.

The lack of progress has contributed towards Syria retaining a Tier 2 Watch List ranking in the United States 2011 TIP Report.<sup>76</sup> Again, Syria demonstrated that it does not yet meet the minimum standards for the elimination of trafficking. The report states that Syria did not ‘demonstrate evidence of increasing efforts to investigate and punish trafficking offenses, inform the public about the practice of human trafficking, or provide much needed anti-trafficking training to law enforcement and social welfare officials’.<sup>77</sup> Inadequate training for law enforcement officials remains an area of key concern in the prevention of the trafficking of women and girls for sexual exploitation. Some ‘modest’ progress was made in the areas of the protection of victims and the prevention of trafficking; however, the male-dominated police units have continued to be insensitive towards issues of sexual violence, which prevents many victims from reporting their abuse and the wider Syrian public remains unaware of the realities of trafficking within the state, it being a subject too taboo to be discussed.<sup>78</sup>

## 7. Regional Snapshots

The preliminary research has yielded information related to the trafficking of Iraqi refugees further afield than Syria; into Jordan, Lebanon, Yemen, Morocco and the Gulf States. Due to the enormity of the situation, research cannot, at this point, investigate deeply into the circumstances of these girls and young women. There remains a distinct lack of data and great difficulties in collecting and interpreting data due to the neglect of authorities to appropriately track, prevent, record and respond to the problem. The following offers a small insight into the human rights violations faced by Iraqi refugees, and others, across the region, which must be further investigated.

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<sup>76</sup> The TIP (Trafficking in Persons) Report is the U.S. Government’s principal diplomatic tool to engage foreign governments on human trafficking. Annually, the Department of State places each country onto one of three tiers based on the extent of their judgment of the governments’ efforts to comply with the “minimum standards for the elimination of trafficking” found in Section 108 of the TVPA.

<sup>77</sup> United States Department of State (2011)

<sup>78</sup> *Ibid.*



## 7.1 Jordan

### Trafficking of Iraqi Women and Child Refugees in Jordan

The outbreak of war in 2003, and the impact of its aftermath, has brought new waves of Iraqi refugees to Jordan. It is estimated that over 750,000 Iraqis have fled to Jordan, a country of approximately 6 million people.<sup>79</sup> The majority of those Iraqis seeking refuge in Jordan become victim to the country's "silent treatment"<sup>80</sup> policy. Often, these refugees (who are not recognised as such by the Jordanian government, instead being categorised as 'temporary visitors', 'guests' or 'residents'.<sup>81</sup>) live a life on the margins of society. Many are lone women who fled to Jordan only with their children. The majority do not possess a proper legal status the choice to work legally, or any access to subsidised social services including such basics as health care or education.<sup>82</sup>

Jordan is a destination for women and men who have been subjected to trafficking, specifically through forced labour and forced prostitution.<sup>83</sup> Having few resources of sustainable income, women and children are put at particular risk of gender-based violence and sexual exploitation as they struggle to support their families and lives. Although the majority of Iraqi refugee women in the country are university graduates, their difficult living conditions have made them and their families vulnerable to poverty, displacement and social disintegration as well as prime targets to traffickers and procurers.<sup>84</sup>

The most important problem for Iraqi refugees is unemployment. Immigration laws prohibit the majority from working legally and being under the constant threat of deportation urges some men to force their female relatives into work in prostitution, assuming that women are not a prime target for the Jordanian authorities. Iraqi women and girls have to cope with the effects of violence they encountered in Iraq and the difficult circumstances of being illegal refugees in Jordan. The majority of them raise concerns about domestic violence, including marital rape which is not illegal in Jordan.<sup>85</sup>

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<sup>79</sup> Women's Commission for Refugee Women and Children (2007)

<sup>80</sup> The Hashemite Kingdom of Jordan "ignores" the existence of hundreds of thousands of Iraqi refugees, does not address their needs for protection, and has not asked for extensive international support. This kind of policy can be characterized as "silent treatment".

<sup>81</sup> European Commission (2008)

<sup>82</sup> Human Rights Watch (2006)

<sup>83</sup> United States Department of State (2010)

<sup>84</sup> Karama Movement in the Arab Region (2008)

<sup>85</sup> Sassoon (2009)





### **Nada's Story**

Nada, 17, was sold to an Iraqi gang by her mother, herself a prostitute after her father was killed. When she arrived in Jordan, she was gang-raped by four men who told her they were teaching her the tricks of the trade. She said that the gang was catering to VIPs in Syria and high-profile clients in Amman. She managed to escape and return to Iraq when an Iraqi family helped her to go to the immigration department and get a new passport.<sup>86</sup>

In the absence of government support, a number of national and international organizations, based mainly in Amman, try to focus on addressing the most urgent problems facing women refugees on a daily basis. These include education, health care, empowerment, psychological support and protection for women victims of violence by providing more space in women's shelters as well as legal assistance.<sup>87</sup>

### **Jordan's Responses to Sex-Trafficking of Iraqi Refugees**

Jordan has made some efforts to move towards a state of increased prevention of sex-trafficking, as well as protection for its victims. It has enacted a national anti-trafficking action plan; drafted guidelines for opening a long-term shelter for victims and designed a public awareness strategy. Nevertheless, essential victim assistance, punishment of traffickers and strong cooperation with source countries' embassies remains quite limited. However, its moves to implement the 2010 National Anti-Trafficking Plan were hampered by factors including government reshuffles and limited ministerial capacities. The availability of adequate shelters for victims, efforts to identify victims of forced prostitution, the confirmation that identified victims are not punished for unlawful acts along with the increase on bilateral partnerships and systematic information, constitute only the first step towards the improvement of the Iraqi women's conditions. Furthermore, it is vital that refugee women have access to quality psychological services due to the trauma and abuse that many have suffered. That needs sufficient equipment and training of health and social-service staff. Moreover, the United States Department of States TIP Report has found that in the period of 2010 - 2011, despite the Government of

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<sup>86</sup> Sarhan (2007)

<sup>87</sup> Women's Commission for Refugee Women and Children (2007). See the work of the Jordanian Women's Union.



Jordan increasing efforts to prosecute and punish trafficking offenders, its actions to protect victims and prevent trafficking decreased.<sup>88</sup>

## 7.1 Lebanon

### Trafficking of Iraqi Women and Child Refugees in Lebanon

Lebanon is home to an estimated 30,000 Iraqi refugees, who account for some 80% of those refugees officially registered with UNHCR in the country.<sup>89</sup> Many of them initially sought refuge in Syria, once again fleeing in the face of security concerns.<sup>90</sup> Lebanon, like both Syria and Jordan, is not a signatory to the 1951 Refugee Convention, and consequently, incoming Iraqis are considered illegal immigrants, rather than refugees, and are therefore susceptible to be targeted for arrests, fines, and deportation.<sup>91</sup> Although some Iraqi refugees enter the country on a one month tourist visa, many of them are smuggled in, typically at a cost of \$100 to \$150. Those who do attempt to enter on a tourist visa must show a non-refundable return ticket, that they possess \$2,000 cash, as well as a hotel reservation in Lebanon. Those who seek to acquire permission to remain longer face a fee of \$4000; a price that is out of reach for many refugees and their families.<sup>92</sup> Many cannot afford to meet such requirements.<sup>93</sup> Consequently, a significant number of persons are trafficked into Lebanon, whereupon they are placed into domestic and sexual servitude.<sup>94</sup>

The level of which the sex trafficking of Iraqi women and children persists in Lebanon is unknown. The Lebanese government appears not to have conducted any initiatives through which to compile data. A lack of a clear understanding of the nature of sex trafficking amongst Lebanese civil society; the invisibility of Iraqi migrants, as well as the often well-hidden conduct of sex-trafficking means that gaining accurate data is prohibited.

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<sup>88</sup> United States Department of State (2011)

<sup>89</sup> UNHCR (2011)

<sup>90</sup> Assir (2007)

<sup>91</sup> Amnesty International (2008)

<sup>92</sup> Assir (2007)

<sup>93</sup> Human Rights Watch (2007)

<sup>94</sup> Kafa (2008)



Regional assessments have uncovered a rise in *mut'a* marriages within Lebanon amongst street children (the majority of whom are not of Lebanese origin) and other exploited groups. *Dar Al Amal*, a Lebanese NGO working with the rehabilitation of sexually exploited girls, has reported that the number of girls who are being sexually exploited is also growing.<sup>95</sup> As seen in the case of Syria, one cited reason for this rise is the increase in the number of tourists from the Gulf.<sup>96</sup> The true number of girls exploited into forced prostitution who are from Iraqi origin is, as is true across the entire MENA region, unknown. Yet, anecdotal evidence indicates that Iraqi families are often responsible for trafficking their children, who are consequently particularly vulnerable to sexual exploitation. Further, there have been reports of traffickers kidnapping women and young children whilst smuggling them into Lebanon, demanding that husbands and fathers pay \$6,000 for their release.<sup>97</sup>

#### Lebanon's Response to the Sex-Trafficking of Iraqi Refugees

The Government of Lebanon does not fully comply with the minimum standards for the elimination of trafficking. The United States TIP Report has placed the country on Tier 2 Watch List for the last three years. Consequently, Lebanon has been deemed not to be making significant efforts to comply with the minimum standards. Following a year of not placing the elimination of trafficking as a priority, nor allocating resources to support victims of trafficking, it was placed in Tier 3 ranking in 2011.<sup>98</sup> Lebanese legislation lacks a clear definition of human trafficking and not all forms of trafficking have been made illegal.<sup>99</sup> Furthermore, no evidence exists that a sex-trafficking case has ever been prosecuted within the state; and the government has made no effort to reduce the demand for commercial sex acts over the past year.<sup>100</sup> The Lebanese Penal Code and Law 422/02 does, however, outline sanctions for perpetrators of all forms of sexual and gender based violence and child prostitution. Lebanese law also makes provisions to protect women and girls from abduction by deceit, violence or coercion. The penalties for engaging in such crimes are often troublingly light, in the case of those found guilty of committing rape, for example, perpetrators are absolved of their crime if they agree to marry the victim;

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<sup>95</sup> Save the Children Sweden (2008)

<sup>96</sup> *Ibid.*

<sup>97</sup> *Ibid.*

<sup>98</sup> United States Department of State (2011)

<sup>99</sup> Kafa (2008)

<sup>100</sup> United States Department of State (2011)



thus trapping women and girls in a cycle of abuse. Research suggests that Iraqi women and girls are particularly vulnerable to such sexual abuse and forced prostitution, the impacts of this worsened by the lack of state protection afforded to these groups, who may be arrested upon reporting their abuses. Thus, the majority of cases of forced prostitution and rape go unreported.<sup>101</sup> Where victims are unable to turn to the Lebanese government for assistance; few are able to find support from Lebanese civil society as only a small number of NGOs exist in Lebanon which assists migrants who are experiencing exploitation and abuse (principally, the Afro-Asian Migrant Center, Caritas, Catholic Migration Commission and the Pastoral Case of Afro-Asia Migrants).

## 7.2 United Arab Emirates

### Trafficking of Iraqi Women and Child Refugees in the United Arab Emirates

The United Arab Emirates (UAE) is a destination country for trafficking; where women and girls from Iraq as well as Asia and Africa are subjected to forced prostitution.<sup>102</sup> The National Committee to Combat Human Trafficking (NCCHT) report released in May 2010 identifies trafficking in the UAE as a "thriving global business that generates billions of dollars a year".<sup>103</sup> According to the Migration Policy Institute, 71.4% of the total population of the UAE are immigrants; and it is estimated that every year more than 30,000 women and girls enter the UAE for the purposes of securing employment in hotels or as domestic workers or secretaries. In the cases where women have been trafficked for domestic work, the women are especially vulnerable to violence, abuse, sexual exploitation and trafficking, due to the very nature of domestic work, which is often private or invisible.<sup>104</sup> The NCCHT has found that the majority of victims are trafficked to the UAE to be forced into prostitution, rather than the work they had been promised. Organised gangs are culpable for much of the sale of Iraqi women and girls in the UAE, also very often trafficking girls into the Emirates under the pretence of securing domestic work placements for them. Upon their arrival; they are subjected to forced prostitution, providing for their traffickers between \$6 and \$6,000 a night.

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<sup>101</sup> *Ibid.*

<sup>102</sup> *Ibid.*

<sup>103</sup> Mustafa (2010)

<sup>104</sup> Migrant Forum Asia (2010)



### **Husn's Story**

Husn, 16. Following her Mother's death, her father agreed to sell her for \$6,000 to work as domestic worker for a family in Dubai for one year, believing she would be returned at the end of the contract. In fact, upon being trafficked to Dubai, Husn's virginity was sold to a local man and she was imprisoned with 20 other young girls, all of whom were forced to engage in prostitution.<sup>105</sup>

Those who engage in the sex trafficking of Iraqi refugees into the UAE are typically Iraqi themselves. Upon arrival in the UAE, young women and girls have their passports taken from them by their traffickers and are forced to work as prostitutes to repay their travel and living expenses. The fact that victims often receive little or no money from their forced prostitution means that their debts are not repaid and that the cycle of abuse continues.<sup>106</sup> Anecdotal evidence suggests that as many as half of all women trafficked into Dubai are forced into prostitution.<sup>107</sup> With no passport, and a justice system that favours the sponsor, those who manage to escape their captors are likely to face a prison sentence themselves, both in the UAE, and in Iraq.

### **Basmah's story**

Basmah, 15, was taken by her father from Iraq to Syria, whereupon she expected to spend time with her grandfather. Sadly, her father had sold her to traffickers, who forced her into prostitution in the UAE. Basmah managed to escape, reporting the forced trafficking and abuse inflicted upon her to police. She was consequently deported, and upon reaching Iraq was sentenced to 2 years in prison. No effort was made by Iraqi police to contact her father, grandfather, or track her traffickers.<sup>108</sup>

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<sup>105</sup> IRIN (2006)

<sup>106</sup> Abirafeh (2007)

<sup>107</sup> Robson (2009)

<sup>108</sup> Kloer (2010)



## The United Arab Emirates' Response to the Sex Trafficking of Iraqi Refugees

In February 2009, the UAE ratified the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and is making significant efforts to comply with the minimum standards for the elimination of trafficking. In the first three years since it introduced the Federal Human Trafficking Law No. 51 in 2006, 73 cases were registered and Dubai has since established a special human trafficking court. Under the law, a life sentence is applicable if the crime is committed through deceit, if it involves force or threat of murder or bodily harm, or if it involves physical or psychological torture.<sup>109</sup> The Law No. 51 also makes additional provisions in its organised gang clause, through which seven gang members were sentenced in January 2010, after they were convicted of the sex-trafficking of more than 12 women.<sup>110</sup> The government maintains that in 2010/2011, it prosecuted 169 defendants in 58 sex trafficking cases. The focus of the courts in the UAE does, therefore, appear to be in tackling the prosecution and punishment of sex-traffickers, though arguably this is at the expense of efforts to curb forced labour.<sup>111</sup> The UAE has also opened new shelters for women and child victims of trafficking, in addition to operating its existing shelters in Dubai and Abu Dhabi, which assisted 49 and 71 victims respectively in 2010.<sup>112</sup>

Despite such positive moves, the UAE has not taken any measures to reduce the demand for commercial sex acts or child sex tourism by UAE nationals;<sup>113</sup> ensuring that the demand for the sex-trafficking of both Iraqi refugees, and those of other nationalities, continues.

### 7.3 Saudi Arabia

#### Trafficking of Iraqi Women and Child Refugees in Saudi Arabia

While Iraqi women and girls are reported to be victims of trafficking to Saudi Arabia for the purposes of sexual exploitation and forced prostitution, comparably little is known of the true picture of sex-trafficking, particularly that of the Iraqi and other Arab communities in Saudi Arabia.

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<sup>109</sup> National Committee to Combat Human Trafficking (2010)

<sup>110</sup> Mustafa (2010)

<sup>111</sup> United States Department of State (2011)

<sup>112</sup> *Ibid.*

<sup>113</sup> United States Department of State (2011)



However, it appears that the trends in the sex trafficking of Iraqi women and girls throughout the region are also reflected in trafficking practices in Saudi Arabia; with Saudi Arabia also witnessing the kidnapping of women who have run away from abusive conditions as domestic workers, thereupon being forced into prostitution. There are also reports of young girls being sold into sex slavery. Upon reaching maturity, at around the age of 13, they are abandoned to the street where they risk once again being kidnapped, or working as a prostitute in order to survive.<sup>114</sup> Diplomatic cables have confirmed such reports. One leaked American cable states: "There is an increase in reports of trafficking of child brides to Saudi Arabia. The girls, usually between five and 12 years old, married off to wealthy Saudi men in exchange for hefty price tags for brides. As soon as they arrive in Saudi Arabia, they become trapped in sexual servitude towards their husbands."<sup>115</sup> However, the case of Saudi Arabia is not wholly reflective and women have suffered from abuses, trafficking and forced prostitution unique in the Saudi Case. It has been reported by the Saudi Human Rights Center in Jeddah that the Islamic ritual, *Al-Umra*,<sup>116</sup> has been used in some cases as a cover by traffickers for the forced prostitution of some Arab women, who deceive their victims into believing they would be travelling to Saudi Arabia on *Al-Umra*.<sup>117</sup>

#### Saudi Arabia's Response to the Sex Trafficking of Women and Children

The government of Saudi Arabia has been widely criticised for failing to meet the minimum conditions for the elimination of sex trafficking; a neglect which was recognised by the United States' TIP Report 2011, where it has a Tier 3 ranking.<sup>118</sup> Diplomatic cables released in 2011 have highlighted the concern of Yemeni authorities that Saudi Arabia is facilitating sex-trafficking through its failure to prevent such abuses. Both the TIP report and the recently released cable also suggest that tackling sex-trafficking is not considered to be of the greatest priority within Saudi Arabia, the cable highlighting Yemeni concerns that the government provides neither the necessary financial support, nor allocates senior staff to initiatives designed to combat sex-trafficking.<sup>119</sup> The point which Yemen raises strongly resonates across all states in the MENA region. Without strong bilateral partnerships, in which both the 'sending' and

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<sup>114</sup> United States Department of State (2010)

<sup>115</sup> Strand (2011)

<sup>116</sup> Al Umra is a pilgrimage to Mecca

<sup>117</sup> Ghazi (2004)

<sup>118</sup> United States Department of State (2011)

<sup>119</sup> Wikileaks (2011)



‘receiving’ countries make a definitive effort to work collaboratively to end trans-national trafficking, there cannot be success in preventing its occurrence.

Saudi Arabia has made some moves suggestive of a level of commitment to the elimination of trafficking (The 2009 Suppression of the Trafficking in Persons Act defines and prohibits all forms of human trafficking, prescribing punishments of up to 15 years and fines of up to \$266,667 and The Ministry of Islamic Affairs encourages imams to regularly include anti-trafficking messages in their Friday sermons); yet the fact that Saudi Arabia has not taken actions to reduce the demand for prostitution or child sex tourism by Saudi nationals and that thus far it has refused to acknowledge that trafficking for the purposes of sexual exploitation is a problem affecting the Kingdom; is demonstrative of a disregard for the prevention of sex trafficking and the protection of its victims.<sup>120</sup>

#### 7.4 Kuwait

##### Trafficking of Iraqi Women and Child Refugees in Kuwait

It has been reported that Kuwait is both a destination and transit country for the trafficking of Iraqi refugees; as well as many others from across Asia, Africa, and the Middle East who become victims of forced labour and prostitution, in addition to physical and sexual abuse.<sup>121</sup> Only 1.1 million of its population of 3.44 million are citizens. The majority are non-citizens who face great discrimination and work predominantly in domestic service.<sup>122</sup> Securing reliable data on the numbers of women and girls who have been trafficked from Iraq for the purposes of sexual exploitation, whether tricked into forced prostitution, or sexually abused whilst trapped in domestic servitude, is once again exceptionally difficult. It is estimated that up to 500,000 women have entered Kuwait in order to undertake domestic work; these women are particularly vulnerable to sexual exploitation. And, while it is likely that the majority of these migrants have entered voluntarily, upon arrival many migrants become subjected to forced labour and sexual servitude.<sup>123</sup> Understanding the extent of child trafficking for the purposes of sexual exploitation is particularly difficult in light of the official line held by Kuwait which ‘considers that

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<sup>120</sup> United States Department of State (2011)

<sup>121</sup> *Ibid.*

<sup>122</sup> Randall (2011)

<sup>123</sup> *Ibid.*





the phenomena of the sale of children, child prostitution and child pornography do not exist in its territory'.<sup>124</sup> Such a position has undoubtedly had a major impact upon the monitoring and reporting of this gross violation of human rights.

### Kuwait's Response to the Sex Trafficking of Women and Children

Kuwait has been placed in a Tier 3 ranking by the United States in the TIP report for five consecutive years as a consequence of its failure to make efforts to combat trafficking within its territory. While Kuwait has drafted an anti-trafficking law, it has not been enacted and while a bill approved by a subcommittee has been on its parliament's agenda since 2009; it has still not been debated. Moreover, Kuwait has not made efforts to construct a permanent shelter for victims of trafficking (currently, it operates a short-term shelter which can accommodate 40 persons, yet NGO sources claim that the shelter is not used to its full potential or capacity) nor has it reported any arrests, prosecutions, convictions, or sentences of traffickers. Kuwait does have laws that could be used to make prosecutions of sex-traffickers, as it has prohibited forced prostitution in Article 204. However, the penalties for this crime are worryingly low, with a maximum sentence of five years imprisonment if the victim is an adult and seven years for the forced prostitution of a child.<sup>125</sup> Additionally, there is great cause for concern that Undersecretary at *The Ministry of Social Affairs and Labor*, Mohammed Al-Kandari, publically affirmed that "there is no human trafficking in Kuwait", once again highlighting the lack of Kuwaiti recognition of, or commitment towards combatting the sex-trafficking of women and children within its borders;<sup>126</sup> a view Sharla Musabih of the City of Hope shelter in Dubai says is found across the region, 'They don't take any of this seriously because they don't believe it in the first place. Their heart's not in it'.<sup>127</sup>

## 7.5 Iran

### Trafficking of Iraqi Women and Child Refugees in Iran

Iraqis, amongst others, are victims of sex-trafficking and forced prostitution to and inside Iran; and NGOs

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<sup>124</sup> United Nations Committee on the Rights of the Child (2008)

<sup>125</sup> United States Department of State (2011)

<sup>126</sup> Arab Times Online (2011)

<sup>127</sup> Gaudett and Thompson (2011)



have reported that religious leaders and immigration officials are involved as perpetrators of this abuse, trading children inside Iran for as little as \$5;<sup>128</sup> while media reports suggest the culpability of the Revolutionary Guards and the State Security Forces.<sup>129</sup> Within Tehran alone, some estimate that as many as 300,000 women and girls are working in prostitution.<sup>130</sup> Many of these are thought to be forced into their work as prostitutes, but reliable figures of the number of forced prostitutes are unknown, as is the number of those who have been trafficked from Iraq and other states within the region.

### Iran's Response to the Sex Trafficking of Women and Children

The 2011 TIP report published by the United States has labeled Iran, for the 6<sup>th</sup> consecutive year, with a Tier 3 ranking, meaning that it does not comply with the minimum standards for the elimination of trafficking, nor is it making significant efforts to do so. The fact that the government of Iran has not shared with the United States or the international community details relating to the extent of trafficking within the country, or the country's efforts to combat it, means that gaining an accurate insight into the number of women and girls trafficked into Iran is not forthcoming.<sup>131</sup> This is important to note. Observers must exercise caution when interpreting the tier ranking given to all states, and particularly states such as Iran and Saudi Arabia. That the governments fail to release information relating to their work against trafficking has a notable impact upon the TIP ranking ascribed to them. This ranking can often demonstrate more about a government's unwillingness to share information, or more about the attitudes of the United States, than about the true extent of its successes or failures in preventing trafficking. This has, consequently, led to accusations of Islamophobia or political bias being potentially laced throughout the TIP Report.<sup>132</sup>

However, in the case of Iran, it does strongly appear that rather than initiate legislation to protect victims of sex-trafficking, or prevent its occurrence, it appears that Iran punishes victims for unlawful acts connected with their trafficking; prostitution or adultery, for example. Unfortunately, if brothels or prostitution rings are identified, it is very often the victims of sex-trafficking themselves who are

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<sup>128</sup> United States Department of State (2011)

<sup>129</sup> Schubert (2009)

<sup>130</sup> Spengler (2006)

<sup>131</sup> United States Department of State (2011)

<sup>132</sup> Mahdavi (20110)



punished and executed for the crime of prostitution or adultery, which Iran defines as sexual relations outside of marriage, as a direct consequence of the state's refusal to distinguish between consensual sex and rape.<sup>133</sup>

## 8. Concluding Note and Recommendations for Action

Information, data and research related to the sex trafficking of Iraqi women – indeed, trafficking of women and girls in the Middle East as a whole – is sparse. It is absolutely imperative that more research is undertaken so that the international community can begin to address these violations. With discussions beginning to open up across the region and the growing focus on women's rights in light of the *Arab Spring*, it is vital that we address these issues now. However, it is important to note that the increasing instability we are witnessing across the region has the potential to exacerbate the trafficking of women. As has been consistently made clear by NGOs and activists on the ground, and as this report has endeavoured to show, instability and all that comes with it – increasing poverty, absence of men from households, localised violence, movement of peoples – all contribute towards an increased potential for women and girls to fall victim to trafficking. In this regard, we will work with partners in Syria, Jordan and Iraq in order to collect qualitative and quantitative data on sexual and gender-based violence against women.

We believe that a stronger understanding of the realities facing Iraqi women and girls is the only way to support civil society. It will help government authorities formulate appropriate responses and programmes to address the issue of sex trafficking, through the development of strong and effective strategies of deterrence, prevention and prosecution. It will also address matters of public awareness, advocacy and the proper support and rehabilitation of victims. SCEME is striving to raise the voice of these women internationally to clarify that:

- Trafficked and prostituted women and girls are victims of poverty, conflict and violence. They are not criminals and do not constitute a threat to society, and rather than being punished as offenders by unjust judicial systems, they must be protected. Where laws exist

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<sup>133</sup> Schubert (2009)



- to protect them, then officials must be trained because without a fundamental shift to full application of protective legislation, sex-trafficking will continue.
- Local, national and international action must be undertaken to address the direct relationship between poverty, lack of education, lack of employment and the prevalence of sex trafficking of Iraqi women.
  - Social attitudes and legal norms diverge greatly in the MENA region, as does the pace of change and development. Educating and raising awareness around human rights violations and human trafficking in rural areas, schools and amongst family leaders is a starting point in changing perceptions and taking action towards such violations. The MENA region has been going through major changes in the last couple of months, it is our role and your role to stop these violations and make sure that trafficked women's voices are heard, and that their abusers are prosecuted.
  - NGOs like SCEME, our partners and friends, as well as all those dedicated organisations in Iraq, the Middle East and internationally – many of whom have been working alone and in adverse and dangerous conditions to report on and protect Iraqi women and girls from trafficking – cannot end sex trafficking in the Middle East alone. It is imperative that the judiciary and legislative bodies, the military, police forces and profit making corporations across the region make the fundamental changes necessary to secure the rights of women and girls. The authorities *must* support and work in partnership with the grassroots organisations already doing inspiring work in this area for real change to emerge.



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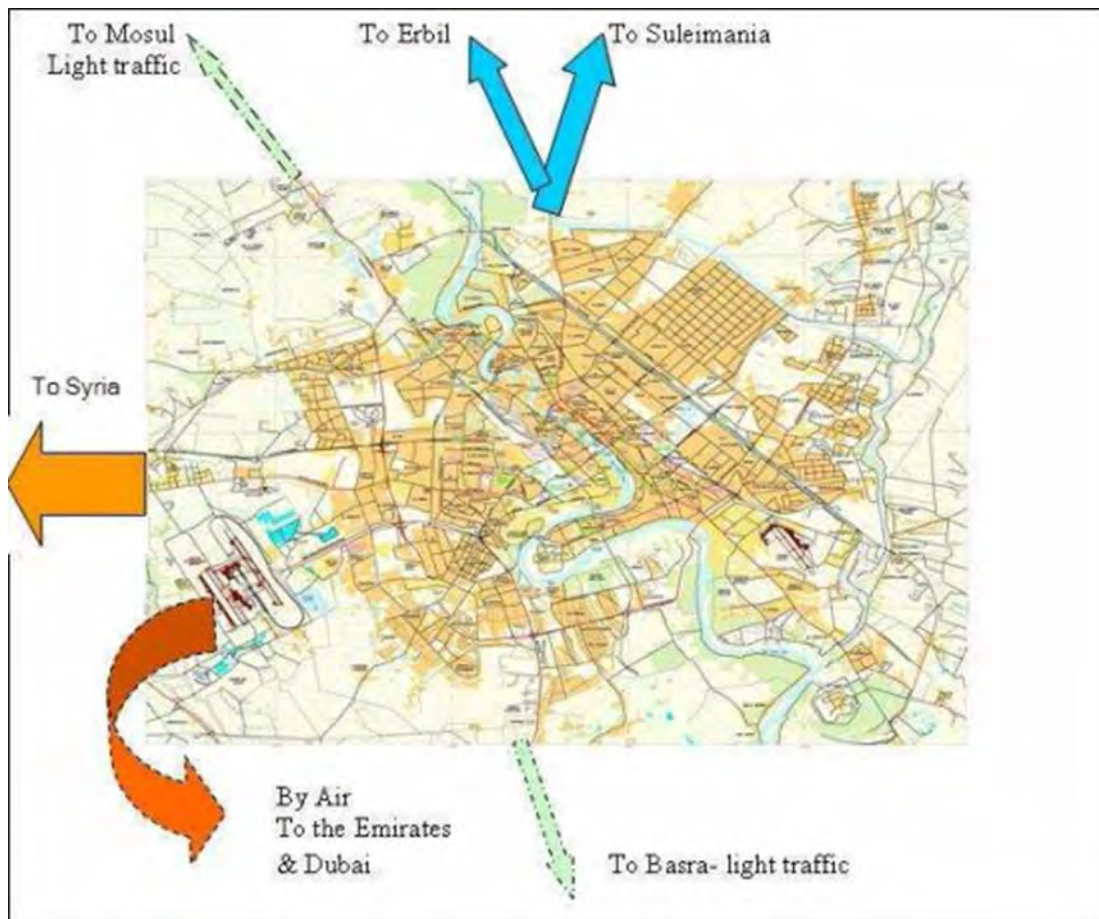
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## Appendix

### Map of Iraq Trafficking Routes



Source: Organisation of Women's Freedom in Iraq (2010)

*Prostitution and Trafficking of Women and Girls in Iraq*







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