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3.3. Human rights and political opposition activists and protesters and other perceived critics of the authorities

COMMON ANALYSIS
Last update: November 2024

This profile refers to persons who, individually or in association with others, act to promote or protect human rights and activists perceived as opposing the state and state-affiliated actors. It also addresses the situation of protesters as well as those expressing criticism to the authorities via the internet.

The analysis below is based on the following EUAA COI reports and query: Country Focus 2024, 1.1.2, 1.3; Targeting 2022, 3.1.1, 3.1.2, 3.1.4, 5.3, 5.4.1; Protesters 2020. Country Guidance should not be referred to as source of COI.

Freedom of expression as well as of assembly and peaceful protest are enshrined in the Iraqi constitution. However, political protests have taken place in Iraq, including in the KRI, and many have been met with a violent response both from state security forces and armed militias.

Also see profile 3.8. Individuals perceived to transgress moral codes.

Step 1: Do the reported acts amount to persecution?

Legitimate actions of law enforcement would not amount to persecution.

Some acts to which human rights and political opposition activists and protesters could be exposed are of such severe nature that they would amount to persecution. More specifically, activists and human rights defenders have been arbitrarily arrested and detained by state and/or state-allied forces, including in the KRI. In previous years, for example in 2019, instances of assassinations, attacks and abductions by unidentified armed groups had been also documented. Human rights defenders and activists were also reported to have been tried on

charges of defamation. Individuals who advocate for gender equality in the KRI are reported to 'face threats from powerful conservative and patriarchal groups', according to Choman Hardi. Kidnapping, disappearance, and killings were also inflicted by militias on protesters. Violent repression of protesters continued in 2023.

Internet freedom in Iraq is limited and physical attacks by state and non-state actors against internet users for their online activities have been reported. Online activists were targeted and regularly subjected to intimidation, arrests and assassinations. This climate, both in Federal Iraq and in the KRI, has resulted in self-censorship. Home searches were also reported. In January 2023, an online platform was launched by the Iraqi government for monitoring and reporting 'indecent content' on social media and some individuals were charged and even sentenced to prison for publishing such content. The platform was blocked a few months later.

Step 2: What is the level of risk of persecution?

The individual assessment of whether there is a reasonable degree of likelihood for a human rights and political activist or protester to face persecution should take into account **risk-impacting circumstances,** such as:

- **Visibility, including being known to the authorities:** The sole fact of participating in a protest in the past may not be sufficient to establish a well-founded fear of persecution. The degree of involvement in the protests would be a factor to consider. For example, in 2020, it was reported that detainees had been forced to sign a pledge not to take part in further protests, before being released. Information on the participation in protests, the political affiliation of the protester and sometimes information on other protesters, was also sought. Sources further referred to rumours of a government-compiled 'blacklist' of wanted protesters.

  Furthermore, having a leadership role in the protests as well as having strong internet presence would increase the level of risk. Nevertheless, in 2022, there have been some limited information on cases of ordinary citizens, unfamiliar with activism, being arrested for posting in social media content critical of authorities.

- **Nature of activities:** Activists criticising the social and economic situation were arrested and tried on defamation charges, including in the KRI. Environmental activists also faced death threats, violence, intimidation and arbitrary detention. Political protests varied greatly in scope and focus (e.g. for extensive reforms, end to corruption, the improvement of public services, justice and accountability) and have also been met with violence.

- **Political and/or sectarian background of the individual:** In 2020, campaigns aimed at intimidating political opposition-oriented activists took place in KDP and PUK-controlled areas. Following the results of the parliamentary elections of October 2021, many supporters of Shia parties protested throughout the country against the election results. In August 2022, protests turned into violent clashes between Al-Sadr's militias and members

of the Iraqi Security Forces (ISF). In 2023, some rival politicians were targeted and silenced, including in the KRI.

- **Gender:** Online harassment can be aggressive, and women activists are harassed to a much higher degree; their photos and addresses could be shared online alongside messages calling for their rape or assassination.

Step 3: Is there a ground for persecution?

Where well-founded fear of persecution is substantiated for an applicant under this profile, this is highly likely to be for reasons of (imputed) political opinion, as being a human rights activist, political opposition activist or protester would be seen as being critical of the authorities.

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