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3.12.1. Violence against children: overview

COMMON ANALYSIS
Last update: November 2024

The analysis below is based on the following EUAA COI report: Country Focus 2024, 1.4. Country Guidance should not be referred to as source of COI.

Children in Iraq have been exposed to various forms of violence. In June 2023, the Iraqi parliament introduced a draft child protection law which, if passed, would address issues such as child labour, exploitation, and abuse. While being described as ‘a vital step’ towards protecting children’s rights, some provisions of the draft law are said to be vague, others in contravention of the articles of the Convention on the Rights of the Child, with omissions also noted regarding envisioned protections, particularly for girls.

Step 1: Do the reported acts amount to persecution?

Some acts to which children could be exposed are of such severe nature that they would amount to persecution. Violence against children, which can take different forms, is reported to be a significant problem. Iraqi federal law foresees that men may discipline their wives and children with certain limits. Furthermore, children and adolescents who were sexually exploited and trafficked have been often treated by the authorities, including in the KRI, as criminals instead of victims, with some of them being prosecuted for prostitution. Children in Iraq have continued to be affected by conflict-related violence, including being killed or injured by improvised explosive devices (IEDs) and explosive remnants of war (ERWs).

The severity and/or repetitiveness of other acts that children could be subjected to and whether they occur as an accumulation of various measures, should be considered. Stigmatisation against children victims of sexual exploitation as well as obstacles in accessing civil documentation have been reported.

For more information and guidance on different forms of violence against children, see also the different sub-profiles below.

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

The individual assessment of whether there is a reasonable degree of likelihood for a child to face persecution should take into account **risk-impacting circumstances**, such as:

- **Gender:** Girls may face different risks compared to boys. For example, FGM/C (see 3.11.4. Female genital mutilation/cutting) is relevant only for girls. On the other hand, child recruitment (see 3.12.3. Child recruitment) would be more relevant for boys.

- **Age:** Children of different ages may face different risks. For example, child marriage (see 3.11.3. Forced and child marriage) would be relevant for girls of older age.

- **Home area:** Children from specific areas might be associated with ISIL (see 3.1. Persons perceived to be affiliated with ISIL) and might be subjected to different risks based also on the security situation (see 4.3.3.a) Security situation in Iraq: recent events) in their home area.

- **Perception of traditional roles in the family:** The risk of persecution is dependent on how the family perceives the traditional roles, since, as seen above, fathers are allowed to discipline their children.

- **Socio-economic situation of the child and the family:** Children coming from poor families, such as families located in IDP camps, may be at higher risk of different forms of violence, including sexual exploitation.

Step 3: Is there a ground for persecution?

Where well-founded fear of persecution is substantiated for a child in relation to this overview, the individual circumstances of the child need to be taken into account to determine whether there is a nexus to a reason for persecution. For example, persecution of this profile may be for reasons of (imputed) political opinion (e.g. in case of perceived link to ISIL), and/or membership of a particular social group (e.g. honour violence against girls victims of sexual abuse may be due to their common background which cannot be changed referring to the past experience of sexual abuse and distinct identity in Iraq, in relation to stigmatisation by society; see 3.11.2. Women and girls perceived to have violated family honour.

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