

## **Finding a Path to Justice in Iraq: The Question of ISIS Prosecutions**

People in Iraq are struggling to build back their communities, after ISIS occupation and through ongoing violence. Many are asking themselves, what will healing look like? How will we find justice?

Iraqi grassroots organizations and activists are working together to help their communities answer those questions. In May 2018, MADRE convened over a dozen Iraqi organizations that focus on the rights of women and people with disabilities, including our partners at the Organization of Women's Freedom in Iraq (OWFI) and ASUDA. We met in Beirut, Lebanon to discuss a pivotal issue: the prosecutions of ISIS fighters in Iraq.

The conference, part of a MADRE-sponsored series called *Strategies for Change*, provided an opportunity for Iraqi women's rights activists to coordinate a national strategy focused on ensuring accountability for gender-based persecution committed by ISIS members.

### **Ten Minute Trials**

The Iraqi government is moving forward with prosecutions of thousands of detained ISIS members, with sentencing trials [reportedly only lasting ten minutes or less](#) before a verdict is reached and the suspects are sentenced to death. Trials proceed without investigations into the charges, without bringing forward evidence or witnesses, and do not include charges related to the worst crimes committed by ISIS such as sexual slavery or rape.

Conducted under Iraq's counterterrorism law, prosecutions broadly target anyone affiliated with ISIS. This means that innocent people, like cooks compelled to feed and women forced to marry ISIS fighters, are swept in among the accused, failing to distinguish between active perpetrators and those forced to cooperate with ISIS. These trials, focused on exacting revenge on ISIS, risk severe miscarriages of justice.

During the conference, Iraqi activists were shocked to hear that such trials, despite being covered by media outside of their country, were taking place without informing local communities and civil society. Participants criticized the prosecutions for failing to include communities affected by ISIS violence.

Moreover, prosecuting ISIS members through ten-minute trials fails to capture the full range of horrific crimes committed during the conflict, including gender-based crimes like sexual slavery. If these crimes are not prosecuted, survivors lose their chance to receive justice or reparations for crimes committed by ISIS against them.

As one participant said, "There were thousands of women who were raped and thousands of people killed, who will get justice for them?"

## Demanding Real Action

Iraqi organizations are mobilizing to secure justice. *Strategies for Change* participants decided to develop a campaign to inform Iraqi communities about these prosecutions and to call for fair trials that are open to the public, monitored by the international community, and that allow for participation by people directly affected. In particular, the Iraqi activists will focus on ensuring justice for the countless victims of gender-based violence committed by ISIS.

OWFI, ASUDA, MADRE and the other organizations will leverage their partnership to implement a two-pronged advocacy strategy at both the national and international levels. Our Iraqi partners have prioritized reaching out to [UN bodies](#) to demand monitoring and advisory capabilities over the Iraqi judicial system for international judges and local human rights organizations. Within Iraq, our partners will launch a national public education campaign aimed at raising awareness about the ISIS trials within Iraq and making the case for why gender-based crimes must be included in prosecutions.

This *Strategies for Change* conference is the fifth in a series of conferences to increase collaborations between rights organizations, to strengthen social movements and to create long-term sustainable change.