



# ENDLESS ISIS PERSECUTION: ABDUCTED TURKMEN WOMEN

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## INTRODUCTION

**S**erious human rights violations occurred when the terrorist organization ISIS took control of Iraq's Mosul and Saladin provinces in June 2014. The most well-known of these are events such as the killing of 1,700 soldiers who were trained at the Spiker Military Base, the massacre of the Yazidis living in Sinjar, and ap-

proximately the 80-day siege of Amirli. In addition to the Yazidis that were exiled by ISIS, Turkmen women in Tal Afar and Beshir were kidnapped by ISIS as well, due to their ethnic and religious identity. However, the abduction of the Turkmen women received less attention in the media and in the legal sphere because of their small numbers compared to the abducted Yazidis and the inadequate

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support of international public opinion. Many institutions, either private or supported by the public, were founded to ensure the liberation of the Yazidi women from ISIS.

Almost all of the Turkmen women kidnapped by ISIS are from the Turkmen city of Tal Afar near Mosul. The figures for the kidnapped Turkmen women remain inconsistent due to insufficient attention by the Iraqi government and international organizations. Efforts to keep records about the kidnapped Turkmen women were undertaken by local activists and civil society organizations that were working on an individual level. Due to the central government's neglect, there is no official statement regarding the number of kidnapped Turkmen women. Nevertheless, a media leak has revealed that 400 Turkmen women are missing as of the current situation.

The terrorist organization ISIS has declared members of other sects of Islam, including Sunnis, who do not agree with its ideological impositions, as apostates; kidnapped the Turkmen women and killed the Turkmens in Tal Afar and the Yezidis in Sinjar, who are over the age of 12, by throwing them

into the Allav Anter well located in the north of Talafar, which is fifty meters in diameter and one hundred meters in depth. It is estimated that approximately one-thousand dead bodies currently remain in the Allav Anter well. ISIS has also put to death many people from Tal Afar who did not agree with its religious and political ideology. Iman Muhammet Yunus Al-Selman, a Turkmen member of the 2004-2005 Transitional National Council, was executed with his wife a few months after he was kidnapped by ISIS. There are also Shabaks, in addition to Yazidis and Turkmens, among those who were executed by ISIS. The violence against Turkmen women was not limited to kidnapping and rape. According to Yazidi women rescued from ISIS, ISIS militants raped the Turkmen women abducted from Tal Afar and burned them to death.<sup>1</sup>

## HUMAN RIGHTS VIOLATIONS BY ISIS, ACCORDING TO THE TURKMEN WOMEN WHO WERE RESCUED

With the spectacular defeat of the Iraqi security forces against ISIS in Mosul and its surroundings in 2014, thousands of non-Muslims from

<sup>1</sup> Suadad al-Salhy, The untold tragedy of Iraq's Shia Turkmen women abducted by Islamic State, *Middle East Eye*, 18 February 2021.



Turkmens are fleeing to Baghdad, Karbala, and Najaf after they sought refuge in Sinjar when ISIS militants captured Tal Afar.

the region and Muslims who were against the ideology of ISIS faced death risks. Tal Afar, located in the northwest of Iraq and the largest district of Iraq in terms of population, fell under ISIS control on June 16, 2014, and serious human rights violations took place against Turkmen in Tal Afar and other Turkmen regions around Mosul, such as Sharhan and Quba. ISIS militants also attacked and devastated religious sites in Turkmen regions, such as the tomb of Hızır İlyas. It is stated that around 80-100 thousand people from Tal Afar left the district after the ISIS takeover. Most of those fleeing from Tal Afar migrated to Iraq's southern provinces, Kirkuk, and some to Turkey via Erbil.

On April 3, 2021, Fatih Yıldız, the former Ambassador of Turkey to Iraq, announced on Twitter that there would be a Turkmen district in Karbala. This statement by Yıldız shows that the Turkmen who fled from Tal Afar did not return and instead started a new life for themselves. It is indeed difficult to leave Karbala, where there are many opportunities for work, and go back to Tal Afar,

where there are little to no work opportunities. In addition to that, it is estimated that more than 55 thousand Turkmen migrated to Turkey from Tal Afar.

Affected by sectarian conflicts during the al-Qaeda period, Tal Afar was captured by ISIS in 2014, and ISIS militants carried out massacres against the people of Tal Afar belonging to different sects and world views.

Many families who were against ISIS ideology were arrested by ISIS militants. While ISIS militants took men to different regions, they also took women to women's prisons. They gathered the girls at the Zuhur Orphanage in Mosul. They gathered together the girls brought from different parts of Mosul, and then they forced even women under the age of 18 to marry the militants of the organization. For example, Büşra from Tal Afar, who was rescued in 2017, said that she was kidnapped by ISIS along with six members of her family. Büşra's sisters aged 11, 12, and 16 were rescued. It is stated that the fate of her 19-year-old sibling and her parents is unknown. Büşra stated that she

was forced into marriage in 2016 and stated that they changed places with the progress of the Iraqi security forces and that she was eventually left alone in a house in the Intisar district of Mosul. Būşra was rescued by the intelligence units of the Iraqi Army on January 4, 2017.<sup>2</sup>

Many of the Turkmen women abducted by ISIS were forced into marriage with ISIS militants. Afterwards, some of the women who were forced into marriage were used as suicide bombers against the Iraqi security forces. Nadiye Muhammet, aged 54, was kidnapped by ISIS along with her spouse and two children. While the whereabouts of her spouse are unknown, she said that eighteen more Turkmen women were abducted with her and they were taken to the district of Alem in Salah al-din province. According to Nadiye, they were kept in a prison resembling a car park in Alem, and two women were raped by militants. She also said that one of the women who was raped lost her life. In her account, some women were taken to an unknown place, and the rest were to be taken the next time. Nadiye also said that they escaped with the help of an old man who was guarding the prison and arrived on foot in Kirkuk after five days.<sup>3</sup>

Besides Tal Afar in June 2014, ISIS militants abducted Turkmen women from the village of Bashir near the Taza Khurmatou district of Kirkuk as well. A Turkmen woman from Bashir spoke to Akhbaralaan news agency with her alias 'Zeynep' due to fears

of reactions from her community. Zeynep was abducted by ISIS when she was 14 years old. She was impregnated by rape and had a miscarriage. Zeynep stated that she was abducted when they were ambushed on the way back from Kirkuk, where they visited a hospital for kidney disease in June 2014. She was separated from her parents in another car and taken to a place two hours later near Hawija. Saying that her father is currently missing, Zeynep stated that during the liberation of Hawija from ISIS in October 2017, she was rescued by the security forces.<sup>4</sup>

Some of the Turkmen women abducted by ISIS were forcibly married to ISIS militants or their families' children. Speaking to Hal Net News Agency, a Turkmen woman stated that she had been forced to stay with an ISIS family for three years and was married to one of the family members. The Turkmen woman, who uses her pseudonym as Rukayya, stated that she was subjected to severe ill-treatment during her imprisonment with the ISIS family. Rukayya said that she was saved in Mosul after the defeat of ISIS.<sup>5</sup>

Yezidis and Turkmens kidnapped by ISIS shared the same fate. Shahrian Ali, who was kidnapped by ISIS, stated that he stayed in Syria for three years. He stated that he was transferred to Idlib once and that there were twenty Turkmen women and girls in the prison he was in. He stated that the women in the prison were not given food and remained hungry for days. They were only given food on Fridays and they were accom-

<sup>2</sup> Cafer Telaferli, Naciya Min Kabzat DAİŞ... Vahidat Hatta Bada Tahrurahun, *Kirkuk Now*, 20 September 2020.

<sup>3</sup> Naciya Turkmaniye Atakulu Zevci ve Aktaduni Maa Atfali ve Macmua min 18 Fatat Turkmaniye, *Turkmen Rescue Foundation*, 25 November 2020.

<sup>4</sup> Irshad Ansari, Zeynep Tahtasir Fi Kisatuha Kisas Elem el-Mensiye lil-Turkmaniyat el-Naciya Min DAİŞ, *Akhbar Alaan*, (E.T. 28.03.2021),

<sup>5</sup> Naciya Turkmaniyat Min DAİŞ: İhmal Hukuki ve Vasmat Ar İcitmayi, *Turkmen Rescue Foundation*, 20 November 2020.





The Turkmen women in Kirkuk support the struggle against Covid-19 by producing face masks.

panied by Turkmen children. Shahriyan stated that the Turkmen women he befriended in prison were punished by ISIS militants and left scars on their bodies; that Yazidis and Turkmen were treated as infidels because of their religious and sectarian differences; and that they were subjected to severe torture.<sup>6</sup>

ISIS practices that Turkmen were exposed to in Tal Afar in 2014 resulted in violations of human rights and international humanitarian law. Actions taken by ISIS militants consist of forced migration, kidnapping, deprivation of liberty, conversion of religion and sect, sexual violence, rape and other sexual assaults.

## LEGAL EVALUATION OF THE ABDUCTIONS OF TURKMEN WOMEN

The case of the abduction of Turkmen women by ISIS involves many international conventions and Iraqi law. It is possible to demand the rights of abducted Turkmen women by applying the provisions regarding the crime of kidnapping in the context of Iraqi criminal law. The crime of kidnapping is prohibited in article 421 of the 1969 Iraqi Penal Code No. 111. According to the law, the punishment for the crime of the abduction of women is further aggravated when it is perpetrated by a terrorist organization and when the act also involves torture,

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<sup>6</sup> Melef el-Muhtatafat el-Turkmaniyat el-Mensi ve Measi el-Naciyat Munhun, *Turkmen Rescue Foundation*, 14 Kasım 2020.

sexual assaults, and abductions against women under the age of 18.

On the other hand, the removal or deportation of abducted Turkmen women and especially children by ISIS militants to Arab and European countries can be considered within the scope of combating human trafficking. According to Iraq's Anti-Trafficking Law No. 28 of 2012, the sentences of murderers can be increased up to life sentences. The fact that the abduction of Turkmen women took place between Iraq and Syria involves an international dimension as well. In addition, if it is carried out by a terrorist organization and the victims are women and some are under the age of 18, the crime requires aggravated punishment. In this context, it should be noted that a central Anti-Trafficking Commission was established under the Iraqi Ministry of Interior to combat human trafficking, based on the Law No. 28 on Combating Human Trafficking in 2012. This commission has a branch in each province.

Another dimension of the murder of Turkmen women abducted by ISIS is sexual violence. The Draft Law on the Protection of the Family, which regulates actions against sexual violence in Iraq, has not been adopted. Until now, the sexual violence provisions of Iraqi Penal Code No. 111 of 1969 allowed for protection against dishonor. This reinforces the negative view of society towards women who are exposed to sexual violence. The Iraqi Penal Code encourages crimes against female members of the family in the name of protecting the honor of the family. It is important to remove such provisions from Iraqi laws in order to correct the perception of women who are victims of honor crimes and sexual violence. According to the Iraqi Family Affairs Law, the marriage of the perpetrator of sexual violence to the victim mitigates

the punishment. Likewise, changing such provisions on protecting women and introducing new provisions in line with the spirit of the modern age can prevent violence against women. It also prevents negative social views towards women who have been harmed by terrorist organizations.

According to Article 2 of the Yazidi [Female] Survivors Bill No. 8 of 2021, which was approved by the Iraqi Presidency on March 8, 2021, the provisions of this Bill also apply to Turkmen women who were liberated from ISIS. According to Article 3 of the Bill, a directorate affiliated with the Iraqi Ministry of Labor was established in Mosul for women liberated from ISIS. According to the Bill, a legal or administrative professional of Yazidi origin who has 10 years of working service will be appointed as the head of the directorate to be established. According to Article 4 of the Bill, compensation will be paid to those rescued from ISIS, and those rescued will receive training for their reintegration into society. The task of the directorate established for rescued women is as follows:

1. Preparing reports regarding the number of rescued women and the number of people covered by this law.
2. Providing financial support to those covered by this law.
3. Providing coordination between public and private organizations to support the rescued women and those covered by this law.
4. Creating educational opportunities for rescued women.
5. Providing job opportunities to rescued women in a way that will ensure their economic and social well-being.

6. Establishing health centers to retrain rescued women.
7. Searching for Yazidis, Turkmen, and Shabaks whose status is unknown.
8. Establishing coordination with the Martyrs' Institution to open the mass graveyards and deliver the identified corpses to their families.
9. Working with international investigative and judicial institutions to prosecute criminal ISIS militants, presenting data and evidence on victims.

UN Security Council Resolution 1325 on Women, Peace and Security of October 31, 2000 provides for the protection of women from sexual assault during conflict. In addition, UNSC resolutions 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), and 2122 (2008) on sexual violence tackle the violence perpetrated against women in conflicts and the roles that women can take after the conflict. In addition to that, Iraq is a party to the Covenant on Civil and Political Rights (since 1971), the International Convention on the Elimination of All Forms of Discrimination against Women (since 1986), the Convention on the Rights of the Child (since 1994), and the International Convention for the Protection of All Persons from Enforced Disappearance. It is a party to the Convention (since 2010), and the Convention Against Torture, Other Cruel, Inhuman or Degrading Treatment or Punishment (since 2011). International conventions to which Iraq is a party impose many obligations on the rescue and support of Turkmen women, as well as all women from other ethnic and sectarian groups.

## NUMBER OF KIDNAPPED TURKMEN WOMEN

It is very difficult to reach an exact figure on the number of Turkmen women abducted by ISIS. Most of the abducted women were registered as missing or dead by their families in the relevant institutions. Some figures have been compiled by some local NGOs and activists who were researching the issue. However, it is not possible to precisely see and verify the figures compiled by the activists. Employees of non-governmental organizations and activists from Tal Afar who wanted to conduct research on Turkmen women abducted in Tal Afar faced threats from some families. Like other regions on the northwest border of Iraq, Tal Afar is one of the societies where tribal affiliation is strong and conservative. In these regions, women are seen as the "honor" of men, and there is a rigid traditional obstacle in this context. Therefore, the rape of a woman in Iraqi society, where tribal structures are strong, means that the man who is responsible for protecting the woman is "dishonored". This is why many families do not share information about abducted women, whether liberated or held by ISIS. Another reason for the lack of a clear figure on the abducted Turkmen women is that the Iraqi government's approach to the issue is rather weak. The resulting documents show that the Iraqi central government only dealt with the problem of abducted Turkmen women towards the end of 2019.<sup>7</sup>

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<sup>7</sup> Cihaz el-Muhabarar Yekşif bil-Vesayif Masir el-Turkmaniyat el-Muhtatafat Leda DAİŞ, *el-Mutalee*, 31 January 2021.

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en have been rescued so far. Compiling the number of liberated women is usually the result of individual efforts. Nawal al-Karawi, Director of the Iraqi Center for Women's and Children's Rights, who works with many non-governmental organizations on human rights issues in Tal Afar, stated that the figures for abducted Turkmen women are not correct.<sup>8</sup> Ibtisam Hayyu, Head of the Organization for Intercultural Dialogue for Development and Aid, stated that the number of Turkmen abducted in November 2020 is not exact, but estimated to be around 1,300.<sup>9</sup>

Ali Bayatlı, the President of the Turkmen Rescue Foundation and a member of the Iraqi High Commissioner for Human Rights, stated that 1,200 people were abducted from Tal Afar by ISIS. Bayatlı stated that 600 of the abducted were women and 200 were children. However, he explained that there was no data on how many people were abducted from other regions. Bayatlı stated that some Turkmen

women identified themselves as Yazidis or Arabs in order not to be burned by ISIS militants. For this reason, Bayatlı said that the number of abducted Turkmen women may seem low.<sup>10</sup>

On August 25, 2019, Himan Remzi, Director of Tūlay Turkmen Affairs Association, also stated that the number of Turkmen abducted by ISIS is 1,300. In this context, 1,200 of the kidnappings took place in the attack by ISIS on Turkmen regions in 2014. The other 100 took place between 2015 and 2017. There are 470 women, 130 children, and 700 men among the abducted. In November 2020, Remzi stated that there were 700 Turkmen children imprisoned by ISIS.<sup>11</sup>

According to rumors, some of the abducted Turkmen women were taken to different countries<sup>12</sup> while some of them were held in the Sadd Camp in Raqqa controlled by the terrorist group PKK/YPG, Albu Khasab and Abu Hamam in Deir Zor, the al-Hol Camp in Hasakah, and the Akkadha

<sup>8</sup> Suadad al-Salhy, The untold tragedy of Iraq's Shia Turkmen women abducted by Islamic State, *Middle East Eye*, 18 February 2021.

<sup>9</sup> Saman Davut, Naciya el-Turkmaniyat Min DAİŞ: İhmal Hukuki ve Vasmat Ar İctimayi, *Turkmen Rescue Foundation*, 20 November 2020.

<sup>10</sup> Ibid.

<sup>11</sup> Naciya Turkmaniye Atakulu Zevci ve Aktaduni Maa Atfali ve Macmua min 18 Fatat Turkmaniye, *Turkmen Rescue Foundation*, 15 November 2020.

<sup>12</sup> Suadad al-Salhy, The untold tragedy of Iraq's Shia Turkmen women abducted by Islamic State, *Middle East Eye*, 18 February 2021.





Turkmen in Kirkuk demanded the release of 400 Turkmen women held in ISIS prisons in Syria.

Camp in Azaz. According to local sources, who gave information about the men and women abducted by ISIS militants from the Bayat villages around Amirli, which suffered great damage from ISIS in 2014, those abducted were killed by ISIS.<sup>13</sup>

## DIFFICULTIES IN RESCUING THE ABDUCTED PEOPLE

The Iraqi government and the Turkmen community, as well as the international community, were late in acknowledging the abduction of Turkmen women by ISIS. Zainab Hawa Bangura, former United Nations Special Representative on Sexual Violence in Conflict, announced that Turkmen women

were abducted and subjected to sexual violence only two years after the abduction of Turkmen women by ISIS<sup>14</sup>. In addition to the late acknowledgement, the fact of the abduction of Turkmen women by ISIS has not been recognized by the international community as needed. According to the information given by Ali Bayatlı, only France granted asylum to Turkmen women abducted by ISIS<sup>15</sup>. The delay in the acknowledgement of abducted Turkmen women is not just an issue limited to the international community. The Iraqi central government and the political parties representing the Turkmen community brought Turkmen women to the agenda only after a long time.

<sup>13</sup> Interview with Suheyil Necim, Archive Director of the Amirli Cultural and Social Association on 20 April 2021.

<sup>14</sup> Two years after ISIL's attacks on Sinjar, Iraq, United Nations Special Representative of the Secretary-General on Sexual Violence in Conflict, Zainab Hawa Bangura, demands justice and support for the victims United Nations Iraq, (E.T. 03.04.2021 ).

<sup>15</sup> Ali Bayatlı, *Twitter*, (E.T. 03.09.2021 ), <https://twitter.com/aliakramalbayat/status/1436677932643139593>

Relief activities remained at the individual level, as the Turkmen abducted by ISIS did not receive the necessary attention from local and international non-governmental organizations, the Iraqi central government, and the Turkmen community. However, some organizations for the rescue of Yazidi women were able to save many women from ISIS in return for ransom, and they gathered worldwide support for Yazidi women exiled by ISIS. One of the Yazidi women who was kidnapped and later rescued also received the Nobel Peace Prize.

Former Prime Minister of Iraq, Adil Abdul Mahdi, hosted Turkmen and Shabak women who were rescued from ISIS on July 18, 2019 in Baghdad. However, it would not be wrong to say that the steps taken by the Iraqi central government towards the rescue of Turkmen women are insufficient. Ali Bayatlı stated that there was no government support for this issue<sup>16</sup>. The Turkmen community, on the other hand, announced on August 17, 2019, 5 years later, that there were abductions of Turkmen women by ISIS and that the abducted Turkmen women were subjected to sexual violence by ISIS militants. Erşat Salihi, former chairman of the Iraqi Turkmen Front and Turkmen Deputy from Kirkuk, stated that tradition and tribal values prevent the disclosure of the number and names of the abducted Turkmen women<sup>17</sup>. It would not be wrong to state that since the political, tribal, and religious authorities of the Turkmen community did not bring the crimes of abduction and sexual assault against Turkmen women to the agenda, relief efforts and international organizations have been delayed in assuming their re-

sponsibilities.

Although there are hundreds of Turkmen among the 3000 people killed and 7000 people kidnapped from Sinjar city in Mosul by ISIS militants in 2014, all of them are known as Yazidis in world public opinion<sup>18</sup>. In addition, with the capture of Tal Afar by ISIS, many Turkmen took refuge in Mount Sinjar. The detention of Turkmen women who took refuge in Mount Sinjar by ISIS in a Yazidi settlement led to the perception by world public opinion that Turkmen are Yazidis. All these factors hindered search and rescue activities for missing Turkmen women.

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<sup>16</sup> Saman Davut, age.

<sup>17</sup> Erşat Salihi Yedu İla Daim el-Turkmaniyat el-Naciyat Min DAİŞ, *Anadolu Ajansı*, 18.08.2019.

<sup>18</sup> Suadad al-Salhy, The untold tragedy of Iraq's Shia Turkmen women abducted by Islamic State, *Middle East Eye*, 18 February 2021.

who was kidnapped and later rescued also received the Nobel Peace Prize.<sup>19</sup> Nadia Murat, of Yazidi origin, who was kidnapped by ISIS in 2014 and whose seven siblings were killed, was awarded the Nobel Peace Prize in 2016 and was selected as a United Nations (UN) Goodwill Ambassador. Turkmen women were coincidentally rescued by Iraqi security forces or intelligence. The absence of an organization that aims to rescue abducted Turkmen women potentially means that a Turkmen woman abducted by ISIS may be treated as an ISIS family member by different state forces. It is also possible that some of these women, if they were not killed by ISIS, are currently either under ISIS control or in camps or prisons where their families are.

Zehra Shehab, who was kidnapped by ISIS, remained as a captive for three years, and was married under threat to an ISIS family member, and was rescued by a security force with soldiers from Tal Afar by chance. Shehab says that she returned to her family after the soldiers contacted them<sup>20</sup>. However, not every abducted Turkmen woman may have the same chance, and therefore, they may go to Iraqi prisons. As a matter of fact, many abducted Turkmen women were not even recorded as missing. However, all information indicates that there are Turkmen women in refugee camps in Syria<sup>21</sup>. All of the Turkmen women rescued so far have been rescued as a result of military operations in Iraq. This shows that there is no documentation of abducted Turkmen women. As can be understood from the stories of women rescued from ISIS, Turkmen women may have been expelled from Iraq with their families.

In this context, they may be under the control of armed groups in areas such as the al-Hol Camp and Idlib.

With the Turkmen included in the scope of the Yazidi Survivors Bill, which was approved on March 8, 2021, one of the duties of the directorate specializing in the subject of women liberated from ISIS within the Ministry of Labor is to investigate women whose fate is unknown. In this sense, it may be easier to investigate those abducted by ISIS, especially Turkmen women<sup>22</sup>.

## CHALLENGES ENCOUNTERED BY TURKMEN WOMEN LIBERATED FROM ISIS

### a. Lack of Legal Support

One of the biggest obstacles to the rescue of women who were abducted by ISIS, as well as those still under the control of ISIS, is the low awareness of society with regard to the law. According to the Turkmen Rescue Foundation, one of the biggest problems faced by the Turkmen rescued from ISIS is the insufficient level of legal awareness. Some of the Turkmen women abducted by ISIS were recorded as missing by their families. In addition, the absence of lawyers to bring the problems of Turkmen women to local and international human rights and murder courts made it difficult to defend the rights of the rescued women.

Turkmen activist Mehdi Saadun stated that in the last month regarding Turkmen's applications to international institutions,

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<sup>19</sup> Ibid.

<sup>20</sup> Cafer Telaferli, Ibid.

<sup>21</sup> Suadad al-Salhy, Ibid.

<sup>22</sup> Article 5/7, The Yazidi Survivors Bill.

they submitted 100 petitions to the United Nations Iraq Assistance Mission (UNAMI) through the Turkmen Rescue Foundation regarding the crimes committed by ISIS militants against Turkmen<sup>23</sup>. According to Article 7 of the Yazidi Survivors Bill, crimes committed by ISIS against Yazidis, Turkmen and Shabak are considered genocide. This provision is very important. Because there are many legal, political, and moral dimensions to the crimes committed against the Turkmen as genocide. Calling the acts of ISIS genocide causes the Turkmen to apply for their rights arising from international law. It also imposes some obligations on the Iraqi government in this context. Therefore, according to paragraph 2 of Article 7, the Iraqi Ministry of Foreign Affairs has to take the crimes of ISIS against Turkmen and other ethnic groups to international platforms and demand trials for criminals. According to paragraph 3 of the same article, the Ministry of Foreign Affairs of Iraq files lawsuits against criminals and cooperates for trial in relevant courts.

Article 8 of the Yazidi Survivors Bill is politically important. With this article, it was decreed that August 3 of each year, the date of the ISIS attack against Mount Sinjar in 2014 would be declared a national day to commemorate the crimes committed against Yazidis and other communities. In addition to that, according to paragraph 2 of Article 8, the Iraqi Ministry of Culture and the Municipality of Baghdad are tasked with erecting statues for the victims of Yazidis and other communities, and organizing various activities for commemoration.

## **b. Government Support to Turkmen**

<sup>23</sup> Phone Call on 26 April 2021.

## **Women Kidnapped by ISIS**

One of the biggest problems faced by Turkmen women liberated from ISIS is the killing of their families by ISIS. Some of the women rescued from ISIS live with their families, while some other women continue their lives with their relatives because their families were killed by ISIS. Turkmen women, who have experienced great trauma and oppression by ISIS militants and their families, may suffer from deeper psychological problems when they live with their relatives. In addition, the houses of women who were rescued from ISIS were destroyed by ISIS. Turkmen women's problems further deteriorated since the Iraqi central government did not provide compensation for the restoration of the homes of the families whose houses were destroyed. The only support given to abducted Turkmen women is 100-300 thousand (between 75 and 250 dollars) dinars per month, given by the Orphans Institution affiliated with Ayatollah Muhammet Sait el-Hekim. However, the Iraqi government provides no support for Turkmen women.

However, it is expected that the Turkmen women who are included within the scope of the Yazidi Survivors Bill will receive salary and compensation. According to Article 4 of the Bill, the women that are included within the scope of the bill will be granted moral and material compensation. According to the second paragraph of the same article, measures will be taken to ensure that abducted women are integrated into society and that the violations committed against them do not happen again. According to Article 6, paragraph 1 of the Yazidi Survivors Bill, women that are included within the scope of the bill are to receive twice the monthly

minimum pension according to Pension Law No. 9 of 2014. In accordance with paragraph 2 of article 6, land and real estate loans are granted to the women that are included within the scope of the bill.

In addition to the crimes committed by ISIS against Turkmen women, many of the female victims of ISIS have been deprived of their education. In addition to that, many Turkmen women face difficulties in returning to their education due to the loss of documents such as identity cards during their captivity. One of the important provisions of the Yazidi Survivors Bill is that they can return to their education without being subject to age requirements. In addition, it is important that women who are rescued and those who are covered by this law are appointed to assignments in public institutions.

### **c. Social Attitudes toward the Women Abducted by ISIS**

Iraqi society is generally conservative. The Turkmen community living in Tal Afar and most other Turkmen regions, especially in areas outside the big cities, is also conservative. Some social rules that the tribal structure necessitates have shaped so-

ciety's view of women within the scope of their perspectives on the concepts of "honor" and "dignity". The conservative view of society towards women, despite the rape, forced marriage, and abortion by ISIS militants, negatively affected society's approach towards women who were liberated from ISIS. Many families sought to conceal the abduction incident rather than go after and demand the rights of their daughters. Due to the traditional conservative mentality, people think that no one will marry these girls, so abduction incidents are swept under the carpet. The psychological situation of Turkmen women who were rescued from ISIS is understandable when the family-related and social pressure on unmarried women in oriental societies is considered.

On July 15, 2019, Turkmen women, who suffered from social pressure, were welcomed by Abdulmehdi al-Karbalai, the official representative of the Grand Ayatollah in Iraq. It is an important gesture that Abdul Mahdi has welcomed the Turkmen and Shabak women liberated from ISIS, at a time when they are unjustly accused of dishonor and indignity. Abdul Mahdi expressed that they are ready to give the necessary support to those rescued from ISIS and stated that women

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can receive treatment in hospitals affiliated with *Atebe*<sup>24</sup> in Najaf and Karbala. However, many activists asked Grand Ayatollah Ali al-Sistani to issue a fatwa that stipulates that the abduction and sexual violence of Shiite women of origin by ISIS should not be welcomed by the society similar to that of the Yezidi Spiritual Leader Baba Sheikh from the largest Shiite religious authority in Iraq, Ayatollah Ali es-Sistani, accepting women who had been forcefully converted by ISIS to the Yezidi community.

Cafer Telaferli, a human rights activist working with local organizations and abducted Turkmen women in Tal Afar, stated on April 26, 2021 that recently there has been a softening in the public's attitude towards Turkmen women who were abducted from Tal Afar. Telaferli stated that for nearly three years, many families of victims avoided providing information about their abducted girls. However, he also stated that the families of the victims helped the people in Tal Afar to demand the rights of the abducted Turkmen women.<sup>25</sup>

## CONCLUSION

Due to the insufficient attention by the Iraqi government and international organizations, there are some inconsistencies in the numbers regarding abducted Turkmen women. In addition, since the number of abducted Turkmen women is not determined, it is clear that the documentation of human rights violations committed against Turkmen in Iraq remains insufficient. This situation reveals that the efforts of the Iraqi government in this direction are not at the required

level. The documentation of human rights violations against Turkmen, especially the abduction of Turkmen women by ISIS, remained at the level of individual actions by local activists. In addition, it is important to investigate whether women whose status was unknown until now are in Iraqi prisons. The absence of an organization for the rescue of Turkmen women may result in the treatment of Turkmen women abducted by ISIS as an ISIS family by different state forces. If some of these women were not killed by ISIS, it is likely that they were already in camps or prisons where ISIS families are located.

According to official documents, more than 400 Turkmen women are currently missing in Tal Afar. The ISIS practices that the Turkmen in Tal Afar suffered in 2014 constituted violations of human rights law and international humanitarian law. In addition, the actions taken by ISIS militants include forced migration, kidnapping, deprivation of liberty, conversion of religion and sect, sexual violence, rape and other sexual assaults. In this regard, it is important for Turkmen human rights organizations to file complaints with international organizations. The absence of Turkmen law offices specializing in human rights within the scope of Iraqi domestic law negatively affected the demand for the necessary rights of Turkmen women. Since Iraq is a party to more than one international human rights convention, the Iraqi government and international human rights organizations have multiple obligations to support those rescued from ISIS and to make efforts to rescue those whose situation is unknown.

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<sup>24</sup> Atebe is the name given to the administration of the tombs of early Islamic figures Ali, Hüseyin and Abbas.

<sup>25</sup> Phone conversation with Cafer Telaferli on 26 April 2021.

One could argue that Tal Afar, like other regions on the northwestern border of Iraq, is one of the conservative communities with a strong tribal affiliation. In these regions, women are seen as the "honor" of men, and there is a rigid traditional hindrance in this context. In order to overcome this obstacle, it is necessary for local and international human rights organizations to increase legal awareness in these regions. In addition, it is important for the clergy to make supportive statements in this direction in order to bring the rights of abducted Turkmen women to official platforms more powerfully.

Some of the women abducted by ISIS continue their lives with their relatives because their families were killed by the organization. These women, who have experienced great trauma and oppression by ISIS militants and their families, may suffer from deeper psychological problems when they live with their relatives. In addition, the houses of women who were rescued from ISIS were destroyed by ISIS. Turkmen women's problems further deteriorated since the Iraqi central government did not pro-

vide compensation for the restoration of the homes of the families whose houses were destroyed. In addition to the crimes committed by ISIS against Turkmen women, many of the female victims of ISIS have been deprived of their education. In addition to that, many Turkmen women face difficulties in returning to their education due to the loss of documents such as identity cards during their captivity. One of the important provisions of the Yazidi Survivors Bill is that they can return to their education without being subject to age requirements. In addition, it is important that women who are rescued and those who are covered by this law are appointed to assignments in public institutions. Educational support can be provided in Turkey for the reintegration of Turkmen women abducted by ISIS. In this context, it should be noted that it is also important to enact the Turkmen Rights Law in order for the Turkmens in Iraq to obtain their political and social rights. The cases of these women can be included in the Turkmen Rights Law in order to secure their rights and to investigate those, whose situations are not clear

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