

UN Security Council and General Assembly resolutions on Iraq and the entry of ISIS into it

Wijdan Raham Khudhair¹, Mostafa Fazaeli²

¹Assistant Professor, University of sumer, Email: Wijdanlawyer2014@gmail.com

²University of Qom

Received: 14.04.2024

Revised : 15.05.2024

Accepted: 23.05.2024

ABSTRACT

The occupation of Iraq in 2003 had major repercussions on the security situation in the country, as the fragility of security contributed to attracting terrorists from different countries of the world to form terrorist hotbeds. It also led to supporting corruption and the exacerbation of regional interventions, in addition to the spread of militias and armed groups that emerged clearly by 2014. These groups committed widespread violations and launched military attacks that mainly targeted the rights of civilians and human rights in Iraq.

Keywords: Iraq, repercussions, United Nations, Security Council, War

INTRODUCTION

The occupation of Iraq in 2003 had many repercussions on the security situation in the country, as the fragility of security contributed to attracting terrorists from all over the world to form terrorist hotbeds. It also led to the strengthening of corruption and regional interventions, and the spread of militias and armed groups that appeared clearly in 2014, which committed violations and military attacks that mainly targeted the rights of civilians, including human rights in Iraq. The human rights situation in Iraq deteriorated significantly after the events of June 10, 2014, when ISIS was able to control large areas in the north of the country, especially in the governorates of Mosul and Anbar, in addition to other governorates. Human rights violations were concentrated in these areas, and resulted in the commission of serious crimes against civilians, including the widespread forced displacement of the residents of those areas to the central and southern regions to escape the brutality of the organization. These violations come in light of the importance of human rights protected by Iraqi law.

Armed conflicts in Iraq, starting with the US occupation in 2003, and ending with the takeover of the terrorist organization ISIS in 2014 and the armed groups associated with it, have greatly affected the aspirations of Iraqis to live in peace in their homeland. These conflicts have resulted in multiple violations of international human rights law and international humanitarian law, through practices of violence and terrorism that targeted various human rights, making these rights the weakest link in the midst of armed conflicts that have affected many areas of the country, at a time when acts of violence and terrorism continue in other areas.

These conflicts also led to the entry of foreign forces in 2003, and to the restriction of the basic freedoms of minorities after the takeover of ISIS in 2014. These restrictions included fundamental, non-negotiable rights, and spread terror and fear among people through systematic practices aimed at bringing back the Dark Ages. Non-Muslim sects were also forced to abandon their beliefs and change their religions. In addition, ISIS committed serious human rights violations by spreading a culture of hatred and intolerance among groups, in clear and explicit violation of international rules and norms.

These crimes are committed by terrorist and armed groups, and such attacks are considered serious violations of international human rights law and are classified as war crimes, which are among the most serious international crimes punishable under the 1998 Rome Statute of the International Criminal Court. On the other hand, killing in this context represents a serious violation of the four Geneva Conventions of 1949, which constitute the basic framework for the protection of civilians from the effects of armed conflicts, whether international or non-international.

Research Plan

The first section: Human rights violations and war crimes during the occupation of Iraq in 2003.

The second section: War crimes against human rights under the terrorist organization ISIS

The third section: The international legal framework for the work of the United Nations Assistance Mission for Iraq (UNAMI).

The first section: Human rights violations and war crimes during the occupation of Iraq in 2003

There is no doubt that after the entry of the American occupation forces into Iraq on April 9, 2003 and the resulting serious human rights violations, this occupation turned into a major problem for civilians. But what happened to human rights was more complex, as these rights were swept away from their original areas, and many of them became forcibly displaced or internally displaced.

What happened represents a major assault on human rights in Iraq, as it was uprooted and its properties were destroyed. These violations struck at the heart of Iraq, as they target essential components that have objective and social characteristics that distinguish them from other populations. These gross violations of human rights were not limited to the period of the American occupation in 2003, but also began during the era of the former regime.

This causes great frustration for human rights holders as a result of the violations they have been subjected to, especially in the absence of full state protection for them. They have been and continue to be subject to these attacks without any effective protection, as human rights lack sufficient protection tools. This situation leads to attempts to exclude and persecute human rights, and poses a threat to their existence, in addition to eliminating the religious and ethnic diversity that characterizes these human rights.

On the other hand, the presence of the occupation forces in Iraq in 2003 is considered one of the main reasons for the spread of international terrorist networks, armed groups and militias, as these groups did not find a safe ground for their activities. Even immediately after the occupation, these terrorist organizations caused harm to civilians and increased their suffering, and their destructive activities left negative effects on the lives of civilians, including their persecution and displacement.

Human rights violations in Iraq have been numerous under the occupation authorities, including killings, death threats, forced evictions from residential areas, kidnappings, mass displacement, and attacks on churches and monasteries belonging to minorities. These violations have also caused cases of external migration and asylum for minorities, which is considered a serious violation of the Fourth Geneva Conventions of 1949.

Many families representing human rights, including clerics, were subjected to kidnapping and murder after the start of the US occupation of Iraq in 2003. This period witnessed systematic killings targeting individuals based on their religious and ethnic identity, with the motives for killing being limited to religious and national affiliations, practicing certain professions, or due to terrorist acts, among other reasons.

Many families concerned with human rights have been forcibly displaced and deported due to the volatile and unstable security situation, especially in Baghdad and Mosul governorates. Some have managed to find safe haven outside Iraq, in countries such as Oman and Syria, while others have headed to the Kurdistan Region and other safe areas.

The bombing of the Samarra shrine in February 2006 sparked sectarian violence, which exacerbated the fighting and conflict within Iraqi society, especially in the years 2007, 2008 and 2009, which witnessed high rates of killing and displacement. This situation also led to large waves of human displacement, as minorities were forcibly expelled from their areas at gunpoint, or decided to leave the areas for fear of being subjected to violence. Figures issued by Iraqi and international bodies show that there are approximately 4.5 million forcibly displaced and displaced persons.

The displacement has resulted in two million people outside Iraq, in addition to two million and five hundred thousand internally displaced persons and forcibly displaced persons within the country. This displacement has resulted in the deterioration of living conditions for individuals belonging to minorities, leading to the dispersion of displaced families and the disruption of their social and cultural ties due to armed conflict and violence in various regions of Iraq. It has also reduced educational opportunities and deprived them of basic necessities such as food, clean water and medicine. According to international reports, IDPs in the Nineveh Plain suffer from difficult living conditions, especially economically, due to the lack of job opportunities.

Most of the displaced people depend on simple jobs such as guarding and daily wage work, and their children suffer from a decline in their educational level, as some students have stopped continuing their studies and left school to work, due to their parents' inability to cover living and education expenses.

Most statistics indicate that forced evictions and displacements targeting human rights are mostly temporary phenomena. Statistics show that the bombing of the Samarra shrine in 2006 was the main starting point for the issue of forced displacement within Iraq, while some sources indicate that this phenomenon began with the failure of the former regime in 2003.

Moreover, terrorism has contributed to deepening sectarian conflict and increasing rates of killing based on identity, leading to the migration and flight of millions of civilians both inside and outside Iraq. Iraq witnessed major transformations between 2003 and 2011, as human rights were intensively targeted during the period of the occupation forces. It is clear that the issue of human rights violations was not limited to security threats, which began at the end of 2011, but was more severe and dangerous in 2013. Concerns were raised in 2013 due to the increase in violations, such as attacks, targeting, racial discrimination, and organized killings based on identity or religion, in addition to large-scale forced displacement. The aim of these violations was to exclude human rights from their areas, making them the weakest link without any protection mechanisms, and without being a party to the conflict.

The second section: War crimes against human rights under the terrorist organization ISIS

The human rights situation remained alarming due to violations and attacks by ISIL and associated armed groups. Non-international armed conflict continues to affect large areas in the governorates of Anbar, Diyala, Kirkuk, Mosul and Salah al-Din, while violence and terrorism continue in Baghdad and other parts of the country. On 13 March 2015, the United Nations expressed concern about the human rights situation in Iraq, due to attacks by ISIL and associated groups.

In 2014, UN Secretary-General Ban Ki-moon expressed grave concern about the gross human rights abuses committed by ISIL in Iraq, saying: "Thousands of civilians are currently at the mercy of ISIL and associated armed groups, as ISIL fighters systematically kill human rights defenders based on their religion or ethnicity, those who disagree with their distorted interpretation of Islam, and anyone who opposes their horrific vision. ISIL targets vulnerable groups such as children and women in horrific and brutal ways, and destroys religious and cultural symbols that represent an important legacy of human life.

The terrorist organization ISIS continued to target individuals from different ethnic and religious groups, deliberately depriving them of their basic rights and subjecting them to conditions that violate national and international law. These actions appear to be part of a systematic and widespread policy aimed at subjugating, expelling, or destroying human rights in areas controlled by ISIS. The organization also continued to justify its violations against ethnic and religious components through electronic media, calling for the cleansing of the territories it controls of "infidels," forcing them to convert to Islam, subjugating or expelling them, or killing followers of other religions or those who reject its takfiri doctrine.

ISIS exploited jihadist ideas to wage a genocidal war, which was characterised by a number of prominent premises, the most prominent of which are the following:

1. Deterioration of the security situation.

ISIS has exploited the volatile security situation in many governorates to threaten the right to life of innocent, vulnerable and defenceless populations. The terrorist organisation has committed blatant crimes, including war crimes, crimes against human rights and genocide. In 2015, the Human Rights Council held a special session focusing on the situation in Iraq and the increasing violations of human rights and international human rights law committed by ISIS and associated armed groups. The 2015 Human Rights Council report noted cases of unlawful killings, targeting of human rights and civilians, as well as the persecution of ethnic groups and individuals based on their religion or affiliation. The report also included the destruction of places of worship and cultural heritage sites.

ISIS forces Christians and Sabina to convert to Islam, pay a tax, be expelled, or be killed. For Yazidis and other religions that ISIS considers heretical, it is either convert or be killed. ISIS has published other justifications for sexually enslaving Yazidi women and considering them heretics, along with women from other religious groups that it considers heretics. Armed terrorism in Iraq is ongoing and seriously targets various ethnic groups, including Christians, Mandaean, Kakais, Kurds, and Turkmen.

In June 2014, about 1,000 Christians fled their homes and areas of residence within a few days, in fear after ISIS ordered them to either convert to Islam, leave their areas, or pay a tax. Thousands of women, children, and some men, especially Yazidis, and other religious and ethnic groups, remain detained by ISIS and are subjected to serious human rights violations.

It is estimated that between 3,000 and 3,500 women and children, as well as some men, mostly Yazidis, remain in ISIS captivity, along with members of other religious and ethnic groups. According to the United Nations High Commissioner for Refugees, as of 12 August 2014, approximately 20,000 to 30,000 Yazidis remained trapped on Mount Sinjar, with limited access.

The non-international armed conflict in Iraq has led to ISIS targeting various ethnic and religious groups, subjecting them to a number of attacks and serious violations of human rights and international law.

These actions appear to be part of a broader, systematic policy aimed at suppressing human rights in areas under the group's control, or its eventual expulsion or destruction.

ISIS in Iraq continues to restrict and violate the basic rights of minorities in the areas it controls, by enforcing compliance with its ideology through targeted killings, kidnappings, and sentencing by Sharia courts. The group has released videos showing human rights abuses and severe punishments, such as stoning, throwing from rooftops, beheadings, and crucifixions. A notable example is the discovery in February 2015 of mass graves containing the remains of numerous people, most of them Yazidi human rights activists, some of whom were found to have been handcuffed and blindfolded when they were killed.

2. Forced displacement and expulsion of minorities

Since the start of the major displacement crisis in Iraq on 10 June 2014, following the territorial advance of ISIS in northern and central Iraq, the human rights situation has deteriorated dramatically. According to UN estimates, the number of internally displaced persons has reached 3.2 million, while more than 8 million people are in need of humanitarian assistance. In practical terms, the displacement and displacement of minorities is one of the most serious threats facing them, as they are displaced and have lost their safe haven, often losing their homeland, including their ethnic and cultural characteristics.

In early to mid-June 2014, ISIS displaced thousands of people of various ethnic and religious groups from their homes in the provinces of Anbar, Nineveh, Salah al-Din, Diyala, and Kirkuk to the Kurdistan Region and other areas of Iraq, as a result of attacks by the organization and its affiliated groups.

Between January 2014 and 29 September 2015, an estimated 3,206,736 people were displaced within Iraq, including over 1 million school-age children. International reports indicate that most of the internally displaced, 87%, came from three main governorates: Anbar (42%), Ninewa (32%), and Salah al-Din (13%). Baghdad and Anbar governorates host the largest numbers of IDPs, with Baghdad hosting 577,584 IDPs and Anbar 583,050. These figures include people displaced within the same areas as well as those who have moved to other areas of the country.

In the first hours of ISIS's takeover of Mosul on June 10, 2014, approximately 500,000 people were displaced from the city. By July 22, 2014, approximately 200,000 Christians had left Mosul and sought refuge with relatives and local communities in various areas of the Nineveh Plain and the Kurdistan Region. Starting on August 2, 2014, villages populated by people of various ethnic and religious backgrounds began to leave the Sinjar district and the Zummar and Rabia sub-districts of Tal Afar district in Nineveh province, which ISIS fighters had taken control of.

Hundreds of thousands of people, mostly Yazidis, Turkmen, Shabaks and Christians, have fled areas recently occupied by the group, with tens of thousands taking refuge on Mount Sinjar in Qadisiyah district from villages such as Bashiqa, Tal al-Banat, al-Sanuni, Tal al-Qasab, Khan Sur and al-Abbasiya. Around 200,000 people have taken refuge on the mountain, while others have headed to Dahuk province in the Kurdistan Region, including a number of Turkmen families who had previously been displaced from Tal Afar. Those fleeing have been trapped in the mountains by ISIS fighters who have taken control of the areas surrounding the foothills. The displaced, including thousands of women, children, the elderly and people with disabilities, have walked long distances to reach safer areas.

The displaced people, some on foot, had travelled long distances and were in dire need of urgent humanitarian assistance, including water, food, shelter and medicine. Those who remained trapped in their villages, especially in Yazidi-majority cities, were living in extremely harsh humanitarian conditions as a result of the siege imposed on them by ISIS fighters.

On 5 August 2014, UNICEF reported that families displaced to Mount Sinjar, including approximately 25,000 children, were in dire need of humanitarian assistance.

ISIS attacks have severely impacted the provision of basic assistance such as drinking water and sanitation services. As a result of these attacks, approximately 40 Yazidi children have died of hunger, thirst and dehydration.

On 6 August 2014, ISIS advanced into the Nineveh Plains and other areas on the outskirts of the city, triggering a new wave of mass displacement. This offensive displaced over 180,000 people to different areas within the Kurdistan Region and elsewhere in Iraq, including Christians, Shabaks, Turkmen and Yazidis. After the siege of Mount Sinjar was lifted on 14 August 2014, tens of thousands of civilians, including human rights activists who had been trapped, were able to escape. The Kurdish People's Protection Units helped most of these civilians move across Syria to the Kurdistan Region, escaping the Islamic State that was based in Syria.

According to UN agencies, two-thirds of IDPs in Iraq live in areas controlled by ISIS or affiliated armed groups, or in areas affected by conflict, making it extremely difficult to reach them with humanitarian assistance. In addition, many members of ethnic and religious groups have sought refuge in areas

increasingly vulnerable to ISIS attacks, including northern Sinjar and the Nineveh Plains. Many villages inhabited by Yazidis, Turkmen and Shabaks in northern Sinjar district and parts of Tel Afar district were effectively besieged by ISIS and affiliated armed groups. As a result, human rights conditions have been severely affected, especially for Christians who have sought protection from relatives and fellow Christians in towns in the Nineveh Plains. The vulnerability of IDPs in Iraq has been exacerbated by ISIS cutting off electricity and water supplies to many of these areas.

3. Enslavement and captivity of women

The rapid expansion of armed groups, particularly ISIS, in Iraq has had a devastating impact on human rights. Armed groups have particularly targeted women and minorities, with thousands of women and girls subjected to forced abduction, physical violence, intimidation, and ethnically and sectarianly motivated killings.

Yazidi women and girls have faced serious human rights violations at the hands of ISIS militants. In areas controlled by the group, women and girls have been sold as slaves and forced to marry ISIS fighters. ISIS has also adopted violence against women and children as a means of war, using physical violence against them to achieve its strategic objectives.

ISIS's strategic priorities include developing recruitment methods and raising funds by selling women and girls in slave markets, collecting ransoms from families, and transferring women between groups as a means of punishing and disciplining insurgents and their families.

During ISIS's attack on Mount Sinjar in northern Iraq, the group abducted hundreds of Yazidi women and girls. The abducted women were transported to areas in Syria, where they were sold as spoils of war in various markets in Raqqa Governorate. These women and girls were subjected to slavery and servitude, and were held in harsh conditions.

Women and girls who refused to convert, or who refused to marry ISIS fighters, were subjected to threats and physical violence. Some were reportedly killed in different parts of Mosul for refusing to marry ISIS fighters. Turkmen women's husbands were also killed by ISIS.

4. Forcible recruitment of children in armed conflicts

ISIS continued its brutal attacks, resulting in widespread abuses targeting children in particular, including sexual slavery, detention, and forced recruitment. The group is estimated to have enslaved around 3,500 people, mostly Yazidi children, as well as other members of other religious and ethnic groups.

Serious concerns were raised about the recruitment of children into armed conflict during the period when ISIS controlled large areas of Iraq, including the city of Mosul from 10 June 2014 to 2016. International reports indicated that ISIS and some affiliated armed groups were actively recruiting children as young as 13 years old as fighters in Mosul and Tal Afar governorates, carrying weapons and wearing uniforms similar to those of ISIS fighters. Minors were also observed accompanying ISIS patrols inside Mosul and Tal Afar.

From August 2014 to June 2015, ISIS forcibly took hundreds of children from their families, mostly from Mosul and Tal Afar governorates, including Yazidis and Turkmen, and sent them to training centers, where they were taught how to use weapons and combat techniques. According to UN reports, the group formed a youth wing called the "Sons of Islam," which was active in some of the affected areas, including Mosul governorate. The group also used children to carry out suicide attacks, execute civilians, and force them to shoot and behead victims.

The organization posted photos and videos on social media showing children receiving training or participating in violent acts. As ISIS advanced into the Nineveh Plains on August 6, 2014, most of the displaced were males aged 15 and over who had been forcibly recruited by the group. Some of these children who managed to escape told their families that they were forced to stand as human shields to protect ISIS fighters, and to donate blood to treat ISIS wounded.

The systematic use of children by ISIS in military operations is a major concern, as this tactic is an increasing part of the group's war strategy. This recruitment has also included girls between the ages of 14 and 17 in Tikrit province, who were forced to carry weapons.

The group also continued to use children for propaganda purposes, particularly in Anbar and Mosul governorates, where it regularly posted photos on social media showing children wearing different uniforms and moving alongside adults. Children recruited by ISIS committed the most serious crimes against civilians, including killing and maiming. The conditions prevailing in Iraq during the period of ISIS control over large governorates such as Mosul, Anbar and Salah al-Din indicate a sharp deterioration in human rights. The group carried out widespread attacks targeting human rights in areas under its control, including women and children in particular.

The group pursued policies that led to gross human rights violations, causing large numbers of individuals to flee to other areas of Iraq in search of safety. These individuals were subjected to the most heinous crimes committed in a systematic and complex manner. The objectives of these violations ranged from directly targeting human rights to attempting to completely eliminate them from areas controlled by the organization. In some cases, the actions were intended to destroy the existence of human rights, which is classified as one of the most serious international crimes according to the statute of the International Criminal Court.

The United Nations continued to engage with national and local authorities on human rights violations in Iraq, particularly the issue of forced recruitment of children in armed conflict, despite the deteriorating security situation and political instability in the country. Iraq has not been able to provide an effective response to the crisis, raising concerns about the severe human rights impact of the armed conflict, particularly on children recruited and associated with the terrorist organization ISIL.

The United Nations calls for the implementation of policies and programmes to rehabilitate children affected by conflict, to address the serious violations they are subjected to and to address the problems that arise. On 27 and 28 September 2017, the Geneva International Centre for Justice sent urgent appeals to both the Secretary-General of the United Nations and the High Commissioner for Human Rights, expressing its concerns and concerns regarding the adoption by the Security Council of Resolution 2379 on 21 September 2017, which addresses accountability for the crimes committed by ISIS in Iraq. The Centre expressed its objection to some of the key provisions of the resolution, including limiting the investigation to crimes committed in Iraq only, and specifying the need to include the Iraqi authorities and the judiciary in the investigation team.

As for the content of Security Council Resolution 2379, it indicates that the Islamic State poses a global threat to international peace and security, as a result of its widespread attacks on civilians and its ongoing violations.

The applications of international humanitarian law and human rights law continue, as the resolution recognizes that the acts committed by ISIS are related to either war crimes, crimes against humanity, or genocide, and sets out a clear list of acts associated with these crimes. Accordingly, the resolution calls on the international community to take effective measures to ensure that members of these terrorist groups are held accountable for their actions.

Furthermore, the resolution stipulates the need for the Secretary-General to establish an independent investigative team headed by a special advisor to support national efforts to hold ISIS accountable. According to the resolution, this team will collect all evidence related to the acts committed by terrorist groups in Iraq, which can later be used in trials. National courts and Iraqi authorities will cooperate with third parties to collect, preserve, and store evidence, which can be used in any cases against ISIS fighters worldwide. The team will work with Iraqi judges and other criminal experts to ensure full respect for Iraq's sovereignty and jurisdiction over all crimes committed on its territory.

The resolution calls for the establishment of a fund to receive donations to enhance the implementation of the resolution at the national level. It calls on States and regional and international organizations to provide funds, equipment or services to the team.

With regard to the position of the Geneva International Centre for Justice on the resolution, the Centre supports the assertions contained in the resolution that ISIS constitutes a global threat to international peace and security, and recognizes that the group's actions amount to war crimes, crimes against humanity or genocide. The Centre also welcomes the call of the international community to ensure that members of these terrorist groups are held accountable. However, while the Centre believes that Resolution 2379 represents an important step towards holding ISIS accountable and achieving justice by giving victims the opportunity to testify in court, it would like to clarify that ISIS is not the only group whose terrorist activities should be investigated.

In this context, the Geneva Centre reiterated the High Commissioner's statement of 27 September 2017, which described the Iraqi judicial system as deeply flawed and suffering from a lack of commitment to legal standards and fairness. As the High Commissioner noted, the Iraqi judicial system is unfair, with reports of the mass execution of 42 prisoners in Al-Hout prison in Nasiriyah on 24 September, a serious violation of human rights. The catastrophic situation for Iraqi civilians is exacerbated by the brutal "counter-terrorism" campaigns carried out by the Iraqi government and its allies.

There is mounting evidence of corruption, lack of transparency, and arbitrariness in Iraq's criminal justice system, with reports that the government is expanding its control over the judiciary through intimidation, threats, and bribery, allowing government officials and government supporters to act with impunity. This weakness in the judicial system has been entrenched since the invasion and occupation of Iraq in 2003.

The third section: The international legal framework for the work of the United Nations Assistance Mission for Iraq (UNAMI)

The United Nations Assistance Mission for Iraq (UNAMI) was established by Security Council resolution 1500 of 14 August 2003. The Special Representative of the Secretary-General for Iraq was tasked with leading the mission. The first Special Representative was Sergio Vieira de Mello, who was killed in the Canal Hotel bombing in Baghdad on 19 August 2003, and his term lasted until August 2009. Ashraf Qazi was appointed as the Representative of the Secretary-General on 14 July 2004, and his term ended on 18 September 2007. Staffan de Mistura was appointed as the new Special Envoy by UN Secretary-General Ban Ki-moon. Since 2013, Nickolay Mladenov has been the head of UNAMI, appointed by Ban Ki-moon. The Security Council extended the mandate of UNAMI until 31 July 2018 by resolution 2367 of 14 July 2017.

The mandate of the United Nations Assistance Mission for Iraq (UNAMI) is to advise and support the Government and people of Iraq in promoting political dialogue and national and social reconciliation. The Mission's tasks include assisting in the electoral process, facilitating regional dialogue between Iraq and neighboring countries, promoting human rights and fundamental freedoms, and supporting judicial and legal reforms.

The Mission is also mandated to work with government partners and civil society to coordinate the humanitarian and development efforts of UN agencies, funds and programmes. Although the Mission itself does not directly implement humanitarian or development programmes, it promotes development and humanitarian issues in Iraq and links Iraqi partners, including the Government and NGOs, with technical expertise available within the UN system in Iraq. The Mission is headed by the Special Representative of the Secretary-General for Iraq, and is assisted by two deputies: one responsible for political affairs and electoral assistance, and the other oversees the UN's humanitarian and development activities. The Resident Coordinator and Humanitarian Coordinator for Iraq also serve within the Mission's leadership.

The Mission currently has approximately 648 staff, 251 international and 397 national. The Mission is managed by the UN Department of Political and Peacebuilding Affairs, supported by the Department of Peace Operations and the Department of Operational Support. The United Nations Assistance Mission for Iraq (UNAMI) plays a significant role in the country in accordance with UN Security Council Resolution 2631, which specifies that a focus should be placed on advising and assisting the Government and people of Iraq to promote political dialogue and reconciliation at the national and local levels. The Mission also provides additional support and advice to the Government of Iraq, the Independent High Electoral Commission and other Iraqi institutions in their efforts to improve electoral preparations.

As some have pointed out, it appears from the text of the UN Security Council resolution that UNAMI has a legal basis to play a role in the political situation in Iraq. Although the UN has missions in all member states, which are diplomatically equivalent to embassies, diplomatic representation between states and international organizations is through representations such as the European Union and the Arab League.

Regarding the UNAMI mission, UN missions are established based on specific requests, especially in countries that need UN assistance in multiple areas or that are experiencing major problems and unrest, as is the case in Iraq. UNAMI was first established in 2003 without a request from Iraq due to the lack of a legitimate elected government, and since then, the Security Council has continued to renew UNAMI's mandate based on the request of successive Iraqi governments.

CONCLUSION

1. With the development of contemporary international law, international non-governmental organizations have emerged that work in various fields on the international scene. Although the official recognition of these organizations did not occur until the twentieth century by the United Nations in 1945, they have been able to establish their presence on the international scene, especially in areas related to the protection of human rights.
2. Through their efforts and field activities, international non-governmental organizations have achieved great fame and influence in promoting and protecting human rights. States and governmental organizations benefit from these activities in the charitable field.
3. These organizations have contributed to the promotion and protection of human rights through international recognition.
4. With the international trend towards finding effective guarantees and mechanisms to protect human rights, international non-governmental organizations found themselves in a position to play an effective role in protecting human rights through their diverse strategies, founding bodies, and the professional expertise possessed by their members.

5. These organizations played a major role in promoting and defending human rights issues at all levels.

REFERENCES

- [1] Annual report on the human rights situation in Iraq for(2015), Iraqi Society for Human Rights in the United States of America <https://www.icrc.org/ara/resources/documents/interview/2012/12-10-niac-non-international>
- [2] A United Nations report (2015) on ISIS crimes against minorities in Iraq Geneva .
- [3] A United Nations report on ISIS crimes against minorities in Iraq. Previous reference.
- [4] <https://www.icrc.org/ar/document/iraq-aid-reaches-thousands-displaced-people-war-ravaged-westramadi>
- [5] A United Nations report on ISIS crimes against minorities in Iraq. Previous reference see <https://ijecm.co.uk/volume-ii-issue-8/>
- [6] Barbara V T ,(2007), Human Security and international law,prospects and proplems,hartpublishing ,oxford and portland,oregon,p115
- [7] Boston review, November,(2006).Nirrosn- anatomy of a civil war- iraq's descent into chaos,
- [8] Fahad M S (2005), International Humanitarian Law, Ma'ansha'at Al-Ma'arif, Alexandria, p. 28.
- [9] Abd Ali H K, (2013), The Principle of Distinction between Civilians and Combatants, Journal of the University Islamic College, issued by the University Islamic College, Issue: 22, Al-Najaf Al-Ashraf.
- [10] Geneva International Center for Justice for the situation in Iraq: <https://www.gicj.org/ar/2017-01-13-21-33-26>
- [11] Hikmat S,(2004), Terrorism in Iraq and the International Courts, Hamwarbi Center for Studies and Research. Babylon. Iraq, p. 97
- [12] Helen D ,The 'War On Terror' And The Framework Of Human Rights Office of the United Nations Assistance Mission for Iraq, Office of the United Nations High Commissioner, Report .Hashem N, the migration of Iraqis and its effects on the population structure, search on the link:<http://www.ahewar.org>
- [13] Iraq without ISIS.. Al-Abadi announces the end of the war against the extremist organization after completely expelling it http://www.huffpostarabi.com/2017/12/09/story_n_18765778.ht
- [14] ISIS emerged from Al-Qaeda in Iraq, which was founded and built by Abu Musab al-Zarqawi in (2004), when it was involved in military operations against US-led forces and successive Iraqi governments following the(2003) invasion of Iraq during the(2003–2011) Iraq War, along with Other armed Sunni groups, such as the Mujahideen Shura Council, which further paved the way for the establishment of the Islamic State of Iraq. At its height, it was said to have a strong presence in the Iraqi provinces of Anbar, Nineveh, and in Kirkuk Governorate, and was more present in Saladin, parts of Babylon, Diyala and Baghdad, and claimed Baqubah as a capital. However, ISIS's attempts to gain control over new territory led to a violent backlash from Iraqi Sunnis and other insurgent groups, helping to defeat the Sahwa movement and diminish its control.
- [15] Lahib H, March (2016), The Displacement Crisis in Iraq, Ceasefire Center for Civilian Rights and Minority Rights Group International, , p. 1.<https://www.amnesty.org/ar/latest/news/2014/08/iraqis-displaced-isis-attacks-sinjar>
- [16] Michael S and J , international law and armed conflict
- [17] Ministry of Human Rights, ,(2011), Department for Monitoring Performance and Protection of Rights, Minorities Section, Spectrums of Iraq, p. 27
- [18] Official Records of the United Nations General Assembly,(2014) Human Rights Council, Report of the Special Rapporteur on Minority Issues, , p. 6
- [19] on the Protection of Civilians in the Armed Conflict see https://www.academia.edu/96697049/The_Di
- [20] Official Records of the United Nations General Assembly, Human Rights Council,(2015), Report of the Special Rapporteur on Minority Issues, p. 7
- [21] Official Records of the United Nations General Assembly, Human Rights Council,(2014), Third Report of the Secretary-General pursuant to paragraph 6 of Resolution 2169, p. 43.
- [22] Office of the United Nations High Commissioner for Human Rights –(2014), Report on Human Rights in Iraq,p. 43.
- [23] Official Records of the United Nations General Assembly, Human Rights Council,(2014), Third Report of the Secretary-General pursuant to paragraph 6 of Resolution 2169, p. 43
- [24] Official Records of the United Nations General Assembly, Human Rights Council, Report of the Special Rapporteur on Minority Issues, p. 11

-
- [25] Report of the International Federation of Red Cross (2007) Societies submitted to the International Conference of the United Nations High Commissioner for Refugees on Iraqi refugees. Geneva
- [26] Statement by the Special Adviser (2014) to the Secretary-General on the Prevention of Genocide on the situation of Iraq, p. 1
- [27] Statement of the High Commissioner on (2017) Wednesday, 27 September
- [28] Security Council Resolution July 14,(2017) No. 2367 issued on
- [29] Tahi A-W, Human Rights and International Humanitarian Law, op. cit., p. 14
- [30] United Nations, Office (,2013), Of The High Commissioner for human rights ,united nations Assistance mission for IraqUnami,human rights office,Report on human rights in iraq:January-June,OHCHR.Baghdad,P13
- [31] UN Security Council Resolution No. 2631
- [32] UNAMI Human Rights Office,(2015), UN High Commissioner, Report on the Protection of Civilians in the Armed Conflict in Iraq, , p. 25.
- [33] United Nations, General Assembly, 27,march,(2015), Report of the office of tge united nation high commissioner for human Rights on the human Rights situation in iraq in the light of abuse committed by the So-called islamic state in Iraq and the levant and associated groups, ,p17,A/HRC/28/18
- [34] United Nations Assistance Mission for Iraq UNAMI, <https://iraq.un.org/ar/132447-ywnamy>
- [35] Zuhair A-H, Application of International Humanitarian Law, search at the link: <http://www.paghdadtimes.net>
- [36] Yazji, A(2005) International Humanitarian Law and the Protection of Women and Children during Armed Conflicts, ed. Al-Halabi Legal Publications, p. 281.