

# VIOLENCE AGAINST CHILDREN IN IRAQ: THE INTERPLAY OF LEGAL RIGHTS AND REALITIES

**العنف ضد الأطفال في العراق: تفعيل الحقوق وتطبيق الحقوق القانونية**

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## INTRODUCTION

Sectarian clashes and violent confrontation have become recurring decimals in Iraq ever since the demise of Saddam Hussein<sup>1</sup>. This development has continued to unleash a devastating blow to the country's quest for National Development, in the sense that it has spread its negative tentacles in all the vital sectors of the society be it Governance, National integration, security and national development<sup>2</sup>. It is important to note that the

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1-Mohammed M. Qader, and al-Sayid, "Ethno-Sectarian Division and the Predicaments of National Integration in Plural Societies: A Study of Nigeria and Iraq," *Journal of Business and Social Review in Emerging Economies* 2, no. 1 (June 2016): 36.

2-Mohammed M, Qader, and Usman Abbo. "The Mitigating Role of Governance in conflict and State fragility: A study of Nigeria and Iraq," *Journal of Law, Policy and Globalization* 45 (2016): 154. Mohammed M. Qader, Ahmad Masum, and Rohana Abdul Rahman, "Sovereignty in

invasion of Iraq has left a deep mark in the country's political annals, thereby setting an unprecedented challenge to the country in the political and in the human rights spheres<sup>1</sup>.

Right at the beginning of the participation of the UN under Security Council Resolution 1483 (2003), the UN, through its help mission (UNAMI), has offered help to the procedure of transition from a military domination coming about because of an unlawful attack to a completely sovereign and autonomous state. However, the above objective appears to be quite elusive in the sense that the institutional capacity and the regulative framework of the Republic of Iraq has continued to grow weaker and weaker by each passing day thereby generating so many unanswered questions<sup>2</sup>.

In addition to the weaker regulative framework and institutional capacity, Iraq's body polity continues to experience sharp declines in human rights protection which were exacerbated by the military intercessions looking for assumed militants. For various months, an extensive piece of nation's domain kept on being the auditorium of military tasks, which created impressive unfavorable humanitarian setbacks. The alleged "new displacement" (to recognize them from those that occurred before the intrusion) kept running into several thousands. The utilization of specific measures, for example, cutting off water and power, the focusing of families looking for people and the capability

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International Law Fact or Fiction: A Critical Analysis of Iraq," *The Law Review: Sweet and Maxwell* (2016): 78-79.

1-Brian Milne, *Rights of the Child: 25 Years After the Adoption of the UN Convention* (Berlin: Springer International Publishing, 2015) 107\_119.

2-Raymond Hinnebusch, "American Invasion of Iraq: Causes and Consequences," *Perceptions*, Spring (2007): 17.

utilized, including elevated assaults, all offered ascend to genuine claims of infringement of the law of conflict, including that identifying with the security of citizens and the unbalanced utilization of power.

One area in which this hydra-head phenomenon has taken its toll on the country's progress and prosperity is the apparent negative consequences it has on the rights and welfare of Iraq's children. It is imperative to note that a report by UNICEF in 2015 revealed that about 3.6 million children (approximately one in every five Iraqi's children) are at serious risk of death, injury, sexual violence, abduction and recruitment into armed groups<sup>1</sup>.

Another report in 2017 reveals that the number of children in danger of these violations has increased by 1.3 million in 18 months. The findings show that 4.7 million children need humanitarian aid while many families now face deteriorating conditions following sectarian clashes and violent confrontation<sup>2</sup>.

As indicated by UNICEF report in 2016 staggeringly, a sum of 1,496 kids have been snatched in the nation in the course of the last over two years. That means 50 kids kidnapped every month, with numerous constrained in to violence or sexually molested. The report additionally demonstrates that right around 10% of Iraqi children (more than 1.5 million) have been compelled to escape their homes on account of violence since the start of 2014, frequently various circumstances. About one of every five schools is either fully or partially shut down because of contention and

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1-Unicef, UNICEF data: Monitoring the Situation of Children and Women. The State of the World's Children Report (2015).

2-Unicef, Global Strategy for Women's, Children's and Adolescents' Health (2016-2030). Organization, 2016 (9), (2017).

very nearly 3.5 million children of school-age are lacking a major opportunity for education<sup>1</sup>.

As observed by Peter Hawkins (UNICEF Iraq Representative), “Children in Iraq are in the firing line and are being repeatedly and relentlessly targeted, the kidnapping of children from their homes, their schools and from the streets is horrifying,”<sup>2</sup> These children are being ripped from their families and are subjected to sickening abuses and exploitation He further asserted that “We appeal to all parties for restraint and to respect and protect children. We must help give children the support they need to recover from the horrors of war and contribute to a more peaceful and prosperous Iraq”<sup>3</sup>.

Against the above background, this paper represents a humble attempt geared toward exploring how the sectarian clashes and the violent confrontation that followed the military invasion of Iraq negatively affect children’s rights in the country. However, this paper specifically focuses on children with disability and displaced children.

### **MATERIAL AND METHOD:**

The paper adopts a qualitative approach with heavy reliance on secondary data which are descriptively and contently analyzed. The research also utilized personal experience and observation with the view to provide unbiased and first-hand information about the true situation of children in Iraq.

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1-Rights, F. M. S., Rice, N. E., & Internationalis, U. C. (2016). Convention on the Rights of the Child. NEWSLETTER, 12 (1).

2-Ibid.

3-Unicef, “A Heavy Price for Children: Violence Destroys Childhoods in Iraq [EN/AR],” (30 June 2016).

## **THEORETICAL FRAMEWORK:**

Albeit written in legal connotation the paper takes a look at children appropriate from the welfarism viewpoint. In this parlance, the two ideas of lingering and institutional welfare from the social science approach writing were embraced and used as theoretical prisms. This is on account of despite the fact that the legitimate calling has a longstanding history of advancing and securing human rights. Numerous rights are presently revered in both local and international laws. It is essential to have laws to ensure the privileges of individuals, to avert infringement happening, to remunerate individuals who have had their rights abused and to convey the culprits of that infringement to equity.

In any case, there is an expanding attention to the restrictions of absolutely legitimate structures for understanding human rights. These incorporate the harm that the legal framework can cause on the most defenseless; (e.g. assault casualties having their profound quality, sexual history and individual dress addressed in court, the re-injury of individuals from the Stolen Generation or refuge searchers having their encounters limited or denied completely when looking for redress or security through the law;). This clearly showcases the antagonistic idea of the legal framework, when human rights require consensus and dialogue.

The privileging of those rights that are promptly justiciable and the relating debasing of different rights not as promptly ensured or acknowledged through the law. There is likewise the cost of running a litigation, which puts legitimate review past the span of the vast majority, in this way precluding numerous from claiming the most defenseless in the public eye access to the securities and reward of law.

The constraint of the law in such manner is shown by the powerlessness of, for instance, anti-racism enactment to destroy bigotry; just ordering a law is frequently insufficient to change conduct and is absolutely insufficient to change mentalities. However there is a propensity among some human rights promoters and activists to accept that their objective is enactment and that once that enactment is accomplished, the activity is finished.

To comprehend this issue it is indeed very paramount to obtain a thought from the social approach writing. One of the key works in social policy is that of Wilensky and Lebeaux, who, in 1958, characterized 'institutional' and 'residual' ways to deal with social welfare, as reflecting distinctive methods within the social approach and the part of the welfare state. This qualification has turned out to be inculcated into social policy considering, and the terms are every now and again utilized as a part of the social policy writing.

Wilensky and Lebeaux conceptualized residual welfare as an act where welfare is viewed as an optional establishment, venturing in to fill the hole where the essential foundations of the market and the family have been discovered to be insufficient, and cannot address the issues of a man or a family. Individuals are relied upon to address their issues through these two essential organizations, and welfare just becomes possibly the most important factor when these have demonstrated insufficient. Henceforth welfare is an affirmation of system failure, ought to be kept to a base, and is just for the individuals who may be viewed as 'hindered' somehow; 'excessively' welfare would demolish the essential structure holding the system together. In contrast; institutional welfare considers welfare to be an overwhelming

institution, addressing the requirements of the needy, as well as of everybody.

Instead of being kept to a base, the more welfare the better, and the part of the state is viewed as being to give exhaustive and general projects of education, health, shelter, government managed savings, individual administrations, et cetera. The institutional view prompts high government spending, and all inclusive projects for the advantage of all, (for example, widespread human services, free education and so on.). By differentiate; the residual view prompts low government spending, particular means-trying projects and arrangement just to those seen as most in need. The two philosophies are generally distinct and speak in different perspectives of the position of welfare (as the welfare state) in human society.

### **EXPLORING CHILDREN'S RIGHTS IN IRAQ:**

In this section the research attempt to unveil the reality of children situation in present-day Iraq, the paper starts by analyzing the rights of the disabled children; it then follows by discussing the plight of the internally displaced children.

### **CHILDREN WITH DISABILITIES:**

It is imperative to note that Iraq as a state has implemented a number of legislative frameworks for individuals with disabilities on the basis of its constitutional and international law commitments<sup>1</sup>. As of late the Iraqi legislative arm assented to the Act for the welfare of children with disability in collaboration

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1-Priscilla Alderson, Health and Children's Rights. Handbook of Children's Rights: Global and Multidisciplinary Perspectives (England: Taylor & Francis Group, 2016), 203.

with Labor and Social Affairs Ministry that is impelling distinct authorizing for individuals with special requirements. The country communicates that its health organization furnishes incapacitated kids with a general enrollment and all fundamental treatment and tests. The health Ministry strategy covering the period between 2009 and 2013 joined the amplifying of the advancement of exercises for individuals having any sort of deformities, be that as it may, does not determine if the country had really actualized such agendas<sup>1</sup>.

The government in Iraq additionally guarantees that initially it has established a particular agency which incorporates 2 health facilities for spinal damage restoration, 14 industrial facilities making prosthetic appendages and supports (including the Kurdistan district) and 13 recovery habitats for the debilitated (barring the Kurdistan area), and furthermore around 708 children have profited from wheelchairs in the vicinity of 2014 and 2016 (barring the Kurdish enclave). The country records the accommodation was secured for specific handicaps, for example, furnishing some hearing-disabled youngsters with cochlear embeds and arranging a sheltered course to enter and leaving school for physically debilitated understudies.

With respect to comprehensive education, in the 2009 – 2010 session year, there were 9,703 specific instructive projects students enlisted in a particular educational programs, a figure that has tripled is three the number earmarked in 2000. To address such issues, the country earmarked 1,073 exceptional units in school the schools under consideration, a total number of one

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1-Fahdah F. Alsaad, "Children's Rights: Syrian Refugee Camps... Childhood Underfire?," *Journal of Political and Law* 8, no.3 (2015): 228.

thousand three hundred and twelve (1'312) teachers as well as eight hundred and ninety nine (899) schools with a specific instructive modules class. Iraq imparted that it has come out with a national strategy to end disengagement and support "with respect to, inclusive and extensive" schools, and is set up to execute it in 30% of this in its schools.

As showed by the World Health Organization "mental illness" appears to have taken a toll in the fundamental health issues among Iraqis children. The Health Ministry assessed that no less than 1000,000 crippled Iraqis out of a people of 30 million were recorded in 2009. The Association of Disability Organizations recommends that around 10 percent of the people encounter one type of disability. The Labor and Social Affairs Ministry was vehemently vilified as without the power and capacity needed to give adequate care to incapacitated children.

The country possessed only one hundred therapists, which is comparable to one for each 300,000 Iraqis. Despite for the people who approach the administration, the extraordinary destitution routinely inescapable among people with ineptitudes shields an impressive number of them from having the ability to afford any medical expenses without state intervention. The council engaged in Refugees assistance and education had in 2011, led an expansive examination of the education standard accessible to kids in Iraq, which uncovers that those with mental prosperity challenges went to class at around a 10% lower rate than their partners. The investigation likewise uncovers that there is essentially deficient administration in early youthful headway for disabled kids. There is moreover a nonappearance of teachers for kids with inadequacies, and hence, various youngsters in government-financed schools have dropped out in light of lacking

access to class structures, non-accessibility of legitimate learning materials, and insufficiency of teachers with the imperative aptitudes expected to show kids with incapacities.

The frequency of social discrimination toward kids with inability keeps on being happening paying little heed to the organization's communicated exertion intended for made a comprehensive environment for all citizens Iraq has a higher rate of individuals with incapacities who are for the most part casualties of war and brutality. The U.S. military dumping goals have made negative results for the prompt groups. This becomes quite apparent, when the incidence occurring in Hawija a town within the vicinity of the American military base is taking into cognizance in which about six hundred cases of youngsters with landmines related deformities among a people of 109,000. Landmines and dangerous trash disproportionately influence youngsters; by 2011, it was assessed that 25% of all losses influenced via landmines and explosives were kids more youthful than 14.

A significant number of these kids have not gotten recovery or support for reintegration into their group. Aside from forsake explosives; ground tainting has a tendency to be one of the significant wellsprings of inability among Iraqis youngsters. Iraq has embraced few measures to address the comprehensive and extraordinary needs of people with inadequacies. Be that as it may, even these measures continue missing the mark. In 2006, Iraq developed a social welfare program to financially support Iraqis with ineptitudes; regardless, this program ended up cutting 10,000 potential recipients from getting to the assistance in 2012.

In 2013 a Commission for Persons with Disabilities and Special Needs was formed, yet its effect is yet to be seen<sup>1</sup>.

### **THE PLIGHT OF INTERNALLY DISPLACED CHILDREN:**

The country asserted that laudable actions have been taken with the view to tackle and address the predicaments of the dislodged kids. The labour and social affair Ministry has attracted a huge spotlight for the inability to effectively discharge the obligation of piping down the strategies for offering assistance to these families," which according to ministry is purely due to the activities of some violent armed groups, though, the group's name, plan, and operational purpose of sabotage are were not clearly spelled out in the Report. Families that return to Iraq coming about to escaping to another Arab nation as ousted people are issued apportion cards by the Iraqi government.

In any case, the organization measures that 70 percent of uprooted families in Dhi Qar, Baghdad, Najaf, and al-Anbar, are currently facing difficulties accessing the apportion cards, and just eighteen percent of the unstuck them possesses enough traded amounts to their new settlement. Instruction access in the country is once in a while subject to a family giving the imperative documentation, which ousted families routinely don't have. What's more, dislodged camps are regularly organized in the country side; the refugee's settlement in Najaf Governorate, for instance, is situated around thirty kilometers far from any school within the vicinity.

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1-Michael G. Bochenek, "Children's Rights as Human Rights," Ethics and International Affairs 29, no.4 (2015): 482.

Numerous displaced children drive the circumstance to abandon their studies to enable them look for means of livelihood. The Migration and Displaced Ministry gives portion concede to the displaced individuals, while the Health Ministry offers both curative and preventive treatment and support to the displaced individual's camps all through the country.

The State Party report does not give additional data as for the quantity of children and families that have profited from the portion allow or have received attention from the health Ministry. The report furthermore does not give detail data about the degree or sort of wellbeing administration gave at dislodged individuals' camps, which camps especially profit by these administrations and the quantity of inside uprooted families that live inside, or approach these camps. The report perceives that numerous inside uprooted families don't approach qualified restorative work force, wellbeing focuses, or drug.

The Municipalities and Public Works Ministry has provided the displaced settlement with water and conduct water treatment in the camps. However, the report perceives that displaced families in the country are currently sojourning in an environment that is not fit for human habitation under which stuffing (characterized as in excess of 3 individuals for every a room) is eighty eight percent".

This is deficiently a result of the nonappearance of fleeting cabin available to them; there are only two dislodging camps in Baghdad and only twelve across the nation, where uprooted families live in tents. Families that don't find shield in a camp as often as possible live in forsake or weather beaten open structures, close-by schools, or mud or reed lodges in country regions. These

lodging routinely don't get together with the slightest wellbeing necessities, including access to clean water and sewage transfer.

### **THE CURRENT TREND OF DISPLACEMENT IN IRAQ:**

The current trend of displacement in Iraq manifested that the rate of displacement has increased by a wider margin in comparison to the report obtainable in the last quarter of 2007, approximately one decade ago. As indicated by the report release in 2017 by UNHCR about 2.76 million people are currently without shelter, out of which about 1.2 million of which were rendered homeless since 2006. While a staggering number totaling about 1.8 million families have been rendered homeless at the beginning of 2014, resulting principally due to total break of law in the central and northern part of the country<sup>1</sup>.

It was estimated that 800,000 of the affected individuals have move into the Kurdish region since the middle of 2014. As reported by the Center for monitoring Internal Displacement about 2,850,000 citizens have been rendered homeless toward the end 2014. Another report by the International Organization for Migration indicated that toward the end of 2014, 49 percent of all Internally Displaced Person were situated in the Kurdish region, while approximately 903,000, internally displaced individuals have being occupying the other parts of the country. Pretty much 20 percent of the whole of the Internally Displaced Persons

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1-Ibid.

masses has taken haven in Anbar region and this number keeps increasing<sup>1</sup>.

The activities of the Islamic State of Iraq and the Levant (ISIL) which resulted to taking over and the overrunning of several cities, huge number of displaced citizens do not have access to humanitarian aids. The country's Air Force has been engage in the provision of these services through airdrops; however physical access to included areas or zones under assault is routinely confined. In this parlance a large fragment of the internally displaced families continue to face hardship and economic predicaments within their area of domicile. This is because all those areas are under the control of armed rebel group; which makes it practical difficult for the donor group to distribute means of livelihood among the needy<sup>2</sup>.

It is imperative to note that a quite number of the IDP's encounter difficulties in accessing government sustenance proportion, in view of broad procedures for enlistment or transfer with the general population nourishment dissemination structure. The enrollment when in doubt requires that displaced families give recognizable proof record which by and large they do not have, while transfer techniques requests families to fill required document in their unique place of living. The people who can select every now and again need to remain for quite a while before accepting their proportion. While around sixty percent of IDP's are housed by family or live in lease settlement, in which about

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1-Jeanette A. Lawrence, and Else, "The Rights of Refugee Children to Self-Expression and to Contribute to Knowledge in Research: Respect and Methods." *Journal of Human Rights Practice* 7, no. 3 (2015): 417-418.

2-Ibid.

33% of them live in aggregate asylum, tents, fragmented building, or in an open place<sup>1</sup>.

Quite number of the IDP's live in ad hoc shelters which in most cases is very remote and far from the IDP camps. In addition to that most of this ad hoc shelter displays a staggering lacks of the basic necessities of life such as sanitary facilities, electricity and portable water supply. Wide nonappearance of access to warming f framework, cover, and winter clothing make the cutting-edge winter an issue of great concern for such a large number of displaced families<sup>2</sup>.

A 2014 evaluation uncovered 65 percent of dislodged family units had no access to a warming framework, while just two for each penny of the tents used to secure removed families met the base winterization standard necessities. The Human Rights Council in Resolution S-22/1 has urge "all gatherings to secure regular people, specifically ladies and kids, to regard their human rights and to meet their essential needs, which requires giving safe access to compassionate and medicinal administrations to every single influenced populace."<sup>3</sup> As observed by Nickolay Mladenov

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1-Livingstone, Sonia. A Framework for Researching Global Kids Online: Understanding Children's Well-Being and Rights in the Digital Age, (2016), 14-15.

2-Livingstone, Sonia. A Framework for Researching Global Kids Online: Understanding Children's Well-Being and Rights in the Digital Age, (2016), 15.

3-Cristina Matamoros, and Bani Bains, "Children's Rights in the Digital Age." POLIS: Journalism and Society at the LSE (2015), under <http://eprints.lse.ac.uk/76837/1/blogs.lse.ac.uk-Childrens%20Rights%20in%20the%20Digital%20Age.pdf> (accessed January 22, 2018).

(the Secretary-General's Special Representative for Iraq) "weight on nearby groups crosswise over Iraq is developing" and the proceeding with flood of 1.8 million dislodged Iraqis has made "a huge safe house emergency." "With winter quick drawing closer," He further stated, "quick measures must be authorized"<sup>1</sup> .

A nonattendance of standard documentation, and the burden of understanding that documentation, demonstrates a further weight on the uprooted families. The Iraqi Nationality Certificate and the Iraqi Civil Status Identification are the key perceiving confirmation reports in Iraq and are required for "any kind of association with the specialist, for instance, an application for sustenance extent card, school enrollment, and the issuance of death and birth endorsements"<sup>2</sup> . Access to government benefits, including money related help, relies upon a dislodged family's capacity to enroll by giving distinguishing proof reports.

The International Rescue Committee in its report released 2010 demonstrates that displaced people are probably not in the possession of these requirements, since they were compelled to escape their homes rapidly. Without these records, it is

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1-UNICEF, A. Committing to Child Survival: A Promise Renewed. Progress Report 2013. New York: UNICEF; 2013 (2014); Cristina Matamoros, and Bani Bains, "Children's Rights in the Digital Age." POLIS: Journalism and Society at the LSE (2015), under <http://eprints.lse.ac.uk/76837/1/blogs.lse.ac.uk-Childrens%20Rights%20in%20the%20Digital%20Age.pdf> (accessed January 22, 2018).

2-UNICEF, B, The State of the World's Children 2014 in Numbers: Every Child Counts: Revealing Disparities, Advancing Children's Rights, (2014) Retrieved November 19, 2017.

troublesome for inside uprooted families to acquire sustenance apportions or to enroll youngsters for school.

Subsequently, the human rights circumstance in Iraq was at that point intense in the years paving the way to the attack. The reports of the Special Rapporteur of the Council for Human Rights recorded the horrifying infringement announced amid the period quickly following the 1991 Gulf war. Before that, Iraq had been the scene of infringement, famous among them, however in no way, shape or form alone, the substance weapons assaults on the general population of Halabja and Suleimaniya. The war with Iran had created gigantic infringement, as might be bore witness to by the mass graves that are presently a matter of record – declaration to the failure of the universal group to address such circumstances. The intrusion made in the psyches of numerous Iraqis the expectation and desire that they would never again need to fear for their wellbeing and security, and that another time of flexibility and regard for human rights was going to day break. Unfortunately, this has not been the situation; since the attack, the human rights circumstance has kept on crumbling.

The concerns registered by Special the Representative Vieira de Mello was by the Secretary-General Already, in his first report under Resolution 1483 (2003). The December 2003 report affirmed promote disintegration with respect to human rights exercises, to a great extent credited to the parallel weakening in security. The genuine human rights circumstance came about because of various complex variables. In any case, on the simply regular citizen level, the state structures for the security of the individual did not work. The disintegration of the police constrains and of the armed force made a vacuum in insurance. The requirement for the recreation of these two fundamental arms

of the state was thought little of and it was accordingly left to the outside powers, for the most part those of the US and the UK, to give protection.

The apparent lack of workability of foundations of the organization of legal framework made a domain in which wrongdoing increase vehemently, which include criminal acts executed as demonstrations of fear. The general insecurity was additionally aggravated by the effort toward eradicating terrorism". The nearness in Iraq of US powers in such expansive numbers gave a fascination in those gatherings who considered the US their foe.

They progressed toward Iraq where they concentrated on the US military and distinctive foundations, including those considered essential for the growth of the country. Groups, for instance, Al Qaeda that had never set foot in Iraq the interruption, now made it their battleground in their war on the US. The military commitment in the scan for fear based oppressor exasperated the threat by making immense amounts of detainees, held in US watch over longer periods. The colossal bigger piece of these detainees being innocents, there was little uncertainty that few of them would be more disposed to getting the opportunity to be psychological oppressors once they were released.

The inability to guarantee an adequately comprehensive political process was the third factor; which in all ramification fortified the hand of those opposition components that upheld violence and debilitated the more moderate group. The political "discourse" was incompletely directed through demonstrations of viciousness. Some of this viciousness decayed into what the media

helpfully marked "partisan", in particular, Shia versus Sunni – not by any stretch of the imagination revise.

The presence of private security group, a large number of them outsiders was the fourth factor, which makes foreigners to troop into the country as the lucrative wage for giving security gave the best motivating force to sustain insecurity. In the overarching circumstance in Iraq, it was anything but difficult to incite fear and insecurity particularly when your own national police were either not protecting you or by and large dogging you. The absence of security and the relating increment in violence lead to a mass migration of international governmental and non-governmental organization. In these conditions, the fundamental non-Iraqi nearness remained that of US official and non-(or semi) governmental US organization.

The reclamation and remaking exercise were additionally hampered by an absence of meaningful contribution on the part of the UN and that of the US. Two levels of correspondence held on with the Iraqi agencies: a largely bilateral course took after by the US and a multilateral one took after, as per its mandate, by the UN, in which the US additionally partook. There was no genuine coordination between these two levels of interaction in so far as the restoration and rebuilding endeavors are to be taking into cognizance. The military measurement, where the US followed up in the interest of the Iraqi experts, entangled the relationship further. Along these lines, the circumstance in Iraq kept on falling apart. The scan for mutual understanding has developed as the need issue in the present command under Security Council Resolution 1770 (2007). The global group still cannot seem to be given the chance to satisfy the destinations of the UN Charter and guarantee the nobility of the general population of Iraq.

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## CONCLUSION

This paper represents a modest attempt geared toward unveiling the plights and the predicaments of Iraqis children in the face of persistent incidence of violent confrontation, invasion, and sectarianism which confer on them a substantive attribute of negativities by depriving them of their inalienable rights, liberty, and welfare. It is imperative at this juncture to note that the serious human rights situation in Iraq resulted from a number of complex factors.

The principal factor, rotate simply on a non-military personnel level, where the state structures for the insurance of the individual neglect to work viably. The disintegration of the police constrains and of the armed force made a vacuum assurance. The requirement for the recreation of these two fundamental arms of the state was thought little of and it was hence left to the remote powers, for the most part those of the US and the UK, to give insurance.

A moment factor was the inability to guarantee an adequately comprehensive political process; this fortified the hand of those restriction components that supported viciousness and debilitated the more direct gatherings. The political "discourse" was somewhat led through demonstrations of viciousness. A portion of this brutality disintegrated into what the media advantageously marked "partisan", in particular, Shia versus Sunni incorrect.

The third factor depended on the rehabilitation and reconstruction attempts, which were basically hampered by an absence of meaningful role by the UN and that of the US. Two levels of communications held on with the Iraqi government:

which to a great extent took a bilateral course followed by the US and a multilateral one took after, as per its mandates, by the UN, in which the US also partook. There was no genuine coordination between these two levels of communications in so far as the reconstruction and rebuilding endeavors were concerned. The military dimension, under which the US took decisions in the interest of the Iraqi government, muddled the relationship further. Accordingly, the circumstance in Iraq kept on weakening. The scan for national compromise has created as the most imperative issue in the present command under Security Council Resolution 1770 (2007). The worldwide group by and by does not appear to be allowed to fulfill the objectives of the UN Charter and certification the pride of the all-inclusive community of Iraq.

There is, therefore, the need to revamp the state structure for protection of individual's rights and liberty couple with inclusiveness in Governance and public policy. There is also the need for effective framing and design of the collaborative policy mechanism so as to clearly define the roles of UN and the U.S which can go a long way in eliminating all the structural encumbrances that tend to have constitute a stumbling block against the workability of the existing policy frameworks especially those dealings with displacement and children with disabilities.

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## **ABSTRACT:**

Recently, the republic of Iraq continue to experience a surge of sectarianism and violent confrontation between armed groups a leading to sharp increase in the overrunning and takeover of several major cities in the country, which has invariably generated lots of negative consequences and government troops the country's quest for national development. Four decades of conflict, sanctions, violence, insecurity and economic stagnation have brought development in the country to its knees. One area in which the persistent incidences of conflict negatively affect the country's progress is the gross violation of children rights. Iraq is now one of the most dangerous places in the world for children. The intensification of conflict since 2014 has had a catastrophic impact on children in the country. Toward the end of 2015, Iraq had missed all, bar one, of its eight Millennium Development Goals including focuses for expanding school enrolment, decreasing children mortality rate and enhancing access to safe drinking water. In 2014 UNICEF evaluates that 4.7 million children in the country need aid that is around 33% of all children in the nation. Since the war started in Syria in 2011, Iraq has additionally been facilitating in excess of 245,000 Syrian displaced people, about a fourth of who are children. Very nearly 66% of Iraqi children in need of assistance are situated in regions that were formally under the control of ISIS. This paper therefore tries to explore the intersection between the rights and welfare of the Iraqi children and the ugly reality of sectarian clash and violent confrontation that have epitomized both social and political life in the country. The paper adopts a qualitative research approach with heavy reliance on secondary data which were contently analyzed.

## الملخص:

في السنوات الأخيرة شهد العراق وقوع العديد من مدنه الكبرى تحت سطوة وحكم التنظيمات الإرهابية، فضلاً عن الزيادة الحادة في العنف الطائفي منذ سنة ٢٠٠٣، ذلك اوجد الكثير من العواقب السلبية أمام سعي الحكومة العراقية لتحقيق التنمية الوطنية، لقد أدت أربعة عقود من الصراع والعقوبات الدولية المشكوك في قانونيتها، العنف، انعدام الأمن، والركود الاقتصادي إلى إيقاف عجلة تحقيق التنمية في العراق، ومن المجالات التي تؤثر فيها حالات النزاع المستمرة تأثيراً سلبياً على تقدم البلد هو الانتهاك الصارخ لحقوق الأطفال.

إن العراق الآن يعد من أخطر الأماكن للعيش في العالم بالنسبة للأطفال، وكان لتفاجؤ النزاعات منذ سنة ٢٠١٤ أثر كارثي على الأطفال فيه، وفي نهاية سنة ٢٠١٥، كان العراق قد غاب عن جميع أهدافه الإنمائية، بما في ذلك أهداف زيادة التحاق الاطفال بالمدارس، والحد من وفيات الأطفال قبل بلوغهم سن الخامسة، وتحسين فرص الحصول على مياه الشرب المأمونة، ففي سنة ٢٠١٤، تشير تقديرات اليونسيف إلى أن ٤,٧ مليون طفل في أنحاء العراق هم بحاجة إلى المساعدة، هذه النسبة تمثل حوالي ثلث عدد الأطفال في العراق، من جهة أخرى، منذ اندلاع الحرب في سوريا في سنة ٢٠١١، استضاف العراق أيضاً أكثر من ٢٤,٠٠٠ لاجئ سوري، ما يقرب من ١٥% منهم من الأطفال، حيث كان قد تأكد وجود ما قارب من ثلثي الأطفال العراقيين المحتاجين في المناطق التي كانت خارجة عن سيطرة حكومة العراقية، ولذلك تحاول هذه الورقة استكشاف التقاطع بين حقوق الأطفال العراقيين ورفاههم والحقيقة البشعة للصراع الطائفي والنزاعات المسلحة التي جسدت واقع الحياة الاجتماعية والسياسية في البلاد، ويعتمد البحث المنهج النوعي مع الاعتماد المباشر على البيانات الثانوية بمصادرها المختلفة حيث تم تحليلها بشكل معمق بغية ملامسة الواقع.