

**Report submitted to the 57th Session of the CEDAW committee
Geneva- February 2014**

Consideration of reports submitted by States parties under Article 18 of the
Convention on the Elimination of All Forms of Discrimination Against Women
Combined fourth, fifth and sixth periodic reports of States parties

IRAQ

Submitted by

Geneva International Centre for Justice (GICJ)

Co-sponsors NGOs:

The International Organization for the Elimination of All Forms of Racial Discrimination (EAFORD), BRussels Tribunal, Arab Lawyers Association- UK, the General Arab Women Federation (GAWF), the Union of Arab Jurists (UAJ), North-South XX1, the Arab Lawyers Union (ALU), the United Towns Agency for the North-South Cooperation, the Indian Movement "Tupaj Amaru", the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International, General Federation of Iraqi Women (GFIW), the International Human Rights Association of American Minorities (IHRAAM), the Indian Council of South America (CISA), the World Peace Council, International Educational Development, Inc. (IED), Association of Humanitarian Lawyers (AHL), The International League of Iraqi Academics (ILIA), The Iraqi Commission on Human Rights (ICHR), Women Will Association (WWA), Organization for Widows and Orphans (OWO), Ikraam Center for Human Rights, Belgian Peace Movement, Ligue camerounaise des droits de l'homme, Monitoring Net of Human Rights in Iraq (MHRI), Women Solidarity for an Independent and Unified Iraq, International Coalition against War Criminals (ICAWC), Association of Iraqi Diplomats (AID), The International Network of Arab Human Rights NGOs, International Lawyers.org, International Society of Iraqi Scientists, The Perdana Global Peace Foundation, Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty- CEOSI, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, El Taller International, Citizens for Accountability on Iraq, the Iraqi Association for Human Rights (IAHR), Al-Basa'er Media Association, Stop the War (UK), Wariscrime.org, Action Center for Justice, 1% A Peace Army.org, A Bigger Tent.org, Agir contre la guerre (France), American Voices Abroad (Berlin, Germany), American Voices Abroad Military Project (Europe), Anti War Fair, Arizona Christian Peacemakers, Armbands for Peace, Arms Against War, Artists Against the War, Backbone Campaign, Be the Change, Become Active, Bike for Peace (Germany), Bill of Rights Defense Committee, Bird Dogger Org., Children of Iraq Association (UK),Bloomington Peace Action Coalition (IN), Blue State News Only, Boston Mobilization, Bring Democracy Back, Bring Them Home,Butterfly Gardeners Association, Citizens for Accountability on Iraq, California for Democracy, Camp Casey Blog, Camp U.S. Strike for Peace Campaign, Campaign Against Sanctions and Military Intervention in Iran, Canada Watch, Carolina Peace Resource Center (SC), Cartoon Free America, Catalysts of Hope, Central Colorado Coalition on the Iraq War, Chester County Peace Movement (PA), Cindy Sheehan Org., Cities for Peace, Citizens for Legitimate Government, Citizens for Peace & Justice, Human Rights for all-Morocco, Christian Clergy For Impeachment.com, Clothing of the American Mind, Coalition Against Election Fraud, Coalition for Impeachment Now (COIN), Code Pink, the Iraqi Association for Human Rights (IAHR), Al-Basa'er Media Association, Consumers for Peace.org, Dhafir Trial.org, DC Anti-War Network.org, Democracy Action, Democracy for America Meetup (Birmingham, AL), The Democratic Activist, Democracy Rising.org, Democratic Underground, Human Resources (Tbilisi, Georgia), Democratic Renewal, Democrats.com, Earth Day.org, Earth Island Institute, East Cobb Democratic Alliance (Cobb County, GA), Eastern Long Island Democracy for America (NY), ECU Peace and Justice NC, Election Solar Bus, Environmentalists Against War, Envision a New America, Foundation for the Development of Fox Valley Citizens for Peace and Justice (IL), Global Exchange.org, Global Network Against Weapons & Nuclear Power in Space, Global Resistance Network, Gold Star Families for Peace, Grandmothers Against the War, U.S. Peace Council, Association of Human Rights Defenders in Iraq (AHRDI), Conservative Centre of Environmental & Reserves in Fallujah (CCERF), Studies Centre for Human Rights and Democracy, The Iraqi Centre for Human Rights, NGOs without consultative status, also share the views expressed in this statement.

THE SITUATION OF WOMEN IN IRAQ

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Introduction

Ever since the US-invasion of Iraq the situation of women in Iraq has deteriorated on all levels and become extremely precarious. Although in every conflict it is mainly women and children who suffer, the situation in Iraq is especially critical, since it is the combined result of an illegal invasion and a sectarian system installed under occupation following which human rights violations and corruption occurred on a regular scale and have never ceased.

The occupation of Iraq in 2003 left Iraqi women in a terrible state of regression on two interrelated levels. The first level is relevant to women as citizens in an environment that lacks guarantees and protection by a credible national criminal justice system embodying international standards. This subjects women as well as men to violations of their human rights. The second level is to do with gender-related violence in public which is particularly relevant during occupation, war and armed conflict, often provide the context for sexual abuse, rape, and trafficking of women and girls.¹

In its approach, the Convention on Elimination of All Forms of Discrimination against Women (CEDAW) covers three general dimensions of the situation of women. Civil rights and the legal status of women are dealt with in great detail while in addition, and unlike other human rights treaties, the Convention is also concerned with the dimension of human reproduction as well as with the impact of cultural factors on gender relations. This paper is going to address the situation of women's rights in Iraq in accordance with relevant articles of the Convention.

¹ For more details see: Haifa Zangana, The continuing deterioration of women's rights in Iraq
http://www.brussellstribunal.org/article_view.asp?id=1388#.Uvy4Gv15N8F

Economic and health situation

Prior to 1990 and before the sanctions, women were integral to Iraq's economy and held high positions in both the private and public sectors, thanks to labor and employment laws that guaranteed equal pay, six months fully paid maternity leave and protection from sexual harassment. Some therefore consider the conditions enjoyed by working women in Iraq before the war to be similar to those of working women in the United States.²

Under sanctions women had more and more difficulties finding paid work or could not afford to work as the state withdrew its free child-care and transportation. This is in clear violation of Art.11 (2) with special regards to (c) which encourages the provision of necessary supporting services by the state such as child-care facilities.

The wages of women dropped precipitously and many middle-class women fell into poverty³. The former highest employment rate in the region fell from 23% before 1991 to 10% in 1997. More and more women were pushed back into their homes and into the traditional roles of being mothers and housewives.⁴ A generation gap emerged between educated mothers and their less educated, more conservative, daughters.

For many women in urban areas sheer survival became the main aim of their lives. Child mortality rates rose. About 60% of the population became dependent on the monthly food rations given out by the government and paid for by the oil-for-food program. Monthly salaries in the public sector dropped dramatically. Many women reported that they simply could not afford to work anymore. The state withdrew its free services, including childcare and transportation.⁵

The already fragile situation dramatically deteriorated following the US-invasion in 2003 due to which much of the infrastructure of Iraq was destroyed. Public services broke down and unemployment rose. Only 2% of all employees in the private sector remain women.⁶ The former state-of-the-art medical system all but collapsed.⁷ In 2007 the former director of the United Nation's Population Division and an Iraq specialist Joseph Chamie warned that Iraq's health index has deteriorated to a level not seen since the 1950s. People's health status is determined by social, economic and environmental factors much more than by the availability of healthcare. Not surprisingly, all these factors have deteriorated in the course of the occupation.

As a result of the invasion one-third of Iraqis are living in poverty, with more than 5 per cent living in abject poverty, an UNDP-backed study revealed.⁸ The UN agency observed that this contrasts starkly with the country's thriving middle-income economy of the 1970s and 1980s.⁹ But these figures may well be a grave underestimation, as other reports speak of eight million out of 28 million Iraqis living in extreme poverty on incomes of less than 1 dollar per day. More than 500,000 Baghdad residents get water only for a few hours a day. Most Iraqis get three hours of electricity a day, in contrast to pre-war levels of about 20 hours.¹⁰

A by-product of poverty, unemployment and women's need for assistance and social "protection" is polygamy. It is promoted by some officials with support from religious groups as a way to address the issue of ever increasing number of widowed and unmarried women. Human rights organizations however see polygamy as a

² Al-Ali, N. (2005). Reconstructing Gender: Iraqi women between dictatorship, war, sanctions and occupation. *Third World Quarterly*, 26(4-5), 739–758.

³ Lasky, M. P. (1958). WOMEN FOR PEACE IRAQI WOMEN UNDER SIEGE, 1–20.
<http://s3.amazonaws.com/codepink4peace.org/downloads/IraqiWomenReport.pdf>

⁴ Al-Ali, N. (2005). Reconstructing Gender: Iraqi women between dictatorship, war, sanctions and occupation. *Third World Quarterly*, 26(4-5), 739–758.

⁵ Al-Ali, N. (2005). *ibidem*⁵ For more details see: Haifa Zangana, The continuing deterioration of women's rights in Iraq
http://www.brusseltribunal.org/article_view.asp?id=1388#Uvy4Gv15N8F

⁶ The continuing deterioration of women's rights in Iraq http://www.brusseltribunal.org/article_view.asp?id=1388#Uv34gf15N8G

⁷ Iraq and the Betrayal of a People, Impunity forever? Dr. Hans-C. Graf Sponeck, at: Iraq, the forgotten People, issued by: Geneva International Centre for Justice, 2013.

⁸ http://www.brusseltribunal.org/Health200307.htm#_ftnref1

⁹ Unsatisfied Basic Needs Mapping and Living Standards in Iraq Executive Summary 2006
<http://siteresources.worldbank.org/IRFFI/Resources/ExSumLivingStandardIraq3.pdf>

¹⁰ http://www.brusseltribunal.org/Health200307.htm#_ftnref1

political maneuver to cover up the plight of Iraq's most vulnerable women. They argue that widows and poverty stricken women need employment and monthly social welfare (as it used to be under the Baath regime), and micro-finance projects that would help women become self-sufficient, a near impossibility even in a resource rich country like Iraq.¹¹

War Widows

The death toll in Iraq resulting from the US-invasion is still grossly underestimated by the world and notably the invading powers. A poll conducted by ComRes in 2013 asked people in Britain how many Iraqis had been killed as a result of the 2003 invasion. A majority said that fewer than 10,000 had been killed. The truth however is that average estimations indicate roughly 700,000 people who died as result of the war – and this is without deaths among the millions of displaced Iraqis, who make up about 20% of the population. Other estimations even go up to over a million deaths¹².

This number means that around 5 million children have lost a parent and an estimated 2 million women have become the primary breadwinners in Iraq, most of them widows of the 2003 U.S.-led invasion and the violence that resulted from it. More than half of the Female Heads of Households (FHoH) are between the ages of 35 and 54.¹³ The ICRC¹⁴ described these women-headed households as among the most vulnerable in Iraq¹⁵. All together they face the humanitarian crisis left behind as U.S. forces withdraw.

The war widows represent one of the most vulnerable segments of the population and are more exposed to poverty and food insecurity. Often they are living in extreme poverty.¹⁶ Women are often seen wander the streets to sell cheap goods, or stand at the gates of mosques and other religious institutions with the hope of receiving some distributed items—whether blankets, clothing or food products. Although the phenomenon of women begging in the streets has become commonplace in Iraq, it was unknown before the invasion. Instead of helping these women often, the Iraqi government's only response yet is to arrest them and throw them in prison. The Iraqi government in these cases ignores Art.11 (1) (e) of CEDAW which ensures the right to social security in cases of unemployment, sickness or other incapacity to work.

Since 2008 it is the responsibility of the newly founded Women's Directorate, which reports to the prime minister's office, to help households headed by women. Unfortunately, obtaining the documents required to register for the benefit takes time and effort, and registration is hampered by corruption. As a result widows queue at doors of social welfare offices for months on end for their application forms to be processed or to retrieve insufficient payments which themselves are often late. An article published by Reuters¹⁷ describes in this regard how difficult it is for Iraqi women to receive State aid and how registering for government pensions is a bureaucratic nightmare due to corrupt workers who demand money to complete the paperwork. To underline this fact Reuters quoted the typical case of one women who gave up after she had spent almost a year registering and when she was about to finish the process the pension office told her that her file had been lost.

¹¹ Haifa Zangana, The continuing deterioration of women's rights in Iraq
http://www.brussellstribunal.org/article_view.asp?id=1388#Uvy4Gv15N8F

¹² Academic estimates range from less than half a million to more than a million. John Tirman, the principal research scientist at the MIT Centre for International Studies, has examined all the credible estimates and found that average figures suggest roughly 700,000. The guardian, 7 February 2014, The truth about the criminal bloodbath in Iraq can't be 'countered' indefinitely
http://www.theguardian.com/commentisfree/2014/feb/07/west-criminal-bloodbath-iraq-media-cover-up?CMP=fb_gu

¹³ UN women in Iraq fact March 2013
<http://unami.unmissions.org/LinkClick.aspx?fileticket=xqx9gxy7lSk%3D&tabid=2790&language=en-US>

¹⁴ Households headed by women in Iraq: a case for action
<http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf>

¹⁵ Women in War, The International Committee of the Red Cross in Iraq, ICRC, March 2009
<http://www.icrc.org/eng/assets/files/other/iraq-women-in-war-eng.pdf>

¹⁶ Compare: The daily struggle of Iraq's widows of war (November 2011)
<http://www.reuters.com/article/2011/11/09/us-iraq-widows-idUSTRE7A841T20111109>

¹⁷ Iraq: the Human Cost
<http://web.mit.edu/humancostiraq/>

Due to the widespread corruption, (in 2013 Iraq was ranked No 7 on the list of the top ten of the most corrupt countries¹⁸) the need of help often results in sexual exploitation. Many war widows have become prostitutes to support their families¹⁹ or see themselves coerced into “temporary marriages” — relationships sanctioned by tradition, often based on sex, which can last from an hour to years — to get financial help from the government. In 2010 a total of about 83,000 were registered for State Aid. This number is shockingly small compared to those million women who are effectively in need. This confirms a study conducted by the ICRC, which focused on particularly vulnerable women and found that only 19% of the women interviewed were receiving benefit.²⁰

It needs however to be mentioned that the meager State Aid is by far not enough. The benefit for each family varies from 50,000 to 175,000 Iraqi dinars (from 43 to 150 US dollars) per month²¹ which is less than the average monthly rent, which is \$210.²²

Women in Detention

After the total dismantling under occupation the Iraqi judicial system is flawed and inhumane on all levels. The 105-page report, *'No One Is Safe': Abuses of Women in Iraq's Criminal Justice System*²³ issued by Human rights Watch describes in detail the Iraqi authorities' detention practices that have also often been reported by the United Nations Assistance Mission for Iraq (UNAMI) and hundreds of NGOs. Thousands of Iraqi women are illegally held in detention and commonly subjected to torture and ill-treatment, including the threat of, or actual, sexual abuse, sometimes in front of husbands, brothers, and children. These practices include beatings, kicking, slapping, hanging upside-down and beating on the feet, electric shocks, and rape or sexual assault by security forces during their interrogation.

In this regard Human Rights Watch described the case of a woman in one of Iraq's death row facilities, who after nine days of beatings, electric shocks, and whipping was left permanently disabled. A split nose, back scars, and burns on her breast were consistent with the abuse she alleged. She was executed in September 2013, seven months after the interview was held, despite lower court rulings that dismissed charges against her following a medical report that supported her alleged torture.

This one more time demonstrates that Iraq's weak judiciary is plagued by corruption, frequently bases convictions on coerced confessions, and trial proceedings fall far short of international standards. Many women were detained for months or even years without charge before seeing a judge, and many of them said that they were rather questioned about their male relatives' activities rather than crimes in which they themselves were implicated. The vast majority of the more than 4,200 women detained in Interior and Defense ministry facilities are Sunni, but abuses affect women of all sects and classes, throughout Iraqi society.

Unfortunately failure by the courts to investigate allegations of abuse and hold the abusers responsible encourages the police to falsify confessions and use torture. The deputy Middle East and North Africa director Joe Stork stated in this regard that Iraqi security forces and officials apparently act as if brutally abusing women will make the country safer, yet in fact, these women and their relatives had stated that as long as security forces abuse people with impunity, one can only expect security conditions to worsen.

¹⁸ Iraq Slips One Place On International Corruption Index
<http://musingsoniraq.blogspot.ch/2013/12/iraq-slips-one-place-on-international.html>

¹⁹ Iraq's War Widows Face Dire Need With Little Aid
http://www.nytimes.com/2009/02/23/world/middleeast/23widows.html?pagewanted=all&_r=0

²⁰ Households headed by women in Iraq: a case for action
<http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf>

²¹ ICRC 2011, Households headed by women in Iraq: a case for action
<http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf>

²² Compare: The continuing deterioration of women's rights in Iraq
http://www.brussellstribunal.org/article_view.asp?id=1388#Uvy4Gvl5N8F

²³ Iraq: Security Forces Abusing Women in Detention

In this context it is important to note that one of the main demands during the peaceful mass demonstrations going on in Iraq since December 2012 are to free women prisoners and stop human rights abuses such as torture and rape of women in detention, after the allegations arose that female prisoners are being raped and sexually abused by guards and security forces. Although in January 2013, Prime Minister Nuri al-Maliki promised to reform the criminal justice system, beginning with releasing detained women who had judicial orders of release the brutal tactics of security forces remain still the same and hundreds of women in detention illegally.

The wrongful treatment of women in detention is not only a general international legal issue, however also specifically violates the Convention on the Elimination of All Forms of Discrimination Against Women Article 2(c) and (d) which obliges governments to establish legal protection through competent national tribunals and to ensure that public authorities act in accordance with this Convention.²⁴

Displaced

Following the US-invasion 2003 up to five million Iraqis have been displaced inside Iraq, which is the largest number of displacements in the region since 1948.²⁵

The Iraqi Red Crescent Society estimates that more than 83 % of the displaced²⁶ persons in Iraq are women and children, and the majority of the children are under the age of 12.²⁷ This means that 55% of all Iraqi women have been displaced.²⁸ They face strong social stigmas, are highly discriminated and forced to live in inhumane poor conditions. Since 2003, about 33% of displaced widowed women have not received any humanitarian assistance; 76% of widows do not receive a pension and sometimes they are forced to go into temporary marriage with one of the bureaucrats who distribute the funds.²⁹

The externally displaced are often living in extreme poverty³⁰ and subjected to multiple displacements.³¹ Iraq is seeing the return of many Iraqi refugees, particularly from Syria, yet often these returnees cannot go back to their places of origin, leading to new secondary displacement inside Iraq.³² Many of these families have no shelter, no finances, no access to health care, education or security of any kind.³³ According to (UNHCR), Iraqi refugees in Syria suffer from trauma, more than refugees from other recent conflicts elsewhere. A total of 89.5 % suffered from depression, 81.6 % from anxiety and 67.6 % from Post-Traumatic Stress Disorder.³⁴

Among the five million displaced Iraqis are 2 million internally displaced people (IDP), 13% of the families are families headed by women. Most of these women are widows. These women have to support their children and elderly family members. Without a steady income, they become reliant on support from whoever can give it but it is not systematic. IDP families headed by single women further depend even more on aid than their male-led counterparts. They and their children have rising food costs, health care needs, and water that must be supplied by some outside source.³⁵

²⁴ CEDAW available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

²⁵ Dr. Yasmine Jawad (2013)

Available at http://www.gicj.org/iraq_conference_speeches/Dr_Yasmin_Jawad_Presentation.pdf

²⁶ The Government reported that there are an estimated 1,343,568 post-2006 Internally Displaced Persons in Iraq as of January 2011, with Baghdad hosting the largest number of IDPs with some 358,457 persons (62,374 families). UNAMI HR 2010

<http://www.ohchr.org/EN/Countries/MENARegion/Pages/UNAMIHRReports.aspx>

²⁷ Women, children and youth in the Iraq crisis: a fact sheet January 2008

²⁸ Ibid

²⁹ Dr. Yasmine Jawad (2013). Available at http://www.gicj.org/iraq_conference_speeches/Dr_Yasmin_Jawad_Presentation.pdf

³⁰ International Rescue Committee: Iraq, 10 years on: "Living in prolonged limbo"

<http://www.rescue.org/blog/iraq-10-years-living-prolonged-limbo>

³¹ 2014 UNHCR country operations profile – Iraq

<http://www.unhcr.org/pages/49e486426.html>

³² UNHCR country operations profile - Iraq

<http://www.unhcr.org/pages/49e486426.html> 2014 UNHCR country operations profile – Iraq

³³ Dr. Souad N. Al-Azzawi <http://www.brussellstribunal.org/pdf/IraqiChildrenSuffering2010.pdf>

³⁴ SYRIA: UN research indicates high levels of trauma among Iraqi refugees <http://www.irinnews.org/Report.aspx?ReportId=76360>

³⁵ Displaced Women in Iraq

<http://themarginalized.com/2010/10/07/displaced-women-in-iraq/>

Not only however is it difficult for IDP women to maneuver through the system in order to secure enough aid for their families, but they also have to deal with the inevitable lack of resources to cover their needs. They might be able to figure out how to apply for aid, but that doesn't always mean there will be enough.³⁶ For example, in the area of health care for IDP families, women and children's medical assistance is a grave concern. There are only 12.3 nursing and midwifery sources per 10,000 Iraqis, and only 1.5 pharmacists and 1.4 dentists per 10,000 people, but the actual numbers are much worse in rural areas. For rural IDP women, gaining access to those health resources is even more difficult than for the average Iraqi. After all, they have no transportation and no income.³⁷

According to the aforementioned IOM report displaced Iraqi female-headed families who have returned home often still experience major livelihood challenge. Of 1,355 female-headed displaced families who have returned to their places of origin found that 74 percent are struggling to secure adequate nutrition for their families.

Delays in receiving subsidized government food rations or lack of some food items in the rations force women to buy food with whatever money they have. Health problems and social norms had prevented nearly 40 percent of them from finding jobs. Of those who are able to work, 71 percent are unemployed.

With the growing number of Syrian refugees putting additional strains on local infrastructure and essential services, which were already significantly weakened by the years of war and instability, access to basic services for the Iraqi population itself remains problematic. Stagnant socio-economic development further affects daily life in Iraq, while institutional capacity remains limited. These conditions hamper the ability of internally displaced people to return home. With this context, UNHCR and its partners deliver assistance and protection to vulnerable groups which are often located in remote areas and still many queue up waiting for news about their detained or missing husbands, sons, fathers or brothers have become almost a fixed feature in front of prisons, detention camps, and ministries of human rights, interior or justice. Some have been without news of their loved ones for many years.

Education

Prior to the first Gulf War in 1991 Iraq had one of the best educational performances in the region. Primary school Gross Enrollment Rate was 100% and literacy levels were high. Since that time education has suffered as a result of war, sanctions, and instability.³⁸ By making education compulsory for all by law No. 118 in 1976, the Iraqi government closed the literacy gap between men and women notably and took a great step to eradicate illiteracy and empower women in the working field. The efforts were rewarded when Iraq received the UNESCO award for eradicating illiteracy in 1982. Female literacy reached 87% in 1985 which was by that time far ahead of its neighboring countries.³⁹

Already during the sanctions, Iraq's literacy rate deteriorated to an estimated 58 percent of Iraqi adults. UNICEF also alerted that female literacy rates had fallen even faster. Between 1990 and 2003 literacy lowered for women and people in rural areas, reaching about 50 percent among rural women. That means over half of Iraqi women could not read or write. (We must have in mind that Iraq was the country which only a decade earlier had the most modern education system in the Arab Middle East where women could participate without discrimination.)⁴⁰

Following the invasion the overall number of children receiving primary education in Iraq after the war has declined between 2004-05 and 2007-08. According to a report released last year by NGO Save the Children, 818,000 primary school-aged children, representing 22 percent of Iraq's student population, were not attending

³⁶ Displaced Women in Iraq

<http://themarginalized.com/2010/10/07/displaced-women-in-iraq/>

³⁷ Displaced Women in Iraq

<http://themarginalized.com/2010/10/07/displaced-women-in-iraq/>

³⁸ UNESCO and Education in IRAQ Fact Sheet (28 March 2003)

http://portal.unesco.org/en/ev.php-URL_ID=11216&URL_DO=DO_TOPIC&URL_SECTION=201.html

³⁹ http://portal.unesco.org/en/ev.php-URL_ID=11216&URL_DO=DO_TOPIC&URL_SECTION=201.html

⁴⁰ [Sponeck](#), H-C. von, (2006) *A Different kind of war : the UN sanctions regime in Iraq*, Berghahn Books, 322 pp.

school. Girls account for around 44.8% of students. This means that for every 100 boys enrolled in primary schools in Iraq, there are fewer than 89 girls.

In most rural areas of southern governorates, where poverty and traditional attitudes still hold sway, fewer than half of girls are attending school. This under representation of girls in primary school in Iraq has been known for many years. The fact that there are declining numbers of girls in each successive grade has also been identified analyses of data by UNICEF. There are no regions in Iraq where the number of girls completing primary education is in any way acceptable. Some 75% of girls who start school have dropped out during, or at the end of, primary school and so do not go on to intermediate education.

Reports typically attribute poor attendance to the poor security situation within Iraq which undoubtedly is a significant contributor to these figures. In order to increase girls' participation in education, it is vital to gain an insight into why they never attend school or drop out before completing their basic education. There is a range of reasons why families do not support girls attending school. These include concerns about their safety, family poverty, the distance from home to school, early marriage and the need to help at home, which are generally conditions brought on to the Iraqi population by the outside invasion. Safety is an issue, particularly in areas of major instability and insecurity. The concerns about safety relate to both military conflict and civil crime such as abduction and rape.

CEDAW Art.10 focuses on the obligation of all state parties to take all appropriate measures to ensure equal access for men and women, boys and girls, to education. The Iraqi government is in urgent need to follow these guidelines and ensure the reduction of the increasing female student drop-out rate and provide programmes for girls and women who have left school prematurely, as stressed under Art.10(f).⁴¹

Sexual exploitation

Although Iraq is a signatory of several UN protocols and pacts that protect human and labor rights, according to the 2011 Trafficking in persons (TiP) Report, Iraq is a source and destination country for men, women and children subjected to trafficking for begging, prostitution and organ trafficking.

The Organization for Women's Freedom in Iraq, an Iraqi NGO, estimates that about 4,000 women, one fifth of them under the age of 18, have disappeared in the first seven years after the war. A huge number of girls has been incarcerated for prostitution, in which they had been forced as modern day slaves. At this point the numbers of trafficked Iraqi teenagers is unknown. It may be between thousands and tens of thousands.⁴² The invasion and instability that followed led to an environment where young women and girls became much more vulnerable to trafficking.⁴³

The highest demand is for girls under the age of 16. According to OWW reports up to 65 %⁴⁴ among prostituted females are minor girls. For less than 16 years old girls, prices range from 30,000 US dollars; older girls attract the price of 2,000 US dollars. The traffickers are aided by sophisticated criminal networks that are able to forge documents and pay corrupt officials to remove impediments.⁴⁵ Girls as young as 10 or 12 have been trafficked from Iraq into countries including Jordan, Lebanon, United Arab Emirates and Saudi Arabia for sexual exploitation. Other victims trafficked within Iraq end up in nightclubs or brothels, often in Baghdad. In some

⁴¹ CEDAW available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

⁴² Organization of Women's Freedom in Iraq <http://www.equalityiniraq.com/activities/117-prostitution-and-trafficking-of-women-and-girls-in-iraq>

⁴³ Silent victims: Iraqi women trafficked for sex, Laura Smith-Spark, CNN November 10, 2011 -- Updated 1224 GMT (2024 HKT) <http://thecnnfreedomproject.blogs.cnn.com/2011/11/10/silent-victims-iraqi-women-trafficked-for-sex-report-says/>

⁴⁴ In 2007 OWFI took on the challenge of investigating and documenting the extent of trafficking and prostitution within our outreach in Iraq . Listing of Prostitution and Trafficking houses Found in 2008 primarily addresses issues of prostitution and trafficking (P&T) in Baghdad and its suburbs.

⁴⁵ At a Crossroads , Human Rights in Iraq Eight Years after the US-Led Invasion <http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf>

cases, women and girls request to remain in detention centers even after a sentence is complete, fearful that their families will kill them.⁴⁶

The large population of internally displaced persons and refugees moving within Iraq and across its borders are particularly at risk of being trafficked. In 2013, the US State Department released a report on human trafficking in the world, According to the US report; Iraq was categorized as a hotbed of human trafficking and smuggling from all over the world. The Iraqi government however has done little to combat trafficking in girls and women: there have been no successful prosecutions of criminals engaged in human trafficking, no comprehensive program to tackle the problem, and negligible support for victims, as noted above.⁴⁷

According to the US' Trafficking in Person Report from 2010 by the Department of State, Iraq is now considered one of "the worst countries" in the world regarding prostitution and sexual exploitation. Women are lured into forced sexual exploitation through false promises of work. Trafficking of young girls is increasingly common to escape poverty. The lack of the Iraqi government to ensure appropriate measures to suppress all forms of traffic in women or sexual exploitation of women clearly violates Art.6 of CEDAW

Political participation

Before sanctions in 1990 women had gained important access not only to education, but also health care, employment, political positions and in the economic sphere. Family rights were among the most secular of the regions and women played an active role right in the government. After sanctions and invasion, present-day Iraq is plagued by violence, corruption and injustice, transforming the situation of women into a national crisis.

Article 47 of the current Iraqi constitution guarantees women 25% of the members of the Council of Representatives. This quota system has been applauded by women organizations and international community as one of the great achievements of the "New Iraq". This appraisal is made regardless of how little actual difference it makes to Iraqi women in general and how it has been used as a sheer token to cover up the volume of crimes committed against women under occupation. The irony is that even this nominal step was neglected by the present government formed in late 2010.⁴⁸

In fact, among the 44 Ministers, there is only one woman appointed as Minister of State for Women's Affairs. Furthermore, The Minister, Dr. Ibtihal al-Zaidi does not believe in equality between women and men in Iraq. "I am against the equality between men and woman", she told a local news agency. "If women are equal to men they are going to lose a lot. Up to now I am with the power of the man in society" she explained. Most female MPs have shown little interest in women's rights but rather focus on representing their sectarian party's policies towards women. In essence, they duplicate whatever their fellow male MPs already advocate. Concerns ought to be raised about the significance of having a female MP. DR Jenan Al-Ubaedey, a female MP, for example, has been more committed than any other male MP to justify the beating of women and polygamy.⁴⁹

Birth defects

During the US-invasion Iraq has been subjected to the most intense urban combat operations in Iraq with a concentrated use of novel weapons in 2004. One of the bloodiest battles of the war was fought against the city of Fallujah, leaving its homes and businesses totally shattered and hundreds of civilians dead. Most significant was the bombardment of Fallujah, a city in central Iraq, and Al Basrah, a city in southern Iraq.

⁴⁶At a Crossroads, Human Rights in Iraq Eight Years after the US-Led Invasion <http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf>

⁴⁷At a Crossroads - Human Rights in Iraq Eight Years after the US-Led Invasion, HRW <http://www.hrw.org/sites/default/files/reports/iraq0211W.pdf>

⁴⁸ The continuing deterioration of women's rights in Iraq

http://www.brussellstribunal.org/article_view.asp?id=1388#.Uv0Bf_15N8G

⁴⁹ The continuing deterioration of women's rights in Iraq http://www.brussellstribunal.org/article_view.asp?id=1388#.Uv0Bf_15N8G

Although American forces later admitted that they had used white phosphorus shells, they never admitted to using depleted uranium, which has been linked to high rates of cancer and birth defects⁵⁰. Several studies however found a high level of contamination by several toxic substances including Uranium⁵¹

A study found that in Fallujah, more than half of all babies surveyed between 2007 and 2010 were born with a birth defect. Prior to the turn of the millennium, fewer than 2 per cent of babies were born with a defect. Furthermore over 45 per cent of all pregnancies ended in miscarriage in the two years after 2004, up from only 10 per cent before the bombing. Between 2007 and 2010, one in six of all pregnancies ended in miscarriage⁵².

Researchers who in 2010 had looked at the health histories of 56 families in Fallujah, also examined births in Basra, in southern Iraq, attacked by British forces in 2003. Between October 1994 and October 1995 found the number of birth defects per 1,000 live births in Al Basrah Maternity Hospital had been 1.37. In 2003, more than 20 babies out of 1,000 were born with defects – a number that was 17 times higher than a decade before. Until 2010 the number of malformed babies rose to the shocking number of 37 babies out of 1,000 – an increase of more than 60 per cent.⁵³

The report's authors link the rising number of babies born with birth defects in the two cities to increased exposure to metals released by bombs and bullets used over the past two decades. Scientists who studied hair samples of the population in Fallujah found that levels of lead were five times higher in the hair of children with birth defects than in other children; mercury levels were six times higher. Children with defects in Basra had three times more lead in their teeth than children living in non-impacted areas.⁵⁴

Since the invasion young women in Iraq have become increasingly reluctant to become pregnant for the fear of giving birth to monstrously deformed babies. Dr Chris Busby, a visiting professor at the University of Ulster on Fallujah says: "The people are experiencing higher rates of cancer, leukemia, infant mortality, and sexual mutations than those recorded among survivors in Hiroshima and Nagasaki in the years after those Japanese cities were incinerated by U.S. atomic bomb strikes in 1945"⁵⁵

⁵⁰ The Independent, *Iraq records huge rise in birth record*,
<http://www.independent.co.uk/life-style/health-and-families/health-news/iraq-records-huge-rise-in-birth-defects-8210444.html>

⁵¹ Al-Sabbak, M., Sadik Ali, S., Savabi, O., Savabi, G., Dastgiri, S., & Savabieasfahani, M. (2012). Metal contamination and the epidemic of congenital birth defects in Iraqi cities. *Bulletin of environmental contamination and toxicology*, 89(5), 937–44.

⁵² <http://www.independent.co.uk/life-style/health-and-families/health-news/iraq-records-huge-rise-in-birth-defects-8210444.html>

⁵³ <http://www.independent.co.uk/life-style/health-and-families/health-news/iraq-records-huge-rise-in-birth-defects-8210444.html>

⁵⁴ The Independent, *Iraq records huge rise in birth record*,
<http://www.independent.co.uk/life-style/health-and-families/health-news/iraq-records-huge-rise-in-birth-defects-8210444.html>

⁵⁵ The continuing deterioration of women's rights in Iraq
http://www.brussellstribunal.org/article_view.asp?id=1388#Uv0Bf_15N8G

Recommendations

- **Improve the position of women in working, educational and societal backdrops and guarantee their right to freedom of expression**
- **Encourage micro-finance projects that would help women become self-sufficient**
- **Reform the judicial system and establish a mechanism to prosecute human rights violations against women in detention**
- **Re-establish effective literacy programs**
- **Reform the social welfare to levels as it used to be before the sanctions.**
- **Criminalize violence against women committed by security and police units and create strategic plans to educate the population on non-violence**
- **Developing a mechanized method of eliminating human trafficking and sex trade. To this end create a national committee charged with developing programs to prevent and combat human trafficking and protect victims from further harm**
- **Create a safe environment in which aid workers can operate**
- **Allow international human rights mechanisms entry, such as special rapporteurs and individuals authorized to verify treaty obligations**
- **Investigate the source of the horrendous increase of birth defects, provide help to the families and undertake an environmental clean-up**

THE SITUATION OF WOMEN IN IRAQ

report submitted under Article 18 of the
**Convention on the Elimination of All Forms of Discrimination against Women
(CEDAW)**
Geneva-February 2014

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Geneva International Centre for Justice

Geneva International Centre for Justice (GICJ) is a non-profit, non-governmental organization dedicated to the promotion and protection of human rights. GICJ is governed by the Swiss Civil Code

The objective of GICJ is to combat human rights violations and impunity in order to achieve justice for the victims and reinforce respect for human rights

GICJ works at promoting a culture of awareness on human rights violations while consolidating the principles of equity and non-discrimination

GICJ & IRAQ



GICJ documents human rights violations that took place in Iraq, and reports them to the concerned bodies of the United Nations such as the Human Rights Council. The aim of the process is ensure that all human rights violations in Iraq during the sanction and the invasion and occupation be investigated by an international independent body as a step to achieve justice for victims through all possible legal means and to prevent impunity for the perpetrators and stop similar violations.

GICJ involves with a number of non-governmental organizations, research centers and universities, from Iraq and throughout the world to achieve this goal

Human Rights Training Courses

Recognizing the impact that well-trained individuals can have on the advancement of human rights GICJ further organizes human rights workshops and trainings courses. GICJ location and work with the UN provides participants a unique experience to learn about the workings of both international organizations and non-governmental organizations with a special focus on the human rights mechanism

