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### **PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT**

**Joint written statement\* submitted by the International Youth and Student Movement for the United Nations (ISMUN), the Women's International Democratic Federation(WIDF), non-governmental organizations in general consultative status; the Union of Arab Jurists, the International Organization for the Elimination of All forms of Racial Discrimination (EAFORD), the General Arab Women Federation, North-South XXI, the Arab Lawyers Union, the Indian Movement “Tupaj Amaru”, the General Federation of Iraqi Women (GFIW), the United Towns Agency for North-South Cooperation, the International Association of Democratic Lawyers (IADL), non-governmental organizations in special consultative status, and International Educational Development, Inc. (IED), a non-governmental organization on the Roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[1 September 2009]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## **Education Situation in Iraq<sup>1</sup>**

The right to education is a fundamental human right. Every individual, irrespective of race, gender, nationality, ethnic or social origin, religion or political preference, age or disability, is entitled to a free elementary education. This right is endorsed in a wide range of international laws and conventions.<sup>2</sup> Due to the U.S invasion of 2003 and to the occupation, Iraqis are denied this right. According to a number of reports by the UN and NGOs, the education system in Iraq has suffered a tremendous deterioration in all aspects. Prior to the war and according to the UNESCO, the education system in Iraq was one of the best in the region. Nevertheless, the HRC has never discussed the problem of the declining education system in Iraq and its direct effect on the enjoyment of basic human rights, nor has the Special Rapporteur on the right to education brought it to the attention of the Council, in accordance with her mandate, even though numerous reports expose the alarming picture of this most important issue.

According to the UNESCO, Iraq's education system was one of the most developed amongst other countries in the region. This report noticed a 100% Gross Enrolment Rate for primary schooling and a high level of literacy, both among men and women. Despite the

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<sup>1</sup> - Association of Arab Lawyers (UK), Monitoring Net of Human Rights in Iraq, Association of Iraqi Diplomats, Association of Humanitarian Lawyers, Women Solidarity for an Independent and Unified Iraq, Women Will Association (WWA), Organization for Widows and Orphans, (OWO), The United Prisoners of Iraq, Association of Victims of American Occupation Prisons, Association of Iraqi intellectual and Academics, Conservation Centre of Environmental & Reserves in Iraq (CCERF), NGOs without consultative status also share the views expressed in this statement.

<sup>2</sup> Universal Declaration of Human Rights (1948) (Preamble, article 26) Education is defined as a right in itself, but the text of the UDHR also implies that education is a means to an end, rather than an end in itself. Education is seen as the process through which all citizens can become aware of their rights and responsibilities, so that peace as well as prosperity can be secured for all nations and peoples. The UDHR's definition of the role of education in and for human rights is reflected in later international standards.

Convention (No. 111) Concerning Discrimination in Respect of Employment and Occupation (1958) (article 3) The International Labour Organization (ILO)'s Convention Concerning Discrimination in Respect of Employment and Occupation declares as its aim the promotion of "equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof," and calls upon education to assist in securing this. States are required to "enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of this policy..." (Article 3)

Convention Against Discrimination in Education (1960) UNESCO member states have adopted two treaties aimed at eliminating discrimination in education. These include the 1960 Convention against Discrimination in Education and the Protocol Instituting a Conciliation and Good Offices Commission to be responsible for seeking a settlement of any disputes which may arise between States Parties to the Convention against Discrimination in Education, which was adopted in 1962 and entered into force in 1968.

International Covenant on Economic, Social and Cultural Rights (1966) (article 13) The main UN treaty on civil and political rights, the 1966 International Covenant on Economic, Social and Cultural Rights, defines education as "...directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms... [it] ...shall enable all persons to participate in a free society, promote understanding, tolerance and friendship among all nations, and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace..." (Article 13)

Convention on the Elimination of all forms of Discrimination Against Women (1979) The women's rights convention from 1979, known as the Convention on the Elimination of all forms of Discrimination Against Women, and often abbreviated as CEDAW, obliges state parties to: "... take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on the basis of equality of men and women: ... The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programs and the adaptation of teaching methods..." (Article 10).

sanctions, UNESCO stated a continually increasing of enrolment in all sectors of education. The Higher Education, especially the scientific and technological institutions were of an international standard, staffed by high quality personnel.<sup>3</sup>

Article 50 of the fourth Geneva Convention requires that occupying powers shall do everything to facilitate the proper working of all institutions devoted to the care and education of children. The U.S forces did not comply with this obligation nor did it comply with Article 51 of the Additional Protocol of the Geneva Convention, which prohibits attacks on non-military objectives. A report, prepared under the auspices of the UNESCO stated that during the invasion of 2003, the U.S troops have inflicted major damage to 60% of the Kindergarten, to 89% of the primary schools and to 69% of the secondary schools.<sup>4</sup> It is shocking to note that during the first month of the war, in March 2003, **over 700 schools were bombed and of those a third in Baghdad with over 200 burned.** In total, 2751 schools have been heavily damaged.<sup>5</sup> Instead of being protected from any kind of violence, schools are more than often targeted and their buildings used for military purpose. For example, in Fallujah, the U.S troops **destroyed 60 schools** while they used others, as **military bases** and firing positions.<sup>6</sup> UNICEF noted that because of the assault on the city about **100,000 children were at risk of losing the entire academic year** as a result of schools being occupied, damaged, or overcrowded.<sup>7</sup> The case of Basra and Al-Sadr City in Baghdad are another two examples of violation of international law by the U.S Forces. During the military operations which occurred in these two cities, the majority of schools have been closed and more than 20 schools have been reported damaged in the violence, with unconfirmed numbers of students and teachers killed despite UNICEF's call to protect schools. As the UNICEF Iraq Chief of Education Mette Nordstrand recalled "schools are a haven for children in times of conflict, they are protected under international law as zones of peace. No matter what the circumstances, the only proper use for an Iraqi school is to educate and protect Iraqi children."<sup>8</sup> **Unfortunately, the occupying powers never listen to such reasonable calls.**

The consequences of the collapse of the Iraqi State due to the U.S illegal war and especially the deliberate dismantling of Iraq's security forces has allowed criminals and gangsters to loot the education facilities. A report stated that **84% of the total facilities have been looted** and that 2'000 laboratories have to be re-equipped while the country needs around 30'000 computers to replace those that were stolen. The study reveals also that one of the most prestigious universities, the Iraqi Academy of Sciences, founded in 1948 to promote the Arabic language and heritage, saw its digital and traditional library partially looted during the war and it

<sup>3</sup> UNESCO (Fact sheet Report 2003):

[http://portal.unesco.org/en/ev.php URL\\_ID=11216&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php URL_ID=11216&URL_DO=DO_TOPIC&URL_SECTION=201.html)

<sup>4</sup> Republic of Iraq, Ministry of Education, "Educational Statistic in Iraq" with the collaboration of the UNESCO. <http://www.unicef.org/media/files/volume2analyticalreport.pdf>

<sup>5</sup> Mike Powers, *The Destruction of Education in Iraq by War and Occupation*, October 2008. <http://www.ibo.org/ibaem/conferences/documents/EDUCATIONINIRAQBYWARANDOCUPATIO1.pdf>

<sup>6</sup> Monitoring Net of Human Rights in Iraq (2005), <http://www.brusselstribunal.org/survey111105.htm> ; "Fallujah Report" to the 61<sup>ST</sup> session of **The United Nations Commission on Human Rights** Geneva March-April 2005, <http://files.splinder.com/e1ad66f3378ec9d48f359773aecc7c13.doc>

<sup>7</sup> United Nations Assistance Mission for Iraq (UNAMI), 18 January 2005, Emergency Working Group Fallujah Bulletin Update, <http://www.uniraq.org/documents/EWGFallujaBulletin-18Jan.doc>

<sup>8</sup> UNICEF Press statement, "Violence in Iraq disrupts lives and education", 21 April 2008, [http://www.unicef.org/infobycountry/iraq\\_43630.html](http://www.unicef.org/infobycountry/iraq_43630.html)

alone needs almost one million dollars in infrastructure repairs to re-establish itself as a leading research centre.<sup>9</sup>

Another result of the dismantling of the Iraqi security forces by the U.S troops is the killing campaign conducted against the scientific community of the country. Since the U.S occupation began the Iraqi scientists have paid a heavy price. There are indications that the assassination campaign against the Iraqi scientist has been deliberately organised for certain purposes. More than **4000 academicians have been either killed or forced to flee** from the country while **371 university professors have been killed** in daylight and about **96 disappeared**.<sup>10</sup>

The sectarian system implanted and supported by the U.S troops of occupation has had terrible consequences on the education system of Iraq. While sectarianism has been absent from Iraq before the invasion and occupation, it has become now common to hear about sectarian teachers who instigated their hatred to the younger generations.<sup>11</sup> Instead of opening minds, education in Iraq has become the place where sectarian ideas are implemented in order to divide the society. Many projects have aimed at establishing different educational programs, which differ according to the sect. That is a most dangerous deterioration because it means that education will become the “playing field for political conflict, or the scene for the ugly sectarian fighting”.<sup>12</sup> Like many other Iraqi institutions, the **universities became divided along sectarian lines** and every student wishing to apply for a course needs to ask first if this class is belonging to this sect or to another. Several cases have been reported of students being kidnapped and killed.<sup>13</sup> The Ministry of Education itself has not been spared by the violence of this system. For example, during an attack on its buildings, as many as 80 employees of the Ministry have been kidnapped in daylight by sectarian militia affiliated with the government dressed in the uniforms of interior ministry police commandos.<sup>14</sup>

Another problem that prevents any improvement of the situation is the widespread corruption among all Iraqi institutions, which is a direct effect of the systematic destruction of the State resulting from the invasion and occupation of the country by U.S Forces. In its last report, the NGO *Transparency International* stated that Iraq is one of the most corrupted countries of the world.<sup>15</sup> The corruption particularly affects the education system because a lot of individuals who came with the U.S troops of occupation provided fake diplomas in order to get high-qualified jobs. A recent enquiry pointed out to the fact **that about 4'000 people have forged post-graduate** degrees and that among them are faculty members of college.<sup>16</sup> In some universities the corruption has reached such a high level that the students can pay \$100 to get their diplomas. This climate of corruption spread from faculty members of college to the students who are, according to some teachers, cheating to pass their exams. The teachers often cannot

<sup>9</sup> “The Destruction of Iraq’s Educational System under US Occupation”, Centre for research on Globalisation, 11 May 2005, <http://www.globalresearch.ca/articles/HAS505B.html>

<sup>10</sup> Al-Sabah, 2008, <http://www.alsabaah.com/paper.php?source=akbar&mlf=interpage&sid=77086>

<sup>11</sup> “Sectarianism Takes Root in Iraq Academic Life”, IslamOnline.net, 14 mars 2006, <http://www.islamonline.net/English/News/2006-03/14/article01.shtml>

<sup>12</sup> “Education in Iraq and the Spectre of Sectarianism”, Asharq alawsat, 18 Nov. 2008, <http://www.asharqalawsat.com/english/news.asp?section=2&id=14763>

<sup>13</sup> Newsweek, 12 Nov. 2007, <http://www.newsweek.com/id/67922>

<sup>14</sup> “Sectarian Rifts In Iraqi Government Intensify”, World Socialist Web, 23 Nov. 2006, <http://www.countercurrents.org/iraq-cogan231106.htm>

<sup>15</sup> Transparency International Report 2008, p.1.

<sup>16</sup> “Iraq Government Hit by Graft: 4,000 Forged University Degrees Uncovered”, AlterNet, 3 February 2009, [http://www.alternet.org/waroniraq/124648/iraq\\_government\\_hit\\_by\\_graft\\_4.000\\_forged\\_university\\_degrees\\_uncovered/](http://www.alternet.org/waroniraq/124648/iraq_government_hit_by_graft_4.000_forged_university_degrees_uncovered/)

object because they are afraid of being killed if they denounce the cheater especially because most of them are sons of senior government officials or members of armed groups.<sup>17</sup>

Children, the future of Iraq, hardly have a future. The total collapse of the education system has left those children without schooling and will produce a lost generation. The few schools that are still functioning are overcrowded with **up to 100 students in a single classroom designed for no more than 30 students** which makes learning hard if not impossible. Most of the schools lack from everything as there is **no teachers, no books, no paper, and nothing to write on**. The enrolment rate of the primary school has continued to decline since the beginning of the U.S occupation. Before the war the enrolment rates was of 100% while it is now no more than 46%. The road-blocks, checkpoints and wall of separation built by the U.S forces of occupation make it very difficult for the children to reach their school. Children are left to themselves, forced to work in the street because their family cannot afford the price of the school tuition while school was totally free before the war. According to the United Nations, **17 percent of Iraqi children are permanently out of primary school**. An estimated 220,000 more are missing school because they and their families have been displaced. **Only 28% of graduation age students were able to sit their final exams in 2007, and only 40% achieved a passing grade.**<sup>18</sup>

The terrible environment created by the war waged against Iraq has led to mental disorders in children. According to an *Oxfam International* report, **“92 percent of children had learning impediments** that are largely attributable to the current climate of fear”.<sup>19</sup> Parents and teachers cite a litany of distress signals sent out by young people in their care - from nightmares and bedwetting to withdrawal, muteness, panic attacks and violence towards other children, sometimes even to their own parents.<sup>20</sup> Attacks on school children killed 110 and injured 95 since 2005.<sup>21</sup> As Roger Wright, UNICEF’s Special Representative for Iraq said “Iraqi children are paying far too high a price”.<sup>22</sup>

**The tragic situation of the Education System in Iraq in particular and the human rights situation in general is a challenge to the entire human rights community and all UN bodies. The Human Rights Council can no longer remain silent on this tragedy, which affects the future of the country. The Council must open an in depth discussion on these and other major human rights violations in Iraq and re-institute the position of a Special Rapporteur on Iraq, who was dismissed after the invasion of 2003. As a first step we urge the Council to ask the Special Rapporteur on the right to education to visit Iraq to thoroughly study this situation and submit his report to the Council.**

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<sup>17</sup> “STUDENTS FAIL, LIKE SO MUCH ELSE”, **INTER PRESS SERVICE**, 8 AUGUST 2008, [HTTP://WWW.GLOBALPOLICY.ORG/SECURITY/ISSUES/IRAQ/ATTACK/CONSEQUENCES/2008/08STUDENTSFAIL.HTM](http://WWW.GLOBALPOLICY.ORG/SECURITY/ISSUES/IRAQ/ATTACK/CONSEQUENCES/2008/08STUDENTSFAIL.HTM)

<sup>18</sup> Consolidated Appeal for Iraq, 2008, <http://www.humanitarianappeal.net>

<sup>19</sup> *IRIN, IRAQ: Children’s education gravely affected by conflict, 14 mars 2007*, <http://www.irinnews.org/Report.aspx?ReportId=70697>

<sup>20</sup> The Guardian, 6 February 2007, <http://www.guardian.co.uk/world/2007/feb/06/iraq.topstories3>

<sup>21</sup> UNICEF: Little Respite for Iraq’s Children in 2007, 21 Dec. 2007, [http://web.mit.edu/humancostiraq/further-reading/State-Iraqs-Children-PR\\_181207\\_EN.pdf](http://web.mit.edu/humancostiraq/further-reading/State-Iraqs-Children-PR_181207_EN.pdf)