



Convention on the Rights of the Child

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Committee on the Rights of the Child

Combined fifth and sixth periodic reports submitted by Iraq under article 44 of the Convention, due in 2020*

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* The present document is being issued without formal editing.



I. Introduction

1. Iraq discussed its combined second to fourth periodic reports ([CRC/C/IRQ/2-4](#)) before the Committee on the Rights of the Child at the latter's 1958th and 1960th meetings, held on 21 January 2015. The Committee then adopted its concluding observations at its 1983rd meeting, held on 30 January 2015.
2. Iraq discussed its initial reports under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict ([CRC/C/OPAC/IRQ/1](#)) and under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography ([CRC/C/OPSC/IRQ/1](#)) before the Committee on the Rights of the Child at the latter's 1962nd meeting, held on 22 January 2015. The Committee then adopted its concluding observations at its 1983rd meeting, held on 30 January 2015.
3. Iraq is now submitting its combined fifth and sixth periodic reports to the Committee on the Rights of the Child, under article 44 (1) (b) of the Convention on the Rights of the Child and in line with paragraph 93 of the Committee's concluding observations ([CRC/C/IRQ/CO/2-4](#)) on the previous report of Iraq. The present report, which constitutes a reply to those concluding observations, illustrates the progress made in implementing both the Convention and the concluding observations.
4. Iraq is also submitting its report under article 8 (2) of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and under article 12 (2) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, in accordance with article 44 of the Convention on the Rights of the Child. This illustrates the progress made in implementing the two Protocols and the Committee's concluding observations.
5. A ministerial order was issued on 19 June 2016 for the formation of a standing central committee, headed by the Minister of Justice and with representatives from the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Education, the Ministry of Health and the Ministry of Labour and Social Affairs. The committee – which also includes representatives from the Office of the Prime Minister, the Secretariat of the Council of Ministers and the National Security Advisory – is responsible for drafting reports under human rights treaties. A further ministerial order was issued on 5 February 2018 for the formation of a national report-writing committee, with higher level representation and a broader mandate. The present report, which covers the relevant operational paragraphs of the Convention and the two Protocols, was drafted in compliance with the Committee's harmonized treaty-specific reporting guidelines.

A. Mechanism and methodology for preparing the report

The report was prepared via a multi-stage process, as follows:

6. *Preparation.* This entailed the formation of a ministerial subcommittee headed by the Ministry of Justice and with members from other competent ministries. The Committee's concluding observations were explained and circulated to the relevant bodies and ministries.
7. *Information gathering.* The information required for the report was obtained and the subcommittee held a number of meetings to review it.
8. *Drafting.* The information available on the relevant subjects was incorporated into the text and the report was drafted. The outcome of this stage was a draft report prepared by the subcommittee in line with the treaty-specific guidelines regarding the form and content of periodic reports ([CRC/C/58/Rev.2](#)), adopted by the Committee on 1 October 2010. The draft report was then submitted to the national committee.
9. *Review and ratification.* The national report-writing committee held a meeting to review and endorse the report, which was then submitted to the Council of Ministers for ratification before being transmitted to the Committee.

B. Crimes committed by Da'esh in Iraq since 9 June 2014

10. In June 2014, Iraq was subjected to a violent attack by the terrorist gangs of Da'esh, and many crimes and abuses were committed against all groups of the Iraqi population.

11. Those gangs committed crimes such as murder, torture, abduction, rape, sexual slavery and forced religious conversion. They also recruited child soldiers, used children and women as suicide bombers, enforced a scorched-earth policy and publicly announced their acts of murder, all of which are punishable by law in Iraq.

12. Those criminal gangs committed abuses against ethnic groups, such as Christians, Turkmens, Sabean-Mandaeans, and Yazidis, including:

- Crimes against the person (murder, torture)
- Forced displacement
- Targeting of minorities
- Destruction of antiquities, cultural heritage sites and religious monuments
- Restriction of public freedoms
- Economic- and health-related violations
- Sexual slavery
- Enslavement and slave trading (human trafficking)
- Trading in and smuggling natural resources (oil) and antiquities.

13. Crimes of murder and torture were perpetrated, including the killing of 450 inmates of Badush prison, the execution of hundreds of soldiers in the governorate of Nineveh, the execution of 1,959 soldiers at Camp Speicher in the governorate of Salah al-Din and the execution of 175 Iraqi Air Force cadets at an airbase in Tikrit some of whose bodies were thrown into the Tigris River. In addition to this, heinous crimes were committed against members of minorities, particularly Yazidis, Christians and Shabaks and thousands of women from the Yazidi community and other minorities were sexually enslaved. When operations to liberate the country began, civilians were used as human shields to hinder the advance of government forces, which were often compelled to enter into running combat in order to preserve civilian lives.

14. Women in the areas overrun by the Da'esh terrorist gangs were victims of barbaric practices including murder, abduction, sale as captives and forced religious conversion, many of them also suffered rape and other forms of sexual violence.

15. In the areas they controlled, the Da'esh terrorist gangs systematically perpetrated acts of abduction and imprisonment of Yazidi women and girls as well as of women from the Turkmen, Christian and Shabak communities. An estimated 950 Yazidi women and girls who managed to flee their captivity are facing great mental suffering and a number have committed suicide in the wake of the torments they endured, including rape, sexual aggression, forced marriage and the resulting pregnancies and abortions, all of which has taken a great toll on their health.

16. Approximately 400 women, among them doctors, teachers, lawyers and journalists, were tortured and executed for refusing to obey Da'esh orders to engage in sexual jihad.

17. The Da'esh terrorist gangs were barbaric in their treatment of civilians. They made no distinction between men and women or between children and older persons, using all of them as human shields. It also used snipers to kill men, women and children attempting to reach safe Government-controlled areas and targeted liberated civilian areas with mortar fire.

18. All units of the Iraqi armed forces have succeeded in driving the Da'esh terrorist gangs out of the areas they had overrun, finally achieving victory over the organization in Mosul, Qa'im, Rawah and Hawija, and thus ending the tyranny suffered by the residents of those areas. This victory was the result of Iraqi unity, the wise leadership of the Government and

the efforts of the Iraqi armed forces, who were applauded by the international community for applying the Government's stated mission of liberating the people before liberating the land.

C. Demonstrations in Iraq

19. Iraq held elections for the Council of Representatives, and a government was duly formed on the basis of the results. However, due to the economic conditions, in particular following the end of military action to defeat Da'esh terrorist groups, widespread demonstrations took place in October 2019; testament to the freedom of expression that is guaranteed under the Constitution. The demonstrators were calling for political reforms, protesting against corruption and poverty, and demanding social services, health care and education. In line with the demonstrators' demands, the new Government offered its resignation, and the President of the Republic assigned a figure acceptable to the people to form a new interim government, in accordance with the Constitution and in preparation for fresh elections. Before its resignation, the Government of Adil Abdul-Mahdi adopted a number of decrees that were approved by the Council of Representatives, including several packages of wide-ranging reforms, of which the following are the most significant:

First package, which was adopted pursuant to Council of Ministers Decree No. 340 of 2019, and which includes provision for:

(a) A national housing programme to build housing units for low-income families; governors are to form committees to identify the families most in need, while the Ministry of Finance is to subsidize the Housing Fund to enable it to grant interest-free loans.

(b) A total of 150,000 unemployed persons have been provided with grants for a period of three months; the possibility of volunteering for the Ministry of Defence has been reopened, and the Ministry of Defence and the Ministry of the Interior have re-engaged person whose contracts had been cancelled.

(c) Building shopping complexes to provide 45,000 job opportunities; design of a training programme for 150,000 unemployed persons; creation of jobs in investment projects; provision of 1 trillion Iraqi dinars (ID) for loans to establish small and medium-sized businesses; and granting plots of land on which to set up industrial projects.

(d) The designation of victims of the demonstrations (demonstrators and members of the security forces) as martyrs, thus making them eligible for all the concomitant rights; injured persons are to be treated at State expense, both inside Iraq and abroad; additionally, governorates are to prepare lists of families entitled to social security payments (approximately 600,000 families).

(e) The inclusion of contracts for university academics as part of 2020 budget allocations, and exempting farmers from land rentals up to the end of 2019.

Second package, which was adopted pursuant to Council of Ministers Decree No. 341 of 2019, and which includes provision for:

(a) The formation of a land distribution committee to develop land and expand municipal boundaries; also, the formation of committees at governorate level to oversee the enforcement of Council of Ministers decrees.

(b) Allocating ID 15 billion for the distribution of solar energy systems free of charge to 3,000 families, simplifying registration procedures for small businesses and applying Ministry of Planning guidelines for the conferral of contracts of under ID 1 billion.

(c) Awarding income-generating loans to finance small businesses; simplifying small business licensing procedures; engaging unemployed persons to collect payment for electricity bills in return for a daily salary.

(d) Supporting agricultural education; granting irrigated farmland to set up agricultural projects; and promoting the Agricultural Loan Fund.

(e) Training for unemployed persons in how to set up small-scale industrial projects, with funding from the Income-generating Projects Fund.

(f) Opening posts for holders of higher diplomas in State-run and private universities.

(g) Subsidizing waste recycling and electricity generating projects, and placing a requirement on government bodies to procure from local producers.

Third package, which was adopted pursuant to Council of Ministers Decree No. 364 of 2019, accompanied by a raft institutional and legislative measures to respond to the demands of the demonstrators. These include provision for:

(a) Training unemployed persons in the maintenance of electricity distribution transformers; also, allocating grants and land to enable unemployed persons to set up industrial workshops while placing a requirement on government bodies to conclude contracts with such workshops;

(b) The amendment of income tax law, by the Ministry of Finance, to exempt professionals on limited income and owners of small businesses from taxation for a period of 10 years.

(c) The adoption of a new electoral law and formation of a new board of electoral commissioners consisting of judges to ensure impartial elections and reassure voters about the results, in response to popular demands for reform.

(d) The amendment of the Unified Retirement Act with a view to recruitment and, specifically, to attracting young staff.

(e) The formation of the Higher Council for Women with responsibility for a range of duties, including the implementation of obligations arising from Security Council resolution 1325 (2000), formulating policies and strategies on women, scrutinizing reports and discussing the situation of women.

(f) The formation of the Federal Service Council to regulate public service employment, free it from politicization and partisanship, establish a State governed by institutions, raise the standard of civil service performance and ensure equal employment opportunities.

(g) Amend the Governorate and District Council Elections Act with a view to ending the statutory term of such councils and regulating the work of departments at the local level and in governorates not incorporated into a region.

(h) The adoption of an act abolishing the financial privileges of State officials in order to decrease costs, ensure social justice and reduce inequality.

(i) The adoption of an act closing the offices of inspectors general to achieve rationalization, avoid duplication of effort and expedite anti-corruption measures.

(j) Out of respect for freedom of expression and the right to demonstrate peacefully, the Government is committed to protecting students who participated in the general strike, and took no disciplinary measures against them during the period of disruption of study. Furthermore, the Ministry of Education issued instructions to change the calendar for schools that took part in the strike.

Fourth package:

(a) Inclusion of persons killed or injured during the October 2019 demonstrations (and subsequently) under the provisions of a bill amending the Martyrs' Foundation Act No. 2 of 2016, which has been referred to the Council of Representatives for approval.

(b) The Ministry of Health has been directed to form medical committees to monitor the condition of injured persons and provide them with appropriate treatment.

(c) Injured persons who cannot be treated in Iraq have been referred to medical committees to facilitate their treatment overseas.

(d) Compensation has been provided, amounting to ID 2.5 million for injured protesters, ID 5 million for persons who suffered a disability as a consequence of their injuries and ID 5 million for the families of deceased protesters, in accordance with Act No. 20

of 2009, concerning compensation for persons affected by military operations, military errors and terrorist activities.

(e) Victims of the demonstrations who suffered some physical impairment due to injury or harm sustained during those events have been included under the provisions of the Care of Persons with Disabilities and Special Needs Act No. 38 of 2013.

II. Information regarding implementation of the Convention on the Rights of the Child, the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict, and follow-up on the Committee's concluding observations

A. General measures of implementation of articles 4, 42 and 44 (6) of the Convention, article 4 of the Optional Protocol on the sale of children and article 6 of the Optional Protocol on the involvement of children in armed conflict

Paragraph 7 of the concluding observations on the Convention, paragraph 7 of the concluding observations on the Optional Protocol on the sale of children and paragraph 16 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

20. Iraq continues to believe that its reservation to article 14 (1) of the Convention is justified in the light of the country's constitutional and legal system, and of Islamic sharia.

21. Decree No. 272 of 1982 of the dissolved Revolutionary Command Council envisaged allocations to the Child Welfare Commission from the State budget, from the investment of its own resources and from donations. A bill to regulate the Commission envisages allocations for its own budget, and any increase in the Commission's capacity is dependent on the adoption of that bill.

22. The Child Welfare Commission has taken action to engage with other related institutions. In that regard, it has asked the Secretariat of the Council of Ministers to direct ministries and official institutions to cooperate with and assist the Commission in implementing child protection policies. The Commission has also proposed a bill intended to enhance its own role.

23. The Ministry of Planning continues to coordinate with other ministries and bodies involved in the care of children. Such coordination takes the form of joint committees, the involvement of ministries in surveys conducted by the Central Bureau of Statistics and follow-up on the Ministry of Planning's national development plan 2018–2022, which includes an analysis of the health, education, and social situation of children from birth to the age of 17. Surveys conducted by the Central Bureau of Statistics have produced comprehensive indicators on children. Most recently, in 2018, the Bureau conducted its sixth biennial multiple indicator cluster survey on the situation of women and children. This is in addition to other surveys that have also produced indicators concerning children.

24. Within the framework of the action plan of the child protection policy, the Child Welfare Commission and the Central Bureau of Statistics are currently in the process of creating a database on children in Iraq.

25. The 2019 general budget tangibly advanced the economic, social and cultural rights of children, thanks to financial allocations to governmental bodies active in the field of childhood. A total of ID 210,497.26 was allocated to the Iraqi High Commission for Human Rights, as compared to ID 290,667.25 in the year 2018. Moreover, a total of ID 855,665,188.2 was allocated to the Ministry of Education in 2019, as compared to ID 793,410,810.1 in the year 2018, and ID 218,654,235.3 to the Ministry of Labour and Social Affairs in 2019, as compared to ID 459,397,106.2 in the year 2018. This was done in recognition of the

important and effective role these bodies play in the promotion and protection of economic, social and cultural rights.

26. A database has been developed on juveniles working in industrial projects in Baghdad and the governorates. The Ministry of Education coordinates with civil society organizations to establish projects intended to serve children, and some of those projects are ready for approval.

27. The Department of Juvenile Corrections has an integrated database of juveniles detained in the facilities and correctional schools it runs. The database contains complete information regarding each juvenile.

Paragraph 10 of the concluding observations on the Convention, paragraph 9 of the concluding observations on the Optional Protocol on the sale of children and paragraph 7 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

28. The Secretariat of the Council of Ministers has directed that the bill on the Child Welfare Commission and the bill on child protection should be merged into a single bill on child welfare and protection, pursuant to which a single administrative structure – named either the Child Welfare Commission or the Higher Council for Children – should be established. A child protection bill for Kurdistan Region has been drafted and referred to the Regional Parliament to be passed into law.

29. Judicial rulings are handed down on the basis of current Iraqi laws, and there is nothing to prevent Iraqi courts from basing their rulings on international treaties that Iraq has ratified, within the legal framework, because such treaties have the force of internal law. In their rulings, the Iraqi courts do not apply or refer to international human rights treaties directly. They apply those treaties once they have been integrated into national legislation by means of a detailed law to that effect, which can then be applied by the courts and used as a basis for judgment.

30. The Iraqi courts have, in numerous rulings, been guided by the provisions of international human rights treaties.

Paragraph 12 of the concluding observations on the Convention

31. A law was enacted for the formation of the Iraqi High Commission for Human Rights as an independent national institution. The law defines the Commission's broad mandate, working methodology and goals, which include receiving complaints from individuals, groups and civil society organizations about past and present violations of human rights. The Commission also conducts preliminary investigations into those violations on the basis of the information it receives and brings legal action or refers the matter to the Public Prosecution Service for it to launch court proceedings. The governing board of the High Commission issued its Decree No. 2 of 2018 designating one of its members to oversee the protection and promotion of children's rights and, in 2019, the Commission issued a comprehensive report on the situation of the rights of children in Iraq.

32. Following the abolition of the Ministry of Human Rights in 2016, the Iraqi Government provided support to the High Commission by transferring 525 staff from the former Ministry to the Commission, together with financial allocations for those staff. In addition, the Iraqi Government has provided the High Commission with 2 buildings in the Iraqi capital and a further 14 across most of the governorates, excluding Kurdistan Region.

33. In 2015, the High Commission was accredited with B status as an observer member of the Global Alliance of National Human Rights Institutions. Members of the board of commissioners of the High Commission for Human Rights were selected in 2017. They number 15 in all, 4 women and 11 men.

34. In cooperation with the United Nations Children's Fund (UNICEF) and Child Helpline International, the Child Welfare Commission is working to set up two child helplines in Iraq. The helplines constitute one of the monitoring and reporting mechanisms envisaged in the child protection policy.

35. The Ministry of the Interior has created the community police service, which focuses on criminal cases involving problems that arise within the family, and the Ministry's Directorate for Protecting Families and Children from Domestic Violence is opening branch offices in all governorates to receive cases involving domestic violence against women and children. In addition to this, the Human Rights Directorate in the Ministry of the Interior receives complaints of torture against persons in detention and persons not in detention, including women and children.

Paragraph 14 of the concluding observations on the Convention

36. The Federal Commission on Integrity, the body responsible for combating corruption in Iraq, drew up an anti-corruption strategy for the period 2016–2020 which focused on three main goals: dissuasion, prevention and preclusion. The Iraq Anti-Corruption Academy was established in 2015 to provide training and continuing education and to disseminate a culture of integrity and transparency. For its part, the Federal Court of Cassation has handed down two rulings that favour the Commission on Integrity: the first concerns the Commission's right to appeal judgments in corruption cases, as per article 1 of the Act that established the Commission, and the second concerns the Commission's right to pursue cases and appeal judgments even if it was not itself involved in investigating the case.

37. A national anti-corruption strategy has been adopted, the Supreme Anti-Corruption Council has been established and steps have been taken to eliminate corruption in State institutions. In addition, special courts – with their own complement of judges and prosecutors – have been set up to investigate and prosecute corruption-related offences. Operating under domestic criminal law, those courts have tried and settled thousands of cases involving corrupt State officials.

38. The Public Prosecution Service, which is part of the federal judiciary, is responsible for bringing and pursuing legal action on behalf of the State in cases of financial and administrative corruption. It also conducts investigations into cases of financial and administrative corruption as well as other offences involving abuse of public office, and it takes steps to prevent infringements and violations of the law in that regard. For their part, the Council of Ministers and the Council of Representatives have rolled out a raft of provisions intended to eliminate and eradicate corruption, and Act No. 24 of 2019 was passed into law closing the offices of inspectors general, the continued existence of which seemed futile, thereby achieving rationalization, avoiding duplication of effort and expediting anti-corruption measures. The operations of the Commission on Integrity for the years 2016, 2017, 2018 and the first half of 2019 are detailed in the following table.

No.	Operation	2016	2017	2018	2019 (first half)
1	Number of reports	2 001	2 458	2 753	2 089
2	Number of pieces of intelligence	4 202	3 723	5 627	2 699
3	Number of criminal cases	11 825	8 537	12 398	4 783
4	Accused persons in criminal cases	2 512	3 095	9 328	5 783
5	Summons to appear in court	5 548	6 261	5 811	2 866
6	Arrest warrants	3 198	1 571	2 020	857
7	Cases of flagrante delicto	71	293	441	691
8	Cases referred to court	2 057	2 057	2 103	1 386
9	Persons covered by general amnesty	1 806	3 542	503	443
10	Number of convictions	771	752	926	442
11	Number of release orders	1 053	468	707	396
12	Value of public funds recovered	ID 2 599 814 370 544	ID 1 305 694 644 492	ID 166 908 504 718	ID 1 312 571 395 038

39. Under the Act establishing the Public Commission on Integrity in Kurdistan Region, any investigator of the Commission may investigate persons covered by the provisions of the Act and examine the relevant documentation, and the competent authorities are required to assist the inspectors in the function of their duties. In 2017, the Council of Ministers of the

Region approved a strategic plan to combat and eradicate corruption. Statistics relating to corruption in Kurdistan Region in 2019 are given in the following table.

<i>Governorate</i>	<i>Persons convicted</i>	<i>Persons released</i>	<i>Cases settled</i>	<i>Cases referred for cassation</i>
Erbil	15	18	33	9
Sulaymaniyah	12	9	21	4
Dahuk	14	7	21	7
Total	41	34	75	20

Paragraph 16 of the concluding observations on the Convention and paragraph 13 of the concluding observations on the Optional Protocol on the sale of children

40. Freedom of opinion and expression and freedom of the press, media and publication are enshrined in article 38 of the Constitution, while article 45 (1) sets forth the State's obligation to promote, support and guarantee the independence of civil society organizations as they seek to attain their legitimate goals. The judiciary in Iraq is independent and non-partisan while the law as it currently stands is considered to constitute a solid structure that guarantees individuals access to justice, without hindrance or discrimination. In addition to this, the Government of Iraq respects international laws for the protection of human rights, and the judiciary is effective in addressing cases of impunity and in providing redress to victims if the correct elements subsist in law.

41. A ministerial committee for the protection of journalists and the prevention of impunity has been formed to monitor and take action in cases involving attacks against media workers. The committee also replies to invitations and communications it receives from the United Nations Educational, Scientific and Cultural Organization (UNESCO). In response to requests from UNESCO, the committee prepared three reports with information detailing the judicial proceedings and other actions taken by Iraqi institutions in regard of 144 cases of attacks against journalists recorded by UNESCO. Moreover, in cooperation with UNESCO and the European Union, the Ministry of the Interior has developed a platform on the protection of journalists, thanks to which training has been provided to 50 officials across all the governorates of Iraq. The platform also enables the officials to communicate with one another to protect journalists against any violations or aggression.

42. One of the offices of the Secretariat of the Council of Ministers is the Department for Non-Governmental Organizations, which regulates the work of civil society organizations and institutions in accordance with the law, supporting, promoting and assisting them in their activities. The Department also offers courses of various kinds aimed at the development and empowerment of members of such organizations. For its part, the Ministry of Migration and Displaced Persons has set up high-level mechanisms to coordinate with national and international organizations as they work to fulfil their functions.

43. The demonstrations that began in October 2019 provided a clear example of the role played by human rights defenders. In fact, civil society activists, university professors and workers' unions and federations all took an active part in the protests which, despite the great sacrifices, proved effective. The judiciary and the executive are in the process of pursuing persons who perpetrated crimes and violations during the demonstrations.

B. General principles (arts. 2, 3, 6 and 12 of the Convention)

Paragraph 18 of the concluding observations on the Convention

44. The Constitution of Iraq states: "Iraqis are equal before the law, without discrimination", and Iraq was an early adherent to the International Convention on the Elimination of All Forms of Racial Discrimination as well as to other international human rights treaties. Iraq keeps its legal system under constant review, with a view to removing any law or piece of legislation that admits discrimination in any form. All persons enjoy their rights and freedoms on an equal footing and without discrimination.

45. The matter of inheritance is regulated by the provisions of Islamic sharia, as the Constitution states that “Iraqis are free to regulate matters relating to their personal status according to their religion”. Statutory law envisages equal rights between men and women vis-à-vis the division of inheritance. These provisions are consistent with the principle of non-discrimination, which underpins all the obligations of Iraq under national legislation as well as under international treaties, including the reservations it entered to those treaties at the moment of accession.

46. The Council of Ministers has approved a national strategy to combat violence against women. Its purpose is to promote the rights of Iraqi women of all ages, protect them against negative discrimination and violence and limit the impact of those phenomena. The strategy – which covers four themes: prevention, care and protection, policies and implementation – draws from sources such as treaties on women’s and human rights as well as from the Constitution, which contains numerous provisions envisaging equality of gender and equality before the law.

47. The Council of Ministers approved a national strategy 2014–2018 for the advancement of Iraqi women and a high-level standing committee was formed to promote it. The committee coordinates efforts to achieve the outcomes of this strategy and of the strategy to combat violence against women, particularly vis-à-vis legislation.

48. The national child protection policy embraces the principle of equality and fairness in access to services and opportunities for all children. This is to be achieved via a legislative framework that fully guarantees their rights and meets their needs, in line with international standards. The policy envisages the review of laws and legislation, with the amendment or abrogation of provisions that violate children’s rights or are inconsistent with international norms. It also envisions a more robust enforcement of law and legislation by action to ensure that appropriate policies and structures are in place for their implementation, to build capacity and raise awareness among stakeholders and to design mechanisms for reporting violations against children.

49. Kurdistan Region endorsed a national strategy for the development of women 2013–2019 with a view to advancing Kurdish society and promoting women in the region on a basis of civil democracy, respect for human rights and public freedoms and renunciation of all forms of discrimination. In addition, a high-level committee has been established to combat violence against women in Erbil, Sulaymaniyah and Dahuk.

50. Iraq is moving to enact a new law against domestic violence. The Council of Representatives has returned a draft of the new law to the Council of Ministers for it to be re-examined by the competent authorities and to avoid any conflict between the bill and other domestic laws, as per indications from the Supreme Judicial Council.

Paragraphs 20 and 28 of the concluding observations on the Convention

51. Reference is made to paragraph 44 of the present report, above, and to article 4 (4) of the Constitution, which states that that Turkmen and Syriac are to act as additional official languages in administrative units densely populated by groups that speak those languages.

52. The Government of Iraq has taken measures to ensure that members of minorities are able to enjoy their rights, including:

- Facilitating procedures for the restoration of Iraqi nationality to Feyli Kurds, returning their property and redressing the negative impacts they have suffered;
- Allocating plots of land to members of minorities, and renovating and rebuilding their places of worship, which had been damaged by terrorist acts;
- Compensating members of minorities who have suffered harm as a consequence of terrorism;
- Compiling and teaching Christian educational materials for different levels of schooling, in accordance with the directives of the Directorate for Curricula; the Ministry of Higher Education plays a role in training teaching staff to work in schools run by the Ministry of Education;

- Teaching Syriac and Turkmen in predominantly Christian and Turkmen areas and schools in Baghdad and the governorates;
- The Ministry of Culture and Youth, in coordination with the Ministry of the Interior of Kurdistan Region has granted operating licences to several satellite, terrestrial and radio stations broadcasting in Arabic, Kurdish and Turkmen.

53. The Care of Persons with Disabilities and Special Needs Act seeks to reduce and eliminate discrimination against children with disabilities and to ensure that they are able to access public services on an equal basis with other children in all areas of life. This also applies to education, where the Act serves to reduce and eliminate discrimination against children with disabilities and to ensure that they are able to go to school on an equal basis with other children. This comes about via the provision of care, the inclusion of the needs of such children and respect and acceptance of disability as part of human diversity.

54. The Compulsory Education Act stipulates that all forms of education are to be made available to persons with disabilities and special needs and it envisages the formulation of school curricula commensurate with the abilities of such persons. It also includes provision for the supply of basic equipment and of qualified teaching and technical staff.

55. A special unit for persons with disabilities (the Department for Special Education) has been opened as part of the Directorate for Public Education. Divisions have been created within the new Department to deal with areas such as persons with special needs, the compilation of textbooks for persons with special needs and the development of curricula for deaf persons.

56. The Ministry of Health and the Environment provides habilitation and health services for persons with disabilities, including:

- The Operations and Emergency Medicine Centre, which is part of the Department for Disability Habilitation and Prevention, runs disability habilitation centres, prosthetic units and rehabilitation hospitals. It has also opened cerebral palsy units for which it provides medical aids, and it records cases in the disability registration programme which serves to produce statistics on the number of persons with disabilities in Iraq.
- All children have access to health services and are duly vaccinated in accordance with the deadlines set in the national immunization programme.
- The National Centre for Chest and Respiratory Diseases takes in and treats persons suffering from tuberculosis, including children and persons with disabilities. The Centre applies the DOTS (directly observed treatment, short-course) protocol on a daily basis until the full recovery of the patient.
- Primary health care departments provide comprehensive health-care services for children with disabilities, including examinations, treatment, laboratory testing and regular visits.

57. In Kurdistan Region, the Ministry of Education has a plan to integrate pupils with special educational needs into schools and to eliminate disparities between groups, particularly as concerns basic education. Thus, persons with special needs are to be enrolled in school and provided with educational and administrative support. In this connection, the Department for Special Education has been created as part of the Directorate for Public Education to deal with issues affecting persons with special needs. These include, notably, equality of opportunity, educational assessment, schooling of different kinds and levels and the provision of staff trained in teaching persons with disabilities. There are currently 13 institutes in the Kurdistan Region for the education and habilitation of people with disabilities.

58. Iraqi law contains no provisions that discriminate against particular categories of persons, on any basis whatsoever, and it does not endorse or admit the use of violence in any form. The law protects the rights and freedoms of all persons, including their right to life and to physical integrity. All persons may have recourse to the courts, and all organs of the Iraqi judiciary stand ready to respond immediately to any and all attacks or violations that particular groups might face, combating impunity and ensuring that offenders receive condign punishment. A high-level ministerial committee has been formed to develop policies,

plans and programmes to address the situation of education and to imbue students with a spirit of peace, tolerance, cooperation, pacific coexistence, belonging and citizenship, while rejecting extremism, violence and discrimination.

Paragraph 22 of the concluding observations on the Convention

59. The Iraqi Constitution affords protection for mothers, children and older persons as well as envisaging care for young people. Legislative bodies and the Council of State study and enact laws for the welfare of children, always taking account of the best interests of the child.

60. The national child protection policy envisages a legislative framework for the protection of children, one wherein their rights are fully guaranteed and their needs fully met, in line with international standards. The policy entails the review of laws and legislation, with the amendment or abrogation of provisions that violate children's rights or are inconsistent with international norms.

61. The policy also envisions a more robust enforcement of law and legislation by action to ensure that appropriate policies and structures are in place for their implementation, to build capacity and raise awareness among stakeholders and to design mechanisms for reporting violations against children.

62. Iraq has acceded to the Convention on the Civil Aspects of International Child Abduction with the aim of providing international protection to children against the harmful effects of unlawful transfer or detention, taking measures to ensure their return to their State of habitual residence and safeguarding visitation and communication rights.

63. The Criminal Code protects the best interests of children under guardianship, and it envisages imprisonment or a fine for anyone who, having custody of a child, fails to hand that child over to a person requesting the child on the basis of a court order conferring guardianship. This provision is applicable even if the person holding the child is a parent or grandparent.

64. The Iraqi child protection bill states: "Children's rights and best interests are to be the primary consideration in all decisions or actions regarding them, irrespective of the body making the decisions or taking the actions." The Supreme Judicial Council issued a decree in 2019 extending the hours a child can spend with its parents and allowing the father to oversee the child's upbringing and manage the child's affairs.

65. The Ministry of Health is promoting the role of school health-care offices and psychosocial health-care, with comprehensive child-protection measures that focus on vaccination and on children's health care. Iraq has acceded to the International Labour Organization (ILO) Maternity Protection Convention, 2000 (No. 183) with the aim of strengthening legal protection for working mothers, promoting child safety and consolidating equality among female workers.

Right to survival and to development; sexual slavery: article 6 (2) of the Convention and article 9 (1) and (2) of the Optional Protocol on the sale of children

Paragraphs 24, 45 and 53 (a) of the concluding observations on the Convention and paragraph 17 (b) and (d) of the concluding observations on the Optional Protocol on the sale of children

66. Jurisdiction to prosecute offences committed by Da'esh lies with the Iraqi judiciary and the Public Prosecution Service. No report needs to be made or complaint filed for such offences to be investigated and their perpetrators prosecuted, because they constitute crimes against the public weal which are prosecuted as a matter of course. Current Iraqi law, notably the Anti-Terrorism Act and the Criminal Code, categorizes and criminalizes crimes of genocide, crimes against humanity and war crimes.

67. The Supreme Judicial Council has formed a body to investigate the crimes committed by the Da'esh terrorist group against women from minorities in Mosul, and it has established a special court to investigate crimes committed by Da'esh in Nineveh. The Council has also set up a committee – headed by the Advisory Panel of the Office of the Prime Minister – to

investigate allegations of human rights violations made by the international counter-Da'esh coalition. In addition to this, a high-level joint national body – a monitoring and reporting team – has been created to monitor any violations or deprivation of rights that children have suffered as a consequence of the armed conflict. The team has action plans and accountability mechanisms which it uses to examine and address grave violations of children's rights.

68. The Council of Ministers has issued a decree declaring the sufferings of the Yazidi, Turkmen, Christian, Shabak and other groups of the Iraqi population at the hands of the terrorist gangs of Da'esh to be a crime of genocide. The Council of Representatives has also issued a decree, which includes provisions for:

(a) Measures by the Government to free abducted Yazidi women and to undertake reconstruction work in the district of Sinjar

(b) The designation of victims of the acts committed by Da'esh terrorist gangs against the people of Sinjar as martyrs, thus making them eligible for all the concomitant rights and privileges

(c) The formation of a committee to examine the genocide of Yazidis by Da'esh terrorist gangs.

69. A standing national committee on international humanitarian law has been formed whose job it is to monitor the violations and crimes committed by terrorist groups and to make relevant recommendations to the Office of the Prime Minister. These include a recommendation for the enactment of a law on international crimes and the creation of a special judicial body to enforce it.

70. In 2017, Iraq addressed a letter to the Secretary-General of the United Nations and the Security Council requesting the assistance of the international community in holding members of the Da'esh terrorist organization accountable for the crimes they committed in Iraq. Under Security Council resolution 2379 (2017), an international investigative team was formed to collect, preserve and store evidence and to assist the Iraqi authorities in investigating the crimes committed by Da'esh, which in some cases amount to war crimes and genocide. In 2016, Iraq signed a joint communiqué with the Special Representative of the Secretary-General on Sexual Violence in Conflict, which marked the beginning of mutual efforts by Iraq and the United Nations to tackle the risks of sexual violence against women.

71. The Independent High Commission for Human Rights works to protect, promote and ensure respect for human rights in Iraq by receiving complaints from individuals, groups and civil society organizations about crimes and violations. In that regard, it conducts preliminary inquiries then prepares a case and refers it to the Public Prosecution Service.

72. The Iraqi armed forces make it a priority to protect the lives and property of civilians in areas under the control of terrorists, enabling them to leave military operation zones via safe corridors and crossing points, preparing and securing reception sites and making every effort to provide them with emergency medical and treatment services. The army is constrained by military laws and directives, which enjoin the humanitarian treatment of civilians in theatres of conflict. Violations committed by certain individuals are vehemently condemned and persons accused in that connection are held responsible before the law and referred to the courts for punishment.

73. The armed forces exercise their duties as a law enforcement body, conducting arrests under warrants issued by courts of various jurisdictions to ensure that suspects do not escape punishment, then immediately handing over those suspects to body that issued the warrant, for referral to the competent courts.

74. The Human Rights Directorate of the Ministry of Defence has held training courses on international human rights law and international humanitarian law while, for its part, the Training Directorate of the Ministry of the Interior has run special training courses on human rights, international humanitarian law and how to uphold freedoms in the context of law enforcement.

75. Under the national child protection policy, a body of mechanisms has been established to consolidate child protection by:

- Responding promptly in cases where children are being subjected to violence
- Providing psychosocial support services for children
- Preventing children from becoming involved in armed conflict
- Rehabilitating and reintegrating children who have become involved in armed conflict
- Forming local child protection committees in areas of displacement and asylum.

76. Iraq is continuing to examine the possibility of acceding to certain international treaties, including United Nations human rights treaties. In that regard, it is conceptualizing mechanisms for the implementation of such instruments at the national level and seeking to choose the appropriate timing for accession thereto, including the Rome Statute of the International Criminal.

77. A committee for the protection and rehabilitation of children affected by armed conflict has been formed in the Ministry of Labour and Social Affairs. The committee is currently preparing a plan of action in cooperation with the United Nations Assistance Mission for Iraq (UNAMI).

78. The Directorate for Protecting Families and Children from Domestic Violence has taken measures to counter the negative impact on children in areas liberated from the Da'esh terrorist organization. These measures include:

- Reopening units for the protection of families and children from domestic violence in the governorates of Salah al-Din, Anbar and Nineveh; receiving complaints of domestic violence from women and children; and seeking to prevent the breakup of families, which is one of the most significant causes of extremist ideology in children;
- Holding conferences, seminars and meetings to draw attention to the perils of extremist ideology;
- Conducting field visits to kindergartens and to primary and middle schools and delivering lectures to warn students against extremist ideology.

79. In direct coordination with the National Security Advisory, a working group has been formed to formulate a national policy on displaced persons in Iraq, including an overall vision, objectives and specific mechanisms. In that connection, national legislation and laws have been adopted that are consistent with the principles of the United Nations.

80. The Ministry of Health has developed a national plan with a four-pronged focus: safety and basic human needs, psychosocial support, non-specialized mental health services and specialized mental health services. In particular, the plan focuses on how to provide mental health services, psychosocial support and rehabilitation during humanitarian emergencies, both for persons who were already suffering and for those affected as a result of the emergency. It also seeks to raise awareness about domestic violence directed against children and about the appropriate physical and mental treatment of abused children. The plan envisages multiple training courses on health services and psychosocial support for children, as a group particularly exposed to mental disorders. The courses are to cover all health departments, including those in areas that had been under the control of Da'esh terrorist bands, all of which are identified in the child protection plan 2018–2019. The office of the national mental health adviser is a member of the committee that is formulating a strategy for the reintegration of children affected by the ideas of Da'esh, which is being developed by the National Security Advisory. In coordination with UNICEF, health care is provided to internally displaced children, migrant children and street children, with nutritional assessments on infants under the age of 5 and the provision of supplements for those found to be malnourished. Counselling is provided to pregnant women, who are encouraged to breastfeed their offspring after giving birth.

81. The section for State-run homes in the Ministry of Labour and Social Affairs is tasked with guaranteeing humanitarian assistance and protection for internally displaced persons in accordance with the norms of international law. Directorates of labour and social affairs in all governorates have been instructed to provide reception facilities for children (orphans, missing persons and humanitarian cases).

82. The Government has launched activities aimed at creating the appropriate conditions and atmosphere for female displaced persons and rescued women. This is in addition to efforts being made by civil society and international organizations. Moreover, the following measures have been taken to stabilize the security situation in order to facilitate the return of displaced persons:

- Clearing mines, explosive materials and remnants of war from cities as part of operations to secure liberated areas;
- Reopening police stations in liberated areas;
- Deploying troops around and at points of entry to liberated areas to ensure the safety of citizens;
- Cooperating with citizens in intelligence matters, to detect infiltrators and terrorist cells.

The following table shows the nature and magnitude of displacement between 2014 and 2019, and the total number of displaced families.

<i>Governorate whence displaced</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>Total</i>
Anbar	194 609	60 721	9 014	4 652	zero	zero	268 996
Baghdad	26 527	661	195	6	1	zero	27 390
Diyala	65 773	1 301	309	10	3	zero	67 396
Salah al-Din	110 373	14 413	14 174	1 854	1	zero	140 815
Kirkuk	18 367	5 730	12 444	5 349	zero	zero	41 890
Nineveh	264 798	8 525	9 020	7 154	4	zero	289 501
Babil	8 056	182	30	19	zero	zero	8 287
Total	688 503	91 533	45 186	19 044	9	zero	844 275

83. The Ministry of Health is working to consolidate joint operational mechanisms with the Ministry of Health in Kurdistan Region and to provide sufficient logistical support to accommodate the number of displaced persons. It also supplies ambulances for the camps, in addition to the ambulances provided by the World Health Organization (WHO) and other international organizations. In partnership with WHO and other stakeholders, the Ministry also provides the camps with mobile clinics. For their part, the authorities of the Region take security measures to protect displaced persons and to bring accused persons before an investigating judge to ensure they face justice, duly informing their families in line with Act No. 14 of 2001 and the Act for the Protection of Adolescents. In 2016, the courts of the Region heard 22 cases related to adolescents, of which 11 cases were resolved.

Paragraph 26 of the concluding observations on the Convention

84. Reference is made to paragraph 50 of the present report, above. In addition, Iraq strives to ensure that its existing laws do not conflict with international human rights norms and to improve its domestic legislation and harmonize it with international human rights standards. The Supreme Judicial Council has formed a legal committee composed of experienced retired judges to review all legislation.

85. Articles 128, 130 and 131 of the Criminal Code, which allow offenders to invoke honour as a mitigating factor, do not concern a single offence but are general provisions that are applicable to all crimes. Legislators have left it to judges to have recourse to those provisions depending on the particular circumstances of each case.

86. Honour-related motives are considered a mitigating factor, but the Iraqi judiciary interprets this to include all honour-related motives and not just “purification of dishonour” in which the victims are invariably women. The same applies to article 409 of the Criminal Code. Amendments to the articles in question are currently being examined by the Council of State.

87. In Kurdistan Region, article 377 (2) of the amended Criminal Code has been amended to read: “Male and female adulterers shall receive the same punishment”. In addition, articles 128, 130 and 131 have been amended whereby honour can no longer be invoked as a mitigating circumstance for murder. Article 41 (1) was also amended so that a woman may not be physically chastised by a man. Lastly, perpetrators of honour killings (“purification of dishonour”) are not covered by the provisions of the General Amnesty Act.

88. The Iraqi High Commission for Human Rights acts effectively to raise awareness in accordance with article 4 (4) of the Act under which it was established. That Act enjoins the Commission to disseminate a culture of human rights, using the following means:

(a) Incorporating human rights culture into school curricula

(b) Convening technical conferences and seminars, holding social events, publishing brochures and literature and preparing media programmes on topics related to human rights.

89. Modules on human rights and on combating domestic violence have been introduced into the curriculum of the Police Academy, while principles relating to protection against domestic violence have been included in the “family education” module studied by fifth-form middle-school pupils.

90. Iraq supported resolution [A/C.3/71/L.21/Rev.1](#), which aimed at intensifying efforts to prevent and eliminate violence of all kinds against women and girls. In 2013, the Council of Ministers approved a national strategy to combat violence against women. Its purpose is to promote the rights of Iraqi women of all ages, protect them against negative discrimination and violence and limit the impact of those phenomena. The strategy covers four themes: prevention, care and protection, policies and implementation. Kurdistan Region has also endorsed a strategy to combat violence against women 2013–2019.

91. A shelter for female victims of violence has been opened in Baghdad and a mechanism has been developed to refer victims to the shelter from other governorates. The Supreme Judicial Council has issued a directive instructing investigating judges to order placement in the shelter for female victims of violence in the governorates, if they so wish. Protection for the shelter is provided by the Ministry of the Interior. In Kurdistan Region, four shelters for victims have been opened and a national strategy to combat violence against women has been adopted. The strategy – which focuses on four areas: law, prevention, protection and welfare – has been updated and extended to 2027.

92. Acting under the statues regulating care homes for victims of human trafficking (Statue No. 7 of 2019), the Ministry of Labour and Social Affairs has refurbished the shelter for trafficking victims in Baghdad so that it can take in child victims and survivors of the crimes committed by Da’esh terrorist gangs. The shelter serves all children in need of assistance, without exception or discrimination.

93. Social Welfare Act No. 126 of 1980 was amended by Act No. 28 of 2013, which includes a reference to domestic violence. Article 29 (1) of the Act states: “Care homes are mandated to provide care for children, minors, juveniles and adults who encounter family problems, who have lost one or both parents, or who are victims of domestic violence. The homes offer a healthy environment that aims to compensate for the loss of family care and affection and to overcome any feelings of solitude.”

Respect for the views of the child (art. 12 of the Convention)

Paragraph 30 of the concluding observations on the Convention

94. One of the outcomes of the national child protection policy is to involve children in raising, discussing and proposing solutions to issues that affect them. This is to be achieved via the following strategic objectives:

(a) Establishing formal and informal channels via which children can participate in matters affecting them at the local, regional and national levels;

(b) Enhancing the participation of children by empowering them and educating them in life skills, using the mechanisms listed below:

- (i) Establishing the Iraqi Children's Parliament to represent children of all groups in Iraq
- (ii) Establishing community centres at the district level, as bodies that serve all groups in the local community, such as children, women, older persons, persons with disabilities, refugees, etc., in order to promote positive community relations and encourage the involvement of children and young persons
- (iii) Developing a child-friendly school environment with a view to promoting children's rights and encouraging them to be involved and represented via bodies such as student committees
- (iv) Building children's own capacity for real and effective participation.

95. The Ministry of Education has implemented a series of actions to improve the mental, psychological and intellectual capacities of children:

(a) Training and capacity-building has been offered to educational supervisors, counsellors, and teaching staff on how to educate students to respect public rights and how to correct misconceptions.

(b) Support has been given to civil society organizations and parent-teacher councils with a view to helping children better understand the importance of freedom of opinion and expression, the enjoyment and exercise of that freedom as a human right and the correlation between freedom and responsibility.

(c) A life-skills project has been rolled out, with support from UNICEF, that is intended to promote values of citizenship and respect for the freedom of opinion of others.

(d) Under Administrative Order No. 28 of 2018, a high-level committee has been formed to draft a national strategy 2020–2030 for the development of an integrated operational framework to protect and care for children from birth to age 8, and to develop their physical, mental, psychological, cognitive and emotional capacities.

C. Civil rights and freedoms (arts. 7–8 and 13–17 of the Convention)

Birth registration/name and nationality/identity

Paragraph 32 of the concluding observations on the Convention and paragraph 17 (c) of the concluding observations on the Optional Protocol on the sale of children

96. In article 4 of the current Iraqi Nationality Act, legislators sought to ensure that persons born outside Iraq to an unknown or stateless father could nonetheless belong to the country. The article, in fact, allows the Minister to grant nationality to such persons within a year of their attaining their majority. A bill to amend the Iraqi Nationality Act No. 26 of 2006 is currently going through the legislative process.

97. Under Council of Ministers Decree No. 108 of 2019, the Ministry of Planning has begun preparations for the 2020 population census. Persons of the Roma community have been granted identity cards under Act No. 3 of 2016.

98. The process of issuing identity documents for a child requires the presentation of the parents' contact of marriage and the birth certificate of the child concerned, or a court order testifying to the marital status of the parents and the parentage of the child. These proceedings take a considerable amount of time. Nonetheless, the absence of documentation does not prevent children from enjoying their rights to education and health care, and directives have been issued in that connection. According to articles 3 (1) of the Personal Status Act: "Marriage is a contract between a man and a woman whom it is permissible for him to marry". Thus, both the man and the woman are parties to the marriage contract, into which they enter of their own consent and free choice, and if the will of either of the two is lacking then the contract of marriage is invalid. According to article 10 of the Act: "The contract of marriage is to be recorded by the competent court." The article also envisages a term of imprisonment for any man who contracts marriage outside the courts. Under article 12 (2) of the National Identity Card Act No. 3 of 2016, the personal status court is to submit the marriage contract

to the Directorate of Nationality Affairs, which duly records it in its own registers. All minorities and religious communities in Iraq have their own rights related to marriages and rituals, which are protected by the law.

99. In considering the case of Feyli Kurds who suffered the revocation of Iraqi nationality, forcible deportation and the confiscation of movable and immovable assets, the Supreme Iraqi Criminal Court ruled that those acts constituted crimes of genocide. In 2010, the Council of Ministers made a pledge to redress the negative effects suffered by the Feyli Kurds and, to that end, formed committees of the relevant bodies. Most recently, a committee was established – under Administrative Order No. 33 of 2019 – to address issues related to martyrs; the welfare of their families; the reinstatement of nationality; the restoration of money and lands that were confiscated or stolen; the return to the country of displaced persons and migrants; the provision of due material and moral compensation; and all concomitant legislation and financial and moral entitlements.

100. The Ministry of the Interior is seeking to restore the nationality rights and legal status of the Feyli Kurds. It is similarly engaged in removing all annotations, such as “frozen”, “blacklisted”, “cancelled”, “abrogated” or “exiled”, from their personal records.

101. A team consisting of the competent authorities has been formed in the Ministry of Finance to formulate a bill regulating the rights of the Feyli Kurds.

102. The procedures of the Passports Department of the Ministry of the Interior are regulated by the Passports Act, which admits no discrimination in the issuance of passports. The provisions of the Act are reaffirmed in article 4 of the passport regulations, which stipulates that any Iraqi citizen, regardless of sex, may apply for a passport. The Act requires a guardian’s approval only for passport applicants under 18 years of age and it does not require female passport applicants or travellers to seek the approval of a guardian or male relative except in the following two cases:

(a) A divorced woman or a widow who wishes to travel with her children must submit a certificate of guardianship issued by a personal status court.

(b) For the purpose of performing the Hajj pilgrimage, the host State requires a male relative as escort.

103. The Ministry of the Interior has issued thousands of passports as part of a push by the Ministry and the Iraqi Government to end all forms of gender discrimination in the application of laws and directives.

104. The issue of statelessness is amply covered under the Iraqi Nationality Act No. 26 of 2006. Accession to the 1961 Convention on the Reduction of Statelessness would not provide more guarantees than those that already exist in domestic law.

Paragraph 33 of the concluding observations on the Convention

105. Health services for children under 5 are provided free of charge. Primary health care centres have nutritional units and there are nutritional rehabilitation wards in hospitals. A strategy is being implemented that is intended to provide integrated health care to children and newborn infants, and continuous training on the strategy is offered to medical and health-care staff at health centres in all health departments. Children have the right to basic services irrespective of their registration status. The following table shows expenditures on investment projects within the general ministerial budget for the years 2016–2019.

<i>Ministry</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Health and the Environment	148 200 000	41 276 000	98 198 301	351 300 301
Education	39 520 000	5 000 000	104 730 095	140 720 095

The amount for 2019 includes ID 1,654,871,999 for the purchase of medications to cover the largest possible number of persons, particularly persons on limited incomes.

106. The Ministry of Health and the Environment implements and monitors health-service strategies in the following areas:

- Non-communicable diseases
- Nutrition and food safety
- Mental health
- Control of communicable diseases
- Control of HIV/AIDS
- Control of tuberculosis and of health and the environment 2018–2022
- There is a plan of action for the provision of preventive and curative health services to persons who were displaced from or are returning to liberated areas, under which health care has been provided to 1,187,780 displaced persons, not counting Kurdistan Region.

107. Efforts continue to be made to improve the health-care sector and the coverage of basic health services, as follows:

- As of 2017, there were 400 State-run and private hospitals in Iraq, of which 48 are State-run institutions specializing in obstetrics and maternity care.
- As of 2017, the number of health workers stood at 252,723, including 31,451 doctors, or 9.4 doctors per 10,000 population; this compares with 2016 when there were 244,215 health workers, including 27,208 doctors, or 8.4 per 10,000 population. Nursing staff numbered 64,542, or 20.3 nurses per 10,000 population, as compared to 2016 when they numbered 62,795, or 19.4 per 10,000 population.
- Birth and death rates stood, respectively, at 28.05 and 4.1 per 1,000 population in 2017, as compared to 2016, when the figures stood at 27.3 and 4.2. A total of 1,580 patients received treatment outside Iraq at State expense, not counting Kurdistan Region. Life expectancy at birth is 70.3 years for both sexes, while life expectancy at age 60 is 18.9.
- The Ministry of Health has established 28 anti-tuberculosis units in all governorates.
- Some patients receive treatment outside Iraq as part of the medical evacuation programme.
- A health insurance bill has been submitted and is being examined by parliament.

108. Efforts continue to be made to ensure that children have access to education, especially in rural areas, as explained below:

- Not counting Kurdistan Region, there were a total of 23,019 State-run schools covering various specialties in the academic year 2017/18.
- A total of 9,074,495 students – excluding Kurdistan Region – pursued their education in State-run schools in the academic year 2017/18, while 341,742 were being educated in private schools.
- The total number of State-run educational institutions in the academic year 2017/18 stood at 443,491, not counting Kurdistan Region.
- Not including Kurdistan Region, 1,075,742 children enrolled in compulsory education in Iraq in 2017/18, as compared with 729,281 in 2013/14.
- In the marshlands in 2017/18, there were 141 schools, with 126,558 students at the primary level and 38,283 at the secondary level.
- “Your Right to Education” centres have been opened for the enrolment of students of both sexes between the ages of 10 and 18. The centres have so far registered 827 students. Schools for adolescents have been established for children in the 10–15 age group who abandoned or never registered in school. So far, they have helped 777 children. Accelerated learning schools have also been set up for children in the 12–18 age groups who abandoned basic education. They have taken in 659 female students.
- Sums are allocated annually to ensure that printed textbooks are available for all groups, free of charge.

Paragraph 35 of the concluding observations on the Convention

109. According to the Constitution of Iraq, Islam is a fundamental source of national legislation and no law may be enacted that is inconsistent with the tenets of Islam. Thus, the restriction regarding change of religion is applicable to Muslims only. Non-Muslims may change their religion under the National Identity Card Act, article 26 of which states: “(1) Non-Muslims may change their religion, in accordance with the law.” Moreover, the unified national identity card form – which is attached to Instruction No. 1 of 2017 of the Ministry of the Interior – makes no mention of religious affiliation.

110. Freedom of religion and belief is guaranteed for all persons, and there is nothing in the Personal Status Act that is inconsistent with that principle. The same principle is upheld in the Constitution, and national legislation must remain consistent with the provisions of the Constitution.

111. In Kurdistan Region, the Kurdistan Communities Protection Act No. 5 of 2015 was promulgated to provide protection for all communities in the Region. The Act ensures that the communities are duly represented in the Ministry of Endowments and includes provision for the creation of religious directorates and a directorate of interfaith coexistence.

112. In a ruling concerning ecclesiastical courts, the Federal Court recognized that such courts were established in accordance with the law (Regulation No. 32 of 1981) and that, moreover, out of respect for freedom of religious belief, non-Muslim students are not obliged to attend Islamic education classes in Iraqi schools.

113. Under the Constitution, all persons can exercise their constitutional rights, without discrimination. Adherents of any religion or religious community are free to practice religious rites, including Husseini rituals, and to administer their endowments, affairs and religious institutions. For its part, the State guarantees freedom of worship and the protection of places of worship.

114. Iraq respects its obligations to uphold human rights while protecting public safety and public order. It treats persons of the Baha’i faith in accordance with Act No. 105 of 1975, which remains in force.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Paragraphs 37, 41 (d) and 75 (f) of the concluding observations on the Convention and paragraph 34 (a) of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

115. Torture is an offence under both the Constitution and criminal law, and no consideration is given to any confession extracted under torture. Furthermore, the Supreme Iraqi Criminal Tribunal Act categorizes torture as a crime against humanity.

116. Iraq has invited special rapporteurs, including the Special Rapporteur on torture, to visit the country and verify the validity of reports of torture.

117. The 2018 Prisoners and Detainees Reform Act envisages inspections of the Iraqi Department of Corrections and the Department of Juvenile Corrections, and it stipulates that officials of those Departments are required to facilitate access for inspectors and to provide them with any information they request.

118. The Human Rights Directorate of the Ministry of Defence runs hotlines via which it receives complaints and allegations of human rights violations, including violations against the rights of women and children. Verified reports are duly referred to the legal and judicial authorities.

119. In cooperation with Child Helpline International and UNICEF, the Child Welfare Commission is working to set up a child helpline in Iraq.

120. The Directorate for Protecting Families and Children from Domestic Violence receives complaints from victims of violence, particularly women and children, who are the most vulnerable groups in society. The complaints can be filed at the Directorate’s offices in

Baghdad and the governorates or via the 139 hotline. Action can then be taken against perpetrators in accordance with the law. If children have been subjected to torture or cruel or inhuman treatment, the Directorate takes legal steps by procuring a decree from an investigating judge, and sometimes children can be placed in a State-run home for their own protection, where they receive the care and attention they require.

121. The Department of Juvenile Corrections provides its staff with training on the human rights system, following a standardized curriculum that includes modules on international standards in the treatment of prisoners, as well as on international regulations, laws and treaties.

122. The Ministry of Health and the Environment has opened more than 600 principal health centres across all health departments. The centres have psychosocial health units that provide mental health services and psychological support for survivors of violence in all its forms. There are also psychological treatment units for children, especially victims of terrorism.

123. The High Commission for Human Rights Act No. 53 of 2008 established the Commission as an independent national body. The Act defines the Commission's broad mandate, working methodology and goals, which include:

- Receiving complaints from individuals, groups and civil society organizations about past and present violations of human rights
- Conducting preliminary investigations into those violations on the basis of the information received
- Ascertaining the veracity of complaints received by the Commission and conducting initial investigations as necessary.

124. The national child protection policy aims to protect children via a legislative framework that fully guarantees their rights and meets their needs, in line with international standards. It also envisions other actions, most significantly the design of mechanisms for reporting violations against children, as set forth in the law.

Paragraphs 39 and 41 of the concluding observations on the Convention

125. The prohibition of violence is enshrined in the Constitution of Iraq, which states: "All forms of violence and abuse in families, schools and society are forbidden." The Criminal Code also addresses crimes of assault, violence and injury, and it determines penalties depending upon the outcome, be it physical injury, illness, permanent disability or death.

126. The Directorate for Protecting Families and Children from Domestic Violence has established two police units in Baghdad, one in Karkh and the other in Rusafah, and a unit in each governorate. They act to protect families and children from violence arising within the family, or from relatives (descendants or antecedents of the first or second degrees of kinship).

127. The Social Welfare Act includes a reference to domestic violence, stating: "Care homes are mandated to provide care for children, minors, juveniles and adults who encounter family problems, who have lost one or both parents, or who are victims of domestic violence. The homes offer a healthy environment that aims to compensate for the loss of family care and affection and to overcome any feelings of solitude."

128. Primary school regulations prohibit corporal punishment in any form.

129. Civil society organizations and parent-teacher councils are being supported as they seek solutions to the problems facing education; at the same time, programmes to raise awareness about corporal punishment and violence against children are being stepped up.

130. According to the Domestic Violence Act in Kurdistan Region, beating family members or children under any pretext constitutes domestic violence. It is forbidden, moreover, to use torture to obtain confessions.

131. Human rights concepts, and particularly the rejection of violence, have been integrated into school curricula of all levels, in order to disseminate a human rights culture.

132. In cooperation with UNICEF, the Ministry of Education has implemented a national strategy for positive education, the aim being to propagate a spirit of tolerance, cooperation, peaceful coexistence, belonging and citizenship among students.

133. The Iraqi High Commission for Human Rights and the Independent Human Rights Commission for Kurdistan Region are working to consolidate, develop and promote respect for human rights values and culture.

134. The Council of Ministers approved a domestic violence bill then submitted it to the Council of Representatives for enactment. The bill – which underwent several readings before being sent back to the Government for it to make a number of amendments – will shortly pass into law and thus constitute a mechanism for the protection of victims and the prosecution of offenders.

135. The Region has established offices – which are part of the Anti-Domestic Violence Directorate in the Ministry of the Interior – to investigate cases of domestic violence, in accordance with the Domestic Violence Act. In addition, a national strategy to combat violence against women has been adopted, which focuses on four areas: law, prevention, protection and welfare.

Paragraph 43 of the concluding observations on the Convention, paragraph 20 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict and paragraphs 21, 23 and 25 of the concluding observations on the Optional Protocol on the sale of children

136. The Constitution stipulates that the judiciary is independent and that it is subject to no authority other than that of the law. All Iraqis enjoy equality in court proceedings and have the right to a fair trial. Crimes of rape and sexual assault constitute offences under ordinary law and cannot be overlooked, even if the victims choose not to pursue them, and perpetrators are tried because such offences constitute an affront to the public weal. The courts are responsible for addressing cases of impunity, reparation for victims and access to justice for all persons.

137. On the subject of the repeal of article 427 of the Criminal Code, reference is made to paragraph 85 above. Article 398 of the Code in Kurdistan Region has been amended, and the existence of a valid contract of marriage between the offender and the victim does not constitute grounds to stay the enforcement of a sentence or to interrupt an investigation.

138. Iraq is at pains to cooperate with specialized international organizations in order to build capacity among personnel involved in judicial investigations. To that end, Iraq has signed agreements and memorandums of understanding on judicial cooperation and extradition with a number of countries.

139. The Directorate for Protecting Families and Children from Domestic Violence in the Ministry of the Interior receives complaints and reports from girls and from child victims. For its part, the Directorate for Combating Domestic Violence in Kurdistan Region has set up a hotline to receive complaints, as well as a website that it uses to publish statistics and advertise activities.

140. The aim of the national child protection policy is to protect all children from violence, abuse, exploitation and neglect. Beginning with prevention, it covers several areas including rehabilitation, support, welfare, enhanced well-being and facilitated reintegration into the community.

141. The Ministry of Health runs a national HIV/AIDS centre that provides integrated care for sexually transmitted infections, especially HIV. The centre coordinates with the State Company for Drugs to provide treatment for AIDS and other sexually transmitted infections. It also provides contraceptives, in coordination with international organizations, notably the United Nations Population Fund (UNFPA). In addition to this, the centre provides psychological care for child victims of sexual violence and, in partnership with other authorities and UNFPA, it is developing a protocol to deal with such cases, including operational mechanisms for the delivery of prevention services as well as physical and mental medical care.

142. A committee has been formed in Kurdistan Region to gather information and oversee the question of abducted persons, and a budget has been allocated with a view to their release. Another committee has been established to document and identify the crimes committed against Yazidis, while the Judicial Council has formed a body to investigate the offences committed by Da'esh terrorist groups. A "genocide centre" has been opened in Dahuk, a rehabilitation centre in Erbil and 50 "awareness-raising centres" elsewhere. A total of 1,040 girls and 950 boys have been liberated and provided with the health services they require. In addition to this, fixed and mobile health units have been set up and awareness-raising and vaccination campaigns have been run.

Paragraph 47 of the concluding observations on the Convention

143. Female circumcision is limited to certain villages in Kurdistan Region and does not exist in central or southern Iraq.

144. The Domestic Violence Act in Kurdistan Region states that child circumcision constitutes a form of domestic violence. For its part, the Criminal Code envisages penalties of detention or imprisonment for cases of recidivism or if the girl involved is a minor. It is considered to be an aggravating circumstance if the offence is committed by a doctor, a midwife or a pharmacist.

145. With support from UNFPA, the Kurdistan Regional Government has launched a plan aimed at changing socio-behavioural attitudes and putting an end to this phenomenon. In cooperation with UNICEF, the Supreme Council for Women and the Ministry of Planning in Kurdistan Region ran a survey on the prevalence of female circumcision in the period 2015–2016, and they have organized campaigns to draw attention to the risks of circumcision.

Paragraph 49 of the concluding observations on the Convention

146. In order to have full capacity under the law to conclude a contract of marriage a person must be in full possession of their mental faculties and have legal capacity; i.e., they must have reached the age of 18.

147. The law does make an exception vis-à-vis the condition of eligibility for persons who have attained the age of 15, but the exception is restricted by a number of additional conditions. These include a judge's authorization to marry, the necessary physical development and the consent of the person's legal guardian; i.e., the father, or the mother if the father is absent. If the guardian objects to the marriage, the judge can nonetheless authorize it.

148. The issue of early marriage and coerced marriage is addressed in the Personal Status Act, which says that no one has the right to coerce another to marry and envisages penalties of detention or imprisonment for anyone who violates the law in that regard. Victims can lodge complaints with the competent authorities.

149. The conditions underpinning contracts of marriage are set forth in the Personal Status Act. One of these conditions is that the contract is to be perpetual and not temporary (a *mut'ah* marriage). If a marriage contract is specified only for a predefined period, it is flawed and invalid. The personal status courts do not endorse any temporary marriage contracts.

150. National institutions and non-governmental organizations (NGOs) have organized conferences, workshops and seminars on domestic violence, violence against women and sexual violence.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Paragraph 51 of the concluding observations on the Convention

151. No legislation, practice or policy endorses discrimination in any form, particularly as concerns laws regulating labour, social protection or care for persons with disabilities and special needs.

152. Iraqi legislators placed a number of restrictions on polygamy in the Personal Status Act. They are: the consent of the first wife, best interests and financial capacity, the determination of these conditions being left to the discretion of the competent judge. Legislators also envisaged penalties for persons violating the law in that regard and underscored the joint responsibility of both spouses towards their children, during the marriage and in the case of divorce.

153. The Council of Ministers approved a national strategy for the advancement of Iraqi women 2014–2018, the aim of which is to promote and protect women’s rights across four areas: prevention, protection, policies and implementation. Also, a department for the social protection for women has been established as part of the Social Protection Commission in the Ministry of Labour and Social Affairs.

154. The Social Protection Act focuses particular attention on women who have no breadwinner, and the Council of Ministers has excluded widows from the downsizing measures being applied due to overstaffing. At the same time, 5 per cent of housing units being built by the Ministry of Construction and Housing have been allocated to widows who are not registered with the Martyrs’ Foundation or who are victims of terrorism. For its part, the Ministry of Health and the Environment has organized awareness-raising seminars in primary health care centres across all health departments to raise awareness among health-centre users of all age groups about violence-prevention, discrimination and violations of women’s rights. In addition to this, allowances are being awarded to displaced women.

Paragraph 53 of the concluding observations on the Convention

155. Prior to launching any attack, the armed forces take pains to evacuate civilians from areas of conflict via the following preparatory measures:

“Setting up and securing evacuation sites; securing exit points; providing vehicles for the transportation of civilians, including children; distributing warning leaflets; taking in and protecting survivors and meeting their relief needs; delivering advanced medical treatment to emergency cases using army resources; and providing protection to national and international relief teams delivering humanitarian aid”. In this way, the armed forces were able to enter areas north of Mosul, liberate Yazidi families from the control of terrorist gangs and impose law and order. A large proportion of displaced families have returned to their areas of residence, as a result of the stabilization of the security situation.

156. Iraq has adopted a national child protection policy, which gives priority to protecting children in areas of displacement and in liberated areas, also with international support. The policy includes a programme for the rehabilitation of children, including orphans, and their reintegration into society in areas liberated from the clutches of the Da’esh terrorist organization.

157. The Directorate for Protecting Families and Children from Domestic Violence in the Ministry of the Interior is working to counteract the negative effects suffered by children in liberated areas. Its efforts in this regard include the reopening of units for the protection of families and children from domestic violence in the governorates of Salah al-Din, Anbar and Nineveh; receiving complaints from women and children; and drawing attention to the perils of extremist ideology through conferences, visits and posters. The regulations governing State-run care homes stipulate that children and young persons are to be cared for and provided with social, psychological and health education, and to be imbued with positive values and behavioural models via curricula that emphasize their role as part of society. In addition to this, a high-level national body has been created to monitor any violations or deprivation of rights that children have suffered as a consequence of the armed conflict.

158. The foster family scheme in Kurdistan Region aims to ensure the welfare of displaced children who have lost their parents or are orphans. The foster family, chosen by the Director of Social Welfare, must fulfil several conditions including the ability to ensure the child’s security and safety, being free from illness and not having any family member who has been convicted for an offence against honour. In addition, a juvenile welfare council has been formed to prevent child delinquency and integrate children into society, and a committee for

the protection of children's rights has been set up under the Regional Council of Ministers and headed by the Minister of Labour and Social Affairs.

Paragraph 55 of the concluding observations on the Convention

159. Reference is made to paragraphs 85–88 above. Article 383 (2) of the Criminal Code envisages a term of imprisonment for anyone who abandons a child. That penalty is increased in the event of the death or disability of the child concerned, while deliberate murder attracts penalties of up to life imprisonment.

160. Reference is made to paragraphs 136 and 137 above. The Ministry of Health provides equitable access to health-care services for all persons, including family planning and welfare services. As part of care during pregnancy, the Ministry also runs awareness-raising campaigns as part of a plan of action to draw attention to the perils of abortion.

161. A strategy for maternal and child health and reproductive health 2013–2017 has been developed, to be implemented via a health-care system that, in accordance with global health standards, seeks to meet the needs of individuals and society and to reduce maternal morbidity and mortality.

162. Sustainable Development Goal 3 on good health and well-being includes two gender-sensitive indicators: the maternal mortality ratio and the proportion of women with access to family planning methods.

Paragraph 57 of the concluding observations on the Convention

163. The Iraqi Department of Corrections in the Ministry of Justice takes in female detainees from police stations round the clock so that they do not have to spend more than 24 hours in custody. This takes place by order of the competent investigating judge, via an official letter and in line with specific procedures set forth in law.

164. Under the Prisoners and Detainees Reform Act, men and women are held separately in prison and detention facilities. The section designated for women must be under the supervision of a female official.

165. Both the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the Prisoners and Detainees Reform Act envisage that female detainees should be allowed to care for their children. Those instruments also envision the availability of detention facilities within a particular geographical area and the provision of a secure environment, health care, nursery facilities and adequate meals for inmates and their children. Account is also taken of the requirements of female prisoners with special needs while, thanks to coordination and cooperation with the competent authorities, efforts are made to provide shelter for released female inmates who have no one to care for them. Support is provided for study and education during the period of detention, in coordination with the Ministry of Education and the Ministry of Higher Education.

166. Under the Code of Criminal Procedure, the President of the Republic can postpone the enforcement of a death sentence for a period of four months after the date of childbirth. Under the law, moreover, judges are given discretionary powers and, in cases that call for clemency, they can replace the death penalty with imprisonment, either for a fixed term or for life.

167. In Kurdistan Region, the death penalty was suspended in 2005 and reinstated in 2008. The sentence is carried out only very rarely and in the case of major offences that destabilize society. Forty-five death sentences were handed down in 2019, none of which have been enforced and 13 of which have been commuted to lighter penalties.

F. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)–(3) and 33)

Paragraph 59 of the concluding observations on the Convention

168. Article 32 of the Constitution stipulates: “The State is to care for persons with disabilities and with special needs, and is to work to ensure their habilitation and integration into society, in accordance with the law.” Article 34 (1) states: “Education is an essential factor for the progress of society; it is a right that is guaranteed by the State and is compulsory at the primary level. The State is to undertake to combat illiteracy.” All education-related principles are upheld in the national strategy for education 2011–2022.

169. According to the Compulsory Education Act, primary education is free and compulsory for all children who reach the age of 6 by the beginning of the school year or by 31 December of that year. The Ministry of Education is seeking to open special education classes at the primary level in ordinary schools. Such classes would be for slow learners, persons with visual or auditory impairments and others who are not classified as persons with disabilities under the Social Welfare Act, to ensure that they receive education, care, guidance and skills development.

170. Acting under its own statutes, the Ministry of Education has opened a special unit for persons with disabilities (the Department for Special Education). Furthermore, an administrative unit – which is structurally part of the Ministry of Education’s Directorate for Curricula – has been created to formulate curricula for persons with disabilities and special needs.

171. The Ministry of Education undertakes a variety of actions in the interests of children with disabilities. It ensures that they are able to access primary and secondary education, formulates school curricula, supplies basic equipment and provides qualified teaching and technical staff.

172. In Kurdistan Region, the Ministry of Education has a plan to integrate pupils with special educational needs into schools, eliminate disparities between groups and ensure equality of opportunity, while also improving qualitative aspects. The Department for Special Education deals with issues affecting persons with special needs and seeks to guarantee their right to equality of opportunity, enrolment in school and educational assessment to determine the nature and degree of disability. The Ministry also develops curricula, teaching methods and facilities for schooling of different kinds and levels, and it provides staff trained in teaching persons with disabilities.

173. Iraqi law contains no provisions that discriminate against particular categories of persons, and the Persons with Disabilities and Special Needs Act is consistent with the relevant international principles. Child protection policies are underpinned by basic principles including that of non-discrimination among children of different groups and categories.

174. The Human Rights Department at the Ministry of Education is responsible for raising community awareness about disability. It also seeks to create an environment that fosters and promotes inclusive community-based education and that reduces negative stereotypes of persons with disabilities. To this end, the Ministry has developed awareness-raising programmes that – with the assistance of schoolteachers – aim to encourage cooperation between students with disabilities and their peers without disabilities. The programmes are also aimed at educating families and communities about the need to recognize disability and about the importance of involving children with disabilities and their parents in decisions that affect them.

175. A duty of care for the well-being of children is the cornerstone of human resources development, and the Ministry of Labour and Social Affairs has taken up this duty through the Child Welfare Commission, which focuses particular attention on children with disabilities. The child protection bill also includes chapters on the welfare and habilitation of children with disabilities.

176. The question of birth defects was integrated into a survey carried out in 18 high-risk areas facing security problems. What emerged from the survey was that the incidence of birth defects stood at around 23 per 1,000 live births. A strategy has been put in place that focuses on awareness-raising and integrates a joint operational mechanism that involves all stakeholders.

177. Specific directives have been issued to ensure that schools cater for children with a disability affecting their lower or upper limbs by providing a safe environment and medical support.

178. Full-time assistants for the care of persons with disabilities are to receive a salary from the Ministry of Labour and Social Affairs, and functionaries have the right to a period of leave of one year, renewable, in order to care for a child with a disability.

179. The Commission for the Care of Persons with Disabilities and Special Needs seeks to ensure that persons with disabilities who have been displaced due to the internal conflict duly obtain the services and privileges envisaged in the law.

Paragraph 61 of the concluding observations on the Convention

180. Reference is made to paragraphs 106–108 of the present report, above. For its part, the Ministry of Planning has prepared a national population policy document, which also addresses the issue of reproductive health. Its purpose is to “provide care to improve the health of all family members, including reproductive health, with a view to reducing the risk of maternal and child mortality”. In addition, the Ministry has produced a poverty alleviation strategy document, the aim of which is to improve health and to establish, furnish and equip health centres, nursing homes and mobile clinics in poor areas. The reproductive health component of national development plans also aims to improve the health system, particularly primary health care.

181. Sustainable Development Goal 3 on good health and well-being includes 2 gender-sensitive indicators in its list of 13 indicators: the maternal mortality ratio and the proportion of women with access to family planning methods. According to the results of a poverty mapping and maternal mortality survey conducted in 2013, maternal mortality stood at 35 deaths per 1,000. Among married women aged between 15 and 45, 52.5 per cent use some form of contraceptive whereas 47.5 per cent do not, the proportion being higher in urban areas as compared to rural areas.

182. The Ministry of Health and the Environment has taken the following steps:

- It provides primary health-care services to women in rural areas via health centres located in the zones in which they live. These services include reproductive health and awareness-raising in matters that affect the health of women of all ages. It has also prepared a health booklet for rural women and provided training.
- Certain initiatives for children under 5 have been run with support from WHO and UNICEF.
- It takes action to reduce maternal mortality by updating operating manuals; raising awareness about risks during pregnancy, childbirth and puerperium; allocating a budget for a maternal, child and reproductive health-care programme; building obstetric capacity; and establishing a monitoring body to look into deaths with a view to prevention in the future.
- To combat diarrhoea, medical staff are being provided with effective and continuous training, and children are being vaccinated against vaccine-preventable diseases, including diarrhoea, acute respiratory diseases, polio and measles. Only high-quality approved vaccines are administered, and hospitals are equipped with medical devices and supplied with medication.
- With UNICEF, it has implemented the plan of action of the health and nutrition programme 2018–2019, which aims to support quality improvement in hospitals that provide services to newborn infants. The hospitals are fitted out with the necessary equipment to the extent that UNICEF is able to provide backing.

183. Kurdistan Region is applying a strategy for maternal and child health 2018–2022. There are 7 maternity hospitals, as well as specialized maternity units – 20 in all – in other hospitals. A project launched in 2017 to provide integrated reproductive and obstetric services has thus far been implemented in 11 specialized centres. In addition to this, 167 units provide support, awareness-raising and guidance on family planning methods.

Paragraphs 63 and 65 of the concluding observations on the Convention

184. Security forces have cleared mines, defused explosives and removed remnants of war from liberated cities. Police stations have been reopened, security restored and terrorist cells uncovered in liberated areas. For its part, the National Security Advisory has worked with other stakeholders to develop plans and policies for the post-Da'esh era and to involve schools, places of worship and the media in immunizing children against extremism.

185. With a view to protecting the rights of women and children, the Human Rights Directorate of the Ministry of Defence runs hotlines for receiving complaints and allegations of human rights violations.

186. Iraq has adopted a strategy to deliver health-care, preventive and therapeutic services to internally displaced persons and persons returning to liberated areas. The authorities have taken steps to provide appropriate health and environmental conditions for displaced persons, in addition to the efforts being made by civil society and international bodies.

187. The child protection policy includes programmes for the rehabilitation and social reintegration of children in liberated areas, instilling national values and eradicating the extremist ideas planted in their minds by the Da'esh terrorist organization.

188. The Ministry of Health has prepared a preliminary draft of a community-based rehabilitation plan for troubled areas, once they have been liberated from terrorists. The plan is part of a study on mental health that aims to pave the way for a national plan for the safe return and sustainable health for displaced persons.

189. The section for State-run homes in the Ministry of Labour and Social Affairs is tasked with guaranteeing humanitarian assistance and protection for internally displaced persons in accordance with the norms of international law, to which end reception facilities have been provided for children (orphans, missing persons and humanitarian cases).

190. The Human Rights Section of the Ministry of Labour and Social Affairs monitors humanitarian cases involving persons of all ages and both sexes. It admits them to shelters and seeks to meet their requirements, including treatment.

191. The Ministry of Health is intensifying its field visits to camps and seeking to sustain the health services provided to displaced persons while also maintaining supplies of medicine and medical equipment. The Ministry is also consolidating joint working mechanisms with Kurdistan Region; the operation of the mechanisms is subject to the number of displaced persons present and their governorates of origin.

192. The Ministry of Health provides health-care services for mothers and children. It also undertakes nutritional assessments and runs early detection programmes for chronic diseases then supplies the necessary medication.

193. In order to diagnose and manage common mental disorders, mental health strategies emphasize the importance of effectively integrating mental health services and psychosocial support into primary health care and of training staff at all major health centres, in line with global standards.

Paragraph 67 of the concluding observations on the Convention

194. Specialized medical committees in State-run hospitals have established rules for dilation and curettage and for therapeutic termination of pregnancy, which are admissible only in the event that the continuation of pregnancy would affect the health of the mother.

195. A national strategy 2018–2022 for reproductive health and for the health of mothers, children and adolescents was launched in cooperation with WHO, UNICEF and UNFPA. As for the national school health strategy 2018–2022, one of its aims is to consolidate an

understanding of public health in school curricula at all levels. The strategy also focuses on awareness-raising in other areas.

196. Public health terminology has already been included in school curricula, which are to be updated with the addition of new topics concerning adolescents.

197. The Ministry of Health provides family planning services, contraceptives and information about birth spacing at all health centres and hospitals that have maternity wards.

198. A law regarding therapeutic termination of pregnancy has been referred for approval to the women's advisory centre at the Ministry of Health.

199. A clinical protocol and a standard operating manual for survivors of sexual assault have been developed, in coordination with UNFPA.

200. The Public Health Act requires marriage candidates to undergo premarital testing for communicable and genetic diseases. A number of health centres are already running a programme for adolescents and it is intended that more should do so in the future.

201. A strategy to reduce the incidence of communicable diseases 2018–2022 has been rolled out, specifically with a view to tackling sexually transmitted diseases. Kurdistan Region has 16 centres that disseminate information about marriage and premarital screening, as well as 3 breast-cancer centres.

Paragraph 69 of the concluding observations on the Convention

202. The purpose of the Narcotics and Psychotropic Substances Act is to combat and penalize illicit drug trafficking. Article 3 of the Act includes provision for the formation of a high commission on narcotics and psychotropic substances, which is headed by the Ministry of Health and includes representatives from the agencies involved in the fight against drugs. The body has a number of functions including that of developing a comprehensive national strategy to combat illicit drug trafficking, acting to prevent drug abuse and proposing the establishment of health institutions for the treatment of addicts.

203. The Act also includes provision for the creation of a centre for addicts where experts are on hand to run rehabilitation programmes. In addition, a directorate for narcotics and psychotropic substances has been set up in the Ministry of the Interior, which aims to combat drug abuse. Under article 41 of the Act, all treatment of addicts is to be confidential.

204. An awareness-raising committee has been formed in the Ministry of Education whose task it is to use the school curricula to draw attention to the dangers of alcohol, drug or stimulant addiction and its impact on the health of adolescents.

205. A national plan to control the spread of drugs was developed for the period 2019–2020, with a focus on raising community awareness about the dangers of drugs, developing treatment and rehabilitation services for addicts and ensuring social reintegration. A budget has been allocated to build a national centre for the treatment and rehabilitation of addicts in Baghdad and a building has been allocated to house an addiction treatment centre.

206. The issue of drug abuse, addiction and early detection of cases involving the misuse of psychotropic substances has been included in the curriculum of train-the-trainer courses being run in all health departments. The purpose of this is to build the capacity of staff in health centres to prevent, detect and assess cases of addiction. Courses on addiction are also held in schools and the subject has been added to the curriculum.

Paragraph 71 of the concluding observations on the Convention

207. Working in cooperation with the World Bank, Iraq developed a poverty reduction strategy entitled the *Strategy for the Reduction of Poverty in Iraq 2018–2022*, which aims to empower the poor to become productive individuals, economically and socially integrated into society. The strategy has a tripartite focus:

- Creating opportunities for generating sustainable income
- Empowerment and building human capital
- Establishment of an effective social safety net.

The strategy envisages six principal outcomes, relating to income, health, education, housing, social protection and emergency response. It focuses particularly on education for the poor and for girls in rural areas and on the improvement of schools.

208. The strategy analyses poverty in Iraq, in which regard it highlights the impact on the poverty rate of the financial crisis caused by the drop in oil prices as well as the displacement provoked by the acts of terrorism committed by Da'esh.

209. The strategy seeks to alleviate poverty, especially among children, by prioritizing the income of poor persons in the form of sustainable job opportunities and soft loans to facilitate their integration into the labour market. It has the following long-term goals:

- Ending poverty everywhere and in all its forms
- Eliminating hunger, achieving food security, improving nutrition and promoting sustainable agriculture
- Providing decent education and lifelong learning opportunities
- Promoting inclusive and sustainable economic growth, full and productive employment and decent work for all
- Reducing inequality in the country
- Rendering human settlements inclusive, safe and sustainable.

210. A total of 837,079 families were displaced between June 2014 and March 2018, and 365,268 families were able to return in the period 2016–2017.

211. Several urgent steps have been taken to ensure that displaced students are able to pursue their education. These include the creation of 473 schools across all the governorates, as well as a number of fully-equipped “trailer schools”.

212. A humanitarian response plan for the relief, shelter and resettlement of displaced families was developed in 2018, and roads were opened in areas surrounding the Nineveh Plains and Sinjar.

213. Several government-sponsored measures have been taken to provide health services to displaced persons. These include a programme to vaccinate children against polio and measles as well as other medical services, which are provided in displacement camps and other areas where displaced persons have gathered.

214. The Ministry of Health has distributed free cards to displaced persons within liberated governorates for check-ups at primary health-care centres as well as medicines for chronic diseases. It has also treated numerous cases of malnutrition and tuberculosis, and provided psychosocial support to persons returning to liberated governorates. In addition to this, health departments in liberated governorates carry out daily measurements on free chlorine residue in water to determine whether or not it is fit for human consumption. If the water fails to meet the required standard, the water authorities in the governorate are contacted to identify and remedy the problem.

215. Air transportation is provided for patients who require it, while more than 150 mobile medical clinics, 500 mobile detachments and medical teams and 10 field hospitals have been used as alternatives to destroyed infrastructure. A total of 200 ambulances have been assigned, in coordination with WHO.

216. The salaries of displaced officials have continued to be paid and grants have been distributed to displaced families under a special emergency programme.

217. An administrative order regarding trespassed housing in the governorate of Nineveh was issued in 2018 to address the problem of displaced persons' homes being occupied by other families.

218. The federal budget allocation to the Ministry of Labour and Social Affairs has been increased with a view to implementing programmes for rehabilitating children and reintegrating them into their communities in areas liberated from the control of Da'esh.

G. Education, leisure and cultural activities (arts. 28–31)

Paragraph 73 of the concluding observations on the Convention

219. Several urgent steps have been taken to ensure that displaced students are able to pursue their education. The most significant of these are:

(a) The Ministry of Education has prepared an emergency plan focusing on the educational needs of students in areas affected by military operations. The Ministry has also opened three representative offices in Kurdistan Region to address the existing situation and prepare an emergency curriculum to be taught in the camps. UNICEF has shouldered the costs of printing the curriculum, which is also being made available online. Simplified examination procedures have been put in place for displaced students affected by the armed conflict.

(b) A number of literacy centres have been opened in displacement camps.

(c) Several buildings for displaced persons have been rented in Kurdistan Region, a number of “trailer schools” have been deployed in the governorates of Sulaymaniyah and Erbil, and 18 fully equipped schools of different kinds have been opened thanks to coordination with donor organizations and benefactors. In addition to this, in 2019, the Government earmarked ID 110 billion for the construction of modern school facilities.

220. Government agencies work to evacuate homeless persons to safe areas and to provide vehicles for their transportation and mechanisms for their protection.

221. The Ministry of Defence protects civilian facilities in conflict-affected areas, such as schools, hospitals and government offices. For its part, the Ministry of the Interior assigns security guards to schools in order to protect the facilities, the students and the teaching staff. Police squad cars are also deployed in the school environs.

222. In 2018, the Council of Ministers approved the creation of the Social Development Fund, which is currently in the process of being set up. The Fund – which is an independent body – has been financed by the World Bank with a first instalment of \$300 million. It also has other sources of financing, which include the Government and donors.

223. One of the outcomes of the implementation of the child protection policy has been that poor families have been able to obtain adequate support and to improve their economic position and living standards, thanks to loan programmes and the reopening of social counselling centres.

224. In cooperation with UNICEF, the Ministry of Education has produced documents aimed at promoting positive education. These include a training manual, a booklet for parents, teaching methodologies and rules of conduct. It has also developed a training protocol for schools that are part of the positive education initiative. Also in cooperation with UNICEF, the Ministry of Education has implemented a national strategy for positive education, the aim being to propagate a spirit of tolerance, cooperation, peaceful coexistence, belonging and citizenship among students.

225. The following table shows the size and nature of school building projects under the government programme 2019–2020.

<i>Financed by</i>	<i>Size and nature of project</i>	<i>Completion rate</i>
Government	Constructing 300 schools over 4 years at the rate of 75 per year	10%
Government	Operationalizing 600 schools that had suspended activity	50%
	350 schools in 2019	
	250 schools in 2020	
Kuwaiti loan	Constructing 73 schools over 4 years	10%
World Bank loan	Building 26 schools in 2019	10%

<i>Financed by</i>	<i>Size and nature of project</i>	<i>Completion rate</i>
Government	Building health complexes in 1,880 schools over 3 years (2020–2022)	
Iraq Reconstruction Fund	Demolishing and rebuilding 76 schools 55 schools in 2019 21 schools in 2020	25%
Government	Refurbishing and restoring 2,000 school buildings over 4 years	20%

226. In Kurdistan Region, land has been allocated for the construction of displaced person camps. The sites chosen are served with water and electricity, and schools have been opened that have additional timetables for teaching Arabic to displaced students. Health services have also been made available and facilities provided for relief and humanitarian workers. Displaced persons are exempt from taxation and citizens have been encouraged to welcome and assist them.

H. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention; and arts. 3, 4 (2) and (3), 5–7 and 9 (1) and (2) of the Optional Protocol on the sale of children)

Paragraph 75 of the concluding observations on the Convention and paragraphs 26 and 38 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

227. The Government has continued to pay the salaries of staff displaced from areas controlled by Da'esh terrorist groups by issuing smart cards so that they can receive their salaries together with the allowances distributed to displaced families.

228. A sum from the general budget has been added to the budget of the Ministry of Labour and Social Affairs for it to run rehabilitation programmes for widows and orphans, including girls.

229. The Ministry of Health is consolidating joint working mechanisms with the Ministry of Health in Kurdistan Region; the operation of the mechanisms is subject to the number of displaced persons present and their governorates of origin.

230. The Ministry of Health is providing the camps and other places where displaced persons are gathered with a centralized quick-response ambulance service which operates alongside the ambulances of the health departments in the governorates. This is in addition to the ambulances provided by WHO and other international organizations. In partnership with WHO and other stakeholders, the Ministry also provides the camps with mobile clinics.

231. The Ministry of Health has intensified its field visits to camps. The visits are conducted throughout the week, including holidays and feast days, by working groups that seek to ensure the sustainability of the health-care services provided to displaced persons. Working alongside local teams in the governorates where displaced persons are located, the groups oversee the delivery of medication and medical supplies to internally displaced persons in camps and at other locations.

232. Reference is made to paragraphs 219–226 of the present report, above. In addition, both the Ministry of the Interior and the Ministry of Defence take action to protect displaced persons. In particular, the Ministry of the Interior conducts field visits to displacement camps to meet with families and inform them of the steps they need to take if they suffer any kind of abuse. Caravan trailers have been placed in camps in the governorates of Diyala, Salah al-Din, Kirkuk and Nineveh where camp inmates can file complaints of any forced recruitment, violation, violence or sexual exploitation they might have suffered. For their part, the police patrol and protect the outer perimeter of the camps. The Iraqi High Commission for Human Rights also receives complaints of violations, which it refers to the competent courts for investigation and trial.

233. A national policy for community rehabilitation in areas liberated from terrorist gangs has been drafted and a working paper prepared on the recruitment of children and minors by terrorists and the impact this has on military operations. In addition, a national counter-terrorism strategy has been formulated which includes a component on combating extremism; this, in turn, is further divided into subcomponents on immunizing children against extremism and preventing their recruitment by Da'esh terror groups. To that end:

(a) Special centres have been opened to supervise and care for orphans, who are the group most targeted by Da'esh gangs.

(b) The Child Welfare Commission is consolidating the mechanisms it uses to interact with displaced and returning families and to raise awareness about childcare standards and the role of families in addressing erroneous practices.

(c) Action is taken to ensure that recommendations to prevent begging are duly implemented; many children, in fact, have recently taken to begging thereby exposing themselves to the risk of being recruited by terrorist gangs.

(d) The Ministry of Higher Education and the Ministry of Education run seminars to draw parents' attention to the perils of using excessive violence against their children.

(e) Operational mechanisms for the delivery of psychosocial support to displaced persons and returnees are being examined, thanks to coordination between the Ministry of Health, international organizations and NGOs, under the supervision of WHO.

(f) In coordination with the Ministry of Health, efforts are being made – in the context of primary health-care services and as part of vaccination and health-care campaigns – to change attitudes and promote healthy behaviours.

(g) The Ministry of Youth and Sports and the Ministry of Culture are working together to support youth clubs, cinemas and theatres in order to promote art and break the intellectual stagnation that leads to extremism; this includes activities considered forbidden according to extremist thought, such as sports, painting, sculpture, etc.

(h) In coordination with stakeholders, e-governance is being used effectively to disseminate awareness about children and child protection.

(i) Efforts are made in schools to immunize students against extremism, as follows:

(i) School curricula are being amended to remove the interpolations placed there by Da'esh terrorist gangs.

(ii) Teaching staff are given training in how to transmit educational concepts in classroom and extracurricular activities, with regard to combating violence and terrorist ideology.

(iii) In coordination with the Ministry of Higher Education, a working group is being formed, headed by the director of the psychological research centre at Baghdad University, to draft a policy for the rehabilitation of children in those areas; the working group coordinates with security and intelligence services, civil society organizations and the Ministry of Labour and Social Affairs, and it is supported by a group of researchers who work for the security and intelligence services.

(iv) Educational institutions monitor and report on any groups of students who hold extremist ideas or act in a deviant manner, so that action can be taken to correct their behaviour.

(v) Support has been given to parent-teacher councils with a view to encouraging displaced students to return to school, thanks to various programmes being put in place by the Ministry of Education.

(vi) School administrators coordinate with civil society organizations on programmes aimed at enabling children from different religions and communities to come together and get to know one another.

(vii) Civil society organizations are being encouraged to carry out awareness-raising campaigns aimed at strengthening their own national spirit and at eschewing a culture of murder and takfirism.

(viii) An integrated programme of extracurricular activities is being drawn up, which includes sporting competitions, cultural festivals and scout camps where young people and students from liberated governorates can meet with their peers from governorates in the centre and south of the country; the programme specifies that the activities are to be held at a location that is preferably outside the young persons' normal environment.

(ix) An initiative is being rolled out by educational institutions, civil society organizations and religious and tribal institutions that focuses on education within a framework of peaceful coexistence and the values of love and peace, in order to counteract extremist ideology.

234. A standing national committee on international humanitarian law has been formed whose job it is to monitor the violations and crimes committed in areas under the control of Da'esh terrorist groups and to make relevant recommendations to the Office of the Prime Minister. These include a recommendation for the enactment of a law on international crimes and the creation of a special judicial body to enforce it.

235. The Ministry of Foreign Affairs has consistently sought support from international bodies, encouraging its missions abroad to coordinate and engage with such bodies. For example, the Permanent Mission of Iraq in Geneva is constantly requesting the Office of the United Nations High Commissioner for Human Rights (OHCHR) to provide technical assistance in the field of human rights. For its part the OHCHR country office cooperates with the competent Iraqi authorities to run training courses on human rights issues and on the compilation of national reports.

236. Other Iraqi diplomatic missions also continue to give prominence to the question of technical assistance for Iraq in areas such as psychological support and material aid. They also draw attention to the importance of supporting programmes being run by the Iraqi Government and the United Nations under international human rights law, the recommendations of treaty bodies and Human Rights Council resolution 28/29 on technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Da'esh and associated terrorist groups.

237. The national child protection policy envisages a body of effective measures including the following:

- (a) Responding promptly in cases where children are being subjected to violence
- (b) Providing psychosocial support services for children
- (c) Preventing children from becoming involved in armed conflict
- (d) Rehabilitating and reintegrating children who have become involved in armed conflict
- (e) Forming local child protection committees in areas of displacement and asylum.

238. Over the coming 10 years, the policy is expected to achieve the following results:

- (a) The protection of children via a legislative framework that fully guarantees their rights and meets their needs, in line with international standards
- (b) A secure life for children within families and supportive local communities that protect their rights and ensure they are able to realize their full potential
- (c) The involvement of children in raising, discussing and proposing solutions to issues that affect them
- (d) Ensuring that children affected by the conflict and their families receive adequate support before any risk arises, in order to enhance their safety; this is to be achieved thanks to early intervention against risks such as neglect, exploitation or abuse

(e) Providing children who have been subjected to violence, abuse or exploitation with the support and care they need to restore their well-being and to reintegrate them into their communities.

239. Iraq has not yet taken any decision to accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol. It will give consideration to this matter in due course, when the appropriate legal and economic conditions arise.

Paragraphs 77 and 79 of the concluding observations on the Convention

240. In 2015, the Council of Ministers issued a decree declaring the sufferings of the Yazidi, Turkmen, Christian, Shabak and other groups of the Iraqi population at the hands of the terrorist gangs of Da'esh to be a crime of genocide. Moreover, in a derogation from budget regulations, the Council of Ministers agreed that persons from those groups who left, retired or resigned from their posts in the public service should receive remuneration.

241. The Government is working hard alongside religious institutions to develop religious preaching in a way that univocally rejects sectarianism and discrimination.

242. The courts are independent and impartial, and Iraqi laws guarantee the access of all persons to justice. The judiciary acts to address issues of impunity and reparations for victims, including the sections of the population most in need of care. It also takes the necessary steps to conduct confidential and comprehensive investigations into human rights violations.

243. In order to combat impunity, the Supreme Judicial Council has set up courts to investigate human rights violations in each appeal region, including areas inhabited by minorities, as well as courts to investigate terrorist offences.

244. The Council of Representatives has formed a committee to formulate a proposal for a new law regulating the administrative, political, cultural and educational rights of different national groups. The Council has also called upon the Council of Ministers to form a committee to assess the damage to lives and property suffered by citizens in the district of Tuz Khurmatu in Salah al-Din Governorate, estimate the necessary compensation, calculate entitlements and come up with a distribution method. The committee is also required to determine the financial appropriations required for compensation, using emergency allocations from the general budget. Indeed, the civilian victims of recent events in Tuz Khurmatu are considered to be martyrs and are thus entitled to the associated rights and privileges. Parliamentary blocs – including the Yazidi and Sabeen-Mandaean blocs – have submitted a request for the drafting of a bill to protect minority rights, under article 125 of the Constitution.

245. In 2016, the Council of Representatives approved a decree that included provision for government measures to free abducted Yazidi women; reconstruction work in the district of Sinjar, including the restoration of services and infrastructure; the designation of victims of the acts committed by Da'esh terrorist gangs against the people of Sinjar as martyrs, thus making them eligible for all the concomitant rights and privileges; and the formation of a committee to examine the genocide of Yazidis by Da'esh terrorist gangs.

246. Reference is made to paragraph 41 of the present report, above. Moreover, the judicial authorities in Iraq have taken action to enable courts in areas inhabited by minorities to resume operations immediately. Such operations include investigating attacks previously suffered by minority groups, bringing criminals to justice and awarding appropriate compensation to victims, as necessary.

247. According to the Constitution, Iraqis are equal before the law, without discrimination of any kind. In addition, the State is to guarantee that individuals and families – especially children and women – have social and health security and the basic necessities for living a free and dignified life with an adequate income and appropriate housing. Arabic and Kurdish are enshrined in the Constitution as the two official languages of Iraq. Iraqis also have the right to educate their children in their mother tongue – such as Turkmen, Syriac or Armenian – in State-run educational institutions, in accordance with school regulations, or in any other language in private educational institutions.

248. Under article 3 of the Kurdistan Region Official Languages Act, the language of other groups (Turkmen, Syriac and Armenian) is to be considered as an official language of Iraqi Kurdistan, alongside Kurdish, in administrative districts populated by those groups and as needed. In all, 56 Syriac-language schools and 21 Turkmen-language schools have been opened as well as units in universities that teach the languages of national communities, and these facilities have been provided with the necessary educational supplies. In addition to this, the Directorate for Religious Coexistence has been established and a law enacted – the Kurdistan Communities Protection Act No. 5 of 2015 – to safeguard the rights of citizens from minority communities in the Region.

249. The laws and regulations governing the Ministry of Education and the national strategy for education all stipulate that minorities are not to be deprived of the possibility of being educated in their mother tongue or of transmitting their own knowledge and culture. Special curricula have been printed with a view to eradicating illiteracy in their own languages among minorities.

250. The Ministry of Education has directorates for the teaching of Kurdish, Turkmen and Syriac, and it coordinates with those directorates to organize activities, events, seminars and training courses intended to disseminate a culture of human rights; renounce violence, extremism and racism; attain justice; and propagate a spirit of tolerance and peaceful coexistence among members of society.

251. Primary schooling includes a sociology module that also focuses on minorities, which are described as being a major component of Iraqi society.

252. The child protection policy includes provision for a comprehensive system of monitoring and data collection on child protection issues.

253. The Government is working hard alongside religious institutions to develop religious preaching in a way that univocally rejects sectarianism and discrimination.

254. The Ministry of the Interior carries out its duty to enforce the law and protect citizens and their property, professionally, impartially and without discrimination.

Paragraph 81 of the concluding observations on the Convention

255. The Constitution prohibits forced labour, slavery and servitude. It likewise prohibits all forms of economic exploitation of children and stipulates that the State is to take measures to protect them.

256. The 1983 Juvenile Welfare Act underscores the responsibility of parents/guardians towards their children. It also prescribes penalties for any parent or guardian who, by action or neglect, causes a youngster or juvenile to become a vagrant or delinquent, or to commit an offence.

257. According to the Labour Code (Act No. 37 of 2015), freedom to work is inviolable and may not be restricted or denied. The State pursues a policy of promoting full and productive employment while respecting basic rights and principles, both in law and in practice, including the elimination of all forms of forced or compulsory labour and the effective eradication of child labour. As part of its efforts to secure decent work for all persons and to eliminate forced labour, Iraq has ratified the Protocol of 2014 to the ILO Forced Labour Convention, 1930 (No. 29). In addition, the Ministry of Labour issued its Instruction No. 1 of 2019, which designates hazardous and stressful jobs, jobs harmful to health and maximum daily working hours.

258. The Labour Code prohibits all forms of forced or compulsory labour, including slavery, indentured labour or compulsory domestic work. The Code sets the minimum working age at 15 years for both sexes, and it make no distinction between children who work for their families and other working children. The Prisoners and Detainees Reform Act also includes provisions covering working adolescents, as article 20 indicates that juveniles have the right to work as a form of rehabilitation and training, and as preparation of a livelihood for after they have served their sentence. According to article 21, work is not a punishment but part of the process of reformation, and it is carried out according to the inmate's own wishes and in return for a wage. The employment contract is concluded – via

the Department of Juvenile Corrections – with governmental or non-governmental bodies, in line with directives issued by competent minister (art. 23). Working inmates are subject to the provisions of the Labour Code and of the Retirement and Social Security Act (art. 25).

259. The Labour Code also addresses the issue of protection for persons performing hazardous work, and it prohibits the employment of juveniles in jobs or workplaces whose nature or working conditions are deleterious to their health, safety or morals, or in night or mixed employment.

- Juveniles may not work:

- (a) Underground, underwater, at dangerous heights or in confined spaces
- (b) With dangerous machinery and equipment or in jobs involving the manual handling or transportation of heavy loads
- (c) In an unhealthy environment that may involve exposure to abnormal temperatures, noise or vibrations damaging to health
- (d) In difficult conditions, for long hours or, in certain circumstances, during the night.

260. Young persons may not be employed in the jobs they are allowed to perform without having first undergone a thorough medical examination before a medical committee to confirm their fitness and capacity for work.

261. Sexual harassment at work and in the workplace is criminalized and punished under the law. Workers who suffer any form of forced labour, discrimination or harassment in their employment of work have the right submit a complaint to a labour tribunal. Anyone violating the law regulating child labour is liable to a term of imprisonment or a fine.

262. The Supreme Judicial Council has issued a decree setting standards wherewith to address cases of sexual harassment in public spaces, government departments and places of work.

263. The child protection policy includes a set of mechanisms and programmes the purpose of which is to reduce school dropout rates and raise the standard living of families.

264. The Government of Iraq approved a national strategy for education and higher education 2012–2022. The programme, which aims to create an educational system that provides opportunities for all, envisages curricula for a literacy programme as well as Arabic, mathematics and general culture. Those curricula have been reviewed and amended with technical support from the UNESCO office in Iraq.

265. The Ministry of Education has implemented the following measures:

- (a) It has opened schools and classes that offer accelerated learning in order to attract children in the 12–18 age group who are unregistered and have not been enrolled in school for two consecutive years
- (b) It has opened schools and classes to attract children in the 10–15 age group who are unregistered and have not been enrolled in school for two consecutive years
- (c) In the exercise of the functions with which they have been vested, directorates of education and governorates can also open schools and classes
- (d) With support from the Mercy Corps, “Your Right to Education” centres were opened in the academic year 2018/19 in order to attract third-level children in the 12–18 age group, as part of a programme to bring peace and stability to Nineveh Governorate
- (e) With support from the Mercy Corps, “Your Right to Education” centres were opened in the academic year 2018/19 in order to attract second- and third-level children in the 10–18 age group, as part of an educational programme to help young people affected by conflict in Baghdad (Karkh 1–2 and Rusafah 1–2), Diyala, Salah al-Din, Kirkuk and Anbar
- (f) Under the powers granted to them, directorates of education can approve distance learning for students, relieving them of the obligation to attend school, in accordance with regulations and on condition that they sit the mid-year and end-of-year examinations

(g) Students who missed educational opportunities because they were returning from abroad or because of socioeconomic reasons can obtain authorization enabling them to return them to school

(h) Acting within the framework of the Literacy Act and in coordination with the Literacy Commission, directorates of education and governorates have opened literacy centres

(i) The child labour unit at the Ministry of Labour and Social Affairs is seeking to get child workers aged 15 and over employed in small-scale projects back into education; efforts in this regard are being coordinated by the directorates of education and the sub-departments of the Ministry.

266. According to the Labour Code, businesses and workplaces that are subject to the provisions of the Code are to undergo labour inspections supervised by the Ministry of Labour and Social Affairs. The functions of the inspection unit are to verify the enforcement of the Code and its associated regulations vis-à-vis working conditions and protection for workers and their rights. Inspection teams from the Department for Labour and Vocational Training visit establishments employing large number of child workers with a view to uncovering any violations. They also inform employers about the importance of non-discrimination between child and adult workers in terms of wages or treatment.

267. Teams to combat child labour are working to raise awareness among children and to encourage them to return to school. To that end, they take children's names with a view to enrolling them in accelerated learning programmes, in cooperation with the Ministry of Education. Using the names recorded in the teams' casefiles, the Ministry also organizes training courses to build the children's capacity, to educate them in the areas in which they work and to make them eligible for loans. At the same time, the child-labour division is cooperating with the Ministry of Education to provide education and guidance to children in schools with high dropout rates.

268. The Juvenile Police Department applies the Juvenile Welfare Act and takes action against anyone who exploits the labour of young persons in places where they run the risk of falling into delinquency. Persons under the age of 15 are considered to be vagrants if they operate as itinerant shoe cleaners, cigarette vendors or in any other job that exposes them to the risk of delinquency, while children are considered to be vagrant if they practise a profession with anyone other than their own relatives.

269. A poverty alleviation strategy 2018–2022 has been approved, which has outcomes that are intended to address the root causes of poverty; i.e., higher sustainable income from employment for poor persons, improved health, improved education, adequate housing, an environment responsive to challenges and effective social protection.

270. The Social Protection Act is applicable to families and individuals who are below the poverty line, be they Iraqis or nationals of other countries who reside permanently, legally and continuously in Iraq. The Act aims to:

- (a) Provide a decent life for all members of society
- (b) Help promote values of social solidarity
- (c) Ensure that all groups covered by the Act are included under the social protection umbrella
- (d) Provide mental and material stability for individuals and their families or heirs, ensuring a decent life by securing an income for individuals and their families in cases of incapacity, disability, old age, death or inability to work.

271. The Act states that every individual or family below the poverty line has the right to cash benefits and social services, in accordance with provisions set forth in the Act itself.

272. In Kurdistan Region there is a standing prohibition on the employment of persons under the age of 15, while children over that age are allowed to work under certain conditions. Under Social Welfare Act No. 126 of 1980, the Regional Government disburses sums amounting to ID 150,000 to families without a breadwinner, widows, divorced women and orphans. Moreover, in cooperation with the World Bank, the Government has developed a

2020 strategic framework programme for social welfare, which aims to improve the standard of living of the 95,000 families that benefit from the programme.

Paragraph 83 of the concluding observations on the Convention

273. The Juvenile Welfare Act enumerates the instances in which minors or juveniles are to be considered as vagrants; these include begging, working while under the age of 15, not having a fixed place of residence or lacking a legitimate means of subsistence. The Act also explains the actions to be taken by judges at juvenile courts, which include delivering the child concerned into the care of a guardian and the obligations of the guardian vis-à-vis the child's welfare. If the child has no guardian, the judge can order placement in a State-run care home, and the State is then obliged to provide the minor with health care, education, food and clothing.

274. Iraq has rolled out a national child protection policy, which aims to protect all children from violence, abuse, exploitation and neglect, in all circumstances. The policy envisages a protective arc that stretches from prevention to rehabilitation and reintegration, and includes the provision of support to children within their own families and communities.

275. The Iraq national development plan 2018–2022 seeks to reduce the number of cases of violence against children, lower rates of child delinquency, bring down child labour and cut disability rates while also improving services for persons with disabilities.

276. A paper has been drafted concerning controls and regulations to govern the opening of tourist cafés. The paper delves into the question of the measures to be taken by the competent authorities regarding juveniles under 18 who frequent such cafes, as per article 23 of the Juvenile Welfare Act.

277. A paper has been drafted, in coordination with stakeholders, on a national policy to address begging and vagrancy. Recommendations in that regard have been referred to the Secretariat of the Council of Ministers.

278. Specialized ministerial committees are working to raise awareness among children and to encourage them to return to school, taking their names with a view to enrolling them in the accelerated learning programme and providing education and guidance to children in schools with high dropout rates.

279. The Narcotics and Psychotropic Substances Act envisages penalties for persons who traffic in drugs or prepare locations where drugs can be consumed. Those penalties are aggravated if the victim of the offence is a juvenile. The Act also envisages alternative penalties in the form of treatment at clinics and medical institutions to ensure physical and psychological recovery.

280. The Juvenile Police Department seeks to protect homeless children in street situations under the Juvenile Welfare Act, placing them in State-run care homes to protect them from exploitation and sexual abuse.

281. The Ministry of Health runs programmes to draw attention to the dangers of taking drugs and, in coordination with other stakeholders, it has created a database on children's mental health conditions. The Ministry also cooperates closely with international organizations, UNICEF in particular, with which it is running a joint plan that focuses on child protection policies and the enactment of the child protection bill.

Paragraph 85 of the concluding observations on the Convention and paragraphs 19, 27 and 29 of the concluding observations on the Optional Protocol on the sale of children

282. Trade in slaves, slavery, trafficking women and children and sexual exploitation are all explicitly prohibited under the Constitution of Iraq.

283. Article 1 of the Trafficking in Persons Act gives the following definition of human trafficking: "Recruiting, transporting, sheltering or taking in persons for the purpose of selling or exploiting them for terrorist acts or armed conflicts, prostitution, sexual exploitation, forced or compulsory labour, servitude, begging, organ trafficking or medical

experimentation.” The Act envisages penalties of up to life imprisonment for persons who perpetrate such offences and aggravated penalties if the victim is under the age of 18.

284. In 2017, the Council of Ministers issued a decree regulating care homes for victims of human trafficking. It includes provision for the establishment of one or more homes in the governorate of Baghdad, to be affiliated with the Social Protection Department of the Ministry of Labour and Social Affairs. In cooperation with international organizations, a shelter – the Beit al-Aman – has been reopened where victims can be taken in, provided with physical and mental treatment, rehabilitated and reintegrated into society. The home has a staff of social workers trained in handling cases of human trafficking. For their part, the competent departments of the Ministry of Health provide psychological assistance, counselling and medical care for victims of sexual exploitation and prostitution; from June to December 2018, the Forensic Medicine Department handled 70 cases involving sexual assault against boys and 44 cases involving sexual assault against girls (in the 1–14 age group). Counselling and psychosocial support are provided for all age groups by socio-mental health units. A database was launched in the fourth quarter of 2019, to collect information on cases of violence of all kinds and the type of psychological services provided.

285. A central anti-trafficking committee has been set up under the Trafficking in Persons Act, headed by the Ministry of the Interior and with members drawn from competent institutions. The committee’s tasks include developing plans and programmes to combat and reduce the phenomenon of human trafficking, making anti-trafficking recommendations, compiling reports on trafficking and proposing measures to assist victims. A national anti-trafficking plan intended to create a society free from human trafficking has been drafted. The plan, which operates at the local and regional levels, focuses on the following themes: prevention, protection and assistance for victims, legal action and regional and international partnership and cooperation. In addition to this, the Directorate for Combating Terrorism and Organized Crime has been set up in the Ministry of the Interior.

286. The Ministry of the Interior has set up a telephone and email hotline to receive complaints about offences against children.

287. Committees of inquiry have been set up in most governorates to investigate human trafficking offences, in coordination with the security services and the Supreme Judicial Council, while maintaining the confidentiality of information sources and witnesses.

288. Reference is made to paragraph 242 of the present report, above. As concerns the jurisdiction of the courts, the rules governing regional, individual and universal jurisdiction are set forth in the Criminal Code and are applicable to anyone who commits human trafficking offences, irrespective of whether the offences are committed inside or outside Iraq and whether the perpetrator is an Iraqi or a foreigner.

289. According to the Trafficking in Persons Act, when the elements that constitute the crime of human trafficking are present in instances of exploitation in prostitution and the sex trade, then child victims of such acts (including girls) are treated and protected as victims. They are not prosecuted for crimes associated with human trafficking, such as forced prostitution, but are provided with assistance, notably, legal aid during the course of the investigation. In addition to this, they receive other services that are made available through the Ministry of Labour and Social Affairs and the Ministry of Health.

290. In accordance with the Code of Criminal Procedure, which specifies no definite age, children may submit complaints themselves. Thus, criminal cases can be launched on the basis of an oral or written complaint submitted to the proper authorities by the victim of the crime, his or her legal representative or any person aware that the crime has occurred, or on the basis of information any of those persons reports to the Public Prosecution Service, unless otherwise provided in law. There is no impediment to a child’s testimony being taken as evidence and evaluated by the court.

291. Complaints can also be submitted to the Iraqi High Commission for Human Rights, one of the functions of which is to receive complaints about past and present violations of human rights, conduct preliminary investigations, ascertain the veracity of the complaints, prepare cases of human rights violations and refer them to the Public Prosecution Service for it to pursue legal action.

292. Cases involving foreign workers are monitored in collaboration with the Department of Residence Affairs and the International Organization for Migration (IOM), and legal support is provided for Arab and foreign victims.

293. A database on human trafficking has been created that provides a statistical overview of human trafficking offences in Baghdad and other governorates (except Kurdistan Region) for the years 2016–2018.

294. The Ministry of the Interior runs programmes to raise awareness about the Trafficking in Persons Act and to warn about the dangers of human trafficking. The programme, which involves campaigns, conferences and seminars, is run in cooperation with civil society organizations.

295. A high-level anti-trafficking committee has been set up in Kurdistan Region, as well as subcommittees at the governorate level within the Region. Judicial proceedings have been launched and offenders have been referred to the courts, while anti-trafficking directorates have been brought into being that follow up and investigate complaints.

296. Iraq has signed a number of international and regional treaties aimed at greater cooperation with the international community and the exchange of experience and expertise. The treaties include: the Arab Convention on Combating the Trafficking of Persons, the Arab Convention on Human Organ Transplantation, the Arab Convention to Prevent Human Cloning and the Arab Protocol on Combating the Trafficking of Persons. Moreover, Iraq has acceded to the United Nations Convention against Transnational Organized Crime and to its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

297. A joint programme to train persons involved in anti-trafficking activities has been launched, thanks to cooperation between the Ministry of the Interior and IOM. In addition, a programme has been developed in cooperation with the European Union to run courses and workshops on international anti-trafficking laws and treaties. The central anti-trafficking committee's national plan for 2019 envisages regional and international partnership and cooperation with other organizations involved in the fight against trafficking, such as the International Criminal Police Organization (INTERPOL), the United Nations Office on Drugs and Crime (UNODC) and ILO.

298. The Act to Regulate Organ Transplantation and Prevent Organ Trafficking was enacted in 2016. Its purpose is to ensure that human organ transplantation is conducted only for therapeutic ends, and it envisages deterrent penalties for persons who violate the law in that regard.

Paragraph 87 of the concluding observations on the Convention and paragraph 34 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

299. The Juvenile Welfare Act is applicable to juveniles who are under the age of 18 when an investigation is conducted. The death penalty cannot be carried out against juveniles. The Prisoners and Detainees Reform Act is consistent with international human right instruments.

300. Juveniles in conflict with the law are placed under the custody of the Department of Juvenile Corrections, a body with independent legal personality that is part of the Ministry of Justice. Their placement, which is mandated by a court order, means that they can undergo physical and mental tests as well as an examination of their personality and social circumstances in order to determine possible courses of treatment and habilitation, in line with educational and social programmes that seek to re-educate juveniles and prepare them for reintegration into society.

301. If the age of a child at the time he or she committed an offence cannot be determined, the matter is to be referred to a medical committee of the Ministry of Health for it to determine the child's age.

302. When juveniles are arrested, they are handed over to the Juvenile Police Department, which undertakes to bring them before the juvenile court of investigation, while the casefile of the investigation is submitted to the investigating judge as soon as the statement of the

juvenile has been recorded. If the juvenile in question has committed an act punishable by law, the court can rule to deliver the child into the custody of his or her guardian for the latter to enforce the court's recommendations to ensure the juvenile's good behaviour. Articles 76 (2) and 77 (2) envisage the circumstances in which a juvenile commits an offence for which the law prescribes the death sentence. In such cases, in lieu of the death penalty, the court orders that the juvenile be placed in a reform school for a period of between 5 and 15 years. If the juvenile in question is over the age of 14, he or she is to be placed in an observation home. In areas where no observation home is available, measures are taken to ensure that the juvenile is not held with adult detainees. If a juvenile is accused of having committed an offence alongside an adult, the investigating judge divides the two cases and refer each one to the competent court.

303. Children are to be placed in a reform school, for the period determined by the court, to enable them to readjust socially and provide them with the means to obtain vocational or academic qualifications.

304. The juvenile court sends children accused of a misdemeanour or a crime for a physical and mental examination and a personality and behavioural assessment.

305. The Prisoners and Detainees Reform Act envisages cooperation between the Ministry of Health, the Iraqi Department of Corrections and the Department of Juvenile Corrections in the provision of preventive and curative health services and the creation of hospitals, health centres or medical clinics.

306. The Department of Juvenile Corrections coordinates with the Ministry of Education with a view to educating and rehabilitating detainees by opening ordinary and vocational schools of all levels inside detention facilities. The aftercare section in the Department of Juvenile Corrections seeks to ensure the welfare of juveniles once they have completed their sentence, with a view to reintegrating them back into society and to preventing any relapse into delinquency. The Prisoners and Detainees Reform Act also includes provision for aftercare for inmates, as a way of combating crime, redressing its effects and promoting social rehabilitation.

307. The bill on child protection includes a provision to raise the age of responsibility to 11, in line with international legislation.

308. Reference is made to paragraph 290 of the present report, above. The Child Welfare Commission, in cooperation with UNICEF and Child Helpline International, is working to set up a child helpline in Iraq, which constitutes one of the monitoring and reporting mechanisms envisaged in the child protection policy.

309. Steps are taken to ensure that parents and local and international associations are aware of all the details regarding the detention. Juveniles are able to meet with their relatives once a week, without the need for prior authorization, while organizations make periodic visits to detention facilities, in accordance with the law.

310. Without need for prior authorization from the authorities, the Iraqi High Commission for Human Rights and other oversight bodies visit prisons, social rehabilitation centres, places of detention and all other places for the purpose of meeting convicted prisoners and detainees, verifying any instances of human rights violations and reporting them to the competent authorities for appropriate legal action.

311. Legal professionals and social workers who have contact with juveniles undergo training courses on the Convention on the Rights of the Child and its Optional Protocols.

Paragraphs 88 and 89 of the concluding observations on the Convention, paragraph 36 of the concluding observations on the Optional Protocol on the sale of children and paragraphs 41 and 44 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

312. Iraq is continuing to study the possibility of acceding to international instruments, including United Nations human rights treaties, analysing mechanisms for their implementation at the national level and selecting the appropriate time for taking such decisions. Furthermore, Iraq has authorized its Independent High Commission for Human

Rights to receive individual complaints and communications, a step that creates the conditions for studying the possibility of acceding to the two Protocols.

313. Iraq has acceded to the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime.

314. The possibility of acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families is still under review because not all the standards enshrined in that instrument have yet been incorporated into national mechanisms or national legislation, particularly the Workers Retirement and Social Security Act, the Labour Code, the Trade Unions Act, the Social Protection Act and the regulations governing work by foreigners in Iraq. Thus, the committee responsible for drafting treaty body reports has recommended that Iraq does not accede to the Convention for the time being.

315. As concerns the abolition of the death penalty, in view of the numerous grave offences committed by terror groups, which amount to crimes against humanity and genocide and threaten the safety of society, the Iraqi State took the decision to reinstate the death penalty as a way to preserve national peace and security. Nonetheless, the penalty is now applied on a smaller scale and only for specific offences, and it may be challenged and appealed, in line with international standards governing the application of the death penalty.

Paragraphs 90 and 91 of the concluding observations on the Convention, paragraph 33 of the concluding observations on the Optional Protocol on the sale of children and paragraph 40 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

316. There is close cooperation with international organizations, UNICEF in particular, and a joint plan is being rolled out that focuses on child protection policies and the enactment of the child protection bill.

317. During the review of its initial report in 2010, Iraq issued an open invitation to non-treaty body mechanisms and a ministerial committee was formed which has facilitated visits by a number of special rapporteurs to visit Iraq over recent years.

318. The Ministry of Foreign Affairs has consistently sought support from international bodies, encouraging its missions abroad to coordinate and engage with such bodies. The Permanent Mission of Iraq in Geneva is constantly requesting OHCHR to provide technical assistance in the field of human rights, in accordance with international human rights law, the recommendations of treaty bodies and Human Rights Council resolution 28/29 on technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Da'esh and associated terrorist groups. For its part, the OHCHR country office cooperates with the competent Iraqi authorities to run training courses on human rights issues and on the compilation of national reports.

319. Other Iraqi diplomatic missions continue to give prominence to the question of technical assistance for Iraq in areas such as psychological support and material aid for the women and girls who suffered violence at the hands of Da'esh terrorist gangs after 2014. Iraqi missions also draw attention to the need to support the programme the Government, with support from United Nations agencies, is rolling out in that regard.

Paragraph 92 of the concluding observations on the Convention, paragraphs 34 and 35 of the concluding observations on the Optional Protocol on the sale of children and paragraphs 42 and 43 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

320. Human rights units in the ministries and independent institutions responsible for fulfilling the country's human rights obligations have the function of explaining and raising awareness about the concepts enshrined in the Convention and its Optional Protocols. To that end, they run regular training programmes, courses, workshops and lectures.

321. As concerns efforts to raise awareness about the Convention and its Optional Protocols and their applicability in law, the Judicial Development Institute, which is part of the Supreme Judicial Council, coordinates with international organizations to run courses and

workshops to familiarize judges and prosecutors with the Convention. Regarding the application of the Convention, the courts make their rulings on the basis of relevant domestic legislation, which is based on principles enshrined in the Iraqi Constitution. Those principles do not, in point of fact, conflict with the Convention, but the courts do not apply – nor, in general, make direct mention of – the provisions of international human rights treaties. In fact, the Iraqi courts apply international treaties only once they have been integrated into domestic legislation by a specific law, the provisions of which can then be used as a basis for judicial rulings.

322. The Ministry of Justice has been posting information relevant to the Convention and its Optional Protocols on its website so as to make it available to stakeholders for them to discuss and express their views. In addition, workshops, seminars and meetings are being used as vehicles to promote communication and understanding with the competent authorities and civil society organizations regarding the periodic report.

323. The concluding observations and recommendations submitted to Iraq following the discussion of its report in 2014 were circulated to State institutions for them to review, express their comments and devise procedures and means of implementation.

Paragraph 10 of the concluding observations on the Optional Protocol on the sale of children and paragraph 9 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

324. Iraq rolled out a national child protection policy in 2017, which aims to protect all children from violence, abuse, exploitation and neglect, in all circumstances. The policy envisages a protective arc that stretches from prevention to rehabilitation and reintegration, and includes the provision of support to children within their own families and communities.

325. The national development plan emphasises the importance of reducing violence against children via action in the following areas: curbing domestic and school violence, tackling the recruitment of children in all its forms, increasing the number of social workers and psychologists in schools and bringing down juvenile delinquency rates.

326. Iraq has approved a child protection policy document concerning the well-being of children in areas of displacement and in liberated areas. It envisages a series of measures aimed at protection, prevention, intervention, rehabilitation, follow-up and reintegration into society. One of the chief aims of the policy is to protect children against exploitation through involvement in armed conflict, to prevent young people from becoming embroiled in conflicts and to support those who have been liberated from or released by armed groups.

Paragraph 15 of the concluding observations on the Optional Protocol on the sale of children and paragraphs 13, 15 and 28 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

327. The competent authorities – including judges, officials and investigators – have been participating in an ongoing series of courses and workshops inside and outside Iraq to build their capacities and provide them with information about how to deal with crimes involving children. In particular, they have received training on how to deal with child victims of crimes.

328. The Ministry of the Interior has also organized courses and workshops for officials working in the same field, to build their skills and capacities to deal with crimes of that nature. Other workshops have focused on raising awareness among society at large about such offences and about the mechanisms that can be used to report them.

329. On the subject of school curricula, reference is made to paragraphs 324, 325 and 326 of the present report, above. In addition, the Human Rights Section (curriculum division) of the Ministry of Education has integrated human rights concepts into textbooks in order to disseminate a culture of human rights. These include, inter alia, the right to education, the right to health care, the right to privacy, the right to correspondence and communication, equality, freedom, the right to life and the rights of children and women. Passages from the Universal Declaration of Human Rights and the Iraqi Constitution have also been included, with an emphasis on the concepts of citizenship, tolerance and peaceful coexistence. Prominence has also been given to rejecting violence, keeping children out of armed conflicts

and disseminating a culture of human rights (notably, the Convention on the Rights of the Child and its two Optional Protocols). Once Iraq adopted its new educational policy, human rights concepts were integrated into schools, on the basis of recommendations made by a national committee for human rights curricula and in a manner appropriate to each subject matter. In addition, schools have run projects aimed at consolidating human rights principles among students and teachers. The textbooks most significantly impacted by the changes have been those on Arabic language, English language, religious education, sociology and economics.

330. The Ministry of Defence has run workshops, courses and lectures in a bid to raise an awareness of human rights among its own staff. It has also produced booklets and pamphlets dealing with specific aspects of human rights, especially vis-à-vis the importance of complying with international humanitarian law and the protection of civilians in conflict areas.

331. Legal advisers in military divisions and formations act as human rights officers, in which capacity they also deliver lectures to combatants, educating them about human rights and warning them of the legal accountability faced by anyone who commits violations in that regard.

332. One of the principal functions of the Iraqi High Commission for Human Rights is to disseminate a culture of human rights. This also covers the Optional Protocols and the mechanisms for its implementation.

333. The Implementation and Follow-up Committee for National Reconciliation has also drawn attention to the importance of promoting a culture of peace, tolerance and human rights via school curricula. In fact, with a view to consolidating reconciliation, peace and tolerance in the community, the Committee has printed two books, which have been distributed to school and university students, one entitled *Towards a society of dialogue and non-violence*, and the other *We tolerate to live*.

334. Children's right to education is one of the basic rights enshrined in the Iraqi Constitution, national legislation and the international treaties to which Iraq is a party, including the Convention on the Rights of the Child. State institutions, religious endowment bodies of different kinds and civil society organizations must join forces to raise awareness about the human rights enshrined in the Convention. This is to be achieved by means of special programmes in schools and via educational programmes for families and local communities, delivered via parent-teacher councils and intended to help children form their personalities, develop their gifts and advance their mental and physical capacities.

Measures adopted to prevent offences prohibited under the Optional Protocol (art. 9 (1) and (2))

Paragraph 17 of the concluding observations on the Optional Protocol on the sale of children

335. Reference is made to paragraphs 44–50, 143–164, 184–201 and 219 –234 of the present report, above.

Paragraph 31 of the concluding observations on the Optional Protocol on the sale of children

336. The Anti-Criminality Directorate has a hotline and an email via which it receives reports and complaints regarding crimes of human trafficking, especially of women and children, from across all governorates of Iraq. These are publicized using the media of the anti-trafficking committee so as to communicate them to society at large in all governorates.

337. The governorate of Baghdad has set up two child helplines, one in the Karkh district at the Directorate for Family Welfare and one in the Rusafah district at the community-based Family Protection Police Office.

338. The Child Welfare Commission has requested Child Helpline International for assistance in establishing a child helpline, in cooperation and coordination with UNICEF. This matter is still under discussion.

Paragraphs 22, 24 and 30 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

339. Iraqi laws – notably, the Military Service and Pension Act and the Internal Security Forces Service and Pension Act – set specific provisions on the age at which persons can volunteer to serve. Severe criminal sanctions are envisaged for anyone falsifying their age in that regard.

340. Iraq is a party to the Convention on the Rights of the Child, the Optional Protocol to the Convention on the involvement of children in armed conflict, the Geneva Conventions and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182). The latter instrument considers the recruitment of children to constitute one of the worst forms of child labour and requires States parties to take all possible measures to prevent such recruitment into regular forces, armed groups or terrorist organizations. In that context, article 30 of the Military Service and Pension Act stipulates that the minimum age for recruitment into the armed forces is 18, while article 66 of the Military Criminal Code states: “Anyone who drafts or submits an official report, statement or document that is contrary to the truth and that has some effect on terms of service or engagement shall be liable to a term of imprisonment.”

341. In article 4 of the current Iraqi Nationality Act, legislators sought to ensure that persons born outside Iraq to an unknown or stateless father could nonetheless belong to the country. The article, in fact, allows the Minister to grant nationality to such persons within a year of their attaining their majority. The article was examined and discussed by the Ministry of the Interior and the Council of State with a view to amending or abrogating it. Indeed, the current Iraqi Nationality Act considers a person born to an Iraqi mother and a foreign (non-Iraqi) father to be an Iraqi, irrespective of whether that person was born inside or outside Iraq. This means that the mother’s nationality is not irrelevant in the transmission of Iraqi nationality, as it was in previous laws.

342. The Iraqi Constitution is consistent with international treaties in its treatment of the question of equality between men and women in many areas, including that of the transmission of Iraqi nationality to children. According to paragraph 2: “Anyone born to an Iraqi father or an Iraqi mother is Iraqi, as regulated by law”. On this basis, legislators sought to uphold equality between men and women in the Nationality Act, which does not restrict this constitutional principle in any way and which places no conditions on the transmission of Iraqi nationality by an Iraqi mother to her children.

343. The Child Welfare Commission has formed a committee to study the question of issuing civil status documents to orphans and homeless children in Baghdad and the governorates. The Commission has also organized a number of seminars on the importance of birth registration.

344. The child protection policy document envisages a programme for the social reintegration of children in liberated areas. Other programmes seek to rehabilitate and reintegrate children (including orphans) in areas that have been freed from the control of the Da’esh terrorist organization, to which end an extra sum from the federal State budget has been added to the budget of the Ministry of Labour and Social Affairs. The programmes – to which other ministries and civil society organizations have also contributed – aim to instil national values in children, eradicate the extremist ideas planted in their minds by the Da’esh terrorist organization and reformulate curricula according to modern principles that renounce violence and extremism and encourage peace and tolerance.

345. The issue of the “Cubs of the Caliphate” – children who were exploited by the Da’esh terrorist organization in liberated governorates – is being addressed with a view to finding treatment methods that help to liberate the children intellectually and psychologically. These methods include psychiatric and doctrinal immunization programmes that tackle the Da’esh ideology in children’s minds, the creation of a specific curriculum (part of special curricula devised by the Ministry of Education alongside the Ministry of Youth and Sports and the Ministry of the Interior), care for children born to members of Da’esh and engagement with other stakeholders to tackle the issue of violence against children. Another important aspect is the work being done to create a safe and supportive environment for children affected by conflict or forced displacement within their families and in the camps in which they live. This

includes the strategic goal of protecting children against exploitation and participation in armed conflict and supporting those who have been liberated or released.

346. Ever since 2014, the Government has been constantly striving to restore security and stability to areas controlled by Da'esh, using operating mechanisms that are consistent with the Iraqi Constitution and local laws and customs. A committee has been formed to document the crimes committed by Da'esh gangs, including that of exploiting children during armed conflict.

347. The legal accountability of children involved in acts of terrorism is regulated under the Juvenile Welfare Act. The Act envisages discrimination in favour of young offenders, both during the investigation and at subsequent court proceedings. In addition to this, special juvenile courts have been created which apply the relevant national and international child rights standards, and offenders are placed in homes for juveniles run by the Ministry of Justice.

348. A high-level national committee has been formed under the Minister of Labour to monitor any violation or deprivation of children's rights resulting from the armed conflict.

349. Iraq has taken the approach that judicial jurisdiction vis-à-vis the conflict with Da'esh terrorist groups should lie with the Iraqi courts, via international and regional cooperation in investigations and evidence gathering. Iraq is constantly examining the possibility of ratifying international treaties, among them the Rome Statute of the International Criminal Court, and will take its decision when the appropriate legal and procedural conditions exist. Iraq, moreover, cooperates with UNITAD in accordance with Security Council resolution 2379 (2017).

Paragraph 10 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

350. One of the bulwarks of the child protection policy in Iraq is the adoption of a "systems-based approach". This means that the policy looks at all sectors and services integrally and aims at cooperation between them in order to build a protective environment.

Paragraph 11 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

351. The budgets of ministries and other institutions include provisions for the publication, dissemination and diffusion of the Protocol and other international human rights instruments.

Paragraph 16 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

352. Reference is made to paragraph 26 of the present report, above. In addition, it should be noted that the national child protection policy includes provision for monitoring and data collection. In fact, the sixth outcome of the policy is: "A comprehensive system for monitoring and data collection on child protection issues that intersect with this outcome and that contribute to achieving all outcomes".

Paragraph 18 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

353. The standing national committee on international humanitarian law develops plans and programmes to make the principles underpinning that law more widely known, to promote cooperation and the exchange of information and experiences with other bodies working in the same field and to follow up on the implementation of relevant international treaties.

354. Armed forces units in the areas that were under the control of Da'esh have a direct responsibility – through the exercise of their military and intelligence capabilities – to protect civilian facilities such as schools, hospitals and government departments, within their area of responsibility. In this regard, they prioritize protection of the lives and property of civilians in areas under the control of terrorists, enabling them to leave military operation zones via

safe corridors and crossing points, preparing and securing reception sites and making every effort to provide them with emergency medical and treatment services.

355. The Ministry of Defence also plays an important role in reinforcing trust and building bridges of communication between the army and citizens through its involvement in some of the services provided by government departments. These include organizing visits to schools and orphanages, delivering in-kind assistance and gifts to children and repairing damaged buildings.

356. The Ministry of Education has coordinated with the Ministry of Interior to provide protection for schools in all governorates of Iraq (with the exception of Kurdistan Region), in which connection it is also in constant contact with the heads of security agencies. Many schools have been fitted with surveillance cameras and are protected during the hours they are open, thanks also to coordination with operational command centres and the police.

357. Jurisdiction to prosecute the offences committed by Da'esh lies with the Iraqi courts and the Federal Public Prosecution Service. Those offences are considered to be crimes under ordinary law, which are prosecuted as a matter of course when they come to light. The Supreme Judicial Council has established a special court of investigation for crimes committed by Da'esh in Mosul. The Anti-Terrorism Act criminalizes any action that targets official institutions or damages public property with a view to undermining security, sowing fear and terror, and disseminating chaos in order to achieve a terrorist purpose.

358. The Ministry of Education has taken action to repair damaged schools and to rebuild those that have been destroyed, using the Iraq Reconstruction Fund and with support from the United Nations Development Programme (UNDP), the Norwegian Agency for Development Cooperation, UNICEF, UNESCO, the World Bank and the Turkish Cooperation and Coordination Agency. The most notable achievements in this regard are shown in the table below.

<i>No.</i>	<i>Governorate</i>	<i>No. of schools repaired</i>
1	Nineveh	290
2	Salah al-Din	439
3	Anbar	153
4	Kirkuk	300
5	Diyala	28
6	Karkh 3	3

Paragraphs 32 and 39 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

359. A high-level national committee has been formed to monitor, report and follow up on any violation or deprivation of children's rights resulting from the armed conflict. The committee – which is led by the Minister of Labour and Social Affairs, the head of the Child Welfare Commission and other stakeholders – works in close coordination with UNAMI and UNICEF.

360. One of the members of the standing national committee on international humanitarian law is the Human Rights Directorate of the Ministry of Defence. The Directorate provides logistical support for the work of the international investigative team, which was established under Security Council resolution 2379 (2017) and which works in the field to investigate and document the crimes committed by the Da'esh terrorist organization.

361. In carrying out their duties, the armed forces take due account of international law and undertake not to attack civilian facilities or residential housing in which terrorists may have taken refuge, until such time as those areas are clear of unarmed civilians, after which the targets can be engaged. The Ministry of Defence is a member of the committee responsible for investigating allegations made by the international counter-Da'esh coalition concerning human rights violations perpetrated by the army in liberated areas.

362. The Ministry of Foreign Affairs has consistently sought support from international bodies, encouraging its missions abroad to coordinate and engage with such bodies. The Permanent Mission of Iraq in Geneva is constantly requesting OHCHR to provide technical assistance in the field of human rights, in accordance with international human rights law, the recommendations of treaty bodies and Human Rights Council resolution 28/29 on technical assistance and capacity-building in strengthening human rights in Iraq in the light of the abuses committed by Da'esh and associated terrorist groups.

363. Other Iraqi diplomatic missions continue to give prominence to the question of technical assistance for Iraq. The missions also draw attention to the need to support the programme the Government, with support from United Nations agencies, is rolling out in that regard.

Paragraph 36 of the concluding observations on the Optional Protocol on the involvement of children in armed conflict

364. Reference is made to paragraph 345 of the present report, above. In addition, it should be noted that the national child protection policy seeks to ensure that children who have suffered violence, ill-treatment or exploitation are able to receive the care they need to restore their well-being and facilitate their reintegration into society. This is to be achieved by means of integrated services and programmes for child victims of violence, abuse and neglect; support to consolidate the role of institutions; building the effectiveness and capacities of childcare workers; ensuring the social rehabilitation and reintegration of the child victims themselves; and monitoring their situation to prevent the recurrence of any violence or abuse.
