



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Eighth periodic report submitted by Iraq under article 18 of
the Convention, due in 2023*****

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* The present document is being issued without formal editing.

** The annexes to the present document may be accessed from the web page of the Committee.



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I. Introduction

1. In accordance with article 18, paragraph 1 (b) of the Convention on the Elimination of All Forms of Discrimination against Women, Iraq has the honour to submit its eighth periodic report to the Committee on the Elimination of Discrimination against Women. Iraq has been working to implement the provisions of the Convention, and the measures taken for that purpose are set out below.

2. The Committee considered the seventh periodic report of Iraq at its 1720th and 1721st meetings, held on 22 October 2019. That discussion gave rise to a number of concluding observations and recommendations.

3. On 23 December 2021, Iraq submitted to the Committee a report (CEDAW/C/IRQ/FCO/7) providing information on steps taken to implement the recommendations set forth in paragraph 14 (a) (Constitutional and legislative framework), paragraph 16 (b) (National machinery for the advancement of women) and paragraph 40 (a) (Refugee, returnee and internally displaced women and girls) of the concluding observations.

4. Under its Decision No. 112 (2021), the Cabinet approved the five-year national human rights plan for the period 2021–2025, which marks a path for governmental and sectoral institutions and agencies to follow, in the light of recommendations and concluding observations received by Iraq during periodic discussions of reports before treaty- and non-treaty-based mechanisms. The plan is intended to create a system of national legislation that is consistent with international treaties, develop national policies to protect and promote human rights, consolidate national gains and build institutional and individual capacities. The Decision provides for the creation of a central committee to monitor the implementation of the plan. For its part, the Kurdistan Regional Government has drafted and approved the Region’s own human rights plan for the period 2021–2025 with input from regional actors, in the light of the national plan of the Federal Government.

5. Early legislative elections were held on 10 October 2021, the fifth round of elections since 2003, to choose members of the Iraqi Council of Representatives, the country’s highest legislative and oversight authority. The special voting for members of the security institutions, displaced persons and detainees took place on 8 October. Women were employed at polling stations. A total of 553,000 men and women acted as polling officers; 183,000 of them, or 27 per cent, were women. A total of 9,629,601 voters participated (including both the general and special voting), from a total of 22,116,368 registered voters, a turnout of 43.54 per cent. A total of 234 men and 96 women – 13 seats more than the quota – were elected to parliament.

II. Implementation of the Convention and concluding observations

Sustainable Development Goals

Recommendation in paragraph 6

6. Iraq has adopted a draft of a unified vision that can act as a framework and road map for a national project to match the specificities of Iraq with the purposes and principles of the Sustainable Development Goals. The components of that vision include empowered people in a safe country; a unified society; a diversified economy; a sustainable environment; and justice and good governance. With those ends in mind, the National Strategy for Iraqi Women (2023–2030) has been adopted. The purpose of the Strategy is to support and empower women; strengthen their rights and

freedoms; put in place the necessary measures to overcome obstacles to their effective participation in political, economic, social and cultural life; protect them from all forms of violence and discrimination; create opportunities for them to contribute to development in all its aspects; and highlight their capacities and potential to work in all public spheres. It will thus be possible to shore up the State and society by garnering additional resources to pursue national goals and interests, national development plans, sectoral strategies and policies adopted by the Ministry of Planning. Those initiatives reflect the principle of gender equality, which is enshrined in numerous provisions of the Constitution of Iraq.

Withdrawal of reservations

Recommendation in paragraph 10

7. Most of the Arab States that are parties to the Convention have formulated reservations regarding several articles, because they create a risk for society in general and for the Islamic family in particular. The Islamic understanding of relations between men and women is fundamentally different from that of the West. Islam sees the relation as complementary; men and women are equal in their sharia obligations, human dignity and divine reward or punishment, with due regard for their different roles. The reservations do not affect the essence of the convention or constitute an obstacle to the realization of equality and justice with regard to women's rights.

Women and peace and security

Recommendation in paragraph 12

8. The second national plan for the women and peace and security agenda (2021–2024) includes a joint statement on the prevention of conflict-related sexual violence. It also includes robust working mechanisms to follow up with competent agencies with regard to implementation at the national level. It takes into consideration the full spectrum of Security Council recommendations on women and peace and security. For those purposes, the following provisions are made:

- (a) Bringing an immediate stop to all acts of sexual violence against civilians
- (b) Protecting and compensating civilians in military operations
- (c) Ensuring that amnesties do not include sexual violence offences, and implementing a zero-tolerance policy for the perpetrators
- (c) Ensuring that the perpetrators do not enjoy impunity
- (d) Increasing the participation of women at all levels of decision-making
- (e) Providing financial support for women's issues
- (f) Training security forces and law enforcement authorities

9. The Kurdistan Regional Government has been working to implement Security Council resolution [1325 \(2000\)](#) on women and peace and security, in particular with regard to persons with disabilities. It has prepared a work plan on implementing the resolution, and has submitted the plan to Cabinet through the Ministry of the Interior. The High Council for Women and Development has presented the plan to all consulates and foreign envoys in the Kurdistan Region.

10. As part of the second national plan for the women and peace and security agenda (2021–2024), action is being taken to assess the needs and situation of Christian, Sabeen Mandaean, Shabak and Yazidi families. To that end, in partnership with

stakeholders, an evaluation is being conducted of the conditions of religious minorities, particularly those worst affected, taking into consideration humanitarian needs and legislative and health-related issues. A comprehensive report on the outcomes of the evaluation will be submitted to the Secretariat of the Cabinet.

11. In the same context, the Central Bank has instructed all banks to allocate 25 per cent of facilitated loans to support investment projects conducted by female heads of household, widows and female survivors of conflict. The Ministry of Labour and Social Affairs has awarded 8,053 loans for integrated projects to small- and medium-sized enterprises through the Support Fund for Income-Generating Microprojects and 1,490 loans under the Poverty Reduction Strategy.

12. The Ministry of Labour and Social Affairs has opened a digital inclusion portal exclusively for women, in order to alleviate poverty among widows, divorced women, wives of detainees, women with disabilities and single women. The portal opened in February 2023 and is available all year, in accordance with the Social Protection Act, No. 11 (2014).

13. Two preliminary draft laws are under consideration, one on criminalizing sectarian and racial incitement and hate speech, and the other codifying the rights of the Turkmen people. Another preliminary draft law, on the protection of ethnic and religious minorities, has been sent to the Alliance of Iraqi Minorities Network with a view to submission to the parliamentary committee on communities and minorities.

14. A national network of female peace mediators has been established. It is chaired by the Department of Women's Empowerment in the Secretariat of the Cabinet. The network is responsible for strengthening the effective participation of women; boosting their influence on peace processes at all levels; and preparing women to have an impact on conflict resolution and decision-making. The network has formulated phased workplans. Action is also being taken to establish a committee of local female peace mediators in every governorate.

15. The National Security Council has organized several workshops on the role of women in Iraqi society, the political process, armed conflict (as political negotiators and soldiers), peacebuilding and upholding security at the national and international levels, and on building the capacities of women to combat violent extremism.

16. A gender-responsive budget is being piloted in the Ministry of Labour and Social Affairs. A committee chaired by the Deputy Secretary of the Cabinet has been established for that purpose. Its work is monitored and managed by the Department of Women's Empowerment. The committee is studying the feasibility of the project before extending it to other entities.

Constitutional and legislative framework

Articles 1–3

Recommendation in paragraph 7

17. Several laws and provisions on human rights have been adopted since 2019 (see annex I).

Recommendation in paragraph 14

18. With regard to amendments to article 41 of the Constitution, in which it is stated that Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs or choices, [as] regulated by law, the Constitution of Iraq and the laws and provisions in force prevent discrimination among categories of the Iraqi

people. Article 14 of the Constitution provides that Iraqis are equal before the law without discrimination based on gender, race, ethnicity, nationality, origin, colour, religion, sect, belief or opinion, or economic or social status. Those provisions are consistent with international standards and the human rights instruments on equality and non-discrimination. They enshrine a basic human right, namely, the right to freedom of thought, conscience and religion, as set forth in joint article 18 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

19. A draft amendment to the Penal Code, Act No. 111 (1969), has been prepared by the competent committee in the Supreme Judicial Council, which consists of experienced and capable retired judges. A number of changes have been proposed and are under consideration.

20. The draft law on protection from domestic violence was adopted by the Cabinet by virtue of Decision No. 94 (2020). It provides in article 1, part I, that any act or omission by one member of the family towards another (i.e., domestic violence offence) shall be punishable by law. The draft law also addresses the issue of ensuring that husbands can held to account for the same acts as wives.

21. A preliminary draft law has been prepared to amend the Code of Criminal Procedure, Act No. 23 (1971), and article 57 of the Personal Status Act, Act No. 188 (1959). It is currently under consideration.

22. As regards the Kurdistan Region, Act No. 7 (2001) exempts women from the provisions of article 41, paragraph 1, of the Iraqi Code of Criminal Procedure as amended, Act No. 111 (1969). Under Act No. 14 (2002), invoking honour is not deemed to be a mitigating circumstance in respect of a crime against a woman, for the purposes of the application of articles 128, 130 and 131 of the Code of Criminal Procedure.

23. A committee has been established, chaired by the Department of Women's Empowerment in the Secretariat of the Cabinet, with members representing a number of competent entities and civil society organizations, to coordinate and follow up with the competent parliamentary committees with a view to completing the adoption of the law.

24. Under the legislative mechanisms of the Iraqi parliament, extensive consultations are needed, including with civil society organizations, Government agencies and other stakeholders, before the adoption of laws that affect human rights or have social implications. The current draft law is undergoing that process, which has helped formulate numerous other draft laws.

25. In the Kurdistan Region, action is being taken in parliament to update the Combating Domestic Violence Act, Act No. 8 (2011). The Kurdistan Region Amnesty Act does not include perpetrators of murder who invoke honour motives. Legal consultations have been held to shed light on obstacles to the implementation of laws on women's rights. The Parliament of the Kurdistan Region has completed two readings of the amended Act. The purpose of the amendment is to require that the Public Prosecutor play an effective role in cases involving violence against women, and to prevent the extrajudicial use of tribal mediation to resolve cases involving the murder of women, as that practice flagrantly violates the law.

26. Action is being taken to amend the Combating Domestic Violence Act, in cooperation with the Ministry of the Interior, the Directorate-General for Combating Violence against Families and Women, the Parliament of the Kurdistan Region committee on the protection of women's rights, local and foreign organizations, and the United Nations.

National machinery for the advancement of women

Recommendation in paragraph 16

27. With regard to ensuring coherence between the national development plan (2018–2022) and the Sustainable Development Goals, the following goals in the national development plan reflect a particular focus on women: empowering women academically, economically and in terms of health care; expanding women’s participation in the private sector; and empowering women in areas affected by terrorist activity. The plan therefore complements Goal 5 of the Sustainable Development Goals, not to mention other development goals. The women’s empowerment pillar in the national development plan (2018–2022) is designed to be a mechanism for implementing the Sustainable Development Goals. It incorporates several of the Goals, as follows:

- Empowering women academically by reducing school dropout rates and boosting enrolment in primary school, particularly in rural areas: This is consistent with Goal 4 of the Sustainable Development Goals (Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all)
- Empowering women economically by improving women’s participation in the labour force and the private sector: This consistent with Goal 8 of the Sustainable Development Goals (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all)
- Empowering women in terms of health care by improving women’s health services and raising awareness of the need for early detection of women’s health problems: This is consistent with Goal 3 (Ensure healthy lives and promote well-being for all at all ages)
- Empowering women in areas liberated from terrorist activity: This is consistent with Goal 16 (Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels)
- Expanding women’s participation in the private sector: This is consistent with Goal 8 (Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all)
- Such coherence in efforts to empower women is being taken into consideration in drafting the national development plan (2023–2027) and in the pillar on improving human capital and alleviating poverty.

28. The Department of Women’s Empowerment has been established at the highest level of government, namely, the Secretariat of the Cabinet. It fulfils many of the functions previously undertaken by the Ministry. It is supported by the Prime Minister and the Secretary of the Cabinet. Two important committees on women’s issues have been established, namely, the High Committee for the Advancement of Women and the Higher Committee for the Advancement of the Status of Rural Women. The latter was established pursuant to Administrative Order No. 93 (2021). The Government endeavours to engage with non-governmental organizations (NGOs) to ensure that justice is done. The Department has considerable responsibilities, including supporting the political and economic empowerment of Iraqi women; implementing programmes that it designs in cooperation with relevant agencies; and reviewing the priorities of plans and programmes that enshrine principles for engagement, protection and prevention in accordance with the women and peace and security agenda. The Department is working consistently with all stakeholders to establish

administrative structures for the empowerment of women in all government and governorate-level institutions. Those structures address all women's issues. Their numbers have grown: they now exist in 23 ministries, 29 non-ministerial authorities and 15 governorates. Because the Department has been fulfilling its functions in the best possible way, the Government has not noted any shortcomings in the area of women's empowerment.

29. The High Council for Women and Development oversees policies and strategies on the empowerment of women and girls adopted by the Kurdistan Regional Government with regard to political, social and economic affairs. Such policies are aimed at empowering women and girls; strengthening their effective participation in sustainable peacebuilding; supporting stability; making an effective contribution to economic, social, political and cultural development in the Region; eliminating all forms of discrimination against women; and protecting society from the threat of conflict and terrorism.

30. The Department of Women's Empowerment is an entity that is connected to the Secretariat of the Cabinet. Its functions are part of, and indissociable from, those of the Secretariat of the Cabinet. The vision of the Department consists of advancing women's issues; empowering women in all areas; affording women protection at all levels; mainstreaming women's issues into policy; and ensuring that women are effective actors in sustainable development and the relevant goals. For those purposes, it takes the following relevant actions:

- Developing effective partnerships with civil society
- Coordinating with all Government agencies and with local government in the governorates
- Engaging in international cooperation with entities responsible for women's issues (United Nations entities, human rights bodies and regional organizations)
- Sustaining and ensuring the continuity of existing projects
- Completing national strategies and plans from the point which they had reached
- Revitalizing the role of Iraq in international organizations and sharing its programmes or activities, in the light of its contributions and its trailblazing record in advancing Iraqi women.

31. The Department's tasks are set forth in the instructions on the structure and functions of departments of the Secretariat of the Cabinet, Instruction No. 2 (2022), and can be summarized as follows:

- Mainstreaming, strengthening and empowering women in government plans and policies
- Coordinating with women's empowerment structures in all government agencies
- Advancing rural women through plans and strategies aimed at empowering them and raising awareness in a range of areas
- Assessing the effect of social development programmes and government programmes of action involving women
- Following up on the implementation of established national strategies on women's issues
- Liaising with government and international actors involved in women's issues
- Reviewing laws, instructions, decisions and regulations that perpetuate gender discrimination

- Raising awareness of issues involving women’s rights; highlighting the obstacles that women face in their social, economic and political lives; and working to overcome those obstacles
- Revitalizing the role of Iraq in international forums on women’s issues
- Building a database of Arab and international organizations active in the area of empowering women

32. The Department fulfils the role of a ministry for women. It is the national mechanism responsible for women’s issues, following up implementation in the areas under its purview, coordinating the work of Government bodies that provide services specifically to women, formulating policy, putting in place relevant strategies and overseeing executive plans alongside the implementing parties. Examples of such executive plans include the national strategy on violence against women (2018–2030), the second plan for the implementation of Security Council resolution [1325 \(2000\)](#) (2021–2024) and the relevant national strategies. The national strategy for Iraqi women (2023–2030), which is now under way, is aimed at implementing the Government programme on empowering women pursuant to Cabinet Decision No. 23129 (2023), which consists of five pillars, namely political participation and empowerment, economic empowerment, social empowerment, protecting women and confronting violence, and strengthening the role of women in managing the threat of climate change. Executive plans have been put in place in cooperation with the relevant agencies, each within their purview.

33. The High Commission for Human Rights was established pursuant to article 102 of the Constitution and is governed by Act No. 53 (2008), as amended, which is consistent with the Paris Principles. It implements its plans and policies independently from the executive branch. It conducts visits and field inspections of government bodies. It compiles annual reports on human rights in Iraq, drawing on those visits and on available statistics. It submits recommendations to the legislative and executive branches to address violations and promote human rights. It also receives complaints pursuant to article 5 of Act No. 53 (2008), conducts a preliminary investigation, ensures that the complaints are factually accurate, refers them to the Office of the Public Prosecutor for legal action, and informs concerned parties of the outcome. Technical sections within the Commission visit camps for displaced persons to document violations perpetrated by the terrorist group Da’esh against vulnerable groups, such as women and girls. The Commission monitors protests and any ensuing violations. It also monitors prisons and preventive detention facilities, observation centres, and male and female rehabilitation schools.

34. In 2021, the High Commission for Human Rights was awarded an “A”, the highest global rating available, by the Global Alliance of National Human Rights Institutions in Geneva. The award is the fruit of four years of work and regional and international liaison, and the assessment of the Global Alliance and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

35. The High Commission for Human Rights Act sets forth the mechanisms and procedures for the selection of commissioners, which are intended to guarantee a high degree of transparency in the selection process. Article 12 of the Act defines the powers of the commissioners and of the board of the Commission, and article 14 identifies the sources of the Commission’s funding, with view to guaranteeing its independence and impartiality. The Commission is funded as follows:

- (i) Allocations from the general State budget;
- (ii) Resources from inside and outside Iraq, provided that there is no infringement of national law or of the independence of the Commission;

(iii) The Commission may accept the resources mentioned in subparagraph (b) only following approval by the Council of Representatives by an absolute majority;

(iv) The Commission's cash assets are to be placed in a special account at an Iraqi bank;

(v) The accounts of the Commission are to be audited and overseen by the Federal Board of Audit.

36. The mechanism for selecting the members of the Commission is set out in article 8, paragraph, 3 of the High Commission for Human Rights Act. At its first meeting, the Council elects a president and a vice-president from among its members, by a majority of votes cast in secret ballot. According to article 8, paragraph 4, women must make up at least one third of the membership of the Commission, while article 8, paragraph 5, stipulates that at least one full member and one reserve member must be representatives of a minority.

37. On 11 July 2021, the Federal Supreme Court was called upon to examine the constitutionality of the High Commission for Human Rights Act, No. 53 (2008). The issue concerned article 2, paragraph 1, of the Act, which provides that: a commission is to be established, with the name of the High Commission for Human Rights; it shall enjoy legal personality and have financial and administrative independence; its headquarters is to be in Baghdad and it is to be connected and accountable to the Council of Representatives. The Court ruled that this article violates article 102 of the Constitution, which provides that the High Commission for Human Rights, the Independent High Electoral Commission and the Commission on Integrity shall be independent commissions, and that they shall be monitored by the Council of Representatives and their functions shall be regulated by law. The Court decided that "monitoring" was not the same as "being connected to" and therefore ruled that paragraph 1 of article 2, paragraph 5 of article 12 and paragraph 4 of article 16 of the Act were unconstitutional.

38. The Independent Human Rights Commission of the Kurdistan Region was established pursuant to Act No. 4 (2010), which sets out its prerogatives, functions and budget. The Commission plays a prominent role in preserving, monitoring and raising awareness of human rights; improving the legal and humanitarian situation of detainees and convicts; meeting the needs of displaced persons and refugees in the Region; and undertaking important research on the situation of human rights, workers, women and children.

Article 4: Temporary special measures

Recommendation in paragraph 18

39. Article 20 of the Constitution provides that citizens, both women and men, are entitled to participate in public affairs and to enjoy political rights, including the right to vote, elect and run for office. The Constitution and laws of Iraq make no distinction between men and women, and there is no legal provision preventing women from assuming, or taking leadership in, any high-level professional position.

40. The Government of Iraq endeavours to ensure that all components of Iraqi society are represented in government, and to increase women's representation. With 25 per cent of seats in the Council of Representatives held by women, women are able to make an effective contribution in exercise of their political rights, in accordance with article 49, part IV, of the Constitution. The representation of women is reflected in the executive branch, where women hold leadership positions as ministers, deputy ministers, holders of special grade positions and directors-general. Article 11, part I,

section 1, of the Political Parties Act, No. 36 (2015), provides that women shall be represented in a party's founding committee. In accordance with article 3, part V, of the Independent High Electoral Commission Act, No. 31 (2019), the Government has endeavoured to ensure that women are represented on the board of commissioners. The judiciary accords great importance to the role of women in its ranks.

41. Government sector work is governed by rules, regulations and instructions that make no distinction between men and women. For that purpose, general peremptory rules are in place that require competence, professional specialization and experience as conditions for access to public posts.

42. Article 4, part I, of the Political Parties Act provides that citizens, both men and women, are entitled to participate in the establishment of a political party, or to join or leave it. Women thus have the full right to establish or belong to political parties, without exclusions or restrictions. Under article 11, paragraph 1, it is a condition for the establishment of a party that women be represented in the founding committee and in the membership. The Government of Iraq is nevertheless determined to achieve equality by putting in place plans, programmes and strategies at all levels. For instance, a draft law amending the Political Parties Act is under consideration.

43. A high committee to empower women politically and facilitate their participation in legislative elections was established by virtue of Administrative Order No. 32 (2021) on the initiative of the Secretariat of the Cabinet and the Department of Women's Empowerment. Its purpose is to remove obstacles facing Iraqi women. The high committee has worked to review the regulations and instructions issued by the Independent High Electoral Commission and ensure that they are consistent with the political empowerment of women. The committee has also endeavoured to ensure the issuance of a directive from the Supreme Judicial Council affording protection to female candidates and voters, following complaints made by those persons to court magistrates. The committee has coordinated with the Independent High Electoral Commission to train 669 female candidates. As a result, 949 women ran for office, 156 of them as independents, and 96 of them were elected to parliament – 13 per cent more than the quota. A total of 57 women were able to win solely by turning out the vote and gaining more votes than the male candidates. Five of the winners were independent and not affiliated with the parties. There are five parties led by women in Iraq. The posts assumed by women in the Government of Iraq are as follows: 3 ministers in the Government of Iraq, 1 independent authority chair with the rank of minister, 2 special grades, 1 ambassador, 1 minister plenipotentiary, 3 university presidents and 117 directors-general. Women play a prominent role in the judiciary and transitional justice: there are 116 women judges and public prosecutors, and 122 judicial magistrates. Four important positions (i.e., director-general) are occupied by women with scientific or technical skills, including the position of managing a judicial institute. In order to strengthen that role, the Supreme Judicial Council has held numerous legal training sessions and workshops for prospective judicial officers and to build the skills of female Supreme Judicial Council officers. A total of 72 female police officers have undergone training sessions for internal security forces officers. In order to involve women in negotiation and conflict management, a four-part training course has been prepared and disseminated to women's empowerment sections in the governorates and ministries. There are more than 10,500 female staff members of the Ministry of the Interior, and 653 women officers and soldiers in the Ministry of Defence. The numbers of women in administrative posts in 2022 were as follows: 1 director-general, 15 chiefs of section, 67 branch heads and 3,393 employees.

44. By virtue of Administrative Order No. 23533 (2023), a high committee has been established to support women politically in the 2023 governorate council elections. It is chaired by the Deputy Secretary of the Cabinet and by the Chair of the Women's

Empowerment Department. Its members comprise representatives of government agencies and international and local organizations. Its functions are as follows:

- Preparing a comprehensive executive plan including programmes and activities for stakeholders, with a view to strengthening the participation of women in the forthcoming governorate council elections.
- The Women's Empowerment Department within the Secretariat of the Cabinet engages with civil society organizations and international organizations that are active in Iraq to garner support for the committee. It also provides secretarial support and follows up on recommendations by coordinating with the relevant bodies.

45. The Department of Women's Empowerment will continue, as it has done in the last few years, to adopt economic plans, in cooperation with the Central Bank, for the economic empowerment of Iraqi women. It has implemented the first and second plans, and initiated the third economic empowerment plan (the Mashreq Gender Facility) in cooperation with the World Bank. The plan consists of a set of main and subsidiary goals. Many of the components of the plan have been achieved. The aim is to advance national programmes to support gender equality; empower women; increase women's participation in the workforce; achieve equality of opportunity in all employment sectors, including the private sector; foster entrepreneurship; promote women's participation in public authorities and companies; bolster the social role of women; increase women's capacity for choice; and prevent practices that harm or entrench discrimination against women, whether in public life or within the family. The plan includes the following categories: working women, businesswomen, women in domestic or irregular work, women in poverty, and women breadwinners. For those purposes, a number of priority areas are set out in the economic empowerment plan (Mashreq Gender Facility).

46. Numerous programmes are under way to promote the social and economic empowerment of rural women. Some are part of the National Strategy for Iraqi Women, and some are being implemented by the Higher Committee for the Advancement of Iraqi Women. There is a specific focus on raising the profile of rural women and addressing the problems they face in all areas.

47. Article 15 of the Emergency Food Security and Development Act, No. 2 (2022), provides that holders of graduate and postgraduate degrees in all subjects are to be contracted to work in governorate departments and the local administrations of governorates not incorporated into a region. In all, 1,000 persons are to be contracted in each governorate at a monthly salary of 300,000 Iraqi dinars for a period of 3 years, for training and development purposes. In order to make the appointments stipulated in the Appointment of Postgraduates Act, No. 59 (2017), and the First-time Graduates Act, No. 67 (2017), an application form was developed for specialized roles in the ministries, non-ministerial authorities and governorates, for either gender without distinction. The application form was designed by the Ministry of Finance and submitted to the Federal Public Service Council. Article 66, part III, of the Federal Budget 2023–2025 Act stipulates the appointment of the postgraduates and first-time graduates referred to in the Emergency Food Security and Development Act.

48. Mindful of the need to boost professional standards, the Government of Iraq has directed all ministries and non-ministerial authorities to train newly recruited permanent staff, lecturers, postgraduate degree holders and the groups referred to in the Cabinet decisions concerning appointments. During its second regular session held on 1 November 2022, the Cabinet decided to create posts to facilitate the appointment of the country's 74,732 first-time graduates and postgraduates. The Federal Public Service Council is to take steps to appoint those individuals in coordination with the Ministry of Higher Education and Scientific Research.

49. The Government of Iraq, acting through the Foreign Service Institute, is working to build capacities and train staff members in general, without distinction. The Ministry of Foreign Affairs is working to implement international programmes in cooperation with the North Atlantic Treaty Organization (NATO), the United Nations Institute for Disarmament Research (UNIDIR), the Arab organization and European capacity-building institutes. The training is aimed at all relevant government officials without distinction, in order to ensure effective equality between men and women in the Ministry. Action is being taken to ensure special treatment for women in order to guarantee equality with men in respect of appointments to senior posts in the Ministry, in accordance with grade.

50. The Higher Institute for Leadership Training in the Secretariat of the Cabinet designs programmes for senior managers and administrative managers, in accordance with the instruction on the structure and functions of departments of the Secretariat of the Cabinet, Instruction No. 2 (2022).

51. Action is being taken to build the capacities of magistrates, police, health-care workers and civilian (non-governmental) stakeholders to address violence against women and take effective action to protect women during and after armed conflict, including by addressing cases of violence and having them referred to the authorities.

52. OHCHR has organized training sessions and workshops for community actors to raise awareness of women's rights and press for greater efforts to protect women. Entities involved in the protection of women have received international support to train their staff to effectively confront all forms of violence against women. That is true, in particular, of staff working on issues related to the rights enshrined in the Convention.

53. The Ministry of Defence has endeavoured to enrol its staff in conferences and training and awareness-raising sessions on human rights. A total of 38,939 men and 870 women have taken part.

54. All managers in the Ministry of the Interior have been instructed to monitor the conduct of officers and staff and continuously raise awareness of humanitarian and professional behaviour. For that purpose, presentations and workshops are organized to disseminate a culture of human rights. The numbers of workshops held by the Ministry for its officials are as follows:¹

| <i>Year</i> | <i>Number of sessions</i> | <i>Number of attendees</i> |
|-------------|---------------------------|----------------------------|
| 2020 | 180 | 3 600 |
| 2021 | 180 | 3 600 |
| 2022 | 372 | 7 440 |

55. In 2022 and 2023, the Office of the Coordinator of International Recommendations held 41 workshops on human rights and international humanitarian law and four sessions for judges, lawyers and researchers on human rights. More than 30 male and female judges, magistrates and researchers attended.

¹ *Source:* Directorate of Human Rights, Ministry of the Interior.

Article 5

Stereotypes and harmful practices

Recommendation in paragraph 20

56. The State's legal system categorically prohibits the harmful practices of forced marriage and child marriage, as marriage is a contract between two persons and can be concluded only with the agreement and consent of the spouses themselves. No person has the right to force the parties, because all contracts, including the marriage contract, are founded upon capacity and consent. A marriage contract concluded under duress is invalid under the Personal Status Act, No. 188 (1959), which, in articles 7–9, sets out the conditions of statutory and sharia law that must be met by the spouses.

57. The Iraqi judiciary, in particular its criminal courts, addresses the perpetrators of this sort of crime from the investigation and evidence collection stages through the trial and sentencing stages. The Personal Status Act sets out the conditions for a validly concluded contract, and, if any of those conditions is not met, the contract is null and void. One of those conditions is that a marriage contract must not be for a specific, temporary period.

58. The crime of female circumcision, which is of course understood to be a type of abuse, does not occur in central and southern Iraq and therefore no judicial decisions have been issued in that regard. It falls under the provisions of articles 412 and 413 of the Criminal Code and any other text applicable to that sort of criminal abuse, as no cases of female circumcision have been recorded by the branches of the Directorate for Family and Child Protection in Baghdad or the governorates. Article 2 of Act No. 8 (2011) on countering domestic violence in the Kurdistan Region defines female circumcision as a form of domestic violence; article 6 prohibits female genital mutilation and imposes penalties on any person who practises or incites it or is complicit in it.

59. The National Strategy to Combat Violence against Women 2018–2030 is aimed at closing all gaps after 2014 and responding to Sustainable Development Goal 5. The Strategy will support efforts to eliminate all forms of violence against women and girls, including trafficking and harmful sexual and other practices. It will also serve as a guiding instrument for all sectors and entities in preventing and responding to violence against women in Iraq and will be supported by an integrated system that involves institutional action. A national working group has been formed in Baghdad that is responsible for coordinating government efforts to implement the Strategy and evaluating the impact of policies, plans and programmes to eliminate violence against women. It also works to harmonize the work of relevant local and international civil society organizations with that of international organizations. At the same time, it supervises sub-working groups in the governorates, which are headed by the Department of Women's Empowerment and whose members are drawn from sectoral authorities. There are 15 sub-working groups (which do not include the governorates of the Region). They are tasked with developing an integrated database on violence against women, monitoring and following up on cases of violence, drafting plans for the implementation of the National Strategy, drafting reports to assess levels of violence and submitting them to the national working group and coordinating the work of relevant civil society organizations.

60. In order to eliminate discriminatory stereotypes and harmful practices, such as early marriage, forced marriage, female genital mutilation and honour crimes, the National Strategy for Iraqi Women (2023–2030) encompasses a number of programmes aimed at raising awareness of the seriousness of discrimination against women. Government and institutional efforts are channelled towards the adoption of

phased sectoral plans that engage clerics at waqf offices, clan elders and civil society organizations in public awareness and educational campaigns through various channels, including the Communications and Media Commission and the Iraqi Media Network.

61. The plan for the implementation of the child protection policy for the period 2022–2025 involves the drafting of reports on early marriage, its impact on the empowerment of Iraqi women and its role in increasing rates of early divorce.

62. In the Region, physical, sexual and psychological violence within the family are prohibited pursuant to Act No. 8 (2011) on countering domestic violence. Under the Act, forced marriage, early marriage and female genital mutilation are considered to be crimes of domestic violence.

63. The Kurdistan Regional Government, through the Supreme Council for Women and Development, has conducted two scholarly research projects on early marriage and female genital mutilation. In addition, a communication for behavioural impact plan was drafted and implemented in cooperation with the relevant ministries to reduce marriage of minors. Separate meetings were held with each ministry to launch the implementation of the plan through campaigns designed to prevent those practices. The concerned authorities have been implementing the project since 2016, which is still under way in all governorates of the Region, as well as in camps for displaced persons and refugees.

64. The Regional Government has formed a three-person mobile team comprising an officer, a legal expert and a psychological expert at camps for refugees and displaced persons, as they are where most child marriage takes place. When cases are reported, the relevant authorities investigate and take legal action against the perpetrators.

65. Articles 128, 130 and 131 of Act No. 111 (1969) promulgating the Criminal Code are general provisions that fall under chapter V, which is entitled “Legal excuses and legally extenuating circumstances”. Those articles apply to all crimes and not solely to a particular one. Under the law, a judge can invoke those articles, depending on the facts of the case in question. In the Kurdistan Region, the aforementioned articles have been amended to stipulate that honour may not be invoked to reduce a sentence imposed for a killing. Provisions of the Criminal Code that permit the invocation of honour as an extenuating circumstance apply to all honour-related motives and not solely to “expiation of dishonour”, whose victims are exclusively women. In any case, it is not considered discrimination against women qua women; rather, it derives from the tolerant Islamic sharia and the customs and traditions of our essentially Eastern society and is not in conflict with the constitutional texts and customs of a conservative society. Article 409 of the Criminal Code allows invoking it as an extenuating circumstance when a person surprises his wife or *mahram* in the act of adultery or in the same bed with a partner and kills one of them.

66. In 2019, the Kurdistan Regional Government and the United Nations Population Fund (UNFPA) worked together to develop a plan to eliminate female genital mutilation. With participation from the relevant ministries, the Regional Government adopted a programme to monitor and collect data on female circumcision at 11 health centres in high-risk areas, making it possible for cases to be recorded and mothers to be educated about the dangers of the practice.

67. Health services are provided for women in the Region, and, since 2010, a health education programme to reduce the rate of female genital mutilation has had a clear impact.

68. Iraq has endeavoured to ensure de facto equality and to combat all forms of discrimination in legislation, procedures and policies, as well as stereotypes that may

result from social customs and traditions that are not recognized by law. The law sanctions positive discrimination with regard to women's rights and abilities. Participation in political life, voting in and standing for elections, participation in work and professional life, equal work and education opportunities and appointment to office are rights guaranteed by laws, regulations and instructions. The Government of Iraq has implemented policies to promote social justice and combat racial discrimination in State institutions in relation to appointments, job performance and attracting persons with educational qualifications or professional skills or expertise. Official job announcements of the Federal Public Service Council adhere to professional standards that require competence and experience of applicants. The Government has adopted a national policy that recognizes the right of a member of any group in Iraqi society to assume high office in the State in accordance with his or her educational and technical expertise and qualifications. Institutions of the Iraqi Government, in their programmes and activities, do not follow any approach or policy that discriminates on the basis of colour, gender, race, religion or sect; rather, they have strived to combat that tendency in all areas.

69. The strategy for the elimination of violence against women (2017–2027), developed by the Supreme Council for Women and Development of the Kurdistan Regional Government, is aimed at ensuring that women survivors of Da'esh are not marginalized, that women are able to assume high-level political positions and that they are empowered politically and economically in line with the principle of gender equality.

Da'esh crimes (gender-based violence)

Recommendation in paragraph 22

70. The Yazidi Survivors Act, No. 8 (2021), provides support to and addresses the rights and needs of survivors of conflict-related sexual violence, which is considered to be a crime of genocide and a crime against humanity.

71. Instruction No. 4 (2021) was issued to facilitate the implementation of the Yazidi Survivors Act, on the basis of the provisions of article 12 of the Act, promulgated by Cabinet Decision No. 382 (2021).

72. In compliance with article 3 (1) of the Yazidi Survivors Act, Ministerial Order No. 1057 of 16 August 2022 orders the establishment of a general directorate for Yazidi survivors of Da'esh at the Ministry of Labour and Social Affairs, with headquarters in Ninawa Governorate. A branch of the directorate was opened in Sinjar District. In accordance with article 10 (1) of the aforementioned Act, Ministerial Order No. 342 of 9 March 2022 establishes a committee to review applications from women survivors and the groups covered by the Act. The committee currently receives applications, including from survivors covered under the Act, through a dedicated portal on the Ministry's website. In September 2022, the General Directorate for Survivors' Affairs in the Ministry cooperated with the National Data Centre in the secretariat of the Cabinet and drew on support from the International Organization for Migration (IOM) to create an e-portal for female and male survivors of the terrorist organization Da'esh, pursuant to the Act. Applications may be submitted by Yazidis, Christians, Turkmens and Shabaks and boys below 18 years of age who were rescued from the Da'esh terrorist organization and from mass killing and ethnic cleansing operations. The committee is chaired by a judge with competence to review applications and endorse them within 90 days of submission, subject to the fulfilment of all the established conditions. Applications can be submitted at any time of the day or night, and there is no time limit for the electronic submission.

73. The committee that reviews the applications of survivors and covered groups is headed by a judge and has members drawn from the relevant authorities. Pursuant to article 10 (5) of the Yazidi Survivors Act, 30 per cent of the committee members must be women. As at June 2023, the committee had issued 691 decisions to provide monthly allowances to children, women, men and members of ethnic groups (Yazidis, Turkmens, Christians) who are survivors of Da'esh.

74. The application form, which was drafted by survivors, contains four main sections and was developed in accordance with international standards. Some 1,670 applications have been submitted, 1,015 of which have fulfilled the procedural requirements.

75. In 2022, the Government of Iraq allocated 25 billion Iraqi dinars under the Emergency Food Security and Development Act, No. 2 (2022), to fund the Yazidi Survivors Act.

76. In accordance with article 6 (2) of the Yazidi Survivors Act, plots of land have been granted to all covered persons. The General Directorate for Survivors' Affairs continues to work with the competent authorities to carry out the related procedures.

77. The General Directorate for Survivors' Affairs has worked with eight local and international civil society organizations specializing in psychosocial support to create a system to refer survivors to psychosocial services and assistance. As at June 2023, 30 survivors had benefited from those services.

78. With support from IOM and in cooperation with the General Directorate for Survivors' Affairs, posters and brochures have been released in three languages on the guidelines, rights and privileges contained in the Survivors Act and on the application procedures.

79. Staff of the General Directorate for Survivors' Affairs and members of the application review committee formed under article 10 of the Act are required to undergo intensive training to ensure that their skills and competences meet international standards.

80. The General Directorate for Survivors' Affairs, in coordination with international and local organizations, has carried out training courses and workshops in order to support and empower survivors and involve them in the design of special programmes, which the Directorate will implement to meet their genuine needs.

81. As at June 2023, the General Directorate for Survivors' Affairs had recorded 395 Yazidis and 8 Turkmens as missing or abducted. The Directorate is working to launch an electronic form for the registration of all cases of missing or abducted Yazidis, Christians, Shabaks and Turkmens, and has formed a committee to research and investigate such cases.

82. A draft law on legal aid is aimed at providing legal advice or representation before courts and administrative bodies for, inter alia, victims of domestic violence, persons covered by the Social Protection Act, persons living in shelters, displaced persons, victims of sexual crimes, victims of trafficking in persons, refugees and persons with disabilities and special needs.

83. Members of minority communities began to return to their areas of residence in the wake of the 2017 liberation operations. That has led to the return of religious life, with many Christian and Yazidi places of worship reopening in recent years. Projects that had been halted because of Da'esh terrorist operations and were resumed in 2022 include five Christian places of worship and church institutions; two Yazidi places of worship and religious institutions; and dozens of places of worship that have been restored by members of the Christian or Yazidi communities.

84. Cooperation is ongoing with the United Nations Investigative Team to Promote Accountability for Crimes Committed by Da'esh/Islamic State in Iraq and the Levant (UNITAD) established in accordance with Security Council Resolution 2379 (2017).
85. Human rights brochure No. 262 has been adopted as a basic curriculum for military colleges and training and educational institutions, and informational posters regarding violence against women have been printed.
86. The Peshmerga forces observed international humanitarian law and human rights during civilian displacement or the liberation of areas under Da'esh control. More than 5,000 copies of the code of conduct booklet, entitled "A Peshmerga is a fighter, not a killer", have been printed and distributed to the Peshmerga in cooperation with the organization Geneva Call. The Department of Media and Information continues to develop awareness in that area through publications, workshops and seminars.
87. The Regional Government has documented thousands of abduction cases. Of the 5,170 cases that have been registered, more than 2,324 have been closed in the court, while 2,000 remain under investigation and 2,916 (1,860 male and 1,056 female) are registered as missing. Claims have been filed regarding the existence of 60 mass graves and 65 mass grave sites. Social and psychological support has been provided to more than 2,677 victims.
88. The Regional Government, in cooperation with UNITAD through the National Coordinating Committee, has worked to document the crimes committed by Da'esh terrorists, archiving approximately 73,912 pages related to those crimes and forming a high ministerial committee to classify Da'esh crimes as crimes of genocide.
89. The Regional Government has treated persons under the age of 18 suspected of past involvement with Da'esh as victims, not criminals. That is also the case for women, unless they are found by security and judicial investigations to have been involved in terrorist acts.
90. A working group, headed by the Department of Women's Empowerment and with members drawn from the relevant authorities, has been formed to speed up procedures to enact the act on countering domestic violence, which was referred to Parliament after it had been approved by the Government pursuant to its decision No. 94 (2020). The working group began by meeting with members of the Council of Representatives and representatives of government agencies, as well as civil society organizations and supporting international organizations, to offer support and counter objections to the draft. An annual plan was developed that included a number of activities and programmes.
91. Several laws criminalize and penalize domestic violence, including Act No. 111 (1969) promulgating the Criminal Code, the Personal Status Act, No. 188 (1959), and the Juvenile Welfare Act, No. 76 (1983). Articles 376–380 of the Criminal Code address crimes related to the family, such as adultery, invalid marriage contracts and inciting a married woman to adultery. Article 381 addresses crimes concerning filiation, caring for a minor, exposing children and the infirm to danger, family abandonment and failure to pay court-ordered spousal support.
92. In each appellate region, an investigative court and a misdemeanour court (16 courts) have been established to hear domestic violence cases. They facilitate and accelerate the resolution of domestic violence cases and ensure that perpetrators are punished appropriately to prevent the recurrence of violent crimes.
93. The Department of Women's Empowerment and the Ministry of Higher Education and Scientific Research are working together to launch a training manual on an early warning system for gender-based violence. That effort involves the

development of mechanisms to improve coordination among concerned authorities, the highlighting of early signs of a rise or decrease in violence levels and the identification of potential victims and key drivers of violence.

94. The issue of training for staff, officers and civil servants on the law on domestic violence is dependent on the enactment of that law. A training plan has been developed that will raise awareness of the law as soon as it is enacted by the Council of Representatives. The organizational structure, functional description and assessment of the Directorate of Family and Child Protection and its departments in Baghdad and the governorates have been approved. The Directorate and its departments have also been strengthened through the hiring of officers and civilian staff who are women. The Directorate and its departments are prepared to implement the law as soon as it is passed and approved.

95. The Ministry of Labour and Social Affairs holds workshops and training courses at all its subsidiaries and departments to spread a culture of human rights. It also holds educational workshops on addressing and ending domestic violence and contributes to proposals and opinions on conferences and workshops held by the Department of Women's Empowerment or by ministries.

96. The code of professional conduct of the internal security forces has been made gender-sensitive through the inclusion of a section on women's rights and criminal justice.

97. Efforts have been made to develop skills related to the handling of criminal cases in the liberated areas and to enhance the expertise of prosecutors, judges and others in the field of crime investigation.

98. Buildings have been constructed in several Iraqi governorates (Baghdad, Dhi Qar, Anbar and Diwaniyah) as a safe haven from violence for women and girls. Intensive efforts have been made in the rest of the governorates, in coordination with the sectoral authorities, to develop buildings and to provide multiple services besides protection, such as psychological and other care for victims. In order to organize efforts within a framework, the Department of Women's Empowerment, in coordination with UNFPA, is developing common instructions on the organization of tasks, the distribution of roles and the setting of responsibilities.

99. Gender-based violence protection units have been opened at seven women's and children's hospitals (Basrah, Baghdad-Karkh, Maysan, Najaf, Diyala, Medical City) to provide medical and psychological services to women and children, in cooperation with the Ministry of the Interior.

100. The Ministry of Health has opened gender-based violence centres to provide assistance to victims of violence in conflict settings. The centres provide psychological treatment and legal advice in cooperation with the concerned authorities. There are two such centres, the first at the Badr Health Centre in Kirkuk Governorate and the second at Quds Health Centre in Ninawa Governorate.

101. Some 7,920 complaints have been received by the three hotlines operated by the Ministry of the Interior, namely:

- (a) The 497 hotline operated by the Directorate of Community Police;
- (b) The 139 hotline operated by the Directorate of Protection of Families and Children from Domestic Violence;
- (c) The 533 hotline operated by the Baghdad Anti-Crime Directorate, cyberextortion department.

102. Forensic physicians are trained on examinations related to sexual assault, external injuries and torture; how to treat survivors of violence and provide them with

psychological support; and the importance of psychological evaluations in violence-related cases. That training is carried out in cooperation with Physicians for Human Rights and is aimed at improving rapid responses to gender-related emergencies and issues and eliminating violence.

103. Efforts are being made to organize campaigns targeting school and university students, hospitals, State agencies, cultural forums and gatherings and shopping malls to raise awareness of the toll-free 139 hotline for reports and complaints of domestic violence. During 2022, 800 such visits were made. In the current year, 9,200 perpetrators have been arrested in connection with domestic violence cases. The Directorate of Protection of Families and Children from Domestic Violence has been provided with a new building, as well as the necessary furnishings, equipment and staff. The Directorate and its departments employ 987 staff, both men and women. To address violence in the camps, the Directorate and its departments in Baghdad and the governorates carry out field visits twice a month to meet with women at camps for displaced persons.

104. The Ministry of Health has issued a multisectoral referral guide for survivors of violence, which is a technical guide aimed at ensuring that all survivors of violence receive a timely and thorough response from providers of free medical care, psychosocial support, psychiatric and forensic services, preventive care and legal advice. In coordination with the World Health Organization (WHO), a central committee has been formed to oversee the multisectoral referral system in health institutions. Committee membership is drawn from the relevant authorities.

105. Regional Government authorities provide medical and material assistance and shelter to women rescued from Da'esh pending final resolution of their problems. A special family counselling centre provides a range of legal services to facilitate victims' access to necessary information. A genocide centre has been opened for the physical and psychological rehabilitation of rescued women to facilitate return to their communities.

106. In the Region, under the Act on Countering Violence against Women, shelters are available for victims of domestic violence and victims are covered by social welfare assistance. Instruction No. 2 (2014) of the Ministry of Labour and Social Affairs establishes a care home, known as a safe house or shelter, for women victims of violence and threats. The purpose of such shelters is to protect women until their social problems are addressed. Intake at these shelters is by order of a competent judge, and the Ministry of the Interior is responsible for protecting the women staying at them. Four such shelters, in Erbil, Sulaymaniyah, Dahuk and Kalar, have been opened. In the three governorates, women may stay for an indefinite period, while in Kalar, cases are accepted for a 72-hour period only. In the event that the case is not resolved in that time, it is transferred to Sulaymaniyah Governorate by judicial order.

107. Shelters take in not only citizens of the Region, but also displaced and refugee women and foreign women residing in the Region, in particular women with disabilities and special needs, with no discrimination. Set out below are the numbers of displaced and refugee women who have used the shelters since they were introduced:

- Sulaymaniyah: 17 displaced women.
- Erbil: 10 displaced women and 18 refugee women of various nationalities.
- Dahuk: 15 displaced women. Of those, 14 cases were resolved, and only one woman remained at the shelter.

108. The Regional Government has made vigorous efforts for the return of abductees, including the formation of a committee to collect information and follow up on cases.

Budgetary funds have been allocated for this purpose. The Government is providing shelter to survivors and rehabilitating them for re-entry into society. As at 28 July 2022, 3,554 persons had been rescued from Da'esh, as set out below:²

| | |
|------------------------|-------|
| <i>Women</i> | 1 207 |
| <i>Men</i> | 399 |
| <i>Girls</i> | 1 051 |
| <i>Boys</i> | 957 |
| Not yet rescued: 2 717 | |

109. The Directorate to Counter Domestic Violence in the Kurdistan Region works to resolve family problems and to defend the rights of women and children in particular through its eight offices. The 119 hotline has been set up to help victims and receive complaints. The offices are staffed with civilian and military employees, both men and women, as set out below:³

| <i>Staff</i> | <i>Women</i> | <i>Men</i> | <i>Total</i> |
|--------------------|--------------|------------|--------------|
| Civilian personnel | 94 | 75 | 169 |
| Military personnel | 256 | 1 040 | 1 296 |

110. Complaints received from 2018 to June 2023 by the Directorates to Counter Domestic Violence in the Region are set out below:

- 96,165 domestic violence complaints.
- Five circumcision reports.
- 81 forced marriage cases.

From 2018 to September 2023, 68 courses and workshops on combating domestic violence were held in which 1,450 people from different groups participated.

111. More than 12,000 persons have taken part in awareness-raising workshops and courses held in the camps by the Directorate to Counter Domestic Violence in cooperation with United Nations agencies and civil society organizations. Those workshops and courses included an explanation of the law on countering domestic violence in the Kurdistan Region.

112. The Directorate for Family and Child Protection from Domestic Violence has a detailed database on cases of gender-based violence for the period from 2019 to March 2023, classified by age group (adults, juveniles, children), by the relationship between the victim and the perpetrator (father, brother, sister, mother), by socioeconomic and other parameters and by type of violence (physical, psychological, verbal, sexual, economic). Some 12,216 assaults were recorded in 2019 and 23,329 in 2022. The increase in reports and complaints made by women to the departments of the Directorate of Family and Child Protection in Baghdad and the governorates reflects increased awareness of and confidence in the Directorate and the legal procedures stipulated in the laws concerning the protection of women from violence (see annexes II and III).

² *Source:* Office of the Coordinator of International Recommendations, Kurdistan Regional Government.

³ *Ibid.*

113. Primary health-care centres keep statistics on cases of violence, arranged according to age group, sex, and type of violence (i.e., physical, psychological, economic or sexual) (see annex IV).

114. UNFPA, in cooperation with the Central Statistical Organization and the Kurdistan Region Statistics Office, held a training workshop on the system for recording cases of violence against women and on creating a unified data system that is structured, accessible and protected, in accordance with relevant guidelines.

Article 6

Violence against women and trafficking in persons

Recommendation in paragraph 24

115. Owing to the seriousness of the issue of trafficking in persons, the Trafficking in Persons Section was removed from the Ministry's Agency for Police Affairs, Baghdad Anti-Crime Directorate, and placed under the Ministry's Federal Intelligence and Investigations Agency, Organized Crime Directorate. Its capacity has been bolstered with regard to staffing, logistical support and intelligence skills, which has benefited investigations of cases of trafficking in persons. The Section has been provided with military and civilian staff of both sexes.

116. The Central Committee to Combat Trafficking in Persons, formed under article 2 of the Anti-Trafficking in Persons Act, No. 28 (2012), is chaired by the Minister of the Interior and draws its members from the relevant authorities. The Committee undertakes the following:

- Develops plans and programmes to combat and eliminate trafficking in persons.
- Submits recommendations to combat trafficking in persons and follows up on their implementation in coordination with the relevant authorities.
- Prepares reports on trafficking in persons in line with the relevant international instruments and submits them to the relevant authorities.
- Cooperates and coordinates with the concerned authorities to assist trafficking victims; exchanges information and experience with neighbouring countries and competent international organizations.
- Proposes appropriate measures to assist and protect trafficking victims and to protect witnesses.
- Works with civil society organizations, academic and religious institutions and research centres to conduct awareness-raising and education campaigns about the dangers presented by trafficking in persons.
- Issues an annual report regarding trafficking cases and government efforts to counter the crime.
- Promotes accession to international instruments on countering trafficking in persons.

117. The Kurdistan Regional Parliament issued Act No. 6 (2018) to give force of law to the Anti-Trafficking in Persons Act, No. 28 (2012), issued by the Council of Representatives of Iraq. Before the Act was given force of law in the Region, the Supreme Committee to Combat Trafficking in Persons, whose members included representatives of the relevant authorities, had been established at the Ministry of the Interior. That Committee was renamed the Organized Crime Directorate. When news or information is received about trafficking in women and girls, its branches conduct

investigations in cooperation with the relevant authorities and by order of a special court of inquiry.

118. Combating trafficking in persons is included in the government programme promoted by the Prime Minister, Mohammed Shia' Al Sudani. Under the programme, the work of the Central Committee to Combat Trafficking in Persons of the Ministry of the Interior is monitored and quarterly reports are submitted to the Prime Minister's Office to facilitate the implementation of immediate and effective steps to eradicate that crime.

119. Pursuant to Act No. 7 (2017) on care homes for victims of trafficking in persons, care homes have been established for victims of trafficking in persons in Baghdad under the Department of Persons with Special Needs at the Ministry of Labour and Social Affairs. The Minister of Labour may establish other homes in the governorates. Those homes are responsible for the welfare of trafficking victims, their social, psychological and physical rehabilitation and their reintegration into society. To that end, they adopt reintegration procedures and provide educational opportunities and vocational training. They also facilitate residency procedures for non-Iraqi victims. The care homes offer the following services:

- (i) Child care for children of both sexes under 12 years of age (grouped according to sex and age).
- (ii) Care for boys from 12 to 18 years of age.
- (iii) Care for girls from 12 to 18 years of age.
- (iv) Care for men over 18 years of age.
- (v) Care for women over 18 years of age.

120. In coordination with the Ministry of Labour and Social Affairs and the Central Committee to Combat Trafficking in Persons, a shelter (safe house) has been refurbished and staffed with female employees and social workers.

121. Once a victim is identified and the competent judge decides to refer her to a shelter for trafficking victims, she is provided with medical services, psychological treatment and logistical supplies. The best international standards are applied when it comes to providing support to victims of trafficking in persons. A special form is used for interviewing victims and the case is reviewed, in line with practices followed by international organizations and agencies that monitor human rights, especially the rights of women and children. The programme also includes psychological support in order to rehabilitate victims and reintegrate them into society.

122. A high-level committee to combat trafficking in persons prevents minors from entering and being physically exploited at nightclubs and beauty parlours through intensive monitoring and intelligence work.

123. The Regional Government works to eliminate violence against women and trafficking in women and children, and severely punishes any person who attempts to commit that crime. Directorates for combating violence against women work in close coordination with the OHCHR, other United Nations agencies and other relevant organizations. Periodic meetings are held to discuss social issues related to the protection of women, especially in the camps. The Kurdistan Region has a special shelter for victims of trafficking in persons.

124. Each appellate court competent to hear cases of trafficking in persons is presided over by a judge specializing in organized crime cases.

125. Investigation units in Baghdad and the governorates investigate cases of trafficking in persons, carry out surveillance and gather intelligence, and have

arrested numerous organized gangs responsible for a wide range of crimes, including trafficking in persons. The competent investigators and judges have investigated and considered those cases, and the perpetrators have been convicted. Victims of trafficking in persons, in particular women and children, have received support in line with the Anti-Trafficking in Persons Act, No. 28 (2012), and Act No. 11 (2016) concerning the transplantation of human organs and prevention of the trade therein.

126. Operation FLASH-WEKA was launched by INTERPOL for the period 12 June 2023 to 16 June 2023 to eliminate migrant smuggling and gangs involved in trafficking in persons. It was carried out by the Federal Intelligence and Investigation Agency under the supervision of the Organized Crime Directorate and in cooperation with the Arab and International Police Department. Some 44 countries participated. Iraq received top ranking, as the operation resulted in the arrest of 199 perpetrators.

127. Article 37 (3) of the Iraqi Constitution prohibits forced labour, slavery and the slave trade, trafficking in women and children, and sex trafficking.

128. The Anti-Trafficking in Persons Act prohibits deception or exploitation of trafficking victims for prostitution, begging or forced marriage. The Personal Status Act, No. 188 (1959), punishes any person who forces a girl to marry without her consent. A marriage is legally null if it contravenes the Personal Status Act, and a marriage contract in Iraqi law is a permanent contract regulated by statutory laws and courts. It is possible to file a case with the courts to establish the validity of a marriage. Furthermore, temporary marriage contracts are not legally regulated, as they are contracted outside of the courts.

129. The Organized Crime Directorate at the Ministry of the Interior works to raise awareness of the dangers that trafficking in persons poses to individuals and society. It publishes brochures and raises awareness of the 144 hotline for trafficking-related reports and of the email address of the Trafficking in Persons Section (human-ts@moi.gov.iq).

130. The Central Committee to Combat Trafficking in Persons has introduced measures to eliminate that crime, such as workshops and training courses for all relevant professionals, including judges, staff of the Office of the Public Prosecutor and investigators, on mechanisms for dealing with trafficking victims, in particular women and children. Assistance is provided through coordination with international organizations, such as the United Nations Office on Drugs and Crime (UNODC), IOM and the Heartland Alliance of the United States.

131. Programmes to protect women and assist victims are included in the national plan to combat trafficking in persons. The Department of Women's Empowerment, as a member of the Committee to Combat Trafficking in Persons (formed in accordance with article 2 of the Anti-Trafficking in Persons Act) ensures that those programmes consider the needs of women and children and provide legal protection for them.

132. As at March 2023, the Organized Crime Directorate had organized 28 educational seminars on the crime of trafficking in persons.

133. The Trafficking in Persons Section, the Ministry of Health and international organizations have coordinated to provide medical and health assistance to victims living at shelters while receiving rehabilitation services.

134. Psychosocial support centres at health departments in Baghdad and the governorates provide therapeutic services, guidance, psychological and psychoeducational counselling and psychosocial rehabilitation to trafficking victims.

135. In cooperation with the Heartland Alliance, two centres have been opened, one at the Baghdad/Rusafah health department and the other at the Basrah health

department, to rehabilitate victims of trafficking crimes. They are known as Iradah trauma rehabilitation and treatment centres, and they provide the following services:

- Mental health and psychosocial support.
- Physical and functional rehabilitation.
- Comprehensive legal services for human rights violations.
- Community awareness of mental health and trauma issues.
- Skill development for children as an essential part of community healing.

136. Health services, including reproductive and mental health services (including talk therapy and treatment sessions from psychiatrists and psychologists at all hospitals, primary health-care centres and clinics) are provided to victims of trafficking in persons. Primary health-care treatments and services are also provided.

137. Pursuant to article 3 (a) of the Anti-Trafficking in Persons Act, No. 28 (2012), which requires that plans and programmes be developed to combat and eliminate trafficking in persons, a national plan to counter trafficking in persons for the period 2022–2026 has been prepared by the Central Committee to Combat Trafficking in Persons. The plan contains reference to the international and domestic legal framework on trafficking in persons as well as the vision, mission, objectives and guidelines to be implemented. Among its most important themes are prevention, protection, assistance to victims, prosecution, partnerships and regional and international cooperation. The Central Committee to Combat Trafficking in Persons, formed under article 2 of the Anti-Trafficking in Persons Act, is headed by the Minister of the Interior and has members drawn from the concerned authorities. It is responsible for implementing the objectives and activities and monitoring and following up on the national plan to counter trafficking in persons.

138. The tables below set out the number of cases settled at appellate courts of the Supreme Judicial Council and the number of victims of trafficking in persons for the period 2019 to March 2023.⁴

| | Year | | | | |
|---|------|------|------|------|------------------------|
| | 2019 | 2020 | 2021 | 2022 | As at 31 March 2023 |
| Number of trafficking cases settled at appellate courts of the Supreme Judicial Council | 67 | 85 | 62 | 92 | 27 |

| | Year | | | | |
|--|------|------|------|------|------------------------|
| | 2019 | 2020 | 2021 | 2022 | As at 31 March 2023 |
| Number of trafficking victims in appellate court cases | 65 | 89 | 58 | 125 | 118 |

139. In the tables below, we list the status of arrest warrants and of completed investigation reports and incidents detected for the period from 2019 to March 2023.⁵

⁴ Source: Supreme Judicial Council.

⁵ Source: Organized Crime Directorate, Ministry of the Interior.

| <i>Status of arrest warrants</i> | | | |
|----------------------------------|-----------------|------------------|------------------------------|
| <i>Registered</i> | <i>Executed</i> | <i>Remaining</i> | <i>Percentage completion</i> |
| 878 | 781 | 97 | 89% |

| <i>Status of completed investigation reports and incidents detected</i> | | | | |
|---|------------------|------------------|-----------------|---------------------|
| <i>Registered</i> | <i>Completed</i> | <i>Remaining</i> | <i>Detected</i> | <i>Not detected</i> |
| 2 567 | 2 364 | 203 | 2 317 | 250 |

140. The Regional Government has taken a series of measures against labour recruitment companies to follow up on cases of trafficking in persons, which have resulted in the blacklisting of 172 companies, the suspension of 93, the closure of 157 pursuant to judicial order, the monitoring of 998 and the placing of 534 under judicial investigation. Set out below are the number of cases of trafficking in persons investigated by the courts during the period 2022–2023:

- 23 cases of forced labour.
- 14 cases of sex trafficking.
- 54 cases of trafficking in human organs.
- 3 cases of trafficking in children.
- 15 cases of trafficking in minors.
- 20 smuggling cases.
- 9 cases of exploiting persons for purposes of begging.

Articles 7 and 8: Participation in political and public life

Recommendation in paragraph 26

141. A committee was formed under the supervision of the Department of Women’s Empowerment of the Cabinet. An integrated implementation plan to support women’s political participation in the 2021 elections was drafted. That plan includes the following main goals:

- *Goal 1:* Review frameworks for organizing the electoral process to make them conducive and responsive to empowering women and increasing their participation.
- *Goal 2:* Protect women’s political participation by implementing laws, regulations and procedures that protect women candidates and their electoral campaigns, and protect them from all forms of violence and abuse.
- *Goal 3:* Build the capacities of women to enable them to work in politics and take part in elections by developing the general political knowledge and skills needed for effective participation in elections.
- *Goal 4:* Increase society’s understanding of women’s role in politics.

142. Act No. 4 (2023) adopted the third amendment to Act No. 12 (2018) promulgating the elections law for the Council of Representatives and the governorate and district councils.

- (a) Women candidates must make up not less than 25 per cent of the open list.

(b) The order in which candidates are listed on the open list must put in a woman after every three men.

(c) Women must make up not less than 25 per cent of the Council of Representatives.

(d) Women must make up not less than 25 per cent of the governorate council in each governorate.

(e) The percentage of women for each governorate shall be determined according to a fixed percentage.

(f) If the women's quota for an electoral district is filled by election results, there will be no changes.

143. Reports from the Independent High Electoral Commission have provided 2021 election-day statistics on the participation of women from the operations office and other relevant offices.

- Number of parties headed by women: 5
- Number of coalitions headed by women: 1
- Number of candidates – both male and female – running in the 2021 Council of Representatives elections: 3,244
- Number of male candidates: 2,295
- Number of female candidates: 949
- Number of independent female candidates: 156

144. With regard to administrative and technical posts occupied by women in the Commission, there is a nomination form specifying the rules. Women occupy 50 such posts out of a total of 375. There is an overall total of 267 women staff at the Commission.

145. With regard to the Kurdistan Region, Act No. 2 (2009), concerning elections for the Region's parliament, provides that women should account for no less than 30 per cent of parliamentary seats. Act No. 4 (2009) concerning the Region's governorate council elections provides that the women should account for no less than 30 per cent of members of the Region's governorate councils. Women have occupied the following leadership posts: Speaker of the Parliament of the Kurdistan Region (1), minister (3) and chief of agency at the deputy minister rank (3), namely, the Head of the Tourism Authority, Chair of the High Council for Women and Development, and Chair of the Independent Human Rights Commission. That commission has 148 women staff in various positions.

146. Women's participation in the courts and the Office of the Public Prosecutor in the Region has been notable. Since the enactment of Act No. 7 (2009) concerning the Judicial Institute, the number of women judges in the region has been increasing steadily. Marriage is no longer a condition for being appointed prosecutor in the Iraq Kurdistan region. Some 72 women have been appointed as judges, 65 as prosecutors and over 200 as judicial assistants. There are close to 500 judicial investigators. In higher education, there is one university board president. There are 73 women department heads and 10 deans in the Region.

Article 9: Nationality

Recommendation in paragraph 28

147. Article 14 of the Constitution of Iraq provides that Iraqis are equal before the law without discrimination on the basis of sex, race, nationality, origin, colour, religion, sect, belief, opinion or economic or social status. Article 18 provides that Iraqi nationality is the right of every Iraqi and the basis of their citizenship.

148. Pursuant to article 3 of the Nationality Act, No. 26 (2006), the Government of Iraq does not restrict any Iraqi citizen's access to nationality, regardless of their religious or spiritual affiliation or beliefs. The Act has restored the rights and legal status that had been taken away from certain minorities – notably the Fayli Kurds – by the practices of the previous regime. In addition, all notations, such as “frozen”, “revoked”, “cancelled”, “rescinded” or “exiled” have been removed from their personal records and their legal status has been restored.

149. The Nationality Act considers a person born to an Iraqi mother and foreign (i.e., non-Iraqi) father to be an Iraqi citizen, regardless of whether they were born in the country or abroad.

150. The granting of nationality in Iraq is governed by the Nationality Act, No. 26 (2006), article 3 of which considers the following persons to be Iraqi citizens:

- Anyone born to an Iraqi father or mother.
- Anyone born in Iraq to unknown parents. Anyone found to be located in Iraq is considered to be of Iraqi lineage and to have been born there provided there is no evidence to the contrary. That is according to the Iraqi Nationality Act, article 3 (b).
- Current Iraqi legislation contains no provisions under which Iraqi citizens can be prevented from acquiring or stripped of nationality on the basis of affiliation with a particular national, ethnic or religious group.

151. The Ministry of the Interior continues to grant Fayli Kurds Iraqi nationality to realize the principle of justice. They are of Iraqi origin and treated accordingly. There is no discrimination between them and other tribes. They were granted Iraqi nationality certificates in accordance with the Iraqi Nationality Law, No. 26 (2006), article 3 (a), on an equal basis with their fellow Iraqis on the strength of their Iraqi affiliation. In January 2023, the Prime Minister directed that their files should be transferred from the foreigners division to the Iraqi division.

152. Article 2 of the instructions for the national identification card form, No. 1 (2017), which cover procedures for obtaining one, the period of validity and conditions for renewal, provide for access to a national identification card using modern technology. An electronic form from the Directorate of Civil Status, Passports and Residence at the Ministry of the Interior is filled out on the website. An appointment is made on the website for the citizen to go to the office where their registration is verified, bringing the necessary documents with them. The relevant official conducts the registration process and the citizen is told when to pick up their identification card via text message to their telephone number. Registration of newborns is covered in article 3 (3) of the above-mentioned instructions. They are entered in the civil information system as soon as the electronic form is filled out, not subject to any holds.

153. An electronic birth and death certificate programme has been designed by the Information Technology Centre. It will be adopted in stages by all health offices in Iraq. It will simplify procedures and transactions involving birth and death

certificates, reduce errors and put an end to forgery and fraud. The forms will be filled out and sent to the civil status offices at the lowest possible cost via the electronic system.

154. The National Data Centre of the Secretariat of the Cabinet provides electronic services and automated government procedures. Work is ongoing on a secure documents system.

Article 10: Education

Recommendation in paragraph 30

155. The Ministry of Education, through the human rights division of its general directorate of curricula, has incorporated human rights principles into schoolbooks to disseminate a culture of human rights. That includes 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, the rights of the child, the rights of women and other rights, as well as the provisions of the Universal Declaration of Human Rights and the Constitution of Iraq. The emphasis is on the concepts of citizenship, tolerance, peaceful coexistence, rejection of violence, refraining from using children in armed conflicts, and the dissemination of a human rights culture that includes the Convention on the Rights of the Child and its Optional Protocols. After Iraq adopted a new educational policy based on the recommendations of a national committee on human rights curricula, school curricula now include human rights concepts and principles. Most projects that have been implemented in schools are essentially geared towards instilling human rights principles and concepts in students and teaching staff. The most important textbooks that have incorporated these concepts are Arabic language, English language, religious education, social studies and economics.

156. All educational curricula in Iraq reflect a civilized and humane perspective that opposes racial discrimination. The aim is to achieve equality and equality of opportunity for all citizens, eliminate gaps affecting minorities and confessional groups, and create an educated, open-minded and aware generation that respects diversity and believes in the acceptance of others, in accordance with the principle of peaceful coexistence.

157. The Ministry of Education made the decision to integrate human rights into the curriculum from the fifth year of primary school onwards, in coordination with the British Council, as part of educational capacity-building efforts. The committee formed for that purpose is working to develop a mechanism for incorporating humanitarian principles, topics tailored to specific age groups and academic and technical methods to help students absorb the information. Meanwhile, in higher education, human rights are taught at all universities, usually in the early stages of university study so as to complement the process of instilling human rights principles and concepts, developing students' capabilities in this field, encouraging peaceful coexistence and acceptance of others, and reinforcing the concepts of equality and non-discrimination.

158. The Kurdistan Regional Government, in cooperation with the United Nations Children's Fund (UNICEF), has prepared a new curriculum entitled "Social skills and values for the primary grades (1-9)". It is made up of four main components: citizenship, rights, skills and values. The goal is to enhance students' grasp of these common principles. This curriculum was implemented starting from the 2019/20 school year.

159. The subject of human rights is currently taught in several stages at colleges of law in the Kurdistan Region. Some 44 studies have been done on human rights.

160. The Government of Iraq adopted a National Strategy for Education and Higher Education for the period 2012–2022. The aim of that strategy is to create an educational system that provides educational opportunities for all. Under the strategy, educational curricula have been developed to eradicate illiteracy in Arabic language, mathematics and general culture. It has been revised and refined with technical support from the UNESCO office in Iraq. The national strategy contains a component on guaranteeing education as a right for all without discrimination.

161. The rules and regulations of the Ministry of Education and the national education strategy provide that minorities should not be deprived of the opportunity to be educated in their mother tongues and to teach their own heritages and cultures. Illiteracy eradication curricula have been printed in the languages of those minorities.

162. The Ministry of Education opened “Your right to education” centres through the General Directorates of Education in Anbar, Kirkuk, Salah al-Din and Ninawa as part of the “Across the academic years” programme for the academic years 2020/21, 2021/22 and 2022/23. They try to draw in dropouts and returning students of both sexes who never registered or failed out for two consecutive years. They raise awareness of the dangers of child labour and instruct school administrations in that connection. They work with the Ministry of Labour and Social Affairs to ensure enforcement of legal provisions on not employing minors under the age of 15.

163. There were 13 survivors who were returned to school of their own free will, and 27 other male and female survivors were prepared for the next academic year by the General Directorate for Survivors’ Affairs.

164. The Iraqi Government, through the Liberated Areas Reconstruction Fund and other projects, has worked to rebuild and restore government departments and institutions that were undermined in areas controlled by Da’esh. That includes schools and universities, to make sure that students are brought back into educational institutions.

165. The Government of Iraq has taken a series of measures to ensure that internally displaced persons can enjoy the right to education. They include extending the transfer period for displaced persons to the end of the spring vacation to prevent interruptions to their studies. Directorates work in coordination to provide students with transfer documents in the wake of the liberation of their regions. The Ministry of Education has set up an operations room to process displaced students. It has taken measures to address their circumstances, help solve their problems and ensure their return to the governorates from which they were displaced, thereby contributing to a return to normal life and stability in those governorates. A series of decisions have been taken and cultural and social programmes rolled out with the aim of promoting a culture of social inclusion and civil peace. There have also been psychological awareness-raising programmes for population groups in the liberated areas in the form of special workshops, research and studies.

166. The Ministry of Education of the ninth Cabinet of the Regional Government was able to return some 20,000 students who had dropped out to their studies during the 2020–2023 period.

167. The right to education is guaranteed in national legislation. Article 34 of the Constitution provides that education is an essential factor in the progress of society and a right guaranteed by the State. It is compulsory at the primary level. The State is committed to combating illiteracy. Free education is a right for all Iraqis at all stages. The relevant laws include the following: Act No. 22 (2011) concerning the Ministry of Education; Act No. 118 (1976) concerning compulsory education; Act No. 23 (2011) concerning illiteracy eradication; Act No. 30 (1978) concerning the primary school system; Act No. 2 (1977) concerning the secondary school system;

Act No. 6 (2016) concerning the vocational education system; and the instructions on schools for adolescents, No. 42 (1990).

168. On 16 June 2022, the Ministry of Education formed a committee to amend the acts concerning the primary school system and compulsory education. One part of the amendment to the act on compulsory education extended the compulsory requirement to middle school.

169. On 6 November 2022, the Council of Representatives completed the first reading of a draft child protection law. The aim of the draft law is to guarantee the rights of the child, improve the experience of childhood in the country, specify means of protecting those rights and ensure implementation of the Convention on the Rights of the Child, which was ratified by Iraq under Act No. 3 (1994). The draft provides for protecting children without discrimination on the basis of sex, colour, religion, language or disability. The State guarantees children's rights to life, nationality, expression and opinion; family, health and cultural rights; and the right to education.

170. Students 18 and above are offered the re-entry examination, and intermediate and preparatory students, in accordance with annual instructions from by the General Directorate of Assessment and Examinations.

171. A document to increase school enrolment and reduce dropout rates in Iraq for the 2020–2030 period is currently being prepared in a collaboration among the Ministry of Planning, the Ministry of Education and the British Council.

172. The National Strategy for Iraqi Women for the period 2023–2030 includes numerous primary and subsidiary goals distributed across its various components. The Ministry of Education and the Ministry of Higher Education and Scientific Research have adopted phased plans that include the following:

- Educational curricula have been amended to include materials on human rights and women's rights at different levels of study.
- To reduce the dropout rate of girls from school, the Department of Women's Empowerment has sought to persuade the sectoral authorities, each in accordance with their purview, to adopt programmes, plans and measures to reduce this phenomenon by building a database and investigating the causes.
- Community police and mukhtars follow up on dropout cases and enforce the provisions of the act on compulsory education. The possibility of extending that to middle school is being considered.
- A nurturing environment is provided for girls' education and to support them. The Department works with sectoral authorities to raise awareness of the importance of girls getting an education and completing their studies. With a view to providing study opportunities for those who failed to complete their studies, the Department is working in coordination with the Ministry of Education to adopt a proposal to amend the guidelines for re-entry exams by shortening the waiting period for those who meet age requirements.

173. With regard to ensuring girls' access to schools and regular attendance, a ministerial committee for compulsory education has been formed to follow up on free primary education for all children who are not yet six years old by the beginning of the academic year and those over the legal age who are not yet enrolled, including those with special educational needs, and ensure their return to school.

174. Subcommittees have been formed in the governorates to prevent school dropout related to child marriage and poverty. Monitoring committees have been set up by district to follow up on student enrolment and implement educational guidance to address social and economic cases.

175. Article 52 of Act No. 13 (2023) concerning the federal budget of Iraq for the years 2023–2025 provides for a monthly financial grant to students from families covered by the social protection network. The amounts are provided set out in Act No. 3 (2014) concerning scholarships for students in government schools and Act No. 63 (2012) concerning scholarships for students at Iraqi universities and government institutes. These amounts come out of allocations for the Ministry of Education and the Ministry of Higher Education and Scientific Research.

176. Fees for government-run parallel primary morning study continued to be lowered, by 50 per cent for all levels.

177. The Iraqi National Education Strategy for the period 2022–2031 has been launched. The aim of the strategy is to provide higher education opportunities based on the requirements of the labour market and improve the quality of the higher education system to train graduating students in skills that match the needs of the local and regional labour market. The goal is to ensure a sustainable model for Iraqi universities and higher education systems characterized by flexibility, accountability, transparency and comprehensiveness.

178. Act No. 13 (2023) concerning the federal budget of Iraq for the years 2023–2025 includes an allocation in the amount of 50 billion Iraqi dinars to the Office of the Prime Minister for the student scholarship programme within the government programme priorities item.

179. With regard to measures to improve the quality of education in Iraq, the international rankings project of the quality assurance division of the Ministry of Higher Education and Scientific Research is striving to improve the quality of education and gender equality. It uses the Times Higher Education Impact Rankings sustainable development ranking system. Some 40 government and non-government universities/colleges have seen improvement in quality, and 36 government and non-government universities/colleges in gender equality. Efforts are ongoing to urge the rest of the universities to make efforts in those areas. There are 19 institutional accreditation councils that seek to improve the quality of education through quality standards.

180. The national Technical and Vocational Qualifications Framework, which consists of ten levels, guarantees women access to these skills at the level of their knowledge, skills and performance capabilities. They are guaranteed access to job opportunities in society. Their competitiveness in the labour market is enhanced by raising their productivity and performance in various skills and specialties. Implementation of the national Framework makes qualifications available for women no matter what their level of formal, non-formal and even life skills education is. They can obtain a recognized qualification for entering the labour market to provide a particular financial resource.

181. Female access to university education is shown in the table below:⁶

| <i>Academic year</i> | <i>Male</i> | <i>Female</i> |
|----------------------|-------------|---------------|
| 2019/20 | 442 817 | 403 315 |
| 2020/21 | 554 077 | 499 712 |
| 2021/22 | 544 227 | 504 358 |

⁶ Source: Ministry of Higher Education and Scientific Research.

182. Between November 2022 and July 2023, some 8,551 females received training in various courses through the Department of Vocational Training of the Ministry of Labour and Social Affairs.

Article 11: Employment

Recommendation in paragraph 32

183. The Labour Code, No. 37 (2015), provides for granting maternity leave to women workers. Articles 84–94 of the Labour Code provide for granting leave to pregnant women working in the private sector. Their employment in work that is strenuous or harmful to health is prohibited. They may not be employed in night-time work. Pregnant workers are entitled to leave starting eight weeks prior to the anticipated delivery date with a medical certificate issued by the competent authority. Female workers continue to be entitled to leave after giving birth, which shall not be less than six weeks after delivery. Prenatal leave is extended by the period between the expected date of birth and the actual birth without any reduction of the required period of leave after childbirth. The Act also provides for the punishment of any employer who violates these provisions by a fine of not less than 100,000 Iraqi dinars and not more than 500,000 Iraqi dinars.

184. Article 4 of Act No. 39 (1971) concerning retirement and social security for workers, as amended in the Kurdistan Region by Act No. 4 (2012), provides that a covered working woman has the right, after the end of childbirth leave, to ask for maternity leave for a period of up to one year at half salary, provided that it is not less than the amount of the social protection subsidy paid to her by the public treasury upon expiration of her contract.

185. Based on provisions in the Constitution of Iraq and legislation in force, the Government provides services and prepares data covering all members of society without discrimination on the basis of religion, sect, nationality, race, sex or colour. The Department of Population and Labour Force Statistics of the Central Bureau of Statistics conducts a national survey to measure job performance indicators and social and demographic characteristics of individuals with disabilities in Iraq. It is conducted in all the governorates of Iraq, including the three Kurdistan Region governorates. The survey provides data on this important segment of society in accordance with the principle of non-discrimination.

186. Iraq is a party to several International Labour Organization (ILO) conventions. It has not yet ratified the Workers with Family Responsibilities Convention, 1981 (No. 156), of ILO in order to promote the equal sharing of domestic and family responsibilities between men and women.

187. Through the Child Welfare Commission of the Ministry of Labour and Social Affairs, and in cooperation with UNICEF, Iraq has approved the implementation plan for its child protection policy for the period 2022–2025. The policy addresses the rights of children in various areas, develops the capacities of institutions that work with children and provides broad support for government agencies, the private sector and civil society.

188. Iraq, with the support of UNICEF, has prepared a National Strategy for Early Childhood Development in Iraq for the period 2022–2031. The aim of the strategy is to ensure that all Iraqi pre-school children have access to high-quality education and care, promote the health and well-being of children, and protect children's rights.

189. With regard to the number of accessible and affordable childcare facilities in the country, there are 43 government childcare facilities and 276 private childcare

facilities. Efforts are ongoing to increase the number of such facilities by granting licenses for their establishment.

190. Act No. 18 (2023) concerning social security and retirement for workers provides for protections for the rights of working women, including health insurance, social services, benefits for working women and maternity entitlements.

191. Act No. 14 (2023) concerning the first amendment to Act No. 10 (2012) concerning support for small income-generating businesses was issued to cover the new numbers of job seekers requesting loans registered in the database of the Department of Labour and Vocational Training, which would help stimulate the private sector.

192. Act No. 13 (2023) concerning the federal budget of Iraq for the years 2023–2025 contains an allocation of 650 billion Iraqi dinars to increase the coverage of welfare allowances, and 150 billion Iraqi dinars to increase coverage for full-time assistance allowances within the government programme priorities item.

193. A study was done by the Ministry of Planning of labour market needs and strategies in Iraq for the next two decades. The goal was to set policies and strategies to develop the Iraqi labour market; provide decent job opportunities; develop skills, capacities and knowledge; and develop vocational and technical education. The study identified labour market issues and challenges faced by workers in the official and informal sectors.

194. The Social Fund for Development created by the Ministry of Planning works to empower women by having them take part in various types of work in targeted villages in poor and vulnerable communities.

- Representatives are elected from among the village inhabitants to “community committees” to supervise the project selection process according to the targeted villages’ priorities. Women are represented on those committees. They make up no less than 30 per cent of the members of the community committees. As of August 2023, some 1,000 women had served on such committees in 446 villages in all governorates of Iraq.
- Most of the projects that the Fund chooses to implement are service projects in the education and health infrastructure sectors. They implicitly contribute to the empowerment of women in the fields of education and health by building human capital in poor communities where women are often marginalized and vulnerable.

195. The Ministry of Labour and Social Affairs, through various of its bodies, is working to expand its plans and increase social benefits by opening the coverage window for the social assistance allowance. There were more than 2 million applicants. The window was open for three months. It was closed on 22 November 2022 for social workers to conduct a field study to expedite transactions for citizens covered under the law. The base of coverage was also expanded by taking advantage of funds recovered from violators to cover new social protection cases. The coverage window for full-time assistance for the year 2022 was also opened by issuing Qi cards to a large number of citizens.

196. Article 9 of Act No. 11 (2014) concerning social protection is being implemented through coordination between the Social Protection Commission and the relevant ministries and agencies. Services are provided to covered groups with a view to raising living standards and ensuring access to education, health, housing and other services. In order to achieve these goals, the Social Protection Commission covered 477,050 women eligible for the subsidy. The relevant departments of the Commission hold courses and seminars to provide training to persons covered under

this Act who are capable of working to give them experience and skills and instil a work ethic. It grants loans to set up small income-generating projects, and it provides assistance in entering the labour market in coordination with local and international organizations. It provides training in the mechanics of starting a business. In coordination with the Ministry of Education, the relevant departments of the Commission have also organized literacy courses. Awareness-raising programmes on family building and social behaviour have been designed in coordination with the Ministry of Health to complement the national family planning strategy. There are also health and psychological programmes for breast cancer patients, conducted in coordination with the relevant authorities. Lectures are offered to raise women's awareness of their legal rights to protect them from being subjected to any form of violence, discrimination or exploitation. Children covered under the provisions of the act are provided with recreational programmes during vacations and holidays.

197. The number of female-headed households covered, including those receiving welfare allowances, was 450,492 as at the end of 2022.

198. There were 220,000 women covered by allowances for persons with disabilities and special needs as at the end of 2022.

199. There were 26,795 women beneficiaries of social security programmes.

200. The numbers of beneficiaries of social protection programmes for the years 2021 and 2022 are shown in the table below.⁷

| <i>Year</i> | <i>Males</i> | <i>Females</i> |
|-------------|--------------|----------------|
| 2021 | 979 884 | 425 492 |
| 2022 | 1 159 352 | 457 905 |

201. The relevant parties in the Region work with United Nations agencies, international organizations, the World Bank, the Organization of Islamic Cooperation, IOM and donor countries to improve the economic status of women and enhance their capacities to work and launch independent economic projects. The table below shows the volume of loans provided to support women in cities and villages with assistance from IOM.⁸

| | <i>Within cities</i> | <i>Loans (within cities)</i> | <i>Outside cities</i> | <i>Loans (outside cities)</i> | <i>Beneficiaries</i> | <i>Total (Iraqi dinars)</i> |
|-------|----------------------|------------------------------|-----------------------|-------------------------------|----------------------|-----------------------------|
| Total | 759 | 5 683 150 000 | 439 | 3 868 900 000 | 1 198 | 9 552 050 000 |

202. Police stations receive sexual harassment complaints and seek out the perpetrators, apprehend them and place them in detention after obtaining due process judicial approvals in accordance with the laws in force, including article 402 of Act No. 111 (1969) promulgating the Penal Code, as amended, which provides as follows:

- The following shall be punished by imprisonment not to exceed three months or a fine or by either of those two penalties:
 - Anyone who asks another person, male or female, to commit immoral acts
 - Anyone who accosts a female in a public place with words, deeds or gestures that violate her modesty

⁷ Ministry of Labour and Social Affairs.

⁸ Source: Office of the Kurdistan Regional Government recommendations coordinator.

- The penalty shall be imprisonment for a period not to exceed six months and a fine if the offender commits a second crime of the same type as one of which they were previously convicted within one year from the date of the previous conviction.

Article 396 of the aforementioned law criminalizes sexual harassment, as follows:

- Anyone who violates or attempts to violate the honour of another, male or female, by force, threat, deception or any other means without that person's consent shall be punished by imprisonment for a period not to exceed seven years or by confinement.
- If the victim of the crime is under the age of 18, the penalty shall be imprisonment for a period not to exceed ten years.

203. Article 397 of Act No. 111 (1969) promulgating the Criminal Code, as amended, criminalizes sexual assault. It provides that anyone who violates the honour of a male or female under the age of 18 without using force, threat or deception shall be punished by imprisonment for a period not to exceed seven years or confinement. The same is provided for in Act No. 37 (2018) promulgating the Labour Code.

204. The Labour Code of the Kurdistan Regional Government has been revised to specify factors hindering women's economic participation. Recommendations have been submitted to the Ministry of Social Affairs and the Cabinet.

Article 12: Health

Recommendation in paragraph 34

205. Act No. 22 (2020) concerning health insurance was adopted with the aim of ensuring the quality of health services and citizens' access thereto, reducing financial burdens on citizens, reducing poverty and realizing the principle of social solidarity and health justice as provided for in article 30 (I and II) of the Constitution.

206. Act No. 13 (2023) concerning the federal budget of Iraq for the years 2023–2025 includes an allocation in the amount of 150 billion Iraqi dinars to the Ministry of Health for health services covered by health insurance, to be disbursed over a three-month period, within the government programme priorities item.

207. The coronavirus (COVID-19) pandemic prompted the Government to declare a health emergency and impose complete or partial closures. Several decisions were issued. A higher national health and safety committee to combat the pandemic was formed by Executive Order No. 97 (2020) issued by the Office of the Prime Minister. The Government of Iraq took numerous measures to contain the effects of the pandemic without compromising human rights, particularly the rights to life, health, education, victim support and social protection. It also addressed all forms of discrimination, exploitation, violence and abuse against women and girls.

208. A COVID-19 response and recovery plan document was drafted for the years 2021–2022, in cooperation with the United Nations Development Programme (UNDP). It contained several components to empower women, reduce cases of discrimination against women and follow up on issues faced by vulnerable groups during crises.

209. The budget for the health sector and the health insurance system has been increased. In 2019, the approved budget of the Ministry of Health was 6,031,748,469,198 Iraqi dinars. In 2021, the approved budget of the Ministry of Health was 5,763,950,055,169 Iraqi dinars.

210. The strategy for reproductive health, women's health and maternal, infant, child and adolescent health makes sure to provide quality services to all women without discrimination. It covers all geographical locations (urban and rural) and includes persons with disabilities, women in camps for internally displaced persons and women refugees. There are health facilities inside and outside camps. Health interventions targeted at these groups are incorporated into the strategy. Also taken into account is the provision of basic health services in disasters and humanitarian crises.

211. The Ministry of Health provides health-care services for women of childbearing age, mothers, pregnant women and children under the age of 5. It also provides school health services free of charge.

212. Several health centres provide telemedicine consultations for family planning and prenatal care.

213. Health departments are equipped with mobile clinics to provide therapeutic and preventive services, as well as family planning services in poor and remote areas.

214. Ministry of Health teams make field visits to displaced person camps to deliver essential health services; conduct health campaigns, radiological surveys and vaccination campaigns; provide reproductive health services; carry out screening, treatment and follow-up of tuberculosis patients; arrange for consultations with clinical specialists and referrals for laboratory testing for human immunodeficiency virus (HIV)/acquired immunodeficiency syndrome (AIDS) and sexually transmitted diseases; and provide non-communicable disease prevention and control services. Health centres have been set up inside camps for displaced person and refugees. Reproductive health services offered include prenatal and maternal care and family planning. Birthing centres have been set up for emergency obstetric care.

215. Psychosocial support is provided to women and girl survivors of all forms of violence. Field visits are conducted to camps for internally displaced persons to offer mental health awareness services.

216. Mental health services are provided to women in all hospitals, clinics, units and psychological wards by psychiatric specialists and researchers. Palliative units in the cancer hospital provide mental health services through individual and group sessions for women patients referred by psychiatric specialists.

217. Several seminars and workshops on violence against women have been held for medical staff and hospital workers in emergency departments. Training courses have been held on mental health.

218. There are some 1,061 primary health-care centres in Iraq taking part in the national breast cancer early detection programme. Some 166,235 women were screened in 2022.

219. The Regional Government has provided treatment to women survivors. Pursuant to an agreement concluded with the Government of Germany, more than 1,000 women survivors have been sent to Germany for treatment, especially psychological care.

220. The Kurdistan Regional Government provides a number of different services for displaced persons and refugees. There are health centres in all camps, operated in coordination with NGOs, that provide health services in all fields. Medicines are provided by the Ministry of Health. There are courses for the doctors working in those health centre on mental health and gender equality. All camps have mobile teams to provide such health services as emergency first aid. Medical teams, ambulances and supplies are sent and guidance and health services are provided. International organizations provide assistance to facilitate the delivery of medicines, supplies and medical services to displaced person and refugee camps.

221. During the COVID-19 pandemic, the Ministry of Health of the Kurdistan Regional Government provided the services needed by displaced persons and refugees, including swab testing. It also provided them with the necessary treatments in the course of infection and vaccines like the rest of the citizens of the region, in accordance with the instructions set out in a decision issued by the Ministry. In November 2021, in cooperation with UNICEF, six teams were formed to administer COVID-19 vaccinations in camps for displaced persons and refugees. Four of those teams administered vaccinations in camps for displaced persons, while the other two administered vaccinations in refugee camps. Thousands of displaced persons and refugees have received first, second and third doses of the vaccines, and displaced persons and refugees living outside the camps, without exception or discrimination, can obtain vaccines in government centres. In 2022, a total of 1,2345,688 displaced person and refugees visited hospitals, while cases of hospitalization totalled 33,654 and the number of births was 21,069.

222. The efforts of the Kurdistan Regional Government are guided by the Maternal and Child Health Strategy for the period 2018–2022. The Ministry of Health provides free services to pregnant women at health centres, including 238 primary health-care units. Those services include the following:

- Providing care for pregnant women and newborns, including full examinations, analyses and vaccines, and issuing a card to at-risk women who need comprehensive care and continuous follow-up.
- The Ministry operates a family planning programme and has increased the number of women’s and maternity hospitals. In addition, there are 167 units across the hospitals and health centres of the governorates of the Region that provide services and raise awareness of family planning methods.
- There are 16 specialized centres that raise awareness about marriage and conduct all pre-nuptial tests required to ensure the health of newlyweds.
- There are three specialized centres in the Region for the early detection of breast cancer, and there are awareness-raising units in 227 health centres that raise awareness about early detection of breast cancer.
- Various health campaigns regarding primary health-care programmes are launched at a rate of one campaign every three months for areas that need health care. Children’s vaccination campaigns are conducted four times annually and as needed, and an awareness-raising campaign is conducted to reduce the incidence of early marriage.
- Twelve health centres have been designated to take in women victims of violence.

223. The Ministry of Health has approved the strategic plan for controlling the incidence of HIV and sexually transmitted infections (2021–2022).

224. Preventive, curative and counselling services are provided to women living with HIV in health-care settings and at all levels.

225. Gender-aggregated statistics are available regarding the number of infections. According to Department of Health statistics for 2022, HIV infections among women accounted for 17 per cent of the total number of HIV infections in Iraq (see annex V).

226. There are 19 treatment and counselling centres, one in each governorate except Baghdad, which has two. These centres treat and monitor the health of women suffering from HIV/AIDS free of charge and confidentially, and they provide them with dental care and other surgical services.

227. There is one HIV testing unit in each testing centre in most primary health-care departments, which provide health, psychological and educational services free of charge before and after testing.
228. There are early detection services for sexually transmitted infections.
229. Full pre- and post-marital counselling is provided to all infected women and quarterly screening services are provided to all women married to men living with HIV/AIDS.
230. A hotline is available to answer all queries and help infected persons understand the reality of the disease and how to deal with it.
231. The number of women infected with HIV/AIDS was 286 as at May 2023.
232. Updated national evidence on diagnostic and treatment methods for HIV and sexually transmitted infections are being used.
233. International treatment protocols and the recommendations of the World Health Organization regarding antiretroviral drugs have been adopted.
234. Stigma- and discrimination-free voluntary counselling and testing services are now available.
235. In 2022, the Ministry of Health of the Region conducted 272,000 HIV tests in Erbil. The latest statistics indicate that there are 73 persons in the Region infected with HIV, 52 of whom are citizens of the Region and 21 of whom are foreigners.
236. According to Ministry of Health data, the maternal mortality rate declined from 49.3 per (100,000 live births in 2021 to 28 per 100,000 live births in 2022, except in the Kurdistan Region (see annex VI).
237. Prenatal care for pregnant women is within acceptable rates. Data in the 2018 Multiple Indicator Cluster Surveys report, which was compiled by the Ministry of Planning with technical and logistical support from UNICEF, indicate that more than 87 per cent of pregnant women had more than one prenatal visit and more than 67 per cent of pregnant women had more than four prenatal visits.
238. A national strategy for family planning and birth spacing for the years 2021–2025 has been prepared. Implementation of family planning programmes reduces maternal mortality by 30 per cent.
239. The M-Health programme was piloted in 40 health-care centres.
240. Facilitators from among the nursing and midwifery staff who work in obstetrics, gynaecology and neonatal units, as well as midwives who work in and outside health-care institutions, have been trained, and a refresher training programme for certified midwives has been developed.
241. An electronic program has been developed for entering maternal mortality data and cause of death in accordance with the tenth revision of the International Statistical Classification of Diseases and Related Health Problems.
242. The capacity of workers employed in the monitoring programme to utilize the tenth revision of the International Statistical Classification of Diseases and Related Health Problems has been increased.
243. A central committee for monitoring and addressing maternal mortality and subcommittees have been formed at the level of health departments in the governorates and at the level of health institutions to study maternal mortality and develop recommendations to reduce such deaths and overcome obstacles.

244. Articles 417 and 418 of the Criminal Code establish penalties for any woman who self-aborts or any person who forces a woman to have an abortion. The penalties are heightened if the offender is a doctor, pharmacist, chemist, midwife or a midwife's assistant.

245. With regard to the legalization of abortion in cases of rape, incest, threat to the life or health of a pregnant woman and severe fetal malformation, and also to ensuring women's access to safe abortion and post-abortion services provided by trained medical personnel, we would like to point out that consideration is being given to amending provisions relating to the protection of women in cases of rape in the draft of the new Criminal Code.

246. This issue is addressed in article 417, paragraph 4, of the Criminal Code, No. 111 (1969), which provides that self-abortion, in order avoid shame, by a woman who has become pregnant as result of incest is considered to be a mitigating judicial circumstance.

247. The Ministry of Health has issued specific instructions and regulations for the inclusion of women in uterine evacuation procedures and medical termination of pregnancy. Those instructions and regulations also address the provision of health-care services for women during and after abortion procedures, including immediate post-abortion family planning services, in order to ensure that unwanted pregnancies, which adversely affect women's lives and health, do not occur.

248. Act No. 38 (2013) is being implemented fully, in order to ensure that all women and girls with disabilities have access to high-quality health services, including sexual and reproductive health services, and to provide them reasonable accommodation. In addition to health services provided by primary health-care centres, there are 20 rehabilitation centres for the disabled and 2 rehabilitation hospitals, as well as 22 centres and workshops for prosthetics in Baghdad and the governorates that provide rehabilitation services.

249. The staff of rehabilitation centres for persons with disabilities, such as the Rehabilitation Centre Hospital and the Centre for Limbs, have been given training. In addition, courses and seminars have been organized, in and outside Iraq, for medical and health-care staff whose work pertains to the rights of persons with disabilities.

250. In accordance with article 15 of Act No 38 (2013), preventive, curative and rehabilitation services are being provided to women and girls with disabilities at primary health-care centres, rehabilitation centres and public hospitals.

251. Medical services, including the distribution of medical aids and the manufacturing of prosthetics, are provided free of charge to persons with disabilities.

Marriage and family relations

Article 16

Recommendation in paragraph 36

252. The Constitution of Iraq provides that the family is the foundation of society, and that the State is obliged to protect it. Article 29 of the Constitution provides that the family is the foundation of society, and that it is the responsibility of the State safeguard it and its religious, moral and national values. Paragraph I (b) of that article provides that the State shall guarantee the protection of mothers, children and older persons, and that it shall care for children and young people and provide them with the appropriate conditions in which to develop their talents and abilities. Paragraph II of the same article provides that children have the right to nurture, care and education

from their parents, and that parents have the right to respect and care from their children, in particular in times of need, infirmity and old age. Children are the subject of special attention in the Constitution. Article 29 (II) prohibits all forms of economic exploitation of children and provides that the State is obligated to protect children and, to that end, takes all measures to ensure their protection. Article 4 (IV) provides that the State shall guarantee to the individual and the family, in particular children and women, social and health security, the basic requirements for living a free and decent life, and shall secure for them suitable income and appropriate housing. It is therefore clear that, in the Constitution of Iraq, great attention is devoted to the family because it is the fundamental building block of a sound society.

253. The Personal Status Code, No. 188 (1959), article 3, paragraph 1, defines marriage as a contract between a man and a woman whom it is permissible for him to marry, and the purpose of which is to bring forth offspring and establish a bond for a shared life. The law requires that persons must be of full capacity in order to marry. However, under that article, those who are aged 15 are allowed to marry with the approval of the court and the consent of the guardian, but those who are less than 15 years old cannot be married by the courts. Article 10, paragraph 5, of the Code provides that a husband who concludes his marriage outside the courts shall be imprisoned for a term that is not less than six months and not more than one year or be obliged to pay a monetary fine, and that the penalty shall be imprisonment for a term that is not less than three years and not more than five years if the husband was already married (i.e., he took a second wife).

254. Chapter IV of the Criminal Code, No. 111 (1969), which is in force, is devoted to the protection of the family. In the section concerning crimes that affect the family, article 376 provides that any person who enters into a marriage contract knowing it to be invalid for any reason under religious or secular law and any person who draws up such a contract while being aware of the reason for the invalidity thereof shall be imprisoned for a term of not more than seven years or be detained. A husband who is prevented from concluding a valid contract and conceals the reason therefor from his wife, or who consummates the marriage on the basis of an invalid contract, shall be imprisoned for a term of not more than 10 years. Article 383, paragraph 1, provides that a person who, directly or through another, endangers a person who is less than 15 years old or a person who is incapable of protecting himself/herself because of his/her state of physical, psychological or mental health shall either be imprisoned for a term of no more than three years or be obliged to pay a monetary fine.

255. Article 2 of the Constitution provides that Islam is the main source of legislation, and article 2 (a) makes it clear that no law may be enacted that is inconsistent with the tenets of Islam. The Constitution guarantees preservation of the Islamic identity of the majority of the Iraqi people. At the same time, it guarantees religious rights and freedom of belief and practice to all individuals, such as Christians, Yazidis and Sabaeen Mandaeans.

256. Article 3 of the Personal Status Code establishes the conditions that must be met in order to be given permission to marry more than one wife. A man can take another wife only with permission from a judge. In order to obtain such permission, the following two conditions must be met: (a) the husband must have the financial means to support more than one wife and (b) there is a legitimate interest. If it is feared that there will be unfair treatment between wives, polygamy will not be sanctioned. This shall be at the discretion of the judge. In addition, article 3 establishes a penalty for any person who takes more than one wife in a manner that contravenes the foregoing provisions.

257. Amendment No. 21 (1978) to the Personal Status Code was promulgated in order to reduce the number of marriages that occur outside the courts. This amendment

includes a provision whereby an exception is made for those who are 15 years of age. Such persons may obtain the consent of their legal guardian and the judge's permission for the purpose of entering into marriage, after establishing their eligibility and physical capacity, in accordance with article 8 of the Code.

258. In 2021, the Judicial Council, in order to simplify the controls and procedures governing marriage contracts in Iraq, issued an electronic marriage contract application form. The data of the man and woman are recorded in the electronic form. Once the registration process has been completed using the marriage contract web page, both parties will receive a text message asking them to appear before the judge in order to complete the legal procedures and conclude the marriage contract. The contract is concluded only in the presence of the husband and wife, and proceedings in the marriage can only begin after their official papers have been verified.

259. The Ministry of Migration and Displacement has formed committees to follow up and process marriage contracts for displaced women who were married outside the courts.

Women with disabilities

Recommendation in paragraph 38

260. Article 32 of Constitution guarantees that the State will care for and rehabilitate persons with disabilities and persons with special needs, with a view to integrating them into society.

261. Act No. 38 (2013) concerning persons with disabilities and special needs sets out all the measures taken for both women and men with disabilities, without discrimination. Pursuant to that Act, the Commission for Persons with Disabilities and Special Needs was established to serve as the official representative body for disability in Iraq. The Commission strives to provide persons with disabilities and special needs a decent life and promote respect for disability and acceptance of disability as part of human diversity and human nature. The Commission, in cooperation with the relevant ministries and agencies, has:

- Provided health insurance to persons with disabilities and special needs.
- Established an admissions quota for postgraduate studies.
- Guaranteed primary and secondary education of all types for persons with disabilities.
- Provided suitable vocational training and job and employment opportunities on equal basis, in accordance with their qualifications, and required State offices and the mixed sector to employ a certain percentage of persons with disabilities, taking into account the type of disability and the nature of the work.
- Supported the participation of outstanding athletes with disabilities and special needs in national and international activities and competitions.
- Offered a 50 per cent discount on air tickets twice yearly.
- Granted a tax exemption of 10 per cent and monthly cash soft loans that are commensurate with the level of disability.
- Allowed persons with disabilities and special needs to import means of personal transportation without paying taxes and fees.
- Granted the full-time helpers of persons with disabilities a monthly salary of 170,000 Iraqi dinars if the full-time helper is not in employment. If the full-time helper is in employment, he/she is granted a leave for one year with full salary.

262. A draft law amending Act No. 38 (2013) concerning persons with disabilities and special needs is before the Council of Representatives and awaiting a vote.

263. The national plan for persons with disabilities for the period 2022–2024 was drafted by the Commission for Persons with Disabilities and Special Needs, which is part of the Ministry of Labour and Social Affairs. The plan, which is aimed at persons with disabilities of both sexes and of different age groups, calls for sports festivals and the organization of workshops that are designed to encourage the media to raise awareness of disability issues. In addition, the plan envisages follow-up on the goals of the national development plan (subsection on human and social development for persons with disabilities) and on the implementation of the Sustainable Development Goals (2020–2030) relevant to persons with disabilities, as well as inclusive education and special educational units.

264. The Ministry of Health and supporting ministries, such as the Ministry of Labour and Social Affairs, the Ministry of Education, the Ministry of Higher Education and Scientific Research, the Ministry of Culture and the Ministry of Planning/Central Statistical Organization, as well as the Iraqi Media Network, cooperate with each other within the context of the community rehabilitation programme, the purpose of which is to provide rehabilitation services to persons with disabilities and to integrate them into society.

265. The Commission for Persons with Disabilities and Special Needs of the Ministry of Labour and Social Affairs has strived to provide accessibility for persons with disabilities in the education and health-care systems and provide them with the following types of assistance:

| <i>Type of assistance</i> | <i>Males</i> | <i>Females</i> | <i>Total</i> |
|-------------------------------------|--------------|----------------|--------------|
| Exemption from automobile tax | 6 513 | 3 069 | 9 582 |
| Admission quota for studies | 758 | 521 | 1279 |
| Health insurance | 726 | 474 | 1200 |
| Allocation of a percentage of sales | 28 | 18 | 46 |
| Reduced travel costs | 97 | 41 | 138 |
| Courses | 1 | 3 | 4 |

266. In accordance with the law concerning persons with disabilities and special needs, the services that the Commission for Persons with Disabilities and Special Needs provides in coordination with the Ministry of Health cover all groups of persons with disabilities without discrimination. As at 31 October 2022, the services provided were as follows:

- Full-time helpers for persons with disabilities and special needs (2,223 men and 2,078 women).
- Stipends for persons with disabilities and special needs (175,197 men and 119,251 women).
- Admissions quota for studies for persons with disabilities and special needs (2,223 men and 2,078 women).
- Health insurance for persons with disabilities and special needs (2,112 men and 813 women).
- Importation of vehicles for persons with disabilities and special needs (24,330 men and 8,708 women).

- Travel expenses for persons with disabilities and special needs (852 men and 289 women).
- Jobs for persons with disabilities and special needs (897 men and 405 women).
- Persons receiving the stipend for persons with disabilities and special needs (119,117 men and 80,652 women).

267. Number of beneficiaries of the social protection program for persons with disabilities for 2021 and 2022:⁹

| <i>Year</i> | <i>Males</i> | <i>Females</i> |
|-------------|--------------|----------------|
| 2021 | 50 314 | 57 711 |
| 2022 | 50 704 | 58 397 |

268. Number of persons with disabilities who received the full-time helper stipend in 2021 and 2022:¹⁰

| <i>Year</i> | <i>Males</i> | <i>Females</i> |
|-------------|--------------|----------------|
| 2021 | 8 916 | 6 867 |
| 2022 | 15 654 | 12 049 |

269. With regard to the Kurdistan Region, article 10, paragraph three of the law concerning the rights of persons with disabilities and special needs in the Region provides that persons with disabilities and special needs must be comprise 5 per cent of all persons appointed in public sector institutions, and they must receive professional and vocational training and habilitation. There are 12,068 disabled persons employed by government departments and institutions on the basis of a medical committee review; persons with disabilities and special needs comprise 14 per cent of that number.

270. All persons with disabilities and special needs enjoy the rights (education, health, employment in the public and private sectors, financial assistance) that are set out in Act No. 22 (2011) and its related instructions. All the relevant ministries have a responsibility and an obligation to implement the provision of the Act.

271. A council for the care and habilitation of persons with disabilities and special needs in the Kurdistan Region has been established that operates under the supervision of the Minister of Labour and Social Affairs. The membership of the council includes representatives of the Ministries of Health, Education, the Interior and Justice, the Independent Commission for Human Rights and associations and organizations concerned with the affairs of persons with disabilities and special needs.

272. Person with disabilities and special needs in the Region are eligible for a financial grant. The Government is striving to increase this grant based on the degree of disability. According to statistics from the Ministry of Labour and Social Affairs, the number of persons with disabilities and special needs who receive stipends is as follows:

- 78,335 persons receive a support stipend.
- 72,718 disabled persons receive a stipend of 150,000 Iraqi dinars.

⁹ Source: Ministry of Labour and Social Affairs.

¹⁰ Source: Ministry of Labour and Social Affairs.

- 5,617 disabled workers employed by government departments and institutions receive a salary of 100,000 dinars.

273. The Kurdistan Regional Government has specific instructions regarding assistance for full-time helpers of persons with disabilities and special needs, such as granting leave to employees that can be renewed annually. A total of 1,997 employees (men and women) of government departments who have been granted caregiver leave are registered with the Ministry of Labour and Social Affairs.

274. Caregiver leave has been granted to more than 700 teachers in the Kurdistan Region employed by the Ministry of Education, in order to allow them to care for persons with disabilities.

275. A female employee who cares for a child with special needs, disabilities or an incurable disease is eligible for maternity leave on the basis of a medical report regarding the patient's condition.

Refugee, returnee and internally displaced women and girls

Recommendation in paragraph 40

276. Iraq approved, by Cabinet Decision No. 100 (2021), the national plan for the return of displaced persons to their liberated areas of origin. The decision covers all the requirements and needs of displaced persons. The most significant challenges and obstacles that stand in the way of the return of displaced persons have been identified and programmes and projects have been proposed to address each challenge and solve all the problems that they face. The relevant authorities have already begun implementing the national plan, taking into account programmes and operational activities under way for the return of displaced persons and the reconstruction and rehabilitation of the conflict-affected homes of displaced persons, as well as making available the funding needed to do that. Work is also under way in relation to national reconciliation, stability, rehabilitation and post-return community development and achieving the listed goals.

277. The scope of National Security Council Decision No. 9 (2022), concerning security screening, is restricted to internally displaced persons who are outside Iraq and does not cover other internally displaced persons.

278. With regard to facilitating the safe return of internally displaced persons, the Ministry of the Interior has established and maintained security by opening police stations and establishing security control points and check points, in order to facilitate the safe return of displaced persons and overcome the obstacles that they face.

279. A total of 36,341 women affected by the conflict have obtained a security card.

280. A total of 61,219 documents have been issued on the basis of simplified procedures to women and children in conflict conditions.

281. Funding for return grants has been allocated in the budget of the Ministry of Migration and Displacement. Financial allocations in the 2023 budget have been increased to cover widows, divorced women who are heads of households and women who have lost their families, with a view to providing them with opportunities for a decent living and the chance to return and live in stability. From the start of 2019 to March 2023, a total of 99,317 displaced families have received financial grants, while 13,799 female-headed households benefited from such grants

282. A total of 28,551 returning families were covered by the financial grant of 1.5 million Iraqi dinars in 2022, and 9,683 returning families were covered in 2023.

283. As at 1 April 2023, the numbers of returning, integrated and displaced families were as follows:

- Number of returning families: 507,129
- Number of integrated families: 1,408
- Number of families that are still displaced: 438,499
- The return rate is 57.1 per cent

284. A total of 149 camps have been closed. The remaining 27 camps are distributed as follows:

- 1 camp, which is named Jad'ah, is in Ninawa Governorate, and it is used for the psychological rehabilitation of displaced persons
- 4 camps in Sulaymaniyah Governorate
- 6 camps in Erbil Governorate
- 16 camps in Dahuk Governorate
- A total 36,563 families (177,584 individuals) are in camps for internally displaced persons
- A total of 90,180 families (451,498 individuals) have returned from camps for internally displaced persons
- The total capacity of the camps is 57,873 housing units
- The total number of occupied housing units is 42,996

285. When the displacement started, the civil status departments opened alternate offices for the purpose of issuing documents to displaced families. An alternate office was opened in Mahmudiyah district for the people of Anbar Governorate and another in Najaf Governorate for the people of Ninawa Governorate.

286. The Ministry of Migration and Displacement and the Ministry of the Interior formed field teams for the purpose of issuing official documents that were lost by internally displaced persons. Those teams issued more than 100,000 official documents to internally displaced persons.

287. The General Directorate for Survivors' Affairs and the Ministry of the Interior issued 293 official documents to survivors who had lost theirs.

288. The Ministry of Planning, in cooperation with the Economic and Social Commission for Western Asia, piloted a rehabilitation programme in Ninawa, Salah al-Din and Anbar Governorates for areas emerging from conflict and fragile communities. The main aims of the programme were to strengthen local governance, in order to address the multiple challenges that arose after terrorist organizations occupied several governorates in Iraq, and to raise the capacity of relevant local institutions to respond to the conditions and requirements for the return of displaced persons to liberated areas, including, in particular, their ability to ensure the return of such persons to their damaged places of residence, restore the social fabric and provide the basic services needed to secure livelihoods and establish peace and security, while at the same time laying the sound foundations that are required for the long journey towards reconstruction and sustainable and just development.

289. The mine action units, the Ministry of Defence and other military authorities are continuously removing explosive devices and securing liberated areas in order to ensure the safety of families returning to their areas of residence.

290. The Cabinet, in its Executive Order No. 40 (2021), ordered that a supreme committee for the provision of relief to displaced persons be established. This committee, which is headed by the Minister of Migration and Displaced Persons, provides assistance to displaced persons, monitors them in situations of emergency, resettles them and reintegrates them when they return to their homes. The committee, which is also responsible for implementing the national plan for the return of displaced persons to their liberated areas of origin, is composed of 16 representatives of the government, including the Deputy Secretary of the Cabinet; 11 representatives of the ministries, all of whom are at least undersecretaries; the head of the reconstruction fund for areas affected by terrorist operations; and representatives of the national operations centres, the Civil Defence Directorate, Joint Operations Command and the Department of Labour and Vocational Training of the Ministry of Labour and Social Affairs.

291. The Ministry of Migration and Displacement has assigned priority to displaced women, providing them with aid and conducting programmes, projects and training courses for women from which they can benefit when they return to their areas. The Ministry has allocated a significant amount of funds for this purpose since 2014. The Ministry works in coordination with government agencies and international and local organizations in order to create job opportunities for women. In addition, the Ministry, in its budget, allocates the funding needed to operate income-generating projects and cover the largest number of women heads of households.

292. Refugees in Iraq who have been accepted as refugees enjoy permanent and lawful residence and unconditional freedom of movement, as stipulated in the laws in force concerning the rights of refugees. A refugee who holds an identification card issued by the Permanent Committee for Refugees is allowed to work freely pursuant to the Political Refugees Act. The Ministry of Migration and Displacement has not recorded any cases of abuse of refugees.

293. Demolished housing is one of the most important factors affecting the return of displaced persons. It is estimated that more than 30,000 houses and 421 villages have been completely or partially destroyed. The funding required to rehabilitate these houses and villages have been established. It should be noted that the Ministry of Migration and Displacement, in coordination with such international organizations as IOM, has rehabilitated 4,100 houses in Ninawa, Salah al-Din and Anbar Governorates. In addition, the Ministry, in coordination with the relevant authorities, such as the Ministry of Defence, has sought to remove explosive remnants of war from contaminated areas, because such remnants are an impediment to the return of displaced persons.

294. Regulation No. 1 (2021) was issued. This is the first amendment to Regulation No. 3 (2017) concerning the reconstruction fund for areas affected by terrorist operations, which was promulgated by Cabinet Decision No. 89 (2021).

295. Several projects have been established to employ displaced women. A total of 323 women have benefited from such projects, which include the sewing and knitting project, the food processing project, the handicraft project, the glass decoration project and others.

296. The Ministry of Migration and Displacement has organized 21 diverse training courses aimed at empowering women economically. A total of 1,140 women attended those courses. In addition, 300 women heads of households in areas of displacement and return have been empowered economically.

297. The Ministry organized 54 awareness-raising dialogue sessions regarding various subjects in order to empower women socially. A total of 941 women participated in those dialogue sessions.

298. The Ministry of Migration and Displacement has rehabilitated and reintegrated 400 survivors of sexual violence in areas of displacement and return.
299. The Kurdistan Regional Government has granted displaced persons and refugees the right to work on an equal footing with the rest of the inhabitants of the Region. Consequently, 63.5 per cent of displaced persons and 87.9 per cent of refugees are in employment.
300. The Ministry of Migration and Displacement has taken several measures to benefit minorities, including by ensuring that they are eligible for various financial and relief grants, and that Yazidi women survivors are eligible for exceptional grants. The Ministry has opened offices in minority areas to facilitate procedures for their return.
301. In August 2023, the number of beneficiaries who were receiving a survivor's stipend stood at 1,002 persons.
302. The Yazidi Female Survivors Act, No. 8 (2021), provides that survivors are guaranteed material and moral compensation, a decent life, rehabilitation and care. It also provides that the means to reintegrate them into society and to prevent the recurrence of the violations that were committed against them must be established.
303. In Dohuk Governorate, treatment, support and rehabilitation centres have been established for women who survived being captured by Da'esh. In addition, 50 centres have been established to raise awareness and provide psychological and health services in camps in the Kurdistan Region.
304. In order to safeguard the lives of refugees and displaced persons, the camp administrations in the Kurdistan Region control entry into and exit from the camps. Only refugees, government employees and humanitarian organizations working in the camps have the right to enter.
305. The Kurdistan Regional Government has provided all forms of assistance to all displaced persons and refugees, without discriminating among them on the basis of ethnicity, religion, nationality or sect. It has also provided care for children and women with disabilities and special needs.
306. The Government of Iraq, acting through the Ministry of Migration and Displacement and the relevant authorities, strives to ensure the rights of those who seek refuge in Iraq in accordance with relevant laws and directives, in particular Act No. 51 (1971) on political refugees. That Act regulates the status of refugees in compliance with human rights principles and international standards relating to the rights of refugees. Several proposals have been made to further develop the provisions of the Act in order to ensure greater compliance with international standards.
307. Pursuant to Act No. 76 (2017) concerning the residence of foreigners, Iraq respects the rights of those residing in its territory, including those whose presence is incompatible with the provisions of the Act. It does so in accordance with international rules, such as the principle of non-refoulement established by international norms, and the relevant human rights treaties. A draft of the first amendment to this Act is currently under review.
308. The Nationality Act, No. 26 (2006), adequately addresses the question of statelessness in many of its articles.

Data collection

Recommendation in paragraph 42

309. In implementation of the government programme, the National Strategy for the Advancement of Iraqi Women for the period 2023–2030 was launched on 8 March 2023. The National Strategy includes several objectives spread across its five components. In that connection, a great deal of effort was devoted to compiling data and statistics related to women’s issues, starting with the initial preparations and up to the time the directives that were issued to the authorities responsible for implementation. One of those directives concerns the immediate development of a solid and reliable database on women’s issues, so that such issues can be analysed and gaps identified and addressed on the basis of priorities and phased plans that extend to 2030.

310. Work is under way to implement the data and knowledge pillar of the plan for the women’s economic empowerment by strengthening data collection systems relating to informal (unorganized) work done by women in the private sector in Iraq, such as in cottage industries and by self-employed workers. Work is under way on a survey about women’s work employment in the formal and informal private sector.

311. In connection with the Sustainable Development Goals, a database has been established for collecting information on population, employment, labour, education, social development, gender equality and women’s empowerment. A national report on the situation of women in Iraq was prepared by the Ministry of Planning. In that report, all indicators related to women are reviewed in a manner that paints a clear picture of the status of Iraqi women.

Optional Protocol to the Convention and amendment to article 20 (1) of the Convention

Recommendation in paragraph 43

312. Iraq is continuing to study the possibility of acceding to international instruments, including United Nations human rights treaties, by developing concepts for mechanisms that would implement such instruments at the national level and would choose the appropriate time to take a decision in that regard. It should be noted that 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 making the declaration.

Beijing Declaration and Platform for Action

Recommendation in paragraph 44

313. Iraq uses the Beijing Declaration and Platform for Action as a frame of reference for all its policies on the advancement of women and the elimination of discrimination on the basis of sex. That is evidenced by the many strategies and plans aimed at promoting positive discrimination. The aim is to empower women economically, politically and socially and thereby enable their participation in accordance with the principle of equality and in keeping with the rights enshrined in the Constitution. Doing so ensures that women can participate in political decision-making and decision-taking, and that they are able to play an effective role and serve as a catalyst for development, economic revitalization and social cohesion. The State is focusing its efforts on reform and change that increases the capacities of women and empowers them at the level of both the family and society to make family-related decisions that

promote the development of a cohesive family and society; help women avoid poverty, destitution, violence and fear; and ensure a quality of life for women that enhances human dignity and sustainable growth.

314. Iraq has established a national committee to follow up on the implementation of the Beijing Declaration and Platform for Action (Beijing+30). The membership of that committee, which is chaired by the Department of Women's Empowerment, includes representatives of the relevant government agencies and international and local organizations. This committee is preparing the second report of Iraq on the implementation of the Beijing Declaration and Platform for Action (Beijing+30).

Dissemination of the concluding observations

Recommendation in paragraph 45

315. The present report was jointly prepared by the national committee for reporting pursuant to international human rights treaties. That committee is headed by the Minister of Justice and its membership comprises several relevant government agencies. The concluding observations were transmitted to the Council of Representatives, the Parliament of the Kurdistan Region, the Supreme Judicial Council, the Secretariat of the Cabinet, ministries and government bodies, with a view to collecting the information required by the Human Rights Department of the Ministry of Justice to prepare the draft report and then present it to the national committee for reporting pursuant to international human rights treaties for approval and submission to the Secretariat of the Cabinet.

316. In order to provide up-to-date information, the process of collecting information continued until the date of submission of the report. The national committee for reporting pursuant to international human rights treaties met to discuss the draft report. The draft report was adopted and submitted to the Cabinet for endorsement. It was then transmitted to the Committee through the Ministry of Foreign Affairs of Iraq.

Technical assistance

Recommendation in paragraph 46

317. The Department of Women's Empowerment addresses the issue of technical assistance through bilateral relations and by exchanging experiences with international organizations operating in Iraq, as well as UNFPA, the World Bank, several embassies, civil society organizations and research centres and think tanks in Iraqi universities.

318. The Kurdistan Regional Government has focused on training and capacity-building because of the role that they play in developing talents and reaping the benefits of the expertise and experience of others with regard to human rights issues, including women's rights. To that end, the relevant authorities have organized workshops in cooperation with international organizations that are active in the field of women affairs, such as UNFPA, WHO, UNHCR, UNICEF, the International Rescue Committee, the United Nations Assistance Mission for Iraq and UNDP.

Ratification of treaties

Recommendation in paragraph 47

319. Iraq has acceded to eight major international human rights instruments and has established national mechanisms to promote human rights concepts in the Iraqi State. Iraq is considering the possibility of acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. However, the standards established in that convention are not line with existing legislation, in particular the Retirement and Social Security for Workers Act, the Labour Code, the Trade Union Organization Act, the Social Protection Act and the instructions concerning employment of foreigners in Iraq. In addition, those standards are not consistent with national mechanisms.
