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具体人权问题

妇女与人权

2004 年 7 月 22 日伊拉克常驻联合国日内瓦办事处代表团致 促进和保护人权小组委员会秘书处的普通照会

伊拉克共和国常驻联合国日内瓦办事处和日内瓦其他国际组织代表团向促进和保护人权小组委员会第五十六届会议秘书处致意，并谨随函附上题为“执行《北京宣言和行动计划》的后续行动”的研究报告。*

伊拉克共和国常驻代表团谨请秘书处将这份研究报告作为促进和保护人权小组委员会第五十六届会议议程项目 6(a)的正式文件分发。

* 附件不译，阿拉伯文和英文照发。

Annex

Study on the follow-up to the implementation of the Beijing Declaration and Platform for Action submitted by the Republic of Iraq to the Sub-Commission on the Promotion and Protection of Human Rights at its fifty-sixth session

Geneva, July 2004

National report on follow-up by Iraq to the implementation of the Beijing Platform for Action

Brief overview of Iraq's experience in implementing the Beijing Platform for Action

Throughout history, Iraqi women have been accorded special consideration with a view to strengthening their role in the country's socio-economic development, safeguarding their dignity and protecting their rights. When mankind's first code of law was produced in Mesopotamia during the time of Hammurabi, Hammurabi's famous Code represented the first legal code that dealt with women, providing them with legal protection through the provisions that granted Iraqi women full legal capacity. This was followed by the Islamic Shariah, which reaffirms the same humanitarian principles and values, accords women a special role in public life, establishes equality of rights and obligations between men and women, and accords women rights with respect to independent political participation. Thus, Almighty God commanded His Prophet Muhammad (God bless him and grant him salvation) to take the oath of allegiance from women independently of men, and the Islamic Shariah also grants women the right to education and the right to own property in the widest sense.

In the modern era, in view of the exceptional circumstances with which Iraq has been confronted, Iraqi women have faced some of the greatest challenges to their advancement and personal identity. These challenges are exemplified by the three wars imposed on them by the former regime and the economic embargo which depleted the resources of Iraqi families in general and Iraqi women in particular, leaving women to bear the brunt of the difficulties of daily life and bringing about a major diminution in their role in development and their contribution to public life, while also undermining their achievements and the progress that they had scored, in various domains, throughout their long history. The difficult conditions with which Iraqi women were confronted forced them to abandon working life and devote themselves exclusively to domestic work in order to cope with the ever-increasing burdens of daily life. In addition, women's physical and mental health were seriously impaired under the former regime, owing to the daily suffering caused by shortages of food, medicines and basic humanitarian supplies for the family and, in particular, for women.

Although Iraq signed the Beijing Declaration and acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), in the 10 years since the signing of the Declaration no concrete results have been secured, because of the factors mentioned above.

Now that Iraq has been liberated, the Interim Government has begun revamping its public institutions and has established a Ministry for Women, in implementation of the Beijing Platform of Action, to deal with all the matters raised at the Beijing Conference.

Iraq's most important achievements with respect to the Beijing Platform for Action

A. Women's participation in power structures and decision-making

General objective

To ensure that women continue to exercise their political and civil rights; to improve their professional status by increasing the numbers of women in senior administrative positions; and to increase their participation in power structures and decision-making at all levels by raising their standard of education and improving their qualifications. This is achieved by:

- (a) Involving women in the drafting of laws and legislation that comply with international guidelines and conventions and take account of our national specificities;
- (b) Affording women access to equal opportunities for administrative promotion and to training and vocational training that will enable them to take up senior executive and representative positions in all State institutions;
- (c) Including in statistical data indicators that measure the gender gap in decision-making, and using that data for the purposes of planning and policy formulation;
- (d) Strengthening the role of the high-level national committee concerned with the national strategy for the advancement of women, by establishing a permanent mechanism to monitor the implementation of the strategy.

Non-official organizations

- (a) Granting women the opportunity to occupy leadership positions in political parties, trade unions and popular organizations, and ensuring the effectiveness of their leadership role in those organizations by taking practical measures to expand their membership base and remove any obstacles thereto;
- (b) Encouraging women to vote for, and stand for election to, local councils and various national bodies;
- (c) Organizing seminars and meetings and issuing publications designed to familiarize women with their legal right to vote and to participate in decision-making.

Examples of women's participation in power structures and decision-making in Iraq

- Iraqi women were given the vote in 1980.
- In 2001, women held 8 per cent of the seats in Parliament.
- The first female district president was appointed to the Kurdish area in 2003.

- In 2003, there were three women members of the Transitional Governing Council. One of them was assassinated, and another woman was appointed to take her place.
- In 2003, the first woman Minister for Public Workers was appointed in Iraq.
- In 2004, six women ministers were appointed to the Interim Government, in addition to a number of deputy ministers.
- Female civil servants employed in State ministries account for 46.7 per cent of the total workforce in those ministries.
- The proportion of women occupying the rank of ministerial director-general amounts to 30 per cent.
- Women in Iraq take part in human-rights conferences and meetings and in negotiations on the peaceful settlement of disputes. They also take part in aid and humanitarian assistance activities.
- The Governing Council's overall objective is to make sure that at least 25 per cent of the persons who participate in power structures and decision-making are women.

B. Guaranteeing Iraqi women equality of opportunity with respect to education at all levels

General objective

To encourage women to take advantage of educational and vocational training opportunities and to bring a halt to the phenomenon of girls dropping out of school by:

- (a) Continuing efforts to make education compulsory, taking account of the special circumstances imposed by decades of war and the embargo on Iraq;
- (b) Working to establish adult education and literacy programmes and to open up a channel that links this form of education to regular education with a view to enabling women to pursue their studies to whatever level is appropriate for them and compatible with their abilities and aptitudes;
- (c) Including more women in the design of educational policies, programmes and curricula;
- (d) Continuing to raise the standards of women's education and qualifications.

Non-governmental organizations

- (a) Identifying the obstacles that contribute to girls dropping out of school at different levels of education;

(b) Introducing new types of vocational training by developing training curricula and creating the necessary conditions to ensure women's participation in these activities;

(c) Launching family awareness campaigns to explain the importance of girls' continuing their education and taking part in campaigns to eradicate illiteracy and develop compulsory education.

Examples of the state of education in Iraq during the last few decades

1. The rate of enrolment rate in primary education declined between 1993 and 1997, indicating that there was an increase in drop-out rates and a fall in the rate of enrolment in compulsory education.
2. The implementation of school-building and school-maintenance plans ground to a halt.
3. The health environment deteriorated in large numbers of schools, owing to the destruction of sanitation networks and shortages of school supplies, such as heating and air-conditioning equipment, cleaning materials, disinfectants and first aid supplies.
4. There was a sharp decline in students' desire for learning. The phenomenon of private teaching began to appear and relations between local communities and schools were weakened.

C. Guaranteeing Iraqi women equal access to health

General objective

To increase women's participation in the formulation of health policies that address women's needs and safeguard their health; to ensure their participation in the implementation of those policies; and to meet the physical and mental health needs of women throughout all stages of their lives, by:

- (a) Raising women's awareness of reproductive health with a view to promoting safe motherhood;
- (b) Developing therapeutic and preventive health services, in particular with regard to the early detection and treatment of breast and cervical cancer, AIDS and hepatitis;
- (c) Supporting the nursing profession and providing the necessary incentives to encourage women to enter it.

Non-official organizations

- (a) Strengthening the role of these organizations with a view to increasing the services they offer to women in the implementation of preventive, therapeutic and environmental health campaigns and programmes and the delivery of mother- and child and mental health services;

(b) Developing the role of community-based associations and organizations in the health sector with a view to eradicating practices that are harmful to the health of women and children;

(c) Supporting the role of civil society institutions in family planning programmes and health prevention campaigns for children.

Examples of the health situation in Iraq

1. Before the Beijing Conference life expectancy at birth for women was 60 years. After Beijing, it rose to 63.5 years; a difference of 3.33 per cent.
2. The maternal mortality rate in Iraq remains high.
3. The proportion of births that take place under medical supervision amounts to 87 per cent.
4. The total fertility rate in Iraq was 5.9 children per woman prior to the Beijing Conference and 4.3 after Beijing (a difference of 15.6 per cent).

D. Strengthening women's economic self-reliance

General objective

To improve women's economic potential with a view to increasing their income and sources of income and supplementing the family income; to empower women to deal with any adverse situation that requires them to rely on their own resources; and to increase their participation in economic life and development planning; and to help provide services for women. This is achieved through:

(a) The encouragement of investment projects which provide women with employment opportunities, such as handicrafts and light-industry projects, and their establishment in populated areas;

(b) The facilitation of enterprise loans, on favourable terms, to finance women's production and service projects;

(c) The provision of services, such as transportation, childcare facilities and other services designed to ease women's burdens, which help to reduce the sharp conflict that exists between women's family responsibilities and their work outside the home.

At the non-official level

Expanding access to information about the range of employment opportunities available to women in economic sectors.

Examples of the economic situation of Iraqi women

The female economic activity rate amounted to 10.4 per cent in 1997. As a proportion of the male economic activity rate, it amounted to 24 per cent. The female

labour force participation rate increased from 18 per cent in 1995 to 20 per cent in 2000. After the liberation, the total number of female civil servants employed in State ministries amounted to 423,801.

E. Resolution of national and international conflicts, protection of women from the effects of conflict, and the maintenance of peace

General objective

To use national and international mechanisms to protect women from the effects of armed conflict and increase their participation in peacekeeping mechanisms by:

(a) Including women in official delegations involved in peace conferences and meetings, negotiations on the peaceful resolution of conflicts, and international relief work and humanitarian assistance operations;

(b) Organizing seminars and training courses on the role of women in the promotion of peace and national defence.

Non-official organizations

(a) Encouraging women to contribute to the creation of a culture of peace;

(b) Guaranteeing protection, assistance and training for women refugees and internally displaced women in need of international protection.

F. Elimination of violence against women

Every day, women throughout the world are threatened with physical violence in the home, at school, on the street or in the workplace. This violence has the direct effect of limiting all the options that are available to women, by destroying their health, disrupting their lives and restricting their field of action. It also limits their lives indirectly by destroying their self-confidence and self-esteem in all these ways.

The following steps must be taken to eliminate violence against women:

(a) Ensure follow-up on the implementation of laws relating to the protection of women's rights and the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, taking due account of national specificities;

(b) Institute preventive measures and provide the competent institutions with training on combating violence against women;

(c) Include a special field on violence against women in the statistics of police and judicial departments in order to facilitate monitoring and help to tackle such cases.

Non-official organizations

- (a) Conduct field surveys to identify cases of violence against women with a view to assessing the scale of the problem in society and recommending measures for its eradication;
- (b) Strengthen the role played by family counselling centres in the resolution of family problems in order to prevent conflict within the family;
- (c) Familiarize women and society with the laws and regulations which guarantee women's dignity and prohibit violence against women.

Examples of how family violence against women is being dealt with in Iraq

The new Iraq intends to build a special home for women subjected to all kinds of violence by their families, in order to protect them and offer them a safe haven. The home is designed to provide care and support to women and to offer them legal advice that will enable them to gain a better understanding of their rights and obligations.

G. Participation of women in the management of natural resources and environmental protection

To strengthen women's capacities and guarantee their effective participation in environmental protection and sound management of natural resources by:

- (a) Involving women in the development of plans and legislation on environmental policies that directly affect their health and the health of their families;
- (b) Providing information and practical training, including the subject of sound management of natural and environmental resources in educational curricula; and developing women's capacities in this area;
- (c) Providing rural women with energy sources to prevent them from resorting to destructive wood-gathering practices that contribute to desertification;
- (d) Providing rural areas with sources of potable water and sanitation networks, and devising ways of using environmental resources to reclaim agricultural land.

Non-governmental organizations

- (a) Combining the efforts of these organizations so that they become an effective tool in the implementation of decisions relating to the protection of natural resources and in programmes designed to limit environmental degradation;
- (b) Conducting research, studies and field surveys and publishing data on the role of women in environmental protection.

H. Effective use of communication media to change roles in society and achieve equality between the sexes

The media provide an important tool for accelerating the sustainable development process, because of the influence they exert on people's behaviour and attitudes, which are important factors in changing habits and customs. The media also have considerable influence in the shaping of new images and behaviours and the promotion of work towards development, equality and peace.

General objective

To make proper use of all the media in Iraq to project a positive image of the active role that women in the new Iraq will play in the family and society, and to work to develop women's capacities and skills in implementing media programmes within the framework of the national strategy, by:

- (a) Formulating a clear and unified strategy and plan for the information and communication media on the subject of women's issues and their role in socio-economic and political development;
- (b) Strengthening the role of Iraqi women in the information media and involving them in information-programme planning and decision-making;
- (c) Encouraging the information media to refrain from perpetuating the sexual discrimination endured by girl children in towns and rural areas, particularly in the poorest sectors of society, which adversely affects all aspects of their lives, and to help create a social structure based on equality of the sexes;
- (d) Ensuring women's participation in media discussion of women's issues.

Non-official organizations

- (a) Developing programmes and methods for training of women's media outlets in order to help them keep abreast of developments and improve their output;
- (b) Designing and distributing to the information media informational materials to be used by women's and other programmes to strengthen the role of women in sustainable development;
- (c) Organizing seminars and lectures on women's issues and including them in the development process.

I. Institutional development or the structures and measures adopted by Iraq to promote gender equality and empower women

After the Fourth World Conference on Women in 1995 and the Beijing Declaration and Platform for Action, the purpose of which was to create a common language among all the participating States in order to secure the advancement and empowerment of women and achieve equality and equity between the sexes through increased

participation and partnership, Iraq, with a view to empowering Iraqi women to carry out projects guaranteeing them economic security, independence and autonomy, established a working mechanism to give effect to the Beijing Declaration and Platform for Action. This mechanism is the high-level national committee concerned with the strategy for the advancement of Iraqi women. It is chaired by the Minister of Labour and Social Affairs and its membership comprises the second most senior official of each State ministry, as represented by a deputy minister or a director-general. The Committee's functions include:

(a) The preparation, consolidation, monitoring and implementation of the annual plan for the strategy for the advancement of women, after it has been agreed upon by all the ministries;

(b) Participation in international conferences dealing with the strategy for the advancement of women;

(c) Organization of an annual conference to discuss research and studies on the situation of Iraqi women and ways of improving their lot.

The general principles on which the strategy in Iraq is based are derived from the following considerations:

1. The strategy in Iraq is based on Iraq's cultural heritage, the values of its noble Arab society and human rights principles.
2. The role and status of women are a reflection of how far a society has progressed. It is therefore necessary to support the advancement of women and promote their equality in society, while also eliminating any manifestation of discrimination against them.
3. The national strategy for the advancement of Iraqi women seeks to deal with the humanitarian effects of the arbitrary policies imposed by the former regime and of the decades of war and sanctions which it inflicted on the Iraqi people.
4. The strategy focuses on addressing women's issues by balancing the rights and obligations and acknowledging the complementary roles of different members of society, while stressing the importance of the cohesion of the family as the basic unit of society.
5. The national strategy for the advancement of women is linked to the comprehensive development plan, particularly its social, economic, political and cultural components, and to related regional and international strategies. It also takes account of Iraq's national and cultural specificities.

Most significant obstacles that Iraq has faced in implementing the Beijing Declaration and Platform of Action adopted in 1995

1. The unstable security situation in Iraq;

2. The lack of accurate statistics on women's work. The United Nations Development Programme for Women (UNIFEM) did offer to support the strategy. Dr. Haifi Abu Ghazala, Regional Director for UNIFEM, visited the country in 2002 and 2003 in an attempt to create a plan for the development of an extensive database on Iraqi women's work, using all the data and statistical information available in the country about Iraqi women in order to help improve their situation. However, the UNIFEM plan failed because of opposition from the former regime, which viewed the provision of any statistical or quantitative information to UNIFEM as being akin to committing espionage against Iraq. UNIFEM had allocated \$70,000 for the programme relating to the strategy for the advancement of women in Iraq;
3. The fact that no general census of the population has been conducted is a major obstacle to securing accurate statistics on social class, gender and other categories required for the purposes of the strategy;
4. The ineffectiveness of the country's existing mechanisms for the advancement of women;
5. The burden of poverty borne by women;
6. The effects of ongoing armed conflict on women;
7. The lack of a special budget for women and of programmes for their development.

Most significant challenges facing the strategy or the advancement of women in Iraq

A. Participation in power structures and decision-making

1. Ensuring that Iraqi women enjoy their legal rights and contribute to decision-making;
2. Increasing the level of women's participation in political parties and their political representation in Parliament;
3. Strengthening the role women play in general elections;
4. Supporting the role of non-governmental organizations in promoting women's advancement and improving their lot.

B. Education

1. Raising the standard of education and eradicating illiteracy among women;
2. Making families in rural and remote societies aware of the importance of educating girl children;
3. Encouraging civil society institutions to take part in literacy programmes;

4. Coordinating the efforts of civil society and government agencies in the promotion of education.

C. Health

1. Providing health and mental health services for Iraqi women;
2. Encouraging young women to enter the nursing profession;
3. Eradicating harmful health concepts and customs in society and practices that are harmful to women's health.

D. Women's economic independence

1. Organizing training courses to fine-tune the skills of women managers, and supporting and training women in new fields, in the light of technological advances;
2. Creating employment opportunities for women covered by the Social Welfare Act, such as widows and divorcees, and equipping them with skills needed to gain their economic independence;
3. Mobilizing and establishing women's committees and professional associations to support the role of women in production.

E. Resolution of armed conflicts

1. Taking rapid steps to eliminate the effects of wars and armed conflicts on the Iraqi people in general and women in particular, and ending the suffering of women, children and older persons;
2. Making the nation aware of the dangers of the arms race, which threatens mankind;
3. Conducting surveys and collecting data on women's suffering during the three decades of war to which Iraq was subjected.

F. Elimination of violence against women

1. Creating closer cooperation between governmental and non-governmental organizations with regard to the protection of women against violence;
2. Providing services and assistance for women victims of violence;
3. Creating public awareness programmes to deal with problems associated with violence against women.

G. Management of natural resources and environmental protection

1. Increasing women's participation in the management of resources and offering better opportunities for women in this domain;

2. Encouraging women's organizations to become an effective tool in the process of sustainable development and the sound management of natural resources;
3. Supporting the role of women in environmental decision-making and in the conduct of research and studies.

H. The communication media

1. Strengthening the role of information so that it becomes an important means for helping women to run their own affairs;
2. Preparing informational materials to support women's role in development, and disseminating those materials via the media;
3. Using the modern audiovisual media to draw attention to women's issues and raise public awareness.
