



Convention on the Rights of the Child

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Committee on the Rights of the Child

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Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the report submitted by Iraq under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Addendum

Replies of Iraq to the list of issues*

[Date received: 28 November 2014]

1. **Paragraph 1 of the list of issues:** The exact role played by the Ministry of Human Rights covers such areas as the promotion and protection of human rights through education, awareness-raising and monitoring. The National Centre of Human Rights provides training on the Convention on the Rights of the Child and the Protocols thereto as well as on the formation of “Friends of Human Rights” groups in schools. This is meant to encourage students and to inform them about children’s rights and human rights more generally. The Department of Performance Monitoring and Rights Protection undertakes field visits to human rights associations and submits reports to the relevant authorities. The Child Welfare Authority was established pursuant to Decree No. 272 of 1982 as the central coordinating body for the activities of the ministries mentioned in paragraph 14 of the report. It is also responsible for drawing up general child protection policies and for deciding which departments will implement them; in addition, it periodically organizes meetings attended by high-level ministerial representatives under the presidency of the Minister of Labour and Social Affairs in order to discuss cases requiring immediate decisions.

2. The Compensation for Persons Affected by Military Operations and Errors and Terrorist Operations Act (Act No. 20 of 2009) has been promulgated. Article 14 addresses the situation of pupils, students, teaching staff and public officials in the following terms:

* The present document is being issued without formal editing.



“1. Students deprived of education for reasons covered under this Act shall be allowed to return to their places of education in accordance with regulations established by the competent authorities; (2) Public officials compelled to leave their posts for reasons covered under this Act shall be restored to their posts or to equivalent posts, and their salaries and entitlements for the period they were absent shall be paid to them.”

3. **Paragraph 3 of the list of issues:** The Ministry of Human Rights organizes courses, workshops, conferences and other events related to human rights and children’s rights through the National Centre of Human Rights, with a view to increasing awareness and promoting education. It also disseminates information on its website and in its magazine, entitled *Our Rights*. In addition, the Ministry of Education has a satellite channel through which it broadcasts educational programmes to raise awareness.

4. National child protection policy in Iraq has addressed the involvement of children in armed conflict and refers to their exploitation by armed gangs and militias. There are no data that would indicate that children under the legal age of 18 years are present in the ranks of the Iraqi army or the security forces. The case of the Awakening Councils has now been definitively closed and members of those groups have been transferred to civilian employment. Remaining priorities proposed with regard to child victims of armed conflict include the need to enact legislation criminalizing the involvement of children in armed conflict (by training, arming or transporting them) and to create monitoring mechanisms to collect data on such involvement. The data currently available are not sufficient to determine the numbers of children involved in armed groups, how they are trained or where they are located. Another priority is the introduction of effective rehabilitation programmes to reintegrate the children concerned into society, and the use of the media to raise the awareness of governmental and non-governmental bodies of the dangers of recruiting children. In addition, there is a need to underscore the important role that pedagogical organization has to play, through educational curricula that ensure that children are properly raised and rehabilitated into society. Furthermore, a technical team at the American University of Beirut is working with a group of Iraqi experts to draft a general policy framework and, in consultation with stakeholders, to come up with a shared vision of how to address the problems and violations that children suffer.

5. **Paragraph 5 of the list of issues:** The Ministry of the Interior, through the Directorate for the Protection of Vital Facilities and other security agencies, provides protection for all State institutions including schools. It also protects children by setting up security checkpoints on their school routes.

6. **Paragraph 6 of the list of issues:** One of the greatest human rights challenges Iraq is currently facing is that presented by armed terrorist groups, which originate from outside the country, and exploit children to carry out or assist in carrying out terrorist acts. According to statistics from the Supreme Judicial Council, 301 cases involving juveniles were brought before the courts under the Anti-Terrorism Act (Act No. 13 of 2005) in 2013, of which 245 have been settled.

7. Preventive social welfare is based on the early identification of juveniles at risk of delinquency and can be achieved by allowing civil society and professional organizations and schools to play a broader role. Under the Juvenile Welfare Act, the Ministry of Health is required to create an office in every governorate for the purpose of providing psychosocial services to schools. The office examines and assists difficult juveniles or juveniles at risk of delinquency who are referred to it by schools or any other authorities. At the request of the school, the office conducts a medical and psychological examination of the juvenile and looks into his or her social background. It then drafts a detailed report on the juvenile’s physical, mental and psychological state and social status and the reasons he or she is at risk of delinquency, and makes proposals and recommendations to the school or other authority concerning his or her treatment and welfare. Juvenile welfare committees

and family advice committees also help in the early identification of juveniles at risk of delinquency, establishing plans to help juveniles before they transgress and working with their parents to understand their problems and help resolve them. These measures encompass all juveniles at risk of delinquency, in accordance with the Juvenile Welfare Act.

8. **Paragraph 12 of the list of issues:** The numbers of children detained on terrorism charges between 2003 and 31 July 2014 are summarized in the following table.

<i>Year</i>	<i>Detained</i>	<i>Convicted</i>
2003	-	-
2004	-	-
2005	-	-
2006	-	-
2007	592	78
2008	562	47
2009	409	123
2010	331	92
2011	199	84
2012	136	120
2013	123	70
2014 (to 31 July)	72	46

There are no reports to indicate that torture or ill-treatment occur. Civil society organizations are at liberty to organize visits to all correctional facilities once they have duly obtained permission to do so under Regulation No. 2 of 1988 on juvenile rehabilitation facilities.

9. **Paragraph 13 of the list of issues:** With regard to children formerly associated with armed groups and the programmes in place to assist their physical and psychological recovery, juveniles undergo a medical examination upon admission to correctional facilities at on-site medical centres. There is cooperation with visiting physicians and local hospitals to ensure that juveniles receive the medical care they need, and psychologists conduct scheduled visits. Cultural and educational activities are also available to juveniles in addition to religious guidance, as part of their psychological rehabilitation.