



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

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

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Item 4 of the provisional agenda\*

**Consideration of reports submitted by States parties under  
article 18 of the Convention on the Elimination of All Forms  
of Discrimination against Women**

**List of issues in relation to the combined fourth, fifth and  
sixth periodic report of Iraq**

**Addendum**

**Replies of Iraq to the list of issues\*\***

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\* CEDAW/C/57/1.

\*\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document has not been formally edited.



## General context

1. Following the collapse of the former dictatorship in 2003, Iraq experienced a violent wave of blind terrorism that targeted all sections of its people, claiming the lives of thousands of women, children and the elderly and leaving in its wake hundreds of widows, orphans and homeless. This necessitated the launching of wide-ranging security operations in Baghdad and similar operations in a number of governorates to extend security and order, prosecute criminals and enable citizens to exercise their rights. Execution of the law enforcement plan had a concrete impact. It was a wide-ranging security plan carried out in 2007 in the governorates of Baghdad, Basrah, Dhi Qar and certain governorates that were more or less under the control of armed groups. In Nineveh, the law enforcement plan was called "Operation Arbaeen" and was aimed at dismantling the al-Qaeda organization. In addition, a number of military operations took place in other critical areas, such as Diyala, Kirkuk, Salah ad-Din and Anbar. One of the positive results of these operations was a fall in the number of victims of terrorism in the years following their launch. In 2008, 7,438 were killed and 22,357 wounded; this fell in 2009 to 4,068 killed and 15,935 wounded. In 2010, there were 3,254 killed, representing a fall of 50 per cent.

Despite the reduction in acts of violence and terrorism since 2008 and a fall in the number of victims, terrorist acts in the form of bombings continue and the lives lost and material damage caused represent a threat to security and stability, undermine the developing human rights situation and violate the rights of citizens and their property.

The Iraqi Government has taken a number of measures to improve the situation of Iraqi women, making exceptional efforts to eliminate violence in general and violence against women in particular, by:

(a) Strengthening the role of the security agencies in terms of law enforcement and prosecution of criminals;

(b) Formation of the higher committee for the protection of the family, under the supervision of the Ministry of State for Women's Affairs and with membership from the ministries of interior, labour and social affairs, health, education and human rights. The committee is working along several lines to eliminate domestic violence in Iraqi society by adopting a national strategy to combat domestic violence, preparing a draft bill to protect against domestic violence and conducting a review of national legislation, particularly the Penal Code, in order to amend those articles that enshrine discrimination against women. Furthermore, the committee has supported a scheme to establish a family protection directorate attached to the Ministry of Interior, the first section of which was opened in Karkh in February 2010 and the second in Rusafah in July 2010. Subsequently, 14 sections were opened in the governorates, with the exception of Kurdistan Region. These sections seek to resolve domestic disputes amicably and prevent them from reaching the judiciary; they also set up safe refuges for battered women. The State has adopted this scheme and support has been provided by United Nations organizations working in Iraq, such as the United Nations Development Programme (UNDP) and United Nations Population Fund (UNFPA);

(c) The women's welfare department of the Ministry of Labour and Social Affairs, which provides a social welfare allowance for widows, divorcees, spinsters

and the wives of missing persons, together with a social protection net that provides an allowance to women heads of household, women with special needs and working women.

2. The Ministry of State for Women's Affairs has formulated a draft national plan for coordination with a group concerned with activating Security Council resolution [1325 \(2000\)](#). This group is an alliance of non-governmental organizations formed to implement the resolution. Furthermore, the Ministry has created gender units (27 units in State bodies) to bring about equality of opportunity in ministries and bodies not attached to a ministry by adopting recommendations from the Ministry of Planning on the need to establish Government mechanisms to integrate the notion of gender within State policy. This is consistent with the strategic goals of the Ministry of State for Women's Affairs, which seeks to make all institutions develop policies and organize programmes in line with the requirements of both genders and reduce the gender gap in respect of opportunities and the provision of services. Women's issues and needs are thereby becoming integrated into all the policies of official institutions in Iraq. Measures currently being taken include:

- Creation of units in those ministries and bodies not attached to a ministry in which such units have not yet been created;
- Training and capacity-building of workers in gender units and formulation of an action plan for these units;
- Coordination with international efforts through United Nations agencies working in Iraq and foreign organizations in order to benefit from global expertise in this field;
- Creation of a central committee specializing in women's affairs, with the approval of the Ministry of Higher Education; work was completed on drafting the committee's statutes and administrative structure in October 2012;
- In February 2013, the Ministry of State for Women's Affairs organized a workshop for the national curriculum design committee of the Ministry of Education on re-writing the curricula in line with principles of respect for both genders. This workshop received the support of the aforementioned specialized committee;
- Furthermore, the Ministry of State for Women's Affairs presented a working paper on family and young people as part of a special workshop designed to analyse threats to Iraqi national security in 2014-2019; the workshop was organized by the Iraqi Government's national security advisory committee;
- The National Reconciliation Committee (NRC), attached to the Prime Minister's Office and headed by an adviser, has established a special office for women, all the members of which are women. This office is concerned with monitoring all matters of interest to Iraqi women and seeks to advance the position of women and enable them to play a leading role in the national reconciliation project, with direct oversight by female representative offices and women's support councils attached to the NRC. This office strives to:

1. Spread cultural awareness of the need for women to participate in building national unity and cohesion through forums and conferences targeting all governorates in the country;

2. Hold courses on developing security awareness and identifying different types of explosive, in collaboration with the Ministry of Interior and national security agencies;
3. The women's office takes part in efforts designed to spread awareness of the importance of peace, through participation in festivals held to promote national reconciliation and employing certain activities — such as trips in which groups of women go on visits to holy places (Najaf, Karbala, Samarra) and even museums — to spread the spirit of national reconciliation;
4. The women's office organizes a variety of arts festivals designed to spread the culture of peace through, for example, the plastic arts and Koran recitation contests for women;
5. The women's office maintains contacts with non-governmental organizations to achieve its goals of national reconciliation with all sections of Iraqi women;
6. The office holds celebrations on many occasions, such as Iraqi Women's Day, through which it honours women active in the field of women's rights, as well as top students in universities and schools;
7. The women's office opened representative offices in both the Karkh and Rusafah sides of Baghdad, as well as in other governorates, to offer cultural and social courses designed to spread the concepts of peace and national unity. Furthermore, it monitors the work of female representative offices and women's support councils in Baghdad and the governorates;
8. The women's office coordinates with the Ministry of State for Women's Affairs in holding literacy courses for women and with the Ministry of Health in holding health education seminars. Furthermore, it coordinates with the women's welfare department to extend services to a large number of divorcees, widows and women with special needs;
9. In the belief that national development is one of the fundamentals of peacebuilding, the women's office of the NRC has held a number of forums on human development;
10. The office seeks to increase the skills of women in certain areas, such as dressmaking and computing, through courses to help them obtain work;
11. The women's office participates in the activities and measures of the programme to dry up the sources of terrorism.

## **Reservations**

3. Iraq's reservation to article 9 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was lifted pursuant to Law No. 33 (2011), ratified by the Council of Representatives on 8 October 2011, given the extinguishing of the legal effect of the said reservation under article 18 of the Iraqi Constitution, upon which enactment of the current Iraqi nationality law, No. 26 (2006), is based. This law gives Iraqi women the same right as men to grant nationality to their children. Article 3 of the said law stipulates, "Anyone born to an

Iraqi father or Iraqi mother shall be held to be Iraqi". It thus permits a mother to grant Iraqi nationality to her children, even if she is married to a foreigner.

As regards Iraq's reservations to article 2, paragraphs (f) and (g) and article 16 of the Convention, studies are still being conducted by joint committees made up of the relevant ministries, including the Ministry of Human Rights, Ministry of State for Women's Affairs, Ministry of Interior and Ministry of Labour and Social Affairs, and a group of civil society organizations interested in studying and reviewing these reservations.

## **Constitutional and legislative framework**

4. The Republic of Iraq is conducting a comprehensive and ongoing review of its international commitments in the field of human rights in order to consolidate these and translate them into Government policy reflected in national legislation and strategy. The performance of Government agencies is subject to regular and continuous monitoring. Treaty agreements are published in the Official Gazette, becoming a part of operative legislation that must be observed and adhered to and the substance of which the law must embrace. Legal studies are currently being undertaken on matters that are incompatible with CEDAW and both the Ministry of Human Rights and Ministry of State for Women's Affairs have been busy in this respect, submitting legal studies on the removal of articles incompatible with the concepts of the Convention. In addition, several civil society organizations concerned with women's rights have addressed the subject of the compatibility of national legislation with the articles of the Convention.

5. Article 14 guarantees the principle of equality of all Iraqis before the law without discrimination on grounds of sex, religion, sect or ethnicity. The same principle is implicit in operative laws, with the exception of certain cases noted in the national report. It is worth mentioning that article 13 of the Constitution stipulates: "First: this Constitution is the pre-eminent and supreme law in Iraq and shall be binding in all parts of Iraq without exception. Second: no law that contradicts this Constitution shall be enacted. Any text in any regional constitutions or any other legal text that contradicts this Constitution shall be considered void." On this basis, the principles of equality are implicit in all operative laws. Otherwise, a law may be challenged on the grounds of unconstitutionality in the Federal Supreme Court, which will consider the extent of its compatibility with the Constitution. As such, we see no need to promulgate a law prohibiting discrimination, as the Constitution has prohibited anything inconsistent with the principle of equality.

Article 41 of the Constitution of Iraq is the subject of debate and discussion and is still being examined by legislative experts. Accordingly, the said article has not yet entered into force and Personal Status Law No. 188 (1959) continues to be operative.

The national plan on human rights, recently adopted on the basis of the universal periodic review submitted by Iraq in 2010, indicates the need to conduct a review of the Penal Code and the coordination and follow-up committee charged with implementing the plan has assigned both the Ministry of Human Rights and the parliamentary human rights committee to undertake this task, which aims to abolish gender-based discrimination in Law No. 111 (1969, amended), the Penal Code.

Membership of the concerned committee consists of representatives from relevant ministries, institutions and civil society organizations. A set of amendments to certain articles of the Penal Code, including articles 41, 409 and 380, was adopted by the drafting committee at a conference that included all members of the committee appointed by the national plan on human rights, in partnership with the Ministry of State for Women's Affairs.

## **Access to justice for women in detention**

6. I. The right of access to justice is constitutionally guaranteed to all Iraqi citizens without exception, pursuant to article 14 of the Constitution, which stipulates, "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". Everyone is subject to all the laws in force, which are applied without discrimination on account of sex. Certain articles of the Constitution embrace the principles of access to justice, including:

(a) The principle of the legality of crime and punishment (article 19/2): "There is no crime or punishment except by law. Punishment shall only be for an act that the law considers a crime when perpetrated. A harsher punishment than the punishment applicable at the time of the offence may not be imposed."

(b) The right to litigation guaranteed to all (article 19/3): "Litigation shall be a protected and guaranteed right for all."

(c) The sacred right to defence at all stages of investigation and trial (article 19/4): "The right to a defence shall be sacred and guaranteed in all phases of investigation and the trial."

(d) The principle of presumption of innocence at all stages of litigation until the verdict acquires the degree of definitiveness (article 19/5): "The accused is innocent until proven guilty in a fair, legal trial. The accused may not be tried for the same crime for a second time after acquittal unless new evidence is produced."

(e) The right to receive a fair trial in all judicial proceedings (article 19/6): "Every person shall have the right to just treatment in judicial and administrative proceedings."

(f) The principle of public hearings at all stages of litigation, except in cases where the court decides to conduct proceedings in camera (article 19/7): "The proceedings of a trial are public unless the court decides to make them secret."

(g) The principle of individualization of punishment (article 19/8): "Every punishment shall be personal."

(h) The guaranteed right of a person accused of a felony or misdemeanour who does not have a lawyer to have one appointed to defend him at the expense of the State (article 19/11): "The court shall appoint a lawyer at the expense of the State for a person accused of a felony or misdemeanour who does not have a lawyer."

(i) All of the aforementioned constitutional articles are implicit in the relevant operative laws, such as Law No. 111 (1969, amended), the Penal Code and Law No. 23 (1971, amended), the Code of Criminal Procedure. Note that the

provisions of decree No. 101 (1991) of the dissolved Revolutionary Command Council, prohibiting the detention of women for unpremeditated crimes, continue to apply.

II. The 2005 Iraqi Constitution and operative laws ensure access to justice, a fair trial and proper judicial procedures, enabling those concerned to have access to justice regardless of gender. Additionally, the above-mentioned Penal Code and Code of Criminal Procedure guarantee procedures of appeal against rulings handed down by courts of enquiry, juvenile courts and criminal courts and the law has set out the procedures to ensure this.

III. Iraqi law allows the public prosecutor to appeal rulings delivered by courts of enquiry, misdemeanour courts, juvenile courts and felony courts. The following table shows the number of cases in which the public prosecutor brought an appeal by cassation in 2012:

<i>Felony courts</i>	<i>Courts of enquiry</i>	<i>Misdemeanour courts</i>	<i>Juvenile courts</i>
4 987	7 401	2 331	518

In order to get to know the conditions of prisons and places of detention, the public prosecutor undertakes visits thereto to monitor the conditions of prisoners and detainees. Some 13,111 visits were made in 2012. Furthermore, teams attached to the Ministry of Human Rights make regular visits to prisons and detention facilities in order to get to know the conditions of prisons and of detainees. There were 245 such visits in 2012.

IV. The Higher Judicial Council is working to enable its staff to acquire the expertise to raise the standard of judicial work, in coordination with ministries and State bodies, civil society organizations, UNDP and the European Union Integrated Rule of Law Mission for Iraq, through the participation of judges, members of the public prosecutor's office, judicial investigators and officials in courses both inside Iraq and abroad designed to train teams capable of carrying out their work in all areas, including those enabling access to justice for individuals. There were nine such training courses in 2012. Otherwise, many national and international civil society organizations and bar associations are training lawyers to provide legal aid and judicial representation for accused men and women who cannot afford to pay lawyers' fees. These bodies appoint lawyers to defend such persons and prosecute their cases until the final stages of the litigation process.

V. Article 19/12 of the Constitution stipulates "A. Unlawful detention shall be prohibited. B. Imprisonment or detention shall be prohibited in places not designed for these purposes, pursuant to prison laws covering health care and subject to the State authorities." Accordingly, women may only be detained in women's detention centres that are completely separate from men's detention centres and where they are protected by security guards. These centres are administered by trained female staff, including those specialized in dealing with female prisoners and social research. The schedule below shows numbers of female detainees and convicts by age:

**Female detainees and convicts by age**

<i>Year</i>	<i>Female detainees aged 18 and over</i>	<i>Female detainees under the age of 18</i>	<i>Female convicts aged 18 and over</i>	<i>Female juvenile convicts under the age of 18</i>
1. 2010	238	1	324	5
2. 2011	327	3	462	8
3. 2102	350	10	612	8
4. To 29 July 2013	236	8	662	8

VI. Some 22 females were sentenced to death in 2012. Only four women were given life imprisonment. In cases where the perpetrator receives the death sentence, Iraqi law reserves capital punishment for only the most serious crimes, the features of which are defined in:

1. Law No. 111 (1969, amended), the Penal Code;
2. Law No. 13 (2005), the counter-terrorism law, which has the import of the above-mentioned Penal Code.

The death penalty covers crimes of serious assault against individuals and certain crimes of a serious terrorist nature. It is a lawful and constitutional punishment, despite the element of harshness involved, and is imposed by law following the issue of judicial rulings by the competent courts. Note that death sentences are subject to obligatory appeal before the Federal Court of Cassation and are heard by the court's general board, which consists of 27 competent judges of the first degree. The case is examined by them and the evidence and laws scrutinized. The verdict is then overturned or amended, or referred to the appropriate bodies for implementation. The court may rule to replace the sentence with another, to order release or to confirm the death sentence.

Abolition of capital punishment in our country under the present circumstances would prejudice criminal policy. We face remorseless and heinous crimes of terrorism, both organized and unorganized, as well as organized crime, the goal of which is to destabilize democratic institutions. The acts of violence which are taking place because of racial, ethnic or religious affiliation against the backdrop of unstable security conditions require retention of the death penalty, in accordance with the fundamentals prevailing at the present time. However, the judiciary is anxious that the courts do not pronounce the death penalty simply because the accused has committed a crime punishable by death. It must be demonstrated to the court that the convicted person represents a serious threat to society and that there is no way to reform him and reintegrate him into society. Furthermore, article 73, paragraph 1 of the permanent Constitution of 2005, grants the President of the Republic the following right: "The President of the Republic shall assume the following powers: First: to issue a special pardon on the recommendation of the Prime Minister, except for anything concerning a private claim and for those who have been convicted of committing international crimes, terrorism, or financial and administrative corruption." The President of the Republic may therefore use the authority vested in him by the Constitution to issue a special pardon preventing the death sentence from being carried out in cases where the public interest does not require it.



The Ministry of State for Women's Affairs chairs a committee studying the issue of female detainees and prisoners, formed pursuant to Executive Order No. 8 (2012). The members of this committee include the Higher Judicial Council, General Secretariat of the Council of Ministers, Ministry of Interior, Ministry of Human Rights and Ministry of Labour and Social Affairs. The work of the committee is focused on monitoring the speed with which the cases of female detainees and prisoners are resolved, monitoring their circumstances in prison and the extent to which suitable conditions are available to them inside prison, in addition to ensuring that their human rights are observed.

The following table shows the number of female convicts by type of crime in 2011-2013.

<i>Type of crime</i>	2011	2012	2013
1. Prostitution	19	25	29
2. Abduction	0	1	1
3. Terrorism	11	12	9

The following table shows the number of female detainees by type of crime in 2011-2013.

<i>Type of crime</i>	2011	2012	2013
1. Prostitution	8	6	2
2. Abduction	3	0	1
3. Terrorism	3	3	0

## **The national mechanism for the advancement of women**

7. In 2004, the Ministry of State for Women's Affairs was created to assume responsibility for achieving equality between the sexes in the fundamental areas of education, health, the economy and politics by providing plans and proposals and coordinating with the relevant governmental institutions to ensure that they direct their development programmes to meeting the natural and exceptional needs of Iraqi women in all sections of society. The term, "Ministry of State for Women's Affairs" means that it is a ministry without portfolio and has no corporate personality, either administratively or financially. It has a staff of 20 but no specific allocation within the general State budget. It is a ministry whose task is confined to addressing the demands of one half of society, namely, women, including a not inconsiderable number of widows, who have proportionally the highest levels of poverty and illiteracy. In 2007, the Ministry prepared a draft law to transform it into a ministry with portfolio, to be known as "Ministry of Women and the Family". The bill has been approved by the Council of Ministers and sent to the Council of Representatives, which has not yet voted to adopt it as law. The law is designed to apply general sources of authority, for example:

- The Iraqi Constitution of 2005, which guarantees the principle of gender equality before the law;

- The Convention on the Elimination of All Forms of Discrimination against Women;
- The Universal Declaration of Human Rights;
- Security Council resolution [1325 \(2000\)](#), on women, security and peace;
- Millennium Development Goals.

As such, the Ministry of State for Women's Affairs has adopted the following plans for 2012-2014:

- Adoption by the Government of a strategy to combat violence against women;
- Adoption by the Government of a strategy to empower women;
- Enactment of a law to protect against domestic violence;
- Preparation of gender responsive budgets for all State institutions;
- Creation of gender units in ministries and bodies not attached to a ministry;
- Programme to provide legal services for women;
- Development of family protection police sections;
- Economic empowerment of women by ensuring a proportion of appointments, borrowing and residential complexes for women, increasing social welfare allowances and setting up a development fund for rural women.

The Ministry of State for Women's Affairs chairs the following committees:

- Higher committee for the advancement of women (meetings are held regularly each month to monitor the situation of Iraqi women and legislation and laws pertaining to Iraqi women and to submit recommendations on the implementation and enforcement thereof, as well as address all issues required for the empowerment and protection of women);
- Higher committee for the advancement of rural women;
- Higher committee for the protection of the family (Executive Order No. 80 (2009));
- Committee studying the dossier on female detainees and prisoners;
- Team responsible for the national plan to implement Security Council resolution [1325 \(2000\)](#).

The Ministry of State for Women's Affairs is a partner in the following bodies:

- Higher committee for poverty alleviation strategy;
- Supreme council for population;
- National technical committee for the Iraq woman integrated social and health survey;
- Higher national committee for youth;
- National committee for health education and awareness;
- Committee drafting Iraq's universal periodic review;

- Committee for persons with special needs;
- Higher census authority;
- Higher committee for employment;
- Labour and social affairs council;
- Child welfare authority;
- Higher committee for curriculum design;
- National committee for activation of the human rights plan;
- Higher committee to combat trafficking in persons;
- National literacy agency.

### **Special interim measures**

8. All laws apply equally to Iraqis regardless of sex, religion, race or sect, pursuant to the principle of equality before the law guaranteed by article 14 of the Constitution: "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". This is true of all policies adopted by the State in the said areas. Both the parliamentary elections law (2010) and the governorate, district and county council election law (2008) ensure the commitment of the political parties to their electoral lists containing a female element of at least 25 per cent. Furthermore, the independent high electoral commission law requires the same principle to be applied in respect of election results. The Ministry of State for Women's Affairs is keen to develop the capacities of those working in the private sector development programme to mainstream the concept of gender in economic life, in partnership with the Cabinet board of advisors and UN-Women, by establishing training workshops. In 2012, the Ministry of State for Women's Affairs supported the foundation of the Businesswomen's Association, in partnership with UN-Women and relevant professional associations.

### **Stereotypes and harmful practices**

9. Working towards weakening and reducing the influence of social stereotypes that confine the role of women to child-bearing is one of the tasks of the Iraqi Government, which it addresses through the shared concern of the State with all aspects of life, while taking into account women's special characteristics. This represents an important factor in consolidating the role of women in society and building the idea of the entitlement of Iraqi women to equality on the basis of worth. It is reflected in acceptance of the presence of women on the political scene, such as in the Council of Representatives and governorate, district and county councils.

Furthermore, women today have begun to occupy positions in Iraq's judiciary and criminal legal system, which were previously the exclusive domain of male judges. The presence of women is widespread in the personal status judiciary, where the prevailing notion once dismissed the presence of women in the judiciary at all and particularly in the area of personal status. Today we have eight women judges in the

personal status courts in areas of the country known for their strict conservatism, such as Najaf, Anbar and Diyala, and there are women judges throughout the other governorates. The conviction has grown of the competence of women in this area, as in other areas.

In another respect, special committees from State ministries, such as the Ministry of Human Rights, Ministry of State for Women's Affairs and Ministry of Planning, are conducting studies and research to determine the scale of the situation and formulate appropriate solutions. Work is still continuing. An example is the periodic Iraq women's integrated social and health survey, which takes inherited notions and social and cultural stereotypes as part of its source data to form a sound basis for research and, subsequently, solutions.

Furthermore, the Ministry of Culture targets representatives from State ministries and arranges forums dealing with the role of Iraqi women in all areas of life, the importance of their active participation, and the need to abandon customs enshrining discrimination against women, particularly in the countryside. The Ministry of Culture also targets labour unions and civil society organizations, seeking to spread the culture of women's rights, the importance of women's awareness and the need to abandon stereotypes that enshrine discrimination against women. Additionally, it arranges forums devoted to explaining international human rights laws and standards.

10. The Ministry of Human Rights and Ministry of State for Women's Affairs are working in partnership with various religious bodies and civil society organizations on a legal study to eliminate the excuses that seek to mitigate the commission of "honour killing". All cases of homicide had been recorded under "crime of homicide" but after careful scrutiny, we are left with statistics for 2009 that indicate 68 cases of such crimes.

11. (a) It is not possible to elaborate in detail the phenomenon of female circumcision, given that it is not found in central and southern Iraq and is rare among the majority communities in these regions. The phenomenon has been repeatedly identified in Iraqi Kurdistan, particularly in the past in rural and remote areas. It is a product of ignorance and lack of education on the dangers of this practice and its adverse effect on a woman's life, both physically and psychologically. With education and by raising awareness in Kurdistan Region through the media, forums and workshops to identify and highlight the phenomenon as something negative and unbecoming to civilized societies, rates of occurrence have declined. The Government of Kurdistan Region has adopted several legal measures to put an end to the phenomenon, which is considered a crime under article 412 of the Penal Code, relating to wilful wounding, beating and assault. This article stipulates:

"(a) Any person who wilfully assaults a person by wounding or beating him or with the use of force or harmful substances or by committing another unlawful act with intent to cause permanent disability is punishable by a term of imprisonment not exceeding 15 years.

(b) The penalty will be a term of imprisonment not exceeding seven years or detention if the offence results in permanent disability which the offender did not intend."

(b) The Parliament of Iraqi Kurdistan has recently ratified a draft law on combating domestic violence, which includes prohibition of female circumcision. This is an important step towards elimination of this phenomenon.

(c) It may be said that, after carrying out the totality of measures noted above, both educational and intellectual measures, as well as deterrent legislative and legal measures, a substantial reduction in the recorded incidence of this phenomenon has been observed. The concerned bodies are continuing with measures to eliminate the phenomenon completely.

## **Violence against women**

12. (a) Combating violence against women has been a goal of the Ministry of State for Women's Affairs since its foundation and over the last two years it has exerted exceptional efforts to formulate a plan for coordination and consultation with relevant governmental and non-governmental bodies. The process of designing the national strategy to combat violence against women witnessed numerous negotiations, consultations and meetings in Baghdad, Erbil and several neighbouring countries and assistance was sought from a team of national experts, UN-Women, UNFPA, Arab organizations (Jordan River Foundation and Centre of Arab Women for Training and Research) and local civil society organizations. Upon completion, the strategy was put before the Council of Ministers and ratified pursuant to resolution 96 (2013). The strategy seeks to foster the rights of Iraqi women of all ages, protect them from all forms of negative discrimination and put an end to the effects thereof. The strategy addresses four themes: prevention, welfare, protection and policy implementation. The sources on which the strategy draws include the international context — in the form of agreements and treaties pertaining to women and the international commitments of Iraq within the framework of its membership of the United Nations, such as the Universal Declaration on Human Rights and the covenants and agreements on human rights ratified by Iraq — and the national context, consisting of the Constitution, numerous articles which provide for equality before the law. Furthermore, the national strategy to combat violence against women is based on major national documents, of which the most important are the five-year plan, strategy for poverty alleviation, national human rights plan and Iraq woman integrated social and health survey. More important, however, is the fact that the strategy originates from the will of the Iraqi Government to lift up Iraqi society from the situation into which it has fallen as a result of past policies and the unstable security situation, which have given rise to an extremist ideological environment that has affected Iraqi women.

(b) The national strategy to combat violence against women is the responsibility of all the concerned bodies and the Ministry of Health, in partnership with the relevant bodies, has adopted certain activities to raise awareness and educate about the importance of repudiating violence in general and violence against women in particular, given that women are such an important and fundamental group in society. Work in this regard is carried out within the activities of the gender section. Additionally, female circumcision has been listed as an instance of violence against girls (women) and cases have been recorded in the Iraq woman integrated social and health survey, in coordination with the Central Statistical Organization of the Ministry of Planning, in order to identify the scale of the problem and, consequently, formulate appropriate solutions. The Ministry of

Health has, furthermore, opened psychological health units in some 80 health-care centres to improve psychological health services. It has also set up a psychological and social services project for women survivors of violence. The Ministry of State for Women's Affairs has organized three refresher training courses to build the capacities of members of the family protection police, in partnership with the Ministry of Interior, UNFPA and UNDP. The courses focus on the skills needed to deal with women survivors of violence who have taken refuge at family protection police centres.

(c) The Ministry of State for Women's Affairs chairs the higher committee for family protection, formed under Executive Order No. 80 (2009). One of the results of the work of this committee has been the creation of family protection sections as a product of the ministry's general vision of supporting the family by building an environment enabling various sects of the Iraqi people to have confidence in the judicial system and its capacity to strengthen and protect family values and human rights as set out in the Iraqi Constitution, the operative laws and Iraq's international commitments. Additionally, this institution seeks to create peaceable families in which women, men and children are treated with respect and humanity. In this way, the family protection directorate is contributing to the building of a society that is safe and free from violence.

(d) The Ministry of State for Women's Affairs has prepared a draft law on protection from domestic violence, in partnership with the Ministry of Labour and Social Affairs, Ministry of Interior, Ministry of Human Rights, Higher Judicial Council, representatives of civil society and UN-Women. The bill has been with the General Secretariat of the Council of Ministers since 11 January 2012 and is currently being scrutinized by a specialist body of the State Consultative Council that is looking at cases of domestic violence under Law No. 111 (1969, amended), the Penal Code, until such time as the law combating domestic violence is promulgated. There were 7,137 recorded cases up to the end of December 2012, of which 5,253 had been concluded and 1,687 were still pending. Furthermore, statistics from the family protection directorate to 31 July 2009 for the Rusafah family and child protection unit in Baghdad governorate show 285 recorded cases, of which 140 had been concluded and only 145 were still pending. The staff of the family and child protection directorate consists of female and male officers holding police rank, in addition to female investigators, legal officers and other staff. The following table shows a summary of the statistics on women and domestic violence.

<i>Description</i>	<i>Number</i>
1. Female inmates and detainees subjected to domestic violence	6
2. Female inmates and detainees claiming to have been subjected to domestic violence	32
3. Female detainees and females convicted of domestic violence in Baghdad	36

Several measures have been taken to help curb domestic violence:

1. Inclusion of the problem of domestic violence as part of family education in the school curriculum;
2. Training courses for members of the family protection police, including female officers and other ranks;

3. Incorporation of human rights and domestic violence in the curriculum of the police academy;

4. Adoption of a strategy to combat violence against women in Kurdistan Region in 2012;

5. Adoption in 2012 of a law to protect against violence against women in Kurdistan Region (this law holds female circumcision to be a crime for which there is legal accountability).

## **Human trafficking and exploitation of prostitution**

13. The Government of the Republic of Iraq has taken measures to curb the phenomenon of trafficking in persons, including accession of Iraq to the international agreement on combating trafficking in persons. To translate the international commitment into a binding legal reality, the law on combating trafficking in persons was enacted by Law No. 28 (2012), which makes trafficking in persons a punishable offence. This law brings together all aspects, including penalties and traffickers, defines instances of trafficking and outlines the treatment of victims. Article 1 of the law defines trafficking in persons as: recruiting, transporting or housing individuals, receiving them for sale, exploiting them in terrorist operations or armed conflicts or in prostitution, sexual abuse, unpaid labour, forced labour, enslavement, beggary, trading of human organs or medical experimentation. The law further includes a definition of the injured party and sets out ways of protecting victims. It defines the tasks of the committees formed to implement the law and general provisions for controlling the phenomenon of trafficking in persons. The law considers victims of forced prostitution to be victims of sexual exploitation and has formulated rules for their protection. Furthermore, Law No. 28 (2012), on combating trafficking in persons, considers those who have been trafficked as victims and it is the duty of the State to attend to their health and psychological condition and to offer them support. The following articles of the law stipulate:

- Article 3, paragraph 4, provides for cooperation and coordination with concerned entities to assist victims of trafficking in persons and for the exchange of information and expertise with neighbouring countries and competent international organizations;
- Article 3, paragraph 5, provides for appropriate measures to assist victims of trafficking in persons and protect witnesses and injured parties;
- Article 10 stipulates that consent by a victim to human trafficking shall not be accepted as a defence under any circumstances;
- Article 11 stipulates that the concerned State directorates shall assist the victims of trafficking in persons, taking into consideration the special needs of infants, as follows:
  1. Refer victims to a competent physician for treatment;
  2. Provide linguistic assistance to victims if they are not Iraqis;
  3. Provide legal assistance, advice and guidance to victims;

4. Make contact with victims' families, if any, or country of nationality and civil society organizations in order to obtain the necessary assistance for them;
5. Provide the necessary protection for victims and witnesses;
6. Maintain confidentiality of information relating to victims, respect their privacy and safeguard their dignity;
7. Provide financial assistance to victims and temporary accommodation appropriate to their sex and age;
8. Provide social, psychological and physical rehabilitation for victims by setting up special rehabilitation centres/shelters or care homes attached to the Ministry of Labour and Social Affairs under a special programme to reintegrate them into society;
9. Provide job, training and education opportunities;
10. Facilitate their residence in Iraq by granting temporary entry and residence visas and special travel documents, if necessary;
11. Provide diplomatic support for non-Iraqi victims to facilitate the process of return to their own countries.

A set of measures has been taken to facilitate implementation of the said law. These measures include:

- Formation of a central committee to combat trafficking in persons, pursuant to Executive Order No. 75 (2012), based in the Ministry of Interior and with membership consisting of the Ministry of Interior, Ministry of Human Rights, Ministry of Justice, Ministry of Finance, Ministry of Transport, Ministry of Labour and Social Affairs and Ministry of Displacement and Migration, in addition to the High Commission for Human Rights and representatives from Kurdistan Region, the central intelligence agency and the governorates. Subcommittees have been established in the governorates, under the chairmanship of the governor.
- A new home has been built in Baghdad to shelter victims of human trafficking.
- The national human rights plan affirms the prevention and combating of trafficking in persons by means of a number of measures, including: developing social assistance programmes to protect victims and ensure their social and economic integration; reporting on information pertaining to trafficking in persons; conducting campaigns to prevent trafficking in persons; organizing training courses for staff of law enforcement agencies to help prevent trafficking in persons, as is the case with the Ministry of State for Women's Affairs.
- This phenomenon is monitored on a continuous basis by specialized bodies in the Ministry of Human Rights. It has become a subject of ongoing investigation, targeting a group of female detainees and women convicted of engaging in prostitution and procuring, in addition to individual cases outside the prison walls in order to understand all the factors that cause a woman to become a victim of bodily exploitation.



## Participation in political and public life

14. The Ministry of State for Women's Affairs has taken an active part in developing major strategies, as stated in paragraph 7 of these questions. The Higher Judicial Council has acted to appoint female judges in misdemeanour courts and courts of investigation and even felony and juvenile courts. Note that juvenile courts operate under both the Penal Code and the juveniles act and are subject to judicial and legal guidelines in respect of the promotion of female judges on a basis of equality with their male colleagues. Below are statistics on the number of women holding the position of judge:

1.	Female judges in felony and misdemeanour courts	22
2.	Female judges in courts of investigation	10
3.	Female judges seconded to the office of public prosecutor	36
4.	Females currently enrolled at the Judicial Institute	12

Furthermore, women occupy the post of judicial investigator in all bodies attached to the Higher Judicial Council, where their numbers rose from 79 in 2005 to 123 in 2012. Women occupy three primary seats in the High Commission for Human Rights and one reserve seat. Work is currently under way to strengthen the reserve position with another woman, in implementation of a federal court ruling in September 2012 to apply the quota principle as stated in the High Commission for Human Rights law.

## Education

15. One of the most significant steps taken by Iraq to promote education has been adoption of the national strategy for education and higher education 2011-2012. This targets all plans, curricula and staff in the field of education in order to curb rising levels of illiteracy among women throughout the country but particularly in rural areas. Article 34, paragraph 1, of the Iraqi Constitution stipulates, "Education is a fundamental factor in the progress of society and is a right guaranteed by the State. Primary education is mandatory and the State guarantees to eradicate illiteracy." Pursuant thereto, Law No. 23 (2011), on combating illiteracy, was enacted and entered into force, on the basis of which the following measures have been taken:

I. An executive body was established in the Ministry of Education with responsibility for the formulation of plans for the literacy project, coordinating operations between various bodies and training literacy workers in order to enhance their performance. The national strategy for education and higher education involves the proportion of female enrolment being 50 per cent of the total at all stages of education, in line with the census. For its part, the Ministry of State for Women's Affairs presented a working paper on designing school curricula in line with the principles of respect for gender; this was submitted to the national committee for curriculum design at the Ministry of Education on 19 February 2012. Literacy sections were created in the general directorates of education in the governorates as stipulated in the literacy act

and literacy councils were established in each county and district in accordance with the law. Furthermore, literacy centres were opened in towns, counties, districts, villages and residential areas for both sexes without regard to the number of students enrolled.

II. The following executive measures have been taken:

- The Ministry of Culture, in collaboration with the literacy board, ran a campaign to raise awareness of the literacy law among members of the public, particularly illiterates, in order to spread awareness of the importance of eradicating illiteracy and its cultural, social, vocational and legal implications;
- Regular literacy contests are held between governorates, counties and districts, with certificates of merit awarded to winners from administrative units in order to encourage them;
- Literacy centre outreach to those to whom the provisions of the literacy law apply, through coordination and collaboration with agencies of State and the public, private and mixed sectors to facilitate enrolment;
- Study at literacy centres is carried out in two stages: the basic stage and the complementary stage, both of which last for seven months. The basic stage prepares students (both male and female) for registration in the complementary stage;
- Two rounds of examinations are held: students unsuccessful in the first round examination can re-sit in the second round;
- Students obtaining a complementary stage certificate in the fifth elementary grade are admitted to continue their study and have the right to take part in the public elementary school examinations.

III. Some 5,548 adult education and literacy centres have been opened across the country, managed by 366 supervisors. A total of 494,473 students were enrolled in school year 2012-2013, of whom 275,361 were female.

Work is currently under way to open six adult education and literacy centres in juvenile correction and rehabilitation institutions. This programme involves 217 students, of whom 14 are female.

IV. To develop adult education and literacy courses at the basic and complementary levels, a general culture course has been designed to enable students to acquire the skills of reading, writing and arithmetic and life skills. The course, which also includes a human rights component, is open to both sexes.

V. Continuous training courses are held to raise the capacities of teachers working in adult education and literacy centres.

Key measures taken to curb drop-out:

- The Ministry of Education has gone to great lengths to curb school dropout in general and, officially, at general elementary and secondary levels. A parallel education system has been introduced and the drop-out rate has been reduced from 2 per cent in 2011-2012 to 1.8 per cent in 2012-2013.

- At secondary level (intermediate and preparatory) the drop-out rate was 2.5 per cent in 2011-2012 and 2.4 per cent in 2012-2013.

The Ministry of Education has instructed its offices across the entire country to facilitate the registration of girls in schools near their places of residence. In addition, the general directorate for the protection of buildings and persons attached to the Ministry of Interior has taken measures to strengthen security in schools, secure roads leading to schools and ensure that schools are protected by police and patrol squads. Obstacles and impediments which girls in general used to face in the period 2006-2008 due to the gravity of the security situation have been removed with the ending of the emergency and there has been a marked improvement in the security situation for females. This is confirmed by the rise in the level of girls registering at all stages of education. The Ministry of Education has endeavoured to increase the level of enrolment in education in implementation of the Millennium Development Goals and the indicators in the table below show what has been achieved.

	<i>Stage</i>	<i>School year</i>	<i>Percentage enrolment</i>	<i>Females</i>	<i>Males</i>	<i>Total</i>
1.	Kindergarten, ages 4-5	2011-2012	10	86 407	89 428	175 853
	Kindergarten, ages 4-5	2012-2013	12	95 451	97 907	193 358
2.	Elementary, ages 6-11	2011-2012	93	2 100 861	2 426 932	4 527 793
	Elementary, ages 6-11	2012-2013	97	2 171 401	2 488 516	4 659 917
3.	Intermediate, ages 12-14	2011-2012	40	387 956	463 645	851 601
	Intermediate, ages 12-14	2012-2013	45	433 085	619 166	952 251
4.	Preparatory, ages 15-17	2011-2012	22	204 901	207 835	412 736
	Preparatory, ages 15-17	2012-2013	24	229 280	243 361	472 641
5.	Vocational education, ages 15-17	2011-2012	1	6 089	13 808	19 897
	Vocational education, ages 15-17	2012-2013	5.1	6 682	15 116	29 163
6.	Accelerated learning, ages 12-18	2011-2012	—	8 689	43 727	43 416
	Accelerated learning, ages 12-18	2012-2013	—	7 480	29 539	37 019
7.	Adolescent education	2011-2012	—	1 229	8 294	9 523
	Adolescent education	2012-2013	—	980	744	1 724

## Accelerated learning

Accelerated learning is one of the methods adopted by the Ministry of Education to curb the school drop-out rate and pave the way for dropouts to complete their education. It has been accorded a considerable amount of attention and taken up by all governorates. According to Ministry of Education statistics for school year 2012-2013, there are 272 accelerated learning schools for males, 134 for females and 58 mixed schools; 358 of these schools are in urban areas and 106 in rural areas. There are some 1,737 male teachers in these schools and 1,162 female teachers. Furthermore, the Ministry of Education is determined to reduce the official drop-out rate at general elementary and secondary levels by means of parallel education. The result has been a decline in the drop-out rate at general elementary level from

36 per cent in 2004-2005 to 1.8 per cent in 2012-2013 and at secondary level from 3.1 per cent in 2004-2005 to 2.4 per cent in 2012-2013.

## Employment

16. The Ministry of Labour and Social Affairs has endeavoured to improve the skills level of working women in order to find jobs for them to match their qualifications. The following table shows us the increase year on year in the number of women who found work through the ministry's department of employment:

	2011	2012	2013 (to 31 August)
Working women recorded in database	52 500	13 536	29
Women who found work through department of employment	47	140	–

Furthermore, the Ministry of Labour and Social Affairs opens training courses for recent graduates to enable them to acquire work experience in line with their areas of specialization, as follows.

	2011	2012	2013 (to 31 August)
Women graduating from training courses	6 370	8 045	7 069

The Ministry of Labour and Social Affairs undertakes visits to private sector work sites to ascertain that healthy and safe working conditions are in place, that the labour law is being applied and violations recorded and that negligent employers, if any, are held to account. Through these inspection visits, the numbers of female workers in the private sector are obtained and entered in the records of the said ministry, as follows.

	2011	2012	2013 (to 31 August)
Women employed in the private sector	10 614	12 996	4 206
Unemployed women registered in Ministry of Labour database	55 443	17 233	10 293

The number of working women covered by workers' social insurance is 10,529.

The national strategy for combating poverty, developed in collaboration with the World Bank, includes a number of programmes and activities designed to improve the lives of the poor. The results show a slight decline in the level of poverty in Iraq from 22.9 per cent in 2007 to 18.9 per cent in 2012, due to Government achievements in reducing the poverty level, including the targeting of employed and unemployed women. There have been 87 strategic activities designed to relieve poverty, of which we might mention the following.

- Design of mechanisms for the exchange of information between the Ministry of Education and Ministry of Labour and Social Affairs;

- Designation of a unit in the employment offices in all governorates to which wage labourers can apply if employers do not abide by the law;
- Coordination between employment offices and the private sector to provide job opportunities;
- Organization of awareness-raising campaigns to encourage the poor, including women, to enrol at training centres;
- Involvement of civil society organizations in opening training centres;
- Adoption of a continuous monitoring system to evaluate training and qualification programmes for women;
- Creation of frameworks of cooperation with the private sector to encourage it to support qualification programmes;
- Implementation of special programmes to spread the culture of school enrolment and promote commitment to public elementary education for girls, particularly in poor areas;
- Awareness-raising programmes aimed at having women in the Iraqi countryside commit to the social security system;
- Setting up an effective system of monitoring and follow up of implementation of the social security law in order to ensure the rights of working women;
- Support for the national higher committee for employment;
- Conducting inspection visits to monitor proper implementation of the law;
- The department of employment and lending of the Ministry of Labour and Social Affairs strives to provide services to women and men equally with respect to soft loans and work is under way on standardizing operations in Baghdad and the governorates in order to provide loans for small, income-generating projects to those of both genders who meet the conditions.

## Health

17. Through the Ministry of Health, the Iraqi Government is keen to support and strengthen services provided to women at primary, secondary and tertiary health-care levels by providing preventive and curative health services in accordance with the principles of primary health care, with a focus on women. Furthermore, it is keen to expand these services to make them available in remote areas by establishing hospitals and health centres to provide, among other things, reproductive health services for women of child-bearing age, as well as free preventive and curative health services to promote the health of women of all ages.

I. Health institutions providing reproductive health services as at the end of 2012:

1. Number of primary health-care centres: 1,174 principal centres, 1,364 branch centres, 239 home clinics and 77 mobile teams, as well as 26 training centres. There were 99 family medicine centres, all of which provide free services for women and children.

2. There are 102 immunodeficiency diagnosis centres throughout the country.

3. Some 136 delivery rooms have been created in certain primary health-care centres in remote areas.

4. The total number of hospitals (public and private) in Iraq is 335. Some 239 of these are public, of which 152 are general hospitals, providing all medical services, including gynaecological, obstetric and paediatric services. Specialist hospitals include 16 paediatric hospitals and 15 maternity and paediatric hospitals; additionally, there are 13 specialist obstetrics and gynaecology hospitals throughout the country. It is essential to note the following indicators:

(a) Average distribution of obstetrics and gynaecology beds: 1.4 per 10,000 population;

(b) Average distribution of paediatric beds: 1.8 per 10,000 population;

(c) Number of incubators: 1,523 (2.5 per 10 paediatric beds).

II. Formulation of a strategy to care for the health of mother and child and reproductive health that seeks to reduce maternal sickness and mortality, implement security checks and conduct prompt diagnosis as part of the institutional follow-up into the investigation of the causes of maternal death with the aim of reducing the rate thereof to achieve the fifth of the Millennium Development Goals by 2015, compared with the average in 1990, when there were 117 deaths per 100,000 live births. According to a survey of maternal mortality conducted in 1999, the average across Iraq was 291 deaths per 100,000 live births; this fell to 84 deaths per 100,000 live births, according to the Iraqi family health survey conducted in 2006-2007. According to Ministry of Health statistics, there were 25 deaths per 100,000 live births in 2012.

III. Reproductive health services in health institutions:

1. Tests, the results of which are one of the requirements of the marriage contract, are offered to engaged couples; these are provided in primary healthcare sectors and include tests for the following:

- Blood group and Rhesus factor (to determine blood compatibility);
- Hereditary blood diseases, particularly thalassaemia and sickle cell anaemia;
- Sexually transmitted diseases;
- HIV/AIDS virus;
- Hepatitis B and C viruses;
- Tuberculosis, in the event of a cough for more than three weeks;
- Physical and mental handicap;
- Chronic and psychological illnesses.

2. Care for pregnant women: These services are offered as soon as a woman feels the first signs of pregnancy and include tests, identification of risk factors, prevention, treatment of anaemia, giving the tetanus toxoid vaccination to protect against neonatal tetanus, disseminating awareness of and providing educating about healthy nutrition and deciding on the place of birth in the health institution and qualified staff on hand.
3. Providing midwife care during natural childbirth in general and specialist hospitals and in the delivery rooms available in some primary health-care centres in remote areas. Emergency midwifery is provided in hospitals, when intervention is needed.
4. Training the licensed midwives who carry out home delivery as health educators for mothers. Midwives are attached directly to a primary health-care centre on the basis of their place of residence and duties include curtailing erroneous practices during delivery to protect the health of mother and child.
5. Postnatal maternal care by conducting the necessary medical tests, giving medication to boost health, monitoring breastfeeding and offering family planning advice.
6. Providing family planning services throughout Iraq in the one or more family planning clinics in each primary health-care sector, in addition to the consultancy clinics in hospitals and some public clinics that provide services outside official working hours. Results of the fourth round of the multi-indicator cluster survey show that use of any family planning method is 1 per cent but use of modern methods is 33 per cent.
7. Implementation and promotion of the plan to test pregnant women for the hepatitis B virus in certain primary health-care centres.
8. Introduction of tests for the early detection of breast and cervical cancer in one health centre in each primary health-care sector, with suspected cases referred to consultancy clinics for completion of the diagnostic tests.
9. In the marshland regions in the southern governorates (Maysan, Dhi Qar and Basrah) programmes have been implemented in coordination with UNFPA to train volunteer health workers from among the local population to undertake home visits and convey messages to women of the importance of presenting at the health centres on a regular basis and the importance of childbirth at the hands of specialists, as well as family planning messages, etc.
10. Extension of the family medicine programme, with the number of centres increasing from 8 in 2009 to 37 in 2010 and 99 in 2012.
11. Treating 8 March each year since 2010 as Iraqi women's health day, when departments of the Ministry of Health undertake a variety of initiatives relating to the provision of health services for women, in addition to conducting an evaluation of achievements so that services to promote women's health can be developed.

12. Adoption of work and training manuals on midwifery and the care of newborn infants.

## **Measures taken to control breast cancer**

1. Formation of a higher national committee in the Ministry of Health with responsibility for formulating plans to reduce the risk of breast cancer, in partnership with other sectors. Furthermore, there are monitoring committees in each health department in each of the governorates.
2. Implementation of a programme for early detection of breast cancer, in operation since 2000. The national campaign for early detection of breast cancer has been running for several years and work is continuing.
3. Opening of a breast cancer reference centre and early detection clinics in each governorate, as follows:
  - Ten breast cancer early detection clinics in Baghdad;
  - One or two breast cancer early detection centres in each of the provinces;
  - Opening of three reference centres in Baghdad, Basrah and Mosul;
  - Provision of three mobile clinics for early detection of breast tumours using modern equipment — sonar, mammogram, radiology and tissue testing laboratory — in addition to various medical specialists required by these clinics, including a general surgeon, laboratory specialist, radiologist and sonar specialist, as well as nursing and other health staff.
4. The Ministry of Health's cancer board compiles annual statistics from the recorded figures of new referrals to public and private health institutions; these statistics are published and distributed. A 2009 report contained figures on incidence of cancer recorded throughout Iraq, including Kurdistan Region. These statistics are published two and a half to three years after the cases occur, in line with international standards, to ensure that all cases in the country are recorded, using the global and regional CANREG4 programme.
5. Educational campaigns targeting different sections of the female population are conducted in health centres, mosques and State agencies, as well as in collaboration with civil society organizations. Furthermore, women are taught how to carry out breast self-examination. These activities are held monthly, using modern teaching methods.
6. Campaigns to examine women for undetected breast tumours are undertaken in State institutions and health centres, in coordination with civil society organizations that offer medical advice and help to women.
7. Free treatment is provided to breast cancer sufferers in hospitals and specialist centres, according to the nature of the disease. Chemotherapy is available in all parts of the country, while radiotherapy is available in certain governorates.
8. Early detection of breast tumours in general and of breast cancer in particular have been incorporated within primary health-care services by strengthening the capacities of health service providers in health centres with



respect to how to detect incidences and types of the disease and referring sufferers to specialist centres and clinics.

9. Provision and dissemination of work manuals on how to diagnose, assess and treat different cases of breast cancer at all levels and provide the necessary medical services. It should be noted that Iraq has adopted a mother, child and reproductive health strategy for 2013-2017, approved by the Council of Ministers on 4 June 2013. The substance of this strategy is based upon a gender and rights-based perspective, in line with World Health Organization standards.

## **Rural women**

18. Iraq is concerned with the position of women in the countryside and the Ministry of State for Women's Affairs chairs the higher committee for the advancement of the position of rural women formed pursuant to Executive Order No. 481 (30 October 2013). Measures have been taken to develop a strategy to advance the position of rural women, a rural women's development manual and an action plan, and subcommittees have been formed in the governorates. The following statistics have been obtained:

- Phase 1: establishment of workshops and training courses in all fields (legal, health, agricultural, domestic, literacy and media) in order to advance all aspects of the lives of rural women;
- Phase 2: provision of loans of between IQD 5,000,000 to IQD 25,000,000 (the equivalent of US\$ 4,000 to US\$ 20,000) to divorced or widowed rural women, as well as to women heads of household, wives, mothers and women with special needs. The Sabbiat area was chosen for phase one and trial launch of the project and the first visit took place on 28 May 2013, with the active involvement of all bodies participating in the higher committee for the advancement of the position of rural women.
- A rural women's development fund has been established and the sum of IQD 1,300,000,000 (US\$ 1,800,000) allocated. The agricultural sections have begun receiving applications for loans. Furthermore, rural women are able to lease agricultural land (just as men) as long as the set conditions are met, under Law No. 35 (1983, amended), on the leasing of agrarian reform land to agricultural companies and individuals.
- In execution of the strategy to combat poverty, the Ministry of Labour and Social Affairs has implemented special programmes targeting women in the Iraqi countryside to educate them about the need to abide by the social security law.

## **Widows and divorcees**

19. The problem of widows in Iraq is currently one of the top priorities for Iraqi women at national, international and humanitarian levels. The condition of widowhood represents a lack of security in its full social and economic senses and the worsening situation represents a peril to all of society. Furthermore, the lack of

official statistics showing the numbers involved, as well as discrepancies between the figures published by certain responsible State bodies and several interested non-governmental organizations, are impediments to formulating viable solutions to contain the problem and determining whether or not the human situation can be evaluated, plans developed and Government policy drawn up to alleviate the burden of widowhood. Despite the exaggeration in some published figures regarding the number of widows in Iraq, they nevertheless support the existence of a real social problem, reflecting society's feeling that the situation is serious. This is reflected in various media, which compete with one another for news and analysis of the problem of widows in Iraq. A survey conducted at the end of 2010 by the legal and human rights advice centre of Relief International (Iraq office), in collaboration with the Central Statistical Organization of the Ministry of Planning, brings us closest to the reality of the situation, as it took samples that give an acceptable statistical credibility of 99.93 per cent. Some 1,800 samples were taken: 200 from each of the governorates of Anbar, Babil, Kirkuk, Wasit and Maysan and 400 from each of Baghdad and Erbil. Through its representation of the facts on the ground, the figures and analyses provided by this survey are considered to be the closest to the reality of the situation. It is possible to determine the scale of the phenomenon of widowhood in Iraq on the basis of this survey, which may be considered as the basis for an interim solution until such time as a census is conducted, when it will be possible to make use of the official data published by the Central Statistical Organization of the Ministry of Planning.

### **Employment of widows and their economic situation**

Data show that 87 per cent of widows are unemployed, while 8 per cent work in the public sector and 2 per cent in the private sector. When they marry a working woman, some young Iraqi men oblige them to give up work. Furthermore, the security situation has forced many women to stop working and stay at home, causing their families to lose a source of income. The income levels of widows are shown in the table below.

1.	Group 1: IQD 50,000-IQD 150,000	21 per cent
2.	Group 2: IQD 150,000-IQD 350,000	39 per cent
3.	Group 3: IQD 350,000-IQD 600,000	33 per cent
4.	Group 4: over IQD 600,000	7 per cent

The above distribution shows that one fifth of those covered by the study have incomes less than IQD 150,000 and 40 per cent have incomes above IQD 350,000. If we assume that a widow has only two children and her income is IQD 150,000, her family falls below the poverty line of IQD 77,000 per month. A family which has an income of IQD 350,000 and consists of four persons (mother and three children) is close to the poverty line, with a per capita income of IQD 87,500. The relative significance of income thus depends on family size, the living environment and the availability of housing for the family, alongside the health and educational situation etc.

It is clear from the above that 87 per cent of widows do not work. Through the questionnaire, it has been possible to identify the reasons why they do not pursue any employment, which are:

<i>Reason</i>	<i>Percentage</i>
1. No available job opportunities	13
2. Lack of work skills	43
3. Unaware of where to find work	4
4. Responsibility for children	12
5. In receipt of a pension	17
6. Family are opposed	8
7. In possession of own resources	3

The above data show that 43 per cent of widows — the largest percentage — do not work because they lack qualifications to do a particular job. This proportion is consistent with low educational level. Some 17 per cent per cent of widows receive a pension, while 13 per cent are idle — that is, they are able to work but do not have the opportunity.

### **Government efforts to address the problem of widows and women who have lost their male provider**

The department of women's social welfare in the Ministry of Labour was formed in 2003. On 22 July 2008, it was attached to the General Secretariat of the Council of Ministers, becoming the body responsible for the issue of widows in Iraq (which had previously been the responsibility of the social protection net in the Ministry of Labour and Social Affairs). The department commenced executive operations on 15 January 2009, with the connection being maintained until the end of 2012. The first amendment was then made to the Ministry of Labour and Social Affairs law by Law No. 8 (2006), promulgated by Presidential Decree No. 77 (2012), attaching the department of women's social welfare to the Ministry of Labour. Groups covered include widows, divorcees, wives of missing persons, wives of convicts, women with special needs and elderly, displaced, blind, orphaned and homeless women. Statistical data on the achievements of the department of women's social welfare are as follows.

1. The number of women currently under the care of the department of women's social welfare and formerly or recently registered is 470,000, plus an estimated two million minor children.
2. Pensions were released to and received by more than 412,000 families across the country.
3. Pensions to some 85,000 women, which had been suspended as a precautionary measure, were released and arrears calculated.
4. More than 81,000 women in Baghdad and the governorates have been recently covered.

5. More than 150,000 smart cards were issued in 2010. Pensions are received by smart card via the banks.

6. The total number of families of women formerly covered is 328,105 and the total number of families of women recently covered is 84,850. The grand total is 412,955 families.

7. The total number of widows and divorcees receiving a pension of IQD 100,000 (about US\$ 83) is 237,999. The number of invalid women receiving a pension of IQD 50,000 (about US\$ 42) is 175,638.

Data and statistics on the social protection net in the Ministry of Labour and Social Affairs are as follows.

1. Widows: the total number of widows and divorcees is 10,185,178. Some 136,714 continue to receive assistance. There are 42,666 whose assistance has been suspended as a precautionary measure and 707 whose assistance has been stopped for good.

2. Invalid women: the total number of invalid women is 155,132, of whom 118,287 are continuing to receive a pension. Some 32,424 women have had payment of their pensions suspended as a precautionary measure and 4,421 have had their pensions stopped for good.

To provide suitable accommodation for widows and their families, a higher committee has been formed, chaired by the Ministry of State for Women's Affairs with a membership consisting of the Ministry of Housing and Construction and Ministry of Planning, as well as representatives of the department of women's social welfare. The job of the committee is to formulate rules for assigning housing units to widows. To date, 319 units have been allocated to widows across the country. Further to the strategy for poverty alleviation and in order to reduce the level of poverty among poor families, the Ministry of Labour and Social Affairs has undertaken the following activities.

- Measures to adopt decentralization in managing the affairs of the social protection net;
- Development and regular updating of a database of families covered by the social protection net;
- Formulation of programmes to improve the capacities of workers and qualify them to apply the social protection net system properly;
- Formulation of rigorous arrangements, regulations and guidelines on the mechanics of working in accordance with the system;
- Speeding up ration card system procedures;
- Partnering civil society organizations in targeting the poor and evaluating the social protection net system;
- Formulation of a mechanism to link the amount of assistance to the rate of inflation, with rates of inflation of basic commodities possibly being made available;
- Formulation of a mechanism to include those covered by the social protection net system;

- Development of a database at governorate, county and district level for children of school age from poor families covered by the social protection net system;
- Review of the social protection net law and instructions to ensure the registration and continuity of school age children from families covered by the system;
- Formulation of rules to ensure wider inclusion of the poor in a loan scheme for setting up income-generating projects and training those covered to help them make use of loans, as well as awareness-raising campaigns on taking advantage of the scheme;
- Design of a mechanism for the exchange of information between the Ministry of Education and Ministry of Labour and Social Affairs.

The Ministry of State for Women's Affairs obtained the approval of the National Housing Council, pursuant to two decrees dated 27 December 2012 and 29 March 2013, that 10 per cent of housing units be assigned by the council to widows under transparent and competitive conditions and mechanisms, at a 75 per cent discount of the value of the residential unit with the remainder to be paid by instalment over 50 years.

## **Divorcees**

According to the statistics of the Higher Judicial Council, the 59,515 cases of divorce [in 2011] represented 20.5 per cent of marriages in the same year, recording a marked increase over the 28,690 cases in 2004, which represented 8.59 per cent of marriages. In view of the high divorce rate, the Ministry of State for Women's Affairs convened an extended conference that brought together the Higher Judicial Council, Office of the Prime Minister, Ministry of Human Rights, Ministry of Labour and Social Affairs, Board of Religious Endowments, Council of Representatives, academics, foreign and domestic non-governmental organizations, experts and specialists. The conference produced a set of recommendations, of which the most significant were:

- To form a standing committee of legal experts from the relevant bodies and civil society to undertake a review of the legislation pertaining to family life;
- To foster the role of the social research offices in the personal status courts, enabling them to take a constructive role in studying the reasons for disputes between spouses and finding appropriate solutions;
- To amend the family education curriculum taught in secondary schools and universities, disseminating the culture of domestic understanding in order to educate young people in this area;
- To foster the role of the family protection directorate and the legal institutions in assuming the task of reconciling spouses, if marital dispute worsens.

## **Refugees, returnees, internally displaced persons and stateless women**

20. Through the Ministry of Displacement and Migration, the Iraqi Government has endeavoured to implement programmes to encourage displaced families to return or resettle and so close the migration issue. Displaced families are given an emergency grant of IQD 1,250,000 (the equivalent of US\$ 1,000). Families returning from internal displacement are given receive a grant of IQD 4,000,000 (US\$ 3,300). Integrated, resettled families are given IQD 2,500,000 (US\$ 2,000).

Returning families are enrolled in the Programme for Human Security and Stabilization (PHSS), which involves setting up small projects to generate an income of between IQD 3,000,000 and IQD 4,000,000 (equivalent of US\$ 2,500 to US\$ 3,300). This programme benefits 17,394 persons of both sexes.

Furthermore, the Ministry of Displacement and Migration endeavours to provide job opportunities for displaced women and women heads of household, having put in place practical measures to give priority to displaced women once they have been trained and qualified.

The Ministry of Displacement and Migration, in collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR), is building some 4,138 low cost housing units for returnees and displaced persons in nine governorates: Baghdad, Maysan, Dhi Qar, Wasit, Basrah, Diwaniyah, Babil, Karbala and Nineveh. These are 90 per cent complete. According to statistics from the ministry, 112,037 internally displaced families had returned to their original areas of residence by 25 March 2013.

In implementation of the strategy for poverty alleviation, the Ministry of Labour and Social Affairs has put in place a mechanism for displaced persons to be covered by the social protection net.

## **Women belonging to religious minorities**

21. Iraqi authorities have been anxious to respect, protect and strengthen the human rights of minorities of both sexes and ensure that these rights are enjoyed, by formulating effective programmes and policies for all the activities of working bodies, in line with the province and competence of each. The Ministry of Human Rights, in collaboration and cooperation with relevant ministries and bodies, has taken steps to prevent the repetition of operations targeting members of minorities, including women, some of whom were victims of murder, abduction, rape and forced marriage during the years 2006-2007, as other Iraqi women were. This is clarified below.

### **I. Violence against minority women**

The Ministry of Human Rights, through the minority rights section of the department for monitoring the performance and protection of rights has not identified any systematic programme of abuse against minority women in particular. Like all women in Iraqi society, they have been victims of general terrorist incidents, such as mass murder as a result of terrorist bombings. This is confirmed

by information from the Christian, Yazidi and Sabean Mandaean religious endowment offices, clerics and civil society organizations. Through the Ministry of Defence and Ministry of Interior, the Iraqi Government has taken a number of measures to protect the security, lives, places of worship, buildings and property of citizens belonging to minorities, as follows.

1. Appointing minorities in the police, army and special protection squads to protect residential areas and places of worship. An example is the order by the commander in chief of the armed forces for 1,000 Shabaks and Christians to be posted to regions of the Nineveh plain as part of the security services in those areas.
2. Immediate investigation of incidents of killing, violence and displacement to which minorities have been subject and monitoring of security measures to ensure the return of displaced families to their areas of residence in all governorates.
3. Easing procedures for the reissue of Iraqi nationality and other official documents to those who have lost them and the return of property; treating the displacement of the Faili Kurds as a crime of genocide by any standard; and forming committees from a number of ministries, including the Ministry of Human Rights, to compensate them, settle their outstanding issues and put an end to the adverse consequences of tyrannical decisions made in the time of the dictatorial regime.
4. After identifying more than 120 cases of suicide among young women in the Yazidi community, the Ministry of Human Rights carried out a study of the reasons for this phenomenon. It emerged that it was the result of social conditions and strict religious teachings, in addition to economic circumstances, poor education, the difficulty of integrating into society and forced marriage. This prompted the ministry to take certain measures, such as organizing forums and public meetings in Yazidi areas (Sinjar and Sheikhan).
5. During the period when security was absent, female students from minorities at Basrah University came under pressure to wear the veil (*hijab*). Following protests and complaints, however, this was overcome and no similar cases were recorded thereafter.

## II. Non-discrimination

In order to affirm and ensure the rights of citizenship on the basis of equal opportunity, renunciation of violence and guarantees of freedom and privacy for members of minorities in general, the following measures have been taken:

1. The Ministry of Human Rights, in coordination with leaders of religious sects, representatives from minorities and concerned bodies, has put forward a proposal to enact a personal status law specifically for religious minorities and to amend certain clauses of the civil status law relating to the religion of a minor child in the event that one parent converts to Islam.
2. The Ministry of Labour and Social Affairs has made a special exception to bring respectable widows, divorcees, orphans and women with no male provider from minority communities who are victims of terrorism under the

social protection net as a sort of positive discrimination in their favour, in addition to giving them soft loans to start up small projects and training courses to enable the unemployed to find work, in the same way as their male fellow-citizens.

3. The Ministry of Displacement and Migration has taken several measures, including:

- Obliging squatters on land belonging to displaced persons to vacate it immediately after notification to ensure the stability of members of minority communities and the return of families without having to face housing problems;
- Enrolment of returning families in the PHSS, providing small projects to generate an income of between IQD 3,000,000 and IQD 4,000,000, in addition to enrolling returning families in the Community Revitalization Programme (CRP);
- Improving the lives of displaced women, women heads of household and poor families by providing employment opportunities and putting in place practical measures to give priority to displaced women once they have been trained and qualified;
- The Ministry of Displacement and Migration, in collaboration with UNHCR, has built some 4,138 low cost housing units for returnees and displaced persons in nine governorates: Baghdad, Maysan, Dhi Qar, Wasit, Basrah, Diwaniyah, Babil, Karbala and Nineveh;
- The General Secretariat of the Council of Ministers sent a circular to all ministries and bodies not associated with a ministry to respond to the needs of displaced members of minority communities and migrants and to coordinate with the Government of Kurdistan Region to provide suitable facilities, including hosting university staff and students in comparable offices and universities, dispensing ration card items and ensuring that families receive them;
- The Ministry of Higher Education and Scientific Research has provided several facilities to ensure the return of displaced students to their places of study and welcome those with qualifications and certificates in order to benefit from their expertise, offering them jobs with attractive salaries and providing their children with scholarships. This is in addition to building three colleges in the Tal Afar district, which is largely inhabited by minorities such as the Turkmen, to facilitate their children's enrolment at university;
- Sensitive to the feelings of minority communities and keen not to infringe on their religious identity, the Ministry of Education, through the human rights section of the general directorate of educational curricula, has incorporated the culture and civilization of minorities into the Arabic language, Islamic education, nationhood and history curricula. This will foster a sense of national belonging and cohesion and strengthen recognition of the other and respect for their privacy in a fair manner, without ignoring any component element. It will reinforce students' awareness of the humanity of their fellows and kinship with them,



regardless of differences of race, colour, creed, language and culture, by instilling the values of human rights in students, acquainting them with their rights and duties, the rights and duties of others and respect for the rights of minorities in Iraq enshrined in the Constitution. Work is under way on adding new topics at all stages of study;

- Permitting the followers of other religions to teach the tenets of their faith in their mother tongue in those areas where they form a majority. An example of this is the instructions issued by the Ministry of Education to the general directorate of education in Nineveh governorate and department of Kurdish studies and other nationalities to start classes to teach the Yazidi religion in the Qahtaniyah area, which has a Yazidi majority, and to appoint two Yazidi teachers;
- Christianity is taught in approximately 125 elementary and secondary schools, as well as kindergartens, in most Iraqi governorates, in accordance with the curriculum set by the general directorate for curricula. In addition, the Syriac language is taught in 417 schools and the Turkmen language in 475. The Mandaean language is taught in Baghdad and the Yazidi faith in the Nineveh plain;
- The Ministry of Education has organized workshops and forums with civil society organizations and minority rights associations and has introduced many concepts pertaining to minorities into textbooks. The ministry continues to work with these bodies to monitor this. Ministerial Order No. 3404 (8 August 2012) was issued, forming a committee to determine the goals and components of the Christian curriculum;
- The Ministry of Education has striven to increase the quality of educational media through the Iraqi educational satellite channel and other media, including wall posters, in coordination with civil society organizations;
- The policy adopted by the Iraqi Government is based on non-discrimination and equality of opportunity, in line with the spirit of the Iraqi Constitution of 2005. As such, there are no criteria in the Iraqi State based on anything inconsistent with these principles. All State health, educational, cultural, service and security institutions are open to members of minority communities just as they are to the rest of the Iraqi people on the basis of equality as a constitutionally guaranteed right for all Iraqis.

## **Marriage and family relations**

22. At present, the provisions of Law No. 188 (1959), the personal status law, apply to Muslims. For non-Muslims, cases of marriage, divorce and separation are referred to the appropriate religious authorities. The Ministry of Human Rights, in coordination with leaders of the non-Muslims sects, has put forward a proposal to enact a personal status law specifically for religious minorities and to amend certain clauses of the civil status law relating to the religion of a minor child in the event that one parent converts to Islam.

Article 17 of Law No. 188 (1959, amended), the personal status law, stipulates that it is permissible for a Muslim man to marry a woman belonging to one of the scriptural religions but it is not permissible for a Muslim woman to marry a non-Muslim man. Thus a Muslim man is permitted to marry a woman belonging to one of the revealed religions, such as Judaism, Christianity and Sabeanism, and a wife has the right to retain her religion upon marrying a Muslim man. A Muslim woman does not have the right to marry a non-Muslim man, whatever his religion may be. This permission and prohibition here are based upon Islamic Shariah law, the provisions of which are derived from the Koran and the practice (*sunnah*) of the Prophet and are immutable.

The following cases have been defined with regard to the legal position vis-à-vis early marriage:

1. If a 15-year-old male requests marriage, the judge may grant permission if he is satisfied that the applicant is legally competent and physically capable, subject to the consent of his legal guardian. If the guardian refuses, the judge shall ask him to consent within a certain period. If he does not object or his objection does not warrant consideration, the judge shall permit the marriage.
2. The judge may permit the marriage of a 15-year-old in a case of dire necessity. The granting of permission shall be conditional upon attainment of legal majority and physical capability (article 5 of Law No. 188 (1959, amended), the personal status law).

In Kurdistan Region, article 5 of Law No. 15 (2008), amending application of the personal status law, which deals with the subject of early marriage, stipulates that, if a 16-year-old male requests marriage, the judge may grant permission, if he is satisfied that the applicant is legally competent and physically capable, subject to the consent of his legal guardian. If the guardian refuses, the judge shall ask him to consent within a certain period. If he does not object or his objection does not warrant consideration, the judge shall permit the marriage.

The effect of the said amendment has been to increase the age at which application for permission to marry can be made to 16 years instead of 15, as is the case under Law No. 188 (1959, amended), which is in force in central and southern Iraq. As such, Kurdistan Region has in effect moved towards an increase in the age of application to marry.

3. Law No. 188 (1959), the personal status law, determines the reasons for marrying a second wife. Indeed, it holds accountable to the judiciary the man who marries a second wife without permission of the court, pursuant to certain paragraphs of article 3 of the said personal status law, which stipulates:
  4. It is only possible to marry more than one wife with the permission of a judge and the granting of permission shall be dependent upon the following two conditions being met:
    - (a) That the husband is financially capable of providing for more than one wife;
    - (b) That there is a legitimate interest.

5. If a lack of impartiality between wives is feared, polygamy is not permitted; assessment is left to the judge. Issuance of a marriage contract outside the court while the first marriage is still subsisting is punishable by law, as stipulated in article 6 of the law.

6. Any person issuing a contract of marriage to more than one wife outside the court in contravention of paragraphs 4 and 5 shall be sentenced to a term of imprisonment of not more than one year or a fine of not more than IQD 100 or both.

In Kurdistan Region, the law sets conditions under which the court shall rule to permit the applicant to marry a second wife, as stipulated in article 3 of Law No. 15 (2008), on application of the personal status law.

Second: application of paragraphs 4, 5, 6 and 7 shall be suspended and replaced by the following:

It is only possible to marry more than one wife with the permission of a judge and the granting of permission shall be dependent upon the following conditions being met:

- (a) The consent of the first wife to the marriage before the court;
- (b) A chronic, permanent illness preventing marital intimacy, from which there is no expectation of recovery or the wife's permanent infertility, substantiated by a report from a competent medical board;
- (c) That the person applying to marry a second wife has sufficient financial capacity to provide for more than one wife, as substantiated by official documentation presented to the court when drawing up the marriage contract;
- (d) That the husband submit a written undertaking to the court, prior to the marriage contract being drawn up, to treat both wives impartially in respect of distribution and other material and moral marital obligations;
- (e) That the wife did not stipulate no second marriage in the marriage contract;
- (f) Any person issuing a contract of marriage to more than one wife outside the court in contravention of paragraphs (a), (b), (c), (d) and (e) of Second from this article shall be sentenced to a term of imprisonment of not less than six months and not more than one year and a fine of IQD 10,000,000.
- (g) The judge may not suspend enforcement of the penalty stated in paragraph (f), above.

The text makes clear that the law in Kurdistan Region is in advance of Law No. 188 (1959), the personal status law, in this regard. It eliminates any ambiguity or decision made by the court permitting a husband to marry a second wife without the consent of the first wife and requires that the husband give a sworn undertaking before the court to treat his wives impartially. It contains other conditions which are absent from the stipulations in force in central and southern Iraq. Below are indicators of the argument for permitting marriage to a second wife and the argument of dire necessity, which allows a minor under the age of 15 to marry in all governorates of Iraq, with the exception if Kurdistan Region.

<i>Pretext</i>	<i>2011</i>	<i>2012</i>
Argument for permitting marriage to a second wife	4 193	5 124
Argument of dire necessity	4 147	1 422

It will be observed from the figures for “argument of dire necessity” that early marriage has begun to decline. This is the result of awareness-raising campaigns in which civil society organizations, the Ministry of Human Rights, Ministry of State for Women’s Affairs and the media have taken part, in addition to serious steps taken by the judiciary to hold to account contracts issued outside the framework of the courts, as well as a refusal to uphold the said arguments, whatever may have been agreed. Work is still continuing along these lines to curb early marriage.

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