



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

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

**Information received from Iraq on follow-up to the
concluding observations on its seventh periodic report***

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* The present document is being issued without formal editing.



Introduction

Iraq presents the following information in response to the request set out in paragraph 48 of the concluding observations on the seventh periodic report that Iraq submitted to the Committee on the Elimination of Discrimination against Women (CEDAW/C/IRQ/CO/7).

Constitutional and legislative framework

Para. 14 (a): Repeal article 41 of the Constitution, in which it is currently stated that “Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs or choices, [as] regulated by law”, with the aim of guaranteeing equality between women and men, in line with the Convention and article 14 of the Constitution.

1. The Council of Representatives of Iraq has formed a special committee for constitutional amendments, and article 41 is one of the articles that are being examined. Many non-governmental groups and human rights activists have made observations regarding that article. The committee, which has held several meetings, is still holding consultations, with a view to offering a unified vision regarding all constitutional amendments and presenting a package deal. Consultations and hearings with stakeholders aimed at developing that view continue.

2. With regard to amending the Personal Status Code, it should be noted that amending law is the prerogative of the legislative authority, which is the Council of Representatives. When the proposed amendment is adopted, the judiciary of Iraq will be obliged to apply the law. To date, no law amending the Personal Status Code or its provisions has been adopted.

National machinery for the advancement of women

Para. 16 (b): Restore the Ministry of Women’s Affairs and provide it with a clear ministerial portfolio and mandate to promote and protect women’s rights and advance gender equality, allocating adequate human, technical and financial resources to it, enhancing its capacity to influence the formulation, design and implementation of public policies on gender equality and strengthening its coordination and oversight role in the preparation and implementation of legislation in the field of gender equality and in mainstreaming gender perspectives into all laws and policies.

1. The Department of Women’s Empowerment is a Cabinet department and has assumed all the responsibilities of the Ministry of State for Women’s Affairs (defunct). Charged with promoting and defending women’s rights and advancing gender equality, the Department strives to integrate gender into government plans and policies, so as to ensure justice and fairness in the development process; enhance the status of rural women by developing plans and strategies to empower them and raise their political, social and economic awareness; follow up on the implementation of national plans on gender; fulfil the responsibilities of Iraq in international forums on women’s issues; and review laws, decisions and regulations that perpetuate gender discrimination, make recommendations for their amendment and follow up thereon with the relevant authorities. This Department has been able to avoid the negativity that accompanied that the Ministry of State for Women’s Affairs encountered, because the Department is part of the Cabinet secretariat and enjoys adequate funding.

2. The Government of Iraq issued an executive order establishing the National Council for Women’s Affairs, headed by the Prime Minister and having several high-level Government and civil society officials among its membership. The

National Council for Women's Affairs serves as the executive arm of the Department of Women's Empowerment, supports it in carrying out its duties and follows up on implementation of Department decisions and directives through its technical executive units (women's empowerment clusters) in government institutions and local governments in the provinces. The National Council for Women's Affairs develops policies, reviews the situation of women and issues decisions and recommendations thereon, in order to safeguard women's rights and freedoms guaranteed under the Constitution and the law. In addition, it assesses the situation of Iraqi women in coordination with government institutions; develops gender-based solutions and proposals, in order to promote the status of women; and coordinates efforts with the Arab Women's Organization and its subsidiary departments.

3. The Department of Women's Empowerment follows up on implementation of the plan to implement Security Council resolution 1325 (2000), with a view to encouraging women's participation in leadership and decision-making, and promoting security and peace-building. The second plan to implement resolution 1325 (2000) was launched on 24 December 2020.

4. The Department of Women's Empowerment, as part of its workplan, will follow up legislative amendments and holding awareness-raising workshops, in cooperation with international organizations, to discuss discriminatory laws.

Accordingly, the current institutional structure ensures that the work of the Ministry of State for Women's Affairs (defunct) continues.

Refugee, returnee and internally displaced women and girls

Para. 40 (a): Ensure the safe return of internally displaced women and refugee women to their homes and their participation in the reconstruction of their communities.

1. Pursuant to the Ministry of Migration and Displaced Persons Act (No. 21 of 2009) and the instructions and regulations issued to facilitate implementation of its provisions, the Ministry attends to the needs of displaced and migrant women by providing them with material and in-kind assistance following voluntary return. The Ministry is updating its relevant instructions, in order to better assist such women. In accordance with the working methods of the Ministry, educational and awareness-raising courses have been organized to implement several income-generating projects with the aim of increasing the material income of such women.

2. The Yazidi Female Survivors Act (No. 8 of 2021) establishes a legal framework for the effort to free female abductees from the Ninawa Plain. The Act, under which such crimes are considered to be genocide, ensures that survivors are protected, provided with rehabilitation services and given appropriate compensation. In addition, the Act provides that Iraqi institutions must strive to internationalize their case and pursue the perpetrators no matter where they are. Pursuant to the Act, a high-level committee and a survivors' affairs department have been established in the Ministry of Labour and Social Affairs to follow up on applications submitted by survivors. Moreover, the Act provides that a court of first instance must be established in Sinjar district in order to address the situation of survivors' children.

3. On 16 March 2021, the Cabinet adopted a national plan for returning displaced persons to their areas of origin that was submitted by the Ministry of Migration and Displaced Persons and the Ministry of Planning. The plan takes into account the political, security, economic, infrastructure, social and psychological challenges facing displaced persons who are returning to their areas of origin. The plan's authors analysed displacement in Iraq in the light of the factors that arose and the changes that occurred following the liberation of various areas from Da'esh

control. In addition, they proposed operational programmes and various activities, including some that relate to the role that women play in rural and urban communities, with a view to ensuring that stability is restored in those areas and that women are able to play their social and political role in that process.

4. The Ministry of Migration and Displaced Persons issued a decision to close the camps that it operates as part of the national plan to end the internal displacement crisis by rehabilitating areas of origin and resolving tribal disputes, so as to ensure that displaced persons enjoy safety and economic security and are provided with services after they return to their areas of origin.

In 2020, the Ministry of Migration and Displaced Persons recorded the return of more than 66,000 displaced families to their areas of origin. In that same year, the Ministry voluntarily closed 59 camps and, in cooperation with international organizations, repaired 1,600 homes in Anbar and Ninawa Governorates, installed some 494 mobile homes in Salah al-Din, Ninawa and Anbar Governorates, and distributed grants to 22,124 returning families. In addition, the Ministry established approximately 100 income-generating projects for returning families, and it executed projects and took various measures, including workshops carried out in coordination with civil society, that were aimed at empowering displaced women and women returning from camps for displaced persons.*

* *Source:* First quarterly report of 2021 on the accomplishments of the Ministry of Migration and Displaced Persons in relation to women's affairs.