



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

Distr.: General
30 October 2019

Original: English

**Committee on the Elimination of Discrimination
against Women
Seventy-fourth session**

Summary record of the 1721st meeting

Held at the Palais des Nations, Geneva, on Tuesday, 22 October 2019, at 3 p.m.

Chair: Ms. Gbedemah

Contents

Consideration of reports submitted by States parties under article 18 of the Convention
(*continued*)

Seventh periodic report of Iraq (continued)

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.

GE.19-18349 (E) 291019 301019



* 1 9 1 8 3 4 9 *

Please recycle The recycling symbol, consisting of three chasing arrows forming a triangle.



The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Seventh periodic report of Iraq (continued) ([CEDAW/C/IRQ/7](#); [CEDAW/C/IRQ/Q/7](#) and [CEDAW/C/IRQ/Q/7/Add.1](#))

1. *At the invitation of the Chair, the delegation of Iraq took places at the Committee table.*

Articles 1 to 6 (continued)

2. **Mr. Alobaid** (Iraq) said that human organ transplant operations must meet the requirements set out in Act No. 28 (2012), the Human Trafficking Act. Iraqi law prohibited the donation of organs by displaced persons for compensation. When a complaint of unlawful organ transplants or human trafficking was made, the investigators took swift action to identify the nature of the offence committed. Offences associated with human trafficking, including forced prostitution and begging, were clearly defined in law. Victims of human trafficking were not held accountable for offences that they were coerced into committing.

3. **Ms. Al-Lami** (Iraq) said that it would be necessary to strengthen political coordination in order to re-establish a ministry for women's affairs. Forced marriage and discrimination on grounds of race were prohibited under the Constitution. The bill on combating domestic violence would apply to all victims of violence, including Yazidi women survivors, irrespective of their religious faith or ethnic affiliation.

4. **Mr. Zebari** (Iraq) said that an amendment aimed at broadening the protection afforded by Act No. 8 (2011), the Kurdistan Region Domestic Violence Act, had been submitted to the Parliament of the Kurdistan Region. That Act provided for the establishment of shelters supervised by a judge specializing in domestic violence and by the General Directorate for Combating Violence against Women and the Family. Four such shelters were currently in operation in different parts of the region. All women, irrespective of their nationality, were entitled to use their services.

Articles 7 to 9

5. **Ms. Akizuki** said that the Committee wished to know the proportion of women representatives in local, regional and national legislative bodies, at each level of the executive branch of government and the justice system, including judges, prosecutors and investigators, and in political parties. The Committee would also be interested to hear about the proportion of women among the staff employed at the State party's diplomatic missions around the world and in the United Nations offices that dealt with Iraqi affairs. The delegation might provide information on the impact that Act No. 36 (2015), the Political Parties Act, had had on women's representation in political parties and on any concrete measures taken by the Government to increase that participation. Given that the Independent High Electoral Commission was responsible for fostering women's participation in political life, it was difficult to understand why the Commission had no women members. The Committee would welcome information on the role that women played in promoting peacebuilding and reconciliation. The Government might consider ensuring that all groups targeted by a particular policy played a part in developing that policy.

6. **Ms. Song** said that, under article 4 of Act No. 26 (2006), the Nationality Act, the Minister of the Interior appeared to have discretion to decide whether Iraqi nationality should be granted to persons born outside the State party to an Iraqi mother and an unknown or stateless father. In view of that situation, she wished to know what percentage of such persons had been granted Iraqi nationality by the Minister, what measures had been taken to ensure that women and men enjoyed equal rights to nationality, including the right to pass on their nationality to their children, and whether there was a timeline for reviewing article 4 of the Nationality Act with a view to amending or repealing it. The Committee would like to hear about any measures taken to facilitate the acquisition of Iraqi nationality

by children whose fathers were members of Islamic State in Iraq and the Levant (ISIL), including children born of an act of sexual violence committed by a member of that group.

7. **Mr. Alkhateeb** (Iraq) said that, since 2003, there had been a substantial increase in the number of women working in the Ministry of Foreign Affairs. Many Iraqi ambassadors were women, as were many of the staff of Iraqi permanent missions around the world. Women accounted for around 7 per cent of persons employed in the judiciary and, in line with the quota established by the Government, around 25 per cent of Members of Parliament. Although a minimum quota had been set for women's participation in the parliament, there was no upper limit on that participation. The Government would continue making efforts to increase women's participation in political life but would require the assistance of international organizations to ensure that they received the appropriate training.

8. **Ms. Al-Nuaimi** (Iraq) said that Act No. 26 (2006), the Nationality Act, placed no particular conditions on Iraqi women's right to transfer their nationality to their children. The number of persons who had obtained Iraqi nationality under article 3 (a) of the Nationality Act, namely that a person was considered an Iraqi citizen if he or she was born to an Iraqi father or an Iraqi mother, had risen significantly between 2014 and 2019. No applications for nationality had been filed under article 4 of the Act, concerning the right to choose one's nationality. Pursuant to articles 7 and 11 of the Act, both men and women foreign nationals could apply for Iraqi nationality on the basis of their marriage to an Iraqi national.

9. Children born out of wedlock were duly registered and birth certificates were issued in their mother's name. Registration documents made no mention of the marital status of a child's parents.

10. **Mr. Al-Atwane** (Iraq) said that women played an active role in promoting national reconciliation and peaceful coexistence. Peacebuilding committees, composed entirely of women, sought to promote the principles of reconciliation and coexistence in provinces formerly controlled by ISIL. Women were able to join committees that cooperated with tribal leaders with a view to facilitating the return of internally displaced persons to their home towns. They also participated in peacebuilding activities on a voluntary basis.

11. **Ms. Abdullah** (Iraq) said that the staff of the Ministry of Foreign Affairs were appointed solely on the basis of merit. Women currently occupied positions at several levels within the Ministry.

12. **Mr. Zebari** (Iraq) said that 30 per cent of the seats in municipal councils in Kurdistan and in the Parliament of the Kurdistan Region were allocated to women. Women currently occupied the positions of Speaker and Second Deputy Speaker in the regional parliament. A significant number of women had been appointed as judges, prosecutors and assistant prosecutors in the Kurdistan Region.

13. **The Chair** said that, when discussing women's representation, the delegation might consider citing the proportion of women who occupied official positions rather than the absolute numbers of women in such positions.

Articles 10 to 14

14. **Ms. Haidar** said that the Committee was concerned to note that the proportion of children who dropped out of school was relatively high and that girls were more likely than boys to drop out of school. She wondered what plans were in place to increase the proportion of the State budget allocated to education and whether steps would be taken to combat gender stereotyping in the education system. The Committee would be interested to hear what proportion of the State budget had been allocated to eradicating illiteracy and what measures were being taken to increase literacy rates among women. It would also be grateful to learn what proportion of schools in the State party were privately run and whether the number of private schools was rising because State schools were being shut down.

15. The Committee wished to know whether school curricula would be amended to ensure that children learned about the Committee and the Convention and whether

educational curricula were designed to foster respect for human rights, peacebuilding and gender equality among male and female students at all levels of the education system. The Committee would welcome information on any measures taken to ensure that girls and women with disabilities enjoyed access to education, including in areas affected by conflict.

16. **Ms. Ameline** said that the empowerment of women in Iraq was the key to the country's successful economic recovery and to building a lasting and stable peace. While she welcomed the various legislative measures taken by the State party to enhance and protect women's rights, more needed to be done to promote gender equality, particularly in the area of employment. Since gender equality was a prerequisite for the successful achievement of the Sustainable Development Goals, the State party should devise and implement a general, overarching policy to promote equal employment opportunities for men and women in all employment sectors. It should also consider putting an end to informal work and taking measures to ensure that women enjoyed equal access to positions of responsibility in private companies. The high unemployment rate among young women and its negative effects on economic growth were a serious cause for concern and ought to be addressed without delay. The State party should also step up its efforts to ensure the inclusion of women belonging to minority groups in the labour market. It was her understanding that, despite maternity leave entitlements having been recently reviewed, many women in Iraq still struggled to reconcile their work and family life. It would be useful to know whether the impact of the new maternity leave system had been assessed and, if so, what the outcome of that assessment had been. Given that some 20 per cent of the working population was employed in the agricultural sector, and the importance of that sector for ensuring food security in the future, she would be interested to know whether the State party had considered adopting a national policy in that connection.

17. **Ms. Al-Bayyaa** (Iraq) said that the Constitution did not discriminate between men and women with regard to access to education. Under Iraqi law, education was compulsory for children from 6 years of age. A number of strategies had been adopted to increase school enrolment rates, particularly among at-risk children, including information campaigns, media spots, awareness-raising initiatives involving civil society organizations and tribal leaders, and afternoon classes. Generally speaking, male and female enrolment and dropout rates were much the same, although, in the 2017/18 school year, the female enrolment rate had surpassed the male enrolment rate. Female teachers likewise outnumbered their male counterparts.

18. A number of measures had been taken to reduce the number of school dropouts, including a programme to improve the prospects of internally displaced persons, a programme to tackle the underlying causes of school dropouts and joint initiatives with non-governmental organizations such as Mercy Corps. As a result of those measures, over 1,000 female students had returned to school. Approximately 800 female students were attending the remedial schools for dropouts opened under the "Your right to education" programme and some 600 female students were enrolled in fast-track education initiatives. Steps were also being taken to reduce the size of classes and new schools were being built to accommodate returning students. Efforts were likewise being made to encourage internally displaced persons to resume their studies in their home province and to reduce illiteracy. Some 700 literacy centres had been opened in urban and rural areas.

19. **Ms. Al-Jeboory** (Iraq) said that the Ministry of Labour and Social Affairs promoted the social integration of women who were economically vulnerable, including older women, divorced women and widows, by providing them with a form of social stipend. The Social Protection Act, which did not discriminate between men and women, had been amended to cover a greater proportion of the population. Widows wishing to start a business could gain access to credit in the form of a loan through a social reintegration programme. To date, over 20 widows had taken out such a loan. In the 2018/19 financial year, credit had been extended to over 1,700 young women and over 21,000 young women, including unemployed women, internally displaced women and refugee women, had received vocational training. Around 4,500 loans had been granted to rural women under an initiative launched by the Ministry of Agriculture in 2019. Iraqi labour legislation provided that men and women were to receive equal pay for work of equal value and accorded working women eight weeks of maternity leave.

20. **Mr. Alkhateeb** (Iraq) said that Iraq had already ratified the majority of the fundamental Conventions of the International Labour Organization (ILO) and was in the process of ratifying the only such Convention that remained outstanding. Although an amendment to the Iraqi labour legislation governing maternity leave had been put forward, it had not been accepted. The previous provisions therefore remained in force and the situation regarding maternity leave had not changed.

21. **Mr. Zebari** (Iraq) said that the Kurdistan Regional Government's regional strategy to combat violence against women for the period 2017–2027 aimed at repealing all legal provisions that discriminated against women, raising public awareness of the causes and effects of violence against women, supporting victims of violence, including rural women, and providing them with improved services. A programme had also been launched to promote the economic empowerment of rural women. That programme assisted women in finding employment in the agricultural sector and in gaining access to credit. To date, some 18,000 rural women had benefited from that initiative. Rural women had also received training in raising livestock and in agricultural production. The Ministry of Agriculture funded a number of commercial projects as a means of encouraging women to engage in productive agricultural activities. The most recent statistics available showed that the majority of working women were employed in the public sector. The number of schools in the Kurdistan region of Iraq had increased, as had school enrolment rates in general.

22. **Ms. Narain** said that the Committee had been informed that many women residing in camps for internally displaced persons or refugees or in rural areas struggled to gain access to adequate health-care facilities, clean water and sanitation, and psychological support. It would be useful to know how the State party planned to remedy that situation and to guarantee those women access to such essential services. Given the dearth of information about the prevalence of HIV/AIDS in Iraq, which was likely attributable to the fact that the topic was considered taboo, the delegation might describe the measures taken to raise women's awareness about the disease, the need to prevent its transmission and the treatment available to infected persons. A further cause for concern was the high prevalence of breast cancer among women in Iraq. Although more and more women were undergoing early detection testing, including mammograms at breast cancer screening clinics, many women were still reluctant to be tested. She would like to hear more about what the State party was doing to encourage women, especially women over 40 years of age and rural women, to go for early detection testing. She also wished to know what services were available to women suffering from a form of gynaecological cancer.

23. She understood that, under the national strategy for reproductive, maternal and child health, the number of clinics providing family planning services had increased and that efforts were under way to improve access to those services. The delegation should report on the progress made in that connection and explain how the State party guaranteed women access to affordable contraceptives, including emergency forms of contraception. It would also be helpful to know whether medical staff were trained to deal with teenage mothers. According to a survey conducted by the United Nations Children's Fund (UNICEF), the maternal mortality rate in Iraq was on the rise and prenatal and postnatal care services were largely inadequate. She would like to hear more about what the State party was doing to improve those services and to curb the rising maternal mortality rate.

24. It was also her understanding that the Criminal Code criminalized abortion and punished women who underwent the procedure, as well as the individual performing it, unless the mother's life was in danger. She would like to know what the outcome of the study on abortion conducted by the Ministry of Health had been, whether any progress had been made in relation to the bill on the therapeutic termination of pregnancy and whether the State party might envisage legalizing abortion in cases of rape, incest or severe fetal impairment. She would also appreciate information on the post-abortion care services available to women in Iraq. The Committee had received reports that Act No. 38 of 2013 on persons with disabilities and special needs was not being implemented effectively. She asked how the State party intended to ensure that the Act was implemented fully and to meet the needs of women and girls with disabilities while guaranteeing them access to adequate health-care services.

25. **Ms. Ameline** said that there was a pressing need to promote female entrepreneurship in Iraq by facilitating women's access to credit, including through the application of temporary special measures, where appropriate. She would appreciate information on any measures taken by Iraqi financial institutions to that end. The fact that many older women living in rural areas did not have access to pension benefits was a cause for concern. She would be interested to know whether the State party had considered overhauling its social protection system to ensure that it truly responded to the needs of vulnerable women. The delegation might also indicate whether there were emergency provisions under which refugee women and their families could gain access to specific social benefits.

26. **Ms. Al-Salihi** (Iraq) said that the quality of water supplies located close to industrial zones was routinely analysed to ensure that it was safe for public consumption. Refugees and internally displaced persons could gain access to health-care services, including testing and prevention services for HIV/AIDS and other sexually transmitted infections, through the various mobile health-care units that visited the camps where they resided. Those units also distributed medicine, assisted in rolling out child immunization programmes and delivered primary health-care services to children. The Ministry of Health had worked with the armed forces to set up health-care centres next to conflict zones to ensure that all those in need received treatment.

27. Family planning services were offered in most major health-care centres and hospitals. Contraceptives, including oral contraceptives, were included on the list of essential medicines and were readily accessible, as were pregnancy tests. A large proportion of women had availed themselves of family planning counselling services and of cervical smear tests. A national family planning strategy was currently being developed.

28. Guidelines on performing abortions had been issued by the Ministry of Health. The decision to terminate a pregnancy was taken by a group of experts comprising specialized medical professionals. The physical and mental health of the mother or the vital signs of the unborn child were factors in the decision.

29. In Iraq, there were 18 centres specializing in the care of persons with disabilities, which provided tailored services to women with disabilities and whose staff could conduct home visits when appropriate. Persons with disabilities were issued with a medical card entitling them to free health care.

30. The number of women undergoing early detection testing for breast cancer had increased. There were currently 87 clinics where women could be tested and treated for breast cancer. It was hoped that more clinics could be opened in the future.

31. **Ms. Al-Salihi** (Iraq) said that all districts had specialized health-care facilities providing breast cancer treatment. Those facilities also ran awareness-raising campaigns to encourage women to perform breast self-examinations and to undergo a mammography from age 21 and every year from age 40. One of the aims of the national strategy for reproductive health was to address the maternal mortality rate, which had, in fact, decreased by 5 per cent between 2017 and 2018.

32. **Mr. Alkhateeb** (Iraq) said that the criminalization of abortion was partly due to societal and religious traditions common to many Middle Eastern countries. The Government was, however, drafting legislation aiming to decriminalize abortion progressively and in certain specific circumstances in an effort to prevent backstreet abortions.

33. **Ms. Zeebaree** (Iraq) said that, under the strategy of the Kurdistan Regional Government on maternal and infant health, women could receive treatment at health-care centres and mobile clinics. In the north, 238 of those centres treated pregnant women free of charge and a number of the 113 hospitals in Kurdistan had specialized neonatal programmes and obstetric units. With respect to reproductive health, 171 health-care facilities provided access to contraception.

34. **Mr. Alkhateeb** (Iraq) said that a recent initiative facilitated women entrepreneurs' access to microcredit on an equal footing with men. While no legislation specifically gave refugees social protection, they could usually access health-care services free of charge.

35. **Ms. Reddock** said that, with respect to article 14 of the Convention, the continued marginalization and social exclusion of disadvantaged groups, including rural women, robbed Iraq of their potential contribution to the country's reconstruction. Globally, rural women often lacked access to land and services. Additionally, those working as agricultural producers were not always recognized as such and could not, therefore, receive State support. Despite the Government's efforts, rural women reportedly still required consent from male relatives or community leaders to make a number of decisions, limiting their access to sexual and reproductive health services, loans, and government-run initiatives, for example. She wondered, therefore, whether the Rural Women's Development Department or the Higher Committee for the Advancement of Rural Women could introduce gender equality programmes and training aiming to empower rural women, by helping to reduce early marriage and ensure such women could make their decisions independently.

36. In addition, the Committee was particularly concerned that persons of African descent, who numbered some 2 million in Iraq, faced racial discrimination and continued economic and political marginalization, as seen from their high illiteracy rates, for example, and limited access to housing and decent employment. Iraqi women of African descent were also excluded from decision-making positions in Government and peacebuilding since, unlike other minority groups, no quota was in place governing their numbers in the parliament. She would like to know, therefore, what measures the Government was taking to assess that population's situation and protect it from violence and discrimination. What action had the Government taken to implement the recommendations made by the Committee on the Elimination of Racial Discrimination in 2019 ([CERD/C/IRQ/CO/22-25](#)) and by the Committee on Economic, Social and Cultural Rights in 2015 ([E/C.12/IRQ/CO/4](#))?

Articles 15 and 16

37. **Ms. Peláez Narváez** said that she would be interested to know what measures the Government would implement to ensure that Iraqi women could enjoy the same rights as men before the law. Could it, for instance, draw inspiration in that respect from other countries in the region, such as Morocco? She also wondered how the Government would seek to improve the situation of women with disabilities, given that, in some cases, their legal personality was not currently recognized, hampering their right to marry and have a family, for example.

38. While polygamy remained widespread in Iraq, other States parties in the region had banned the practice and she wondered, therefore, whether the Government would follow suit. Given estimates that 24 per cent of adolescents entered into marriage before the age of 18 – some even under age 14 – she wondered what steps the Government was taking to end early and child marriage. Similarly, she wondered how the Government would eradicate temporary marriages, which continued to exist despite legislation and whether it would remove the minimum period that divorced women had to wait before remarrying.

39. Lastly, she wondered what steps the Government would take to address the fact that a woman could only transfer her nationality to her children if her marriage had been registered and that the requirements for obtaining nationality for a child differed depending on whether the Iraqi parent was the father or mother.

40. **Mr. Alkhateeb** (Iraq) said that legislation, the Constitution and the country's religious precepts prohibited discrimination. His delegation would be grateful, therefore, if the Committee could provide documented cases of racial discrimination in Iraq so that the Government could bring judicial proceedings where necessary.

41. **Ms. Al-Lami** (Iraq) said that the Higher Committee for the Advancement of Iraqi Women, which was partially State funded, had helped to empower rural women economically and socially by running capacity-building workshops and, in some cases, providing loans. Iraqi legislation did not allow, justify or encourage child marriage. Marriages contracted outside courts were criminalized and the Ministry of Women's Affairs had run campaigns to seek to prevent such marriages.

42. **Mr. Alkhateeb** (Iraq) said that the Committee should take into account the social and religious factors behind early marriage. The Government had sought, nevertheless, to raise awareness about its illegality by running outreach activities.

43. **Ms. Shukur** (Iraq) said that several parliamentary committees, including one specifically on women, participated in drafting legislation on women's rights. Draft legislation to protect women from domestic violence had gone through its first reading and was now before the Office of the Speaker and the Government aimed for it to be adopted during the current parliamentary session. The legislature had now exceeded its quota of 25 per cent female Members of Parliament.

44. **Mr. Zebari** (Iraq) said that the Domestic Violence Act (Kurdistan Region) set the minimum age of marriage at 16 with parental consent and proscribed early and child marriage.

45. **Mr. Alkhateeb** (Iraq) said that his delegation welcomed the Committee's suggestions, remarks and questions. He wished to assure members that his Government would be working, together with civil society organizations, to address the issues raised with a view to building a society in which women played a central role and fully exercised their rights.

The meeting rose at 5.30 p.m.