



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

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**Committee on the Elimination of Discrimination
against Women**
Twenty-third session

Summary record of the 469th meeting

Held at Headquarters, New York, on Wednesday, 14 June 2000, at 3 p.m.

Chairperson: Ms. Gonzalez

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The meeting was called to order at 3.10 p.m.

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

Combined second and third periodic reports of Iraq (continued) (CEDAW/C/IRQ/2-3, CEDAW/PSWG/2000/II/CRP.2/Add.2 and CEDAW/PSWG/2000/II/CRP.1/Add.3)

1. *At the invitation of the Chairperson, Ms. Al-Azzawi and Ms. Kammass (Iraq) took places at the Committee table.*

2. **Ms. Al-Azzawi** (Iraq), continuing with responses to Committee members' questions, said that the Human Rights Commission of the Iraqi Parliament was responsible for all matters relating to human rights, including the human rights of women. Although Ms. Khan had expressed concern about women's enjoyment of their civil and political rights in Iraq, the State party in its response to the list of issues had already mentioned the adoption of three new laws since the submission of its initial report: National Assembly Law 26/1995, article 11, Law 55/1995 concerning the People's Local Councils and Law 13/1995 concerning the regulation of referendums, which all provided for equality between women and men. In response to another question, she added that 4,158,375 women had voted in the elections for the People's Local Councils and 146 women had been candidates. Women had accounted for 57 per cent of the participants in the electoral process, which tallied with national census statistics.

3. The oil-for-food programme was insufficient to meet the needs of the people in general, let alone women and children in particular. It was a transitional arrangement, pending the lifting of the sanctions, and could provide only for the basic needs of food and medicine. Nonetheless, the Iraqi Government was making every effort to enhance the status of women. As for women's representation in political parties and their legal equality, she wished to assure Committee members that, as she had indicated, their legal equality was already established and the ruling Socialist Arab Baath Party had adopted quotas with a view to increasing the presence of women and youth in the party hierarchy. As a matter of fact, the youth quota had also worked to women's advantage.

4. **Ms. Manalo** said that, despite the obstacles created by the sanctions, the Government of Iraq was obligated, as a party to the Convention, to make every effort to implement its provisions. It was surprising that the report made no mention of programmes to safeguard the mental and psychological health of women and children, particularly in view of the conflict and crisis situation prevailing in the country. She requested statistics regarding the incidence of acquired immunodeficiency syndrome (AIDS) and wondered what measures the Government was taking to control the spread of that disease, noting that a rise in prostitution was often paralleled by an increase in AIDS.

5. She questioned the wisdom of the policy of rewarding women for bearing 10 children at a time of economic and social crisis and agreed with Ms. Khan's remark concerning the report's failure to describe Government measures to deal with violence against women. Specifically, she wished to know whether violence against women was categorized as a crime under the law and whether women who reported such incidents to the authorities were afforded protection. She would appreciate statistics on any increase or decrease in incidents of violence against women and information on programmes to rehabilitate victims, measures to deter such violence and how victims and offenders were treated under the law. She also wondered whether honour killing was practised in Iraq and if so, what steps were being taken to criminalize or eliminate it. A description of measures to bring about a change in women's status in society, including campaigns and legislation to eliminate stereotypes, would be useful.

6. Lastly, referring to a study by the United Nations Children's Fund (UNICEF) correlating high child mortality rates with mothers' lack of education, she enquired about specific measures to accord priority to the education of women and children and to eradicate illiteracy. It would also be useful to know which methods were being used to evaluate the results of illiteracy programmes.

7. **Ms. Ouedraogo** inquired about the content of the National Strategy for the Advancement of Iraqi Women. An evaluation of successful and less successful programmes under the Strategy would have been helpful. She wished to know the political status of the National Committee for the Advancement of Iraqi Women and the level of resources allocated to it. As

the State party's responses to the list of issues was not available in French, she was not certain whether it contained an evaluation of the Committee's work, so vital to redefining goals, where necessary, at that stage of Iraq's reporting process.

8. Under article 5, she noted that the report did not contain information on violence against women, the practice of forced or early marriages and measures to eliminate stereotypes in a patriarchal society, and that women's role in the family was given precedence over their participation in political life. The report should have placed greater emphasis on the situation of rural women who suffered from a kind of double discrimination — not only with regard to health care and education, but also because tradition weighed more heavily on them than on their urban counterparts. She would have appreciated information on the technical training provided to rural women.

9. **Ms. Abaka** noted the large number of internally displaced persons which compounded the problems facing Iraq under the sanctions regime, and appealed to the Iraqi Government to make every effort to eliminate ethnic conflict and intolerance. She also had the feeling that, in the current political and economic situation, certain traditions which discriminated against women were being revived.

10. While commending the State party on its legislation to protect women from exploitation and harassment in the workplace, she stressed its obligation under the Convention to ensure that maternity leave was granted in the private sector as well as the public sector. Lastly, she hoped that the Government would encourage breastfeeding as an inexpensive way to improve the nutrition of children under the sanctions regime.

11. **Ms. Feng Cui** praised the work of the General Federation of Iraqi Women in addressing the situation of women under the sanctions regime and wondered why the report did not mention specific government measures to protect women in those circumstances, particularly rural women (through, for example, micro-credit and poverty reduction initiatives).

12. **Ms. Al-Azzawi** (Iraq) thanked Ms. Ferrer and Ms. Corti for their remarks at the previous meeting regarding the hardships and difficulties currently experienced in Iraq, which were having a considerable impact on the Government's ability to implement the Convention, despite strong political will to improve the

status of women. She had already answered the questions relating to her Government's reservations to the Convention; as for changes in social stereotypes, that information would be included in the next periodic report. Statistics on the education of girls had already been given in the report before the Committee, and data regarding the fall in girls' enrolment in vocational training were given in the annex to her delegation's written replies.

13. Turning to the questions raised at the current meeting, specifically with regard to women's mental health and psychological problems, she said that her Government had taken measures and created programmes which were practical and feasible in the circumstances, but the provision of treatment would require additional resources which were not currently available. Prostitution was not as widespread as had been suggested; and as for HIV/AIDS, Iraq was free from that scourge. The policy of encouraging women to have large numbers of children had been applied only for a limited period following the armed conflict with the Islamic Republic of Iran; the economic and social impact of the embargo had led the Government to put an end to it.

14. As for violence against women, although the report had not discussed it, the written replies to the experts' questions regarding legal provisions in that area had covered the issue specifically and precisely. There were other measures in that area, which would be covered in the following report. Her delegation had already confirmed that legislation existed to protect women victims of violence, as had been explained in detail in the written answers. As for honour killings, she confirmed that such crimes were punished.

15. There was indeed a correlation between the infant mortality rate and the level of mothers' education, particularly in the current situation with the embargo and sanctions. The relevant statistics had been included in the report and the written replies.

16. She agreed with Ms. Ouedraogo that the written replies, had they been translated into French, would have provided her with the information she wanted. The report already contained detailed information on the High-level National Committee for the Advancement of Iraqi Women, but her Government would shortly be providing, through its permanent mission to the United Nations, additional information

on that subject and on the national strategy for the advancement of women.

17. Although the embargo had adversely affected Iraqi society, it had also produced some positive effects: material and financial needs had led many women to seek employment, which in turn had given them financial independence and helped to develop their personalities and self-reliance. Considerable efforts had been made to fulfil women's consequent educational and training requirements. As for rural women, it was clear that they had specific needs, and the Government was cooperating with non-governmental organizations and civil society to provide the necessary care and services, including training and education, health guidance and cultural development. About 1,000 female volunteers were providing assistance to rural women in overcoming whatever obstacles they might encounter.

18. There were no ethnic disputes in Iraq. The only possible impediments to the implementation of the Convention and the peace process in Iraq were foreign intervention, the hegemony of the great Powers and the manipulation of Security Council resolutions. Iraq had always sought peace. The current extraordinary circumstances had doubtless produced adverse effects in the area of human rights, creating many obstacles to the country's progress in that area. Her delegation hoped that international organizations would show solidarity with Iraq and push for the lifting of the embargo, to ensure that both men and women could enjoy their internationally guaranteed rights.

19. As for the question of the discrepancy in maternity-leave provisions between the public and private sectors, her Government had been about to remedy that situation when the current difficulties had begun. Given the extreme economic hardships in Iraq, it would be very difficult to force the private sector to provide maternity leave, and any such attempt would dissuade small entrepreneurs from employing women. Owing to the impact of the embargo, it was necessary to postpone any further measures in that regard; the Government was forced to give priority to food and medicines. A campaign to encourage breastfeeding had been launched, coordinated by the Ministry of Health and the General Federation of Iraqi Women. There were also projects in the areas of immunization and reproductive health care, among others.

20. She thanked Ms. Feng Cui for her remarks regarding the need to lift the sanctions in order to enable Iraqi women to enjoy their rights. As for the General Federation of Iraqi Women, the information that her delegation had provided to the Committee included details of its budget, activities and structure.

21. **Ms. Schöpp-Schilling** recommended that the Government and the General Federation of Iraqi Women should review Iraq's reservations to the Convention, as had been done by other countries having a Muslim majority. Although the current situation undeniably resulted in many obstacles to full implementation, the reporting State was nonetheless responsible for taking all possible measures to that end. The delegation of Iraq should clarify why women and children were considered to be suffering more than men from the consequences of the sanctions and the embargo, and if that was in fact the case, what plans existed to institute targeted programmes to relieve their suffering. She also reminded the delegation that the attainment of full equality required that all the preambular and operative paragraphs of the Convention should be taken into account.

22. She would welcome additional information on the High-level National Committee for the Advancement of Iraqi Women, its role in the drafting of recent legislation, what recommendations it had made over the past two years and what specific strategies and targets had been adopted. She also requested more details regarding the functioning and duration of the quota system designed to promote the role of women in political leadership. It was not clear what relationship existed between the consequences of the embargo and the need to introduce legislation against gender discrimination in private-sector employment. Lastly, she emphasized the importance of overcoming gender stereotypes and of accelerating the achievement of equality between men and women.

23. **Ms. Shalev** confessed that she was rather confused by the Iraqi delegation's responses. It appeared to be blaming the embargo for all of Iraq's failures to implement the provisions of the Convention. While there might be some justification for that in regard to the provisions concerning economic, social and cultural rights, the embargo had little to do with issues related to the personal status of women in Iraq, which were at the core of the Committee's concerns. Current legislation still provided for divorce through arbitrary repudiation and for polygamy, and permitted a

rapist to make reparation, in the eyes of the law, by subsequently marrying his victim. On the subject of prostitution, the report contained curious references to deviant behaviour and to the need for women to exercise self-restraint. Prostitution, however, was linked to poverty and the lack of economic opportunities.

24. The law governing inheritance, to which attention had been drawn by a number of other human rights treaty bodies, was another major issue unrelated to the consequences of the embargo. All that was needed to grant women equal rights of inheritance was political will on the part of the legislature.

25. On the issue of ethnic minorities, the Committee had concerns as to whether the human rights of members of such minorities in Iraq, especially women and minorities living in the northern Governorate, were fully respected.

26. **Ms. Regazzoli** said that, speaking as a citizen of the developing world, she was aware that those who did not live in that world could not fully appreciate the impact of an economic embargo and of constant aggression and bombing. Indeed, the idea that the Iraqi population suffered from panic attacks, insomnia and high rates of leukaemia and other forms of cancer and that many Iraqi women were unable to breastfeed their infants might be beyond their imagination. She wished to personally commend the Government of Iraq for having prepared and presented its second and third periodic reports and for its continuing efforts to promote the advancement of women in Iraq, despite the acute problems of survival with which the country was confronted.

27. **Ms. Al-Azzawi** (Iraq), responding to the questions posed by the experts, said that one visit to her country would change the mind of anyone who believed that there was no correlation between the no-fly zones and other restrictions imposed on Iraq and the implementation of the Convention. Indeed, the Committee might find it useful to visit Iraq and observe at first hand the conditions under which women in that country lived.

28. The issue of resources was key to any discussion of implementation of the Convention. There was no way for a society to promote meaningful development without the necessary economic resources. During the 1970s and 1980s, Iraq's vast oil resources had been used to promote social development, but the embargo

had forced a shift in priority away from development and towards basic survival.

29. On the issue of forced marriages between a rapist and his victim, the experts had misconstrued the text of the report. As for the regime governing inheritance in Iraq, Islamic law provided that the respective roles of men and women should be complementary and not based on absolute equality. It was a complex issue and more time than the Committee had available would be needed to go into all the details. Like other Islamic States, Iraq had expressed its reservations to the provisions of the Convention governing inheritance and considered the matter closed.

30. Turning to the issue of ethnic minorities, it should be remembered that minorities had been living peacefully in Iraq for centuries. Unfortunately, the sanctions and the rebellions fomented by outside Powers might result in the disruption of that ethnic harmony.

31. **Ms. Kammas** (Iraq) said that the suffering imposed on the Iraqi people by the harsh embargo was particularly painful because, prior to 1991, the Iraqi Government had subsidized foodstuffs and other basic needs, including education and health care. The hardship that caused women all over Iraq to fear for their future would come to an end only with the lifting of the embargo.

32. **The Chairperson** said that the Committee was well aware of the great effort that had been made by the Iraqi delegation to attend the meeting. Its presence was a demonstration of the Iraqi Government's commitment to the implementation of the Convention. While conceding that a number of problems stemmed from the impact of the economic embargo, she said that many others were unrelated to it. Problems such as violence against women and the persistence of negative social stereotypes of women, for example, could not be attributed to the embargo. To the extent that it affected the civilian population, especially women and children, she agreed that the embargo should be lifted. That decision, however, was within the purview not of the Committee but of the Security Council. She hoped, nevertheless that Iraq would take account of the concerns that had been raised by the experts and the problems that had been identified.

The meeting rose at 4.55 p.m.