



**International Convention on
the Elimination of All Forms
of Racial Discrimination**

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Committee on the Elimination of Racial Discrimination

**Combined twenty-second to twenty-fifth periodic
reports submitted by Iraq under article 9 of the
Convention, due in 2017***

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I. Introduction

1. The Republic of Iraq presents to the distinguished Committee on the Elimination of Racial Discrimination its combined twenty-second to twenty-fifth periodic reports under article 9, paragraph 1, of the International Convention on the Elimination of All Forms of Racial Discrimination, to which Iraq acceded on 14 January 1970. The Committee considered the combined fifteenth to twenty-first reports of the Republic of Iraq, submitted in one document, at its 2307th and 2308th meetings and adopted the concluding observations at its 2319th meeting held on 27 August 2014.

2. The Republic of Iraq has worked tirelessly to submit its treaty body reports on time and to follow up all treaty body recommendations. Following the abolition of the Ministry of Human Rights and the transfer of its portfolio to the Ministry of Justice, a standing central committee was established, pursuant to Ministerial Order No. 11/11/496 of 19 June 2016, with the Minister of Justice as its chair. The Ministries of Justice, Foreign Affairs, the Interior, Education, Health, and Labour and Social Affairs are represented on the committee, which also comprises representatives of the Office of the Prime Minister, the General Secretariat of the Council of Ministers, and the National Security Advisory. The committee prepares human rights treaty reports, including the present report, to which input was also provided by the High Commission for Human Rights. Representatives of the Commission attended the meetings concerning the preparation process and were kept informed throughout.

3. A delegation of committee members also spent five days in the Kurdistan Region of Iraq, during which time it organized meetings with the institutions concerned with the Convention, among them the Region's Independent Human Rights Commission, Ministry of Justice, Higher Women's Council, Office of Ministers (Foreign Affairs Department) and Ministry of the Interior. A meeting was also held at the main office of the Independent Human Rights Commission with minority representatives from the Ministry of Endowments.

A. General information

4. The Republic of Iraq has an area of 435,052 km². Occupying a key position in the Middle East region, it is bordered in the east by the Islamic Republic of Iran, in the north by Turkey, in the west by the Syrian Arab Republic and Jordan, and in the south by Saudi Arabia and Kuwait. The country has a barren desert to the west of the Euphrates River, a wide valley between the Tigris River and the Euphrates, and mountains in the north-west. The Tigris and Euphrates flow into the Shatt al-Arab near the Arabian Gulf and provide an extensive area of fertile land. Iraq is a parliamentary federal republic composed of 18 governorates, with Baghdad as its capital.

5. The population of Iraq was estimated at around 36 million in 2014. Iraq is a country with one of the world's highest numbers of young people; the average age is 33.3 years and over 60 per cent of the population is aged under 25. The with an almost equal proportion of females to males. During the period 2010–2015, population growth averaged 2.9 per cent. In 2011, two thirds of the population lived in urban areas and the other third in rural areas. The country has a medium ranking in the Human Development Index.

B. Key economic indicators (in Iraqi dinars (ID) million)

6. The national income amounted to ID 15,013,422.3 in 1998 and rose to ID 85,431,538.8 in 2006, ID 100,271,093.3 in 2007, ID 146,453,468.5 in 2010, ID 192,237,070.3 in 2011, ID 227,221,851.2 in 2012, ID 243,518,658.5 in 2013, and ID 232,089.3 billion in 2014. During the period 1998–2007, the growth rate was 23.6 per cent. The exchange rate against the United States (US) dollar is ID 1,200 per dollar.

C. Religions and ethnic groups

7. Islam is the official religion of the State. The Constitution guarantees preservation of the Islamic identity and also guarantees to all individuals, such as Christians, Yazidis and Sabeans, full rights to freedom of religious belief and practice.

D. Political facts

8. The Republic of Iraq is a single, federal, independent and fully sovereign State with a republican, representative (parliamentary) and democratic system of government. A multi-ethnic, multi-religious and multi-confessional country, it is an active founder member of the League of Arab States, the Organization of Islamic Cooperation and the Movement of Non-Aligned Countries.

9. The Iraqi State was established as a monarchy in 1921 and subsequently became a republic on 14 July 1958. Thereafter, Iraq was widely regarded as the most developed country in the Middle East, with people heading to it from across the region in search of the best university education and health care. Iraq at that time had the highest indicators of human well-being, which included infant mortality, school enrolment and household food consumption rates, as well as wage and employment levels, and it was classified by the World Bank as an upper middle-income country. Iraq then later became the only Middle Eastern country to experience no improvement in living standards. Years of repression, war, embargo and instability destroyed social well-being, inflicted suffering on the entire community and led to the categorization of Iraq as one of the poorest countries in the world. The fall of the dictatorship in the spring of 2003 ushered in an era of dramatic events with the appointment of United States Ambassador Paul Bremer, on 19 May 2003, as Administrator of the Coalition Provisional Authority, the first statutory body formed after the overthrow of the previous regime to run the country, which it governed on the basis of Security Council resolution 1483 (2003). The first sovereign Interim Government was formed on 30 June 2004 and assumed authority for governing the country under the terms of Security Council resolution 1546 (2004), its chief function being to administer the country's affairs. An Interim National Council with limited oversight powers was established with 100 members, including some of those from the Governing Council left without positions, and it elected a congress composed of 1,000 well-known Iraqis of varying political persuasions and representing a mixture of the country's confessional groups. On 30 January 2005, elections were held for the 275-member National Assembly, which was primarily tasked with drafting a permanent constitution for the country and making preparations for the general parliamentary elections to be held on 15 December 2005. The vote on the draft permanent constitution took place in accordance with the Law of Administration for the State of Iraq for the Transitional Period, on 15 October 2005, and led to a comprehensive review of the legislative structure, the aim being to adapt it to the new political, economic and social order. The Republic of Iraq experienced a major political transformation after the collapse of the former dictatorial regime, which heralded for the country a new democratic era and a new Constitution on which a referendum had been held. The Constitution was published in the Iraqi *Official Gazette No. 4102* of 28 December 2005 and was the first legal document approved by an elected constituent assembly and a national referendum since 1924. This Constitution determined the political, economic and social features of the new Iraqi State, setting out fundamental principles, notably those enunciated in article 1 thereof, which provides that: "The Republic of Iraq is a single, independent and fully sovereign federal State with a democratic parliamentary system. This Constitution shall be the guarantor of the unity of Iraq."

10. General elections were held for the Council of Representatives, pursuant to the permanent Constitution, and a new democratically elected Government of national unity was formed in mid-2006. Elections for the Council of Representatives were held in 2010 and elections for provincial assemblies were held in 2013, as were elections in the Kurdistan Region.

11. The table below shows details of the elections held in 2010 for the Federal Council of Representatives, in 2013 for provincial assemblies and in the Kurdistan Region, and in 2014 for the Federal Council of Representatives.

<i>Description</i>	<i>Elections for the Federal Council of Representatives in 2010</i>	<i>Elections for provincial assemblies in 2013</i>	<i>Elections in the Kurdistan Region in 2013</i>	<i>Elections for the Federal Council of Representatives in 2014</i>
Proportion of participants in the elections	62.39 per cent	44.19 per cent	76.22 per cent	62 per cent
Number of registered voters	19 240 093	13 571 192	2 666 145	12 619 599
Number of persons who voted	12 002 962	6 132 881	1 939 247	12 619 599
Number of authorized political entities	305	265	39	277
Number of political entities participating in the elections	86	139	31	107
Number of coalitions	12	50	2	36
Number of candidates	6 234	8 057	1 129	9 037
Number of male candidates	4 428	5 869	763	6 434
Number of female candidates	1 806	2 188	366	2 604
Number of seats	325 (310 governorate seats, 8 minority seats and 7 compensatory seats)	447	111	328
Number of local observers	114 615	100 180	6 210	170 789
Number of international observers	1 447	348	394	1 232

12. The tables set out in annex 1 show the core United Nations human rights conventions, the human-rights related protocols and treaties and the main International Labour Organization (ILO) conventions ratified and acceded to by Iraq.

13. The table below shows the institutions concerned with the promotion and protection of human rights in Iraq.

<i>No.</i>	<i>Entity</i>
1	The High Commission for Human Rights
2	The Supreme Judicial Council, which has established a human rights court, the Publishing and Media Court, the Family Court, four courts dealing with domestic violence, the Sports Disputes Tribunal and, within the headquarters of the Department of Public Prosecutions, a division accountable to the Chief Prosecutor that is tasked with receiving complaints from the High Commission for Human Rights
3	Human rights committees of the Council of Representatives and provincial assemblies
4	The General Secretariat of the Council of Ministers/Citizens' Affairs Department, Women's Empowerment Department
5	Transitional justice institutions (the Martyrs' Foundation, the Political Prisoners' Foundation and the Accountability and Justice Commission)
6	The Ministry for Martyrs' and Anfal Affairs, the Independent Human Rights Commission, the Higher Council for Women (and the Higher Committee on Violence against Women and the Judicial Institute in the Kurdistan Region)

<i>No.</i>	<i>Entity</i>
7	The Media and Communications Commission
8	Human rights departments, directorates, sections, divisions and committees in government departments
9	The Directorate for Family Protection and the Directorate for Social Welfare at the Ministry of the Interior
10	The Child Welfare Commission, the Commission for the Care of Persons with Disabilities and Special Needs, and the Social Protection Commission

E. Legislation

14. Between 2010 and 2016, numerous legislative enactments and laws relating to human rights were passed, notably the Human Trafficking Act, the Journalists' Rights Act, the Care of Persons with Disabilities and Special Needs Act, the Supreme Judicial Council Act, the Non-Governmental Organizations Act, the Literacy Act, and the Involuntary Change of Iraqi Nationality Prohibition Act, all of which can be consulted in annex 2.

F. Criminal acts committed by Daesh in Iraq after 9 June 2014

15. In 2014, Iraq came under violent attack from Daesh terrorist groups, which have committed extensive atrocities against the people of Iraq in general and, in particular, against a number of ethnic and religious communities. These groups have been responsible for killings, torture, abductions, rape, sexual slavery, forced religious conversion and the recruitment of child soldiers, all of which amount to violations of international human rights law and international humanitarian law, and some of them to crimes against humanity. These criminal groups have committed numerous violations against ethnic communities, such as Christians, Turkmens, Sabeen Mandaeans and Yazidis, including the following:

- Crimes against life and physical integrity (killing and torture);
- Forced displacement;
- Targeted attacks on minorities;
- Destruction of religious heritage and symbols;
- Restriction of public freedoms;
- Economic- and health-related violations.

16. Furthermore, since entering the city of Mosul, parts of Salah al-Din Governorate and numerous villages in Kirkuk and Diyala Governorates in early Jun 2014, Daesh groups have carried out the most heinous acts of murder and torture. These include the killing of 450 inmates of Badush prison, the execution of hundreds of soldiers in Nineveh Governorate and of 1,700 more at Camp Speicher in Salah al-Din Governorate, and the killing of 175 Iraqi Air Force cadets at an airbase in Tikrit, some of whose bodies were dumped in the Tigris River. Daesh groups have also committed the most abominable crimes against members of minorities, particularly Yazidis, Christians and Shabak, and sexually enslaved thousands of women from the Yazidi community and other minorities.

II. Reply to the recommendations

17. The concluding observations adopted by your distinguished Committee following its consideration of the combined fifteenth to twenty-first reports of the Republic of Iraq were received with great interest. With regard to the main issues of concern and the recommendations communicated to our country by your distinguished Committee, we wish to express our objection to the name "Islamic State" that appears in some of those

recommendations when it would be appropriate to use terms indicating the terrorist nature of this criminal group (Daesh terrorist groups).

18. Concerning recommendation (a) in paragraph 6 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

19. On 9 September 2014, the Iraqi Council of Representatives approved the Government chosen in the elections held in that year, which comprises 33 ministers and has all components of Iraqi society, including women, represented within it. The Council of Representatives also includes ethnic and religious minorities in accordance with electoral rights on the one hand and the quota for minorities on the other through:

- A proportional representation for minority communities (Christian, Turkmen, Yazidi, Sabeen and Shabak) under the Electoral Act;
- A proportional representation of not less than 25 per cent for women, who play an active role in the Council of Representatives in line with the political rights accorded to them under article 49, paragraph IV, of the Constitution.

20. With respect to the political rights of minorities, the Federal Court handed down its decision in Federal Case No. 7 of 2010 concerning the representation of Sabeens and other minority groups.

21. It also handed down its decision in Federal Case No. 11 of 2010 concerning the rights of Yazidis to representation in accordance with the Electoral Act No. 16 of 2005.

22. This representation of minorities and women is reflected in the numbers of each in the executive branch of government and in senior government positions, whether as ministers, deputy ministers, officials with special grades or directors-general.

23. With respect to equal opportunities, the Federal Court decided in Federal Case No. 42 of 2010 that women should be assured of fair representation in the High Commission for Human Rights in accordance with Act No. 53 of 2008.

24. Concerning recommendation (b) in paragraph 6 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

25. In its Decision No. 92 of 2014, the Council of Ministers designated as genocide the suffering inflicted by Daesh terrorist groups on components of the Iraqi people, including Yazidis, Turkmen, Christians, Shabak and other minority communities.

26. The Iraqi Government has safeguarded the pay of public servants displaced from areas under the control of Daesh terrorist groups by issuing smartcards enabling them to receive their salaries from those areas.

27. State institutions in the centre and south have absorbed personnel from the areas affected by Daesh terrorism.

28. Members of the communities from Salah al-Din, Nineveh and Anbar (Sunni, Christian, Yazidi, Shabak and Turkmen) have been embraced by the people of Baghdad and by those in the southern, central Euphrates and Kurdistan Region governorates.

29. The Iraqi Government has made enormous efforts to establish security and the rule of law in Iraqi territory through its operations to liberate areas controlled by Daesh terrorist groups, including in the Salah al-Din, Diyala, Anbar and Nineveh Governorates, and maintain the safety of citizens. It has also provided tents and other essentials of life to displaced persons in those areas, without discrimination.

30. Concerning recommendation (c) in paragraph 6 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

31. Prime Ministerial Decision No. 1 of 2016, concerning appointments, states that appointments are to be made in conformity with the criteria specified therein, especially with respect to job grades, and that applications may be submitted electronically.

32. In its Decision No. 278 of 2016, the Council of Ministers agreed that posts in ministries and in entities not associated with a ministry should be filled by individuals with master's degrees or doctorates drawn from the database of the Ministry of Labour and

Social Affairs. It also approved the establishment of a committee chaired by the Minister of Labour and Social Affairs to implement the Decision.

33. The national employment policy (2010–2014) is intended to realize the vision of an Iraqi society with a productive workforce that actively generates a decent income in order to improve quality of life, thanks to an efficient labour market capable of rising to new challenges that reaps benefits for workers and employers and, in turn, for the economy and society as a whole. The aim of this policy is to: reduce unemployment rates through economic growth leading to the creation of new job prospects; increase labour productivity through sustainable enterprises in order to enhance competitiveness and the capacity of the workforce to adapt to shifts in the labour market; develop institutional and legislative frameworks guaranteeing fundamental labour rights and social protection; promote social dialogue among government representatives, employers and labour unions as a means of attaining the twofold objective of decent work and economic growth; achieve an objective link between wages and productivity; link the minimum wage with the cost of living; and achieve balanced employment growth at the regional level. The target set for economic growth, measured by real growth in gross domestic product, is 9.38 per cent by the end of 2014.

34. The Government Programme (2014–2018) includes the administrative and financial reform of government institutions with the aim of:

(a) Overhauling the institutional system, improving its performance and streamlining work procedures, including by:

(i) Harmonizing the legal and political framework governing institutional activities;

(ii) Enhancing the capacities and capabilities of State ministries and carrying out restructuring so that they are ideally equipped to discharge their functions and achieve their goals;

(iii) Improving and streamlining procedures for delivery of the services provided by State institutions;

(iv) Using e-governance at all administrative levels;

(v) Working to complete the Centre for Institutional Excellence;

(vi) Completing the uniform national identity card project and issuing cards to citizens;

(vii) Completing vehicle registration procedures and issuing vehicle driving licences;

(b) Implementing the Civil Service Regulation, building the capacities of senior executives, and creating through the administrative reform programme, on the basis of merit and ability, a demographically representative pool of Iraqi personnel, including by:

(i) Operationalizing the Civil Service Council;

(ii) Tabling the bill on the civil service as soon as possible;

(iii) Completing the administrative reform programme and establishing specific criteria for the appointment of directors-general and officials with special grades;

(iv) Adopting a capacity-building system for senior civil service executives and creating on the basis of merit and ability a demographically representative pool of Iraqi personnel;

(v) Enacting a law on a public commission to ensure balance, in accordance with article 105 of the Constitution.

35. The Government Programme can be consulted in annex 3.

36. The Iraqi Government has also introduced various policies for achieving social justice and combating racial discrimination in government institutions, whether with respect to appointments, job performance or the recruitment of persons with scientific and

professional qualifications and expertise. A number of ministries have also officially advertised positions for which candidates are selected by professional committees on the basis of their competence and experience. Pursuant to the Federal Public Service Council Act No. 4 of 2009, applicants for public positions are appointed by the Council on the strength of their ability and test results. In line with national policy, all components of Iraqi society are entitled to hold senior positions in government on the basis of their scientific and technical expertise and qualifications. None of the programmes or activities implemented by the Iraqi Government and its institutions involves any approach or policy rooted in discrimination on grounds of colour, sex, race, religion or confession. The Government has instead worked constantly to suppress any such tendency, which would eventually paralyse its activities and those of its institutions.

37. Workforce proportions by sex, academic status and ministry are set out in annex 4.
38. Concerning recommendation (d) in paragraph 6 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.
39. The federal system in the Republic of Iraq comprises a capital, decentralized regions and governorates, and local administrations. Regional authorities may exercise legislative, executive and judicial powers as provided for in the Constitution, with the exception of those exclusive to the federal authority.
40. Under article 45 of Act No. 21 of 2008, concerning governorates not incorporated into a region, as amended by Act No. 19 of 2013, a body named the Supreme Commission for Inter-Governorate Coordination was established under the chairpersonship of the Prime Minister, with the Ministers of Municipalities and Public Works, Construction and Housing, Labour and Social Affairs, Education, Health, Planning, Agriculture, Finance, and Sports and Youth as members, in addition to the Minister of State for Governorate Affairs, governors and provincial assembly heads. The Commission is entrusted with the transfer of the subdepartments, agencies, functions, services and remits of the nine aforesaid ministries, together with their general budget allocations, officials and workers, to the governorates. Powers have been transferred from the federal ministries to all governorates, including those recaptured from the Daesh terrorist organization, such as Anbar and Salah al-Din. They will also be transferred to Nineveh Governorate as soon as it is liberated.
41. The relationship of the Federal Government with the Government of the Region and governorates not incorporated into a region is one involving the sovereignty of the Iraqi State. Issues relating to disputed regions are settled in accordance with the Iraqi Constitution, the requirements for building the Iraqi State and the circumstances in which Iraq finds itself.
42. In its Decision No. 44 of 2016, the Council of Representatives established the boundaries of Nineveh Governorate.
43. The Government Programme (2014–2018) shapes federal-local relations through:
 - (a) Dividing government powers between the Region and governorates not incorporated into a region; carrying into effect the powers of governorates in accordance with Act No. 21 of 2008, concerning governorates not incorporated into a region, as amended; assessing the impact of the articles of the Constitution relevant to the powers of the Federal Government, regional governments and governorates not incorporated into a region; working for enactment of the legislation required for implementation of the Convention; and seeking to:
 - (i) Identify new mechanisms for security management in the governorates in conformity with the Constitution;
 - (ii) Authorize local governments to run educational, health and service institutions, with the Federal Government playing only a supervisory and monitoring role pursuant to the main operating rules for each sector;
 - (iii) Empower local governments to develop administrative procedures on the basis of local needs;

(iv) Consult local governments as a matter of principle before taking decisions about their responsibilities;

(v) Permit local governments to expand sources of funding for public services and also strengthen the public role by allowing citizens to levy and collect certain fees and charges on behalf of those governments;

(b) Planning for the delegation of authority: The Central Government is currently formulating the general policy of the State and implementing plans concerning the provision of services to citizens in all governorates. In cooperation with governorates and regions, it is to develop a comprehensive administrative capacity-building strategy to ensure that those governorates assume their responsibilities with respect to the powers vested in them, in addition to detailed plans for the delegation of specific functions to the Governorates Department, such as those relating to municipalities and public works, the social protection net, and ration cards;

(c) Improving coordination among ministries, governorates and local departments with a view to addressing the challenging problems faced by the Central Government on that score in the governorates and the Region and ensuring that the volume and quality of the services provided to citizens remain unaffected. The Government is to take the necessary measures to enhance cooperation and structural coordination between the Federal Government and local governments by calling upon the Supreme Commission for Inter-Governorate Coordination to:

(i) Review the method and procedures in respect of the allocation of funding to governorates in the general budget;

(ii) Involve governorates in the preparation of general State budgets;

(iii) Provide self-funding opportunities for governorates to build their capacities in the areas of administration and development;

(iv) Entrust governorates with the implementation of non-strategic projects rather than assigning such projects to ministries;

(v) Withdraw the application for a review of the articles relating to appeals in the Act concerning governorates not incorporated into a region.

44. With respect to demographic change, in its decision in Federal Case No. 65 of 2013, the Federal Supreme Court elaborated on the meaning of article 23, paragraph III (b), of the Constitution of 2005, pursuant to which property ownership for the purpose of demographic change is prohibited. In so doing, it stated that the ownership of property anywhere in Iraq is prohibited if the aim or purpose of such ownership is to change the demographics and the specific national, ethnic, religious or confessional characteristics of the population. It further stated that this does not affect the right to own property, as guaranteed under the Iraqi Constitution.

45. Concerning recommendation (e) in paragraph 6 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

46. In its Decision No. 92 of 2014, the Council of Ministers designated as genocide the suffering inflicted by Daesh terrorist groups on components of the Iraqi people, including Yazidis, Turkmen, Christians, Shabak and other minority communities.

47. Following completion of the investigations into the bombing attack on the Church of Our Lady of Salvation, all suspects were tried and sentenced by the Criminal Court.

48. In its Decision No. 27 of 2016, the Council of Representatives urgently requested the Council of Ministers to set up a committee to assess the damage caused to lives and private property in the Tuz Khurmatu district of Salah al-Din Governorate by the two incidents that took place on 12 November 2015 and 24 April 2016, estimate the compensation required for such damage, and determine the benefits payable and the manner of their distribution. It also requested the Council of Ministers to fund the compensation from the emergency reserves in the general budget for 2016 and stated that civilian victims who lost their lives on or shortly after the dates of those incidents in the Tuz Khurmatu district were to be treated as martyrs in terms of rights and privileges.

49. In its Decision No. 43 of 2016, the Council of Ministers states that: “The Government shall take the necessary measures to liberate abducted Yazidi women, reconstruct the province of Sinjar and restore its services and infrastructure. It shall consider the victims of the acts of terrorism perpetrated by Daesh terrorist groups in Sinjar province as martyrs, with all the same rights and privileges as that category, and create a committee of competent entities to look into the genocide of Yazidis by Daesh terrorist groups in order to submit the case for investigation by the International Criminal Court.”

50. Pursuant to the Martyrs’ Foundation Act No. 2 of 2016, Act No. 3 of 2006 was abrogated.

51. The improved security situation in the areas inhabited by minority communities has meant that the organs of the judiciary there have been able to resume their activities. They are conducting investigations into the attacks suffered by those communities with a view to bringing the perpetrators to justice and giving victims appropriate compensation where necessary.

52. The judiciary is accessible to all and its organs are ready to respond immediately to address any attack against society, including past attacks against ethno-religious minorities, their places of worship and their places of business, and to protect the interests of those minorities as necessary. They are likewise ready to bring perpetrators to justice and ensure that they are adequately punished.

53. There is no impunity in Iraq when a crime is found to have taken place under domestic law. Moreover, the Government of Iraq protects human rights in accordance with international law.

54. All Iraqis are now more heavily protected in their places of residence owing to an increased number of vehicle and foot patrols and the presence of operational units.

55. Efforts are also focused on strengthening the protection of residential neighbourhoods by bringing in additional security forces from the operational units.

56. All churches and places of worship of other religious and ethnic minorities are protected in Baghdad by the Directorate for Facility and Personnel Protection and in the governorates by the police directorates, in line with security plans pre-prepared for that specific purpose. Security measures are also tightened during the Christmas and New Year holidays to prevent terrorists and outlaws from carrying out their desire to attack and inflict losses on civilians and interfere with their religious ceremonies.

57. In Baghdad Governorate (Karkh and Rusafah), there are 351 security personnel, including officers, regular personnel and female inspectors, protecting 64 targets belonging to the Endowment Council for Christian and other religions.

58. Government-sponsored seminars and conferences are organized to promote inter-confessional dialogue, peaceful coexistence and national reconciliation.

59. Concerning recommendation (f) in paragraph 6 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

60. Article 4 of the Iraqi Constitution comprises several paragraphs dealing with languages:

“I. Arabic and Kurdish are the two official languages of Iraq. The right of Iraqis to educate their children in their mother tongue, such as Turkmen, Syriac and Armenian, in government educational institutions in accordance with the education regulations, or in any other language in private educational institutions, is guaranteed.

“II. The scope of the term “official language” and the means of applying the provisions of the present article shall be defined by law and shall include:

“(a) Publication of the *Official Gazette* in both languages;

“(b) Use of either language for the purpose of conversing, giving speeches or expressing oneself in official settings, such as the Council of Representatives, the Council of Ministers, courts and formal conferences;

“(c) Recognition and issuance of official documents and correspondence in both languages;

“(d) Opening of schools teaching in both languages, in accordance with the education regulations;

“(e) Use of both languages in any other context where the principle of equality so requires, as in the case of banknotes, passports and stamps.

“III. Federal and official institutions in the Kurdistan Region shall use both languages.

“IV. Turkmen and Syriac are two other official languages in administrative districts where native speakers of those languages comprise a significant proportion of the population.

“V. Every region or governorate may adopt any other local language as an additional official language if approved by a majority of its population in a general referendum.”

61. The Official Languages Act No. 7 of 2014 was passed as an ordinary law designed to ensure the implementation of article 4 of the Constitution.

62. The Iraqi Government has renovated the minority places of worship desecrated by Daesh terrorist groups.

63. At its thirtieth ordinary session on 9 August 2016, the Council of Ministers designated 18 July of each year as Iraqi Heritage Day and the period 23–28 July of each year as Iraqi Heritage Week.

64. Decision No. 27 of 2016 deals with compensation, determination of benefits and assessment of damages in the Tuz Khurmatu district.

65. Pursuant to article 28 of the Federal Budget Act of 2015 and Regulation No. 4 of 2015, the Reconstruction Fund for Areas Affected by Terrorist Operations was established as a body coordinating between international organizations and Iraqi ministries to ensure rapid reconstruction and undertake medium- and long-term rebuilding projects in areas liberated from the control of Daesh terrorist groups. It began operations on 18 February 2015 and was allocated sums in the budget of 2015 by the Government. The Fund’s resources are composed of donations from friendly States and the allocations provided in the Government’s own general budget. The Fund is to undertake the reconstruction of all areas of the country affected by terrorist operations once they have been liberated. Article 41 of the General Federal Budget Act No. 44 of 2017 provides that: “A fund shall be established for the reconstruction of areas destroyed by terrorism. It shall have a legal personality, as well as financial and administrative autonomy, and shall be financed by international donations, assistance and loans, in addition to allocations from the general federal budget. Its operations shall be regulated by a statute to be issued by the Council of Ministers.”

66. In its Decision No. 33 of 2016, the Council of Representatives approved the establishment of a committee to deal with the problems left by the Daesh terrorist organization in Nineveh Governorate.

67. Article 3 of Act No. 6 of 2014, concerning the official languages in the Kurdistan Region, provides that: “The language of other components (Turkmen, Syriac and Armenian) shall, in their administrative districts and as needed, be deemed an official language in Iraqi Kurdistan, in addition to the Kurdish language.”

68. Iraq is a party to the following conventions:

- Convention for the Protection of Cultural Property in the Event of Armed Conflict, The Hague, 1954;
- Convention concerning the Protection of the World Cultural and Natural Heritage, 1972;

- United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, 1970;
- International Institute for the Unification of Private Law (UNIDROIT) Convention on Stolen or Illegally Exported Cultural Objects, 1995;
- UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage, 2006;
- Convention on the Protection of the Underwater Cultural Heritage, Paris, 2001;
- Ramsar Convention on Wetlands.

69. The Government Programme (2014–2018) sets out measures for protecting the cultural heritage of all components of Iraqi society, which consist in preserving the cultural fabric of each component and disseminating Iraqi culture by reconstructing and restoring places of worship and cultural and arts centres; reviving and preventing the extinction of traditional industries; nurturing writers, intellectuals and artists; and promoting religious and archaeological tourism. Such measures include the:

- (i) Construction of buildings, complexes and facilities at tourist and archaeological sites;
- (ii) Promotion and protection of traditional industries through:
 - Action to revive such industries and prevent their extinction;
 - Industry protection and support for the economy;
- (iii) Dissemination of Iraqi culture and promotion of scholarly works both at home, through cultural and recreational centres, and abroad, and the introduction of readers to the country's civilization, culture and traditional arts.

70. Concerning paragraph 7 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

71. Institutions and individuals are required to provide information on their status to the authorities in charge of conducting the census and statistical surveys.

72. The Central Statistical Organization of the Ministry of Planning periodically collects and sorts demographic and socioeconomic data.

73. Owing to the security situation in Iraq, no census has been conducted since the last one in 1997. A census will be conducted in future.

74. Concerning paragraph 8 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

75. Treaties concluded by Iraq are ratified by law, in accordance with the Treaties Act No. 35 of 2015, whereupon they become a part of the domestic legal order and are taken into consideration when related legislation is being prepared.

76. A higher committee chaired by the General Secretariat of the Council of Ministers has been formed to harmonize the national legislation with international conventions.

77. The Constitution of 2005 does not specify whether international conventions take precedence over the national legislation and nor does it identify mechanisms for their incorporation into that legislation or for harmonization of the latter with their provisions. No indication is given in either article 61, paragraph IV, of the Constitution, or in article 80, paragraph VI, thereof, as to how treaties are to take effect and be implemented in Iraqi law. In practice, bilateral and multilateral treaties concluded by Iraq enter into force in international law once the ratification or accession law is published in the *Official Gazette*, meaning that they take effect in Iraqi law only as from the date of publication, in accordance with the concluding provisions of the treaty. Bilateral treaties take effect on the date when the notes of ratification or accession thereto are exchanged and multilateral treaties on the date of their deposit.

78. Concerning paragraph 9 (a) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

79. The bill on the protection of religious and ethnic minority group rights had its first reading in parliament on 6 October 2016. The rationale for the bill is stated as being to preserve the heritage and artefacts of Iraq as a multi-ethnic, multi-faith, multi-confessional and multicultural country, promote the principles of equal citizenship, mutual understanding and social cohesion, and build civil peace. The bill can be consulted in annex 5.

80. Concerning paragraph 9 (b) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

81. We refer you to the previous paragraph.

82. Concerning paragraph 9 (c) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

83. Under Act No. 32 of 2016, the Baath Party is banned, as are racist, terrorist and takfiri entities, parties and activities. The rationale for this Act states that: "The democratic system in Iraq is founded on political pluralism and the peaceful transition of power, with the Constitution enshrining the principles of justice, equality, freedom and respect for human rights. Article 7 of the Constitution provides for the enactment of a law prohibiting any entity or methodology that espouses, incites, prepares, glorifies, promotes or justifies racism, terrorism, the labelling of others as non-believers, or ethno-religious cleansing, in particular the Baath Party and its symbols, howsoever designated, in order to prevent the return of dictatorship. The present law has been thus been enacted." The Act can be consulted in annex 6.

84. Under Iraqi law, no one subject to Iraqi jurisdiction may be denied the right to life, liberty or security of person on the ground of religion or belief or the expression or avowal of either. Similarly, no individual may be tortured, arrested, arbitrarily detained or deprived of the right to work, education or adequate housing. All those who violate these rights are brought to justice, with article 372 of the Iraqi Criminal Code (Act No. 111 of 1969), as amended, providing that:

"1. A penalty of up to 3 years' imprisonment and a fine of up to 300 dinars shall be imposed on anyone who:

"(a) Openly attacks the beliefs of a faith community or denigrates its religious practices;

"(b) Deliberately denigrates a faith community or a religious celebration or gathering or prevents or disrupts a religious ceremony;

"(c) Destroys, vandalizes, defaces or desecrates premises used for worship by a faith community or a religious symbol or any other object considered sacred."

The amount of the fines prescribed under the Iraqi Criminal Code was adjusted pursuant to Act No. 6 of 2008.

85. Concerning paragraph 9 (d) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

86. The Labour Code (Act No. 37 of 2015), which came into effect on 7 February 2015, defines direct and indirect discrimination in article 1, paragraphs XXV and XXVI. Direct discrimination is defined as "any distinction, exclusion or preference made on the basis of nationality, age, health status, economic status, social status, affiliation or trade union activity that has the effect of nullifying or impairing equality of opportunity or treatment in employment and occupation." Article 2 of the Code provides that decent work must be provided for all, without discrimination. Article 4 further provides that: "Work is the right of every citizen capable thereof and the State shall endeavour to provide work on the basis of equality of opportunity, without discrimination of any kind." Article 6, paragraph IV, of the Code refers to the elimination of discrimination in respect of employment and occupation, while article 8, paragraph I, prohibits contravention or violation of the principle of equal opportunities and treatment and, in particular, all direct and indirect discrimination

among workers in all matters relating to vocational training, working conditions and terms of employment. Article 10 of the Code prohibits sexual harassment in employment or occupation and any other conduct conducive to an intimidating, hostile or demeaning work environment for those at whom such conduct is directed. The article also defines sexual harassment. Under article 11, paragraph II, anyone who contravenes the provisions relating to discrimination and sexual harassment is liable to punishment. Article 42, paragraph I (c), also provides that workers have the right to enjoy equality of opportunity and treatment in employment and occupation, without discrimination of any kind, while article 48, paragraph I (e), provides that no contract of employment may be terminated on the ground of direct or indirect discrimination in respect of employment or occupation.

87. Concerning paragraph 9 (e) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

88. Article 30, paragraph I, of the Constitution of the Republic of Iraq of 2005 provides that: “The State shall guarantee social and health security to individuals and families, in particular women and children, and the basic elements required to live in freedom and dignity, in addition to a suitable income and decent housing.”

89. The Government Programme (2014–2018) guarantees effective and streamlined social security, to which end the Government is working to:

- (i) Include under the final social security bill all private-sector workers and those with trades and professions in order to stabilize the labour market, in particular for the unemployed, and secure the future of all workers;
- (ii) Implement the national employment policy in conjunction with international organizations in order to reduce the country’s unemployment rate;
- (iii) Complete the establishment of centres for the care of persons with special needs and improve the education and employment opportunities available to them;
- (iv) Finalize the country’s child protection policy in cooperation with the United Nations Children’s Fund (UNICEF).

90. The Social Protection Act No. 11 of 2014, which entered into force on 24 March of that year, provides in article 1 that it applies to Iraqi families and individuals living below the poverty line and to third-country nationals who are lawful permanent residents in the Republic of Iraq. Article 6 of the Act states that all individuals and families living under the poverty line are entitled to receive a cash benefit and social services, for which eligibility is annually determined through demographic targeting based on poverty data and social research. Article 7 also provides that the groups covered by the provisions of the Act should receive the full cash benefit if they have no income and that those with a fixed income who meet the eligibility conditions should receive the difference between that income and the income shown in the relevant schedule, in accordance with the number of family members. Article 28, paragraph II, furthermore provides that the Act applies to Iraqi women married to non-nationals and their children, as well as to non-Iraqi women married to Iraqi nationals and their children if they are settled in Iraq.

91. Concerning paragraph 9 (f) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

92. Act No. 5 of 2015, concerning protection of the rights of the components of the Kurdistan Region, was promulgated.

93. Concerning paragraph 10 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

94. Pursuant to Act No. 53 of 2008, the High Commission for Human Rights was established as an independent national institution with a broad mandate and with its members voted in by the Iraqi Parliament. The aims of the High Commission include: coordinating with the relevant authorities in the development of strategies and joint working mechanisms and the preparation of studies and research; making recommendations and giving opinions on issues relating to the promotion and strengthening of human rights; studying and assessing current laws and their conformity with the Constitution and making

recommendations to the Council of Representatives; submitting proposals and recommendations concerning the accession of Iraq to international human rights instruments; cooperating and coordinating with independent and non-governmental international human rights institutions in furtherance of the aims of the Commission; disseminating a culture of human rights; presenting proposals on human rights capacity-building; and delivering to the Council of Representatives an annual report providing a general assessment of the situation of human rights in Iraq for publication in the various media. The Act spells out the objectives and working methods of the High Commission, which entail:

- Receiving complaints of human rights violations previous and subsequent to the establishment of the High Commission from individuals, groups and civil society organizations;
- Conducting preliminary investigations into human rights violations on the basis of information received;
- Verifying the validity of complaints made to the High Commission and conducting initial investigations, as necessary;
- Instituting proceedings relating to human rights violations and referring them to the Department of Public Prosecutions for legal action and notification of the outcome;
- Conducting visits to prisons, correctional facilities, police stations and all other places without prior authorization from the aforementioned authorities, meeting with convicted and detained persons, verifying cases of human rights violations, and reporting such cases to the competent authorities for appropriate legal action.

95. The resources allocated to the High Commission from the federal budget amounted to ID 20 billion in 2013 and ID 29 billion in 2014. A total of 110 posts were designated for it in 2012.

96. Following the abolition of the Ministry of Human Rights in 2016, the Iraqi Government also provided support to the High Commission by transferring over to it 525 personnel from the former Ministry, together with the financial allocations for those personnel.

97. The Iraqi Government has also supported the work of the High Commission by providing it with 2 buildings in the Iraqi capital and a further 14 divided among most of the governorates, excluding the Kurdistan Region.

98. In 2015, the High Commission was accredited with B status as an observer member of the Global Alliance of National Human Rights Institutions.

99. Concerning paragraph 11 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

100. The Iraqi Government permits all Iraqis, without discrimination, to join the armed forces, internal security forces and the National Intelligence Service, all of which currently include personnel from the Christian, Yazidi and Sabean Mandaean communities. The protection of minority places of worship is handled by the Ministry of the Interior. Security measures were tightened following the attack against the Church of Our Lady of Salvation in 2011 and police units have been assigned to protect facilities and public figures.

101. Pursuant to the Popular Mobilization Forces Commission Act No. 40 of 2016, the Popular Mobilization Forces were incorporated into the Iraqi armed forces as an independent military organization reporting to the General Commander of the Armed Forces. They include detachments composed of minority groups, such as Christians, Yazidis, Shabak and Sabeans.

102. Article 8, paragraph V, of the Federal General Budget Act of 2017 provides that: "A proportion of the allocations for the Federal Land Forces of the Iraqi Army shall be reserved for the Peshmerga in view of its status as part of the Iraqi security system."

103. Article 11, paragraph V (d), of the above Act further provides that: "The posts indicated in schedule C (Workforce assigned to the Ministry of the Interior for the

governorates and areas liberated from terrorism) shall be filled by appointees from those governorates and areas. Persons discharged from security establishments for not having entered service while those areas were under occupation may apply for posts in the same way as other applicants, in accordance with the rules.”

104. Article 14 of the Constitution of 2005 provides that: “Iraqis are equal before the law.” Article 15 thereof states that: “Every individual has the right to life, security and liberty.” Article 16 further states that: “Equal opportunities are guaranteed for all Iraqis.” Article 9, paragraph I, provides that: “The Iraqi armed forces and security services shall be composed of the components of the Iraqi people, with due consideration given to balance and representation, without discrimination or exclusion. They shall be subject to the control of the civilian authority.”

105. The number of members of minority groups at the Ministry of the Interior are as set out in annex 7.

106. Concerning paragraph 12 of the concluding observations, the comments we wish to make to your distinguished Committee are that: On 9 September 2014, the Iraqi Council of Representatives approved the Government chosen in the elections held in that year, which comprises 33 ministers and has all components of Iraqi society represented within it. The Government furthermore made sure to appoint women to ministerial positions. The Council of Representatives also includes members from ethnic and religious minorities, in accordance with electoral rights on the one hand and the quota for minorities on the other through:

- A proportional representation for minority communities (Christian, Turkmen, Yazidi, Sabeen and Shabak) under the Electoral Act;
- A proportional representation of not less than 25 per cent for women, who play an active role in the Council of Representatives in line with their political rights.

This quota for minorities and for women is reflected in the numbers of each in the executive branch of government and in senior government positions, whether as deputy ministers or officials with special grades.

107. Concerning paragraph 13 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

108. Freedom of religion is guaranteed to all. None of the provisions in the Personal Status Code (Act No. 188 of 1959) contradict that principle, with the exception of articles 17 and 18. Article 17 provides that: “A Muslim man may marry a woman belonging to one of the scriptural religions. No Muslim woman may marry a non-Muslim man.” As to article 18, it provides in accordance with the rules of Islam that: “The conversion of one of the spouses to Islam before the other shall be subject to sharia law with respect to whether the marriage is maintained or the spouses separate.”

109. The Personal Status Code guarantees freedom of religion and confession to all members of Iraqi society, a principle affirmed by the Constitution. All legislation must be consistent with the Constitution and be promulgated in accordance with its provisions.

110. Concerning paragraph 14 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

111. Article 14 of the Iraqi Constitution guarantees equal rights to all Iraqis, without discrimination, and article 43 thereof guarantees to all confessions and religions full freedom to perform religious observances and requires the State to protect and preserve places of worship. There is nothing indicative of racial discrimination in any article of the country’s established legislation.

112. Pursuant to Act No. 24 of 2016, a public commission was established in order to guarantee the rights of the regions and of governorates not incorporated into a region by ensuring their fair participation, in keeping with the principles of justice and equality, in administering federal State institutions, student exchanges, academic scholarships, and regional and international conferences, in accordance with article 105 of the Constitution,

and to formulate and coordinate policy to that end. The provisions of article 4 of the Act are set out below.

113. “The Commission shall undertake the following tasks:

“I. Elaborate plans and programmes with the aim of guaranteeing that the inhabitants of the regions and of governorates not incorporated into a region participate fairly in the administration of State institutions and in accordance with the criteria of professionalism, competence and equality of opportunity, without discrimination as to sex, race, ethnicity, origin, colour, religion, confession, belief, opinion, or socioeconomic status, and coordinate with the competent federal government authorities to ensure their implementation;

“II. Identify the needs of the regions and of governorates not incorporated into a region for student exchanges and academic scholarships, in coordination with the Ministry of Higher Education and Scientific Research, the Ministry of Planning and interested universities, and seek to ensure that those needs are realized;

“III. Formulate its general administrative policy;

“IV. Propose the organization of regional and international conferences on matters concerning the regions and governorates not incorporated into a region, in collaboration with government entities;

“V. Ensure that representatives of the regions and of governorates not incorporated into a region engage in international forums on matters of relevance, in coordination with the Ministry of Foreign Affairs;

“VI. Prepare an annual report on its activities for submission to the Council of Representatives during the first two months of the year following that in which the report was prepared and provide concerned entities with a copy;

“VII. Prepare a biannual report on the need of the regions and of governorates not incorporated into a region for student exchanges, academic scholarships and regional and international conferences, and on their perspectives concerning fair participation in the administration of State institutions, for submission to the Council of Representatives and transmittal to the Council of Ministers for action;

“VIII. Request State institutions to provide the names of their permanent and temporary staff members, delegates and conference participants, as required.

“XI. Operate an office for receiving complaints from citizens.”

114. The five-year national strategies and plans (2010–2014 and 2013–2017) and the Millennium Development Goals espoused the principles of equality and non-discrimination among all segments of Iraqi society and aimed to alleviate poverty and the socioeconomic pressures affecting vulnerable groups. The poverty reduction strategy (2010–2014) and its implementing programmes went hand in hand with those development plans, as they addressed social ills and the economic, education and health situations. They also determined the poverty line and the poverty and illiteracy rates among Iraqis in the governorates and in other administrative divisions, whether districts, subdistricts or villages. None of the measures undertaken were designed to protect or cater to any one confessional group or race over another. Their particular focus was on vulnerable groups.

115. Through its Human Rights Section, the Ministry of Education protects the rights of minorities by promoting tolerance and acceptance of others, a spirit that also infuses textbooks and school curricula, including in the subjects of national and social education, Arabic language and Islamic education. The Ministry works with civil society organizations to carry out awareness activities through the country’s educational satellite channel, the media, and poster campaigns. It furthermore organizes workshops and meetings with civil society organizations and associations concerned with minority rights, and builds the concept of those rights into the standard textbooks. Follow-up action in this area is ongoing.

116. Concerning paragraph 15 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

117. In cases where the law expressly provides that a particular form of discrimination is an offence, criminal proceedings may be instigated under article 1 of the Code of Criminal Procedure (Act No. 23 of 1971) by way of a verbal or written complaint made to the investigating judge, an investigator, a police station official or a member of the judicial police by victims of the offence, their legal representatives or any person with knowledge of the offence, or by way of a notification addressed to any of those individuals by the Department of Public Prosecutions.

118. Article 2 of the Code of Criminal Procedure provides that: “No case may be stayed, suspended or dropped ... except as prescribed by law.” Article 9 provides that: “The submission of a complaint in itself constitutes a claim of rights.” Article 224 (a) states that, when a criminal court hands down a decision in respect of a complaint before it, the decision shall include compensation for the victim for material or moral damage incurred.

119. The courts in Iraq apply the Criminal Code and the Code of Criminal Procedure in accordance with general constitutional principles that are substantively consistent with the means of redress, thus providing a real guarantee of human rights protection and the sovereignty of the law. The most important of those principles are set out in article 19 of the Constitution.

120. Juvenile offenders have special category status under Iraqi law in that they are subject to special legal procedures from the time when they are sent to an observation centre, as decided by the competent courts or authorities, to the time of placement and enforcement of sentence. The Juvenile Police Directorate, the juvenile courts and the correctional schools run by the Juvenile Correction Department at the Ministry of Labour and Social Affairs have a responsibility to comply with these procedures. The Juvenile Welfare Act No. 76 of 1983 is one of the key pieces of legislation dealing with juvenile offending, together with Regulation No. 23 of 1971, concerning rehabilitation for homeless juveniles, and Regulation No. 6 of 1971, concerning observation centres. It is worth noting that, under the Juvenile Welfare Act, juvenile offenders may not be sentenced to death or life imprisonment and are instead punished by being sent to a correctional school.

121. In accordance with the principles enshrined in the Constitution, the judiciary in Iraq is an independent authority based on separation of the powers referred to in article 47 thereof. Articles 87 and 88 provide that the judiciary is independent, that judges are also independent and subject in their administration of justice to no authority other than the law, and that no authority may interfere in the administration of justice or in judicial affairs.

122. In order to guarantee the independence of the judiciary and the absence of any political, confessional and racial influences over it, the Government Programme (2014–2018) provides for a comprehensive review of the impact of the Constitution, legislation and earlier laws of relevance, as well for the completion of essential legislation and measures to that end. Included are:

- (i) The Federal Court Act;
- (ii) A law on freedom of access to documentation (to enable citizens’ access to information about the activities of the public authorities);
- (iii) Laws and measures relating to terrorist operations and the designation of such operations as crimes of war and genocide punishable by law.

123. Concerning paragraph 16 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

124. There are no statistical data on women belonging to minority groups in gender-related policies and strategies and no follow-up progress reports.

125. The Ministry of Planning regularly conducts surveys providing indicators on women vulnerable to domestic violence in general, such as the Iraq Women Integrated Social and Health Survey (I-WISH), the Multiple Indicator Cluster Survey (MICS) detailing the status of women and children in Iraq, and in-depth analytical reports on violence against women. All such indicators are integrated into the national plans and strategies. The national development plans (2010–2014) furthermore gave a particular focus to gender, as is also true of the gender-related strategies, including the national strategy to combat violence

against women in Iraq (2013–2017), the national strategy for the advancement of women in Iraq (2014–2018), and the national emergency plan relating to Security Council resolution 1325 (2000) on women, peace and security.

126. The situation of women in minority groups is no different from that of women in general. Iraqi society as a whole is aware of the status of women under one common denominator: heritage, customs and traditions.

127. The positive steps taken to accord special rights to women by law reflect the genuinely stronger belief in the capacities of women, who are thus entitled to participate in political life, vote and stand for election. The members of the Council of Representatives and provincial assemblies include Yazidi, Sabeian and Christian women. The right of women to participate in working life and to enjoy equal opportunities in education, recruitment and employment is also guaranteed under the laws, regulations and directives in place.

128. The (abolished) Ministry of State for Women's Affairs worked in its time to ensure that women participated in working life and enjoyed equal opportunities in education, recruitment and employment, including in such posts as director-general and assistant director-general.

129. The Ministry of State for Women's Affairs drafted a national plan for coordinating with the group formed to implement Security Council resolution 1325 (2000), which is an alliance of non-governmental organizations (NGOs). Based on the recommendation of the Ministry of Planning concerning the need to establish government mechanisms for integrating the gender perspective into State policy, a total of 27 gender units have also been created in State institutions with a view to realizing equal opportunities in ministries and in entities not affiliated with a ministry, which is consistent with objectives of the (abolished) Ministry of State for Women's Affairs. The strategy is for each institution to develop policies and organize programmes designed to cater to the needs of both sexes and reduce the gender gap in opportunities and service provision. Women's issues and needs are thus being integrated into all of the country's official institutional policies. Measures are currently being taken to:

- Create gender units in ministries and entities not affiliated with a ministry that do not as yet have any such units;
- Train and develop the capacities of personnel working in gender units and draw up an action plan for those units.

130. The National Reconciliation Committee, which is attached to the Prime Minister's Office and headed by an adviser, has established a special women's office staffed by an all-female personnel. The office deals with and follows up on all matters of interest to Iraqi women, whose profile it works to raise in order to ensure that they play a leading role in the national reconciliation project under the direct supervision of the Committee's representative offices and women's support councils. In the course of its work, it has:

- Organized seminars and conferences in all governorates in order to raise cultural awareness of the need for women's participation in building national unity and cohesion;
- Organized, in collaboration with the Ministry of Interior and national security agencies, courses designed to develop security awareness and assist the identification of various types of explosives;
- Joined in efforts to highlight the importance of peace by taking part in national reconciliation festivals and profiting from certain activities, such as trips for women's groups to holy places (Najaf, Karbala and Samarra) and museums, to increase the spirit of national reconciliation;
- Organized a series of arts festivals to promote the culture of peace through, for example, visual art activities and Qur'an recitation contests for women;
- Maintained contacts with NGOs to achieve its goals of national reconciliation with Iraqi women from all backgrounds;

- Commemorated such occasions as Iraqi Women's Day as a way of honouring women actively involved in women's rights issues and top female students in universities and schools;
- Opened representative offices in both the Karkh and Rusafah sides of Baghdad, as well as in other governorates, so as to offer cultural and social courses with the aim of disseminating the concepts of peace and national unity, and monitored the work of those offices and of the women's support councils in Baghdad and the governorates;
- Coordinated with the Ministry of State for Women's Affairs in holding women's literacy courses, with the Ministry of Health in holding health education seminars, and with the Women's Welfare Department in order to extend services to a great number of divorced women, widows and women with special needs;
- Organized seminars on human development in the belief that national development is one of the fundamentals of peacebuilding;
- Sought to enhance women's skills by organizing courses in, for example, dressmaking and computing in support of their efforts to obtain a livelihood;
- Participated in activities and measures under the programme for tackling the root causes of terrorism.

131. Concerning paragraph 17 of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

132. The Directorate for Civil Status, Passports and Residence at the Ministry of the Interior is earnestly and continuously engaged in restoring to Faili Kurds, in accordance with the Nationality Act No. 26 of 2006, all of the citizenship rights of which they were stripped during the now-defunct Saddam regime. It is similarly engaged in removing all annotations, such as "frozen", "blacklisted", "cancelled", "abrogated" or "exiled", from their personal records and restoring their legal status.

133. The former regime deliberately deprived hundreds of thousands of Faili Kurds of Iraqi nationality, pursuant to (dissolved) Revolutionary Command Council Decision No. 666 of 7 May 1980, forcibly expelling them from Iraq and leaving thousands of families stranded at the Iraqi-Iranian border. The Iraqi Supreme Criminal Tribunal established after the fall of the regime in the spring of 2003 considered, among others, the case of the Faili Kurds deprived of Iraqi nationality, forcibly expelled and subjected to confiscation of their movable and immovable property. On 29 November 2010, the Tribunal handed down its decision to the effect that those acts were crimes of genocide. The Council of Ministers, in its Decision No. 426 issued at its forty-eighth session on 8 December 2010, supported the Tribunal's decision by providing for the establishment of a national independent justice commission for Faili Kurds, following a series of meetings of competent judges and politicians, in order to deal with matters relating to martyrs, the welfare of their families, reinstatement of nationality, return of stolen property, repatriation of migrants and displaced persons, and applicable material and moral compensation, in addition to all ensuing legislation and legal, financial and moral benefits.

134. Concerning paragraph 18 (a) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

135. The Iraqi Government, represented by the Ministry of Migration and Displacement and relevant entities, is working to secure the rights of refugees to Iraq, in accordance with the related laws and directives, in particular the Refugee Act No. 51 of 1971. Chaired by the Ministry of the Interior and with a membership comprising ministries and entities engaged in serving and protecting refugees, the Standing Committee on Refugee Affairs oversees implementation of the Act, and of the Ministry of Migration and Displacement Act and its related directives, with the aim of securing the rights of refugees in line with human rights principles and international refugee standards. The bill on refugees is also in the final stages of completion and is likewise in keeping with those standards.

136. The Technical Secretariat of the Council of Arab Ministers of Justice met in accordance with the decision taken by the Council at its thirty-first session, held in

September 2015, to form a joint committee of experts and representatives of Arab Ministries of Justice and the Interior to consider the Arab Convention on Regulating the Status of Refugees in Arab Countries and report to the Council at its next session on the outcome. The establishment of the committee reflects the current efforts of the League of Arab States to regulate the status of refugees and thereby address the flow of refugees among Arab States. It also constitutes an important step towards addressing the dangers and challenges associated with the mass exodus of millions from Arab countries facing their own dangers and challenges.

137. Concerning paragraph 18 (b) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

138. The Iraqi Government carries out the implementing measures set out in the Refugee Act No. 51 of 1971, the application of which is overseen by the Standing Committee on Refugee Affairs, which is chaired by the Ministry of the Interior and has a membership comprising ministries and entities engaged in serving and protecting refugees (Syrians, other Arabs and foreign nationals). There is no distinction among refugees in Iraqi law or in measures taken by the Iraqi Government.

139. All government institutions and governorates in Iraq provide services to the Syrians who came to the country after 2012 and also ensure their safety and security as far as possible. The Iraqi law enforcement agencies are assisted by all segments of society and take care to respect their Syrian and Palestinian friends and other refugees.

140. On 31 October 2016, a memorandum of understanding was signed between the Iraqi Ministry of the Interior and the Office of the United Nations High Commissioner for Refugees (UNHCR). Under article 2 (Scope of cooperation between the two parties), paragraph 4, of the memorandum, the Ministry of the Interior undertakes to refrain from forcibly expelling asylum seekers not recognized by the Standing Committee on Refugee Affairs and other refugees given expulsion orders by the Iraqi courts. The undertaking is based on the understanding that UNHCR will consider the applications submitted by such individuals for third-country resettlement, in accordance with the relevant laws and conventions, and inform the Ministry of the Interior, through the Standing Committee, of the outcome within a period of one year, which may be extended for a similar period where there are bona fide reasons for so doing.

141. The Committee and UNHCR work in direct cooperation to reach all refugees and asylum seekers in Iraq, follow up on their situation and provide their needs.

142. Concerning paragraph 18 (c) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

143. The last group of Iranians held in the former Ashraf camp left Iraq on 22 September 2016, under United Nations supervision, and the matter is now closed.

144. Concerning paragraph 18 (d) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

145. There are no instances of ethnically based violence targeted at refugees. All refugees are treated humanely.

146. Concerning paragraph 18 (e) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

147. The Iraqi Government continually seeks assistance with a view to reaching and protecting all refugees and internally displaced persons. That received from international humanitarian agencies is, however, lower than required to cover the needs of all refugees.

148. Concerning paragraph 18 (f) of the concluding observations, we present below the comments we wish to make to your distinguished Committee.

149. Freedom of movement and residence within Iraq is guaranteed by the Constitution and domestic law to all individuals, regardless of their racial, ethnic or ethno-religious background.

Other recommendations

Ratification of other treaties

150. Iraq has continued to accede to international human rights treaties, including the International Convention for the Protection of All Persons from Enforced Disappearance, on 22 November 2011; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, on 7 July 2011; and the Convention on the Rights of Persons with Disabilities, on 20 March 2013.

151. In its Decision No. 309 of 2016, the Council of Ministers approved the accession of the Republic of Iraq to ILO Convention No. 87 of 1948, concerning freedom of association and protection of the right to organise.

152. In its Decision No. 84 of 2016, the Council of Ministers authorized the State Consultative Council to draft a bill on the accession of the Republic of Iraq to ILO Convention No. 186 of 2006, concerning maritime labour, as well as a bill on the Republic's accession to ILO Convention No. 185 of 2003, concerning seafarers' identity documents, and thereafter to transmit the bills to the Council of Representatives through the General Secretariat of the Council of Ministers.

153. The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was considered by the competent officials in ministries and in entities not affiliated with a ministry, following which it was submitted for scrutiny to the State Consultative Council. It was then referred to the General Secretariat of the Council of Ministers, which decided to give further consideration to the country's accession to the Convention. The matter is currently under discussion.

II. Implementation of the Convention (arts. 1–7)

Article 1

154. Iraq consistently strives to promote the principles of justice and equality in all its domestic legislation and regulations, based on the values of the Islamic faith, which is a source of legislation. Since its inception, the State has taken care to enact laws that regulate rights and obligations and prohibit discrimination, which is incompatible with the values, customs and traditions of the Iraqi people.

155. In keeping with article 1 of the Convention, which defines racial discrimination, and with the provisions of the Convention guaranteeing that all individuals enjoy rights and are not subjected to any form of racial discrimination, general norms have been written into the Constitution of the Republic of Iraq and the country's domestic criminal, civil and economic laws to enunciate the principle of equal public rights and obligations and the prohibition of all forms of racial discrimination.

Article 2

156. The Republic of Iraq affirms its unwavering commitment to the principles of dignity and equality among all human beings and reiterates its adherence to universally recognized human rights principles. It strongly condemns all forms of discrimination and prohibits any form of inequality within its territory.

157. In chapter II of the Constitution, which is devoted to rights and freedoms, article 14 provides that: "Iraqis are equal before the law, without discrimination based on gender, race, ethnicity, origin, colour, religion, confession, belief, opinion, or socioeconomic status." The diverse origins of the population of Iraq, which consists of Arabs, Kurds, Turkmen and Assyrians and of Muslims, Christians, Sabeans, Yazidis and others, has been and continues to be a source of richness and diversity that strengthen unity. A special and distinguishing feature of the Iraqi people is that these communities have lived side by side for centuries.

Prevention of discrimination: the situation of women and children

158. The Government of the Republic of Iraq has worked diligently to ensure that there is no discrimination between the sexes in any sphere of life, including public service employment, benefits and pay. Women are treated in the same way as men but are granted privileges, such as much more leave than men, in particular for pregnancy, birth and death of a spouse, during which time they also receive pay and allowances.

159. The national strategy to combat violence against women was adopted by the Council of Ministers in March 2013.

160. The Women's Social Protection Department was established pursuant to the Ministry of Labour and Social Affairs Act No. 8 of 2006, as amended, and the amount of social aid has been increased for individuals and families covered by the provisions of the Act. The numerous groups eligible for social protection benefits include widows, divorced women, women whose husbands are missing or have deserted them, unmarried women, residents in State-run and other shelters, married students, and families with either no income or an income below the poverty line.

161. Ten per cent of housing complexes are reserved for widows and the same again for persons with disabilities, and plots of land are allocated to the poor, as well as to martyrs' families and victims of terrorism.

162. Act No. 10 of 2012, concerning support for small income-generating projects, was promulgated.

163. Regulation No. 4 of 1985, concerning home for older persons, was amended for the second time.

164. The Higher Committee for Family Protection was formed in 2009.

165. The Directorate for Family Protection was established at the Ministry of the Interior, in collaboration with the Ministry of State for Women's Affairs.

166. A higher committee for the advancement of rural women, chaired by the Ministry of State for Women's Affairs, was established to provide loans for agricultural projects and began promoting its loan services in July 2013.

167. The first women's rehabilitation centre in the country was opened in March 2013, in Baghdad, and similar centres are to be opened in all governorates.

168. Twenty-seven gender units have been created in State institutions, with the result that each institution now develops policies and programmes designed to cater to the needs of both sexes and reduce the gender gap in opportunities and service provision. Women's issues and needs are thus being integrated into all of the country's official institutional policies.

169. A centre for women's affairs committees was established, in agreement with the Ministry of Higher Education, and its internal rules and administrative structure were finalized in 2012.

170. A women's business centre was established in 2012, in cooperation with the Iraqi Chamber of Commerce, in order to increase the number of women in employment, improve their access to business and contracting opportunities to that end, and change the stereotype of women.

171. Annual media campaigns were mounted by the Ministry of State for Women's Affairs, notably the 16 Days of Activism against Gender-Based Violence, part of a global campaign for which it produced posters, leaflets, television advertising and organized educational seminars.

172. In 2009, a special secretariat of the Child Welfare Commission was formed in order to develop a five-year national child protection policy. The policy is the first of its kind and was completed in collaboration with the Danish Embassy and in coordination and cooperation with UNICEF.

173. The Human Trafficking Act No. 28 of 2012 was promulgated in fulfilment of the obligations of Iraq under the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. It prescribes severe penalties for human trafficking offenders, includes measures to encourage cooperation from victims, and provides for the establishment of a central committee and subcommittees to ensure its implementation.

174. A police directorate for family and child protection has been created.

175. Domestic violence is included as a subject in the family education lessons given to students in the fifth preparatory grade.

176. There are now more women members of the army and police following the graduation of women from the first course to be run on protection for public figures in 2013.

177. Training courses are organized for members of the family protection police, which includes women in graded positions and women officers.

178. Modules on human rights and domestic violence have been incorporated into the curricula of the Police Academy.

179. A strategy to combat violence against women in the Kurdistan Region was adopted in 2012.

180. Under the Kurdistan Region Domestic Violence Act No. 8 of 2011, female genital mutilation is a punishable offence.

Child protection

181. The General Secretariat of the Council of Ministers directed that the bill on the Child Welfare Commission and the bill on child protection should be merged into a single bill on child welfare and protection, pursuant to which a single administrative structure named either the Child Welfare Commission or the Higher Council for Children should be established.

182. The Child Welfare Commission ran a workshop in Lebanon in order to draft a child welfare policy on the basis of identified options, in cooperation and coordination with UNICEF and one of the Iraqi civil society organizations working in the area of human rights. The policy document was finalized and transmitted, together with three options for implementation of the policy, to the General Secretariat of the Council of Ministers for ratification and adoption by the Council. The Ministry of Labour and Social Affairs supported the adoption of one of those options (concerning child protection in places of refuge, areas of displacement and liberated regions) as a priority that can be acted upon at the present time and attract high-level international support.

183. In cooperation with the Division for Child Labour Control at the Ministry of Labour and Social Affairs and with UNICEF support, the Commission carried out a rapid assessment in five governorates (Baghdad, Basrah, Dhi Qar, Najaf and Kirkuk) in order to improve understanding of the situation of children engaged in employment and gauge the extent of the risks to which they are vulnerable. In so doing, it used criteria and indicators providing a clear picture of employment and the reasons why families pressure their children into engaging in activities and occupations categorized as the worst forms of child labour under the Convention on the Rights of the Child and ILO Convention No. 138 of 1973, concerning minimum age for admission to employment, and No. 182 of 1999, concerning worst forms of child labour.

184. On the basis of the obligations of Iraq under international conventions on domestic violence and the protection of women and children, its human rights obligations and the provision of article 29, paragraph IV, of the Constitution of 2005, the legislature considered it essential to enact a bill on domestic violence. Such a bill has been drafted by a committee chaired by the Ministry of State for Women's Affairs and comprising representatives of the Ministry of the Interior, the Ministry of Labour and Social Affairs, and civil society organizations working in the area of human rights. The bill has been transmitted to the Council of Representatives for voting and adoption. Its key articles include legal guarantees

to protect families from violence and provide mechanisms for the submission of complaints, as well as for rehabilitation and aftercare.

Women's empowerment

185. The Iraqi Government has taken a number of steps to improve the situation of women in Iraq. It has worked exceptionally hard to eliminate acts of violent terrorism and to guard against the impact of violence against women on the one hand and strengthen the role of the law enforcement authorities on the other. Iraq has adopted various measures and policies to curb violence against women, in accordance with article 29, paragraph IV, of the Constitution, which provides that: "All forms of violence and abuse within the family, school and society shall be prohibited."

A. Violence against women

- Formation of the Higher Committee for Family Protection;
- Creation of the Directorate for Women's Welfare at the Ministry of Labour and Social Affairs;
- Establishment of gender units in all ministries and government institutions;
- Adoption of the national strategy to combat violence against women in 2013.

B. Women's empowerment

- Provision of loans to rural women through the Agricultural Initiative Fund;
- Adoption of a project for the advancement of rural women in 2011;
- Establishment of gender units in all ministries and government institutions;
- Creation of the Directorate for Women's Empowerment in the General Secretariat of the Council of Ministers.

186. The following data indicate the situation concerning women's political empowerment and the right to hold public office:

- Women's representation in the Council of Representatives is not less than 25 per cent;
- There are 86 women judges;
- There are 4 women ambassadors;
- There are 57 women holding positions as directors-general and deans of faculty.

187. The statistical data on the number of women at the Ministry of the Interior are as follows:

- 273 women officers;
- 853 women commissioners;
- 6,352 women in graded positions;
- 44 women students;
- 2,516 women civil servants;
- 11 women employed on a contractual basis;
- Total number of women in the Ministry: 10,049.

188. In 2013, the Council of Representatives approved the national strategy to combat violence against women, which is designed to promote the rights of Iraqi women of all ages, protect them from any form of negative discrimination or violence and reduce the impact of any exposure thereto. In addressing the four key themes of prevention, care, protection and

policy implementation, the strategy draws on human rights treaties, including those relating to women's rights; the Constitution, which provides in several articles for equality between the sexes and before the law; and national initiatives, in particular the five-year plan, the poverty reduction strategy, the human rights plan and the social survey of Iraqi women. The strategy stemmed from the desire of the Iraqi Government to improve the situation of Iraqis, which had deteriorated as a result of former policies and the insecurity and instability driving the extremist thought that has affected the status of women in Iraq.

189. The national strategy for the advancement of women in the Kurdistan Region (2013–2019) is rooted in the desire of the Government of the Kurdistan Region of Iraq to promote the advancement of Kurdistan society. The development and adoption of such a strategy is the natural and logical result of the provisions of the draft constitution and the Region's policy of democratic and civil reconstruction, respect for human rights and public freedoms, and rejection of all forms of discrimination. This strategy is intended to contribute to the achievement of six outcomes: a legal and legislative environment consistent with human rights principles and international treaties; an education policy that promotes gender equality; a life cycle-based reproductive health policy; an increase in the proportion of women in the labour market from 12.9 per cent to 23 per cent; a high level of women's participation in decision-making and peacebuilding; and women's affairs institutions resourced and empowered to perform effectively and bring about change.

Minorities

190. The Republic of Iraq affirms that its people are one, with a single, rich identity in terms of culture and civilization. Its unity is based on its diversity.

191. The Iraqi Constitution establishes Kurdistan as a federal region. Article 117, paragraph I, provides that: "The present Constitution, upon its entry into force, shall recognize the Kurdistan Region and its existing authorities as a federal region."

192. The Iraqi Constitution also establishes Arabic and Kurdish as the official languages of Iraq in article 4 thereof. Please refer to the reply to recommendation (f) in paragraph 6 of the concluding observations.

193. On 21 April 2008, the Federal Court handed down its decision in Federal Case No. 15 of 2008 on the use of Arabic, Kurdish, Turkmen and Syriac on road signs at roundabouts in Kirkuk Governorate, in conformity with article 4, paragraph IV, of the Constitution.

194. With regard to cultural rights, there are satellite channels, books and magazines available in the languages spoken by ethnic and religious minorities, such as Kurds, Turkmen, Assyrians and Syriacs.

195. The Iraqi Constitution furthermore states in article 4, paragraph IV, that: "Turkmen and Syriac are two other official languages in administrative districts where native speakers of those languages comprise a significant proportion of the population."

196. In accordance with the provisions of article 2, paragraphs 1 (a), (b) and (d), of the Convention, moreover, the Criminal Code (Act No. 111 of 1969), as amended, treats all citizens on a basis of equality.

197. The Iraqi Constitution guarantees the rights of minorities and the electoral laws guarantee an appropriate proportional representation for minorities by giving them a special quota in the Council of Representatives and local assemblies. Pursuant to Act No. 58 of 2012, concerning the religious endowments of minorities, the office dealing with those endowments was expanded and its name was changed to the Office of Christian, Yazidi and Sabeian Mandaean Endowments.

198. Measures taken by the Iraqi Government to ensure that members of minority communities enjoy their rights include those of:

- Facilitating procedures for the reinstatement of Iraqi citizenship to Faili Kurds, the return of their property and the elimination of detrimental effects;
- Allocating plots of land to minorities on which to build new places of worship;
- Repairing and reconstructing minority places of worship damaged by terrorist acts;

- Compensating persons affected by terrorist operations, in accordance with Act No. 20 of 2009;
- Teaching Christianity as part of the curriculum prescribed for each level of schooling by the Directorate-General for Curricula;
- Writing textbooks on the subject of Christianity for the intermediate level now that work on the Christianity curricula for the primary level is complete;
- Teaching Syriac in the Directorate-General for Education in Baghdad Governorate (Rusafah I/Rusafah II), Kirkuk and Basrah Governorates, and the Nineveh Education Agency in Erbil and Dohuk;
- Teaching Turkmen in various Turkmen schools and teaching most of the curricula in other schools in Turkmen (statistical data on the number of schools teaching in Syriac and Turkmen are provided in annex 8);
- Licensing, by way of the Ministry of Culture and Youth, in coordination with the Ministry of the Interior, 32 satellite stations in the Kurdistan Region (28 Kurdish stations, 2 Arabic stations, 1 Turkish station and 1 Syriac station);
- Licensing, by way of the Ministry of Culture and Youth, an office for 15 Iraqi and Arab satellite stations in the Region;
- Licensing 68 terrestrial (local) television stations broadcasting in Kurdish, Arabic and Turkmen;
- Licensing 89 (local) radio stations broadcasting in Kurdish, Arabic and Turkmen in the governorates of the Region.

Article 3

199. We refer you to our previous report and provide in addition the information below.

200. Iraq has adopted various measures to combat poverty, including the poverty reduction strategy (2010–2014), prepared in cooperation with the World Bank. These measures have entailed the implementation of programmes and activities aimed at bettering the quality of life for the poor, increasing their income from employment, improving their levels of health and education, and ameliorating their living environment. As a result, the poverty rate in Iraq fell from 22.9 per cent in 2007 to 18.9 per cent in 2012, with a further fall predicted by the end of 2014.

201. Of the 20 per cent of allocations made to governorates, districts or subdistricts for new strategic projects under article 2, paragraph IV (d) (i), of the Federal Budget Act of 2017, a maximum of 5 per cent was set aside for strategic poverty reduction projects. Under article 2, paragraph II (c), of the Act, the sum of US\$ 190 million was loaned from the German Development Bank (KfW) to fund reconstruction projects in 2017 in the areas liberated from terrorism.

202. The national employment policy (2010–2014) was rolled out with the aim of realizing the vision of an Iraqi society with a productive workforce that actively generates a decent income in order to improve quality of life, thanks to an efficient labour market capable of rising to new challenges that reaps benefits for workers and employers and, in turn, for the economy and society as a whole. The policy is designed to reduce unemployment rates through economic growth in order to create new job opportunities and, through sustainable enterprises, to increase workforce productivity in the interest of competitiveness and adaptation to shifts in the labour market. Further aims are to develop the institutional and legislative frameworks for guaranteeing the basic rights to work and social protection; promote social dialogue among government representatives, employers and labour unions as a means of attaining the twofold goal of decent work and economic growth; create an objective linkage between pay and productivity; tie the minimum wage to living costs; and achieve balanced regional employment growth. The planned goal was to attain an economic growth of 9.35 per cent, measured by real gross domestic product growth, by the end of 2014.

Article 4

203. We refer you to our previous report and also provide the additional information below.

204. Pursuant to Act No. 32 of 2016, the Baath Party is banned, as are racist, terrorist and takfiri entities, parties and activities.

205. Under Iraqi law, no one subject to the jurisdiction of the Iraqi Government may be denied the right to life, liberty or security of person on the ground of religion or belief or the expression or avowal of either. Similarly, no individual may be tortured, arrested, arbitrarily detained or deprived of the right to work, education or adequate housing. All those who violate these rights are brought to justice, with article 372 of the Iraqi Criminal Code (Act No. 111 of 1969), as amended, providing that:

“1. A penalty of up to 3 years’ imprisonment and a fine of up to 300 dinars shall be imposed on anyone who:

“(a) Openly attacks the beliefs of a faith community or denigrates its religious practices;

“(b) Deliberately denigrates a faith community or a religious celebration or gathering or prevents or disrupts a religious ceremony;

“(c) Destroys, vandalizes, defaces or desecrates a building used for worship by a faith community or a religious symbol or other object considered sacred.”

The amount of the fines prescribed under the Iraqi Criminal Code was adjusted pursuant to Act No. 6 of 2008.

Article 5

Right to equal treatment before tribunals

206. The main purpose of the judiciary is to ensure that all persons enjoy legal protection on an equal basis. Article 19, paragraph III, of the Constitution enshrines a fundamental precept in providing that: “The right to seek legal redress is safeguarded and guaranteed for all.” In addition, article 14 of the Constitution provides that: “Iraqis are equal before the law, without discrimination based on gender, race, ethnicity, origin, colour, religion, confession, belief or opinion, or socioeconomic status.” Iraqi legislation thus guarantees to all citizens the right of recourse to the courts, without distinction.

Right to personal liberty and dignity and sanctity of the home

207. Article 15 of the Constitution provides that: “Every individual has the right to life, security and liberty. It is prohibited to deny or restrict these rights except in accordance with the law and on the basis of a decision handed down by a competent judicial authority.” Article 37 (a) of the Constitution provides that: “Human liberty and dignity are safeguarded.” Article 37 (b) provides that: “No person may be arrested or questioned except on the basis of a judicial decision.” Article 17, paragraph II, provides that: “The sanctity of the home is guaranteed. A home may not be entered, searched or interfered with except by judicial decision and in accordance with the law.”

Political rights

Right to vote

208. The Independent High Electoral Commission has taken steps to ensure that elections are inclusive and transparent. In particular, it has:

- Conducted a voter registration process ensuring that voters’ names appear in the electoral registers and that they are thus entitled to vote, and introduced registration

procedures for displaced persons so that their votes are cast for the governorates from which they have been displaced;

- Opened polling centres and stations in every governorate, district, subdistrict and village throughout the country so that all Iraqis are guaranteed the opportunity to vote;
- Introduced special voting procedures for military and security personnel, pretrial detainees and prisoners serving sentences of 5 years or less, as well as for hospital in-patients, in order to give all segments of the population the opportunity to participate in elections;
- Established quotas for minorities and women, in accordance with the electoral laws, to ensure that they are fairly represented in elections;
- Instituted ballot procedures to ensure that votes are cast in secret in a screened booth and that no voter can be observed while casting a vote;
- Brought in anti-fraud measures to guarantee the transparency of elections, including a requirement for voters to sign the electoral register and to have their fingers inked in order to prevent them from voting again;
- Ensuring that the polling, counting and sorting of votes is carried out in the presence of representatives of political entities, observers from civil society organizations and the media so as to guarantee the transparency and integrity of elections;
- Declared the preliminary results of elections in each polling station once the counting and sorting has been completed by displaying a copy of the results form on the wall in a position visible to all so that they can be informed of the outcome;
- Adopted mechanisms for the submission of complaints and appeals concerning election results and for verification and scrutiny of the results to ensure that the polling process and declared results are extremely accurate;
- Employed modern fingerprinting equipment in the elections of 2014 to prevent any tampering with votes, as well as a system in which electronic cards were issued to all those entitled to vote in order to guarantee the integrity of the elections.

209. General elections for the second term of the Council of Representatives were conducted on 7 March 2010, despite the wave of violence during the run-up to the elections and on election day in most parts of Iraq, which failed to deter the Iraqi people from participating in the elections and exercising their right freely to elect their representatives. The turnout among the 18.9 million voters was 62.40 per cent, with voting highest in the city of Dohuk (80 per cent) and lowest in the city of Amarah (50 per cent). The participation in special elections was 55 per cent of the total electorate. There were 167 political entities, 12 major alliances, 6,281 candidates — 4,468 of them men and 1,813 of them women — and a total of 310 seats across 18 governorates for the winners, including 8 seats for minorities (5 for Christians and 1 each for Sabeans, Yazidis and Shabak). Seven compensatory seats were set aside for the lists obtaining the largest number of votes.

210. A total of 8,312 polling centres with 49,088 polling stations were set up across the country's 18 governorates and 38 polling stations were also opened in the International Zone. Outside the country, there were 109 electoral centres and 272,016 Iraqi voters in all.

211. The Commission arranged for Iraqis resident abroad (in 16 countries around the world) to vote in the parliamentary elections, for which purpose polling centres were set up in each country, sometimes in more than one town. The countries were selected on the basis of the number of Iraqis present within them or in nearby countries.

212. There were 183 registered complaints, none of them about fraud. The independent election observers registered 381 complaints about the special voting, again none of which concerned fraud.

213. There were 1,447 international observers of the Iraqi elections.

214. Assembly elections in governorates not incorporated into a region were held in 2013. The turnout was 45.10 per cent and, according to the closing report, the total number of votes amounted to 6,112,871. There were 100,108 local observers of the elections.

215. Elections for the Council of Representatives were held in 2014.

Civil rights

216. The national legislation regulating the exercise of rights for all Iraqis, without discrimination, is governed by article 14 of the Constitution, which provides that: "Iraqis are equal before the law, without discrimination based on gender, race, ethnicity, origin, colour, religion, confession, belief or opinion, or socioeconomic status." Civil rights for all Iraqi citizens are thus guaranteed by law.

Right to freedom of movement and residence

217. The Iraqi Constitution of 2005 expressly establishes this right and affirms that individuals are entitled to choose a place of residence in any part of the territory of the State. Article 24, paragraph I, provides that: "Iraqis shall have freedom of movement, travel and residence inside and outside Iraq." The Law of the Administration of the State of Iraq for the Transitional Period of 2004 asserted that right and removed all restrictions imposed by the former regime, including by abrogating (dissolved) Revolutionary Command Council Decision No. 666 of 7 May 1980, which prohibited numerous Iraqis from residing in the country and forcibly deported them. The right to freedom of movement and residence is legally guaranteed under the Constitution of 2005, which explicitly stipulates that the provisions safeguarding the rights and freedoms enunciated in chapter II thereof, including freedom of movement, may not be amended.

Right to a nationality

218. The Iraqi Constitution proclaimed in 2005, following the change of political regime in 2003, enshrined the principle of equality between men and women in various spheres, as provided for in international instruments, including with respect to the transfer of Iraqi nationality to their children. In that context, article 18, paragraph II, of the Constitution provides that: "Any person born to an Iraqi father or mother shall be deemed to be Iraqi, as regulated by law." The Iraqi Nationality Act No. 26 of 2006 was promulgated on that basis and gives effect to the principle of equality between men and women, thereby reflecting the modern trends in citizenship law whereby women are now able to pass on their nationality to their children as a matter of legal course, without needing to make a special application. The Iraqi Nationality Act furthermore contains no restrictions, fully embracing the constitutional principle and imposing no requirement on children to take their mother's Iraqi nationality.

219. Chapter IV of the Public Health Act No. 89 of 1981 sets out regulatory and punitive provisions, with article 92 (section II, concerning the census) providing that: "The competent census authority at the Ministry of Health shall register the births of Iraqis and non-Iraqis."

220. The Directorate for Human Rights at the Ministry of the Interior facilitates the process of issuing passports to persons with disabilities. It should be noted that the former regime deliberately deprived hundreds of thousands of Faili Kurds of Iraqi nationality, pursuant to (dissolved) Revolutionary Command Council Decision No. 666 of 7 May 1980, forcibly expelling them from Iraq and leaving thousands of families stranded at the Iraqi-Iranian border. The Iraqi Supreme Criminal Tribunal established after the fall of the regime in the spring of 2003 considered, among others, the case of the Faili Kurds deprived of Iraqi nationality, forcibly expelled and subjected to confiscation of their movable and immovable property. On 29 November 2010, the Tribunal handed down its decision to the effect that those acts were crimes of genocide. The Council of Ministers, in its Decision issued at its forty-eighth session on 8 December 2010, supported the Tribunal's decision by providing for the establishment of a national independent justice commission for Faili Kurds, following a series of meetings of competent judges and politicians, in order to deal with matters relating to martyrs, the welfare of their families, reinstatement of nationality, return

of stolen property, repatriation of migrants and displaced persons, and applicable material and moral compensation, in addition to all ensuing legislation and legal, financial and moral benefits.

Right to marry and to choose a spouse

221. Article 29 of the Constitution of 2005 provides that: “The family is the foundation of society and the State shall preserve its integrity and its religious, moral and patriotic values. The State guarantees the protection of mothers, children and older persons.”

222. Article II, paragraph 1, of the Personal Status Code (Act No. 188 of 1959) provides that: “The provisions of the present Act shall apply to all Iraqis except those excluded by a special law.” The rule therefore is that the Act is applicable to all Iraqis, without distinction, other than those excluded by a special law. The Personal Status Code for Foreign Nationals No. 78 of 1931, as amended, applies to non-Iraqis, Act No. 32 of 1947 governs the religious courts for the Christian and Mosaic communities, while Act No. 87 of 1963 covers the Orthodox Armenian community.

223. Article II, paragraph 1, of the Personal Status Code provides that: “Marriage is a contract between a man and a woman whom it is permissible for him to marry, the purpose of which is to establish a bond for a shared life and procreation.” The man and woman alike are thus parties to the contract of marriage and enter into it with their full consent and of their own free will. If either of them is unwilling, the contract is invalid. Article 4 of the Code states that marriage occurs only when one of the parties to the contract makes an offer of marriage and the other, or his or her representative, accepts the offer. Diligent efforts have been made to ensure in the legislation that the contract is established by the parties to the contract.

224. All minorities and religious communities in the Republic of Iraq exercise their rights in respect of marriage and the associated rituals, which are protected by law. Marriages between members of ethnic minorities and religious communities are commonplace in Iraq.

Right to own property

225. Article 23, paragraph I, of the Constitution provides that: “Private property shall be protected. The proprietor shall have the right to enjoy, use and dispose of private property within the limits of the law.” Paragraph II provides that: “Property may not be expropriated except in the public interest in return for fair compensation, as regulated by law.” Paragraph III (a) provides that: “Every Iraqi has the right to own property throughout Iraq. Others may not own immovable assets except as exempted by law.” Paragraph III (b) provides that: “Property ownership for the purpose of demographic change shall be prohibited.”

Right to inherit

226. Article 41 of the Constitution provides that: “Iraqis are free to manage their personal status affairs in keeping with their religion, confession, beliefs or choices, as regulated by law.” All such provisions are consistent with the principle of non-discrimination enshrined in article 14 of the Constitution. It should be noted that the division of inheritance is subject to the rules and customs of the different religious communities, each approach being regulated by law.

Right to freedom of thought, belief and religion

227. The Constitution guarantees the exercise of these rights for all citizens, without discrimination. Article 43, paragraph I, thereof provides that: “The followers of all religions and confessions shall be free to: (a) Practise their religious rites, including Husayni rites; (b) Administer their religious endowments, institutions and affairs, as regulated by law.” Paragraph II provides that: “The State shall guarantee freedom of worship and the protection of places of worship.”

228. The Federal Court handed down its decision in Federal (Media) Case No. 4 of 2015 concerning the ecclesiastical courts, in which it stated that those courts had been established in accordance with the law (Regulation No. 32 of 1981).

Right to freedom of opinion and expression

229. The Iraqi Constitution guarantees freedom of opinion and expression by all means, providing in article 38, paragraphs I and II, that: “The State shall, without detriment to public order and morality, guarantee freedom of expression by all means and freedom of the press, printing, advertising, media and publishing.” Freedom of expression is now a key feature of the country’s prevailing political culture following a long period of isolation from the outside world. This significant expansion in the field of information and freedom of opinion and expression reflects the healthy state of the country’s democratic structure and the enjoyment of human rights by its people.

230. A major challenge to the enjoyment of this freedom has been the targeting of journalists (direct or indiscriminate) by terrorist groups, as a result of which 19 journalists were killed in 2013, as against 5 in 2011 and 13 in 2010.

231. In several governorates, protests have been staged to demand services and a number of legitimate rights. A special ministerial committee was therefore formed to look into the demands, which protesters were able to submit via a website established for that purpose. A total of 1,280,688 demands were received concerning such matters as compensation, retirement, reinstatement to service, return of confiscated property, special pardon, and the Awakening Councils. Some of those matters have been settled and work on settling the remainder is in progress. Implementation of the ministerial committee’s recommendations concerning demands made by those in other governorates is being monitored.

232. Freedom of the press and freedom of expression are among the key guarantees provided to the fourth estate in undertaking its role as an effective mechanism for monitoring the human rights situation and the rule of law in Iraq. Article 38 of the Iraqi Constitution guarantees the freedom to express opinions by all means, as well as freedom of the press, printing, advertising, media and publishing. Exercise of the right to freedom of opinion and expression is the cornerstone of the democratic construction that has been continually growing since 2003.

233. In 2011, the Journalists’ Rights Act No. 21 was promulgated in line with the obligation to respect the freedom of the press and freedom of expression, guarantee the rights and legacy of Iraqi journalists, and affirm their important role in the consolidation of democracy in the new Iraq, which complements their role in human rights monitoring. The aim of the Act is set out in article 2 thereof, which provides that: “The aim of the present Act is to promote the rights of journalists and provide protection for journalists in the Republic of Iraq.” The Act contains several articles designed to guarantee to journalists the ability to perform their work with freedom and ease. Article 9 of the Act provides for the punishment of any person who assaults journalists while or because they are engaged in performing their professional duties. Article 10 provides that journalists may not be questioned or investigated for any offence attributed to them in connection with their work except by a judicial decision.

234. A bill on freedom of expression and opinion, assembly and peaceful protest is currently before the Council of Representatives, where it has undergone first and second readings.

235. A publishing court has been established.

236. Training has been provided for staff at the Ministry of the Interior to improve their skills for dealing with protesters and the media.

237. The Ministry of the Interior announced that it was fully prepared to receive any complaints concerning abuses of press freedom or assaults on journalists by its staff and to take legal action against the perpetrators.

Right to freedom of peaceful assembly and association

238. Article 39 of the Constitution provides that the freedom to form associations and political parties is guaranteed by the State and regulated by law. It also provides that no person may be compelled to join or maintain membership of any political party, association

or political entity and that the State must work to create an enabling environment for the exercise of these freedoms.

Economic and social rights

Right to work

239. We refer you to the reply to paragraph 9 (d) of the concluding observations and also provide the additional information below.

240. The Constitution of 2005 provides in article 22 that all Iraqis have the right to work in order to guarantee them a decent life and that relations between workers and employers are regulated by law on the basis of economic principles and with due regard for precepts of social justice. Article 16 of the Constitution provides that equality of opportunity is a guaranteed right for all Iraqis and that the State must take the necessary measures to that end. The Labour Code (Act No. 37 of 2015) was accordingly promulgated in order to regulate relations between workers and employers, as well as their organizations, protect both, achieve sustainable development on the basis of social justice and equality, and secure decent work for all, without discrimination, so as to build the national economy.

241. Article 1, paragraph VI, of the Labour Code defines a worker as any natural person, whether male or female, who works under the direction, supervision and management of an employer. The Code also guarantees that men and women receive equal pay, benefits and allowances and that women have preferential benefits, such as special maternity leave with full pay.

242. Workforce proportions by sex, academic status and ministry are as stated at the beginning of the report.

Right to form and join trade unions

243. Trade unions in Iraq are organized on a professional basis, not on an ethnic, linguistic or religious basis. Article 22, paragraph III, of the Constitution provides that: "The State shall guarantee the right to form and join trade unions and professional associations, as regulated by law."

244. The Council of Ministers has issued a bill on professional federations and unions, which has been transmitted to the Council of Representatives.

Right to housing

245. Article 23, paragraph III (a), of the Constitution provides that: "Every Iraqi has the right to own property throughout Iraq. Others may not own immovable assets, except as exempted by law."

246. Iraq has implemented a number of comprehensive housing policies, studies and plans throughout the country. The national development plan (2013–2017) gives special importance to the housing sector by way of the vision and objectives that it seeks to achieve in addition to the housing complex projects implemented in the governorates during the period 2008–2012. The Ministry of Construction and Housing pursues a policy designed to facilitate access to decent housing for all Iraqis; enhance efficiency in the production of housing; increase the choices available to Iraqis with respect to type of housing, location and tenure (ownership) characteristics; further the ability of the Government to address the needs of special groups and those unable to afford suitable housing; improve the quality of new housing, including in terms of energy efficiency and environmental impacts; and build the capacity of homeowners to improve and expand existing accommodation.

247. In 2011, 83.2 per cent of families owned their own homes, 11.1 per cent were in rented accommodation and 5.7 per cent were in other accommodation. In the same year, 86.8 per cent of inhabitants had permanent access to an improved source of water and 93.8 per cent benefited from improved sanitation facilities. A total of ID 485 billion was allocated from the budget of 2012 for the implementation of strategic activities involving the construction of low-cost housing complexes and efforts to strengthen primary health

care services and achieve higher incomes in the light of the priorities and needs of the population in the governorates.

248. There are 250 informal housing settlements in Baghdad. The State is working on an integrated development project designed to improve the living standard in those settlements and provide low-cost housing. It earmarked ID 200 billion in the investment budget of 2013 towards the eradication of informal settlements.

249. Headed by the Prime Minister and with a membership comprising several ministers, the Higher Population Council was established in 2013 to develop a national vision of demographic issues in the medium to long term and formulate a population strategy with related objectives in line with those enunciated in the national development plan.

250. The Council is responsible for the formulation and enforcement of operational policies in conjunction with ministries, local governments, civil society organizations and international organizations involved in demographic issues, the overall aim being to ensure that the country's population enjoy a decent life, as provided for in the Constitution of Iraq. The intended outcome is a healthy and educated population whose members are socially, economically and politically integrated, as well as skilled, exceedingly capable and highly knowledgeable, with low dependency ratios (both age-related and economic) that make it possible for them to improve their quality of life and that of their families.

251. A body known as the National Population Policy Committee is responsible for: drawing up a national population policy and following up on its implementation; implementing the guidelines of the Council; submitting to the Council follow-up reports produced by the Population Policy Executive Department; helping to carry out population censuses and surveys; reviewing documents produced by the Department concerning projects, programmes and activities and transmitting such documents to the Council for its consideration and approval; participating in meetings and in national population councils and committees; attending Arab and international conferences on population issues; coordinating with national, foreign and university research centres; supervising the issuance of annual, periodic and other relevant reports on population issues in Iraq; and fostering cooperation with the governorates on population policy.

252. The functions of the Population Policy Executive Department are to: coordinate with concerned ministries in order to prioritize activities from the national population strategy in the Ministry's programmes and plans; produce progress reports on the implementation of the population policy; follow the guidelines of the National Population Policy Committee; organize events to celebrate World Population Day; and organize conferences and seminars on population-related matters.

253. The Government Programme (2014–2018) guarantees access to essential services (housing, water and electricity) for citizens through providing them with a decent livelihood, improving the quality of those services and constructing economical and affordable housing for vulnerable groups, in partnership with the Ministry of Construction and Housing and all governorates, in addition to establishing ordinary housing projects and:

- (i) Securing adequate housing for vulnerable groups by constructing housing units in all governorates in line with the national population strategy;
- (ii) Subsidizing housing projects for low- and middle-income groups;
- (iii) Reducing the shortage of drinking water, improving drinking water quality, providing services to areas without coverage, and minimizing waste;
- (iv) Addressing bottlenecks in the electrical power sector to ensure that the supply is highly reliable and continuous;
- (v) Tackling grid congestion and covering new loads so that transport networks are able to transfer energy generated from new stations to local distribution grids;
- (vi) Providing incentives for and promoting private investment in the electricity sector;
- (vii) Increasing the coverage of sewage and rainwater networks across Iraq.

Right to health-care services and social welfare

Public health

Right to health

254. The right to health is guaranteed under the Iraqi Constitution, article 31 of which provides that: “Every citizen has the right to health care. The State shall protect public health and provide prevention and treatment facilities through the establishment of different types of hospitals and health-care institutions.” The strategic plan developed by the Ministry of Health for the years 2013–2017 is focused on creating a health system founded on primary health care and guaranteeing, as far as possible, the delivery of health services to international standards in order to address the needs of the individual and the community so as to build and sustain the delivery of high-quality health services at all levels (primary, secondary and tertiary), as well as integrate public and private services. The budget of the Ministry of Health amounts to 5 per cent of the general State budget. The sums earmarked for patients to receive treatment outside Iraq have also been increased by an additional US\$ 30,262,801 in order to cover a greater number of patients in 2015.

255. A health bill is currently tabled before the Iraqi Council of Representatives and has undergone a first reading. The rationale for the bill is to deliver high-quality health services; enable citizens to access such services in public and private health institutions, as well as outside Iraq; provide services free of charge for those unable to meet their cost; alleviate the burden on both the State and citizens; and encourage the private sector, represented by accredited insurance companies, to support and revitalize the health sector.

256. There have been a number of changes in the health situation: the neonatal mortality rate during the first 28 days of life per 1,000 live births, excluding the Kurdistan Region and Anbar, was 13.9 deaths in 2015, as against 12.4 deaths in 2014; the infant mortality rate per 1,000 live births, excluding the Kurdistan Region and Anbar, was 19.7 in 2015, as against 17.3 deaths in 2014; the under-5 mortality rate per 1,000 live births was 25.2 deaths in 2015, as against 21.7 deaths in 2014; the proportion of births attended by a health professional, excluding the Kurdistan Region, Anbar, Salah al-Din and Nineveh, was 95.5 per cent in 2015, as against 91.5 per cent in 2014; and the proportion of maternal deaths per 100,000 live births, excluding Anbar, was 32 in 2015, as against 30.1 in 2014. Furthermore, there were no recorded cases of malaria among the population in 2014 and 2015; the proportion of cases of tuberculosis detected and treated under supervision was 91 per cent in 2015, as against 87 per cent in 2014; the number of recorded cases of AIDS in 2015 was 49 (39 males and 10 females), which is an average of 0.013 per 10,000 population, as against 27 (19 males and the rest females) in 2014, which is an average of 0.01 per 10,000 population. The coverage resulting from targeted vaccination campaigns carried out in 2014 and 2015 was as follows:

- Measles vaccine: 96 per cent in 2014 and 94 per cent in 2015;
- Oral poliovirus vaccine: 97 per cent in 2014 and 96.9 per cent in 2015.

National strategy for reproductive, maternal and child health

257. The national strategy for reproductive, maternal and child health (2013–2017) is based on the vision of a health system founded on primary health care and guaranteeing, as far as possible through effective leadership, the delivery of health services to international standards in order to address the needs of the individual and the community so as to build and sustain the delivery of high-quality health services at the primary, secondary and tertiary levels, as well as integrate public and private services. The aim of the strategy is to reduce maternal mortality and morbidity.

258. Preventive care and treatment are provided to displaced persons and in the Anbar, Salah al-Din and Nineveh areas liberated from Daesh terrorist groups, as well as to the 15,000 Syrian refugees in Iraq.

259. Secondary and tertiary care services are a fundamental part of the treatment and rehabilitation provided to citizens at public, specialist and private hospitals throughout Iraq

in order to ensure integrated health care provision for individuals and society. The indicator of these services in 2014 and 2015 can be consulted in annex 9.

260. Primary health care services are the basic integrated and comprehensive prevention and care services provided through primary health care centres and other health institutions in order to improve the health of the individual and the community, in particular mothers and children. The indicator of these services in 2014 and 2015 can be consulted in annex 10.

261. The Government Programme (2014–2018) includes measures for upgrading health services to international standards in terms of the quality and competence of medical personnel and for delivering those services to users by increasing the number of hospitals and health centres, expanding primary and preventive health-care programmes, and introducing modern medical equipment in accordance with new mechanisms and concepts based on service purchase and upgrading. These measures consist in:

- (i) Restructuring the medical and health sector and adopting international management and quality standards;
- (ii) Introducing a national health card and organizing a national medical census;
- (iii) Instituting a health insurance system for all citizens and applying the family doctor system;
- (iv) Re-regulating the rights of health workers in line with international standards, including with respect to wage policy;
- (v) Reducing through long-term service or hire schemes the high cost of continuously operating and maintaining medical equipment;
- (vi) Increasing bed capacity (40 beds per hospital) in order to tackle the shortage of some 50,000 beds country-wide and thus improve the health situation and the Ministry's infrastructure (one project for building 5 major hospitals and another for building 10 major hospitals);
- (vii) Enacting laws on the equivalence of personnel working in specialist fields, such as anaesthesia and cardiology, as an alternative to incentives for opening private clinics;
- (viii) Developing emergency medicine in order to improve the quality of service provided in emergency wards, reduce mortality and disability, and manage situations of crisis and disaster;
- (ix) Building specialist treatment centres for children with autism or cerebral palsy;
- (x) Providing opportunities for the private sector and incentives for investment in the health sector.

Social welfare

262. Article 30, paragraph I, of the Constitution of the Republic of Iraq of 2005 provides that: "The State shall guarantee to individuals and families, in particular women and children, social and health security and the basic elements required to live in freedom and dignity, in addition to a suitable income and decent housing."

263. The Social Protection Act No. 11 of 2014, which entered into force on 24 March 2014, provides in article 1 that it applies to Iraqi families and individuals living below the poverty line and to third-country nationals who are lawful permanent residents in the Republic of Iraq. Article 6 of the Act states that all individuals and families living under the poverty line are entitled to receive a cash benefit and social services, for which eligibility is annually determined through demographic targeting based on poverty data and social research. Article 7 also provides that the groups covered by the provisions of the Act should receive the full cash benefit if they are without an income and that those with a fixed income who meet the eligibility conditions should receive the difference between that income and the income shown in the relevant schedule, in accordance with the number of family members. Article 28, paragraph II, furthermore provides that the Act applies to Iraqi

women married to non-nationals and their children, as well as to non-Iraqi women married to Iraqi nationals and their children if they are settled in Iraq.

Article 6

264. The Constitution strengthens the independence of the judiciary as a fundamental fair trial guarantee in accordance with the guarantee of equality before the courts for all citizens. Article 19, paragraph III, enshrines a fundamental precept in providing that: “The right to seek legal redress is safeguarded and guaranteed for all.” In addition, article 14 of the Constitution provides that: “Iraqis are equal before the law, without discrimination based on gender, race, ethnicity, origin, colour, religion, confession, belief, opinion, or socioeconomic status.” Article 19, paragraph VI, provides that: “Every individual has the right to due process in judicial and administrative proceedings.”

(a) Criminal proceedings may be instigated under article 1 of the Code of Criminal Procedure (Act No. 23 of 1971) by way of a verbal or written complaint made to the investigating judge, an investigator, a police station official or a member of the judicial police by victims of the offence, their legal representatives or any person with knowledge of the offence, or by way of a notification addressed to any of those individuals by the Department of Public Prosecutions;

(b) Article 2 of the Code of Criminal Procedure provides that: “No case may be stayed, suspended or dropped ... except as prescribed by law.” Article 9 provides that: “The submission of a complaint in itself constitutes a claim of rights.” Article 224 (a) states that when a criminal court hands down a decision in respect of a complaint before it, the decision shall include compensation for the victim for material or moral damage incurred.

Article 7

Education

265. All educational curricula in Iraq are rooted in a civilized and humane perspective that runs counter to racial discrimination, the aim being to achieve equality and equal opportunities for all citizens, eliminate gaps affecting minorities and confessional groups, and create an educated, open-minded and aware generation that respects privacy and believes in acceptance of the other, in accordance with the principle and rule of peaceful coexistence for all.

266. Iraq acceded to the UNESCO Convention against Discrimination in Education and to the UNESCO Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War, adopted in 1978. The concepts enshrined in these instruments are embodied in national policy on culture, education and the media, which is founded on civilized and humane principles.

267. The State is required under the Constitution to give attention to education, as indicated in article 34, paragraph I, thereof, which provides that: “Education is fundamental to the advancement of society and is a right guaranteed by the State. Primary education shall be compulsory and the State shall guarantee to combat illiteracy.” Paragraph II provides that: “All Iraqis have the right to free education at all levels.”

268. The current Iraqi Constitution also guarantees that members of minorities may be educated in their mother tongue at government and private educational establishments, in accordance with specific educational standards. The Ministry of Education has directorates-general for Kurdish, Turkmen and Syriac education, in addition to which a Syriac department was recently created in the College of Languages at the University of Baghdad.

269. The achievements of the country’s first ever Directorate-General for Syriac Education are as follows:

- It produced 34 posters, each measuring 160 cm x 80 cm, displaying information in Syriac about schools where Syriac and Christianity are taught;

- It produced five posters displaying information in Syriac, using the Estrangela script, about the Syriac education departments in the Governorates of Baghdad (Rusafah 2), Nineveh, Kirkuk and Basrah;
- It offers a course of 118 lessons of 25 minutes each in Syriac, using the Eastern script, on the educational satellite channel;
- It offers a course of 60 lessons of 25 minutes each in Syriac, using the Western script, on the educational satellite channel;
- It offers a course of 20 lessons of 25 minutes each on Christianity, using the domino method, on the educational satellite channel.

270. The legislation pertaining to the Ministry of Education makes no distinction between males and females in education from kindergarten to university level and ensures that both sexes have access to primary education, which is compulsory.

271. The Iraqi Government established a national education and higher education strategy (2012–2022), in cooperation and coordination with international organizations such as UNESCO, UNICEF and the World Bank, with the aim of creating an education system offering learning opportunities to all in order to meet the requirements of a civilized society, contribute to development of the person and inculcate the principles of good citizenship, democracy and human rights. The strategy is intended to reform and develop the education and higher education systems, taking into account the nature of Iraqi society, including Kurdistan society, together with its needs and the requirements for its progress, further taking into account the specific characteristics of minority groups, with a view to actively engaging the community in knowledge production and making optimum use of human, natural, material and financial resources in order to ensure comprehensive development, a decent life, equality of opportunity and peace. The goal for 2020 is to build 14,440 new kindergartens and primary schools, 4,300 new secondary schools and 207 new vocational schools, in addition to 15 new State universities in the centre and 6 in the Region, as well as to increase the number of private schools to 7,500, the enrolment rate in primary education from 91 to 99 per cent, and the number of schools for gifted students to 28.

272. The Iraqi Government launched the Literary Initiative for Empowerment (2011–2015), in cooperation with the UNESCO Office for Iraq, in order to contain and reduce the prevalence of illiteracy with a view to its eradication. The aim is to reduce illiteracy by 50 per cent by 2015 and eradicate illiteracy among the 15–45 age group, whose numbers amount to 1,804,676, and to reach a ratio of 20 students per teacher by the end of 2014.

273. In 2013, there were 5,926 adult literacy centres serving 178,602 male students and 335,002 female students at the basic level, with 19,539 lecturers and 33,090 teachers. Educational curricula for literacy have been designed as part of this strategy and cover such subjects as Arabic, mathematics and general knowledge. The strategy was reviewed and fine-tuned with technical assistance from the UNESCO Office for Iraq. Special literacy curricula have also been developed in minority languages.

274. On 19 February 2013, the National Curriculum Committee at the Ministry of Education agreed that the curricula should embody the principles of respect for both sexes.

275. Security in schools has been improved with the help of the Directorate-General for the Protection of Installations and Public Figures.

276. One of the key Millennium Development Goals was to increase enrolment in general education. Enrolment in primary education amounted to 92 per cent in 2011/12 and to 94 per cent in 2012/13, while net enrolment in intermediate education amounted to 37 per cent in 2007/08 and to 40 per cent in 2011/12.

277. There is ongoing cooperation between the Ministry of Education, UNICEF and UNESCO to provide support for the implementation of several educational projects, including teacher training courses on modern curricula.

278. The Government, through the Ministry of Education, is determined to lower the official dropout rate in general primary and secondary education by means of parallel education. In primary education, the dropout rate fell from 36 per cent in 2004/05 to 1.8 per

cent in 2012/13 and stood at 2.2 per cent in 2015/16. At the secondary level, the dropout rate fell from 3.1 per cent in 2004/05 to 2.4 per cent in 2012/13 and stood at 3.4 per cent in 2015/16. The Literacy Act No. 23 of 2011 was also passed with the aim of eradicating illiteracy through a literacy project involving two stages of study at literacy centres.

279. There is a basic stage lasting 7 months and a training stage, also lasting 7 months, with a 15-day break between the two.

280. The Ministry of Education, through its Human Rights Division (Curricula Section), has incorporated human rights principles into textbooks in order to disseminate a human rights culture by teaching such concepts as the right to education, the right to health care, the right to privacy, the right to freedom of correspondence and communication, equality, liberty, the right to life, and the rights of children and women. Extracts from the Universal Declaration of Human Rights and human rights provisions from the Iraqi Constitution are also included. Following the adoption of the country's new education policy and at the recommendation of the National Committee on Human Rights Curricula, all school curricula now incorporate all human rights concepts and principles in a way that accords with the nature of the subject and how it imparts each concept. In addition to the curricula are the many school projects essentially designed to impress human rights principles and concepts upon students and teaching staff. The main textbooks in which these concepts appear are those used in teaching, among others, Arabic, English, religious education, social education, sociology, bioeconomics and applied economics.

281. The Government of the Kurdistan Region launched a strategy for improving access to high-quality education in the Region through an ambitious reform of its education system from kindergarten to twelfth grade. The Government has also implemented policies with the aim of reducing the high student retention rate in the early grades, expanding the capacity to meet the rapidly growing demand for education, improving the quality of instruction, and strengthening stakeholders' accountability and incentives. (Further information to be obtained from the Region during the consultation.) (Information required: years and objectives of the strategy.)

282. The indicators of education in Iraq can be consulted in annex 11.

283. Pursuant to Ministry of Education Regulation No. 13 of 1972, a special section catering for persons with disabilities was established as part of the Directorate-General for Public Education and is named the Special Education Section.

284. The following divisions have been created in the Special Education Section:

(a) The Division for Special Needs (established at the request of the General Secretariat of the Council of Ministers and pursuant to Communiqué No. 25913 of 9 May 2011), the functions of which include: managing the affairs of children with disabilities as part of the project for the integration of such children into mainstream school classes (inclusive education) and the plan to increase the number of integrated and inclusive schools; following up implementation of the supplementary vocational training project for students with disabilities; and monitoring the process for examining and diagnosing students with disabilities, in conjunction with the Ministry of Health;

(b) The Division for Information (established pursuant to Communiqué No. 1038 of 18 March 2004), the functions of which include: monitoring progress in the development of a database on the annual plan for the expansion of special education classes in the first four years (special first to fourth grades); following up implementation of the annual plan for expansion of the first and second grades in the light of the directives for the first diagnostic year; and developing a database on the plan to expand the project for inclusive education in mainstream schools, the project for supplementary classes (special fifth and sixth grades), and parallel education;

(c) The Division for Diagnostic Psychological Testing and Assessment (established pursuant to Communiqué No. 1038 of 18 March 2004), the functions of which include: preparing a test kit for early diagnosis; sending completed test kits to all provincial Directorates-General for Education so that the competent staff can use them in their work; and organizing courses to demonstrate to such staff how the test kit works;

(d) The Division for Gifted and Talented Children (established pursuant to Communiqué No. 5357 of 22 December 2013), the functions of which include: implementing a project for identifying gifted children and ways in which they can be catered for at an early age by the provincial Directorates-General for Education; circulating to those Directorates-General initial rules for identifying potentially gifted children through testing; and carrying out centrally approved psychological testing and assessment of children for diagnostic purposes.

285. Textbooks for persons with learning difficulties and special needs were produced in 2010 for the fifth and sixth primary grades. Thus far, they continue to have approval but will be reviewed once the general education textbooks for those with learning difficulties have been completed. Special curricula have also been produced for the deaf and mute in all subjects in the first to sixth primary grades, in accordance with the Care of Persons with Disabilities and Special Needs Act No. 38 of 2013.

286. In referring to the functions of the Ministry of Education, the Care of Persons with Disabilities and Special Needs Act No. 38 of 2013 states that the Ministry is responsible for:

(a) Ensuring primary and secondary education of all types for persons with disabilities and special needs on the basis of their capacities and the availability of programmes for special education, integrated and inclusive education, and parallel education;

(b) Supervising educational institutions that cater for persons with disabilities and special needs;

(c) Developing education curricula for persons with disabilities and special needs;

(d) Identifying and supplying free of charge essential equipment for assisting the education and schooling of persons with disabilities and special needs;

(e) Supplying qualified teaching and technical personnel to work with students, starting at early childhood level, and paying them the necessary professional allowances.

287. In referring to the functions of the Ministry of Higher Education and Scientific Research, the Care of Persons with Disabilities and Special Needs Act states that the Ministry is responsible for:

(a) Providing education opportunities for persons with disabilities and special needs in accordance with their capacities and potential;

(b) Training specially qualified teaching and technical personnel to work with all categories of persons with disabilities and special needs;

(c) Reserving one place in each post-graduate specialization for persons with disabilities and special needs.

288. In the Kurdistan Region of Iraq, the Ministry of the Interior is implementing a plan for integrating those with special education needs into schools and eliminating disparity among groups, especially in basic education. The plan is focused on ensuring equal opportunities and improving the quality of the provision for all school students in order to achieve tangible results, notably with respect to essential life skills. The plan is also designed to enhance the contribution of formal education where the need arises and where education fails to meet the needs of all groups of learners, particularly given the principled commitments made to enrol children with special needs in schools and provide them with educational and administrative support alongside the bodies and institutions involved in providing a basic education. In 2007, the Ministry's Directorate for Special Education was established under the Directorate-General for Basic Education to take charge of matters relating to persons with special needs. It has acted to achieve the desired objectives of the plan by:

- Guaranteeing the right of persons with special needs to equal opportunity of access to educational and learning facilities within the framework of the curricula used in those facilities;

- Making the educational diagnosis required to determine the nature and extent of disability;
- Providing educational curricula and materials and appropriate facilities;
- Providing education of all types and at all levels for persons with disabilities in accordance with their needs;
- Training individuals with educational qualifications to teach persons with disabilities, each in accordance with his or her disability.

289. In 2007, in order to achieve the goals of the education policy provided for in the Ministry of Education Act No. 4 of 1994, the Ministry of Education began implementing programmes for the integration and inclusion of children with special needs in schools, pursuant to Act No. 22 of 2011, concerning the rights and privileges of persons with disabilities and special needs in the Kurdistan Region of Iraq.

290. The Ministry of Labour and Social Affairs in the Kurdistan Region of Iraq provides education and rehabilitation for persons with disabilities at four special institutes run by the Directorates-General for Social Welfare and Development in the governorates of the Region (Erbil, Dohuk and Sulaymaniyah) and at the Koye District Institute for the Deaf and Mute. There are 13 special institutes in the Kurdistan Region, including an institute for the blind, an institute for the deaf and mute, a physical rehabilitation and training institute, and an institute for persons with learning difficulties, which together catered for 930 students in the school year 2014/15.

291. Tables providing a breakdown by disability of the numbers of male and female students at the institutes can be consulted in annex 12.

292. The Government Programme (2014–2018) seeks to enhance the efficiency of education and research institutions, the premise being that the advancement of society is primarily driven by education, that it is every citizen's right to access education and higher education, and that the country must strive to develop its citizens' capabilities, restore public confidence in the educational establishment and ensure that students become qualified to take part in community-based activities. The aim is therefore to improve the standard of education institutions and teaching staff, employ modern education technologies, address the shortage of schools, and move towards vocational, technical and knowledge-based education in order to meet labour market needs, including by:

- (i) Eliminating double-shift schools, absorbing the natural growth in student numbers and creating a suitable and healthy school environment through building new schools and renovating others in all governorates;
- (ii) Developing the infrastructure for higher education and scientific research in order to accommodate the surging demand in the governorates, determining the intake capacity of each institution and adhering to its design plan, completing the construction of educational premises as scheduled, introducing new technologies and developments, and improving the efficiency of the higher education system and scientific research for the benefit of all;
- (iii) Promoting scientific research through the creation of a material base and scientific laboratories specializing in:
 - Solar and wind power research;
 - Quantification of ultra-low concentrations of uranium and alpha, beta and gamma emitters;
 - Production and identification of advanced nanomaterials;
 - Supplying the Ministry's requirements for administrative buildings, laboratories and workshops, and modernizing the infrastructure so that scientific departments are able to conduct their research activities;
- (iv) Supplying students and educational bodies with the resources needed for teaching and learning of science, and creating a virtual library;

- (v) Keeping abreast of online and technological developments in education and learning, and including computing as a subject in the education curricula;
- (vi) Encouraging private education institutions in all fields, promoting investment in that area, and improving the standard of education;
- (vii) Restructuring teacher training institutions to ensure the quality of the educational process;
- (viii) Amending the Compulsory Education Act in order to make education compulsory to the end of the intermediate level;
- (ix) Implementing the Literacy Initiative for Empowerment;
- (x) Continuing the Education Initiative programme.

Culture

293. Since 2003, Iraq has pursued a cultural policy designed to enable all citizens to exercise their legitimate cultural rights, without discrimination. Article 35 of the Constitution provides that: “The State shall promote cultural activities and institutions in a manner appropriate to the civilizational and cultural history of Iraq and shall endeavour to pursue authentic Iraqi cultural trends.”

294. The activities of the Kurdish Culture Publishing House founded by the Ministry of Culture in 1976 have been broadened so that it now promotes dialogue, rapport, and respect for the views of others and diffuses the culture of different national and ethnic minorities. It also sponsors and disseminates Kurdish literature through its publication of books and magazines and celebrates Kurdish intellectuals and artists.

295. The cultural centres operated in all governorates by the Ministry of Culture’s Department of Cultural Relations are the main channels through which public participation in cultural life is encouraged. The Department additionally provides financial and other support to civil society organizations and is involved in their various activities.

296. Exhibition venues are easily accessible, affordable transport is provided on exhibition days, and admission to art exhibitions is frequently free for children.

297. Most departments at the Ministry of Culture use modern technology for documenting, archiving and gathering information and for protecting the heritage of local, national and international popular culture. Several departments have their own Internet sites, which are regularly updated and offer a variety of content specific to the department’s area of competence.

298. Through the Children’s Culture Publishing House and the distribution of magazines, books and other publications, the Ministry plays an instrumental part in encouraging children in schools and kindergartens to take an interest in artistic and cultural activities (theatre and music). It also organizes courses in art, culture and computing for the many school students taking part in those activities, as well as trips to tourist and archaeological sites.

299. The Ministry of Culture works constantly to overcome or reduce obstacles to the participation of older persons and persons with disabilities in cultural life, including by regularly extending open invitations for them to attend various events.

300. Academic and vocational education overseen by the Ministry of Culture is limited to the following institutions:

- The Academy of Music, which awards a post-intermediate diploma in music;
- The Music and Ballet School, which offers courses at the primary, intermediate and preparatory levels;
- The Crafts Academy of the Arts and Popular Heritage, which is run by the Department of Visual Arts;

- Courses and workshops organized by the departments, each within its field of competence, to provide training in fashion design, Arabic calligraphy, sculpture, metalwork and wood engraving.

301. There are various ways of accessing information about scientific and technical achievements and advances through modern communications and affordable courses organized and paid for by cultural departments, most of which have the following:

- Libraries;
- Newspapers;
- Internet.

These are available free of charge to all.

302. In the Kurdistan Region of Iraq, the Kurdish Paralympic Committee was established in 2008 and is headquartered in Erbil. The Committee membership is composed of the Public Commission, the Executive Office, representative offices located in the Erbil, Sulaymaniyah and Dohuk Governorates, and the following sports federations:

- The Table Tennis Federation, which has had major successes, achieved by both sexes, in Kurdistan and Iraq;
- The Wheelchair Basketball Federation, which has achieved successes in Kurdistan and Iraq and has three teams in the governorates of the Region;
- The Goalball Federation, which has achieved successes at home and abroad and also has three teams in the governorates of the Region;
- The Athletics Federation, which has three teams for each event in the governorates of the Region, has achieved successes in Kurdistan and Iraq, and boasts a world champion;
- The Deaf Football Federation, which has three teams in the governorates of the Region, has likewise achieved successes in Kurdistan, and takes part in the Iraq championships, added to which there are deaf women table tennis players with major successes to their name;
- The Sitting Volleyball Federation.

303. The Committee is planning in future to establish federations for swimming, weightlifting, fencing, archery and badminton federations.

304. Cultural indicators in the Kurdistan Region have improved substantially, which is evidence of the respect accorded to cultural rights in the Region. Indeed, the number of satellite and terrestrial channels has increased considerably, as has the number of newspapers, official and other magazines, theatres, cinemas, art exhibitions and cultural festivals. The indicators are as follows:

- The Ministry of Culture and Youth, in coordination with the Interior Ministry of the Kurdistan Region, granted operating licences to 28 Kurdish satellite stations, 2 Arabic satellite stations, 1 Turkish satellite station and 1 Syriac satellite station;
- The Ministry of Culture and Youth granted a licence to open an office for 15 Iraqi and Arab satellite stations in the Region;
- It licensed 68 terrestrial (local) television stations broadcasting in Kurdish, Arabic and Turkmen;
- It licensed 89 (local) radio stations broadcasting in Kurdish, Arabic and Turkmen in the governorates of the Region.

305. In referring to the functions of the Ministry of Youth and Sports, the Care of Persons with Disabilities and Special Needs Act states that the Ministry is responsible for:

- (a) Establishing and supporting sports centres and clubs with the aim of providing opportunities for persons with disabilities and special needs to engage in sports activities so as to fulfil their needs and develop their capacities;

(b) Promoting the participation of athletes with disabilities and special needs in national and international sports events and conferences;

(c) Incorporating sports and recreational programmes and activities into the programmes run by institutions, centres and schools working in the field of disability, providing specialized personnel, and supplying appropriate equipment.

306. Iraq participates in local, national, regional and international competitions and championships, achieving great sporting successes. The triumphs of the Iraqi National Paralympic Committee for the years 2011, 2012 and 2013 are detailed in annex 13.

307. The Government Programme (2014–2018) gives attention to youth, women and children. Youth are the strength of the nation, the foundation for its revival and the catalyst for its dignity. The foundations of the national educational values essential to development of the sports and youth movement in Iraq will be laid for the country's youth only through the establishment of key youth and sports facilities of all kinds. Such facilities must be upgraded and maintained, their administration and investment activities must be supervised and their self-financing capacity improved. Attention must also be given to women, with an emphasis on their role in society and on the implementation of gender programmes. It is thus essential to:

- (i) Establish, upgrade and maintain youth and sports facilities, supervise their administration and investment activities, and improve their self-financing capacity;
- (ii) Develop and promote the talents of youth in the areas of sports, culture and science;
- (iii) Lay the foundations of national educational values for the country's youth;
- (iv) Begin implementing projects for engaging young persons with disabilities in sports activities;
- (v) Increase support for sportspersons and for clubs that win successes at the local and regional levels;
- (vi) Finalize the child protection policy, in cooperation with UNICEF;
- (vii) Promote programmes for rural women and gender programmes.

Conclusion

308. In conclusion, the Republic of Iraq affirms its commitment to the promotion and protection of human rights. It will work in cooperation with the Office of the High Commissioner for Human Rights in order to exchange experiences and build capacities with a view to further advancing the human rights situation in Iraq. The Government of the Republic of Iraq is also making progress in implementing the plan formulated to provide greater human rights guarantees and looks forward to collaborating with all stakeholders in order to achieve the desired goals.
