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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint written statement* submitted by the International Youth and Student Movement for the United Nations, the Women's International Democratic Federation, non-governmental organizations in general consultative status, the International Organization for the Elimination of all Forms of Racial Discrimination, the Union of Arab Jurists, the Arab Lawyers Union, the General Arab Women Federation, the International Association of Democratic Lawyers, North-South XXI, the United Towns Agency for North-South Cooperation, the Indian Movement “*Tupaj Amaru*”, the Asian Women Human Rights Council, the Organisation pour la Communication en Afrique et de Promotion de la Coopération Economique Internationale - OCAPROCE International, non-governmental organizations in special consultative status, the International Educational Development, Inc., a non-governmental organization on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 February 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The situation of Iraqi children**

** The BRussels Tribunal, Arab Lawyers Association-UK, Geneva International Centre for Justice (GICJ), Association of Humanitarian Lawyers (AHL), The International League of Iraqi Academics (ILIA), The Iraqi Commission on Human Rights (ICHR), Women Will Association (WWA), Organization for Widows and Orphans (OWO), Ikraam Center for Human Rights, Belgian Peace Movement, Ligue camerounaise des droits de l'homme, Monitoring Net of Human Rights in Iraq (MHRI), Women Solidarity for an Independent and Unified Iraq, Geneva Global Media Centre, International Coalition against War Criminals (ICAWC), Medical Aid for the Third World, Association of Iraqi Diplomats (AID), The African Association of Human Rights (AAHR), Protection of Human Rights Defenders in the Arab World, Moroccan Association for the Right to a Fair Trial, Americans Against the War (France), General Federation of Iraqi Women (GFIW), The International Action Center (IAC), American Worker, Association of Iraqi Intellectuals and Academics, The International Network of Arab Human Rights NGOs, America In Solidarity, Federacion De Mujeres Cubanas, Association of Victims of American Occupation Prisons, International Anti-Occupation Network (IAON), International Lawyers.org, International Society of Iraqi Scientists, The Perdana Global Peace Foundation, Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty- CEOSI, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, El Taller International, World Courts of Women, Center for Development Studies- India, Wariscrime.org, Action Center for Justice, 1% A Peace Army.org, A Bigger Tent.org, Agir contre la guerre (France), American Voices Abroad (Berlin, Germany), American Voices Abroad Military Project (Europe), Anti War Fair, Arizona Christian Peacemakers, Armbands for Peace, Arms Against War, Artists Against the War, Backbone Campaign, Be the Change, Become Active, Bike for Peace (Germany), Bill of Rights Defense Committee, Bird Dogger Org., Children of Iraq Association (UK),Bloomington Peace Action Coalition (IN), Blue State News Only, Boston Mobilization, Bring Democracy Back, Bring Them Home,Butterfly Gardeners Association, Citizens for Accountability on Iraq, California for Democracy, Camp Casey Blog, Camp U.S. Strike for Peace Campaign, Campaign Against Sanctions and Military Intervention in Iran, Canada Watch, Carolina Peace Resource Center (SC), Cartoon Free America, Catalysts of Hope, Central Colorado Coalition on the Iraq War, Chester County Peace Movement (PA), Cindy Sheehan Org., Cities for Peace, Citizens for Legitimate Government, Citizens for Peace & Justice, Human Rights for all-Morocco, Christian Clergy For Impeachment.com, Clothing of the American Mind, Coalition Against Election Fraud, Coalition for Impeachment Now (COIN), Code Pink, the Iraqi Association for Human Rights (IAHR), Al-Basa'er Media Association, Consumers for Peace.org, Dhafir Trial.org, DC Anti-War Network.org, Democracy Action, Democracy for America Meetup (Birmingham, AL), The Democratic Activist, Democracy Rising.org, Democratic Underground, Human Resources (Tbilisi, Georgia), Democratic Renewal, Democrats.com, Earth Day.org, Earth Island Institute, East Cobb Democratic Alliance (Cobb County, GA), Eastern Long Island Democracy for America (NY), ECU Peace and Justice NC, Election Solar Bus, Environmentalists Against War, Envision a New America, Foundation for the Development of Fox Valley Citizens for Peace and Justice (IL), Global Exchange.org, Global Network Against Weapons & Nuclear Power in Space, Global Resistance Network, Gold Star Families for Peace, Plataforma Aturem la Guerra (Stop the War Catalonia), Grandmothers Against the War, Grandmothers for Peace, Grass Roots Impeachment, Grass Roots Impeachment Movement, Grassroots North shoreWI, Green Delaware, Hawaii CD-01 Impeachment Action Coalition, Historians Against the War, Honk to Impeach, Idriss Stelley Foundation, Impeach Bush Cheney, Independent Progressive Politics Network, Impeach Bush Coalition, Impeach Bush TV.org, Impeachbush-cheney.com, Impeach Central, Impeach for Peace - Marshall, TX, Impeachable Treason, Impeach Duh, Impeachment Sunday, Inform Progressive Virginia, International Socialist Organization, Impeach Bush Cheney Net, Iraq Veterans Against the War, Iraq Veterans Against the War - Kansas City, Justice Through Music, Lake Merritt Neighbours Organized for Peace (Oakland, CA), Latinos for America, Leader of the Free Word - a great screen saver, Liberal Democracy Alliance, Liberal Kids, LIBERTY TREE Foundation for the Democratic Revolution, Los Angeles National Impeachment Centre, Louisiana Activist Network, Marijuana Policy Project, Massachusetts Impeachment Coalition, Men's Project for Peace, Michael Moore Online.org, Michigan Peace Works,

For two decades, Iraqi children have been subjected to grave violations of human rights. Due to decades of war, foreign occupation and international sanctions, Iraq has turned into one of the worst places for children in the Middle East and North Africa with around 3.5 million living in poverty, 1.5 million under the age of five undernourished and 100 infants dying every day, the UN Children's Fund (UNICEF).¹

Military Families Against the War (UK), Military Free Zone, Stop the War Coalition (Bedford, UK), Million Musicians March, Mission Not Accomplished, Montgomery County Progressive Alliance (MD), Musicians and Fine Artists for World Peace, Muslims for Peace (Australia), National Lawyers Guild - Chicago chapter, National Lawyers Guild - Detroit & Michigan chapter, Northeast Impeachment Coalition, North Jersey Impeach Group (NJ), Northeast Georgia Peace Corner Group (Helen, GA), Northwest Ohio Peace Coalition, Northwest Progressive Institute (Pacific Northwest US), Not in Our Name.org, Not in Our Name (Aotearoa, New Zealand), Nyack Impeachment Initiative (NJ), Ohio Progressive Action Coalition, One Global Community, Olympia Citizens' Movement to Impeach Bush/Cheney (WA), One Million Reasons, Operation Cease Fire, Operation Impeachment, Orange County Grassroots (CA), Out of Iraq, Out of Iraq Bloggers Caucus, Patrick Henry Democratic Club, Patriotic Pulse, Patriots for Gore, Peace Action, Peace Action Wisconsin, Peace and Accountability, Peace Drum, Peace Majority, Peace Movement Aotearoa (New Zealand), Peace Reso.org, Peninsula Peace and Justice Center (Palo Alto, CA), People's Campaign for the Constitution, People Powered Impeachment, People's Email Network, People's Glorious Five Year Plan, Picnic to Impeach, Pixel4Peace.org, Playing in Traffic, PledgeToImpeach.org, Political Cooperative, Politics and Art, Progressive Action Alliance, Progressive Action Center, Progressive Avenues, Progressive Democrats of America, Progressive Democrats of Hawaii Project Filibuster, Project for the OLD American Century, Refusing to Kill.org, Rescue Our Democracy, Sacramento for Democracy (CA), St Pete for Peace (FL), Sampsonia Way, San Diego for Democracy, School of the Americas Watch, Sheehan for Congress, South Florida Impeachment Coalition, South Mountain Peace Action (Maplewood & South Orange, NJ), Springs Action Alliance (CO), Stop the War Coalition (UK), Students for Impeachment, Students Towards a New Direction (STAND), Summit County Progressive Democrats (OH), The Known UnKnowns, The Politically Incorrect Cabaret, The Rational Response Squad, Think Blue Dems, Time for Accountability, Toronto Coalition to Stop the War (Canada), Torture Abolition and Survivors Support Coalition International, True Blue Liberal.org, Trumansburg Impeachment (NY), Truth Empowered, Truthtelling Project, UC Nuclear, Underground Action Alliance, Unitarian Universalist Peace and Justice Group (Nantucket, MA), United Blue USA, United for Veterans (Wayne, MI), United Progressives, Upbeat Defiance, US Peace Memorial, US Tour of Duty: Iraq Veterans and Military Families Demand the Truth, Velvet Revolution, Vet Gulf March, Veteran Intelligence Professionals for Sanity, Veterans for Peace, Chapter 27, Virginia Grassroots Coalition, Voters for Peace, We the People for Peace, We the People Network, We the People Now, We The People United Bangladesh.org, Peace Surge, Peace and Justice Action League of Spokane (WA), Stop the War (UK), U.S. Peace Council, World Can't Wait.org, World Prout Assembly, Komite Internazionalista- Basque, Asociación Paz, Igualdad y Solidaridad Internacional, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, Málaga, Spain, Stop Fascism Action Network, The Asian Jurists Centre, Association of Human Rights Defenders in Iraq (AHRDI), The African Center for Human Rights (ACHR), Veterans for Peace, Your Declaration of Independence.org, Arab Lawyers Network-UK, Conservative Centre of Environmental & Reserves in Fallujah (CCERF), Willie Nelson Peace Research Institute, Studies Centre for Human Rights and Democracy, The Iraqi Centre for Human Rights, Association internationale des droits de l'homme, NGOs without consultative status, also share the views expressed in this statement.

¹ IRAQ: A bad place for children <http://www.irinnews.org/report.aspx?ReportId=93133>

CRC: Article 28 (Right to education), Article 29 (Goals of education)

This report will focus on the violations by the occupying forces and the Iraqi authorities of the Convention (IV) relative to the Protection of Civilian Persons in Time of War, Geneva, 12 August 1949², and the UN Convention on the Rights of the Child: CRC Article 28, 29.

Since the invasion in 2003, the US-UK occupation forces and the Iraqi authorities grossly failed to fulfill their most basic duties towards the children of Iraq in accordance with the UN Convention on the Rights of the Child (CRC), Resolution 25/ Session 44, November 1989.³

Principles of the CRC emphasized the need to protect children's rights' to life and physical, mental, moral, and spiritual development in a safe environment.

The Occupying powers bear full responsibility for the violations of these provisions and Conventions related to children. They should be held fully accountable for the harm they have inflicted upon the Iraqi children. They have deliberately changed the social fabric of the country, used ethnic cleansing to break up the unity of the country, destroyed water purification systems, health and educational facilities and indiscriminately bombed dense populated areas, leaving the children extremely vulnerable on all levels. Living in a country at war also causes mental disturbance to virtually all children, and acute anxiety and depression if not psychosis in a considerable number.

The Iraqi institutions and mechanisms that should ensure physical, social and legal protection for women, children and youth are dysfunctional and unreliable, they are exposed to exploitation and abuse, such as killing and maiming, kidnapping, human trafficking.⁴

The international community and international Human Rights bodies also bear considerable responsibility for this alarming situation because they failed to adequately address the grave violations inflicted upon the young and vulnerable in the Iraqi society and failed to identify the real culprits.

Article 28: (Right to education), Article 29 (Goals of education): All children have the right to a primary education, which should be free.

The destruction or closing of schools and universities, the displacement of the population, killing of teachers, resulted in loss of schooling for children and young people. Not only did the children and young people have their opportunities in later life reduced, but the community and ultimately the state also loses from inadequate education.

Enrolment

Statistics released by the Ministry of Education in October 2006 indicated that only 30% of the 3.5 million students were actually attending schools. Prior to the US invasion, UNESCO indicated that school attendance was nearly 100%.⁵

Information on pre-school indicates extremely low provision and an extremely low take-up rate, confirming the lack of Early Childhood Development programmes within the formal educational system. Only 3.7% of children aged from 36-to 59 months enlisted in nurseries or kindergartens (MICS 2000). 5% of children enrolled are between 48-59 months as

² <http://www.icrc.org/ihl.nsf/full/380>

³ The convention was ratified by 194 United Nations countries, except the USA and Somalia.

⁴ **FALLEN OFF THE AGENDA? MORE AND BETTER AID NEEDED FOR IRAQI RECOVERY**
<http://www.internal-displacement.org/8025708F004CE90B>

⁵ r. Souad N. Al-Azzawi <http://www.brusselstribunal.org/pdf/IraqiChildrenSuffering2010.pdf>

compared to 2.6% of younger children . Pre-school enrolment is 5.2% urban against 0.9% in rural.⁶

Today (2011), at around 87 per cent, the primary school enrolment rate is far below Iraq's 2015 national Millennium Development Goal target of 98 per cent, a difference of around 700,000 new primary school-age children who never attend primary school every year. In addition, over 600,000 pupils are repeating their primary school grade of study the following year, including many who drop out of school altogether. Less than 50 per cent of all children who originally enrol in primary school go on to enrol in intermediate and secondary school during their adolescent years.⁷

Primary & Secondary School Attendance. The UNESCO and UNICEF 2008 findings that 1 in 5 primary school-aged children were unable to go to school (Relief-Web/UCHO 2008) is consistent with the MICS 2006 attendance figures of 5 in 6 (or 83%) (MICS 2006). The urban/rural attendance ratio is 89% to 75% (MICS 2006).⁸

Facilities and quality

Poor school stock is having an increasingly negative impact on the quality of education and attendance rates. A 2004 Ministry of Health (MoH) report concluded that 80% of school buildings required significant reconstruction, over 1,000 required a total rebuild and a further 4,600 major repair (MoH 2004 'Health in Iraq').

These figures were confirmed in 2007 by UNESCO and UNICEF who found that 70% of school buildings were suffering from war damage or neglect (cf. Relief-Web/UCHO 2008).⁹

According to UNICEF (2011), more than one in six schools have been vandalized, damaged or destroyed during the past years of violence, and there are severe shortfalls in facilities.

Lack of infrastructure and overcrowded classrooms force one third of schools to deliver lessons in two or even three shifts, coupled with acute shortages of essential teaching/learning materials.

Most schools lack potable water, toilets or refuse bins - the lack of access to sanitary facilities places particular burdens on girls.¹⁰

Moreover, repetition rates have been forcing students with as much as 6 years of age difference to remain in the same classroom and in some areas there are not enough schools

⁶ Cara- A Study of Education Opportunities for Disabled Children and Youth and Early Childhood Development (ECD) in Iraq 2010 <https://www.escholar.manchester.ac.uk/api/datastream?publicationPid=uk-ac-man-scw:131680&datastreamId=SUPPLEMENTARY-2.PDF>

⁷ UNICEF, 2011, European Union and Government of Iraq start €17M programme to improve primary education in Iraq http://www.unicef.org/media/media_57942.html

⁸ Cara A Study of Education Opportunities for Disabled Children and Youth and Early Childhood Development (ECD) in Iraq 2010 <https://www.escholar.manchester.ac.uk/api/datastream?publicationPid=uk-ac-man-scw:131680&datastreamId=SUPPLEMENTARY-2.PDF>

⁹ Cara A Study of Education Opportunities for Disabled Children and Youth and Early Childhood Development (ECD) in Iraq 2010 <https://www.escholar.manchester.ac.uk/api/datastream?publicationPid=uk-ac-man-scw:131680&datastreamId=SUPPLEMENTARY-2.PDF>

¹⁰ UNAMI HR 2010 <http://www.ohchr.org/EN/Countries/MENARRegion/Pages/UNAMIHRReports.aspx>

that can provide adequate instruction in the language required by displaced children from other areas,(for instance: Arabic-speaking children in Northern Iraq).¹¹

Thousands of children with disabilities remain without access to schools, and the children of internally displaced families face a lack of educational facilities.¹²

In addition school buildings are often used for military purposes, in violation of The Hague IV Convention on Laws and Customs of War on Land¹³. “MNF-I, the Iraqi Army and Iraqi police units occupied more than 70 school buildings for military purposes in the Diyala governorate alone”, according to a UNESCO report in 2010.¹⁴

Security and sectarianism

The UNESCO National Education Support Strategy released in 2008 estimated that two million children of primary school age did not attend school largely due to the security situation. While the situation has improved during 2010, children’s access to education remains compromised by the security situation. “Many threats against schools continue to come from(the so called)“ insurgent groups” demanding a change in the curriculum or attempting to deny students from certain targeted groups access to education. The punishment for failing to comply with these demands is often violence”, according to the UNAMI HR 2010 report.¹⁵Who are these “certain targeted groups”, and what does the report exactly mean by “insurgent groups”?

Sectarian policies of the current authorities hamper the right to education of Iraqi children in predominantly Sunni areas. Attacks on educational institutions by the Iraqi Army and government militias, to intimidate, frighten, kidnap, arrest and kill students occur on a regular basis. As a consequence school attendance has decreased dramatically. A few examples will make this clear.

On 3 February 2011 the Muthanna Brigade of the Iraqi army prevented students of the Isra school for boys and from the Ascension High School for Girls in Haswa area of the district of Abu Ghraib, west of Baghdad, from going to school to perform their mid-term exams.¹⁶

On Wednesday afternoon, Jan 25, 2012, in the Sunni area east of the city of Yathrib, Tikrit, Salah al Din province, Iraqi authorities security forces belonging to the LEWA [17] of the Fourth Division in the Iraqi Army broke into the Medina Secondary mixed high school, raided and searched the pupils, then arrested during this raid seven school pupils - eighth and Ninth grade students between the ages of 13 and 14 years - in a brutal way. The school was raided during the performance of students for their mid- year exams. The government forces didn’t give any reason or motive for this raid.

¹¹ FALLEN OFF THE AGENDA? MORE AND BETTER AID NEEDED FOR IRAQ RECOVERY
july 2010 <http://www.internal-displacement.org/8025708F004CE90B>

¹² UNAMI HR 2010
<http://www.ohchr.org/EN/Countries/MENARegion/Pages/UNAMIHRReports.aspx>

¹³ Yale Law School http://avalon.law.yale.edu/subject_menus/lawwar.asp

¹⁴ “Education under Attack 2010 – Iraq”-
UNESCO.<http://www.unhcr.org/refworld/docid/4b7aa9df5.html>

¹⁵ UNAMI HR rapport 2010
<http://www.ohchr.org/EN/Countries/MENARegion/Pages/UNAMIHRReports.aspx>

¹⁶ Dirk Adriaensens , Dying education in the “blossoming” Iraqi democracy, 2011,
<http://www.brusselstribunal.org/education160211.htm>

Curriculum

The occupying forces changed the existing curricula, now the Ministry of education is incapable of reforming the educational curriculum in an appropriate way due to the sectarianism of the Iraqi authorities, lack of capacity and experience. The whole national education system needs to be considerably strengthened at national, governorate and district levels to ensure access to quality education.¹⁷

Skills

Evidence is increasing that it is likely that a large number of children in Iraq suffer from preventable learning difficulties related to lack of early stimulation and learning. This degree of language delay may result from widespread psychosocial consequences of war, including increased poverty and fearfulness. However, psychosocial difficulties and poverty, including, preoccupation with day-to-day survival, amongst adults prevent them from being able to talk to or stimulate their children in the normal way.

According to a 2007 Oxfam report, some 92 per cent of Iraq's children suffer from learning impediments.¹⁸

Girls' education

In primary education girls account for 44.74% of the pupils. Some 75% of girls who start school have dropped out during, or at the end of, primary school and so do not go on to intermediate education. Many of them will have dropped out after grade 1.¹⁹

Although U.S. and Iraqi officials believed that the 2007-2008 school year would see a much larger number of new school enrolments, 76.2% of respondents to 'A Women for Women' survey of 1,513 Iraqi women said that girls in their families are not allowed to attend school, and 56.7% of respondents said that girls' ability to attend school has become worse over the last four years. According to Women for Women International Iraq staff, the primary reasons for this are poverty and insecurity.²⁰

In 2010, a UNICEF report described the learning environment in Iraq as influenced by poor safety, family poverty and a reluctance to allow adolescent girls to attend school. The report quoted female students referring to their schools as 'unwelcoming, unpleasant, dirty, poorly maintained with filthy lavatories and no drinking water.'²¹

Assassinations and brain drain

Assassinations and death threats against educators drove many out of the country. According to the UN office for humanitarian affairs 180 teachers have been killed since

¹⁷ Fallen Off The Agenda? More And Better Aid Needed For Iraq Recovery July 2010
<http://www.internal-displacement.org/8025708F004CE90B>

¹⁸ Hans von Sponeck in: IRAQ: A CASE OF EDUCIDE, March 2011, Ghent
<http://www.brusselstribunal.org/Seminar/texts/en/2.pdf>

¹⁹ Girls Education in Iraq, 2010,
Unicef http://reliefweb.int/sites/reliefweb.int/files/resources/A3F345FEB60FD713C12577AD00341F90-Full_report.pdf

²⁰ Girls Education in Iraq, 2010,
Unicef, http://reliefweb.int/sites/reliefweb.int/files/resources/A3F345FEB60FD713C12577AD00341F90-Full_report.pdf

²¹ Hans von Sponeck in: IRAQ: A CASE OF EDUCIDE, March 2011, Ghent
<http://www.brusselstribunal.org/Seminar/texts/en/2.pdf>

2006, up to 100 have been kidnapped and over 3,250 have fled the country, until April 2008.^{22,23}

The International Medical Corps reported that populations of teachers in Baghdad have fallen by 80% and medical personnel seem to have left in disproportionate numbers²⁴. Roughly 40 per cent of Iraq's middle class is believed to have fled by the end of 2006.²⁵ This brain drain and the destruction of schools and educational system is part of the cultural cleansing of the Iraqi society and identity²⁶. Iraq's educated and professional class, including teachers, academics and health professionals in particular, fled in their thousands following the assassination of colleagues as part of a targeted campaign, with devastating effect.

467 university academics²⁷ have been killed and more than 2000 doctors, hundreds of lawyers and judges, 376 journalists/media workers²⁸ and thousands of professionals.²⁹ This, in addition to the outflow of professionals during the UN sanctions years has left Iraq with an enormous task to rebuild not just its educational and health infrastructure but its specialist human capital.³⁰

The NGOs signatories to this statement call on the United Nations in general and the Human Rights Council in particular to:

- Ensure that all human rights violations in Iraq during the sanction and the invasion and occupation be investigated by an international independent body.
- Appoint a UN Special Rapporteur for the Human Rights situation in Iraq.
- Request the High Commissioner to present to the Council a detailed report on the Human Rights violations in Iraq since 2003 according to UNAMI and the civil society reports.
- Request the Special Representative of UNSG on violence against children, and the Special Representative of the SG for Children and Armed Conflict to take the situation of the Iraqi children in account in their reports.
- Request the Special Rapporteur on the right to education to focus on this matter in the future reports.

²² Humanitarian implications of the wars in Iraq, ICRC, <http://www.icrc.org/eng/resources/documents/article/review/review-868-p929.htm>

²³ 196 professors killed, more than 100 kidnapped since U.S. invasion <http://www.azzaman.com/english/index.asp?fname=news\2007-03-15\kurd1.htm>

²⁴ <http://www.reliefweb.int/rw/rwb.nsf/db900SID/AMMF-727BUF?OpenDocument&rc=3&emid=ACOS-635P5D>

²⁵ Iraq: Brain Drain Poses Threat To Future <http://www.rferl.org/content/article/1072793.html>

²⁶ Dr. Souad N. Al-Azzawi <http://www.brussellstribunal.org/pdf/IraqiChildrenSuffering2010.pdf>

²⁷ List of killed, threatened or kidnapped Iraqi Academics <http://www.brussellstribunal.org/academics/List.htm>

²⁸ ASSASSINATED IRAQI MEDIA PROFESSIONALS <http://www.brussellstribunal.org/JournalistKilled.htm>

²⁹ Dirk <http://www.brussellstribunal.org/IraqEducation0608.htm>

³⁰ Cara A Study of Education Development (ECD) in Iraq 2010 <https://www.escholar.manchester.ac.-scw:131680&datastreamId=SUPPLEMENTARY-2.PDF>