

and published on the United Nations website. In 2014 the official Consideration of reports submitted by States parties covered the period from 1998 to 2010.

During the session related to women's rights in Iraq amongst the issues that were discussed were: access to justice and women in detention, national machinery for the advancement of women, stereotypes and harmful practices, violence against women, trafficking and exploitation of prostitution, participation in political and public life, education, employment, health, widows and divorced women, refugees, returnees and internally displaced and stateless women.

EAFORD and GICJ submitted a written report to the Committee, in which they addressed some of the key issues for women in Iraq, delivered an oral statement, and contributed to the interactive dialogue between experts and states. EAFORD and GICJ considered it important for their written submission to elaborate on the disastrous impact of the sanctions and the illegal 2003 US-invasion/occupation on Iraqi women's rights. These aspects unfortunately were largely marginalized in the official reports, in favor of an inoffensive pro US-approach, even if the sanctions and invasion fell right into the time covered by the report.

Women in Iraq, source: ICRC

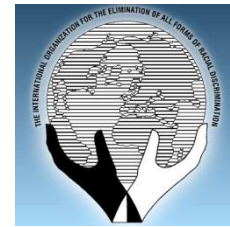
Key issues highlighted by EAFORD & GICJ

Although of course all government reports try to present the State party in the best possible light, EAFORD and GICJ found it especially appealing to see that the Iraqi government's statements reflected only very little on the progressively deteriorating human rights situation as a result of the 2003 invasion and occupation. Instead, it defended one more time its corrupt and sectarian policy, even though the disastrous situation has been well documented by a multitude of international organizations and NGOs.

Below are some of the key issues highlighted by EAFORD and GICJ together with a critical reflection on the Iraqi response to the list of issues presented by the Committee.

Economic and Health Situation: Prior to 1990 women were integral to Iraq's economy and held high positions in the private and public sectors, thanks to advanced labor and employment laws. Under sanctions, women had more and more difficulties finding paid work or could not afford to work anymore. They were hence forced back into the traditional roles and sheer survival became the main aim of their lives. The already fragile situation deteriorated following the US-invasion in 2003 due to which much of the infrastructure of Iraq was destroyed. As a result, one-third of Iraqis are living in poverty, with more than 5 per cent living in abject poverty, but these figures may well be a grave underestimation. Polygamy, a by-product of poverty, is promoted as a way to provide social protection for unemployed women in need of assistance.

In view of these dramatic developments of facts on the ground it was extremely alarming to see that the Iraqi State sadly downplayed the situation. Instead it boasted about social programs aimed at combating poverty, without mentioning at any point the rampant corruption inside Iraq, due to which all such programs are doomed to failure. The poverty described by the State party



was much less dramatic than in all reports EAFORD and GICJ have ever received. According to the State party's reply the level of poverty declined to 18.9 % in 2012, whereas other sources indicate that following the invasion 50% of the Iraqi people are living in slum conditions. It was further remarkable to see that the State party referred to the overall situation as a result of the "collapse of the former dictatorship" (the Committee itself was much more careful in its choice of words), thus quasi defending the invasion.

War Widows: The death toll of the 2003 US-invasion is still largely underestimated by the world. Many believe that the number of Iraqis who died is fewer than 10.000, yet the truth is that average estimations indicate from 700.000 up to 1.500.000 dead. Almost two million women have therefore become the primary breadwinners and most of them are war widows. They belong to the most vulnerable in Iraq and often live in extreme poverty. In the years following the invasion many of them see no other way than begging in the street. This phenomenon is totally new in Iraq and often the government's only response is to throw them in prison, disregarding the fact that registering for government pensions is a bureaucratic nightmare due to corrupt workers who demand money or sex in exchange for the paperwork.

The number of those currently registered for the meager State Aid is ridiculously small compared to that effectively in need, yet once again the State party tried to promote its social welfare program and downplayed the situation. Shockingly also, the Iraqi State response blamed the "blind terrorism that targeted all sections of its people, for the situation, claiming terrorism to be "responsible for the deteriorating lives of thousands of women, children and the elderly and leaving in its wake hundreds of widows, orphans and homeless people," without at any point mentioning or questioning the effect of the invasion. Finally, the State party tried to prove the success of its measures citing a decreasing number of victims of terrorism between 2008 and 2010, without mentioning that in 2013, due to its sectarian policies these numbers have once again reached record heights. Although the report officially covers only the period between 1998 and 2010, it is however remarkable that in other sections of the State response much more recent figures (until 2013) were given.

Women in Detention: Following the US invasion, after the total dismantling of Iraq, the Iraqi judicial system is flawed and inhumane on all levels. Thousands of women are illegally held in detention for years without seeing a judge, and frequently they are subjected to severe torture, including beatings and rape. The rampant corruption leads to a system where women are frequently convicted after coerced confessions. Many women are held in captivity in order to get information about their male relatives' activities rather than for any crime in which they themselves are said to be involved in. It thus seems as if Iraqi security forces act as if abusing women will make the country safer, whereas in fact, as long as security forces abuse people with impunity, one can only expect the situation to worsen. Although some reforms of the criminal justice system were promised, the brutal tactics of security forces remain still the same.

In response to the plight of women in detention, Iraq listed constitutional provisions that allegedly prohibit unlawful detention and ensure access to justice regardless of gender. It further put forward that prison visits were regularly undertaken by the public prosecutor to monitor the conditions of detainees and that teams attached to the Ministry of Human Rights made regular



visits to detention facilities. Officially, there were more than 200 visits in 2012. Unfortunately the presented facts in no way reflect the real situation of the Iraqi judicial system, which even 11 years after the invasion is totally devoid of any sense of justice. The State reply also failed to mention that the Iraqi Ministry of Interior systematically denied UN access to detention facilities under its authority. Moreover, it did not present the outcome of any of those visits and did not address the harsh reality of detention conditions as described by human rights organizations.

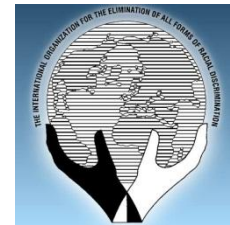
Displaced Women: Following the US-invasion in 2003, up to five million Iraqis, mostly women and children, have been displaced inside Iraq. This figure of internally displaced people (IDP) is the largest number of displacements in the region since 1948. Displaced women face strong social stigmas, are highly discriminated against and forced to live in inhumane poor conditions. Some are even forced into temporary marriage with bureaucrats who distribute funds. 13% of the families are families headed by women, mostly widows. Not only is it difficult for IDP women to maneuver through the system in order to secure enough aid for their families, but they also have to deal with the inevitable lack of resources to cover their needs. Returnee Iraqi female-headed families also often experience major livelihood challenges.

In its reply to this issue of displaced people, Iraq listed some figures to illustrate how much aid was given to displaced families and returnees, and briefly described some of its support programmes. It also mentioned that job opportunities will be provided and that practical priority measures were being taken for displaced women. Iraq is nevertheless still light-years away from delivering adequate aid to displaced persons and returnees. Many of them struggle to meet their very basic and fundamental needs as they are unable to have access to the meager government help that is available.

Education: In our report EAFORD and GICJ considered it important to point out that prior to the first Gulf War in 1991 Iraq had one of the best educational performances in the region. By making education compulsory for all in 1976, the Iraqi government closed the literacy gap between men and women notably, taking a great step to eradicate illiteracy and empower women in the working field. During the sanctions however, Iraq's literacy rate deteriorated. Over half of Iraqi women could not read or write, when only a decade earlier, Iraq was the country which had the most modern education system in the Arab Middle East. Girls account for around 44.8% of students. Following the invasion, the overall number of children receiving primary education in Iraq declined.

Reports attribute poor school attendance to the poor security situation within Iraq which undoubtedly is a significant contributor to these figures. The concerns about safety relates to both military conflict and civil crime such as abduction and rape. Unsurprisingly the State party's response to the disastrous situation of the Iraqi education system at no point included any critical assessment of the impact of sanctions and invasion. Instead it praised measures undertaken by the Iraqi government as if they were part of a state-of-the-art-system. Yet the programs presented had more of an administrative instead of a developmental character.

Sexual Exploitation: Although Iraq is a signatory of several UN conventions and protocols that protect human rights and labor rights, Iraq is now considered as one of "the worst countries" in



the world regarding prostitution, sexual exploitation and human trafficking. About 4,000 women, one fifth of them under the age of 18, have disappeared in the first seven years after the war. A huge number of girls have been incarcerated for prostitution and forced into modern day slavery. The invasion, and the instability and lawlessness that followed it, led to an environment where young women and girls became much more vulnerable to trafficking.

Sadly the State reply at no point mentioned that the problem of human trafficking did not exist prior to the 2003 invasion; neither did it mention that so far the Iraqi government has done little to combat trafficking in girls and women, and that until now there has been no successful prosecutions of criminals engaged in human trafficking, no comprehensive program to tackle the problem, and only negligible support for victims. The State reply presented some half-hearted measures such as a law on combating trafficking that the Iraqi government had passed in 2012, yet once again it blamed terrorist operations or armed conflicts for the problem of prostitution. Although the aforementioned law supposedly provides help for the victims of human trafficking, the State reply mentions a number of female convicts for prostitution, which one more time indicates that the Iraqi government tends to punish the victim rather than the offender.

Political Participation: Before sanctions in 1990, women had gained important access to equal employment, political positions and expanding opportunities in the economic sphere. Women played an active role in government administration. After the sanctions and following the invasion, Iraq has been plagued by violence, corruption and injustice, transforming the situation of women into a national crisis. The Iraqi Constitution guarantees women 25% of the membership of the Council of Representatives. This quota system has been applauded by women organizations and the international community as one of the great achievements of the so called “New Iraq”. This appraisal has been however used as a sheer token to cover up the volume of crimes committed against women under occupation. Among the 44 Ministers, only one woman is appointed as Minister of State for Women's Affairs. Most female MPs have shown little interest in women's rights. They rather duplicate in essence whatever their fellow male MPs already advocate.

Iraq emphasized that the Ministry of State for Women's Affairs has taken an active part in developing major strategies for 2012-2014. Among them, there is the adoption by the Government of a strategy to combat violence against women and the economic empowerment of women by ensuring a proportion of appointments, loans and residential complexes for women, increasing social welfare allowances and setting up a development fund for rural women. Iraq also stated that women occupy the post of judicial investigator in all bodies attached to the Higher Judicial Council. One can only hope that the strategies elaborated by the Ministry of State for Women's Affairs will be effective in enhancing women's empowerment and political participation, and that the women who occupy high level positions will show a more determined interest in improving women's rights in Iraq.

Birth defects: Since the invasion of 2003, young women in Iraq have become increasingly reluctant to become pregnant for the fear of giving birth to monstrously deformed babies, yet the issue of birth defects was totally neglected in any of the reports. While showing its willingness to provide some measures to control breast cancer, the State response did not even admit a possible



increase in malformations among newly born, and accordingly did not scrutinize the cause of the problem. Although American forces later admitted that they had used white phosphorus shells, they never admitted to using depleted uranium, which has been linked to high rates of cancer and birth defects. Furthermore, several studies show a high level of contamination by other toxic substances including Uranium lead and mercury. But, the State report links the rising number of babies born with birth defects in some cities to increased exposure to metals released by bombs and bullets used over the past two decades.

A study published in 2013 finds a rate of congenital anomalies at birth in Fallujah to be 11.5 times higher than the comparable rate in neighboring Kuwait. The study concludes that level of congenital anomaly in Fallujah is unusually high and is caused by the exposure of the population to some genetic mutagen employed during the USA attacks on the city in 2004. There were 291 congenital anomaly cases registered at birth in the eleven-month period at the study's clinic. The total number of births recorded in the hospital over the period was 6015. The congenital anomaly included 113 heart and circulatory system cases, 72 nervous system cases, 40 digestive system cases, 30 Down syndrome cases, 9 genitourinary cases, 6 ear, face and neck cases and 7 respiratory cases.

In conclusion: Throughout the session it became one more time obvious that the State party of Iraq avoids any criticism of the 2003 U.S. invasion but instead proves its willingness to cooperate within the framework of the measures established under occupation. Its reports reflect the sectarian language and political division supported by both, the occupier and the government which they installed in Iraq. Any credible analysis of the situation must include the disastrous impact of sanctions, invasion and occupation, especially when it comes to a report covering the period between 1998 and 2010. The suffering inflicted on the Iraqi people and notably the Iraqi women can only be alleviated through restoring justice and accountability according to international law and international human rights standards. It therefore remains crucial that civil society does not stop to actively raise its voice and insist that issues be properly addressed by the International Community.