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Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21

Iraq*

The present report is a summary of 33 stakeholders' submissions¹ to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.



Information provided by stakeholders

A. Background and framework

1. Scope of international obligations²

1. Alkarama recommended ratifying ICCPR-OP1, ICCPR-OP2 and to accept other individual complaints procedures, including Article 22 of CAT and Article 31 of CED.³ AI, JS5, Alkarama and Alerada recommended ratifying OP-CAT.⁴ JS6 recommended acceding to ICCPR-OP1.⁵ ICHR and OJDI recommended ratifying ICCPR-OP2.⁶ JS5 and Alerada recommended ratifying OP-CEDAW.⁷

2. JS4 recommended ratifying ILO Convention No. 87.⁸ UNPO recommended acceding to ICRMW and to remove the reservation to CRC.⁹ JS12 and JS6 recommended withdrawing the reservation to Article 14 of CRC.¹⁰

3. JS5, Alerada, UNPO, IHCHR and JS10 recommended removing reservations to Article 2 (f, g), and Article 16 of CEDAW as this right is confirmed by Article 14 of the Constitution.¹¹ JS10 recommended expediting the ratification of OP-CEDAW.¹²

2. Constitutional and legislative framework

4. Alkarama, AI and JS3 were concerned about the role of the executive in weakening, influencing and dominating both the judiciary and the legislative branches in contravention with the constitution.¹³

5. JS5 observed that article 44 of the draft constitution clearly states that international treaties have the supremacy over national legislations; JS5 recommended Iraq to announce its position concerning the status of international conventions and treaties in the national legislation and encouraged harmonizing them with the international standards. JS5 observed that the draft constitution of the Provision of Kurdistan Region (KRG) had been finalized in 2008 but has not been put for referendum.¹⁴

6. JS1 recommended amending article 46 of Iraqi constitution on limitations and restrictions on rights and freedoms during emergency as it does not specify the conditions for the declaration or the purposes for promulgation of emergency measures.¹⁵

7. Alerada recommended to reform legislation to achieve equality between men and women.¹⁶

8. ICHR, JS11 and OJDI recommended amending the anti-terror law No. 13 of 2005 in accordance with the principles of human rights.¹⁷ JS11 observed that linking the terrorism law with state security crimes is contrary to international conventions on terrorism.¹⁸

9. JS1, JS5, JS4 and JS11 recommended enacting a political Parties law that secures transparency and equality, and enhances the democratic practice.¹⁹

10. JS1 recommended amending Article 38 of the constitution to guarantee the right of media access to information and dissemination without obstacles.²⁰ JS11 recommended speeding up the amendment of the law of the rights of journalists in line with the freedom of the media and the press in line with its constitution and international standards.²¹

11. JS1 observed obstacles facing NGOs' and recommended activating the law No. 12 and issuing a new law for financing NGOs.²²

12. JS10 recommended amending the discriminatory articles against women contained in the Iraqi penal code, no. 111 of 1969 and adopt the Law Against Domestic Violence in line with existing penal codes.²³

13. JS7 noted human trafficking increased as a result of the deteriorating security and recommended passing anti-trafficking law and that prevent the exploitation of children and women in sex trade, and review laws and regulations, programmes and practices that address exploitation and adopt effective measures to reduce this phenomenon.²⁴

14. JS12 recommended harmonizing national laws with OP-CRC-SC and OP-CRC-AC and enforces its application on the ground. It recommended amending Article 41/I of the Iraqi Penal Code No. 111.²⁵

15. JS2 recommended enacting health insurance law based on Article 30 of the constitution.²⁶

3. Institutional and human rights infrastructure and policy measures

16. AI, Alkarama and JS6 pointed out that the National High Commission for Human Rights (NHCHR) is not operating in accordance with the Paris Principles due to the lack of legal safeguards for its independence and the interference of the executive power and recommended strengthening the political and financial independence.²⁷ JS5 and JS6 reported that the Commission of Human Rights in KRG does not have an administrative and financial independence hence not in compliance with the Paris Principles.²⁸

17. JS11 observed that despite accepting recommendations concerning the respect of minimum standards and to reduce the application of death penalty, the Penal Code and other laws were not expedited through the National Plan for Human Rights for revision.²⁹

18. JS10 recommended the Council of Ministers to endorse the National Action Plan (NAP) released in February 2014 by the Ministry for Women's Affairs for the implementation of Security Council resolution (SCR) 1325 concerning women's participation in decision-making, particularly at the National Reconciliation Committees, and protection from violence in armed conflict.³⁰

19. JS6 noted the need to expedite the enactment of pending laws and in particular Article 125 thereof and to formulate a national strategy to protect and promote the rights of minorities and allocate necessary resources to that effect.³¹

20. IHCHR noted the failure in forming the Supreme Council for Child Welfare, and the lack of strategy to protect children.³²

21. JS4 reported the scale of corruption and recommended developing strategies to combat unemployment and inflation.³³

B. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

22. Alkarama stated that Iraq has yet to report to the Committee against Torture as well as other overdue reports.³⁴

23. JS12 recommended submitting CRC periodic reports in a timely manner.³⁵

2. Cooperation with special procedures

24. Alkarama and OJCI recommended Iraq to receive visits by the Special Procedures working on human rights defenders, extrajudicial execution, enforced disappearance, torture and independence of judges and to improve the quantity and quality of replies to the

Special Procedures regarding individual communications.³⁶ GICJ, GFIW, OJDI and AHRDI requested the Human Rights Council to reinstate the position of Special Rapporteur for Iraq to ensure that all human rights violations are investigated.³⁷

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

25. HRW, JS10 and JS2 noted that Article 41 of the constitution of 2005 emphasizes that the Iraqis are free to abide by personal statutes according to their religion, faith and beliefs. They were concerned that if the Jaafari draft personal status law, which was endorsement by the Council of Ministers based on Article 41 of the constitution, was passed by the Parliament it will legislate inequality, reinforce sectarianism and lowered age of marriage to 9 years, and recommended its annulation.³⁸

26. MRG noted that Iraq has failed to implement measures to address the structural causes of discrimination. Black Iraqis, face systematic discrimination in all aspects of public life. Black Iraqis and the Roma are also disproportionately unemployed.³⁹

27. JS6 observed that minority women face multitude of challenges, particularly the widows face discriminatory practices in obtaining official documents and accessing government aid as well as the continued practice of honor killings.⁴⁰

2. Right to life, liberty and security of the person

28. IHCHR, GICJ and ICHR noted the continuous use of death penalty without limiting its scope or restricting its use.⁴¹ GICJ and ICHR reported that the anti-terror law passed in 2005, approves the death penalty for a multitude of offenses, most of which do not constitute “most serious crimes”,⁴² most executions targeted political opponents charged with terrorism under the Anti-Terrorism Law.⁴³ AI stated that death penalty is used extensively, as 367 detainees have been executed since 2010.⁴⁴ JS3 and JS5 noted that the application of death penalty is exceptionally broad.⁴⁵ Alkarama stated that arbitrary executions occurred with unacceptable risk of judicial miscarriage and lack of transparency regarding the implementation of executions, make it a necessity to immediately adopt a moratorium as they recorded the flawed judicial procedures, raising concerns that the judicial system is incapable of guaranteeing defendant’s rights to a fair trial.⁴⁶ AI and Alerada stated that capital punishment are applied on detainees after grossly unfair trials and based on confessions obtained under torture or other ill-treatment.⁴⁷ AI, JS2, Alerada and JS3 recommended Iraq to announce an official moratorium on death penalty.⁴⁸ OJDI called for immediately halting all executions unless a fair trial can be guaranteed.⁴⁹

29. JS5 and Alerada were concerned that Article 287 of the Penal Code contains many crimes which are not serious that are punishable by death penalty, in addition to imposing the implementation of this penalty for the pregnant woman, four months after giving her birth and recommended replacing it with life imprisonment.⁵⁰

30. AMSI reported that according to hospital records the bombing of the cities of Ramadi, Fallujah, Karma, Saqlawiya, Tarmiya, Yousifiya, Buhriz resulted in the killing of about 1500 civilians and wounding over 5,000 during first quarter of 2014.⁵¹ AMSI and Alerada noted loss of housing due to security situation resulting in displacement.⁵²

31. RWB observed that Journalists are among the leading victims of resurgence in sectarian violence.⁵³ Alerada, JS8 and JS5, JS11 and IHCHR observed the growing incidents of threats, targeting and assassination of journalists.⁵⁴ RWB and JS8 reported the killing of at least 14 journalists in the second half of 2013 and early 2014.⁵⁵ JS11 recommended

taking measures to prevent attacks on journalists including in KRG and confiscate their instruments and to speed up licensing media organizations.⁵⁶

32. AI reported that judges, lawyers, and other court officials were exposed to attacks and received death threats by armed groups opposed to the government. Also lawyers defending alleged members of armed groups charged with terrorist offences have also been murdered, intimidated or attacked by unidentified assailants. They frequently receive anonymous death threats communicated by phone or text message and some have been targeted for murder.⁵⁷

33. Alkarama recommended taking concrete measures to end enforced disappearance and to establish the fate and whereabouts of missing persons.⁵⁸

34. AI, JS11, HRW and Alkarama concluded that torture and ill-treatment of detainees are widespread in Iraq including KRG and recommended putting an end to torture⁵⁹ AI noted that there were 269 deaths in custody between 2010 and 2012 caused by torture and ill-treatment.⁶⁰ GICJ and JS11 stated that the use of torture increased particularly by the ministry of interior counter terrorism office.⁶¹ JS2 reported that in 2010 the ministry of human rights documented 653 cases of torture.⁶² Alerada recommended amending the Penal Code to criminalize torture, inhuman and degrading treatment of detainees and improving prisons conditions, rehabilitation of prisoners and enacting a law regulating the visit of civil society organizations to prisons.⁶³ In KRG, IHCHR confirmed receiving a number of complaints of torture and ill-treatment particularly in police stations and centres of the security forces.⁶⁴

35. JS13 stated that thousands are at risk of violence and discrimination as a result of their sexual orientation, gender identity, or nonconformist social behaviour. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) people are viewed by extreme fundamentalists as violating religious tenets and wage systematic campaigns of discrimination, violence, torture, and killing against them with impunity. They noted the vaguely worded clause of Article 409 of the Penal Code, which bans materials that “violate the public integrity or decency.” Under the law, those convicted of sodomy are treated as dangerous criminals not entitled to amnesties or pardon. Gay men report frequent mistreatment by police including, “blackmail, torture, sexual abuse and theft.” They recommended combating homophobia, transphobia and misconceptions regarding LGBTI and emo persons; undertake legal and institutional reforms; ensure accountability, and prosecute those who advocate religious or other forms of hatred, hostility or violence against persons based on sexual orientation or gender identity.⁶⁵

36. IHCHR observed that multiplicity of agencies exercising supervision of prisons and detention centres such as the Ministries of Interior and Labour, Defence and Justice, in violation to the law, with prisons and detention centers that lack the Minimum Standard for the Treatment of Prisoners including in KRG.⁶⁶ HRW noted that female detainees suffer from overcrowding and lack sufficient access to female-specific health care.⁶⁷

37. GICJ observed an increase in arrests on suspicion of involvement in terrorist activity, however most arrests were arbitrary, sectarian and politically motivated, especially those conducted by the Minister of Interior, Counter-Terrorism Directorate and the Ministry of Defence.⁶⁸ ICHR reported on al-Hawija massacre in April 2013 that killed 60 and wounded 300 protesters. In December 2013, Iraqi forces attacked a protest camp in Ramadi, killing 17 people; in August 2013 the numbers of arrests reached 1,500, most of them were arbitrary despite that these were on-going peaceful protests for almost a year.⁶⁹ JS5 and JS2 recommended improving the conditions of detention facilities and treatment of prisoners in accordance with international standards.⁷⁰

38. GIEACPC recommended that introducing legislation to prohibit all corporal punishment of children in the home, alternative care settings, schools and penal institutions.⁷¹

39. GFIW reported that sexual abuse of female prisoners is not confined to Abu Ghraib prison as women were repeatedly subjected to rape and sexual assault in Iraqi detention centres.⁷²

40. JS10 recommended the activation and legislation of laws that protect widows from sexual harassment and coercive marriage, and the increase of financial allocations for widows and disabled women; and halt forcing minors to convert to the religion of the parent that has converted to Islam.⁷³

41. HRW stated that despite the adoption of the counter-trafficking law, women remain vulnerable to exploitation due to governmental disregard and financial hardship.⁷⁴ JS12 recommended continued use of anti-trafficking law to prosecute human trafficking offenses, including complicit government employees and refer victims to protection services.⁷⁵ JS12 recommended taking steps ending forced and temporary marriages that entrap girls in sexual and domestic servitude.⁷⁶

42. UNPO recommended taking steps to counter the rise of sectarian violence, and to pay specific attention to attacks on religious minorities and to bring perpetrators to justice.⁷⁷

3. Administration of justice, including impunity, and the rule of law

43. IHCHR and JS8 noted that despite progress made in the independence of the judiciary, judges, lawyers and judicial officials continue to face pressure, and some were killed. They recommended strengthening the independence of the judiciary and the training of judges.⁷⁸ GICJ stated that the corruption in the administration of justice undermines the credibility of justice system.⁷⁹ JS5 observed Articles (49, 50, 51, 52 and 53) of the Penal Procedural Law result in human rights violations particularly in trial procedures and delays in rulings.⁸⁰ AI and HRW noted that the criminal justice system operates under very difficult circumstances and has become riddled with corruption. They recommended combating corruption within judiciary.⁸¹ HRW and Alkarama recommended reforming the judiciary to ensure its independence from the executive by investigating assassinations and threats against judicial officials.⁸²

44. AI, HRW, Alkarama and JS3 recommended investigating allegations of torture, ill-treatment and death in custody impartially and to hold perpetrators accountable and end impunity.⁸³ LLG called for investigations with regard to allegations of torture and ill treatment against detainees and gender based violence against females.⁸⁴

45. Alkarama, JS11, HRW, JS8, JS4 JS2, and JS11 reported that both the Iraqi Government and KRG failed in providing a safe environment for journalists and protestors and to hold accountable those responsible for attacks. They called for investigations and recommended the facilitation of registration of new media outlets and stop the closure of press and media institutions.⁸⁵

46. HRW and JS3 noted widespread arbitrary detention in Iraq's secret prisons, such as Camp Honor, where detainees are interrogated and held without charge or being presented to a judge.⁸⁶ Alkarama observed the lack of safeguards to excessive pre-trial detention; unfair trials and based on confessions extracted under torture.⁸⁷ OJDI reported that confessions remained the cornerstone of criminal prosecution, and torture continues to be systematic.⁸⁸ HRW and Alkarama recommended ensuring that persons taken into custody benefit from fair legal proceedings.⁸⁹

47. JS11 was concerned with the violations regarding the rights of the accused during investigation and trial.⁹⁰

4. Right to privacy, marriage and family life

48. UNPO recommended amending and adapting the Personal Status Law and Civil Status Law to give fair and equal treatment to all citizens, including women and those of religious and ethnic minorities.⁹¹

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

49. JS1 was concerned that stating the religion of the person in the identity cards has caused killing and displacement of thousands of citizens belonging to religious minorities. They recommended enacting laws and regulations to overcome divisions in society and also by removing the religious field in the identity cards.⁹²

50. AHRDI noted that although Article 38 (3) of the Iraqi constitution guarantees the right to freedom of assembly and demonstration, yet the Ministry of Interior has to approve every request for peaceful demonstrations.⁹³ HRW, IHCHR and Alkarama pointed out that the peaceful demonstrations were violently dispersed and excessive force was used by security forces in Hawijah, a demonstration camp, during April 2013 and security forces opened fire during demonstrations in Arbil and Sulaimaniya in 2011 resulting in many deaths of protestors. They recommended putting an end to the use of excessive force against demonstrators, and investigate such attacks and to cancel provisions requiring permission to demonstrate.⁹⁴ HRW stated that demonstration permits were not granted to protestors seeking to demonstrate against corruption and worsening security.⁹⁵

51. RWB, JS2 and JS8 reported that one of the leading dangers is the amended Publications Law 206, adopted in 1968 and still in effect. It provides for sentences of up to seven years in prison for “publicly insulting the government.”⁹⁶ JS4, JS2 and JS8 also observed that the Journalist’s Rights Law limited the freedom of newspapers and other media and called for withdrawal of the entire bill on IT crimes, and to speed-up enacting a freedom of expression and assembly law.⁹⁷

52. JS1 and JS5 identified obstacles affecting the integrity of the electoral process such as lack of measures to prevent organized fraud, interference in the work of IHEC, and recommended population census.⁹⁸ JS8 observed violations and deficiencies in the electoral process particularly in KRG and recommended amending and revising the instructions and laws to comply with international standards for free and fair elections and full independence of the Independent High Commission for Elections.⁹⁹ UNPO recommended combating electoral fraud and encourage participation by ethnic and religious groups.¹⁰⁰

53. JS10 reported that few women occupy positions in the NRC and recommended increasing the number of seats allocated to women at the Council of Representatives and provincial councils including in the judiciary.¹⁰¹ JS2 recommended broadening the participation of women in leadership positions in line with SCR 1325.¹⁰²

54. JS9 stated that the quota systems along with discriminatory hiring practices affected the equal enjoyment of their right to take part in public affairs of the Assyrian Christians and recommended amending the election laws to guarantee proportional representation of minorities and ensure that Assyrian Christians are adequately represented in all levels of unelected public service positions, including police and security forces.¹⁰³ MRG noted that there are insufficient parliamentary reserved seats as the electoral law regulating the 2014 elections reserved 8 seats in the 328-member Council of Representatives for minorities: five for Christians and one each for the Sabeen-Mandaeans, Yezidis and Shabak. This contravenes a June 2010 Iraqi Federal Court ruling requiring that the number of seats reserved for the Yezidis be increased in proportion to their population. Turkmen and Yezidis do not have a reserved seat in the council in KRG, and Black Iraqis do not have a reserved seat in either legislature.¹⁰⁴

6. Right to work and to just and favourable conditions of work

55. JS12 observed failure in implementing certain provisions of the Labor Law No. 71 concerning children on employers¹⁰⁵ JS2 recommended the department of Labor and Social Security to intensify periodic visits to work sites to prevent child labor and to prevent the exploitation of street children.¹⁰⁶

56. JS6 reported that many stores of religious minority groups had been targeted and they were prevented from practicing their business.¹⁰⁷

7. Right to social security and to an adequate standard of living

57. JS4 called for the setup of a social security fund in proportion with the huge financial revenue of the state and endorses the social security law in order to secure a decent life for all citizens and to ensure social justice.¹⁰⁸ Alerada called for increasing the support for social protection network for the unemployed, widows, orphans and divorced women and people with low-income and special needs.¹⁰⁹ MRG reported that the parts of the disputed regions where minorities are concentrated are severely neglected in terms of public services. Yezidis have shortages in health services and hospitals, lack adequate housing and suffer from disproportionate high poverty rates. Members of the Shabak community in Ninewah reported difficulty in accessing clean water, electricity, housing, healthcare and other services.¹¹⁰

8. Right to health

58. Alerada stated that Iraqi children suffered over two decades from lack of nutrition and increased rates of stunting (height relative to age), as 21.4% children under five years have suffered from stunting.¹¹¹

59. JS4 recommended an increase of health sector budget by 10 percent and increase in healthcare centres and hospitals while endorsing the health insurance law.¹¹² GFIW recommended immunisation programmes for children and enforcing family planning to achieve a substantial reduction of the IMR.¹¹³

60. IHCHR highlighted the lack of medical staff working in health institutions. In KRG a small number of government health institutions, lack of health supplies and medical staff were noted.¹¹⁴

9. Right to education

61. IHCHR, JS4 and Alerada observed the low expenditure on education and noted the challenges of insufficient number of school buildings and the need for maintenance. They noticed the absence of reliable statistics on illiteracy rates and recommended giving priority to the education sector by increasing the financial allocation and activate the Law on Compulsory Schooling in the elementary stages.¹¹⁵ GFIW reported that throughout the past four years, the number of girls receiving primary education has declined.¹¹⁶ JS10 observed the lack of enforcement of the Education Law and in the reduction of the gender gap for illiteracy.¹¹⁷

62. JS12 urged providing appropriate and sufficient school buildings and to introduce advanced educational methods and provide school meals, cash allowance, and recreational facilities especially in rural areas.¹¹⁸

10. Cultural rights

63. UNPO recommended providing adequate funding and support for both foreign and domestic archaeologists to preserve Iraq's cultural heritage.¹¹⁹

64. JS6 observed that the curriculum lacks the education to the community of the culture and information about Iraqi minorities.¹²⁰ MRG noted that where educational facilities exist, children from minority groups are often denied the right to be taught in their own languages.¹²¹

11. Persons with disabilities

65. IHCHR noted the accession to the CRPD, as well as the adoption of the Welfare Act of persons with disabilities and special needs. IHCHR remained concerned of continued suffering of people with disabilities particularly with regard to the lack of institutional infrastructure as well as the lack of schools and rehabilitation programmes and means of education, access to health, employment opportunities. They observed the increase in the number of people with disabilities as a result of the terrorist attacks and the failure to allocate a special budget to help cover those needs.¹²²

12. Minorities

66. MRG stated that Iraq has so far failed to enact a law implementing Article 125 of the Constitution that guarantees “the administrative, political, cultural, and educational rights of the various nationalities, such as Turkmen, Chaldeans, Assyrians, and all other constituents”.¹²³ Alerada and JS11 reported that despite the recognition of equal rights in the Constitution, many minorities continue to suffer and recommended revising the curriculum to enhance knowledge of Iraq minorities.¹²⁴

67. MHRG documented hate speech against Mandaeans with many cases of kidnappings of community leaders, extortion, burning their worshiping places. They urged Iraq to investigate, prosecute, and punish those crimes and to improve the justice system.¹²⁵

68. ECLJ reported that Christians are routinely forced to flee their homes, kidnapped, attacked, and murdered, while their places of worship were also attacked. It called for protecting them and prosecutes perpetrators so they are able to worship freely.¹²⁶ JS11, JS9 and MRG recommended developing policies and security measures to protect those places. They called for strengthening the participation of minorities in decision-making.¹²⁷ JS6 noted that representation of minorities at the federal level and in KRG in decision-making positions is almost non-existent, such as in the field of diplomatic, military, and the ministerial level.¹²⁸ MRG also observed the absence of minority at high-level posts, especially in security and police forces, and underrepresentation in public employment. Minorities living in the KRG region, and disputed areas under the de facto control of the Kurdish security forces, report wide-spread discrimination in access to employment and public services. Yezidis, Christians, Shabak and Turkmen face arbitrary arrest, assault, harassment, seizure of property and marginalization.¹²⁹

69. MRG and UNPO considered certain laws, especially those in relation to the Personal Status Code are still problematic in various cases as article 20 (2) of the Civil Status Law of 1972 and article 17 the Personal Status Code of 1959 contains clauses discriminating against religious minorities.¹³⁰ MRG urged Iraq to ensure that minorities have equal access to services and employment opportunities; repeal all legislation contradicting the constitutional provisions relating to freedom of religion and end the discrimination against Baha’is with regard to citizenship and identity documents¹³¹ JS2 and JS6 recommended establishing a Commission to combat discrimination to safeguard the rights of minorities.¹³²

70. MRG reported that minorities face barriers in accessing all levels of education. Black community and Roma villages do not even have primary education facilities and parents cannot register their children. Many Turkmen schools do not receive financial assistance from the Ministry of Education. Yezidis do not have any colleges or universities in their areas, and students are subjected to threats and intimidation.¹³³

13. Migrants, refugees and asylum seekers

71. Alerada observed that refugees suffer from difficult humanitarian conditions.¹³⁴

72. HRW mentioned that over 222,500 Syrian refugees had fled to Iraq since the conflict began in Syria, and since August 2012 Iraq closed the al-Qa'im border crossing which resulted in stranding nearly 5,000 Syrians in al-Qaim without access to food, medical and other humanitarian assistance¹³⁵ HRW recommended facilitating refugees' access to assistance and protection in Iraq.¹³⁶

14. Internally displaced persons

73. JS10 and Alerada noted that women witnessed, at the end of 2013, a large wave of displacement of families mainly in Al Anbar governorate because of the military operations, where 531,000 people were displaced from Al Fallouja and Ramadi. The number of displaced women was 250,000. The parliamentary committee for the displaced has revealed that the number of displaced families for the year 2013 amounted to 11,433 families.¹³⁷ HRW recommended developing a national plan to provide assistance and compensation for IDPs and returnees in accordance with the UN Guiding Principles on Internal Displacement.¹³⁸

74. UNPO recommended cooperating with UNHCR to provide support and help to the large number of IDPs in Iraq.¹³⁹

15. Right to development, and environmental issues

75. AMSI observed the lack of realistic development plans, the complete absence of basic services such as drinkable water, health care, education and the rise of unemployment despite an annual budget of no less than 100 billion US dollars.¹⁴⁰

76. GFIW noted that Iraq is suffering from a high toxic level of lead, mercury contamination and depleted uranium pollution in many regions. GFIW and JS12 observed that as a result of the use of internationally prohibited weapons in Iraq, they suffer from many health issues, such as cancer with a high infant mortality rate, with the government not taking sufficient actions in this regard.¹⁴¹

16. Human rights and counter-terrorism

77. AI, JS3, Alkarama and JS11 stressed their concerns about the broad provisions and the absence of fair trials and the wide application of Article 4 of the 2005 Anti-Terrorism law to accelerate executions to demonstrate their efforts to protect civilians against terrorism and attacks by armed groups since 2008.¹⁴²

78. Alerada, Alkarama, HRW and JS3 recommended amending the Anti-Terrorism Law to prevent broad application of its provisions and ensure that charges brought under the law are subject to transparent and strict review by independent Iraqi courts to prevent abuse and misapplication.¹⁴³ AHRDI recommended that the SR on Human Rights While Countering Terrorism to encourage the government to amend the Anti-Terrorism Law.¹⁴⁴

79. HRW reported cases in which women are detained, beaten, tortured, and sexually abused by the security forces as a means of intimidating or punishing male family members suspected of terrorism.¹⁴⁵

17. Situation in, or in relation to, specific regions or territories

80. HRW and IHCHR observed that KRG witnessed the use of force in dispersing a number of protests, which led to a number of killings or wounded others, for example in the province of Sulaymaniyah. Journalists were also subjected to murder, beatings, arrests and

humiliation during their performance of their duties and their headquarters of satellite channels and radio stations were burnt and destroyed by unknown actors.¹⁴⁶ Alerada, JS8 and JS5 observed that journalists in the KRG were imprisoned and prevented from working in a free of fear environment, in violation to the law of the press. They recommended enacting or amending a law regulating their work, providing protection and achieving immunity in performing their duties.¹⁴⁷ JS11 reported that human rights defenders in KRG suffered assassination attempts, death threats and harassment by the security services. They recommended enacting a law to protect them, and bring the perpetrators to justice.¹⁴⁸ LLG recommended KRG to protect the rights to freedom of expression.¹⁴⁹

81. Al-Masalla and JS12 observed challenges in implementing the Law on Combating Domestic Violence in KRG as it was not sufficient to protect victim with more than 3400 complaints lodged in the first 8 months of 2013.¹⁵⁰ HRW observed that FGM is still occurring in KRG, despite the adoption of the Family Violence Law criminalizing gender-based violence and honor killings. HRW recommended implementing provisions of the Law to eliminate those practices and to investigate gender-based violence, in particular “honor crimes”.¹⁵¹

82. JS10 recommended eliminating harmful traditional practices and stereotypes such as early marriage, temporary marriage, and honour crimes, and amending the related penal codes. JS10 noted wide spread of FGM among Kurdish women in the city of Erbil.¹⁵²

83. JS5 and JS10 reported a number of honour killings and noted the discriminatory Articles in the Iraqi penal law code and recommended the annulment of Articles 128, 130 & 131 of the penal law to ensure that the perpetrators do not benefit from extenuating circumstances under the pretext of ‘honour’, while acknowledging progress made, they encouraged KRG to continue to address this phenomenon and punish the perpetrators.¹⁵³ JS10 and JS2 also recommended the adoption of a comprehensive strategy to eliminate violence against women and all harmful practices and stereotypes in KRG.¹⁵⁴

84. JS10 noted large increase in the cases of violence throughout KRG, especially in Duhok in 2013, compared to 2012.¹⁵⁵

85. JS9 reported attacks on Assyrian Christians and stated incidents of attacks in the KRG of religiously motivated violence against religious minorities.¹⁵⁶

86. MRG urged KRG to take immediate action against State officials and others who discriminate against members of minorities for choosing not to identify themselves as Kurds or affiliate themselves with Kurdish political parties.¹⁵⁷

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

*Civil society**Individual submissions:*

AI	Amnesty International, London, United Kingdom;
Alkarama	Alkarama for Human Rights, Geneva, Switzerland;
Al-Masalla	Al-Masalla Organization for Human Resources Development;
AHRDI	Association of Human Rights Defenders, Iraq;
Alerada	Alerada organization for Relief and development, Iraq;
AMSI	Human Rights Division at the Association of Muslims Scholars, Iraq;
ECLJ	European Centre for Law and Justice (ECLJ), Strasburg, France;
GFIW	General Federation of Iraqi Women (GFIW), Iraq;
GICJ	Geneva International Centre for Justice (GICJ), Geneva, Switzerland;
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London, United Kingdom of Great Britain and Northern Ireland;
HRW	Human Rights Watch, New York (USA);
ICHR	Iraqi Committee for Human Rights, Iraq;
LLG	London Legal Group, London, United Kingdom and Northern Ireland;
MADRE	MADRE, New York, United States of America;
MHRG	Mandaeen Human Rights Group, New Jersey, United States of America;
MRG	Minority Rights Group International, London, United Kingdom;
OJDI	Organization For Justice & Democracy (OJDI), Iraq;
RSF/RWB	Reporters without Borders, Geneva, Switzerland;
UNPO	Unrepresented Nations and Peoples Organizations, The Hague, Netherlands;

Joint submissions:

JS1	<p>Joint submission 1 submitted by Coalition of Freedoms: Kurdish Human Rights Watch (KHRW), Karbala, Iraq; Public Aid Organization (PAO), Erbil, Iraq; Kurdistan Youth Empowerment Organization, Erbil, Iraq; Kirkuk social and cultural association, Kirkuk, Iraq; Vin Organization for child protection, Iraq, Gender Studies Center, Iraq; Human Rights Trainers League, Iraq; Yalla Shabab league, Iraq, Students Association for Human Rights, Iraq; Women Rehabilitation Institute, Iraq; Women for peace Association, Iraq; Babil Center for Human Rights, Iraq; Iraqi Women and Child Association, Iraq; Women Human Rights Center, Iraq; Al-Rafidain Association for Human Rights, Iraq; Future Women for Development Organization, Iraq; Al-Fajr Al-Jadid Organization, Iraq; Disables Rights Association, Iraq; and Kurdish Women forum, Iraq;</p> <p>المنظمات الشريكة في تحالف الحريات: مراقبة حقوق الانسان الكردية، منظمة حقوق الانسان النجدة الشعبية، منظمة تمكين الشباب الكردستانية، منظمة الكردستانية، جمعية تنمية الثقافية و الاجتماعية في كركوك، منظمة فين لحماية طفولة، مركز معلومات ودراسات الجندرية، رابطة مدربي حقوق الانسان، رابطة يلا شباب، جمعية الطلابية لحقوق الانسان، مؤسسة تأهيل المرأة، جمعية نساء من أجل السلام و الاصلاح، مركز بابل لحقوق الانسان و التطوير المدني، جمعية المرأة و الطفل العراقية، مركز حقوق المرأة الإنسانية، جمعية الرافدين لحقوق الانسان في العراق، منظمة نساء المستقبل للتنمية، منظمة الفجر الجديد، جمعية حقوق المعوقين، منتدى المرأة الكردية</p>
JS2	<p>Joint submission 2 submitted by: Al Rasheed Institute for Human Rights, Al-Daleel Center for Development, Association of Victims of the American Occupation Prisons in Iraq, Azmoon Org, Babylon centre for Human Rights and Civil Development, Baghdad Women's Association, BCF, Civil Society Initiative, Hadya Association for</p>

- Human Rights and Development of Iraqi Community, Human Rights Center in Iraq/Kirkuk, Human Rights Organization, Women's Human Rights Center, Iraqi Al-Amal Association, Iraqi Association for Human Rights, Iraqi Institute for Development, Iraqi Institute for Human Rights, Iraqi Woman and Children Rights Center, Kofan organization for human right and democracy, Mala'ekat Alrahma for Special Needs People, Public Aid Organization, Public Development Association, Sawa Organization for Human Rights, The Human Rights Institute and Civil Society, The Observer for Human Rights Center, Women Empowerment Organization, Yanabee Al Khair Society in Bashiqa, Yazidi Solidarity and Fraternity League, Iraq;
- JS3 Joint submission 3 submitted by: The Advocates for Human Rights, The World Coalition Against the Death Penalty and the Iraqi Coalition Against the Death Penalty, Iraq;
- JS4 Joint submission 4 submitted by: Alliance for Rights "Houqoq" which includes: Tammuz Organization for Social Development (TOSD), Iraqi Council for Peace and Solidarity (ICPS), Information Center for Research and Development, National Union for Iraqi Journalists (NUIJ), Press Freedom Advocacy Association in Iraq, Ufouq Organization for Human Development, the Association of the Engineering Profession, and the Organization of Iraqi Women for Peace and Democracy, Iraq;
- JS5 Joint submission 5 submitted by: Kurdish- Association of Human Rights trainer, Human Rights Trainers League, Public Aid Organization, Hawl Organization for criminal phenomenon researching, Gender Studies Center, Kurdistan Human Rights Organization, Iraq;
- JS6 Joint submission 6 submitted by: "Iraqi Minorities Initiative" Civil Coalition for Minorities, Al-Masalla Organization for Human Resources Development, Un Ponte Per (UPP) and Iraqi Minorities Initiative; المنظمات التي ساهم في كتابة التقرير
رابطه مدربي حقوق الانسان في العراق، منظمة النجدة الشعبية، منظمة المعلومات والدراسات الجندرية، مركز حقوق الانسان - دهوك، منظمة هوال لحماية المتضررين النفسي.
- JS7 Joint submission 7 submitted by: Public Aid Organization, Gender Studies Center and Al-Rafeedain Coalition of Women, Iraq; المنظمات التي ساهم في كتابة التقرير ضمن تحالف المنظمات لمكافحة الاتجار بالبشر: منظمة النجدة الشعبية، مركز دراسات و المعلومات الجندرية، تحالف نساء الرافدين.
- JS8 Joint submission 8 submitted by: "MENA coalition on freedom of expression" Iraqi Minorities Initiative, Organization of the obelisk to the development of human resources and organization Un Ponte Per ... (UPP) and in cooperation with the initiative of solidarity with the Iraqi civil society (ICSSI); المنظمات التي ساهم في كتابة التقرير: جمعية الدفاع عن حرية الصحافة، مؤسسة Un , سمارة لتطوير الاعلام والقانون، منظمة المسلة لتنمية الموارد البشرية، Ponte Per
مبادرة التضامن مع المجتمع المدني العراقي، معهد روزا باركس للاعنف وحقوق الانسان، منظمة السلام والحرية، منظمة نعمل معكم.
- JS9 Joint submission 9 submitted by: Assyrian Universal Alliance - Americas Chapter , Hammurabi Human Rights Organization (HHRO) and the Nineveh Center for Research and Development (NCRD), Iraq;

- JS10 Joint submission 10 submitted by: The Coalition for Combating Discrimination against Women: Baghdad Women's Association, the Yazidi Solidarity and Fraternity League, Iraq, Mezan Association for Human Rights, the Human Rights Organization in Kurdistan, Daleel Organization for Development, Women Empowerment Organization, the Forum of Love and Peace for Students and Youth, and Rassed Center for Human Rights, Iraq;
- JS11 Joint submission 11 submitted by: "Insan Alliance", the Training Association for Human Rights, Yezidi solidarity and fraternity league, Sawa Organization for Human Rights, Association for the Defense the rights of journalists and the Organization of studies and gender information, Iraq;
"تحالف إنسان" لحقوق الإنسان يضم في عضويته كل من: رابطة المدربين لحقوق الإنسان، رابطة التأخي والتضامن اليزيدية، منظمة سواة لحقوق الإنسان، جمعية الدفاع عن حقوق الصحفيين، و منظمة الدراسات والمعلومات الجندرية.
- JS12 Joint submission 12 submitted by: ICRN/ Iraqi Child Rights Network, which includes 55 specialised NGO on the rights of the child, Iraq.
- JS13 Joint submission 13 submitted by: The International Gay and Lesbian Human Rights Commission (IGLHRC), New York, United States of America, Feminist Alliance Realizing Sexual and Reproductive Justice – Resurj, Santa Clara Law School's International Human Rights Clinic, Tonga Leitis' Association (TLA)- Tonga and Pacific Sexual Diversity Network (PSDN) – Tonga.

National human rights institution(s):

IHCHR Iraqi High Commissioner for Human Rights; Baghdad; Iraq.

² The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CPED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Alkarama, p. 3 and AI, p. 4.

⁴ Alkarama, p. 3, AI, p. 4, JS5, p. 7 and Alerada, p. 6.

⁵ JS6, p. 2.

⁶ ICHR, p. 5 and OJDI, p. 5.

- 7 Alerada, p. 8 and JS5, p. 8.
8 JS4, p. 4.
9 UNPO, p. 6.
10 JS12, p. 3 and JS6, p. 1.
11 IHCHR, p. 4 and JS10, p. 2. Alerada, p. 8, UNPO, p. 6, and JS5, p. 8. ¹² JS10, p.1.
13 Alkarama, pp. 3-4, JS3, p. 4 and AI, p.4.
14 JS5, p. 2.
15 JS1, p. 1, 2.
16 Alerada, p.2.
17 ICHR, p. 5, JS11, p. 1 and OJDI, p. 5.
18 JS11, p. 1, 2.
19 JS4, p. 2, JS1, p. 9, 10, JS5, p. 6, and JS11, p. 5-6.
20 JS1, p. 6.
21 JS11, p. 5.
22 JS1, p. 7, 8.
23 JS10, p. 2.
24 JS7, p. 3-4.
25 JS12, p. 3.
26 JS2, p. 7.
27 Alkarama, p. 3, AI, p.2, 4 and JS6, p. 2.
28 JS5, p. 3 and JS6, p. 2.
29 JS11, p. 2.
30 JS10, p. 2.
31 JS6, p. 2.
32 IHCHR, p. 5.
33 JS4, p. 4.
34 Alkarama, p. 3 and 4.
35 JS12, p. 3.
36 Alkarama, p. 4.
37 GICJ, p. 5, GFIW, p. 5, OJCI, p. 5 and AHRDI, p. 4.
38 HRW, p. 4, 6, JS10, p. 2, 5 and JS2, p. 4.
39 MRG, p. 2.
40 JS6, p. 6.
41 IHCHR, p. 3, GICJ, p. 1, 2, 3 and ICHR, p. 3.
42 GICJ, p. 1, 2, 3 and ICHR, p. 3.
43 GICJ, p. 1, 2, 3 and ICHR, p. 3.
44 AI, p.2.
45 JS3, p.3.
46 Alkarama, p.5.
47 AI, p.3 and Alerada, p. 2, 3.
48 AI, p.5, JS2, p. 2, Alerada, p. 2, 3 and JS3, p. 9.
49 ICHR, p. 5 and OJDI, p. 5.
50 JS5, p. 4 and Alerada, p. 2, 3.
51 AMSI, p. 1.
52 Alerada, p. 10 and AMSI, p. 1.
53 RWB, p. 1.
54 IHCHR, p. 5, Alerada, p. 3, JS8, p. 4 and JS5, p. 5.
55 RWB, p. 3 and JS8, p. 6.
56 JS11, p. 5.
57 AI, p. 4.
58 Alkarama, p. 5, 6.
59 AI, p.3, JS11, p. 1, Alkarama, p.4 and HRW, p.1.
60 AI, p. 3.
61 GICJ, p. 5 and JS11, p. 1.
62 JS2, p. 2.
63 Alerada, p. 6.

- ⁶⁴ IHCHR, p. 2.
⁶⁵ JS13, p. 1-11.
⁶⁶ IHCHR, p. 2, 3. See also JS11, p. 3.
⁶⁷ HRW, p.4.
⁶⁸ GICJ, p. 1, 3.
⁶⁹ ICHR, P. 4.
⁷⁰ JS5, p. 7 and JS2, p. 2, 3.
⁷¹ GIEACPC, p. 1, 2.
⁷² GFIW, p. 2.
⁷³ JS10, p.2.
⁷⁴ HRW, p.4.
⁷⁵ MADRE, p. 11.
⁷⁶ MADRE, p.12.
⁷⁷ UNPO, p. 6.
⁷⁸ IHCHR, p. 3, 4.
⁷⁹ GICJ, p. 4.
⁸⁰ JS5, p. 6.
⁸¹ AI, 5; See also HRW, p.5.
⁸² HRW, p. 5 and Alkarama, p. 3.
⁸³ AI, p. 5, JS3, p. 10, HRW, p.5 and Alkarama, p. 5.
⁸⁴ LLG, p. 1-8.
⁸⁵ HRW, p.3, 5, JS11, p. 4, 5, Alkarama, p.6, JS8, p. 3, 4 5 and 6, JS2, p. 3, 4 and JS4, p. 4.
⁸⁶ HRW, p. 1 and JS3, p. 6.
⁸⁷ HRW, p. 5.
⁸⁸ OJDI, p. 4.
⁸⁹ Alkarama, p. 5, HRW, p. 5, and JS3, p.9.
⁹⁰ JS11, p. 3.
⁹¹ UNPO, p. 6.
⁹² JS1, p.3, 4.
⁹³ AHRDI, p. 2, 3.
⁹⁴ HRW, p.5, Alkarama, p.6 and IHCHR, p. 5.
⁹⁵ HRW, p.3.
⁹⁶ RWB, p. 2, JS8, p. 1 and JS2, p. 3.
⁹⁷ JS2, p. 3, 4, JS8, p. 3 and JS4, p. 4, 6.
⁹⁸ JS1, p. 9, 10 and JS5, p. 6.
⁹⁹ JS8, p. 7.
¹⁰⁰ UNPO, p. 6.
¹⁰¹ JS10, p.3, 13.
¹⁰² JS2, p. 4.
¹⁰³ JS9, P.10.
¹⁰⁴ MRG, p. 4.
¹⁰⁵ JS12, p. 4.
¹⁰⁶ JS2, p. 5.
¹⁰⁷ JS6, P. 5.
¹⁰⁸ JS4, p. 5.
¹⁰⁹ Alerada, p. 10.
¹¹⁰ MRG, p. 5.
¹¹¹ Alerada, p. 9.
¹¹² JS4, p. 6.
¹¹³ GFIW, p. 5.
¹¹⁴ IHCHR, p. 7.
¹¹⁵ IHCHR, p. 7, JS4, p. 7-8 and Alerada, p. 11.
¹¹⁶ GFIW, p. 3.
¹¹⁷ JS10, p.2.
¹¹⁸ JS12, p. 4.
¹¹⁹ UNPO, p. 3, 6.

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- 120 JS6, p. 5.
121 MRG, p. 6.
122 IHCHR, p. 5.
123 MRG, p. 1.
124 Alerada, p. 12, 13 and JS11, p. 6.
125 MHRG, p. 1, 3.
126 ICLJ, p. 1-3.
127 JS11, p. 6 and JS9, p. 1, 2, 5 and MRG, p. 7.
128 JS6, p. 5.
129 MRG, p. 2.
130 UNPO, p. 2 and MRG, p. 3.
131 MRG, p. 7.
132 JS2, p. 6 and JS6, p. 2.
133 MRG, p. 6.
134 Alerada, p. 12.
135 HRW, p. 2.
136 HRW, p. 5.
137 JS10, p. 11 and Alerada, p. 13.
138 HRW, p. 5.
139 UNPO, p. 6.
140 AMSI, p. 1.
141 GFIW, p. 3, 4, 5 and JS12, p. 3.
142 JS3, p. 3. JS11, p. 1 and AI p. 3 and Alkarama, p.6; See also JS3, p. 8, 9.
143 HRW, p. 5, Alerada, p.4, 5, JS3, p. 3 and Alkarama, p. 6.
144 AHRDI, p. 4.
145 HRW, p. 4.
146 HRW, p.3 and IHCHR, p. 6.
147 Alerada, p. 3, JS8, p. 4 and JS5, p. 5.
148 JS11, p. 7.
149 LLG, p. 1, 8.
150 Al-Masalla, p. 1-2 and MADRE, p. 8-9.
151 HRW, p. 4, 6.
152 JS10, p.1, 9.
153 JS5, p. 4 and JS10, p. 7.
154 JS10, p.7 and JS2, p. 4, 5.
155 JS10, p. 8.
156 JS9, p. 4.
157 MRG, p. 7.
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