



**(GFIW)**

**Report to**  
**Human Rights Council**  
**Working Group on Universal Periodic Review**  
**20<sup>th</sup> Session (27 October to 7 November, 2014)**

**Universal Periodic Review of Iraq**

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**General Federation of Iraqi Women (GFIW)**

*GFIW was established on March 4, 1969, non-governmental organization representing Iraq's women irrespective of race, language, social background or religion. Among GFIW goals were to improve the situation of Iraqi women and to marshal their skills in all fields. GFIW is an indivisible part of the movement of women in the Arab homeland and an extension of the international contemporary democratic emancipation movement of women. GFIW endeavours to achieve involvement of the Iraqi woman to undertake their effective role in the struggle of Arab women especially in raising their status, ensuring their enjoyment of equal rights with man in all fields, backing of the family and care for childhood and motherhood. After 2003, GFIW, was targeted by the US occupation Authority in order to prevent it from reporting the human rights violations of the occupation forces against Iraqi women and Iraq people in general. Several members were killed, other jailed and all members were threatened not to resume activities. Nevertheless, and despite all obstacles, GFIW, continue its activities on the situation of Iraqi women and the violations they are facing to their basic right, mainly the right to life, health, education, and work*

## General Federation of Iraqi Women (GFIW)

### Universal Periodic Review of Iraq /the 20<sup>th</sup> Session (27 October to 7 November, 2014)

#### Executive Summary

Unfortunately, rather regress than progress is observed in Iraq in regards to **women's rights** and **right to health** in comparison to the previous period considered by the Universal Periodic Review (UPR). The Iraqi government received numerous recommendations in regards to protection of women's rights and right to health. However, not much has been done during the period of 2010-2014. Abuse of and discrimination against women in Iraq continue to take place due to different reasons. It includes but not limited to the circle of impunity due to corrupt and flawed judicial system, deteriorating public safety, death of many male breadwinners and other. In regards to the right to health, in particular the birth defects, cancer and infant mortality in Fallujah, the state of Iraq fails to address the peculiarities of the situation with the polluted environment and undertake effective measures to fulfil its obligation to ensure protection of and respect for the right to health.

Though pledged, the government of Iraq did nothing since 2010 in regards to around five million Iraqis **displaced** inside Iraq since 2003, out of which about 83 percent are women and children who face strong social stigmas, discrimination and are forced to live in inhumanely poor conditions. The financial hardship, which was a result of the lost breadwinners during the armed conflict, generalised violence and displacement made many Iraqi women even more vulnerable. **Sexual exploitation and trafficking** of women has increased significantly and seems to be the only possibility for many women today to finance themselves and children. Moreover, women are married off into permanent or temporary marriages to find a better life.

The situation of **women in Iraqi prisons and detention centres** indicate serious violations of human rights. The Iraqi criminal justice system often tortures women into confessions, using horrendous measures including rape in front of their relatives and children. When finally charged and sentenced, the women are additionally abused, tortured and raped inside the detention facilities. Moreover, the majority of women are used as a pressuring tool for their husbands, fathers, brothers or sons. The number of **girls attending schools** is declining in Iraq mainly due to traditional attitudes, poor security situation within Iraq, poverty, distance from home to school, early marriage and the need to help with domestic chores and lack of any governmental actions to address these problems. Despite 25% quota system in the Council of Representatives prescribed by the Iraqi Constitution, women are not well-represented in the government and have little impact on political process in a male-dominated society.

Iraq is suffering from a high toxic level of lead, mercury contamination and depleted uranium pollution in many regions, which led to indirect killings. An upsetting number of **birth defects** ranging from congenital heart defects to brain dysfunctions and malformed limbs were reported. There are also a huge number of miscarriages and cancer cases. More disturbingly, they appear to be occurring at an increasing rate in children born in Fallujah. The he rise of **infant mortality** rate is attributed to dissatisfied hygienic requirements; and unfavourable environmental factors, economic conditions, environmental sanitation and medical care. It seems that the government of Iraq has no interest in it. The Iraqi institutions that should ensure protection for women and children are dysfunctional and unreliable.

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## The report

### Women's Rights in Iraq

#### Displaced women and war widows

The government of Iraq did not undertake any effective measure during 2010-2014 to address the issues of around 5 million Iraqis displaced inside Iraq since 2003, out of which about 83 percent are women and children. They face strong social stigmas, discriminated and forced to live in inhumanely poor conditions. About 33% of displaced widowed women have not received any humanitarian assistance; 76% of widows do not receive a pension and sometimes are forced to go into temporary marriage with one of the bureaucrats who distribute the funds.<sup>1</sup>

Due to the widespread corruption, the need of help often results in sexual exploitation. Our findings from the ground indicate that many war widows have become prostitutes to support their families or see themselves coerced into “temporary marriages” — relationships sanctioned by tradition, often based on sex, which can last from an hour to years — to get financial help from the government. In 2010, a total of about 83,000 were registered for State Aid. This number is shockingly small compared to those million women who are effectively in need. It was also confirmed by a study conducted by the ICRC, which focused on particularly vulnerable women and found that only 19% of the women interviewed were receiving benefit.<sup>2</sup>

#### Sexual exploitation and prostitution

Many Iraqi women have lost their husbands as a result of the armed conflict, generalised violence and displacement. The resulting financial hardship made them vulnerable to trafficking for sexual exploitation and prostitution. Sex exploitation of Iraqi women has increased significantly and seems to be the only possibility for many women today to finance their and their children's lives. Women are lured into forced sexual exploitation through false promises of work. Trafficking of young girls is increasingly common to escape poverty. Women are married off into permanent or temporary marriages to find a better life however very often then fall victim to sexual exploitation.

#### Women in Iraqi prisons and detention facilities

Despite the annual report of the Iraqi Ministry of Human Rights on the situation of prisons and detention centres in Iraq indicating the cases of torture and exposure to threats and rape of women,<sup>3</sup> nothing has been done by the Iraqi government to protect women's right. Sexual abuse as a method of torture against female prisoners is not confined to the notorious Abu Ghraib prison. Women are repeatedly subject to rape and sexual assault also in Iraqi detention centres. Former detainees reported that their clothing was removed and they were deprived of food and water for days.

According to our information from the ground, women were arrested by the security forces without showing an arrest warrant, then detained and interrogated about male family members without accusing those women of any crime, and demanding bribes for their release. The majority of women are used as a pressuring tool for their husbands, fathers, brothers or sons. Our findings indicate that many of these women described being beaten, kicked, slapped, hung upside-down and beaten on their feet, given electric shocks, and raped or threatened with sexual assault by security forces during interrogations. Security forces questioned them about

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<sup>1</sup> Dr.YasmineJawad (2013) at [http://www.gicj.org/iraq\\_conference\\_speeches/Dr\\_Yasmin\\_Jawad\\_Presentation.pdf](http://www.gicj.org/iraq_conference_speeches/Dr_Yasmin_Jawad_Presentation.pdf)

<sup>2</sup> “Households headed by women in Iraq: a case for action”

<http://www.icrc.org/eng/assets/files/2011/iraq-women-survey-2011-08-eng.pdf>

<sup>3</sup> Iraqi Ministry of Human Rights (2012) in Arabic available at: <http://www.humanrights.gov.iq/uploads/ali%20pdf/final2012.pdf>

their male relatives' activities rather than their own accused crimes, if any, and furthermore forced them to sign statements which they were not allowed to read.

The Iraqi criminal justice system tortures women into confessions, using horrendous measures including rape in front of their relatives and children. When finally charged and sentenced, the women are additionally abused, tortured and raped inside the detention facilities. The main issue at hand here is the huge failure by the courts to investigate allegations of abuse and hold the abusers responsible and accountable which encourages police and security forces to falsify confessions and continue the use torture and sexual assault.

### **Education**

Throughout the past four years, the number of girls receiving primary education in Iraq has declined and the current government did not undertake necessary actions to improve the situation. Girls account for around 44.8% of students. This means that for every 100 boys enrolled in primary schools in Iraq, there are fewer than 89 girls. In most rural areas of southern governorates with traditional attitudes fewer than half of girls are attending school. There are no regions in Iraq where the number of girls completing primary education is in any way acceptable. Some 75% of girls who start school have dropped out during, or at the end of, primary school and do not continue intermediate education. Unfortunately, the state of Iraq did not develop any strategy or action plan during 2010-2014 to address this social stigma, encourage and facilitate the education of girls. Poor attendance is typically attributed to security situation within Iraq which undoubtedly is a significant contributor to these figures. However, there are many ways the government could address this rapid decrease in numbers of girls attending school.

### **Political participation**

During the review period, the participation of women in public affairs was not enhanced. The Article 47 of the current Iraqi Constitution, which was applauded by women organizations and international community as one of the great achievements of the "New Iraq" for guaranteeing women 25% of the membership of the Council of Representatives, is not an indicator of ensuring women's participation in political life. This appraisal is made disregarding the actual small difference it makes for Iraqi women in general and how it has been used as a sheer token to cover up the volume of crimes committed against women under occupation. In fact, among 44 Ministers, there is only one woman appointed as Minister of State for Women's Affairs. Controversy is that the Minister, Dr. Ibtihal al-Zaidi herself does not believe in equality between women and men in Iraq and claims to be "against the equality between men and woman". Most female members of the parliament have shown little interest in women's rights but rather focus on representing their sectarian party's policies towards women. In essence, they duplicate whatever their fellow male MPs already advocate. The irony is that even this nominal step was neglected by the present government formed in 2010 and nothing was done to continue positive achievements.

## **Right to Health**

### **Alarming rates of birth defects, cancer and infant mortality**

Iraq is suffering from a high toxic level of lead, mercury contamination and depleted uranium pollution in many regions. Several studies show a high level of contamination by other toxic substances including Uranium lead and mercury.<sup>4</sup> An upsetting number of birth defects ranging

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<sup>4</sup> Al-Sabbak, M., Sadik Ali, S., Savabi, O., Savabi, G., Dastgiri, S., & Savabieasfahani, M. (2012). Metal contamination and the epidemic of congenital birth defects in Iraqi cities. *Bulletin of environmental contamination and toxicology*, 89(5), 937-44. Alaani, S., Tafash, M., Busby, C., Hamdan, M., & Blaurock-Busch, E. (2011). Uranium and other contaminants in hair from the parents of children with congenital anomalies in Fallujah, Iraq. *Conflict and health*, 5, 15. Alaani, S., Tafash, M., Busby, C., Hamdan, M., & Blaurock-Busch, E. (2011). Uranium and other contaminants in hair from the parents of children with congenital anomalies in Fallujah, Iraq. *Conflict and health*, 5, 15.

from congenital heart defects to brain dysfunctions and malformed limbs are reported. There is also a huge number of miscarriages and cancer cases. According to gynaecologists, paediatricians and neurologists in Fallujah the numbers of these cases have been increasing rapidly since 2005. More disturbingly, they appear to be occurring at an increasing rate in children born in Fallujah. Similar defects have been found among children born in Basra. It seems that the government of Iraq is simply neglecting these developments as has no interest in it. It is the state obligation to ensure that the right of its citizens to health is protected and necessary conditions are created for that.

### **Birth defects**

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 neighbouring Kuwait. Another study of 56 families in Fallujah, and a metal analysis of hair samples from them, shows public contamination with two well-known neurotoxic metals - lead and mercury used in the manufacture of present-day ammunition. Hair metal data from Fallujah showed lead to be five times higher in the hair samples of children with birth defects compared to children who appeared normal. Mercury was six times higher.<sup>5</sup>

### **Cancer**

In Fallujah, a dramatic increase of cancer and paediatric cancer rate is reported.<sup>6</sup> Studies indicate the variation of the incidence rate of cancer in the different areas of Fallujah region. The range of incidence rate is from 50-128 cases per 100,000, which is a fourfold increase of the cancer rate in the year of 2010 since 2004.<sup>7</sup> Forms of cancer are similar to those found among the Hiroshima and Nagasaki atomic bomb survivors, who were exposed to intense radiation. The rate of leukaemia is 38 times higher, the childhood cancer rate is 12 times higher, and breast cancer is 10 times more common than in populations of Egypt, Jordan, and Kuwait. Heightened levels of adult lymphoma and brain tumors are also observed. There is no governmental response to these issues.

### **Infant Mortality Rate**

The infant mortality rate (IMR) is one of the most important indicators of health status and life quality. The rise of the IMR is attributed to dissatisfied hygienic requirements; and unfavourable environmental factors, economical conditions, environmental sanitation and medical care.<sup>8</sup> In Fallujah, the IMR rate is disturbingly - during 2010 and 2011 found to be 49.5/1000 live births and 48.27/1000 live births successively. It is high compared to that of other areas in Iraq and Iraq neighbour countries: Kuwait (7.87 deaths/1000 live births), Iran (41.11/1000 live births), Syria (15.12 deaths/1000 live births), Turkey (23.07 deaths/1000 live births), Jordan (15.83 deaths/1000 live births), Saudi Arabia (15.61 deaths/1000 live births). Moreover, another important alarming indicator is observed – the use of depleted uranium reduced the ratio from 1050 boys born for every 1000 girls to 860 boys for every 1000 female.

The government of Iraq does not undertake efficient actions to fulfil its international commitment to safeguard the right to health. According to Dr Omar Al-Kubaisy, prominent Iraqi cardiologist, the part of the state budget allocated to health, medical care, and education, which part does not exceed two or three percent of the total budget, is insufficient.<sup>9</sup> Moreover, there is a significant disregard of the first aid services, primary health care services, and health prevention, including maternity centres and immunisation programs for children. Also, financial and administrative corruption in the Iraqi Ministry of Health and the dependence on

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<sup>5</sup> Al-Sabbak, (2012), op.cit. Metal contamination and the epidemic of congenital birth defects in Iraqi cities. Bulletin of environmental contamination and toxicology, 89(5), 937–44.

<sup>6</sup> Fathi, R. A., Matti, L. Y., Al-salih, S., & Godbold, D. (2013). Environmental pollution by depleted uranium in Iraq with special reference to Mosul and possible effects on cancer and birth defect rates, (February 2014), 37–41.

<sup>7</sup> Al-falujji, A. A. R., Ali, S. H., & Al-esawi, A. A. J. (2012). Incidence of cancer in Fallujah above 10 years age with over view of common cancers in 2011, 4(9), 591–596.

<sup>8</sup> Abdulghani, S. T., Hameed, A. A., & Alfayadh, Z. T. (2013). Causes and Differentials of Infant Mortality in the Pediatrics Wards in Fallujah General Hospital, 3(4), 1178–1186.

<sup>9</sup> Dr Omar Al-Kubaisy : <http://www.dhiqar.net/Art.php?id=33500>

non-professional cadres that relies on sectarian affiliation and exclusion from medical care makes it more difficult. The breakdown and continued deterioration of health infrastructure and services such as providing clean water and electricity in hospitals, the lost control on pharmaceutical industry, contributes to a disastrous.<sup>10</sup> In addition, there is an attempt to dissimulate the results of international studies, which demonstrate a relationship with the dramatic increasing cases of cancers, malformations and infertility and the use of prohibited lethal weapons, heavy metals and environmental pollution.

### **Recommendations:**

- The Iraqi government to undertake genuine actions to ensure the implementation of its international obligations under both international humanitarian law and human rights law;
- The UN and the Human Rights Council to ensure that all human rights violations committed in Iraq to be investigated by an international independent body;
- The reinstatement of the position of a Special Rapporteur for Iraq.
- In order to ensure a reasonable level of healthcare, the international community and the Iraqi authorities should:
  - Make a thorough assessment of the healthcare situation in Iraq;
  - Ensure an environmental clean-up, undertaken and financed by those responsible for the use of depleted uranium and other toxic agents that are susceptible to the worrying increase of cancer and birth defects.
  - The Iraqi health system must be restored to pre-invasion levels, which used to be one of the best in the region according to the WHO.
  - Improve pregnancy care; by developing maternity centres quality and ensuring appropriate pre-natal and post-natal health care to anticipate birth defects.
  - Encourage researchers to have clear data and knowledge on the extent of birth defects, cancers and infant mortality, in order to take the necessary measures to provide adequate health services.
  - Take measures to increase the level of family awareness, improve immunisation programs for children and enforcing family planning to achieve a substantial reduction of the IMR.

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<sup>10</sup> Ibid