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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Thirty-fourth session**  
4–15 November 2019

## **Summary of Stakeholders' submissions on Iraq\***

### **Report of the Office of the United Nations High Commissioner for Human Rights**

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 54 stakeholders' submissions<sup>1</sup> to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

#### **II. Information provided by stakeholders**

##### **A. Scope of international obligations<sup>2</sup> and cooperation with international human rights mechanisms and bodies<sup>3</sup>**

2. MAAT, Al Karama, AI, MENA Rights and other stakeholders have stated that since the previous UPR cycle, the authorities have not taken any steps accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the Convention on the Rights of Migrant Workers and Members of Their Families.<sup>4</sup>

3. JAI and other stakeholders urged Iraq to join the International Criminal Court and to enforce the rule of law in Iraq.<sup>5</sup>

4. Al-Miezan recommended Iraq to ratify the International Labor Convention No. 130 of 1969 concerning medical care and patient support.<sup>6</sup>

5. Jiyān called on the Government to remove reservations entered to Articles 2 (f, g) and 16 of the CEDAW mandating states to repeal discriminatory laws and practices and ensure equality in all matters related to family and marital relations; and urged the Government to accept individual complaint procedure under ratified human rights treaties<sup>7</sup>

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



6. Al Karama also recommended Iraq to comply with the deadlines for submitting its reports to the Treaty Bodies; submit its overdue reports to both the HR Committee and the CED; and cooperate in good faith with the CED regarding pending urgent actions.<sup>8</sup>
7. AIMN recommended the Government to enact legislation to regulate the administrative rights of minority areas on the basis of article 125 of the Iraqi constitution.<sup>9</sup>
8. ICAN recommended that Iraq ratifies the UN Treaty on the Prohibition of Nuclear Weapons as a matter of international urgency.<sup>10</sup>

## **B. National human rights framework<sup>11</sup>**

9. AIMN noted that the Iraqi government abolished the Ministry of Human Rights in 2015, while the ministry was responsible for the file of international reports and to respond to international obligations. Despite the existence of the Independent Commission for Human Rights since 2012, the national human rights framework required additional support.<sup>12</sup> JS1 stated that also in 2015, the Ministry of State for Women's Affairs was abolished. The cancellation of these two ministries led to the dismantling of the human rights and women's files.<sup>13</sup>
10. JS7 advised Iraq to repeal Article 398 of the Iraq Penal Code that pardons rapists from punishment when they marry their victims; to reject the proposed amendments to the Personal Status Law No. 188 of 1959 which would encourage child marriage and polygamy; and amend remaining discriminatory articles in the Nationality Law No. 26/2006 to make sure that women and men enjoy equal rights to acquire, transfer, retain and change their nationality on equal basis.<sup>14</sup>
11. GJC observed that Iraq's Penal Code (Article 393) was not in line with international standards and did not encompass the number of ways that rape was perpetrated and used by ISIS against the Yazidis.<sup>15</sup>
12. Al Karama noted that the Iraqi High Commission for Human Rights, created in 2012, suffered from a lack of independence and impartiality and rarely addressed issues such as unfair trials, torture, and summary executions.<sup>16</sup>
13. ICRN urged the legal Parliamentary Committee and the Committee on Women, Family and Children to quickly enact the Children's Code.<sup>17</sup>
14. Jiyan recommended the Government to establish a truth and reconciliation commission mandated to carry out activities such as assembling accurate and comprehensive lists of those killed or missing and other victims, conducting research, advising on adequate reparations, collecting testimonies of both victims and those affiliated with perpetrators, informing and sensitizing the public.<sup>18</sup> Jiyan further recommended the Government to establish comprehensive reparations program for survivors and other victims.<sup>19</sup>
15. Jiyan urged Iraq to initiate wide ranging consultations with survivors, victims, members of their families, CSOs, religious and traditional communities with the aim of ensuring their participation in the setting up and forthcoming work of the truth telling and/or reconciliation commission as well as in the process of deliberation on an appropriate and realistic scheme of reparations.<sup>20</sup>
16. Jubilee urged Iraq to reform its Personal Status laws to recognise all citizens equally in accordance with international law, Baha'i and other non-Muslims as well as Muslims who choose to convert to another faith in accordance with Article 18 of the Universal Declaration of Human Rights.<sup>21</sup>
17. RASHID noted that the rising internet trade in antiquities remained a global challenge that went far beyond the ability of source countries, such as Iraq, to address on their own. Source countries must join international networks of cooperation and work with market countries, especially advanced economies, to develop strategies to combat the illegal trade in antiquities. Multi-sectoral measures are more effective than single, symbolic actions. A significant percentage of antiquities remain unaccounted for or available on the market originated in Iraq, sometimes via the large-scale pillaging of Daesh, and sometimes on the

orders of organized crime syndicates and sometimes through opportunistic theft and looting. Many of the treasures stolen during the 2003 looting of the Iraq Museum in Baghdad have never resurfaced.<sup>22</sup>

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

### **1. Cross-cutting issues**

#### *Equality and non-discrimination*<sup>23</sup>

18. JS13 stated that although Article 14 of the Iraqi Constitution prohibits discrimination, certain groups continued to suffer from multiple forms of discrimination and inequality, mainly dark skinned people, and members of religious minorities such as the Baha'i.

19. JS16 stated that hate speech against minorities remained widespread in Iraq, including from politicians and religious leaders. There is currently no law in Iraq that criminalises hate speech. Furthermore, Iraq's totally unregulated internet leaves the government ill-prepared to tackle hate speech online.<sup>24</sup>

20. JS18 noted that the mere perception of being LGBT was extremely dangerous in Iraq and that there were no viable recourse mechanisms to victims.<sup>25</sup>

21. JS18 estimated that over 200 LGBT Iraqis were killed on the basis of their sexual orientation or gender identity in 2017.<sup>26</sup>

22. CSW recommended Iraq to amend the Constitution to ensure that all Iraqis enjoy the same rights regardless of their religion or belief, by removing stipulations mandating Islam as a source of legislation; and repeal all laws that restrict freedom of religion or belief, including those prohibiting the Baha'i faith.<sup>27</sup>

23. Jubilee urged Iraq should remove religion from the ID cards and ensure that religion is not used to discriminate who attends school and who can participate in civil functions, get married and other civil rights.<sup>28</sup>

#### *Development, the environment, and business and human rights*<sup>29</sup>

24. JS22 stated that, in 2018, Iraq experienced an arid summer and suffered severely from a scarcity of water. In July 2018 mass protests took place across southern Iraq - in Basra, Nasiriyah, Amarah, Kut, Karbala and Najaf - demanding basic services such as drinking water.<sup>30</sup> JS22 recommended Iraq to provide drinking water for all Iraqis, end the unauthorized and irresponsible use of water resources, and promote new, economical and sustainable irrigation technologies.<sup>31</sup>

#### *Human rights and counter-terrorism*<sup>32</sup>

25. AIMN recommended Iraq to amend the Anti-Terrorism Act No. 13 of 2005, in line with international treatment of the crime of terrorism and consistent with human rights.<sup>33</sup>

26. AI stated that, according to their findings, individuals convicted under the Anti-Terrorism Law were often sentenced to lengthy prison sentences or the death sentence after grossly unfair trials, and often based on torture-tainted evidence.<sup>34</sup>

27. ADF International reported that Iraqi authorities have detained and prosecuted thousands of individuals under vague counterterrorism laws for their affiliations with ISIS, and that several groups have raised complaints that the label of "terrorism" was being used as a pretext for indiscriminate arrests, this included women linked to militant groups as the result of forced marriage. It recommended the government to respect due process and individual rights when prosecuting suspected ISIS fighters.<sup>35</sup>

## 2. Civil and political rights

### *Right to life, liberty and security of person*<sup>36</sup>

28. Al Karama, MENA Rights and AI recommended Iraq to immediately establish an official moratorium on executions and commute all death sentences with a view to abolishing the death penalty.<sup>37</sup>

29. JS12 recommended Iraq to establish modern model prisons in accordance with international and national human rights standards.<sup>38</sup>

30. JS2 noted that Iraq carried out 88 executions in 2016 and over 125 executions in 2017, the third-highest number of documented executions in the world, despite the fact that judicial proceedings failed to meet international fair trial standards; and many death sentences and executions were based on confessions extracted through torture or other ill-treatment.<sup>39</sup>

31. RASHID recommended Iraq to abolish the death penalty for property crimes, inter alia, in the context of Law No. 55 of 2002, and replace it with a penalty in conformity with international human rights law, such as prison sentences of appropriate length to deter potential perpetrators.<sup>40</sup>

32. JS16 stated that since the official formation of the Popular Mobilisation Forces (PMF) in 2014, militia groups numbering between 45,000 and 142,000 fighters have proliferated across Iraq. The government failed to maintain effective control over the PMF, who operate in a climate of impunity and are allegedly responsible for a range of abuses including extrajudicial killings, abductions, the destruction of local religious sites and the intimidation and harassment of minorities.<sup>41</sup>

33. JS16 stated that in the 2016 campaign to recapture Fallujah, as many as 900 Sunni IDPs fleeing the city were reportedly subjected to enforced disappearance, 600 of whom remain missing.<sup>42</sup>

34. JFHR recommended Iraq to establish a state body with a clear mandate to determine the whereabouts of and liberate, reunite or return a missing person's remains to the families, if no longer alive, of all persons gone missing from 2014 onwards.<sup>43</sup>

35. GICJ stated reported that the Iraqi governmental forces and their affiliated militias resorted to the use of torture, arbitrarily detention, arbitrary executions, as well as other forms of violence. GICJ claimed that prisoners and alleged terrorists do not receive a fair trial.<sup>44</sup>

36. MENA Rights noted that the problem of enforced disappearances remained prevalent, particularly in the context of counter-terrorism operations. Between 2014 and 2017, MENA Rights reported that the Iraqi forces, including militias from the Popular Mobilisation Forces (PMF), made hundreds of individuals perceived to be, or who were actually of the Sunni faith and who were from or lived in areas that were under ISIL control, to be disappeared.<sup>45</sup>

37. MENA Rights recommended that the Government take steps to urgently clarify the fate and whereabouts of disappeared individuals<sup>46</sup>

### *Administration of justice, including impunity, and the rule of law*<sup>47</sup>

38. JAI indicated that the Iraqi judicial system was susceptible to political pressure, corruption and bribery, and that the absence of a universal due process, combined with a death penalty, created a climate of lawlessness.<sup>48</sup>

39. HRW recommended that judges ensure that all suspects benefit from the presumption of innocence and their full due process rights. HRW recommended that defence lawyers have access to defendants from the moment of arrest, through detention and interrogation; and that law enforcement ensure that defendants are brought before a judge within 24 hours of their detention and can communicate with their families.<sup>49</sup>

40. MENA Rights observed that while the independence of the judiciary is enshrined in chapter three of Iraq's constitution, decisions issued by courts – particularly in ISIL cases – have been unduly influenced by the executive, as well as public opinion. Judges continued to sentence ISIL fighters to death *en masse*, and fail to differentiate in their sentencing between those who supported the group in combative and non-combative roles, as well as between

those who volunteered and those who were coerced into joining the group. This approach has largely been the result of social and political pressure on the judiciary to hand out harsh punishments to anyone who had any involvement with the group, regardless of the nature of their affiliation. Moreover, defence lawyers – particularly those working on ISIL cases – have faced intimidation and harassment, with at least 15 warrants for their arrest issued in 2017 and charges brought against them for supposed affiliation with the group. In this regard, MENA Rights have recommended the government to reform the judicial system to guarantee its neutrality and independence; and to launch impartial and thorough investigations into all allegations of harassment and intimidation of lawyers, including those involved in ISIL cases, in order to hold perpetrators to account.<sup>50</sup>

41. JS12 called on Iraq to use alternative methods of the punishment to imprisonment, particularly for crimes of a lower gravity and those relating to minors, women and disabled persons. These may include social service for the community.<sup>51</sup>

42. JFHR recommended Iraq to establish comprehensive reparations program for survivors and other victims in line with the principles set forth in the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. Prospective reparation program should not address only one type of victims and be limited to certain types of reparations.<sup>52</sup>

43. PFT stated that in 2018 alone, the Iraqi Integrity Commission investigated 1,2398 criminal cases, of which 8,838 were completed. It referred 3070 individuals accused of corruption to the judiciary, issued 10 arrest warrants. Furthermore, the PFT observed that thirty-one ministers were also indicted while four were convicted.<sup>53</sup>

44. PFT positively noted that amount of public funds recovered as a result of investigations of embezzlement amounted to more than one trillion six hundred and sixty-nine billion and eighty five million Iraqi dinars.<sup>54</sup>

45. The statistics of the Integrity Commission pointed out that the number of corruption reports during 2017 amounted to 17222. As for the recruitment orders issued against the accused, it reached 5671. While total arrest orders amounted to 3,100. The reason is that the majority of those who have been issued arrest warrants are outside Iraq and have second nationalities. PFT recommended Iraq, among other things, to develop transparent systems that reduce financial secrecy; establish a body to review the history of individuals before hiring them into political positions; and expand media freedoms to look into corruption cases.<sup>55</sup>

*Fundamental freedoms and the right to participate in public and political life*<sup>56</sup>

46. AIMN stated that despite the quotas assigned to religious and ethnic minorities in Iraq, particularly Christians, Yazidis, Sabean Mandaean, Shabak and finally the Faily Kurds, these groups continued to face challenges, such as in the electoral law and the current voting system, in achieving adequate political representation.<sup>57</sup>

47. AIMN recommended that Iraq amend the text of the second paragraph of article 26 of the National Unified Card Act, guaranteeing freedom of belief and abolishing the principle of coercion and compulsion.<sup>58</sup>

48. ADF International observed that while the Constitution of Iraq established Islam as the official religion of the state that Article 2 of the Constitution also recognized “the full religious rights to freedom of religious belief and practice of all individuals”, and that equality between all ethnic and religious groups was established in Article 14, such constitutional freedoms were contradicted in the state’s repressive laws.<sup>59</sup>

49. WEA recommended the Iraqi government to officially recognize the Evangelical Churches in Iraq, and to grant the Evangelical Churches affiliation with the Waqf - Endowment of the Christians, Yezidi, and Sabaeen-Mandaean religions, in fulfilment of Iraq’s obligations under international human rights law.<sup>60</sup>

50. JS8 stated that a number of current Iraqi laws constituted a threat to freedom of speech in general and freedom of the press in particular. The Iraqi press law regarding publication

not only prohibits the exercise of freedom of expression but, according to paragraph 200 of the law, could be punishable by death sentence or life imprisonment, the most severe forms of punishments.<sup>61</sup>

51. AccessNow stated that the draft law on cybercrime of 2019 raised concerns because of its broad and unspecific definition and therefore constituted a threat to the right to freedom of expression. The bill also raises concerns due to its imposition of a maximum two-year prison sentence for defamation and libel.<sup>62</sup>

52. AccessNow recommended that Iraq maintain the availability of the internet open; and amend both the draft law on cybercrime and law on freedom of expression to ensure that they uphold rather than restrict rights.<sup>63</sup>

53. JS14 noted that the application of aspects of the Sharia law implied that people were prohibited to convert from Islam to other religions, which represented a negation of religious freedom.<sup>64</sup>

54. JS14 further noted that Zoroastrians were not protected by law, because the constitution of Iraq did not recognize Zoroastrianism as a religion.<sup>65</sup>

55. JS5 noted that the government committed to “Guarantee and create an enabling environment to the activities of journalists and human rights defenders and civil society” during its previous UPR cycle.<sup>66</sup> Despite these commitments, implementation by the state has been weak and at times the authorities have imposed arbitrary obstacles that violate the law, resulting in restrictions that undermine the full enjoyment of the freedom of association.<sup>67</sup>

56. JS3 stated that during 2018 several cases of killings of activists were documented; and that Iraq ranked 160th at the 2018 World Press Freedom Index, which pits it among the most dangerous countries for journalists.<sup>68</sup>

57. JS3 noted that, despite the recommendations to this end during the previous UPR cycle, violations of freedom of expression continued and around 40 journalists were killed between 2015 and 2017.<sup>69</sup>

58. CPJ stated that, since 2015, Iraq continued to be one of the most dangerous countries in the world for journalists.<sup>70</sup> CPJ observed that fighting between ISIS and Iraqi forces and/or Iraqi Kurdish Peshmarga forces accounted for a considerable portion of journalist deaths in Iraq, with at least 11 journalists killed by the group from 2013 until June 2016, and a further six missing. Since June 2016, at least 11 more journalists have been killed while covering military campaigns against the group.<sup>71</sup>

59. JS8 recommended that Iraq publish the findings of the investigations into cases of attacks against journalists.<sup>72</sup>

60. JS21 recommended that Iraq implement all the provisions of Security Council resolution 2250 and actually develop a plan to activate the role of young people and the compatibility of Iraqi laws with the resolution; reduce the age of candidacy for membership of Parliament to 25 years; and abide by the Iraqi Demonstration Law and all international norms and rights regarding the right of assembly and protest.<sup>73</sup>

61. JS20 recommended that the Iraqi parliament amend the Penal Code No. 111 of 1969 in order to abolish the penalties for male and female journalists' opinions and the ways they express their views as long as they do not conflict with human rights; and amend and enforce the Protection of Journalists Law No. 21 of 2011 to ensure adequate protection for male and female journalists to perform their duties.<sup>74</sup>

#### *Prohibition of all forms of slavery<sup>75</sup>*

62. AIMN stated that according to its organizations official statements and statistics, 6,418 Yazidis (women, young men, and children) were captured for the purposes of slavery. As of March 2019, 3,371 women, children and men were reportedly rescued, but 3,047 women and children remained vulnerable to abuse and enslavement.<sup>76</sup>

63. JS1 warned that because of the inappropriate methodology through which the government collected data, the numbers of women and girls who have been trafficked remained unknown.<sup>77</sup>

### 3. Economic, social and cultural rights

#### *Right to work and to just and favourable conditions of work*<sup>78</sup>

64. OHRC stated that despite the fact that the Iraqi constitution guaranteed in article No.22 the right to work for all Iraqis to ensure the dignity of their lives, Iraqi citizens continued to suffer from poverty and unequal employment opportunities. OHRC recommended the Government of Iraq to guarantee a decent work for each Iraqi individual capable to work and enact national legislation that guarantees justice.<sup>79</sup>

65. JS19 stated that the Labor Union Federations' request to establish new labor union federations was rejected by the Ministry of Labor and Social Affairs, and their registration was rejected because of Law 52 of 1987, which rejects pluralism and freedom of association.<sup>80</sup>

66. JS19 also noted that a number of union leaders were arrested, threatened and their homes were broken and recommended Iraq to abolish Law 52 that hinders the freedom of association in Iraq and in Kurdistan Region.<sup>81</sup>

#### *Right to social security*<sup>82</sup>

67. OHRC observed that the law guaranteed the social security right and retirement for private sector workers and employees, and that the Department of Retirement and Social Security has been working on applying the provisions of the Labor Law No. 37 of 2015, focusing its work on the collection of labor contributions from employers. However, OHCR noted that the private sector workers and employees continued to suffer persecution due to a lack of clear government support for them.<sup>83</sup>

68. OHRC recommended Iraq to issue instructions to employers in case of violation of social security terms and to increase the legal awareness of private sector employees of their rights to the Iraqi labor law through the media.<sup>84</sup>

#### *Right to an adequate standard of living*<sup>85</sup>

69. Al-Haboby Foundation observed a significant reduction in the level of services compared to what was the case before the fall of the former regime. Al-Haboby Foundation reported that only 54% of households had access to drinking water, and only 37% had access to adequate sanitation. This is a drop of 75%, which reflects a clear decline compared to the world level.<sup>86</sup>

70. TLHR recommended Iraq to reduce disparities in the distribution of wealth and incomes among individuals in Iraq.<sup>87</sup>

#### *Right to health*<sup>88</sup>

71. AH stated that according to their survey, 8% of the population was diagnosed with chronic diseases. The results of the survey showed that 18% of children suffered from malnutrition, 8% of acute malnutrition and 23% of chronic malnutrition.<sup>89</sup>

72. AH observed that there was a clear increase in the number of preterm infants, which amounted to 2858 in 2017, a large number that did not match the number of incubators available to work in the 40 hospitals.<sup>90</sup>

73. JS10 recommended to introduce social health insurance programs to decrease the chances of catastrophic health expenditure in Iraq and KRI.<sup>91</sup>

74. JS16 noted that the conflict with ISIS has caused an estimated IQD 2.7 trillion (US\$ 2.3 billion) damage to Iraq's healthcare system.<sup>92</sup>

75. JS16 also noted that the damage incurred to housing and infrastructure also threatened public health in areas of return, with the presence of explosive remnants of war and damage to basic services, including electricity and clean water, particularly pressing concerns.<sup>93</sup>

*Right to education*<sup>94</sup>

76. AH reported a decrease in the enrollment rates of children at all stages. The proportion of educated people aged 15 years and over was only 65%. In addition, 22% of people did not attend school at all, although basic education in Iraq is compulsory.<sup>95</sup>

77. JS16 noted that mass displacement caused by ISIS had severe effects on education in Iraq, with at least 3.5 million school-aged Iraqi children missing out on education since the start of the crisis.<sup>96</sup>

78. Al-Miezan recommended Iraq to enact a law on compulsory primary and middle school education; reduce the dropout rate in education; and ensure free education and mandatory.<sup>97</sup>

**4. Rights of specific persons or groups***Women*<sup>98</sup>

79. JS9 acknowledged that Iraq announced a number of legislative reforms that had been undertaken or were underway in order to combat gender stereotypes and violence against women, including the adoption of the National Strategy to Combat Violence against Women and the revision of the draft anti-domestic violence law. Nonetheless, it has been so far unable to overcome ideological and religious opposition.<sup>99</sup>

80. JS11 stated that women continued to suffer discrimination and appeared to be prohibited from appointments to leadership positions as clearly demonstrated by the reduced number of women appointed at the Ministerial level. JS11 also held that the exclusion of women was highlighted by the fact that the proportion of women in the Iraqi Interior Ministry did not exceed 2%.<sup>100</sup>

81. JS15 noted that recent years have seen an increase in “honor” killings of women in Iraq. In 2017, 272 cases of “honor” crimes and 3,400 domestic violence cases were reported to the police and referred to courts. In the aftermath of the conflict with ISIS, many women are still at risk of “honor” killing for the perceived “dishonour” they bring to their families and communities.<sup>101</sup>

82. JS13 noted that women continued to suffer discrimination and were systematically excluded from consideration for leadership positions.<sup>102</sup>

83. IFS recommended additional efforts to ensure gender equality and to eliminate the procedural challenges facing Iraqi women trying to work in that women in the government. IFS recommended that a quota system be applied as a temporary measure to address this problem.<sup>103</sup>

*Children*<sup>104</sup>

84. AH stated that about 4 million and 500 hundred thousand Iraqi children were displaced in search of how to restore their quiet and stable lives before they exposed to violence after the crises that happened many times in Iraq (like Samara events on 2006 and ISIS events on 2014 etc).<sup>105</sup>

85. AH stated that, according to the Ministry of Labor and Social Affairs, there were an estimated of 4.5 million orphans in Iraq, 70% of whom lost their families and later became vulnerable to violence. About 600,000 children live on the streets and orphanages, which suffer from neglect and the lack of basic needs, have very few children compared to the large number who need for Shelter.<sup>106</sup>

86. JS6 stated that the ongoing humanitarian crises escalated the risk of sexual exploitation and violence, which children were already exposed to during times of peace and stability. Boys and girls from persecuted groups have faced high levels of sexual violence and exploitation either through recruitment into ISIS forces or through sexual enslavement by its members.<sup>107</sup>

87. JS17 stated that one of the most serious problems in Iraq and Kurdistan Region was the issue of children without affiliation and children born of rape. When ISIS controlled a big

part in Iraq, especially in Mosul and Ninawa cities, they have committed numerous serious human rights crimes against women including sexual violence, kidnapping, enslavement and forced marriage.<sup>108</sup>

88. ICRN observed that children in Iraq suffered from a lack of safe play spaces and activities or suitable children's centers, which will adversely affect their development.<sup>109</sup>

89. GIEACPC recommended that Iraq enact legislation to explicitly prohibit all corporal punishment of children in all settings, including the home, and repeal all legal defenses for its use, including in the Iraqi Penal Code.<sup>110</sup>

#### *Minorities*<sup>111</sup>

90. JS4 stated that since the members of the so-called Islamic State (IS) captured Mosul in early June 2014, Assyrian Christians and other minorities in the city have endured targeted persecution in the form of forced displacement, sexual violence, and other egregious human rights violations.<sup>112</sup>

91. ADF International observed that since November 2015, over 50 mass graves have been uncovered in areas formerly under IS control, containing up to 4,000 bodies each. Those killed were most likely from religious minority groups.<sup>113</sup>

92. ADF International observed that Christian women captured by ISIS detailed experiences of rape, physical torture, forced conversion and forced abortion.<sup>114</sup>

93. AUA believed that the persecution of Assyrian Christians at the hands of the so-called Islamic State was compounded by a long-standing legacy of Ba'athist discrimination targeting minority communities within Iraq.<sup>115</sup>

94. ECLJ observed that Christians and other religious and ethnic minorities in Iraq were facing a grave humanitarian crisis. As those persecuted began to return home they face many legal challenges in establishing their identities and obtaining new personal identification documents. Additionally, they need assistance in obtaining documents to prove their residence.<sup>116</sup>

95. OHRC recommended that Iraq issue national cards to all citizens of Roma descent, as they do with members of other minority groups.<sup>117</sup>

96. JS16 observed that minorities, including Yezidi, the Baha'i, Kaka'i, Turkmen and dark-skinned Iraqis, were not adequately represented in the Parliament.<sup>118</sup>

97. AIMN recommended to increase the levels of minority participation in the local police force, the army and the Peshmerga, while raising their level of participation in security decision-making in their areas.<sup>119</sup>

98. SYO recommended that Iraq adopted a law that implements Article 125 of the Iraqi Constitution, which protects the political, cultural, educational and religious rights of different.<sup>120</sup>

99. TODH noted that minorities and IDPs have been forcibly displaced over and again and continued to suffer from marginalisation at work and social life. TODH recommended Iraq to protect the minorities in accordance with the constitution, create safe and healthy environments for them and provide housing.<sup>121</sup>

100. TODH also recommended the Government to help create work opportunities for internal displaced in order to enable them to support their families.<sup>122</sup>

101. Al Haboby Foundation stated that the exploitation of children in conflict carry with them several harmful practices, including heightening the risk of children falling into delinquency, or facing conviction and imprisonment.

102. Al Haboby observed that child labor has become a widespread practice and has exposed a growing number of children to physical and psychological fatigue, in addition to many dangers and harsh conditions. Denying children from completing their studies or permanently depriving them of education will evidently compromise their prospects for success.<sup>123</sup>

103. Jubilee encouraged Iraq to extend the seats for minorities, as the percentage of the seats does not represent their population. Even better we encourage the State to abolish discriminatory laws;<sup>124</sup> and to continue to condemn statements made by religious leaders that result in discriminating minorities and viewing them as second-class citizens.<sup>125</sup>

104. Jubilee also urged Iraq to review their educational curriculum to ensure that it promotes equality and respect for all its citizens.<sup>126</sup>

*Migrants, refugees, asylum seekers and internally displaced persons*<sup>127</sup>

105. AIMN stated that migrants from religious and ethnic minorities were seriously threatened since they were constantly and systematically targeted by extremist groups.<sup>128</sup>

106. MENA stated that because of stigma due to perceived affiliation with ISIS, many families were forced to flee to IDP camps. Security forces confiscate their identity documents upon arrival and without such documents, they are more susceptible to arrests and have a more difficult time finding jobs, among others.<sup>129</sup>

107. SYO stated that the occupation of northern Iraq in 2014 led to more than 450,000 people to be displaced from their homes in Sinjar, Bashiqa and Bahzani. Many of those displaced became refugees or IDPs in third countries and other provinces of Iraq.<sup>130</sup>

108. AI observed that since the 2014 takeover by ISIS, almost two million people remained displaced due to the damage and destruction of their homes, lack of job opportunities and absence of basic infrastructure and public services, including health care; and insecurity due to unexploded ordnances, improvised explosive devices, arbitrary arrests, harassment and intimidation by armed people.<sup>131</sup>

109. ANND observed that there were 6.7 million people (18 per cent of the total population) in need of humanitarian assistance in Iraq. An estimated 4.5 million people face protection concerns. Almost 2 million people remain displaced, over half of whom have been displaced for more than three years. Access to employment/livelihood opportunities continues to be the main concern of IDPs.<sup>132</sup>

## **5. Specific regions or territories**

110. AASI stated that Assyrian Christian villages and towns have been exploited illegally by PKK militants for several years, which was preventing the Assyrian Christian landowners and others from returning to their areas of origin. This is occurring in areas related to districts of Amadiyah, Aqra and Zakho, and there are fears among the Assyrians of making a demographic change in these land grabbed towns or villages.<sup>133</sup>

## Notes

- <sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org).

*Civil society**Individual submissions:*

AASI	Assyrian Aid Society, Dohuk (Iraq);
AN	Access Now, New York (USA);
ADF International	ADF International, Geneva (Switzerland);
AI	Amnesty International, London (UK);
AIM	Alliance of Iraqi Minorities Network Erbil (Iraq);
Al-Haboby Foundation	Al Haboby Foundation for Iraqi Students and Youth, Nasiriyah (Iraq);
Al-Miezan	Al Miezan Association For Human Rights Development, Maysan (Iraq);
Alkarama	Alkarama Foundation, Geneva (Switzerland);
AEHR	Anhur Human Rights, Th'qar (Iraq);
CPJ	Committee to Protect Journalists, New York (USA);
CSW	Christian Solidarity Worldwide, New Malden (UK);
ECLJ	European Centre for Law and Justice, Strasbourg (France);
GICJ	Geneva International Centre for Justice, Vernier (Switzerland);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (UK);
GJC	Global Justice Center, New York (USA);
HRW	Human Rights Watch, Geneva (Switzerland);
ICAN	International Campaign to Abolish Nuclear Weapons, Geneva (Switzerland);
ICRN	Iraqi Child Rights Network, Erbil (Iraq);
IFS	Iraqi Al-Firdaws Society, Basra (Iraq);
JAI	Just Atonement (USA);
Jiyan Foundation	Jiyan Foundation for Human Rights, Erbil (Iraq);
JUBILEE	JUBILEE Campaign, Fairfax, VA (USA);
MAAT	Maat Foundation for Peace, Development and Human Rights, Cairo (Egypt);
MENA Rights	MENA Rights Group, Chatelaine (Switzerland);
OHRC	The Observer Human Rights Center, Najaf (Iraq);
PFT	PFT, Cairo (Egypt);
RASHID	Rashid International, Munich (Germany);
SYO	SYO, Dhi Qar (Iraq);
TLHR	Trainers League of Human Right, Erbil (Iraq);
TODH	Tiwa Organization for Development and Human Rights, Najaf (Iraq);
WEA	World Evangelical Alliance, Geneva (Switzerland).

*Joint submissions:*

JS1	<b>Joint submission 1 submitted by:</b> Alliance (Ensan) for Human Rights AEHR;
JS2	<b>Joint submission 2 submitted by:</b> The Advocates for Human Rights, The World Coalition Against the Death Penalty, and Harm Reduction International;
JS3	<b>Joint submission 3 submitted by:</b> Arab NGO Network for Development;
JS4	<b>Joint submission 4 submitted by:</b> Assyrian Universal Alliance - Americas Chapter (AUA Americas);
JS5	<b>Joint submission 5 submitted by:</b> CIVICUS: World Alliance for Citizen Participation;
JS6	<b>Joint submission 6 submitted by:</b> ECPAT International;
JS7	<b>Joint submission 7 submitted by:</b> Equality Now;
JS8	<b>Joint submission 8 submitted by:</b> FAA;
JS9	<b>Joint submission 9 submitted by:</b> Gulf Centre for Human Rights;
JS10	<b>Joint submission 10 submitted by:</b> Health and Humanitarian Assistance Network;
JS11	<b>Joint submission 11 submitted by:</b> IOHRD
JS12	<b>Joint submission 12 submitted by:</b> Justice Network for Prisoners
JS13	<b>Joint submission 13 submitted by:</b> Humanitarian Charity

	Organization;
JS14	<b>Joint submission 14 submitted by:</b> Kurdistan Human Rights Watch (KHRW),
JS15	<b>Joint submission 15 submitted by:</b> MADRE,
JS16	<b>Joint submission 16 submitted by:</b> Minority Rights Group International,
JS17	<b>Joint submission 17 submitted by:</b> Future Organization,
JS18	<b>Joint submission 18 submitted by:</b> OutRight Action International;
JS19	<b>Joint submission 19 submitted by:</b> RFA;
JS20	<b>Joint submission 20 submitted by:</b> Iraqi Women Journalists Forum;
JS21	<b>Joint submission 21 submitted by:</b> Smart Foundation;
JS22	<b>Joint submission 22 submitted by:</b> Save the Tigris Campaign.

<sup>2</sup> The following abbreviations are used in UPR documents:

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;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>3</sup> For relevant recommendations see A/HRC/14/14, paras 127.1, 127.16, 127.17, 127.30, 127.31, 127.67, 127.2, 127.3–127.9, 127.19, 127.20, 127.24, 127.26, 127.10, 127.18, 127.33, 127.25, 127.27–127.29, 127.35, 127.157, 127.34, 127.11–127.15, 127.21, 127.75, 127.74, 127.78–127.80, 127.121, 127.81, 127.49.

<sup>4</sup> MAAT, page 2, Al Karama, para. 9, AI, page 6 and MENAR, page 2.

<sup>5</sup> JAI, page 1.

<sup>6</sup> Al Miezani, page 4.

<sup>7</sup> Jiyan, page 6

<sup>8</sup> Al Karama, para. 18.

<sup>9</sup> AIM, page 1.

<sup>10</sup> ICAN, page 1.

<sup>11</sup> For relevant recommendations see A/HRC/14/14, paras 127.36, 127.38, 127.128, 127.106, 127.152, 127.204, 127.107, 127.108–127.118, 127.125, 127.119, 127.120, 127.168, 127.167, 127.165, 127.37, 127.146, 127.220–127.222, 127.83, 127.85, 127.88, 127.135, 127.39, 127.84, 127.86, 127.59, 127.126, 127.127, 127.136, 127.40, 127.159, 127.164, 127.214, 127.41–127.46, 127.62, 127.76, 127.77, 127.48, 127.65, 127.50, 127.60, 127.56, 127.61, 127.104, 127.95, 127.130, 127.51–127.55, 127.47, 127.217, 127.73, 127.153, 127.155, 127.102, 127.154.

<sup>12</sup> AIM, page 1.

<sup>13</sup> JS1, page 1.

<sup>14</sup> JS7, page 4.

<sup>15</sup> GJC, para. 11.

- <sup>16</sup> Al Karama, para. 10.  
<sup>17</sup> ICRN, page 7.  
<sup>18</sup> Jiyan, page 6.  
<sup>19</sup> Jiyan, page 6.  
<sup>20</sup> Jiyan, page 6.  
<sup>21</sup> Jubilee, para 27.  
<sup>22</sup> RASHID, para 20.  
<sup>23</sup> For relevant recommendations see A/HRC/14/14, paras 127.152, 127.56, 127.162, 127.163, 127.98, 127.143, 127.189, 127.201, 127.90.  
<sup>24</sup> JS16, para. 9.  
<sup>25</sup> JS18, paras. 5 and 6.  
<sup>26</sup> JS18, paras. 5 and 6.  
<sup>27</sup> CSW, paras. 12 and 13.  
<sup>28</sup> Jubilee, para 28.  
<sup>29</sup> For relevant recommendations see A/HRC/14/14, paras 127.37, 127.51, 127.94, 127.99, 127.64, 127.132, 127.199, 127.171, 127.219, 127.217, 127.176, 127.228, 127.177, 127.181, 127.218, 127.198, 127.207.  
<sup>30</sup> JS22, page 3.  
<sup>31</sup> JS22, page 6.  
<sup>32</sup> For relevant recommendations see A/HRC/14/14, paras 127.220–127.229, 127.105, 127.100, 127.216.  
<sup>33</sup> AIM, page 5.  
<sup>34</sup> AI, page 1.  
<sup>35</sup> ADF, page 5.  
<sup>36</sup> For relevant recommendations see A/HRC/14/14, paras 127.117, 127.118, 127.37, 127.101, 127.134, 127.100, 127.94, 127.168, 127.61, 127.103–127.106, 127.155, 127.97, 127.225.  
<sup>37</sup> AI, page 6; Al Karama, para. 34; MENA Rights, page 4.  
<sup>38</sup> JS12, page 12.  
<sup>39</sup> JS2, page 4.  
<sup>40</sup> RASHID, page 3.  
<sup>41</sup> JS16, para. 22.  
<sup>42</sup> JS16, para. 22.  
<sup>43</sup> JFHR, page 7.  
<sup>44</sup> GICJ, page 4.  
<sup>45</sup> MENA Rights, pages 5 and 6  
<sup>46</sup> MENA Rights, page 6  
<sup>47</sup> For relevant recommendations see A/HRC/14/14, paras 127.37, 127.140–127.149, 127.124, 127.97, 127.170, 127.123, 127.151, 127.152, 127.157, 127.121, 127.164, 127.47, 127.102, 127.163, 127.134, 127.122, 127.138, 127.156, 127.224, 127.202, 127.203.  
<sup>48</sup> JAI, page 1.  
<sup>49</sup> HRW, page 2.  
<sup>50</sup> MENA Rights, pages 8 and 9.  
<sup>51</sup> JS12, page 12.  
<sup>52</sup> JFHR, page 6.  
<sup>53</sup> PFT, page 1.  
<sup>54</sup> PFT, page 1.  
<sup>55</sup> PFT, page 6.  
<sup>56</sup> For relevant recommendations see A/HRC/14/14, paras 127.157, 127.204, 127.96, 127.203.  
<sup>57</sup> AIM, page 7.  
<sup>58</sup> AIM, page 7.  
<sup>59</sup> ADF, page 2.  
<sup>60</sup> WEA, page 2.  
<sup>61</sup> JS8, para. 5.  
<sup>62</sup> AN, page 4  
<sup>63</sup> AN, page 4.  
<sup>64</sup> JS14, page 4.  
<sup>65</sup> JS14, page 4.  
<sup>66</sup> JS5, para. 2.1.  
<sup>67</sup> JS5, para. 2.3.  
<sup>68</sup> JS3, paras. 78–79.  
<sup>69</sup> JS3, para. 80.  
<sup>70</sup> CPJ, para. 5.  
<sup>71</sup> CPJ, para. 6.  
<sup>72</sup> JS8, para. 23.

- <sup>73</sup> JS21, page 4.
- <sup>74</sup> JS20, page 8.
- <sup>75</sup> For relevant recommendations see A/HRC/14/14, paras 127.137, 127.138, 127.140, 127.141.
- <sup>76</sup> AIM, page 7.
- <sup>77</sup> JS1, page 6.
- <sup>78</sup> For relevant recommendations see A/HRC/14/14, para 127.176.
- <sup>79</sup> OHRC, page 5.
- <sup>80</sup> JS19, page 2.
- <sup>81</sup> JS19, page 2.
- <sup>82</sup> For relevant recommendations see A/HRC/14/14, para 127.72
- <sup>83</sup> OHRC, page 5.
- <sup>84</sup> OHRC, page 5.
- <sup>85</sup> For relevant recommendations A/HRC/14/14, paras 127.56, 127.101, 127.72, 127.172–127.175.
- <sup>86</sup> AH, page 1.
- <sup>87</sup> TLHR, page 4.
- <sup>88</sup> For relevant recommendations see A/HRC/14/14, paras 127.53, 127.54, 127.177–127.181, 127.219.
- <sup>89</sup> AH, page 1.
- <sup>90</sup> AH, page 7.
- <sup>91</sup> JS10, page 4.
- <sup>92</sup> JS16, para. 35.
- <sup>93</sup> JS16, para. 36.
- <sup>94</sup> For relevant recommendations see A/HRC/14/14, paras 127.53, 127.54, 127.181–127.190, 127.179, 127.94, 127.91, 127.218.
- <sup>95</sup> AH, page 1.
- <sup>96</sup> JS16, para. 39.
- <sup>97</sup> Al Miezán, page 5.
- <sup>98</sup> For relevant recommendations see A/HRC/14/14, paras 127.71, 127.91, 127.93, 127.131, 127.57, 127.128, 127.83, 127.85, 127.88, 127.39, 127.86, 127.59, 127.126, 127.127, 127.76, 127.77, 127.104, 127.95, 127.130, 127.134, 127.158, 127.138, 127.140, 127.141, 127.137, 127.97, 127.149, 127.96, 127.210, 127.187, 127.188, 127.90, 127.87, 127.94, 127.92, 127.58, 127.129, 127.132.
- <sup>99</sup> JS9, para. 18.
- <sup>100</sup> JS11, page 4.
- <sup>101</sup> JS15, para. 3.
- <sup>102</sup> JS13, page 4.
- <sup>103</sup> IFS, page 1.
- <sup>104</sup> For relevant recommendations see A/HRC/14/14, paras 127.66, 127.18, 127.84, 127.59, 127.127, 127.136, 127.40, 127.159, 127.51–127.56, 127.188–127.194, 127.160, 127.137, 127.138, 127.140, 127.141, 127.149, 127.161, 127.210, 127.172, 127.181–127.186, 127.94, 127.57, 127.92, 127.58, 127.132.
- <sup>105</sup> AH, page 2.
- <sup>106</sup> AH, page 2.
- <sup>107</sup> JS6, para. 6.
- <sup>108</sup> JS17, pages 2 and 3.
- <sup>109</sup> ICRN, page 5.
- <sup>110</sup> GIEACPC, para. 2.
- <sup>111</sup> For relevant recommendations see A/HRC/14/14, paras 127.81, 127.146, 127.164, 127.59, 127.47, 127.154, 127.162, 127.163, 127.98, 127.149, 127.196–127.205.
- <sup>112</sup> JS4, para. 6.
- <sup>113</sup> ADF, page 4.
- <sup>114</sup> ADF, page 4.
- <sup>115</sup> AUA, para.7.
- <sup>116</sup> ECLJ, para 10
- <sup>117</sup> OHRC, page 7.
- <sup>118</sup> JS16, para. 17.
- <sup>119</sup> AIM, page 9.
- <sup>120</sup> SYO, page 2.
- <sup>121</sup> TODH, page 1.
- <sup>122</sup> TODH, page 1.
- <sup>123</sup> Al-Haboby, page 4.
- <sup>124</sup> Jubilee, para 29.
- <sup>125</sup> Jubilee, para 30.
- <sup>126</sup> Jubilee, para 31.
- <sup>127</sup> For relevant recommendations see A/HRC/14/14, paras 127.21, 127.206–127.216.
- <sup>128</sup> AIM, page 10.

<sup>129</sup> MENA, page 7.

<sup>130</sup> SYO, page 2.

<sup>131</sup> AI, page 3.

<sup>132</sup> ANND, paras. 35–40.

<sup>133</sup> AASI, page 2.

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