



Child Rights References in the Universal Periodic Review

Summary:

A compilation of extracts featuring child-rights issues from the reports submitted to the first Universal Periodic Review. There are extracts from the 'National Report', the 'Compilation of UN Information' and the 'Summary of Stakeholder's Information'. Also included is the 'Final Report' and 'Conclusions and Recommendations' from the Review.

Iraq - 7th Session - 2010

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National Report

18. The Republic of Iraq has acceded to the five main human rights treaties, as well as the two optional protocols to the Convention on the Rights of the Child.

40. Civil society institutions provide an important national mechanism for protecting, promoting and defending human rights, particularly human rights advocacy and education. These institutions operate in a wide range of areas and include organizations which focus on specific issues such as women, children's rights, the rights of persons with disabilities and prisoners' rights. There are thought to be more than 6,000 such institutions.

45. Constitutional human rights guarantees and Iraq's commitments under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women provide the basic normative framework for protecting and promoting the human rights of children and women, who account for the largest proportion of the population (over 50 per cent). These are the two groups most affected by changes in the human rights situation, including acts of violence and terrorism, as well as by shortcomings in welfare services and structures and elements of the prevailing culture which adversely affect their ability to exercise their rights in general.

47. Nevertheless, a number of positive achievements have been scored with regard to the enjoyment of women's rights. In particular:

(a) An institutional structure has been established to deal with women's and family issues. This structure includes the Ministry of State for Women's Affairs, the Parliamentary Committee for Women and Children and the Department for the Welfare of Widows and Divorcees, which is part of the Ministry of Labour and Social Affairs. In addition, the Higher Commission for the Advancement of Women has undertaken to formulate a strategy on the advancement of women, while dozens of non-governmental organizations are dedicated to women and children.

51. The institutional structure for the advancement of children's rights includes the Child Welfare Authority (a multisectoral authority representing various ministries with a stake in the situation of children), which formulates policies aimed at improving the situation of children and resolving their problems. The Authority has taken initiatives such as creating schools for gifted children, and the Children's Culture Home, which is linked to the Ministry of Culture and produces periodicals, booklets and courses for children. The Children's Parliament was established, on the initiative of civil society organizations, in the governorate of Maysan, while a Youth Parliament was established at the behest and with the support of the Ministry of Sports and Youth.

66. In 2008, the under-5 mortality rate was 34 per 1,000 live births, while the infant mortality rate was 29 per 1,000 live births. This is an encouraging sign as far as the attainment of the Millennium Development Goals is concerned. On the other hand, the challenges which the Iraqi health system has faced since 2003 must not be forgotten, particularly in the light of the acts of violence and terrorism which have affected lives and health, increasing the health needs of the population, reducing health resources and access to health services and placing a wide cross-section of the population in general, and women and children and health care workers in particular, at risk. In this connection, it is worth noting that the Ministry of Health recently adopted a strategy focusing more on prevention than treatment. The Ministry has taken care to provide children in particular with essential vaccinations and has run numerous immunization campaigns. The Ministry also liaises constantly with school administrations on school health matters in order to prevent the spread of diseases among schoolchildren.

67. The education system in Iraq was described as one of the best systems in the region before 1980, based on a series of indicators. However, with the descent into war, the Government paid less attention to the sector and the budgets for developing the education system were reduced, putting considerable strain on educational institutions.

68. Considering the situation with which Iraq has had to contend both in the past and in recent times, the achievements that have been scored in education, in terms both of school enrolment and the number of children who continue their studies, do credit to Iraqi society, which insists on the importance of education as a gateway to the future, even if the challenges remain.

Achievements and best practices:

-The establishment of the Ministry of State for Women's Affairs, the Higher Authority for the Advancement of Women, the Parliamentary Committee for Women and Children, the Department for the Welfare of Widows and Divorcees at the Ministry of Labour and Social Affairs, the Community Police Department on Violence against Women

-The establishment of a child welfare authority, schools for gifted students and the Children's Culture Home; the consolidation of democratization processes and human rights values through the creation of the Children's Parliament and the Youth Parliament; and efforts to establish "Friends of Human Rights" groups in schools through free and direct elections

-Accession to the two optional protocols to the Convention on the Rights of the Child

UN Compilation

2. In 2000, the Committee on the Elimination of Discrimination Against Women (CEDAW) recommended that the Government modify or withdraw its reservations to the convention.¹⁴ In 1998, the Committee on the Rights of the Child (CRC) encouraged Iraq to consider the possibility of reviewing the reservation to article 14, paragraph 1, of the Convention with a view to its withdrawal.¹⁵

8. In 2009, the ILO Committee of Experts requested the Government to provide information on the programmes of action to eliminate the worst forms of child labour.²⁶ In 1998, CRC recommended that systematic training on child rights and on international human rights and humanitarian law be organized for professional groups working with and for children.²⁷

13. In 1998, CRC was concerned about the availability of facilities and services for persons with disabilities.⁴²

15. UNICEF noted that over the last five years, tens of thousands Iraqis have been killed and millions continue to suffer from the consequences of violence and insecurity.⁴⁷ UNAMI reported that the second half of 2008 was marked by the continuation of suicide attacks, including by female suicide bombers.⁴⁸ UNICEF noted that around 1.6 million people have their lives affected by more than 50 million cluster bomblets and 20 million land mines, which had killed or maimed around 8,000 people, including 2,000 children.⁴⁹

20. The Special Representative of the Secretary-General for Children and Armed Conflict, who undertook a mission to Iraq from 13 to 25 April 2008,⁷⁰ referred to particular concerns about non-State armed groups allegedly using children to support operations including acting as suicide bombers.⁷¹ UNAMI recommended giving consideration to the creation of a high-level committee to establish appropriate child protection policies and of a monitoring and reporting mechanism to gather concrete data on grave human rights violations affecting children.⁷² The Special Representative recommended criminalizing the recruitment and/or use of children, especially children used in suicide attacks, as an immediate measure; and invigorating investigations and prosecutions of the crime of recruitment and use of children as a matter of priority.⁷³

21. The Special Rapporteur on the sale of children, child prostitution and child pornography indicated that gender discrimination laws further exacerbated and entrenched the persistence of violence against women. She stressed that most victims of domestic violence had no access to medical treatment and that such violence had led to the increase in suicides, self-immolations and killings.⁷⁴ In 2000, CEDAW urged the Government to encourage and support the establishment of facilities for women victims of domestic violence.⁷⁵

22. In 2008, UNAMI mentioned that children and young adults were exposed to grave violations, including death and injury from sectarian violence and military operations.⁷⁶ It reported that concerns continue about child victims of domestic violence⁷⁷ and that children are becoming victims of sexual violence, forced marriages and honour crimes.⁷⁸ It recommended amending the criminal legislation permitting the application of mitigating circumstances to "honour crimes".⁷⁹ In 1998, CRC was concerned that corporal punishment is not expressly prohibited in domestic legislation.⁸⁰ In 2005, five special procedures mandate holders noted that women and girls had been subjected to sexual threats, humiliating treatment, were held for long periods in solitary confinement and sexually abused by members of forces of a foreign Government operating in Iraq.⁸¹

23. In 2006, UNAMI received information of children trafficked outside Iraq to work as sex slaves, labourers, or unlawfully adopted by families abroad.⁸² In 2008, it expressed concerns about the reports of human trafficking and complaints of abuse of migrant workers in Iraq.⁸³

24. In 2009, the ILO Committee of Experts requested the Government to indicate measures adopted or envisaged to secure the prohibition of the use, procuring or offering of a child under 18 years of age for illicit activities, in particular for the production and trafficking of drugs.⁸⁴ In 1998, CRC encouraged Iraq to increase preventive measures and its efforts to ensure the rehabilitation and reintegration of children living and/or working on the streets.⁸⁵

28. UNAMI stressed that the Iraqi juvenile justice system continues to be characterized by the lack of community-based actions to prevent juvenile crime⁹⁹ and that key actors lack knowledge of modern juvenile justice procedures.¹⁰⁰ The Special Representative of the Secretary-General on children and armed conflict recommended that detention of children should be considered as a last resort.¹⁰¹

44. UNICEF noted that children have been unable to attend school due to insecurity-related school closures/disruptions, displacement,

overcrowded classrooms, poverty, poor school infrastructure and negative attitudes towards girl education. Teaching methodologies and school management are outmoded and outdated, exacerbated by the exodus of many professional teaching staff during the height of the conflict.147 UNICEF indicated that dropout rates are increasing and that vast regional disparities exist.148 It added that the teaching force requires substantial upgrading of skills.149 In 2000, CEDAW called on the Government to strengthen efforts to eradicate illiteracy.150

61. The four pillars of the United Nations programme in Iraq are delivery of essential services; governance; economic reform; and protection of the vulnerable.192 UNICEF submitted information on its programmes supporting the rebuilding of the protective environment for Iraq's most vulnerable children and women.193

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