

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD  
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IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection  
with the consideration of the initial report of Iraq  
(CRC/C/41/Add.3)

General measures of implementation  
(Arts. 4, 42 and 44 para. 6)

1. Please provide information on recent developments which took place after the submission of the report, including in legislation, administrative and other fields in relation to the implementation of the Convention.
2. Please indicate the status of the Convention on the Rights of the Child in relation to national law. Can the provisions of the Convention be invoked in courts?
3. In the light of the recommendations adopted in the Declaration and Plan of Action of the World Conference on Human Rights, has the State party considered the possibility of reviewing its reservation to article 14(1) of the Convention with the view of its withdrawal?
4. Please provide further information on the following:
  - a) existing coordination, with regard to child policies, between the central Government and district and other local authorities;
  - b) existing or foreseen mechanisms to coordinate the activities between all ministries involved in children's issues; and
  - c) existing or foreseen mechanisms, both at central and local levels, for the monitoring of the implementation of the Convention.
5. Please provide information on mechanisms expressly relevant to children under the age of 18 that have been developed for the determination of appropriate indicators and the collection of disaggregated data concerning the status of children, including specific information on girls, children with disabilities and children belonging to minority groups, in order to design policies and programmes for the implementation of the Convention. How effective are these mechanisms? Is international assistance needed in this regard?
6. Please describe the policy in place in relation to the implementation

of article 4 of the Convention with regard to the allocation ~~A~~to the maximum extent of (...) available resources for the rights of the child~~@~~ and indicate what guarantees exist to ensure that central and local authorities are guided by this principle in their policy decision making. How are children with special needs protected against the adverse effects of reductions in budgetary allocations?

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7. Please provide information on measures taken to train professional groups such as, inter alia, social workers, educators, teachers, doctors, judges, lawyers, law enforcement personnel as well as government officials and decision makers, army officials, civil servants including at the local level, personnel working in institutions and places of detention for children, health personnel including psychologists and social workers, about the Convention. In addition, please further indicate what measures have been taken to raise the awareness of Government officials, legislators, community-based organizations, religious leaders, the mass media and the public at large including children themselves about the principles and provisions of the Convention, and to disseminate the Convention to these groups and the public at large.

8. Please provide more details about the process of preparing the report, including the extent to which the community-based organizations were involved. Further, in the light of the different mechanisms intervening in the field of welfare policies for children, please indicate in what way these mechanisms relate to community-based organizations in the country, at the national, district and local levels and how popular participation is ensured.

Definition of the child  
(Art. 1 of the Convention)

9. Please provide information on the minimum ages for legal and medical counselling without parental consent, sexual consent, voluntary enlistment into the armed forces, to give testimony before a court and legal minimum age for marriage.

10. Please specify what measures is the State party undertaking to combat early marriage of girls. Are there any studies on the extent of the practice? Has the State party launched any sensitization campaign on this issue?

General principles  
(Arts. 2, 3, 6 and 12 of the Convention)

11. In the light of General Comment No. 8 adopted by the Committee on Economic, Social and Cultural Rights (1997), entitled: ~~A~~The relationship between economic sanctions and respect for economic, social and cultural rights~~@~~ please provide further information on the impact of the sanctions imposed on Iraq on the health and survival of children.

12. With regard to information provided in paragraph 22 of the report, please indicate whether the Constitution guarantees the right to life. Please provide details of other legislation guaranteeing the right to life.

13. With regard to information provided in paragraph 10 of the report, please specify whether the article on prohibition of discrimination in the Constitution includes an explicit prohibition of discrimination on the grounds of disability, national or ethnic origin, and political or other opinion.

14. What particular steps have been taken to promote the rights of girls and combat discrimination against them?

15. What measures have been taken by the authorities to reduce disparities between rural and urban areas, especially with regard to access to health, education and social services? What measures have been taken to reduce such disparities between the different governorates, and between the North, Center and South of the country?

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16. In the light of articles 3 and 12 of the Convention, please provide additional information on the ways in which the principles of the best interests of the child and respect for the views of the child are taken into consideration in legislation as well as in judicial, administrative and other proceedings, or through actions undertaken by social welfare institutions. Please provide detailed examples of legislation in which the principles of ~~A~~best interests of the child@and ~~A~~respect for the views of the child@are enshrined. Please also provide concrete examples of implementation of articles 3 and 12 of the Convention by courts and/or administrative bodies.

17. Please indicate concrete measures taken to sensitize the public opinion to encourage children to exercise their participatory rights and to express their views, especially in the educational system.

Civil rights and freedoms

(Arts. 7, 8, 13-17, and 37 (a) of the Convention)

18. Please indicate measures taken or envisaged to ensure that all children are registered at birth. What specific measures have been taken to encourage the population to register births in rural areas? Are certain benefits and rights, for example receipt of food ration, education and health services, granted only to persons who are registered and hold identity cards?

19. Please provide information on the occurrence of maltreatment of children. Have specific programmes for the prevention of ill-treatment of children been developed at the central and local levels? What specific legal provisions exist to protect children from being ill-treated in their homes, schools and other institutions? Are there complaints procedures which can be used by children themselves against abuses? Have any cases of

ill-treatment of children been submitted to the national courts? Please also indicate if corporal punishment is prohibited by law within the family, in schools and other institutions.

20. In the light of paragraph 12 of the concluding observations of the Human Rights Committee concerning Iraq (document CCPR/C/79/Add. 84 of 7 November 1997), please indicate whether the legislation allows the imposition of the punishment of branding and amputation against persons under the age of 18.

Family environment and alternative care  
(Arts. 5, 9-11, 18 paras. 1-2, 19-21, 25, 27(4)  
and 39 of the Convention)

21. Please specify what provisions guarantee parental authority and visiting rights when parents are living separately or in the case of divorced couples where each partner has established a new home. Further, in the light of Article 27 (4) of the Convention, please provide information on legislation, policies and practice in relation to recovery of maintenance for children in the case of separation or divorce of the parents, including international agreements and arrangements to ensure such recovery in case the person responsible for maintenance lives outside Iraq. Please indicate the principles that guide the determination of the placement of the child with one of the parents when the parents are living separately or divorced.

22. Please indicate the present policy of the State party in relation to the choice between institutional care and care in foster homes or similar arrangements. Please indicate how many such alternative care institutions exist, the authority responsible for supervising, and the mechanism of supervision. Please provide information on the number of children who are

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placed in such institutions, and the number of children who are in foster families. In the light of paragraph 73 (d) of the report, please indicate if children can be placed with Iraqi foster parents who live outside Iraq. In the light of article 25 of the Convention, please also provide information on mechanisms that guarantee periodic review of placement of children in institutions of alternative care.

23. In the light of paragraph 28 (b) (i) of the report, please indicate whether research has been undertaken or planned regarding the problem of ill-treatment and sexual abuse of children, including social factors which influence such violations. What legislative measures have been adopted or envisaged to protect the child against abuse, including sexual abuse, and maltreatment within the family, as laid down, inter alia, in article 19 of the Convention? Please indicate whether there are rehabilitation services for the care of children victim of neglect or abuse. In the light of the above, please indicate measures, legislation and research on domestic violence against children and women.

Basic health and welfare

(Arts. 6, para 2, 23, 24, 26 and 18 para. 3  
and 27 paras. 1-3 of the Convention)

24. In the light of information provided in paragraph 24 of the report regarding the periodic health examination of children to ensure their health and development, please indicate the frequency of such review. Please further indicate who is responsible for carrying out this review. How is that review ensured and carried out in rural areas? Is this review ensured in the Northern Governorates?

25. In the light of paragraph 84 of the report, please provide further information on the number of family health and maternal and child health-care centers and their location including in the three Northern Governorates. To what extent is there provision of parental education and family counseling services on health matters, including adolescent health?

26. Please provide data and further information related to adolescent health including, inter alia, on teenage pregnancy, abortion, Sexually Transmitted Diseases (STDs) including HIV/AIDs, violence, drug and alcohol abuse, suicide and mental health problems. What policies and programs are presently in place or planned for prevention of these problems and for the provision of care and treatment for persons under the age of 18?

27. Please provide additional information on the situation of children with disability in respect to the promotion of their dignity, self reliance and active participation in the community, as well as their effective access to education, training, health care and rehabilitation services and preparation for employment, including information on the availability of these services in the rural areas. Please provide information on practical measures taken to prevent and eliminate discriminatory attitudes against persons with disability. Additionally, in the light of information provided in paragraph 101 (d) of the report, please indicate if there are similar kindergartens and facilities for able-bodied children and children with disability. Please indicate if any surveys have been conducted regarding the number of children with disabilities and their particular problems. Please provide any available data focusing on child disability.

28. In the light of Article 18 (3) of the Convention, please provide information on maternity leave, other benefits, and the availability and distribution of child care services for working parents.

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Education, leisure and cultural activities

(Arts. 28, 29 and 31)

29. In the light of paragraph 101 of the report, please indicate the duration of compulsory education during the primary level. Please also provide further information on the school system in relation to the different levels that exist and the length and types of education provided

at each level.

30. What measures are being taken to ensure regular school attendance and reduce the school drop-out rates, particularly for girl students and in the rural areas? Please indicate the specific measures being taken to reduce the high level of illiteracy, especially among females.

31. In the light of information provided in paragraph 115 of the report, please indicate the number of schools that fall within the criteria indicated, and the location of such schools according to the different governorates, and in rural and urban areas.

32. In the light of paragraph 106 of the report, please provide information on any laws or regulations that explicitly prohibit the use of corporal punishment in schools. Please provide information on whether children have the right to file complaints in case of abuse or ill-treatment.

33. Please indicate what measures have been taken to evaluate the quality of education. Are the Convention on the Rights of the Child and other human rights instruments included in the school curricula? What measures have been taken to foster the participation of children within the educational system, to carry out dialogue and involve parents in the educational system?

#### Special protection measures

(Arts. 22, 30, 32-40)

34. With regard to information provided in paragraph 75 of the report, please indicate the current number of asylum seeking and refugee children living under the jurisdiction of the State party and the number of internally displaced children. Please also indicate how the State party is ensuring, through legal and other measures, that the basic rights of those children, such as access to health, education and social services, is guaranteed.

35. Please provide information on any efforts for removing land-mines and other un-exploded ordnance. What preventive measures have been taken for educating and warning children against the risks of land-mines? What efforts have been made to mark areas where these land-mines exist, and for the installment of accessible signs that are easy for children to recognize and understand?

36. Please provide information on existing efforts and programmes to provide rehabilitation and treatment for children traumatized by armed conflicts, including victims of land-mines.

37. Please provide further information, in the light of articles 37, 40 and 39 of the Convention, in particular on:

- a) the use of arrest, detention or imprisonment of a child as a measure of last resort and for the shortest period of time;
- b) the possibility to have a prompt access to legal and other appropriate assistance, as well as for challenging the legality of the deprivation of liberty before a court or other competent, independent and impartial authority, and of having a prompt decision thereon;

- c) the right of the child alleged as, accused of or recognized as having infringed the penal law to be treated in a manner consistent with the child's sense of dignity and worth, which reinforces the child's respect for human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society;
- d) alternative measures to institutional care made available to deal with such children in a manner appropriate to their well-being; and
- e) the establishment of laws and procedures specifically applicable to children alleged as, accused of or recognized as having infringed the penal law, in the light of article 40, paragraph 3 of the Convention.

Is it possible to have periodic review of the placement decision?

38. Please provide further information on the treatment of juvenile offenders, in particular on the following;

- a) the measures taken to ensure contact between the child and his/her family;
- b) how the conditions of children in detention are monitored;
- c) whether there are complaint procedures to deal with issues such as ill-treatment which are independent from the authorities of detention and correction institutions. How effective are these procedures?
- d) educational facilities;
- e) services for the recovery and rehabilitation of offenders and their effectiveness.

39. Please provide information on the State party's policy for the protection of children living and/or working on the streets. Are there any programmes to provide vocational training or education for children living and/or working on the streets? Has any evaluation of these programmes been undertaken?

40. In the light of paragraph 120 of the report, please explain how the legislation relating to the minimum age for employment, and the prohibition of harmful work, is being applied in practice. What mechanisms exist to supervise compliance with this law and what measures are taken in cases of violation of the law?

41. In the light of paragraphs 64, 125, and 126 of the report, please provide any information on the situation of sexually exploited children. Have there been cases recorded? What is the legal status of these children? In the light of article 39 of the Convention, are there rehabilitation facilities available for these children?

42. Please indicate measures taken by the State party to implement Security Council resolution 986 (1995), known as food-for-oil agreement. Please indicate any progress in the provision of health services, measures to combat malnutrition and mortality and morbidity rates of children as part of the implementation of food-for-oil agreement.