



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**  
Twenty-third session

**Summary record of the 468th meeting**

Held at Headquarters, New York, on Wednesday, 14 June 2000, at 10 a.m.

*Chairperson:* Ms. Gonzalez

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Convention

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*The meeting was called to order at 10.45 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention**

*Combined second and third periodic reports of Iraq (CEDAW/C/IRQ/2-3, CEDAW/PSWG/2000/II/CRP.1/Add.3 and CEDAW/PSWG/2000/II/CRP.2/Add.2)*

1. *At the invitation of the Chairperson, the delegation of Iraq took places at the Committee table.*

2. **Ms. Kammās** (Iraq), introducing the second and third periodic reports of Iraq (CEDAW/C/IRQ/2-3), stressed her Government's commitment to implementing the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments and reaffirmed her delegation's desire to maintain its dialogue with the experts of the various human rights treaty bodies, whose neutrality, integrity and objectivity were essential to effective monitoring of compliance with international human rights instruments. The relevant treaty bodies had noted the factors hindering Iraq's implementation of international conventions and had stressed the need to remove such obstacles.

3. In the 10 years between the 1987 and 1997 censuses, the population of Iraq had increased by 3 per cent to over 22 million, of whom 49.7 per cent were men and 50.3 per cent were women. The Government was endeavouring to implement the Beijing Platform for Action and had, for example, in cooperation with non-governmental organizations, especially the General Federation of Iraqi Women, organized, in Baghdad in 1994, an international seminar on human rights, which had issued a forward-looking declaration on the integration of women's rights into the general context of human rights.

4. The Government had also adopted a National Strategy for the Advancement of Iraqi Women to promote women's rights in accordance with the decisions of the 1995 Beijing Conference, with a view to strengthening institutional mechanisms for implementing measures to promote women's rights. A High-Level National Committee for the Advancement of Iraqi Women had been set up as a result of the National Strategy, and was headed by the Minister responsible for Labour and Social Affairs and included representatives from all ministries involved in

implementing the National Strategy, with branches of that committee in all ministries concerned.

5. Before dealing with the report and her delegation's responses to the questions posed by the members of the Committee, she noted that the dialogue between Iraq and the Committee was based on the legal framework set out in the Convention and on the observations made by relevant human rights treaty bodies. She regretted to report that the implementation of the Convention had been less than ideal but was confident that the Committee fully understood the tragic situation in Iraq and believed that continued dialogue and cooperation would help overcome obstacles to full implementation of the Convention.

6. It was essential for the Committee to be fully aware of the circumstances hindering implementation. Noting that the eleventh preambular paragraph of the Convention stressed that respect for national sovereignty and territorial integrity, *inter alia*, would promote social progress and development and thereby contribute to full equality between men and women, she deplored the continued violation of Iraqi sovereignty and territorial integrity since 1991 by the United States of America and the United Kingdom. She condemned the creation of no-fly zones in the north and south of Iraq and noted that the indiscriminate bombing of the civilian and military infrastructures (nearly 200,000 raids since May 1991) had resulted in the deaths of hundreds of innocent civilians and serious damage to the economy.

7. The threat of daily attacks had created psychological problems such as anxiety, depression, insomnia, weight loss and the fear of losing friends or family among women and children. Such attacks were serious violations of Iraq's right to self-determination and international human rights law and were not authorized by any of the relevant Security Council resolutions. The use of weapons with depleted uranium during the 1991 war by the United States of America and the United Kingdom had increased leukaemia rates to four or five times the 1989 rate, with 75 per cent of the victims being children. High rates of lung, stomach and skin cancer, sterility, premature birth and congenital diseases had also been noted and the effects of the use of those weapons would be felt for generations to come. Furthermore, the Government of Iraq could not be held responsible for the human rights situation, especially with regard to the rights of women, in the self-rule area in the north of the country.

8. There were three essential interrelated requirements for full implementation of human rights instruments: the political will of the State as expressed in its accession and in the implementation of relevant national legislation, the allocation by the State of adequate resources to economic, social and cultural rights, and international cooperation in accordance with the Charter of the United Nations, the principles of international law and international human rights instruments. Iraq had clearly expressed its commitment to human rights for women by acceding to the Convention, developing national strategies and institutions to ensure implementation, and continuing to meet its obligation to submit periodic reports. Unfortunately, the situation in the country created by the economic blockade prevented practical implementation and had forced the Government to change its priorities and focus on the simple survival of its citizens, in particular women and children.

9. The ban on oil exports imposed by the Security Council had deprived Iraq of 95 per cent of its resources, and various reports by international organizations had left no doubt about the negative effects of sanctions on the country and on the human rights situation. It was regrettable, however, that no implementation mechanisms to address those concerns had been suggested. The special session of the General Assembly entitled "Women 2000" had, for example, only reaffirmed that measures for implementation should be urgent and effective, and the report of the Secretary-General on review and appraisal of the implementation of the Beijing Platform for Action (E/CN.6/2000/PG/2) did not deal with the effect of the sanctions on the civilian population, especially women and children. It was incumbent upon international human rights bodies to highlight the effect of the sanctions on the human rights situation and implementation of all relevant conventions, and her delegation was committed to providing the Committee with information in that area.

10. The 1999 annual report of UNICEF had reported dramatic increases in the infant and under-5 mortality rates and the maternal mortality rate. The loss of a half million Iraqi children could have been avoided if the sanctions had been lifted. In closing, she urged the Committee to join the Committee on the Rights of the Child and the Committee on Economic, Social and Cultural Rights, among other international bodies, in calling for the lifting of the sanctions.

11. **Ms. Al-Azzawi** (Iraq) said that the Government of Iraq had taken a number of measures to speed up the elimination of discrimination against women and ensure their enjoyment of human rights, despite the restrictions imposed by the sanctions. In the area of political decision-making, the Socialist Ba'ath Party had established quotas for representation of women and youth in its membership, in accordance with CEDAW general recommendation 23, paragraph 15, which had led to increased representation of women after the 1999 legislative elections. In the area of legislation aimed at protecting women's rights, laws had been passed to adjust the alimony received by divorced women to account for inflation and to make failure to pay alimony a crime punishable by a one-year jail term. Other new legislation exempted women from pre-trial detention for certain crimes in order to protect their dignity.

12. The additional information and statistical data provided in response to questions from Committee members (CEDAW/PSWG/2000/II/CRP.2/Add.2) showed an increase in women's political representation; women currently made up 8 per cent of the legislature. However, the tables also showed a steady deterioration in the health-care situation of women and children and widespread unemployment among women. The information provided should allow the Committee to conclude that the political will existed in Iraq to implement the Convention, but the challenges caused by the embargo meant that the needed resources were scarce. Her delegation was sure that the Committee's consideration of the situation in Iraq would be objective. In that connection, she drew attention to the concluding observations of the recent report of Iraq to the Committee on the Elimination of Racial Discrimination, which represented a model to be followed. In closing, her delegation called on all United Nations bodies to set up a mechanism to implement paragraph 145 of the Beijing Platform for Action and to do justice to Iraqi women by protecting them from international decisions which violated their human rights.

13. **The Chairperson** invited members of the Committee to enter into a dialogue with the delegation of Iraq.

14. **Ms. Khan** said that the Committee welcomed the opportunity for dialogue with the Iraqi delegation as a way to identify remaining obstacles to women's full enjoyment of their rights. Women had achieved great

progress in modern Iraq in comparison to their neighbours. She was pleased to note that article 19 (a) of the Constitution of Iraq embodied equal rights for men and women, but was disappointed that it did not contain an explicit prohibition of discrimination. Although article 19 (b) of the Constitution provided for equality within the limits of the law and despite all efforts, some discriminatory laws remained.

15. She was concerned at the reservations made to article 2, paragraphs (f) and (g), of the Convention, which, in her view, were not contradictory either to the Constitution or to Shariah-law, and at the blanket reservations to articles 9 and 16. It was regrettable that, despite the emphasis on protecting the dignity of women, the Iraqi Government was not considering the withdrawal of those reservations. A legal basis for non-discrimination must be established as a first step towards its realization in practice. Since the report pointed out that men and women had equal rights in the marriage contract, those reservations should be withdrawn.

16. She welcomed the information provided about efforts to include the inflation factor in calculating alimony for divorced women, and asked for information about any other programmes that the Government might have targeted to protect women's rights and women in vulnerable groups. Even in peacetime the implementation of the Convention called for effort and commitment, and she wondered if any special measures were being taken to promote women's employment.

17. The report and the replies to the Committee's questions were largely silent on the subject of violence against women and prostitution. More specifics were needed, as under the difficult conditions prevailing in Iraq, sexual exploitation of women would become more likely. The report linked the de facto equality of women to cultural values, and it appeared that some harmful traditional practices were, in effect, condoned by the authorities. Some old practices, such as polygamy, honour killing and female genital mutilation, appeared to be coming back into use, and those practices would be even more reprehensible in the face of indifference or complicity on the part of the State. She would like to learn more about efforts by the Human Rights Commission of the National Assembly to protect the rights of women.

18. She wondered if any efforts were being made within the Government to target funds from the Security Council oil-for-food programme to the health situation of women and children, as the statistics provided in the responses to questions showed that it was still deteriorating. Finally, the Government must recognize that efforts to reach equality for women must be accelerated through temporary special measures, as provided for in article 4, paragraph 1, of the Convention.

19. **Ms. Ferrer Gomez** said that she wished to express her regret at the difficult situation of Iraqi children and women because of the genocide by the Government of the United States of America, its use of prohibited weapons against the Iraqi people and the destruction of the country's economic and social infrastructure. She welcomed the efforts to promote the status of women despite the difficult circumstances, and therefore, hoped that the Government could withdraw the reservations to articles 2, paragraphs (f) and (g), 9 and 16 of the Convention, as they embodied many essential aspects of women's rights.

20. With regard to stereotypes of women's roles, legislative measures had led to a general improvement in the situation of women, but she would like to hear more about efforts to bring about the cultural change that would be required in both men and women to establish true equality. Enrolment of girls in secondary school had fallen off sharply, and only 10.9 per cent of students in vocational schools were women. More information about efforts to counteract that trend and provide women with training to enable them to get better jobs would be welcome.

21. She was curious to know whether the Government had launched programmes to encourage the participation of women at the highest levels of the political leadership, and if so, to what extent women were getting involved in the political process. Similarly, had the achievements of the High-Level National Committee for the Advancement of Iraqi Women been assessed since its establishment three years previously?

22. **Ms. Corti**, while fervently condemning the imposition of the economic blockade, expressed solidarity with the women of Iraq and acknowledged that the embargo had deeply affected the quality of daily life. She did not however share the view that the implementation of international treaties ratified by Iraq

before the embargo should be nullified as a result of sanctions. Political will was the first condition for the fulfilment of international obligations and Iraq needed to better demonstrate the extent of its commitment.

23. She endorsed the assessment made by earlier speakers of Iraq's implementation of the Convention. In spite of the economic situation, there were some measures that could be put into effect, and she looked forward to receiving further information on the situation of rural women in general and implementation of the provisions of article 14 in particular. As regards equal participation of women in non-governmental organizations, under article 7, she wondered whether those organizations in Iraq were addressing the question of respect for the human rights of women and minorities. On the subject of employment, she enquired about the fixing of wage levels and asked how wages were regulated to ensure fairness and equal remuneration for men and women. Lastly, what exactly did the flexibility of the pay structure in the private sector involve?

24. **Ms. Al-Azzawi** (Iraq) said that she was deeply satisfied by the positive developments in the Committee's handling of periodic reports. Responding to the questions raised, she said that her delegation recognized the concern of the Committee over issues which could impede the implementation of the Convention in absolute terms, but she also urged the Committee to take into account the specific national circumstances that posed obstacles to States parties. Iraq remained committed to the principles enshrined in the Convention and even to those provisions to which it had expressed reservations. For the time being, Iraq would not withdraw its reservations but would endeavour to demonstrate its commitment through genuine effort.

25. On the question of affirmative action, she stressed that the laws of Iraq guaranteed equality between men and women, and the only exceptions to that were based on biological and safety considerations. Likewise, recent legislative steps in favour of women and children safeguarded the enjoyment of all rights. In the case of alimony, harsher penalties had been enforced for non-compliance. The latest data available showed that, despite the effects of the economic embargo, satisfactory improvement in employment figures had been recorded, to the extent that in certain sectors women outnumbered men.

26. Turning to the protection of women, she expressed regret that economic factors had prevented the documentation of activities enhancing the protection of women. Iraq had in fact made satisfactory progress in that area relative to other States. The annex to the combined reports (CEDAW/PSWG/2000/II/CRP.2/Add.2) comprehensively outlined a number of programmes and activities which the Government of Iraq had undertaken in the sphere of women's affairs. Neither polygamy nor prostitution had registered an increase. Since the submission of Iraq's initial report, a successful strategy for the rehabilitation and training of former prostitutes had been adopted.

*The meeting rose at 1.05 p.m.*