

Iraqi Women Will Association

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and

The Organization for Widows and Orphans, (OWO),

**Deterioration of Iraqi Women's Rights
and Living Conditions Under the
Occupation's Appointed Governments**

**Report to the Human Rights Council-the Seventh session of
the Universal periodic Report**

Deterioration of Iraqi Women's Rights and Living

Conditions under the Occupation's Appointed Governments

Summary

It is this government's duty to ensure the safety of all its population including that of Iraqi Women. It is the women and children who have suffered most from violence since 2003. Young girls have been sold into the white slave trade whilst the women in the South of Iraq cannot find work unless they go through a form of legalized prostitution—a marriage of “mutt'a” for an hour or a day to actually get work to support their families. At the same time female doctors, lawyers and academics have been assassinated in Basra and in Nejaf young girls had threatening messages painted on their school walls in order to stop them from attending school. Where is this government standing viz a viz its duties not only generally for all the Iraqi people, but in particular for half the Iraqi Society—the half that is fundamental in bringing up the family and educating society? It is the government's responsibility to provide financial aid and health care for the refugees in Syria, Jordan and all the other Arab countries to which people fled to. No women refugees in Syria or Jordan are prepared to return for fear of being killed, kidnapped and assaulted. Where is this government from all these responsibilities and where is the UNHCR and other international humanitarian and human rights organizations in the shouldering of their responsibility in making the Iraqi government accept and act upon its responsibilities.

Safety and security continues to be the main concern of 60% of women despite the temporary artificial security improvements in overall security in Iraq, for deaths, kidnappings and rape of women and children continue to take place, but are not covered by the media.

55% of women have been a victim of violence since 2003; 22% of women victims of domestic violence and more than 30% had family members who died violently. As compared with 2006 and 2007, more than 40% said that their security situation had become worse last year. 40% of women with children said that their children were not attending schools.

Introduction

Prior to the 1991 US war and the 13 years of sanctions, Iraqi women enjoyed unquestionable quality rights to education, health and employment. Iraqi women had the most advanced human rights in the region and they were the first Arab women to hold high positions in academia, law, medicine and government. Before the US invasion of Iraq, they made up 40% of the public sector workforce. Men and women received equal pay, education, and health care were free at all levels. In the 1980s, a government programme to eradicate illiteracy amongst men and women was so successful that Iraq received The UNESCO Prize. Women have traditionally enjoyed freedoms not found in the rest of the Arab and Muslim worlds.

Iraq's 1970 Constitution was the most advanced in the whole area where women's rights were enshrined in the Constitution, which was dissolved by the US Occupation and replaced by a US-crafted "Interim Constitution", written without women's representation, and deprives Iraqi Women of their rights and dignity. In today's Iraq, crimes against and abuse of women have reached unsurpassed levels. Rape was a capital offence under Iraq's Constitution.

Since 2003 there has been a dramatic increase in sexual assaults and violations of women's rights by the successive Iraqi Governments which have been appointed by the Occupation Forces. Many women have been taken as hostages, tortured and sexually abused by both the US Forces as well as the Iraqi Government—the latter was dealt with by The Parliamentary Committee for Human Rights headed by the Late Harith Al-Obaidi, Deputy Leader of The Parliamentary Committee for Human Rights, who was assassinated on the 12th June 2009, after he had spoken out very strongly exposing the Government's Security Forces and their torture and rape of women prisoners since 2005 onwards.

The Present State of Women's Rights and the Effect on Children and Youth

60% of women in Iraq are the family breadwinners, today. Their plight has gone largely ignored both by the Iraqi Government and by the international

community. The abysmal state of the civilian population's day to day lives is under the radar and is effectively ignored by a media blackout.

Widespread violence and a lack of respect for human life continue to affect the Iraqi people. Women fear for themselves and their families every time they leave their homes to go to the market or accompany their children to school. It is the widows and the divorcees who are the breadwinners in the family and with the present circumstances how are they to support their families since they are unable to go to work. While there is a 25% quota representation of women instituted by the Constitution, in Parliament, very little is done for women by the women parliamentarians who were not actually elected by the people, but were appointed by the various parties to make up the number! Women's human rights touch all aspects of life: electricity, potable water, the right to equal employment and pay, the right to free health care as well as free education. All these factors are sadly and abysmally missing since the Occupation appointed the successive Iraqi governments.

Drugs and drug abuse which was a phenomenon quite unknown in Iraq prior to the invasion, an offense punishable by very long sentences and death, previously, is another result of the Occupation and the governments it has appointed - not only are drug addicts found throughout Iraqi cities and rural areas but that which is most dangerous is that according to the report of the Almalaf Press Agency report, on the 26th September 2009, it has now spread into the universities and very worryingly amongst female university students. A state that is being kept quite secret because it is considered to be a stigma in Iraqi culture and society. International media reports that an average of 150 Iraqi children a month are sold in public auctions for export as well as young girls being used for human trafficking. There are 76,000 AIDS cases which obviously must include some women while there were only 114 cases before the Occupation according to Ministry of Health registers. According to the Ministry of Justice there are 3 cases of divorce per every 4 marriages. To cap everything, UNESCO has removed Iraq from Recognised University Degrees List as a result of all the forged university degrees which have been brought in by Iraq's new rulers. It was stated not long ago in the media that there are, today, 10,000, forged university degrees held by senior government official.

Violence against Women-kidnapping, Abduction, Rape, and Imprisonment

The Iraqi Government's Khadimiya Prison in Khadimiya district, Baghdad, is notorious for torturing and raping its women detainees and prisoners. The numbers of women prisoners and detainees in this prison vary from around 400 to 5,000 when the late Harith Al-Obaidy exposed this prison in the media in May and June 2009. He first talked about four thousand to five thousand women, then later came down to around three hundred during a television discussion on Al Sharqiya Satellite Station, but later on his very last appearance in June 2009, in Parliament during a prolonged questioning session of the security forces as well as ministers of Defense and Interior, he spoke about 5,000.

Most of these women do not know why they were arrested, and have not seen a lawyer—some have been incarcerated without going through a legal process for nearly 5 years and more, and certainly most of them have not seen any of their relatives who in most cases do not know of their whereabouts. Some of these women who have managed to see lawyers report that their lawyers have been shot and killed and yet other say that their judges have been bribed.

The problems are deep rooted systematic as has been shown in a video shot by the BBC as well as a three hour video of a Times Review. Evidence gathered by human rights activists and members of parliament indicates that the problems start the moment a woman is detained. A great many women are detained, tortured and then put through a Kafkaesque trial without actually knowing what their crime is as well who their victim is. At least 9 women, some of whose real names we still do not know, amongst whom are Qassima Hamid from Baghdad, Samar Sa'ad Abdullah, Shuruq Hassoun, Sabrine Nassir, Samira Abdullah, Um Hussein, Hanan, Dhikra Fakhry and Wasan Talib. (another woman, Lamyia Adnan is believed to have died in prison, recently for unknown reasons) have been sentenced to death by the Iraqi Higher Criminal Court—The Iraqi Government-, their sentences have been ratified by Iraq's Presidential Council, cause us and all human rights activists great concern. Three other women were already executed in June. Other women in addition to the former have also been sentenced to death. Most of these women were taken instead of their men folk—they were taken as hostages because their male relations, brothers, husbands, uncles or sons were alleged to be members of the resistance and since the government was unable to detain the

men, then by the government's standards and ethics it is acceptable to take the women.

A former very senior member of the government said that most of the women in the Khadimiya Prison as well as in the American Occupation Prisons have been raped and tortured and have born offspring resulting from this violence against them inside the prison—some of these women have been raped several times and have born several children as a result of these recurring rapes inside prison. Quite a number of these women are educated and some are former senior government officials as well as university professors and teachers.

The majority of these women, because of our traditions and our religion, are unable to come out publicly and speak about their suffering and about their attackers – this is a subject which is considered to be a social taboo – some of these women were immediately divorced on their release and some committed suicide, whilst other had their families move away elsewhere from their local areas in order for their circumstances to remain unknown.

The Quality of Justice in Iraq's Criminal Courts

Iraqis generally, and women in particular cannot expect justice in the Iraqi courts. Security problems, lack of resources, and heavy caseloads all play into it, but these failures are serious and systematic, undermining any notion that the courts meet basic fair trial standards. Detained women wait years before they come in front of a judge and hear charges. They cannot pursue a meaningful defense or challenge evidence against them. Courts depend on evidence brought by secret informants and confessions as a result of torture.

There are 36 known prisons in Iraq in addition to Abu Ghraib, and so may unknown as a result of which, Iraq is officially known to be the country with the most number of prisons in the world. It is estimated that there are between 5,000 and 10,000 women prisoners in government and Occupation prisons. These numbers may seem to be large and are an approximation as a result of all the secret prisons as well as ghost detentions. All detainees in Iraq are subjected to at least one type of torture. The length of detention ranged over a period from three months to four years, 81% of whom were denied

family visits (Commission of Prisoners and Detainees of the Iraqi Organization for Follow-Up and Monitoring).

Iraqi judges often acknowledged these failings, off the record, but the number of cases including allegations of abuse and lengthy delays before hearings suggested frequent miscarriages of justice.

Consequences Of The Violations Against The Iraqi People

Iraq has an estimated 5 to 6 million orphans, of whom more than half a million live on the streets and only 459 of the total number are accommodated in state orphanages and three million widows. The Occupation and its successive governments have turned Iraq into a country of widows and orphans. Baghdad, alone houses 300,000 widows in addition to approximately 4 million widows throughout the rest of Iraq. There are 2 million divorcees, at a time when only 84,000 (eighty-four thousand) receive monthly state subsidies and where only one in every 6 women in Iraq is between the ages of 15-50 years. Nowadays between 50%-60% of marriages end in divorce, an unexpectedly high rate of divorce in the country. The percentage of "go to school" children fell from 80% in 2005 to 53% today, while 70% of the population is deprived of potable water. 28% of Iraqi children suffer from malnutrition and 10% of chronic disease. 30% of women in cities and 40% in rural areas give birth without any health care or medical treatment and more than 70% of girls and women in Iraq have left their schools and universities. More than one million children have entered various fields of labour.

NGOs

Thousands of NGOs were established after the Occupation, however, very few actually carried out constructive positive work on the ground and in view of the new NGO Law which the Government is planning to push through Parliament, one or two if any will be able to function on the ground since this government is a completely and totally sectarian and ethnic in makeup and is pushing this law through to stop the work of the few honest NGOs who are on the whole self-supporting and do not take their funds from any party whether local or international.

It has become apparent that many of the supposedly independent NGOs actually are not and are financed and supported by the various political parties and militias. This has become apparent from the grants and funding that parliament provided during the past year. This was clearly apparent during the latest provincial elections when parties offered blankets, heaters and foodstuffs to the population to buy their vote! This led to a cessation of aid offered by the NGOs that did not want to be

The “good” NGOs have closed down their headquarters and work via e-mail only as well as on a voluntary basis as a result of lack of funding, the proposed new law as well as the fierce competition between the political parties. This identified as part of any party. I am told by these honest people that the activities of the Bureau for the Aid of NGOs is much worse than the actual law after it is passed. The Bureau acts on a wholly sectarian basis as well as on the basis of bribery. The situation is quite serious for although the active NGOs plan to “wait and see”, but only till the end of the year when they will then decide once and for all whether they will continue or close down their operations altogether. This can only add to the suffering of all these millions of women who are in need of so much help.

Refugees

There are an estimated two and a half million Iraqi refugees in Syria and Jordan as well as another three and a half million internally displaced, inside Iraq - although we constantly hear in the media how the internally displaced are returning to their homes but this is a falsehood - most of the women are in fear of their return as well as should they so wish to do so are financially incapable although the government claims that it has is providing financial aid to help them return. When women are interviewed by human rights activists as well as international human rights organizations they state quite clearly that they are not prepared to return to areas where militias rule and force them to dress in certain ways and behave in certain manners, in spite of the hardship they are experiencing for they are living in tents. As for the refugees in Jordan and Syria-very few have returned to Iraq; they are living in great hardship and are selling off the last of their jewelry in order to support their children as well as their medical needs. There is great suffering amongst them, particularly those families whose members suffer from cancer and blood

related diseases. A great many number have told me that they want people in Iraq to know that they have not forgotten Iraq, that they have not given up on Iraq, but they have been forced to sell their homes in Iraq in order to pay for the education of their children in their countries of refuge—it is heartbreaking to see and feel their guilt.

Recommendations

- **Women and children are in urgent need of protection and are in desperate need of regular normal access to affordable and quality basic services such as healthcare, education, potable water and electricity as well as safe medicines and uncontaminated food which is fit for human consumption. They urgently require advanced humanitarian aid to be provided. At this point the new NGO law which has had a couple of readings in Parliament should be altered and probably re-written by experienced Iraqi professionals who know the needs of the society in which they function.**
- **Women should be supported with reproductive health programmes as well as health care for the whole family; also psychological support as well as economic and financial support.**
- **Education should be a top funding priority since the strain of children and their families for missing out on their education is enormous bearing in mind that all Iraqis had free pre-school, primary, secondary and university education and Iraq's population was the most educated in the area.**
- **Countries of first asylum should also allow Iraqis to work legally so that families could be provided for with dignity and self-respect in order to reduce their vulnerability to exploitation and abuse. The latter recommendation is rather sensitive and gives rise to nationals of host countries, thus the international community should work closely together with the hosting countries in order to ease these fears and**

develop economic programmes that help the host country populations as well as Iraqi Refugees.

- **A special mechanism should be established within the Human Rights Council to deal with the dire situation of human rights in Iraq.**