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PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

Joint written statement* submitted by the International Youth and Student Movement for the United Nations (ISMUN), a non-governmental organization in general consultative status, the Union of Arab Jurists, the International Organization for the Elimination of All forms of Racial Discrimination (EAFORD), the General Arab Women Federation, North-South XX1, the Women's International League for Peace and Freedom (WILPF), the Arab Lawyers Union, the Indian Movement (TUPAJ AMARU), the General Federation of Iraqi Women(GFIW), the United Towns Agency for the North-South Cooperation, the International Association of Democratic Lawyers, International Educational Development - Humanitarian Law Project, the Women International Democratic Federation (WIDF), the Association of Humanitarian Lawyers, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[18 February 2009]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The Situation of Iraqi Women*

The plight of women in Iraq is of growing concern, with increasing reports of murders, rapes and kidnappings, as well as general intimidation and oppression. In today's Iraq, crimes and abuse against women are an everyday fact that has been ignored by the occupying powers and the international community.¹

Since the beginning of the U.S. Occupation in 2003, there has been a dramatic increase in sexual assaults and violations of women's rights. Many women have been taken hostage, tortured, and sexually abused. Sexualized violence and abuse committed by U.S. and the new US trained Iraqi troops goes far beyond a few isolated cases².

In a recent conference in London (**Feb.2009**), **Women Will Association** (WWA) an Iraqi NGO discussed documented testimonies of women ex-prisoners in US and Iraqi jails in Iraq. They reported that after the 2003 invasion of Iraq, members of *The General Federation of Iraqi Women*, (GFIW) were the first to be arrested by the US troops under the pretext of being members of the Baath Party.³

The **Special Rapporteur** on Violence against Women, its Causes and Consequences, Yakin Ertürk, also voiced concerns on the **situation of women in Iraq** "*Iraqi women have seen their rights eroded in all areas of life while the world observes from afar. The ongoing conflict, high levels of insecurity, widespread impunity, collapsing economic conditions and rising social conservatism are impacting directly on the daily lives of Iraqi women and placing them under increased vulnerability to all forms of violence within and outside their home,*" said Ms. Ertürk. "*Although too often overlooked, violence against Iraqi women is committed by numerous actors, such as militia groups, insurgents, Islamic extremists, law enforcement personnel, members of the family as well as the community*".⁴

According to WWA (Jan. 2009) **600 women** who were members of the *General Federation of Iraq Women* (GFIW) **have been assassinated. 350 of the women were doctorate holders**, 6 with master degrees and 80 were ex-pilots.⁵ There has been great underreporting of Iraqi women deaths which are a result of indiscriminate US shelling, death squads, and militias each acting on behalf of ethnic political parties involved in Iraq's "new democratic political processes."⁶ In November of 2006, medical officials in Ramadi reported that shelling had killed thirty one civilians, mostly women and children.⁷

Reports of Iraqi women being raped is also a new phenomenon in 'liberated Iraq'. The rape of A'beer Qassim Hamzaur al-Janaby the fourteen-year-old girl who was gang-raped and set on fire by US troops in Muhmudiyah, south of Baghdad, on 12 March, 2006 was not an isolated case but just one of many documented by Iraqi human rights organisations and UN Assistance Mission for Iraq (UNAMI).⁸

* - Association of Arab Lawyers (UK), Monitoring Net of Human Rights in Iraq, Association of Iraqi Diplomats, Women Solidarity for an Independent and Unified Iraq, Women Will Association (WWA), Organization for Widows and Orphans, (OWO), The United Prisoners of Iraq, Association of Victims of American Occupation Prisons, Association of Iraqi intellectual and Academics, Conservation Centre of Environmental & Reserves in Iraq (CCERF), NGOs without consultative status also share the views expressed in this statement.

During the above mentioned conference (London /Feb. 2009) Hanna Ibrhaim of *Women Will Action* (WWA) spoke about a case she recently documented - 'Maha' was an Iraqi girl from Baquba of Dyala province who was just 15 years old. Maha was raped in her home by four men in front of her mother who was pregnant at the time. What is also important to this case is that the rape took place in broad daylight and the four men had come with other men who waited outside the house. The men took Maha away and her body has not been found. This case is an example of what is happening in the new Iraq.

Historically, Iraqi women have enjoyed more freedoms than the women of neighbouring countries, according to *Human Rights Watch* (HRW). Under Saddam Hussein's secular Baathist party, citizens were declared equal before the law regardless of sex, blood, language, social origin, or religion, and they were allowed to vote and run for office, HRW said.⁹ According to a United Nations report, the kidnapping, rape and murder of women is on the rise. Honour killings, or the killing of a woman who brought perceived dishonour to her family, is up also. Women -- Muslims and non-Muslims alike -- are warned to adhere to the strict dress code, the United Nations said.¹⁰

The *Organisation for Widows and Orphans* (OWO) based in Syria reported that "Iraqi women were struggling to survive, some have been forced to enter short term marriages (Muta) to feed their children and pay the rent." OWO reported "We have documented many cases of women who have been victims of rape, torture and kidnapping - it is still happening and the international community still remains silent".¹¹

Millions of Iraqis have left their homes because of torture, detention, intimidation, violence and rape. In many cases the victims know who their perpetrators are but they remain silent because they are either afraid or ashamed to speak out.¹² In fact, UNICEF reported in 1993, "Rarely do women in the Arab world enjoy as much power and support as they do in Iraq". It was thirty years ago when the government of Iraq took the initiative of setting up programs to combat Illiteracy, this program was praised by UNESCO as an example to be followed. Literacy amongst women in 1970 was 29%, by the end of 1979, it was 95%. The *Iraqi Bureau of Statistics* reported that in 1976, women constituted approximately 38.5 percent of those in the education profession, 31 percent of the medical profession, 25 percent of lab technicians, 15 percent of accountants and 15 percent of civil servants.'

In the 1980s, Iraqi women comprised 46% of all teachers, 29% of doctors, 46% of dentists, 70% of pharmacists, 15% of factory workers and 16% of civil servants.¹³ The new Iraq has stolen their rights to education, as well as, to work and to live in peace and security. Today, Iraqi women are busy surviving day to day. They are busy finding fuel to cook for their children, they are busy providing potable water for their children, they are busy finding a way to earn a living to feed their children, and they are busy finding affordable health service for their sick children. The growing number of widows in the country is devastating. The *Ministry of Women's Affairs* says that there are at least three hundred thousand widows in Baghdad alone, and a further one million throughout the country and the numbers are rising. Most widows are left to take care of 4 to 5 children; with no income these women and their children have little hope of a prosperous future.¹⁴

There is however thousands of women who have husbands that are not dead, but are detained in US or governmental detention centres. Women not only have the additional burden of tracking their husbands down but the absence of their partners also means the absence of income coming into the household, leaving women to be the sole providers for the family.¹⁵ The number of Iraqis that have been detained is unknown but estimates range from thirty to one hundred thousand.¹⁶

Abuses, rape and torture of Iraqi women are now a regular occurrence in the 'New Iraq' and have been reported by several independent Iraqi organisations and Iraqi governmental officials. In November of 2008, Shazha al-Ibosi, a member of parliament, and one of the very few Iraqi officials who admits the presence of women detainees, said, "*There are 100 female detainees at Iraqi detention centres in Baghdad; 25 to 30 of them are under 18 years old*".¹⁷

More recently, on the 25th of January 2009, the Minister of Women Affairs, Nawal al-Samarrai, said women prisoners were routinely beaten, abused and in some cases raped in both US and Iraqi prisons. Many women detainees have disappeared after being arrested by US and Iraqi forces and since their families do not report the cases it is difficult to give the exact figure of women detainees. Minister al-Samarrai added that political parties and militias hold sway over the courts and judges. The result of both is that prisoners often remain in prison indefinitely. Numerous human rights organizations have also reported the presences of female detainees in many prisons throughout Iraq.¹⁸ However, to date there remains great uncertainty about the number of female detainees in Iraq. Muhammed Edham, President of the *United Prisoners of Iraq* - an Iraq NGO said "*There are more than 10,000 women detainees in places that are not even fit for animals in Kadmeya and secret camps (Muaskar) for women and children in Muthena Airport in Baghdad, and Muaskar Sheekhan for women in Muosel in addition to other women detainees who are in the south of Iraq*".¹⁹

Violence, death and destruction is taking place in the lives of Iraqi women throughout Iraq even in Northern parts of Iraq which was under protection by the US forces since 1991. Official data transmitted to UNAMI in April 2008, showed that 136 women had died from unnatural causes in the first quarter of 2008 in the three Northern Governorates, up by 14% in the first quarter of the year.²⁰ Iraq today has a large number of Iraqi women NGOs and 33% of Iraq's members of parliament are women, yet to this day the most basic rights of Iraqi women are not being met. Women are desperately trying to raise their families in the midst of increasing unemployment and poverty. The constant violence and extreme poverty has caged women and their children—particularly their daughters—in their homes. In the 2008 report on the state of Iraqi women since the US-led invasion in 2003, the US-based *Women for Women International* said it had become a "national crisis". The report found that out of the 1500 women surveyed, 76 percent of respondents said girls in their families were forbidden from attending school.²¹

Iraqi sources have reported that there are still Iraqi men and women that are being raped and tortured by Iraqi forces. Sources have reported that at present there are a number of detained Iraqi women who were raped and made pregnant by the officers in the detention centre. There are also recent reports and testimonies of detainees that have been tortured in Iraqi run prisons in Tikrit, including one particular prison where there are 28 women detainees.²²

The Human Rights Council can no longer remain silent on the crimes being committed against the women of Iraq. Iraqi women are the mothers of Iraq and they hold the future of the country in their hands. The Council must open an in depth discussion on the major human rights violations occurring in Iraq and re-institute the position of a Special Rapporteur on Iraq, who was dismissed after the invasion of 2003. As a first step we urge the Council to ask the Special Rapporteur on Women to visit Iraq to thoroughly study this situation and submit his/her report to the Council.

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