



General Assembly

Distr.
GENERAL

A/HRC/WG.6/7/IRQ/2
1 December 2009

Original: ENGLISH

HUMAN RIGHTS COUNCIL
Working Group on the Universal Periodic Review
Seventh session
Geneva, 8-19 February 2009

**COMPILATION PREPARED BY THE OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15(B) OF THE ANNEX
TO HUMAN RIGHTS COUNCIL RESOLUTION 5/1**

Iraq

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	14 Jan. 1970	Yes (art. 22)	Individual complaints (art. 14): No
ICESCR	25 Jan. 1971	None ³	-
ICCPR	25 Jan. 1971	None ⁴	Inter-State complaints (art. 41): No
CEDAW	13 Aug. 1986	Yes (arts. 2 (f) (g), 9 (1) (2), 16) ⁵	-
CRC	15 June 1994	Yes (art. 14 (1)) ⁶	-
OP-CRC-AC	24 June 2008	Binding declaration under art. 3: 18 years	-
OP-CRC-SC	24 June 2008	None	-
<i>Core treaties to which Iraq is not a party: ICCPR-OP 1, ICCPR-OP 2, OP-CEDAW, OP-ICESCR,⁷ CAT, OP-CAT, ICRMW, CPD, CPD-OP and CED.</i>			
<i>Other main relevant international instruments</i>		<i>Ratification, accession or succession</i>	
Convention on the Prevention and Punishment of the Crime of Genocide		Yes	
Rome Statute of the International Criminal Court		No	
Palermo Protocol ⁸		Yes	
Refugees and stateless persons ⁹		No	
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ¹⁰		Yes, except AP I, II and III	
ILO fundamental conventions ¹¹		Yes, except C 87	
UNESCO Convention against Discrimination in Education		Yes	

1. The United Nations Assistance Mission for Iraq (UNAMI) stated in 2008 that the Convention against Torture was signed into law¹² and recommended that the Government finalize the process of accession.¹³

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

B. Constitutional and legislative framework

3. UNICEF noted that the 2005 constitution guarantees the rule of law, equality before the law, equal opportunity, privacy and judicial independence and that it is currently under review.¹⁶

4. In 2009, the ILO Committee of Experts on the Application of Conventions and Recommendations requested the Government to amend the draft Labour Code to ensure adequate protection for members of trade unions and their officers against acts of anti-union discrimination.¹⁷

5. UNAMI recommended that the Government harmonize relevant legislation with CAT.¹⁸ It added that the Human Rights Committee of the Council of Representatives initiated the drafting of a package of welfare legislation.¹⁹

C. Institutional and human rights infrastructure

6. As of November 2009, Iraq did not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).²⁰ In 2008, UNAMI considered the adoption by the Council of Representatives, following technical advice from OHCHR,²¹ of the Law for the Establishment of an Independent High Commission for Human Rights taking into account the Paris Principles, as one of the most significant developments.²²

7. In 2008, UNAMI recommended that the Government give consideration to establishing regular public reporting procedures by the Ministry of Human Rights on its activities.²³ It acknowledged the work of the Council of Representatives' Human Rights Committee, notably on draft legislation affecting human rights issues and visits to detention facilities.²⁴ Iraq established the National Institute for Human Rights within the Ministry of Human Rights, which offers training sessions for governmental and civil society institutions and is preparing the national plan for human rights.²⁵

D. Policy measures

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

9. In 2005, Iraq adopted the Plan of Action (2005-2009) for the World Programme for Human Rights Education focusing on the national school system.²⁸

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body²⁹</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	1997	1999	-	Fifth report overdue since 2000.
CESCR	1995	1997	-	Fourth and fifth reports overdue since 2000 and 2005, respectively.
HR Committee	1996	1997	-	Fifth report overdue since 2000.
CEDAW	1998	2000	-	Fourth and fifth reports overdue since 1999 and 2003, respectively.
CRC	1996	1998	-	Second and third reports overdue since 2001 and 2006, respectively.
OP-CRC-AC	-	-	-	Initial report due on 24 August 2010
OP-CRC-SC	-	-	-	Initial report due on 24 July 2010

2. Cooperation with special procedures

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	Special Rapporteur on the situation of human rights in Iraq (5-9 November 2000 ³⁰ and 11-15 February 2002 ³¹)
<i>Visits agreed upon in principle</i>	Special Rapporteur on the situation of human rights defenders; Special Rapporteur on torture and other cruel, inhuman and degrading treatment or punishment
<i>Visits requested and not yet agreed upon</i>	Working Group on Enforced and Involuntary Disappearances (requested in July 2005); Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination (requested in 2008); Special Rapporteur on the independence of judges and lawyers (requested in 2008).
<i>Facilitation/cooperation during missions</i>	-
<i>Follow-up to visits</i>	
<i>Responses to letters of allegations and urgent appeals</i>	During the period under review, 60 communications were sent concerning, inter alia, particular groups and including 15 women. The Government replied to 11 communications, representing replies to 19.3 per cent of communications sent.
<i>Responses to questionnaires on thematic issues</i> ³²	Iraq responded to 6 of the 16 questionnaires sent by special procedures mandate holders, ³³ within the deadlines. ³⁴

3. Cooperation with the Office of the High Commissioner for Human Rights

10. OHCHR supports the work of the Human Rights Office of UNAMI by assisting in the implementation of activities and providing guidance and expert advice on human rights questions.³⁵ UNAMI/HRO engages in the promotion and protection of human rights and the rule of law in accordance with Security Council resolutions 1770 (2007),³⁶ 1830 (2008)³⁷ and 1883 (2009).³⁸

B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

11. In 2000, CEDAW was concerned that discriminatory attitudes which impede women's enjoyment of their rights had not been addressed. It called on the Government to: review discriminatory legislative provisions; take measures, including temporary special measures, aimed at creating a de facto and legislative non-discriminatory environment for women and;³⁹ work towards the elimination of polygamy and ensure that gender-sensitive public education campaigns create a non-discriminatory environment.⁴⁰

12. In 1997, the Human Rights Committee recommended that measures be taken to ensure full equality of rights for members of all religious groups and ethnic and linguistic minorities.⁴¹

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

2. Right to life, liberty and security of the person

14. UNAMI stated that the United Nations deeply regretted the reinstatement of the death penalty in 2004.⁴³ On 6 May 2009, OHCHR and UNAMI expressed their concern that Iraq had resumed using the death penalty while the Iraqi justice system did not guarantee sufficient fair-trial procedures. OHCHR recommended that the Government of Iraq consider formally establishing a moratorium on the death penalty pending a thorough review of the Penal Code and the Law on Criminal Proceedings, in accordance with General Assembly resolution 62/149.⁴⁴ In 2007, the Special Rapporteur on the independence of judges and lawyers and the Working Group on Arbitrary Detention expressed concern about the death sentences imposed upon Saddam Hussein and two co-defendants and were deeply alarmed by the manner in which the executions were carried out.⁴⁵ In 2007, the Special Rapporteur on the independence of judges and lawyers noted the serious shortcomings of the procedure followed by Iraqi High Tribunal (IHT), notably the lack of observance of the right to be tried by an independent and impartial tribunal and of the right to adequate defence, and urged the Government to stop carrying out death sentences imposed following trials conducted in violation of international human rights standards and principles.⁴⁶

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

16. UNAMI noted in 2008 that armed groups continued ignoring the distinction between civilians and combatants.⁵⁰ It reported on cases of civilian deaths caused by Iraqi security forces⁵¹ and by Multi-National Forces in Iraq (MNF-I) military operations.⁵² The Working Group on the use of mercenaries as a means of impeding the exercise of the right of peoples to self-determination raised concern regarding alleged indiscriminate shootings involving employees of private security companies resulting in civilians wounded or dead.⁵³ UNAMI stressed that the systematic and widespread attacks against the civilian population were tantamount to crimes against humanity and their perpetrators should be prosecuted.⁵⁴

17. In 2008, the Working Group on Enforced or Involuntary Disappearances noted that since its establishment in 1980, it had transmitted 16,526 cases to the Government, of which 16,396 remained outstanding.⁵⁵ In 2006, the Working Group welcomed the request by the Government that the details of all cases be retransmitted.⁵⁶ The Government met with the Working Group in 2007⁵⁷ and 2008⁵⁸ to discuss the large number of outstanding cases.⁵⁹ UNAMI mentioned that abductions had become a tool for armed groups to finance their activities and intimidate and eliminate opponents.⁶⁰

18. UNAMI stated that the situation of detainees across the country, including in the Region of Kurdistan, remains of great concern.⁶¹ In 2008, UNAMI remained concerned about the internment of suspects in MNF-I custody for prolonged periods without judicial review and about administrative review procedures that do not fulfill the requirement of due process.⁶² The Secretary-General stated that UNAMI received credible information that some detainees had been rearrested by Iraqi authorities immediately upon their release by MNF-I and that the number of detainees in the custody of MNF-I has decreased⁶³ following the security agreement signed on 17 November 2008.⁶⁴ UNAMI recommended that the Government ensure the effective implementation of legislation regulating

prisons, bring all detention facilities and prisons under the authority of the Ministry of Justice and address urgently all allegations of abuse of detainees, including juveniles.⁶⁵

19. In 2007, UNAMI reported that the authorities had yet to demonstrate the political will to hold accountable law-enforcement personnel suspected of involvement in torture and ill-treatment and other abuse of authority – the revelations regarding the Ministry of Interior’s al-Jadiriyya and Site 4 facilities being examples.⁶⁶ In March⁶⁷ and June⁶⁸ 2006, and in June 2007,⁶⁹ a number of special procedures mandate holders sent communications to the Government of Iraq regarding arrests without formal charges, incommunicado detention, interrogations, torture and ill-treatment to extract confessions and death of a number of persons.

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

25. In 2008, UNAMI said that the situation of the residents of Camp Ashraf remained of concern⁸⁶ and indicated that it reminded all parties of their obligations towards the residents, including non-forcible repatriation and guarantees of due process for those accused of committing crimes.⁸⁷ In October 2006, the Special Rapporteur on the right to food sent a communication about allegations that access to subsidized food for the residents of Camp Ashraf was no longer available and that the authorities decided to suspend all fuel and oil supplies to the camp.⁸⁸

3. Administration of justice, including impunity and the rule of law

26. UNAMI considered that significant progress cannot be achieved unless more forceful attempts are made to enhance the functioning of the judiciary and its law enforcement and to make progress in legal and institutional reform.⁸⁹ In 2007, the Special Rapporteur on the independence of judges and lawyers sent various communications concerning the situation of judicial staff, in particular lawyers, threatened, ill-treated and killed for exercising their profession,⁹⁰ which caused important delays in judicial processes.⁹¹ In November 2006, the Special Rapporteur expressed serious concerns regarding the ruling out of the person elected as new president of the General Council of the Iraqi Bar Association.⁹² The Secretary-General reported that militias and other insurgent groups openly claim to be running illegal courts.⁹³

27. UNAMI remained concerned about procedures followed by the Central Criminal Court of Iraq (CCCI) and other criminal courts which fail to meet minimum fair trial standards.⁹⁴ It noted that proceedings at trial and deliberations are typically brief and defendants are frequently unaware of their rights under the law.⁹⁵ It recommended that the Government: grant detainees timely, regular and adequate access to relatives and legal counsel; maintain efforts aimed at ensuring prompt access to justice and ensure that detainees have the right to challenge the legality of their detention and are promptly released unless charged with a cognizable offence and referred to trial;⁹⁶ consider reviewing the Law on Criminal Proceedings and the rules of evidence to move away from the confession-based system of prosecution to an evidence-based one.⁹⁷ Regarding detainees held in MNF custody, UNAMI urged that consideration be given to implementing basic due process guarantees enshrined in international human rights law.⁹⁸

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

29. The 2008-2010 United Nations Iraq Assistance Strategy indicated that impunity was widespread and that access to justice is largely absent due to fear of reprisals, lack of capacity among rule of law institutions, corruption and lack of awareness concerning accountability mechanisms.¹⁰² UNAMI raised concerns regarding the General Amnesty Law¹⁰³ and the emergency regulations announced on 13 February 2007.¹⁰⁴

4. Right to privacy, marriage and family life

30. UNAMI indicated that there have been a number of assassinations of homosexuals in Iraq¹⁰⁵ and that it is believed that such incidents are underreported because families are unwilling to admit that targeted members were homosexuals, for fear of further abuse.¹⁰⁶

5. Freedom of movement

31. UNAMI expressed concern about reports that displaced persons found it increasingly difficult to move within Iraq and to neighboring countries given the more restrictive entry policies and visa imposed at state borders and governorate boundaries.¹⁰⁷

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

32. The Special Rapporteur on freedom of religion or belief noted that indicating a person's religious affiliation on official documents carries a serious risk of abuse or subsequent discrimination based on religion or belief.¹⁰⁸ In 2008, UNAMI continued receiving reports of Christians being threatened, physically attacked and in some cases murdered by armed groups.¹⁰⁹ Similar concerns were raised in November 2008 by three mandate holders.¹¹⁰

33. According to UNAMI, journalists and media workers are targeted by armed groups¹¹¹ and assaulted or briefly detained by law-enforcement personnel¹¹² and there have been complaints of interference in media reporting.¹¹³ Since 2006, several special procedures mandate holders have sent communications regarding lawyers, journalists, media workers,¹¹⁴ labour leaders,¹¹⁵ activists¹¹⁶ and human rights defenders, including their family members; who have been victims of threats, violent attacks, abductions, ill-treatment, detention and murder in connection to their human rights activities and/or criticizing authorities.¹¹⁷ Religious figures¹¹⁸ and academic professionals¹¹⁹ have been the victims of targeted violence.

34. In 2009, OCHA reported that new legislation regulating NGO registration and activities is under revision by lawmakers and that international and national NGOs have voiced concern over various aspects of the law, in particular extensive Government control over NGO funding and registration.¹²⁰

35. The Secretary-General considered that Iraq took a significant step forward with the provincial elections held on 31 January 2009.¹²¹ UNAMI informed that staff of the Independent High Electoral Commission (IHEC) were the target of several attacks aimed at influencing the electoral process; that politicians and candidates were attacked and that most reports of complaints received referred to destruction of political propaganda, threats against communities and partisan behaviour of security forces.¹²²

36. In September 2005, five special procedures mandate holders sent a communication regarding threats and killings by members of armed groups, of female political leaders and women campaigning to protect women's rights.¹²³ In 2008, UNAMI received numerous complaints regarding restrictions on women's freedoms and verbal comments on their mode of dress.¹²⁴ According to three special procedures mandate holders, this, together with the general increase in insecurity, has led to the restriction of women's freedom of movement and their ability or willingness to participate in public life.¹²⁵ A 2009 United Nations Statistics Division source indicated that the proportion of seats held by women in the national parliament remained unchanged from 2006 to 2009 at 25.5 per cent.¹²⁶

7. Right to work and to just and favourable conditions of work

37. The 2008-2010 United Nations Iraq Assistance Strategy indicated that over 50 per cent of the active population is unemployed or underemployed.¹²⁷ In 2009, the ILO Committee of Experts asked

the Government to provide information on how the wage-fixing committee ensures that wages are determined in accordance with the principle of equal remuneration for men and women for work of equal value.¹²⁸ In 1997, the Committee on Economic, Social and Cultural Rights stressed the need for protection of all working minors, including those employed in family undertakings.¹²⁹ The Working Group on mercenaries was concerned at the contractual irregularities and poor working conditions of foreign nationals working with private security companies in Iraq.¹³⁰

38. In 2009, the ILO Committee of Experts expressed the hope that it would be possible in the near future for trade union rights and the right to collective bargaining to be exercised in observance of fundamental rights.¹³¹

8. Right to social security and to an adequate standard of living

39. A study by UNDP and the Ministry of Planning and Development Cooperation showed that a high percentage of people experienced various levels of poverty and human deprivation despite the huge economic and natural resources of the country. Rural areas show three times higher levels of deprivation than urban areas.¹³² In 2008, UNAMI reported that there was increasing concern about the situation and rights of widows, women abandoned by their husbands¹³³ and orphans.¹³⁴

40. OCHA highlighted that an estimated 930,000 Iraqis were classified as food insecure in the 2008 World Food Programme's assessment. WFP findings also indicate that an additional 9.4 per cent of the population was extremely dependant upon Iraq's Public Distribution System food ration.¹³⁵ UNICEF was concerned that acute malnutrition is above the emergency health threshold of 5 per cent in 38 districts (out of 114), compromising the survival of thousands of children.¹³⁶

41. In 2006, UNAMI mentioned that the health system was deteriorating.¹³⁷ UNICEF indicated that the decline of health services since the early 1990s has lowered average life expectancy at birth from 65 years in 1987 to 58.2 years in 2006.¹³⁸ In 2000, CEDAW was concerned at the overall health situation of women, in particular the high incidences of maternal mortality.¹³⁹

42. The 2008-2010 United Nations Iraq Assistance Strategy mentioned that the housing sector has seen major delivery, subsidy, policy and institutional shortfalls.¹⁴⁰ A 2008 United Nations Statistics Division source indicated that the total proportion of urban population living in slums in 2005 was 52.8 per cent.¹⁴¹ In November 2008, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living sent a communication concerning the danger of collapse of the Mosul Dam on the Tigris River.¹⁴²

43. UNICEF indicated that the Government estimates overall access to safe water is 72.5 per cent, and to sewerage services 26 per cent, and that the situation is even more concerning as these services are generally unreliable, hampered by lack of maintenance, illegal water-tapping, acts of sabotage and frequent and prolonged power shortages.¹⁴³ The 2008-2010 United Nations Iraq Assistance Strategy stated that poor sewerage systems have affected the health status of many vulnerable people and that two thirds of childhood mortality is due to diarrhoea and respiratory infections.¹⁴⁴ UNICEF mentioned that solid waste management continues to be low.¹⁴⁵ UNICEF noted that the absence of a regionally integrated water resource management plan would have a long-lasting impact on the availability of safe water.¹⁴⁶

9. Right to education and to participate in the cultural life of the community

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

10. Minorities and indigenous peoples

45. A 2008 OCHA report noted that many minority groups continue to face violence, targeting and persecution.¹⁵¹ In 2008, UNAMI remained concerned about attempts to dilute the identity of minorities and about the impunity of those responsible for abuses against them.¹⁵² UNAMI reported that the situation of Shabak,¹⁵³ Yazidis,¹⁵⁴ Christians and Turkmen¹⁵⁵ in Nineveh and Tameem is particularly worrying.¹⁵⁶ In November 2008, the Special Rapporteur on freedom of religion or belief and the independent expert on minority issues brought to the attention of the Government information regarding incidents involving members of the Sabeen Mandeian community¹⁵⁷; whose situation remained of serious concern to UNAMI.¹⁵⁸ The latter received information regarding continuing difficulties faced by Iraq's Baha'i community.¹⁵⁹

46. In 2008, UNAMI believed that the amendment to the Electoral Law granting reserved seats for Christians, Shabak, Yazidis and Sabeen-Mandeian in Baghdad, Nineveh and Basra was a significant step in favor of the recognition of the special status of minorities.¹⁶⁰

11. Migrants, refugees and asylum-seekers

47. The 2008-2010 United Nations Iraq Assistance Strategy indicated that 2 million Iraqis had sought refuge in neighbouring countries.¹⁶¹ A 2009 OCHA report mentioned that UNHCR underlined that the conditions have still not improved sufficiently to promote mass returns or general cessation of refugee status of Iraqis.¹⁶² UNAMI reported that few refugees are able to secure employment and that some female Iraqi refugees in a neighbouring country were reported to have been forced into prostitution.¹⁶³

48. UNAMI informed that between April and June 2007, the number of displaced Palestinians rose in response to violence and attacks against their community in Baghdad, mainly because of raids on their compounds by Iraqi forces and armed militia.¹⁶⁴

12. Internally displaced persons

49. The 2008-2010 United Nations Iraq Assistance Strategy indicated that 2.5 million persons are internally displaced.¹⁶⁵ UNAMI stressed that the most urgent needs identified by IDPs and returnees are: access to shelter; to food; to work/employment opportunities and to documentation, in that order.¹⁶⁶ Education,¹⁶⁷ potable water, adequate sanitation and health services remain pressing needs, particularly in villages and rural areas.¹⁶⁸ UNAMI indicated that rape, threats of rape, domestic violence, disappearances and detentions after displacement remained a major concern.¹⁶⁹

50. The Representative of the Secretary-General on the human rights of internally displaced persons mentioned that the provision of adequate humanitarian assistance inside Iraq is extremely difficult and that accommodation of IDPs in camps should be considered a measure of last resort.¹⁷⁰ In 2009, OCHA reported that the Government has decided to stop new registration of IDPs, which will affect eligibility for certain types of governmental assistance.¹⁷¹ In 2009, OCHA mentioned that returning IDPs and refugees face a number of challenges, including return-related land and property issues and basic public services. Some families wish to return but do not have the financial resources.¹⁷²

13. Human rights and counter-terrorism

51. The Secretary-General reported that the application of anti-terrorism legislation raised additional concerns following the government's announcement that it intends to resume executions.¹⁷³

14. Situation in or in relation to specific regions or territories

52. UNAMI continued to urge the KRG authorities to move towards abolishing or suspending the death penalty and imposing a moratorium on executions.¹⁷⁴

53. UNAMI continued to document serious violations of the rights of suspects and those deprived of their liberties by the Kurdistan Regional Government (KRG) authorities, including torture, forced confessions, secret detention and a lack of medical attention.¹⁷⁵ UNAMI received allegations of denial of access to legal council at both the investigative stage and at trial.¹⁷⁶

54. Violence against women in the Region of Kurdistan remained one of the issues of serious concern to UNAMI, as the pattern of the recorded incidents of suicide often points towards "honour"-related homicides.¹⁷⁷ UNAMI reported about domestic and communal violence such as forced marriages and domestic abuse.¹⁷⁸ It expressed concern about victims of sexual violence;¹⁷⁹ mentioned that the practice of FGM remains underreported and recommended to the KRG to consider the adoption of legislation banning FGM.¹⁸⁰ UNAMI noted the change in the law so that "honour" is no longer considered "extenuating" but an "aggravating" circumstance.¹⁸¹

55. UNAMI mentioned that the KRG 2006 Anti-Terrorism Law has been extended into mid-2010 and that of particular concern was the practice of keeping some persons in de facto unlimited administrative detention.¹⁸²

56. UNAMI was concerned by reports that many judges in Kurdistan were ignoring the new journalism legislation that outlaws prison sentences.¹⁸³ It continued to receive reports of intimidation and/or arrests of media professionals, in particular those reporting on issues of public interest.¹⁸⁴

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

57. According to UNICEF, since 2004 Iraq has attempted to address the most egregious human rights violations and restore the rule of law.¹⁸⁵ The 2008-2010 United Nations Iraq Assistance Strategy highlighted daunting challenges in the provision of basic services, respect and application of the rule of law, systematic promotion and protection of human rights, transparency and accountability within governmental institutions and policies, full transition to democracy and economic prosperity.¹⁸⁶ Iraq is currently not on target to achieve any of the MDGs.¹⁸⁷

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

A. Pledges by the State

58. In 2006, Iraq declared that it would: exert its utmost efforts to guarantee the civil and political, social, economic and cultural rights for Iraqi people, including equality before the law without discrimination on any basis; take appropriate measures in respect of relevant human rights instruments and recommendations made by the human rights treaty bodies; build the capacity of bodies established as a part of the national human rights protection system. The Iraqi Council of Representatives put within its first priorities the consideration of ratifying all Optional Protocols of human rights instruments.¹⁸⁸

B. Specific recommendations for follow-up

59. The Special Representative of the Secretary-General on children and armed conflict recommended inter alia, that: gender-awareness campaigns within Iraqi armed forces and police at central and regional levels should be organized to fight against impunity for sexual and gender-based violence perpetrated against children; Iraqi authorities be encouraged to recruit more women in the police and judiciary in order to facilitate the gathering of testimony for sexual and gender-based crimes and to link victims to appropriate response services, especially for children; central and regional governments should ensure that all children have access to education and health; the Government may wish to consider as a priority, an increase in the percentage of its budget for basic services for children and other vulnerable groups.¹⁸⁹

V. CAPACITY-BUILDING AND TECHNICAL ASSISTANCE

60. UNAMI human rights officers monitor and investigate human rights violations committed by all parties to the conflict and undertake capacity-building activities with Iraqi institutions and civil society.¹⁹⁰ UNAMI's regular human rights reports are intended to assist the Government of Iraq, the KRG and MNF-I in ensuring protection of human rights and respect for the rule of law.¹⁹¹

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

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR

ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to the Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance

³ Upon ratification: "Ratification by Iraq ... shall in no way signify recognition of Israel nor shall it be conducive to entry with her into such dealings as are regulated by the said [Covenant]."

⁴ Upon signature and confirmed upon ratification:

"The entry of the Republic of Iraq as a party to the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights shall in no way signify recognition of Israel nor shall it entail any obligation towards Israel under the said two Covenants."

"The entry of the Republic of Iraq as a party to the above two Covenants shall not constitute entry by it as a party to the Optional Protocol to the International Covenant on Civil and Political Rights."

Upon ratification:

"Ratification by Iraq ... shall in no way signify recognition of Israel nor shall it be conducive to entry with her into such dealings as are regulated by the said [Covenant]."

⁵ Reservations:

1. Approval of and accession to this Convention shall not mean that the Republic of Iraq is bound by the provisions of article 2, paragraphs (f) and (g), of article 9, paragraphs 1 and 2, nor of article 16 of the Convention. The reservation to this last-mentioned article shall be without prejudice to the provisions of the Islamic Shariah according women rights equivalent to the rights of their spouses so as to ensure a just balance between them. Iraq also enters a reservation to article 29, paragraph 1, of this Convention with regard to the principle of international arbitration in connection with the interpretation or application of this Convention.

2. This approval in no way implies recognition of or entry into any relations with Israel.

⁶ Reservation:

The Government of Iraq has seen fit to accept [the Convention] ... subject to a reservation in respect to article 14, paragraph 1, concerning the child's freedom of religion, as allowing a child to change his or her religion runs counter to the provisions of the *Islamic Shariah*.

⁷ Adopted by the General Assembly in its resolution 63/117 of 10 December 2008. Article 17, paragraph 1, of OP-ICESCR states that "The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant".

⁸ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁹ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

¹⁰ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Convention relative to the Treatment of Prisoners of War (Third Convention); Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see

Federal Department of Foreign Affairs of Switzerland, at <http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html>.

¹¹ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organize and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning the Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

¹² UNAMI human rights report, July- December 2008; para.7 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹³ UNAMI human rights report, July- December 2008; p. 5, para. b (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁴ A/55/38, paras. 186 and 188.

¹⁵ CRC/C/15/Add.94 para. 6.

¹⁶ UNICEF submission to the UPR on Iraq, p. 1.

¹⁷ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 2009, Geneva, doc. No. (ILOLEX) 062009IRQ098.

¹⁸ UNAMI human rights report, July- December 2008; p. 5, para.b (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁹ UNAMI human rights report, July- December 2008; para. 71 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

²⁰ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/10/55, annex I.

²¹ OHCHR 2008 report on activities and results, p.144

²² UNAMI human rights report, July- December 2008; para. 69 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>)

²³ UNAMI human rights report, January-June 2008, p. 4, para. (i), See also UNAMI human rights report, July- December 2008; para. 8 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>)

²⁴ UNAMI human rights report, July- December 2008; para. 8 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

²⁵ Letters from the Permanent Mission of Iraq (including information of the Iraq Ministry of Human Rights), dated on 16 and 22 July 2009, in response to a request for information on the implementation of the International Year of Human Rights Learning, see <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm>.

²⁶ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request Worst Forms of Child Labour Convention, 1999 (No. 182), 2009, Geneva, doc. No. (ILOLEX) 092009IRQ182.

²⁷ CRC/C/15/Add.94, para. 14.

²⁸ See General Assembly resolution 59/113B of 14 July 2005, and Human Rights Council resolution 6/24 of 28 September 2007. See also letters from the High Commissioner for Human Rights dated 9 January 2006 and 10 December 2007, available at <http://www2.ohchr.org/english/issues/education/training/Summary-national-initiatives2005-2009.htm>.

²⁹ The following abbreviations have been used for this document:

CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
HR Committee	Human Rights Committee
CEDAW	Committee on the Elimination of Discrimination against Women

CRC Committee on the Rights of the Child

³⁰ E/CN.4/2001/42.

³¹ E/CN.4/2002/44.

³² The questionnaires included in this section are those which have been reflected in an official report by a special procedure mandate-holder.

³³ See (a) report of the Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67), joint questionnaire on the relationship between trafficking and the demand for commercial sexual exploitation sent in July 2005; (b) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31), questionnaire on the sale of children's organs sent in July 2006; (c) report of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/4/23), questionnaire on issues related to forced marriages and trafficking in persons sent in 2006; (d) report of the Special Rapporteur on the human rights of migrants (A/HRC/4/24), questionnaire on the impact of certain laws and administrative measures on migrants sent in 2006; (e) report of the Special Rapporteur on the right to education (A/HRC/4/29), questionnaire on the right to education of persons with disabilities sent in 2006; (f) report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (A/HRC/4/35/Add.3), questionnaire on human rights policies and management practices; (g) report of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15), questionnaire on the human rights of indigenous people sent in August 2007; (h) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/7/8), questionnaire on assistance and rehabilitation programmes for child victims of sexual exploitation sent in July 2007; (i) report of the Special Rapporteur on the right to education (A/HRC/8/10), questionnaire on the right to education in emergency situations sent in 2007; (j) report on the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/10/16 and Corr.1), questionnaire on trafficking in persons, especially women and children; (k) report of the independent expert on the question of human rights and extreme poverty to the eleventh session of the HRC sent in June 2009 (A/HRC/11/9), questionnaire on Cash Transfer Programmes, sent in October 2008; (l) report of the Special Rapporteur on the right to education sent in June 2009 (A/HRC/11/8), questionnaire on the right to education for persons in detention; (m) report of the Special Rapporteur on violence against women, (June 2009) (A/HRC/11/6), questionnaire on violence against women and political economy; (n) report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences (A/HRC/12/21), questionnaire on national legislation and initiatives addressing the issue of bonded labour. (o) report of the Special Rapporteur on the right to food to the twelfth session of the Council (A/HRC/12/31), questionnaire on world food and nutrition security; (p) report of the Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/12/23), questionnaire on measures to prevent and combat online child pornography.

³⁴ The questionnaire on the right to education of persons with disabilities, the questionnaire on the human rights of indigenous people, the questionnaire on the right to education in emergency situations, the questionnaire on violence against women and political economy, the questionnaire on world food and nutrition security and the questionnaire on measures to prevent and combat online child pornography.

³⁵ OHCHR 2008 report on activities and results, p. 149.

³⁶ Security Council resolution 1770 (2007).

³⁷ UNAMI human rights report, July-December 2008; para. 9 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

³⁸ Security Council resolution 1883 (2009).

³⁹ A/55/38, paras. 179, 180, 181.

⁴⁰ Ibid., paras. 191-192; See also HR Committee, para. 13; CESCR, para. 30.

⁴¹ CCPR/C/79/Add.84, para 20.

⁴² CRC/C/15/Add.94, para. 24.

⁴³ UNAMI human rights report, May-June 2006, para. 84 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁴⁴ OHCHR/UNAMI press release, available at <http://www.uniraq.org/newsroom/getarticle.asp?ArticleID=1024>; See also UNAMI human rights report, July- December 2008; p.5, para. (f) (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁴⁵ A/HRC/8/4/Add.1, para. 173. See also OHCHR Annual Report 2006, p.78; A/HRC/4/25/Add.1, paras. 201-206; A/HRC/4/27/Add.1, para. 319; A/HRC/4/20/Add.1, pp. 176-177.

⁴⁶ A/HRC/8/4/Add.1, para. 175. See also A/HRC/4/25, paras. 54-57; A/60/321, para. 42.

⁴⁷ UNICEF submission to the UPR on Iraq, p. 2.

⁴⁸ UNAMI human rights report, July- December 2008; para.12, 14, 15 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁴⁹ UNICEF submission to the UPR on Iraq, p. 4, See also UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 19, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf> (accessed 26 August 2009).

⁵⁰ UNAMI human rights report, July- December 2008; paras.21-24 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁵¹ UNAMI human rights report, July- December 2008; para.31; UNAMI human rights report, January-June 2008, paras.43 to 47 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>)

⁵² UNAMI human rights report, July- December 2008; para.30; UNAMI human rights report, January-June 2008, para.40, 41 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>)

⁵³ A/HRC/7/7/Add.1, paras.70-73 and 75-78; A/HRC/10/14/Add.1, paras.22 -25 (See also UNAMI human rights report, July- December 2008; para. 27; UNAMI human rights report, January-June 2008, para. 38; UNAMI human rights report, July-December 2007, para. 25 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁵⁴ UNAMI human rights report, July- December 2008; Para.12 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁵⁵ A/HRC/10/9, para.206; See also E/CN.4/2006/56 and Corr.1, paras. 295-299; A/HRC/4/41, para. 230.

⁵⁶ E/CN.4/2006/56 and Corr.1, paras. 297-299

⁵⁷ A/HRC/7/2, para. 181

⁵⁸ A/HRC/10/9, para. 205

⁵⁹ CCPR/C/79/Add.84, para. 8.

⁶⁰ UNAMI human rights report, November- December 2006, para. 34; UNAMI human rights report, July- December 2008; para. 25 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁶¹ UNAMI human rights report, July-December 2008, para. 72; See also UNAMI human rights report, January-June 2008, para. 91; UNAMI human rights report, July-December 2008; para. 92; UNAMI human rights report, July-December 2008; pp. 6, 7, Para.(d); UNAMI human rights report, July- December 2008; Para.83; UNAMI human rights report, April- June 2007; Para.59(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>)

⁶² UNAMI human rights report, January- June 2008; para. 90 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁶³ S/2009/284, para. 42.

⁶⁴ UNAMI human rights report, July-December 2008; para. 90 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁶⁵ UNAMI human rights report, July-December 2008; p.5, para. (a); See also UNAMI human rights report, July- December 2008; p.5, para. (e) (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁶⁶ UNAMI human rights report, January-March 2007; para. 70 See also UNAMI human rights report, July- December 2008; Paras. 4, 43; UNAMI human rights report, July- December 2007; para. 64; A/HRC/4/33/Add.1, para. 120 (See also A/HRC/4/20/Add.1, pp. 182-184); see also A/HRC/4/33/Add.1, para. 118 (see also A/HRC/4/20/Add.1, pp/ 177-181).

-
- ⁶⁷ A/HRC/4/33/Add.1, para.116
- ⁶⁸ A/HRC/8/4/Add.1, para.169
- ⁶⁹ Ibid., para. 170; A/HRC/7/28/Add.1, para. 1221
- ⁷⁰ Office of the Special Representative of the Secretary-General for Children and Armed Conflict, submission to the UPR on Iraq, p. 4
- ⁷¹ Ibid., pp. 1 and 2, See also UNICEF submission to the UPR on Iraq, p. 4; UNAMI human rights report, July- December 2008; para. 41(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>);
- ⁷² UNAMI human rights report, July-December 2008; pp. 5, 6, para. (h) (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission to the UPR on Iraq, pp. 1 and 2.
- ⁷³ Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission to the UPR on Iraq, p.3; See also ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request Worst Forms of Child Labour Convention, 1999 (No. 182), 2009, Geneva, doc. No. (ILOLEX) 092009IRQ182.
- ⁷⁴ E/CN.4/2006/67/Add.1, para. 63 (See also E/CN.4/2006/61/Add.1, paras.102-104); see also UNICEF submission to the UPR on Iraq, p. 4; UNAMI human rights report, July- December 2008; para. 36 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ⁷⁵ A/55/38, paras. 189-190.
- ⁷⁶ UNAMI human rights report, July- December 2008; para. 41(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission to the UPR on Iraq, pp. 1 and 2;
- ⁷⁷ UNAMI, UN-Iraq Reconstruction and Development Update, Baghdad, 2007, p. 2, available at http://www.uniraq.org/documents/UN_Iraq%20Reconstruction%20&%20Development%20Update%20May%202007.pdf.
- ⁷⁸ UNAMI human rights report, July- December 2008; para. 41(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also CRC, para.21; See also UNICEF submission to the UPR on Iraq, p. 4.
- ⁷⁹ UNAMI human rights report, July- December 2008; p. 5, para. (g) (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also CEDAW, paras. 193-194.
- ⁸⁰ CRC/C/15/Add.94, para. 20.
- ⁸¹ E/CN.4/2006/67/Add.1, para. 63 (See also E/CN.4/2006/61/Add.1, para. 102).
- ⁸² UNAMI human rights report, November-December 2006, para.52 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also UNICEF submission to the UPR on Iraq, p. 4.
- ⁸³ UNAMI human rights report, July- December 2008; para. 6; See also UNAMI human rights report, July- December 2008; paras. 52-54 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ⁸⁴ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request Worst Forms of Child Labour Convention, 1999 (No. 182), 2009, Geneva, doc. No. (ILOLEX) 092009IRQ182.
- ⁸⁵ CRC/C/15/Add.94, para. 27.
- ⁸⁶ UNAMI human rights report, July- December 2008; paras. 6, 55, 57 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ⁸⁷ UNAMI human rights report, July- December 2008; para. 6 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ⁸⁸ A/HRC/4/30/Add.1, para. 36.
- ⁸⁹ UNAMI human rights report, July-August 2006, paras. 3, 4, 9 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ⁹⁰ A/HRC/8/4/Add.1, paras. 167, 168, 171, 172 (See also A/HRC/7/28/Add.1, paras.1221-1222).

⁹¹Ibid., para.171; see also UNAMI human rights report, January-June 2008, para. 28; UNAMI human rights report, September-October 2006, para. 41; UNAMI human rights report, July-August 2006, para. 27 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁹² A/HRC/4/25/Add.1, para. 202; UNAMI human rights report, November- December 2006, para. 11 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁹³ S/2006/360, para. 43. See also UNAMI human rights report, November-December 2006, para. 23 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁹⁴ UNAMI human rights report, July-December 2007; para. 81(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also UNAMI, UN-Iraq Reconstruction and Development Update, Baghdad, 2007, p. 6, available at <http://www.uniraq.org/documents/UN-Iraq%20Reconstruction%20&%20Development%20Update%20Nov%202007.pdf>; See also UNAMI human rights report, July- December 2007; para. 81 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁹⁵ UNAMI human rights report, January-March 2007; para. 78; UNAMI human rights report, July- December 2007; para. 62 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁹⁶ UNAMI human rights report, July-December 2008; p.5, para. (d) (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁹⁷ UNAMI human rights report, July-December 2008; p.5, para. (c) (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁹⁸ UNAMI human rights report, April- June 2007; para. 81; see also UNAMI human rights report, July- December 2007; para. 66 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

⁹⁹ UNAMI human rights report, July- December 2008; para.42 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁰⁰ UNAMI human rights report, July- December 2008; para. 43(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also CRC, para. 29; UNAMI human rights report, July- December 2008; Para.42; UNAMI human rights report, May- June 2006, Para.51(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁰¹ The Office of the Special Representative of the Secretary-General for Children and Armed Conflict, submission to the UPR, p. 3.

¹⁰² UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 19, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf>; See also UNAMI human rights report, July-December 2008; Para.3; UNAMI human rights report, July-December 2008; Para.79; UNAMI human rights report, July-December 2007; para. 65; UNAMI human rights report, July- December 2008; para. 82; UNAMI human rights report, March-April 2006, para. 5 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁰³ UNAMI human rights report, July-December 2008; paras.76-77 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁰⁴ UNAMI human rights report, January- March 2007; para. 68 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁰⁵ UNAMI human rights report, November- December 2006, para. 114 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁰⁶ UNAMI human rights report, May- June 2006, paras. 16-17 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁰⁷ UNAMI human rights report, January-June 2008; para.77; UNAMI human rights report, July- December 2007; para. 49, 51 to 53 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>)

¹⁰⁸ A/HRC/10/8/Add.1, paras.70-73.

¹⁰⁹ UNAMI human rights report, July- December 2008; para. 46 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

-
- ¹¹⁰ A/HRC/7/10/Add.1, paras. 130-136 (See also A/HRC/7/23/Add.1, para.24).
- ¹¹¹ UNAMI human rights report, July-December 2008; para. 58 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹¹² UNAMI human rights report, July- December 2008; para. 59 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹¹³ UNAMI human rights report, July- December 2008; para. 60 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹¹⁴ A/HRC/4/27/Add.1, paras. 314-318.
- ¹¹⁵ E/CN.4/2006/95/Add.1/Corr.1 and 2, para. 270, A/HRC/4/27/Add.1, para. 313; A/HRC/4/37/Add.1, paras. 355, 356; See also ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 2009, Geneva, doc. No. (ILOLEX) 062009IRQ098.
- ¹¹⁶ A/HRC/4/37/Add.1, para.357, A/HRC/4/34/Add.1, paras.332-337; See also UNAMI human rights report, July-December 2008; Para.63(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>)
- ¹¹⁷ A/HRC/4/37/Add.1, paras.355-357; A/HRC/4/27/Add.1, paras. 313, 316; A/HRC/4/34/Add.1, paras. 332-337. See also A/HRC/7/6/Add.1, paras. 234-236; UNAMI human rights report, March-April 2006, Para.3 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹¹⁸ UNAMI human rights report, January-June 2008, para. 27 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹¹⁹ UNAMI human rights report, January- March 2007; Para.25(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also UNAMI, UN-Iraq Reconstruction and Development Update, Baghdad, 2007, p. 1, available at http://www.uniraq.org/documents/UN_Iraq%20Reconstruction%20&%20Development%20Update%20January-April%202007.pdf.
- ¹²⁰ OCHA, Humanitarian Update Iraq, Baghdad 2009, p. 8, available at <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1109728>; See also OCHA, Iraq Humanitarian Update, Baghdad, 2008, p. 5, available at <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1097020>.
- ¹²¹ S/2009/102, para. 3.
- ¹²² UNAMI human rights report, July-December 2008; Paras .65, 66, 67 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹²³ E/CN.4/2006/95/Add.1/Corr.1 and 2, para. 272 (See also E/CN.4/2006/67/Add.1, para.63; E/CN.4/2006/61/Add.1, para. 102).
- ¹²⁴ UNAMI human rights report, January-June 2008, para. 48 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also E/CN.4/2006/95/Add.1/Corr.1 and 2, para. 272 (See also E/CN.4/2006/67/Add.1, para.63; E/CN.4/2006/61/Add.1, para.102, 104); See also UNAMI human rights report, September-October 2006, Para.13 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹²⁵ E/CN.4/2006/95/Add.1, Corr.1 and 2, para.272 (See also E/CN.4/2006/67/Add.1, para.63; E/CN.4/2006/61/Add.1, para.102, 104); See also UNAMI human rights report, September-October 2006, para. 13 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also CEDAW, paras. 195-196.
- ¹²⁶ United Nations Statistics Division coordinated data and analyses, available at <http://mdgs.un.org/unsd/mdg/Data.aspx>.
- ¹²⁷ UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 23, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf>.
- ¹²⁸ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Equal Remuneration Convention, 1951 (No. 100), 2009, Geneva, doc. No. (ILOLEX) 092009IRQ100
- ¹²⁹ E/C.12/1/Add.17, para. 34.

¹³⁰ A/HRC/7/7/Add.2, p. 2; A/HRC/7/7/Add.3, p. 2 and A/HRC/7/7/Add.4, p. 2; A/HRC/4/42/Add.2, para. 2, A/HRC/4/42/Add.1, p. 2.

¹³¹ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Right to Organise and Collective Bargaining Convention, 1949 (No. 98), 2009, Geneva, doc. No. (ILOLEX) 062009IRQ098.

¹³² UNAMI, UN-Iraq Reconstruction and Development Update, Baghdad, 2007, p. 3, available at http://www.uniraq.org/documents/UN_Iraq%20Reconstruction%20&%20Development%20Update%20January-April%202007.pdf.

¹³³ UNAMI human rights report, January-June 2008; para.50 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹³⁴ UNAMI, UN-Iraq Reconstruction and Development Update, Baghdad, 2007, p. 3, available at <http://www.uniraq.org/documents/UN-Iraq%20Reconstruction%20&%20Development%20Update%20August%202007.pdf> (accessed on 14 August 2009).

¹³⁵ OCHA, Iraq humanitarian Update, Baghdad, 2008, p. 3, available at <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1097020>.

¹³⁶ UNICEF submission to the UPR on Iraq, p. 2.

¹³⁷ UNAMI human rights report, November- December 2006, Para.64; See also UNAMI human rights report, May- June 2006, Paras. 27, 29, 30 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹³⁸ UNICEF submission to the UPR on Iraq, p. 2.

¹³⁹ A/55/38, paras. 203-204.

¹⁴⁰ UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 15, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf>.

¹⁴¹ United Nations Statistics Division coordinated data and analyses, available at <http://mdgs.un.org/unsd/mdg/Data.aspx>.

¹⁴² A/HRC/10/7/Add.1, para.57

¹⁴³ UNICEF submission to the UPR on Iraq, p. 4.

¹⁴⁴ UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 13, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf> (accessed 26 August 2009). See also UNAMI, UN-Iraq Reconstruction and Development Update, Baghdad, 2007, p. 2, available at <http://www.uniraq.org/documents/UN-Iraq%20Reconstruction%20&%20Development%20Update%20September%202007.pdf>.

¹⁴⁵ UNICEF submission to the UPR on Iraq, p. 4.

¹⁴⁶ Ibid., p. 5; See also E/C.12/1/Add.17 , para. 36

¹⁴⁷ Ibid., pp. 3-4; UNAMI, UN-Iraq Reconstruction and Development Update, Baghdad, 2007, p. 4, available at <http://www.uniraq.org/documents/UN-Iraq%20Reconstruction%20&%20Development%20Update%20Nov%202007.pdf>. See also UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 10, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf>; UNAMI, UN-Iraq Reconstruction and Development Update, Erbil, 2007, p. 3, available at <http://www.uniraq.org/documents/UN-Iraq%20Reconstruction%20&%20Development%20Update%20Oct%202007.pdf>; UNAMI human rights report, January-March 2007; Para.21; UNAMI human rights report, July- December 2008; para. 36 .

¹⁴⁸ UNICEF submission to the UPR on Iraq, p. 3.

¹⁴⁹ Ibid., pp. 3-4.

¹⁵⁰ A/55/38, paras. 197-198.

¹⁵¹ OCHA, Iraq Humanitarian Update, Baghdad, 2008, p. 5, available at <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1097020>.

-
- ¹⁵² UNAMI human rights report, July-December 2008; Para.45 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁵³ UNAMI human rights report, July- December 2008; para. 47 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁵⁴ UNAMI human rights report, July-December 2008; Para.49; See also UNAMI human rights report, July- December 2007; para. 41(Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁵⁵ UNAMI human rights report, July-December 2008; para. 48 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁵⁶ UNAMI human rights report, January-June 2008, para. 55 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁵⁷ A/HRC/10/8/Add.1, paras.74-80.
- ¹⁵⁸ UNAMI human rights report, January-June 2008, para. 60 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁵⁹ UNAMI human rights report, January- March 2007; para. 41 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁶⁰ UNAMI human rights report, July- December 2008; para. 64 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁶¹ UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 19, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf>.
- ¹⁶² OCHA, Humanitarian Update Iraq, Baghdad, 2009, p. 1, available at <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1111049>.
- ¹⁶³ UNAMI human rights report, April- June 2007; para.47 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁶⁴ UNAMI human rights report, April- June 2007; paras. 33-35 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>) ; See also UNAMI human rights report, January- March 2007; para. 47.
- ¹⁶⁵ UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 19, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf> .
- ¹⁶⁶ UNAMI human rights report, January-March 2007; para. 57 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission to the UPR on Iraq, pp. 1 and 2; See also UNAMI human rights report, November- December 2006, Para.51 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>)
- ¹⁶⁷ UNAMI human rights report, January- March 2007; para.57 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁶⁸ UNAMI human rights report, January-June 2008; para. 77; UNAMI human rights report, July- December 2007; para. 49, 51 to 53 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁶⁹ UNAMI human rights report, January- March 2007; para. 57 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); See also Office of the Special Representative of the Secretary-General for Children and Armed Conflict submission to the UPR on Iraq, pp. 1 and 2; See also UNAMI human rights report, November- December 2006, para. 51.
- ¹⁷⁰ A/62/227, para. 37; See also UNAMI human rights report, April- June 2007; para. 49 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).
- ¹⁷¹ OCHA, Humanitarian Update Iraq, Baghdad, 2009, p. 1, available at <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1109728>.
- ¹⁷² Ibid., p. 1 and 5, available at <http://ochaonline.un.org/OchaLinkClick.aspx?link=ocha&docId=1106075> .

¹⁷³ S/2009/284, para. 41.

¹⁷⁴ UNAMI human rights report, January-June 2008, para .94 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁷⁵ UNAMI human rights report, January-June 2008, para. 92 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁷⁶ UNAMI human rights report, April- June 2007; para. 88 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁷⁷ UNAMI human rights report, July- December 2008; para. 2 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁷⁸ UNAMI human rights report, July- December 2007; paras. 35, 37 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁷⁹ UNAMI human rights report, April- June 2007; para. 43 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁸⁰ UNAMI human rights report, July- December 2008; p.7, para. (h) (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁸¹ UNAMI human rights report, May- June 2006; para. 44 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁸² UNAMI human rights report, July- December 2008; Para.91; See also UNAMI human rights report, July- December 2007; Para.75; See also UNAMI human rights report, July- December 2008; P.6, paras. (a),(b).

¹⁸³ UNAMI human rights report, July-December 2008; para. 62 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁸⁴ UNAMI human rights report, January-June 2008, Para .66; See also UNAMI human rights report, January-June 2008, P. 5, para. a (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>).

¹⁸⁵ UNICEF submission to the UPR on Iraq, p. 1.

¹⁸⁶ UNCT, United Nations Iraq Assistance Strategy 2008-2010, Baghdad, 2008, p. 9, available at <http://www.undg.org/docs/9863/UN-Iraq-Assistance-Strategy-2008-2010.pdf>.

¹⁸⁷ UNICEF submission to the UPR on Iraq, p. 2

¹⁸⁸ Pledges and commitments undertaken by Iraq before the Human Rights Council, as contained in the letter dated on 28 April 2006 sent by the Permanent Mission of Iraq to the United Nations addressed to the President of the General Assembly, available at <http://www.un.org/ga/60/elect/hrc/>.

¹⁸⁹ Office of the Special Representative of the Secretary-General for Children and Armed Conflict, submission to the UPR on Iraq, p. 3.

¹⁹⁰ OHCHR 2008 report on activities and results, p. 149.

¹⁹¹ UNAMI human rights report, July-December 2008; para. 10, See also S/2009/284, para. 45 (Available at <http://www.uniraq.org/docsmaps/undocuments.asp>); OHCHR 2008 report on activities and results, p. 149.

¹⁹² UNDG, Resident Coordinator Annual Report 2008 - Iraq, available at <http://www.undg.org/rcar08.cfm?fuseaction=RCAR&ctyIDC=IRQ&P=1095>.

¹⁹³ UNICEF submission to the UPR on Iraq, p. 5.