12 March 2020

Statement to the UN Human Rights Council 43rd session (24 February - 20 March 2020)

Item 6: Universal Periodic Review

Statement on Iraq

WILPF regrets that Iraq only noted recommendations 147.18 and 147.20 to withdraw reservations made to CEDAW, particularly on its Articles 2 and 16 that deal with discriminatory laws and practices and guarantee equality in family matters, particularly with regards to marriage, divorce, custody and inheritance. We also regret that it only noted recommendation 147.14 regarding the ratification of the Optional Protocol to CEDAW. We underline that Iraq provided no justification to explain why it only noted such critical recommendations on women’s rights, all of which reflect recommendations made by the CEDAW Committee in its review of Iraq last year. In this regard, we recall that the CEDAW Committee reiterated its previous recommendation (CEDAW/C/IRQ/CO/4-6, para. 16) and urged Iraq to “expedite its efforts towards withdrawing its reservations to articles 2 (f) and (g) and 16 of the Convention, which are incompatible with the object and purpose of the Convention and constitute an obstacle to the implementation of the Convention as a whole.”

WILPF deeply regrets that Iraq only partially supported recommendations 147.109 and 147.178 regarding investigating and ending violence against the LGBTIQ+ community. We regret that in its explanation the government stated that its partial support “does not entail any recognition of homosexuality,” and that “note is taken of the enactment of laws that would allow lesbian, gay, bisexual, transgender and intersex persons to practice their sexual orientation.” While the government indicates that it is taking steps to investigate and address violence against the LGBTIQ+ community, this is in stark contrast with reports from Iraqi activists that targeted killings that have been happening for more than a decade have still not been addressed by the government and that “not even one person has been held accountable for killing a gay person.”

1 147.18 Withdraw the reservations made to Convention on the Elimination of All Forms of Discrimination against Women, in order to repeal all discriminatory laws and practices and guarantee equality in all matters related to family and marital relations; and repeal the legal provisions under which rapists who marry their victims are forgiven (Uruguay); 147.20 Withdraw the reservations made to the Convention on the Elimination of All Forms of Discrimination against Women, which urges States to repeal all discriminatory laws and practices and guarantee equality in all matters related to the family (Chile). UN index: A/HRC/43/14

2 147.14 Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Greece). UN index: A/HRC/43/14

3 UN index: CEDAW/C/IRQ/CO/7, paragraph 10 and paragraph 43

4 UN Index: CEDAW/C/IRQ/CO/7, paragraph 10

5 147.10 Take steps to investigate and end violence against, and killings of, lesbian, gay, bisexual, transgender and intersex persons (Malta); 147.178 Investigate and end violence against and killings of lesbian, gay, bisexual, transgender and intersex persons and develop and implement public awareness campaigns directed at changing harmful attitudes towards lesbian, gay, bisexual, transgender and intersex persons (Iceland). UN index: A/HRC/43/14

6 A/HRC/43/14/Add.1

Finally, the Iraqi police and security forces’ crackdown on peaceful protestors that have taken to the streets since early October 2019 is very alarming. The death toll has reached almost 600 people,\(^8\) and targeted killings as well as abductions of activists and peaceful protestors have continued.\(^9\) We welcome that Iraq supported a significant number of UPR recommendations regarding the investigation of excessive use of force by security forces,\(^10\) ensuring impartial investigations into violence against peaceful protestors,\(^11\) and upholding the rights to freedom of expression and assembly;\(^12\) we stress, however, that it is crucial that the government translate this support into serious and concrete actions and does not merely pay lip service to addressing these concerns. We urge the government to immediately conduct independent, impartial, thorough and prompt investigations into lethal force used against peaceful demonstrators, while paying particular attention to the gendered impacts of such violations, and ensuring that perpetrators are brought to justice in accordance with international standards. We also urge it to ensure that women activists and all other human rights defenders, bloggers and journalists be able to operate in a safe environment.

\(^8\) ‘We Are Not Going To Leave’: Iraq’s Protests Escalate, NPR (2019): https://www.npr.org/2020/01/22/798492825/we-are-not-going-to-leave-iraqs-protests-escalate
\(^10\) See, for example, recommendations 147.161, 147.173, 147.181, and 147.200
\(^11\) See, for example, recommendations 147.156, 147.176, 147.181, and 147.202
\(^12\) See, for example, recommendations 147.190, 147.200, 147.201, and 147.203