



Convention on the Rights of the Child

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Committee on the Rights of the Child

Sixty-eighth session

12–30 January 2015

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined second to fourth periodic reports of Iraq

The State party is requested to submit in writing additional, updated information, if possible before 15 October 2014 (10,700 words maximum).

The Committee may take up any aspects of the children's rights set out in the Convention during the dialogue with the State party.

Part I

In this section, the State party is requested to submit its responses to the following questions.

1. With reference to paragraph 57 of the State party report (CRC/C/IRQ/2-4), please provide the Committee with updated information on the 2010 Poverty Reduction Strategy, formulated under a joint cooperation agreement between the Ministry of Planning and the World Bank. In particular, please indicate whether the Strategy includes goals and targets relating to children and, if so, whether any time frame has been set for their achievement. Please also state whether indicators have been developed to evaluate the implementation of the Strategy.
2. With reference to paragraph 47 of the State party report, please provide updated information on the process of drawing up the Child Protection Act and on its content.
3. Please indicate whether any special measures have been taken to counter corruption, which affects the implementation of the Convention on the Rights of the Child.
4. Please indicate the measures taken to address the impact on children of the conflict in the State party. Please provide detailed information on the measures taken to prevent children from being maimed and killed, and to protect them from life- and health-threatening dangers resulting from remnants of war, such as radiation and other environmental contaminants emitted from leftover munitions, and from abandoned landmines and cluster munitions.
5. Please provide detailed information on the measures taken by the State party to prevent and eliminate the killing of girls in the name of so-called "honour", cases of which

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are reported to be on the rise in the State party. Please indicate whether the State party intends to repeal the provision in the Criminal Code under which “honourable motives” are a mitigating factor in crimes, including murder. Please provide information on any measures that have been taken to facilitate the access of girls, particularly those living in rural areas, to the police, counselling services and legal services.

6. Please indicate the measures taken to combat early and forced marriage throughout the country. Please provide updated information on the Jaafari personal status law, particularly the provisions that would legalize the marriage of girls from the age of 9, and indicate how that is compatible with the State party’s obligations under articles 2, 6, 24, paragraph 3, and 28, of the Convention.

7. Given that under article 3 of the Iraqi Nationality Law, all children born to an Iraqi mother acquire nationality as a matter of right, regardless of their place of birth, please indicate whether the State party intends to repeal article 4 of the Law, which authorizes the Minister of the Interior to consider granting nationality to a child born outside Iraq to an Iraqi mother and an unknown or stateless father, which appears to contradict the provision in article 3 of the Convention that the best interests of the child should be a primary consideration in all actions concerning children.

8. Please comment on reports that children in detention are frequently victims of torture and ill-treatment, including sexual abuse. Please indicate whether there are any complaints mechanisms available for children in detention.

9. Please indicate whether any investigations have been conducted into the case of the abduction in Wassit governorate in November 2013 of the 10-year-old son of a member of the local human rights committee, whose corpse was found with apparent signs of torture.

10. Please provide information on any steps that have been taken to prohibit and eliminate corporal punishment in all settings, including the home, schools and alternative care institutions. Please indicate whether the State party intends to repeal the provision allowing husbands and fathers to discipline their wives and children by beating them. Please clarify whether corporal punishment is explicitly prohibited in all institutions accommodating children in conflict with the law, in particular the Surveillance Centre, the Rehabilitation School for Pre-adolescents, the Rehabilitation Centre for Adolescents and the Juvenile Rehabilitation Centre.

11. Please provide updated information on the steps taken to eliminate the practice of female genital mutilation, particularly in Kurdistan Region.

12. Please provide information on children who live in prison with their mothers and indicate the age until which children may stay in prison with their mothers. Please also indicate whether measures are taken to allow those children to maintain personal relations and direct contact with their mothers following separation. Please state whether any efforts have been made to ensure that all women’s prisons are provided with nurseries.

13. Please provide information on children whose parents have been sentenced to death. Please indicate whether those children are provided with any special protection or assistance, such as psychological support and financial support, in cases in which the executed parent was the family bread-winner.

14. With reference to paragraph 232 of the State party report, please provide information on measures taken for the early identification of children with disabilities and on their effective access to health, rehabilitation and social services, taking into account the current situation. Please indicate the measures taken to provide them with inclusive education and the steps taken to establish programmes to assist children who suffer from ongoing conflict-related stress or post-traumatic stress syndrome.

15. Please provide information on the measures taken to prevent and reduce drug and other substance abuse by children. Please indicate whether adolescents have access to reproductive health services, including access to contraception and safe abortion.

16. Please provide further details on measures taken to increase children's access to secondary school education and to reduce school dropout and illiteracy. Please indicate the measures taken, if any, to improve school infrastructure.

17. With reference to paragraph 296 of the State party report, please provide information on assistance given to the increasing number of internally displaced children and their families, particularly in terms of shelter, access to food, clean drinking water and sanitation, health services and education. Please indicate whether the special team that has been formed by the Ministry of Labour and Social Affairs has been able to establish plans to provide further help to internally displaced families.

18. In view of the high number of children engaged in child labour, including the worst forms of child labour, please provide information on the measures taken to implement labour laws. With reference to paragraph 109 of the State party report, please clarify whether children over the age of 15 who are employed in family businesses can benefit from any of the existing labour laws.

19. Please provide the Committee with updated information on children in street situations and indicate whether there are any programmes or other measures in place to help children to get off the streets and to provide for their rehabilitation and access to shelter, health care and education.

20. With reference to paragraph 102 of the State party report, please provide updated information on the draft Juveniles Act and indicate whether the State party intends to raise the minimum age of criminal responsibility to an internationally acceptable standard. Please also provide detailed information on how proof of age is ascertained and comment on reports that children under 18 years of age have been sentenced to death and executed after turning 18. In particular, please comment on reports that girls who are sentenced to death are held in the Karrada juvenile detention facility until they turn 18 and are then transferred to death row. Please inform the Committee about measures taken to further promote restorative justice and alternatives to detention and to provide more children in detention with access to education.

Part II

In this section, the Committee invites the State party to briefly (three pages maximum) update the information presented in its report with regard to:

- (a) New bills and laws, and their respective regulations;
- (b) New institutions and their mandates, and institutional reforms;
- (c) Recently introduced policies, programmes and action plans and their scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information, if available

1. Please provide consolidated budget information for the past three years on budgets allocated for children, in particular regarding education, health, social services and child

protection, by indicating the percentage of each budget line in terms of the total national budget and gross national product and geographic allocation.

2. Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years on:

(a) The number of reported cases of child victims of economic exploitation and the number of children working in family businesses;

(b) Children working and living on the streets;

(c) The number of girls who have been victims of crimes committed in the name of so-called "honour", including information on the penalties handed down to perpetrators;

(d) Children in detention;

(e) The number of children suffering from post-traumatic stress disorder as well as the number of children addicted to drugs and other substances;

(f) Children suffering from malnutrition.

3. Please provide data, disaggregated by age, sex, socioeconomic background, ethnic origin and geographical location, covering the past three years, on the number of children:

(a) Separated from their parents;

(b) Having become orphans or semi-orphans;

(c) Living in child-headed households;

(d) Placed in institutions;

(e) Placed with foster families.

4. Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities:

(a) Living with their families;

(b) In institutions;

(c) Attending regular primary schools;

(d) Attending regular secondary schools;

(e) Attending special schools;

(f) Out of school;

(g) Abandoned by their families.

5. Please provide data, disaggregated by age, sex, socioeconomic background, geographical location and ethnic origin, for the past three years, on:

(a) The enrolment and completion rates, in percentages, of the relevant age groups in pre-primary, primary and secondary schools;

(b) The number and percentage of dropouts and repetitions;

(c) The teacher-pupil ratio.

6. Please provide the Committee with an update of any data in the report which may have been superseded by more recent data collected or affected by new developments.

7. In addition, the State party may list issues affecting children that it considers to be of priority with regard to the implementation of the Convention.