



# General Assembly

Distr.: General  
18 June 2025

English only

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## Human Rights Council

Fifty-ninth session

16 June–11 July 2025

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

**Joint written statement\* submitted by International-Lawyers.Org, Association Ma'onah for Human Rights and Immigration, International Organization for the Elimination of All Forms of Racial Discrimination, Meezaan Center for Human Rights, Union of Arab Jurists, non-governmental organizations in special consultative status, International Educational Development, Inc., a non-governmental organization on the roster**

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

[25 May 2025]

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\* Issued as received, in the language of submission only.



## **The Human Rights Situation of Women and Girls in Iraq**

It has been 22 years since the wrongful invasion of Iraq, and the country remains engulfed in violence, instability, and widespread human rights violations. Iraqi women and girls, once among the most protected and socially empowered in the region before 1991, have borne the direst brunt. The deterioration began with the 1990 UN-imposed financial and trade embargo under Resolution 661, which triggered 13 years of devastating economic sanctions that dismantled essential services. Under the guise of global governance, these measures decimated a once-flourishing society and disproportionately harmed the most vulnerable—particularly women and children. Reports from the World Health Organization, FAO, and the World Food Programme revealed the grim toll: chronic malnutrition among 800,000 children under five and an August 2003 field report placed anaemia among pregnant women above ninety percent because pharmacies had no basic medicine. Since the 2003 invasion, conditions for women have worsened drastically. The occupation ushered in a new wave of human rights violations, including the taking of hostages, rape, and the systemic use of torture and humiliation. Women were assaulted in their own homes by occupying forces, often in front of family members. The broader conflict created thousands of widows and female-headed households, exacerbating economic hardship and deepening social vulnerability. Today, women face poverty, food insecurity, limited access to education and employment, and deteriorating shelter conditions. Child marriage remains widespread, and nearly one in five girls above the age of ten is illiterate.

This is not merely a legacy of the past—it is an urgent crisis of the present.

### **Family Matters: The Everyday Reality for Women and Girls**

In January 2025, a deeply troubling amendment was approved to Iraq's 1959 Personal Status Law No. 188—a law once regarded as progressive for its time, designed to safeguard the rights of women and children. The amendment transfers authority over family matters such as marriage and child custody from the civil to religious authorities, effectively stripping women and children of judicial protection and undermining Iraq's obligations under international conventions, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC). This also clashes with Article 2 of the Constitution, which bars statutes that conflict with “settled Islamic provisions”, thus placing religious edicts above treaty norms. Although the Federal Supreme Court has suspended enforcement for review, the amendment remains on the statute book. This rollback comes at a time when 28 percent of girls in Iraq are already married before the age of 18. Removing judicial oversight is likely to drive this number even higher, increasing the risks of sexual, physical, and psychological exploitation. The amendment also severely weakens mothers' rights to legal guardianship, leaving them with little recourse to protect their children in family disputes.

This legal shift is not an isolated incident—it reflects a broader pattern of institutionalised patriarchy embedded within Iraq's legal system. For example, Article 41 of the Iraqi Penal Code permits a husband to “discipline” his wife and grants similar powers to parents and teachers over children, as long as it remains within limits defined by law or custom. Such vague wording effectively legitimises domestic violence and shields perpetrators from accountability, leaving women and girls vulnerable within their own homes.

### **Systemic Inequality: Legal and Economic Exclusion**

Systemic inequality in Iraq's legal and economic order denies women and girls basic freedoms and agency. National budgets and macro-economic strategies rarely apply a gender lens, so resource allocation ignores female priorities and sustains unequal access to property, finance, education and public services. The World Bank's Women, Business and the Law 2024 snapshot gives Iraq an overall score of 48.1 / 100 and records zero points under the marriage indicator, proof of explicit discrimination in personal status rules. Personal Status Law articles still allow husbands to discipline wives, and inheritance provisions favour sons over daughters, which limits women's property rights and financial autonomy.

Health policy also fails to uphold sexual and reproductive rights, while draft federal legislation on domestic violence remains stalled. Gender-based economic violence thus proceeds unchecked. This outcome contrasts with Iraq's mid-twentieth-century record: in 1959 Naziha al-Dulaimi became the first woman cabinet minister in the Arab world. Women enjoyed equal pay and generous maternity leave, and they occupied eight percent of the National Assembly. The 2005 Constitution introduced a 25-percent quota for women in the Council of Representatives, and after the 2021 election women secured 97 of 329 seats (29.4 percent), but senior posts across the executive, judiciary and security forces remain almost entirely male. Decades of sanctions, war and regression now manifest as wide gaps in land ownership, labour-market participation, credit access and social protection, thereby jeopardising progress toward SDG 5 on gender equality and the broader 2030 Agenda.

## **Arbitrary Detention and Torture**

Women in Iraq also endure distinct and harrowing forms of repression at the hands of state actors and affiliated militias. Iraqi prisons—particularly the Central Women's Prison in Baghdad—have become notorious sites of gender-based violence and grave human rights abuses. Reports from partner NGOs in Iraq document a disturbing pattern of unjust detentions, where women are often held without due process and subjected to torture, coercion, and inhumane treatment. These actions starkly violate international human rights treaties to which Iraq is a party, including the Convention Against Torture and the Convention on the Elimination of All Forms of Discrimination Against Women. Such systemic abuses not only strip women of their dignity and legal protections but also erode the rule of law and further fracture public trust in the country's justice institutions. If unaddressed, these violations will continue to undermine any efforts toward justice, accountability, and true gender equality in Iraq.

## **Recommendations**

As noted during the 48th Session of the Universal Periodic Review from 20-31 January 2025, Iraq has received hundreds of recommendations to improve its human rights situation, yet most have not been implemented. Even though several UN committees have issued comprehensive recommendations for the country to address systemic issues and enhance human rights protections, the Iraqi government has consistently failed to act on these recommendations. With the aim of mitigating the human rights violations and concerns regarding women and girls in Iraq, it is important for the Human Rights Council and the international committee to consider the following

1. Dispatch an independent international inquiry to monitor, investigate, and document human rights violations against women and girls in Iraq since 2003: This is a vital step toward addressing two decades of systemic abuse and ensuring that perpetrators are held accountable. Such an inquiry should operate with full access and impartiality, collecting testimonies, and institutional records to establish a comprehensive record of violations. The findings must inform actionable recommendations for legal and institutional reform within Iraq, support reparative justice for survivors, and serve as a foundation for ongoing international engagement. Above all, this process is essential to ensuring that the suffering of Iraqi women and girls is neither dismissed nor forgotten, and that their rights are upheld as a matter of global human rights commitment.
2. Mobilise international funding and technical assistance to strengthen women's access to justice and protection mechanisms: Allocate targeted resources to enhance the capacity of Iraqi legal institutions to respond to gender-based violence and discrimination. This includes training for judges, police, and prosecutors on gender sensitivity, the creation of safe reporting channels for survivors, and the establishment of specialised legal aid services. The UN Human Rights Council should work with donor states and agencies to ensure sustained support for these programs, recognising that legal empowerment is central to the broader realisation of human rights for Iraqi women and girls.

3. Urge the Government of Iraq to repeal regressive amendments to the Personal Status Law and ensure full alignment with international human rights standards, particularly CEDAW & CRC: The UN Human Rights Council should call on Iraq to revoke the January 2025 amendment to the 1959 Personal Status Law, which undermines the rights of women and girls by transferring authority over marriage, divorce, and child custody from civil courts to religious institutions. This shift contravenes Iraq's obligations under CEDAW and the Convention on the Rights of the Child by legitimising discriminatory practices and increasing the risk of child marriage, legal disenfranchisement, and gender-based violence. The Council should also urge Iraq to establish a transparent legal review mechanism to vet all existing and proposed legislation for compliance with international treaties to which Iraq is a signatory, ensuring the protection and promotion of gender equality across all legal domains.

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Geneva International Centre for Justice (GICJ), Arab Lawyers Association-UK, Human Rights Defenders (HRD), Brussels Tribunal, Iraqi Committee for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), Organization for Justice & Democracy in Iraq (OJDI), NGO(s) without consultative status, also share the views expressed in this statement.