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About ICAN: Formed in 2006, the International Civil Society Action Network (ICAN) aims to strengthen women's participation and influence in conflict prevention, social justice, coexistence, and peacebuilding efforts, in situations of closed political space and conflict affected states. ICAN's MENA program seeks to elevate the voices and impact of women's civil society groups on issues of rights, security and peace in countries undergoing transitions, affected by rising militarism and extremism targeting women.

What the Women Say:

Picking up the Pieces: Iraqi Women in the Aftermath of War and Occupation

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Just over a year ago the US military officially withdrew from Iraq, ending a nine-year occupation. But it has not meant peace for Iraqis. The decade of sanctions, followed by war and occupation devastated the country's socio-economic fabric. Despite the billions allocated for reconstruction, the country is suffering from greater poverty and corruption than pre-2003.¹ Meanwhile, political sectarianism and violence continues. In December 2012 some 60,000 people protested in Falluja, Mosul and Diyala demanding an end to the marginalization of Sunnis from power, and calling for an end to Iranian influence over the Maliki government.

There is also fear that the sectarianism in Syria could spill over into Iraq. The trend towards sectarian divisions has been rising since the summer. In July 2012 the leader of Al-Qaeda in Iraq, Abu Bakir Al Baghdadi, warned of a new offensive: "Breaking Down Walls". According

A full case study should be done on the interventions in Iraq. The successes and failures should be drawn out and used to inform other countries and ensure that mistakes are not repeated.

to the New York Times, Baghdadi said: "We are returning again to dominate territories we used to dominate, as well as more." He depicted the attacks as part of a battle launched by Sunnis against the country's Shi-ite leaders. A day later, Al-Qaeda launched some 37 separate attacks across the country, targeting military

Post-Occupation Iraq in Numbers

- 23% below poverty line (Iraq Ministry of Planning 2008)
- 16% urban poverty rate, living at or under \$60/month (World Bank 2007)
- Pre-2003: Average 20% lived in slums (UN); 2009: 57% of Iraqis lived in slums, up to 80% in some areas
- \$129,000 is the annual salary of parliamentarians excluding \$15,000 monthly transportation allowance and \$30,000 monthly entertainment allowance
- 175th out of 182 countries in 2011 Transparency International Corruption Perception Index
- 40% female illiteracy (IAA 2009) contrasts with overall illiteracy rate of 12% in 1990 following a 1980 UNESCO award for campaign to eradicate illiteracy
- An estimated 3 million orphans
- 900,000 – 1.5 million widows (Iraq Ministry of Planning, NGO estimates)
- An estimated 1 million female-headed households
- 1.3 million internally displaced persons (IDPs) in 2010
- 1 in 8 IDP households are headed by women
- 71% of female IDPs of working age are unemployed

1- Statistical data available at the following sites: <http://www.iauiraq.org/documents/1057/PRS-ENG.pdf>, http://www.brusseltribunal.org/pdf/IraqiWomen_Azzawi_100311.pdf, Iraqi Family Health Survey done by Ministry of Planning; Ministry of Health; COSIT; World Health Organisation; KRSO in 2006-7, <http://www.mop.gov.iq/mop/>

2- http://topics.nytimes.com/top/reference/timestopics/organizations/a/al_qaeda_in_mesopotamia/index.html,

Yet Iraqis have not given up. Many are struggling to steer their country towards a more peaceful and just future within the framework of a democratic state. They need support. But as the US withdrew, resources available to Iraqis also diminished.

During the US occupation, the empowerment of women was often heralded as a priority. Yet between 2003 and 2011, much of the attention and funds dedicated to women was poorly targeted and often based on agendas imposed by outsiders. Key processes supported by international actors—including the formation of governance structures, the justice system, and the Constitution—that should have been fully inclusive of and protective towards women were insensitive to the gender dimensions and thus more harmful at times. Consequently, in addition to bearing the burdens of war and coping with families, women had to mobilize to fight against key articles in the 2004 transitional administrative law and draft constitution that curtailed their basic rights.

Iraqi women have always been among the first to feel the impact of violence and negative developments. They were also the first to mobilize in non-violent movements upholding rights, peace and security to counter terrorism and regressive religious and conservative leaders. In the aftermath of 2003, countless women doctors, teachers and other professionals came out of retirement to provide services to their communities. Many also became active politically, cognizant of the critical need for direct engagement and integration of gender perspectives in major socio-economic and political issues. They secured a minimum quota for women's inclusion in the political process and actively engaged in elections and the constitutional referendum. When the violence spiked and international non-governmental organizations (NGOs) closed their offices and limited their outreach, local women's organizations and civil society continued to work. In 2006 alone, 300 teachers and employees of the Ministry of Education employees—many of them women—were killed.³

Today, Iraqi civil society and particularly women's networks remain focused on national-level political processes as well as community and national reconciliation work. They are promoting a culture of dialogue, pluralism, equality, human rights, rule of law and citizenship.⁴ The younger generation is raising public awareness and accountability for gender equality and human rights through media and networking. Their experiences are still among the clearest indicators of the country's trajectory. These women could be the future of Iraq, and they have important experience to share with others in the region. Yet as Iraq fades from the international stage, interest and attention to Iraqi women is diminishing even more.

This brief highlights the perspectives of Iraqi women, particularly civil society and peace activists, regarding the losses and gains during the US intervention, the evolving trends and the opportunities and difficulties they face. It offers recommendations to national and international actors on how best to support their efforts to attain and sustain a just peace.

1. The Security Context: Extremism on the Rise

Compared to the peak levels of violence experienced between 2006 and 2009, Iraq's overall security situation is better today. However, the legacy of the past casts a long shadow. During a decade of sanctions, Saddam Hussein reversed numerous social and legal rights of women in order to shore up support from conservative tribal and religious leaders. Despite the Ba'ath Party's socialist agenda, Hussein also encouraged a growth in Islamic Studies. His demise gave traditional leaders the opportunity to rise and assert even greater influence in Iraqi society. These factors, coupled with the pervasive violence

3- Quoted in Huda Ahmad, "Women's Rights in the Middle East and North Africa - Iraq 2010", Freedom House (2010).

4- <http://www.alsumarianews.com/ar/1/27693/news-details-.html>

and lack of life opportunities among youth have fueled radicalization, conservative and regressive norms—and made women key targets.

The American-led invasion of 2003 and the power-sharing quota system adopted under the supervision of the transitional authority reinforced sectarian and ethnic divisions and strengthened the dominance of Islamic political parties. Neither the Iraqi nor American leadership upheld basic principles of equality. As a result, religious and conservative attitudes towards women's rights became even more pervasive in the legal and political sphere. Women were increasingly limited to their traditional roles and expected to be subservient to men.

Limited freedom of movement, tolerance of public violence against women and blaming the victims: In Central and Southern Iraq, women are facing significant limitations on their freedom to move safely in public. In part, this is due to the precarious state of security, risk of militia bombings and police retribution.

It is also about changed public behavior everywhere including in Kurdistan. Women face assaults in public areas and often avoid them at specific times of the day. "If I'm walking in the street and someone hits my back and runs, what can I do? Go to the police? What evidence do I provide?" says one woman. "If someone is raped, they cannot go and complain to the police because it brings shame on them and their family. Their family will kill her," says another woman. A senior gynecologist seconds this view. Many female rape victims never report the crime to the police, as it is perceived to bring shame on their families.⁵

Verbal assault is also pervasive. Says one woman, "If I walk down the street and hear men swearing at me, what can I do? Fight? Who? How often? Ten times a day?" Despite the millions of dollars spent on police training, even basic community service and protection is lacking. Police and family members are often unsupportive, according to women's rights activists. They assume that harassment or assault is the woman's fault. "They say dress properly so you don't get threatened," says one woman. "We just stay silent."

A 2009 Oxfam survey revealed that since 2003, 55 percent of Iraqi women have experienced violence. 22 percent have been victims of domestic violence, and more than 30 percent had family members who died violently, in some instances due to traditional justice systems.⁶

Occupation-fueled political sectarianism is spilling over into every-day life: Many Iraqis deny that sectarian divisions run deep in their society. For generations, intermarriages were common between Sunni and Shia, Kurd and Arab. Even in the past decade, while sectarianism dominated national politics, it was not reflected at the societal level.

The Iraqi Women's Network (IWN), a consortium of some eighty organizations across the country founded by Iraqis in 2003, is a case in point. The membership comprises Sunni and Shia-led groups across Iraq, including in Iraqi Kurdistan. Its members

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--Iraqi women, 2012 interviews

Despite the millions of dollars spent on police training, even basic community service and protection is lacking.

5- The Status of Women in Iraq: Update to the Assessment of Iraq's De Jure and De Facto Compliance with International Legal Standards
6- In Her Own Words." Oxfam -UK. March 8, 2008. <http://www.oxfam.org/publications/in-her-own-words/> (accessed May 6, 2011).
7- Interview, Washington DC, June 2012.

are adamant that the divisions in the political sphere have not hampered their collective efforts. “At the grassroots level, these divisions were not an issue,” remarked a member of the network in early 2012. “We are all Iraqis.”⁷

The spillover, however, is increasingly evident in the daily life of ordinary Iraqis. Access to education, jobs, homes and even marriage is dependent on sectarian connections. “Young people are not getting jobs because they are Sunnis in Shia-dominated areas. Mixed sect couples are getting divorced because of the sectarian violence, and young people ask about each other’s sect when they consider marriage,” says one civil society activist.

Women facing double threat of sectarian and gender-based attacks: Women are experiencing the tensions both grassroots and national levels. Displaced women from religious and ethnic minorities are the most vulnerable. Of the 1.3 million displaced people registered with the International Organization for Migration (IOM), the majority are women and children. Women head one in eight families, yet 71 percent of working-age women are unemployed.

Nationally, women from minority groups who hold prominent positions in the media, politics or business are facing a double threat. Their experiences range from discrimination in the work place to death threats and assassinations. As noted by a grassroots development practitioner, women in Basra who held senior educational posts during the Saddam Hussein years are now accused of being members of the former regime. The Ministry of Education and Ministry of High Education are perceived to be particularly sectarian in their approach, and female professors are bearing the brunt. At the University of Tikrit in Salahadeen, for example, female faculty members were dismissed based on accusations of being former regime loyalists.

Impunity and corruption prevalent despite security sector reform efforts: Since 2003, many international organizations have claimed to provide capacity development for Iraq’s security and justice sectors, but the results are mixed. More women are willing to sue the police if assaulted or harassed by them. During the Saddam Hussein years, the public was fearful of the police and security sector. Women often experienced harassment and abuse at the hands of the police and judiciary and were largely silent as a consequence. Since 2003, there is less fear and a growing demand for accountability largely due to the emergence of civil society organization and increased awareness of human rights. Iraqi NGOs began to address the rehabilitation of workers, assistance to female victims of abuse and anti-violence laws.

Yet many people remain fearful of the police and will not report violence. This is not helped by either the generally poor performance of security services or their lack of respect for women. The combination of factors includes a lack of coordination between stakeholders, inadequate laws and mechanisms for monitoring and evaluation, and widespread corruption, hampering planned reforms. Journalists and human rights defenders who dare to criticize the system have experienced threats, kidnapping, rape and assassinations. The most vulnerable sectors of society—notably women and minorities—face the greatest risk of violence including trafficking.

Freedom of assembly and expression chipped away and curtailed: The government is also attempting to curtail key rights related to freedom of expression and assembly. In 2011, public protests were quashed in Baghdad. Human Rights Watch (HRW) reported that Iraqi authorities detained and interrogated several peaceful protesters and journalists and destroyed their property. The organization also notes that in February 2011, the Iraqi police allowed knife and club-wielding assailants to attack unarmed protesters in Baghdad. A number of women participating in the demonstrations were harassed and threatened with arrest.

8- http://www.ncciraq.org/index.php?option=com_content&view=article&id=382&lang=en

The Iraqi government and the House of Representatives are reviewing two key pieces of legislation pertaining to freedom of expression and information crimes that would significantly affect freedom of expression and contravene existing rights guaranteed in the Constitution. As the NGO Coordination Committee for Iraq (NCCI) states, “Almost every article of the draft law on Freedom of Expression, Assembly and Peaceful Protest suffers from either excessive vagueness, dangerous ellipsis or direct contradiction to the principles outlined in the Iraqi Constitution or the ICCPR [International Covenant on Civil and Political Rights] which would open the door to the abuse of civil liberties in Iraq. The draft legislation bears serious reconsideration.”⁸ The law would allow peaceful assembly but limit it to particular times of day and not in public streets. Again, NCCI notes, “these limitations...exclude the rights to engage in a strike or sit-in...and [are] in contradiction with the Constitution.” Finally, the proposed legal changes would criminalize attacks on religious sects and its rites or insults to symbols or people held sacred by a religious sect. The penalty would range from one and ten years in prison with fines of close to \$9,000. Yet the law is flawed, offering no parameters on what constitutes an “insult” for example. The Information Crimes Act includes a potential twenty-year prison term for people charged with disseminating information or ideas that disturb public security.

Corruption is key source of injustice, vulnerable groups more likely to be imprisoned and face violence: Women, especially poor women, are particularly vulnerable to mistreatment and injustice. Many face prison terms for minor infractions or as a result of miscarriages of justice. As one interviewee notes: “We have a woman in prison because of faking a high school certificate years ago. She is facing abuse and has no recourse. Meanwhile serious terrorism and corruption cases are being ignored when they involve powerful people.”

Hundreds of women—many of them young—are imprisoned or detained for different reasons. The majority were accused of murder or collaboration with terrorist groups and others practicing prostitution. The September 2012 Hammurabi Human Rights Organization’s report detailed conditions at the women’s prison in Kadhimiyah in north Baghdad where some prisoners suffered physical assault. A total of 414 detainees were held in the jail, varying in age from 20 to 65. Among the inmates were 18 women sentenced to death. The report noted that 21 children were living with their mothers in the detention facility, “suffering a punishment without committing any crime.” The NGO recorded prisoner complaints of “different forms of torture, such as the use of electricity, punching, and rape during the investigation.”⁹ In May 2012 the Iraqi Parliament’s Security and Defence Committee also confirmed reports of rape and torture in prisons. The Hammurabi report also quoted an unidentified judge as saying that there were “violations throughout the investigation process,” recommending that female security officers escort women prisoners to reduce the likelihood of abuse.

2. Justice and National Reconciliation

The Iraqi tribunal that tried and charged Saddam Hussein and his senior leadership for their crimes did not receive a mandate to tackle the myriad of crimes and injustices meted against ordinary Iraqis during the dictatorship. In line with the International Criminal Court (ICC) statute, the Iraqi tribunal condemned rape as a crime against humanity. However, it did not prosecute many crimes committed against civilians during the dictatorship, nor did it prosecute crimes committed during the war and occupation.

In recent years, the Iraqi government and international actors, including the United Nations, have launched countless initiatives to promote reconciliation and national dialogue. However, according to Iraqi civil rights and peace activists, “the big political parties and international community use these labels and processes as propaganda. We are fed up with the mention of national reconciliation and

9- http://www.hhro.org/hhro/reports_en.php?lang=en&art_id=592; See also <http://www.al-monitor.com/pulse/security/01/12/reports-of-torture-rape-in-iraqi.html>; and <http://www.nasnamame.com/6/1667-4-5.html> for reports of rape in prison.

dialogue. These terms mean nothing compared to the public loss of confidence in the political parties.” Many believe that the parties are focused on seeking power and continuing the political crisis, even as, according to activists, “the risks to the security of Iraqi citizens and rule of law are very high.”

While political leaders remain gridlocked, Iraqi civil society organizations are promoting a grassroots approach to reconciliation. Working in areas plagued by high levels of sectarian violence, they have led numerous initiatives reaching out to different religious, ethnic and tribal groups to remind them of their shared socio-cultural past and to promote principles of coexistence and tolerance. They also offer conflict resolution training, including dialogue and development programs for widows who experienced violence in various communities. Such programs exist in Baghdad and the Ninawa Valley.

In addition, while the country’s political leadership did not consider the inclusion of civil society organizations (CSOs) and women, Iraqi NGOs have advocated for the increased participation of women in the national reconciliation and political negotiations processes involving the Ministries of Interior, Defence and Justice. Government-led efforts, say CSOs, have focused on gaining tribal and clan allegiances primarily through the provision of weapons, finances and access to security sector jobs. This approach has contributed to a growth in corruption and weakened state institutions.

Structural violence: early marriages, abandoned wives, invisible widows and unregistered children:

In addition to the war and occupation related security threats, many Iraqis, especially poorer women are still living with the consequences of the decade long sanctions regime. . One of the devastating repercussions of the sanctions regime was that poorer Iraqis in central and southern areas were forced to give their daughters up for early marriage as a way of reducing the number of mouths to feed. For many the justification was that marriage would provide some security for their girls. The practice has continued, and the average age of marriage in some areas is now ten, even though the law states that girls must be at least 15 to marry.

Technically, the Iraqi civil code’s Personal Status Law offers clear protection for young girls by forbidding under-age marriage.¹⁰ Even girls and boys aged 15 through 18 must have the approval of their legal guardian and the judge before marrying. But local clerics often ignore the law. As a result an estimated six percent of marriages involve girls under the age 15 and 25 percent of marriages involve 15-18 year olds who may or may not be entering the relationship forcibly.¹¹ Many of these girls are married under customary law, so while their relationships are seen as official at the community level and in religious settings, the union is neither registered nor recognized by civil law.

Without the official marriage license, the mothers are deemed to be single. Their children are not recognized and thus are not eligible for state assistance including rations, health care or education.

Even for women over age 18, the state will not recognize marriage if not registered by civil authorities (i.e. courts). Legally, therefore, girls and women married by clerics are considered to be single and have no protection, in the event of spousal abandonment. The Judiciary’s willing-

ness and capacity to address these cases is limited. “They turn a blind eye because of the power of religion in Iraq,” says one peace and human rights activist, because they believe religious laws allow for early marriage.

Moreover, because men and women must show their marriage certificate to benefit from obstetric care according to the law, then the children of these marriages cannot be registered and do not re-

10- Iraqi Al-Amal Association data base

11-Iraqi Al-Amal Association data base

ceive birth certificates. These children are not recognized and thus are not eligible for state assistance including rations, health care or education.

Many women widowed during the war are not included in official figures. For example, 2008 data from the Iraqi Ministry of Planning references 900,000 widows. However, NGOs working in the most affected communities estimate the figures to be between 1 and 1.5 million. As a result, a population of women and children has emerged over the years that is not a priority for the government and is virtually ignored. There is no systematic data collection or analysis about their plight, vulnerability to risky survival methods (e.g. sex work) or recruitment into criminal and other violent entities. Organizations such as the Iraqi Al-Amal Association are reaching out to this sector, offering a mix of social counseling, legal support and health care. Yet the concern remains that this population—especially the children, boys and girls alike—are prone to exploitation, becoming both the fuel and fodder of extremist groups.

3. The Political and Legal Context: Women’s Gains and Losses

Years of occupation affected women’s legal rights and status both positively and negatively. There have been important gains. The women’s movement, for example, mobilized successfully to ensure that a 25 percent quota for their participation in Parliament was enshrined in the Constitution. At the time of publication, 81 of the 325 Members of Parliament are women. This quota was also adopted for the provincial elections of 2009, resulting in 110 women among a total of 440 representatives. Women have remained actively involved in the elections and constitutional referendum despite security threats and rising conservatism.

Most female politicians constrained by their parties: Women’s presence in the political arena has not, however, translated into clear roles and influence in the political process. This is due, in part, to a lack of experience that affects male and female politicians and is rooted in the decades of dictatorship that resulted in a weak political culture. Women’s limited influence is also due to the depth of corruption in the Iraqi political system driven by entrenched interests (see box).¹² Women tend to be excluded from leadership circles that benefit from the status quo and are often the first to speak out against corruption despite personal risks.

In Parliament, women face additional burdens. Women’s organizations expect them to

Endemic Political Corruption in Iraq*

- Changes to the Constitution after ratification undermined its authority.
- After the first election, Iraqis abandoned the Constitution in favor of a national unity government, a power-sharing arrangement to appease Sunni-dominated parties.
- Government ministries farmed out authority to political parties without effective oversight.
- Iraqi officials cannot be prosecuted for corruption due to a law that gives ministries veto power over investigations.
- Bribery is endemic at all levels in all sectors, from low-level government to high-level business deals.
- Politicians are known to intercede on behalf of suspected terrorists.
- Members of Parliament cost the Iraqi treasury \$30,000 per month including \$9,000 in salary and security, \$7,200 in pension costs for 10 years after leaving the job, their choice of real estate and 10-year diplomatic passports for themselves and families. In 2009, this overall package was passed unanimously despite presidential vetoes.

* Summary of key points from Abbas Kadhim in Iraq’s Quest for Democracy Amid Massive Corruption, Carnegie Endowment for International Peace, March 2010.

12- <http://www.carnegieendowment.org/sada/2010/03/03/iraq-s-quest-for-democracy-amid-massive-corruption/6bjj>

advocate for gender sensitivity and address issues that are of particular concern to women. Yet as members of political parties, they are limited to the agenda of leadership and party priorities. If they do not tow the party line, they can be marginalized. Furthermore, women are not yet in positions to set the agenda, leading just five out of the 26 committees. In fact, there are no female members of three key committees: Defense and National Security, Reconciliation and Accountability, and Tribes.

But there are exceptions to the rule: Individual women who assert their leadership are making their mark. In January 2010, Ala Talabani spearheaded the drafting and adoption of the Iraqi NGO laws as head of the Parliamentary Civil Society Committee. The law provides strong protection for independent civil society organizations and is considered a model for the region.¹³ In the aftermath of the 2010 elections—when no women were appointed to the new government, not even the State Ministry for Women’s Affairs—Talabani amplified the resentment felt by women Members of Parliament and civil society organizations. They were disappointed and angered by the flagrant violation of Articles 14, 16 and 20 of the Iraqi Constitution, noting that the marginalization of women was a profound threat to democracy in Iraq—comparing it with racism and showing its impact on the balance of sectarian coexistence.

Laws passed in Parliament, but not applied in practice: An important anti-domestic violence bill was passed in Iraqi Kurdistan, which led to the drafting of a similar bill by the central government, which had not yet been forwarded to Parliament at the time of publication. Such an achievement at a time when Parliament is at a logjam is indicative of the positive force the women’s movement has asserted on the political sphere. Yet these gains are neither reflected nor translated into the lives of ordinary Iraqis. The weak state presence and incapacity to implement legislation has created opportunities for the rise of traditional leaders and customary practices. Women are bearing the brunt.

Implementation of the domestic violence law in Iraqi Kurdistan remains problematic. As revealed in a 2011 survey conducted by the Iraqi Al-Amal Association and the international non-profit IREX, only five percent of the population believes the law can resolve domestic violence issues in the Kurdistan Regional Government (KRG). Only 20 percent think the law can reduce violence, and they cite the absence of clear guidelines for implementation, the lack of awareness among stakeholders and the dearth of effective training for police, hospital staff and other implementing agents. At the same time, women do not trust the implementation processes, even though a 2012 study indicates that cases of violence against women (VAW), especially honor crimes, are on the rise.¹⁴

Tribal and conservative religious leaders are filling the vacuum left by the state, encouraging harmful and regressive practices toward women. They exploit the lack of public awareness and information by manipulating religion and interpreting Sharia in ways that legitimize regressive practices, including so-called honor killing, forced and early age marriage, polygamy and temporary marriages. Combined with the rise of conservative and extreme religious ideology that condones, and at times encourages, the suppression of women, men’s public harassment of women is further evidence of the state’s failure to provide basic protection.

4. International Community and Commitments: Perceptions of Iraqi Women’s Rights Activists

Iraqis have a fraught relationship with the international community, including the United Nations. For many, the sanctions and years when the Oil for Food Program was underway remain fresh and raw. The aftermath of 2003 and the onslaught of American military and civilian presence introduced new dynamics, actors and funding.

13- Ala Tahseen Talabani

14- <http://www.c-we.org/ar/s.news.asp?t=3&nid=807038>

Funds allocated, but high proportions spent on administration and security: While international organizations claimed to spend significant resources on Iraqi reconstruction, the view from the ground was always more sober. For example, it was widely understood among local NGOs that up to 70 percent of US funds allocated for Iraq were spent on security. Among the UN agencies, local groups observed significant portions of funding spent on administrative and security needs, rather than assistance or support to Iraqis.

Programs plagued by lack of long-term planning and proper evaluation: Civil society actors note clear distinctions between the approaches of the UN, the European Union (EU) and the United States. The EU is the most effective of donors, targeting funding most appropriately and giving Iraqis the flexibility to identify their own priorities, despite short programming cycles.

The UN also conducts very short-term programming cycles. “We cannot work on economic empowerment and women in elections for just a two to three-month window and expect great change,” says one long-time development practitioner. There is concern about the UN’s capacity to implement the UN Development Assistance Framework (UNDAF) and ensure effective integration of gendered perspectives.

The US, on the other hand, has been weak on follow-up efforts, monitoring and evaluation. There was little attention given to the viability or sustainability of programs, and too often the programs were imposed rather than derived from local needs. US State Department official Peter Van Buren, who chronicled a range of costly but unsuitable and unsustainable projects in the book, *We Meant Well*, echoes this view. Where programs proved effective, the funding was cut, which was the case with a women’s health center in the Baghdad suburb of Al-Zafaraniyah that provided health and legal services to 100 women in its first month alone. The reason, writes Van Buren, was that “US priorities had moved on to flashier targets,” and women’s centers were deemed as not being “prudent investments”.¹⁵

Indigenous organizations more effective and sustainable than internationally-driven initiatives:

The internationally-driven programs that have not gained traction stand in stark contrast to the indigenous and locally-driven efforts. The Iraqi Women’s Network (IWN), for example, has limited resources compared to other groups and international NGOs. Yet at the height of sectarian violence and since then, it has continued to thrive, advocating for women’s rights at national and provincial levels. On March 8, 2012, the Network held a national conference on violence against women with more than 400 delegates representing different parts of the country. The network sustains its membership through regular electronic, phone and in-person gatherings. It has been inclusive of Iraqi women from diverse ethnic, religious and geographic backgrounds, with no discrimination. Its membership may lack capacities in various areas of work, but their collective commitment to a unified and peaceful Iraq is significant and should be celebrated and replicated. The IWN’s success lies in the fact that it is an Iraqi-owned and operated endeavor, rather than a creation of the

International “Disresponsibility”

“We wanted to leave Iraq stable and independent, with the strength to resist insurgency. But how did we advance that goal when we spent our time and money on obviously pointless things, while most people lacked access to clean water, or regular electricity, or schools and hospitals. How did we help stabilize Iraq when we acted like buffoons?... Hubris stalked us; we suffered from arrogance and we embraced ignorance... In our reconstruction efforts... we lacked the courage to be responsible. It was almost as if a new word were needed, disresponsible, a step beyond irresponsible, meaning you should have been the one to take responsibility but shucked it off.”

Excerpt from Peter Van Buren in *We Meant Well*, 2011

15- Van Buren, P. *We Meant Well*, How I helped lose the battle for the hearts and minds of the Iraqi people, Metropolitan Books; New York. 2011 pp 218-219.

international community. In Kirkuk local NGOs led successful campaigns on violence against women and empowering illiterate women with the tenets of UN Security Council Resolution 1325 on women, peace and security (SCR 1325). They organized a non-violence campaign, collecting signatures and a sit-in outside the Governor's office and governmental buildings. Their demands included the following:

- Legislation for protection against domestic violence;
- Shelters for victims of violence;
- Special police units for domestic violence cases;
- Amendments to the Penal Code, which currently legalizes "honor" crimes;
- Resources from the national budget for the rehabilitation and reintegration of Iraqi women;
- Increases in social welfare provisions to alleviate the need for begging and prostitution; and
- A 25 percent quota for women in district and sub-district councils.

Such efforts may seem limited in the grand scheme of peace and security, but they are indicative of the depth of civil society resilience and commitment to justice and dignity for all. The solidarity also bridges the sectarian divides that politicians create and exploit.

Civil society sustainability and independence critical, NGOs cautiously moving forward: The withdrawal of the heavy international presence in Iraq could have positive and negative implications for Iraqi civil society. It may prompt greater local ownership and control of activities. Iraqi NGOs are addressing issues of aid effectiveness by highlighting critical needs and strategies to raise and disburse funds

Nonetheless, many are concerned about the sustainability of their efforts if funding pools diminish. In Kurdistan, with the NGO law in place, a variety of civil society groups lobbied successfully for a \$17 million allocation for 2013. In Baghdad, the legal framework is in place, but the law does not allocate resources, so a similar lobbying effort is underway. Still, NGOs are wary of the possible control that might come with government funds. One idea being floated is the creation of an NGO fund managed by the Parliamentary Civil Society Committee.

Contradictory positions among international actors regarding women's rights and protection: The international presence in Iraq since 2003 should have generated systematic support for the promotion of and adherence to universal human rights, including the protection of women. However, there were significant contradictions between and within agencies. Women's rights advocates had to lobby vociferously to abolish Article 137, issued by the Governing Council in December 2003—at a time when the US occupation was in full force. This article placed issues relating to women's personal status—such as marriage, child custody, inheritance—under the control of religious leaders based on different sects and religions. The implications for the judiciary and maintenance of rule of law would be profound, as potentially each sect could have its own laws. The risk of exacerbating sectarianism is high (as in Lebanon) and the implications for the 28 percent of Iraqis that are currently in mixed marriage families is also significant.

Iraqi civil society, particularly women's groups, launched a campaign to repeal the order in February 2004. Although they were successful, the issue resurfaced when the Constitution was drafted in 2005 with Article 41 echoing the provisions that discriminate against women. The campaign to amend the Constitution is ongoing and the CSOs have sought international assistance to amend the article. They acknowledge the positive roles of UN Educational, Scientific and Cultural Organization (UNESCO), the UN Development Fund for Women (UNIFEM) and the UN Children's Fund (UNICEF) in supporting their demands to align their approaches with universal rights, the Convention on the

Elimination of Discrimination Against Women (CEDAW) and UN Security Council Resolution 1325. Despite this partnership, however, they received no support from the UN Assistance Mission in Iraq (UNAMI) and found UNAMI unwilling to highlight the potentially negative consequences of Article 41.

“The UNAMI leadership has a tokenistic approach to women,” says one prominent NGO leader. “They meet with us just before they travel to New York, just to report that they have met with women. UNAMI’s willingness and ability to systematically engage civil society is hampered. “They seem to side with the government’s demands.” NGO leaders also critique the human rights reports, claiming that only 30 percent of the facts on the ground are reported and that there is a bias towards the government.

Ironically, UNAMI’s continued presence is due, in part, to the requests from Iraqi civil society groups, including women’s organizations. They advocated directly to diplomats from member states of the Security Council for renewal of the UNAMI mandate in Iraq. They offered recommendations for the text of UN Security Council Resolution 2016 on July 25, 2012, and highlighted the importance of the UN, especially UNAMI, in providing advice, support and assistance to the government and to the Iraqi people, including civil society.

Lack of coordination hampers momentum for an Iraqi National Action Plan for UN Security Council Resolution 1325: Iraq does not have a National Action Plan (NAP) for Resolution 1325 yet, but in the past decade, countless Iraqi women have personified the word and spirit of the Resolution. Many women’s NGOs have also advocated vociferously for the Iraqi government to comply with its obligations. But without political will and leadership, the results are limited.¹⁶ Many international and local NGOs and UN agencies have also initiated projects under the label of Security Council Resolution 1325, but with little coordination and thus limited impact.

In some instances, the lack of qualified trainers and personnel has led to detrimental results. In one instance in Kirkuk, for example, local 1325 activists believed that international actors were initiating projects for the benefit of media attention. In other instances, they questioned the quality and knowledge of trainers. In 2011, the Women’s Leadership Institute instigated a new process by establishing a network of 25 organizations, 18 individuals and the informal involvement of government personnel to implement Resolution 1325. Their goal is to increase women’s participation in peace building operations. There is progress but more systematic support is required to build the state-civil society partnership necessary to draft an overarching national strategy for the advancement of women. The provisions of the Resolution 1325 agenda (including Resolutions 1820, 1888, 1889 and 1960) will be essential components.

16- <http://www.alsumarianews.com/ar/5/41656/news-details-.html>

In Brief: Progress and Regression on Women's Rights in Modern Iraq*

1959: Personal Status Law No. 188 adopted, giving women rights in marriage, inheritance, child custody and against polygamy.

1970s: Gender-based discrimination barred from the constitution under the Ba'ath Party; additional rights for women in family, education, employment adopted. National literacy campaign launched, resulting in one of the highest literacy rates in the Middle East.

1980: Iraqi women attained the right to vote.

1980-88: Iran-Iraq war—Government sought to pay war widows compensation, including husbands' salaries and school fees; Encouraged higher birth rates to compensate for war dead; Regime launched massacre against civilians in Halabja and many other villages and cities in the Kurdistan region.

1980s: Violent raids against political oppositions increased; Hundreds of thousands of families deported to Iran and properties confiscated. Many women activists targeted, dismissed from jobs, arrested, tortured, hanged or disappeared.

1990s: Negative provisions on women's rights introduced following the invasion of Kuwait, including amendments to the Personal Status Law and the Penal Code, enabling polygamy and leniency in so-called "honor" crimes; New regulations requiring male guardians' approval for women seeking passports and wanting to travel; UN-imposed sanctions affected women's physical health and heightened exposure to sexual exploitation in the workplace in exchange for basic food and clothing for families; Early marriage spiked as poor families forced to effectively sell daughters.

2000: Some 200 women slaughtered by militia as a result of the Saddam Faith campaign, including prostitutes and women political activists

2003: US-led war and occupation heightens violence and vulnerability of civilians; Up to 1 million Iraqis estimated as casualties of war, countless women widowed; Iraqi women and girls exposed to sex trafficking and sexual exploitation; Power-sharing system reinforces religious-conservative forces in the political realm.

2004-2005: Gains for women's groups in the Constitution include a 25% quota for representation in Parliament, the right to pass nationality to children even if married to a foreigner and the repeal of the Governing Council's Order 137 that replaced the Personal Status Law of 1959 with a sectarian one.

2005: Constitutional Referendum; Women lobbied against Article 41 that allowed each sect to govern their own personal status matters instead of all citizens living under one civil code; Article 41 overturns the principle of equality stated in the Constitution, putting women's rights in hands of clerics, inflaming sectarianism and threatening the rule of law and the social fabric of Iraqi society

2006: Escalation of sectarian conflict lasting three years, affects thousands of families; Estimated two million forced into exile and displaced internally; High levels of divorces among mixed-sect couples.

2005-2012: After first election in 2005, government included 6 female ministers and more than 10 female deputy ministers; Current government has only one female minister and no female deputy ministers

2012: 81 out of 325 deputies in the House of Representatives are women; 110 members out of 440 are women at the local governmental level.

* www.unhcr.org/refworld

Conclusions

Iraqi women are trying to pick up the pieces in the aftermath of sanctions and war. But the fragile security situation and legal framework combined with economic marginalization and the damage done to education and literacy levels are significant obstacles. Meanwhile, the rise in sectarianism and religious extremism, the absence of leadership on women's issues and the push to limit freedom of speech and assembly are harbingers of darker days to come.

The international community's engagement and attention remains critically important, and it is essential that international actors call for adherence to universal human rights standards. They must also pay greater heed to the voices and solutions offered by Iraqi peace and rights activists, particularly women. They must provide opportunities for greater interaction between Iraqi CSOs, government and international actors, to promote col-

The Iraqi government must encourage pluralism and inclusivity as integral aspects of Iraqi society and promote these values through educational curricula and civic education campaigns. Iraq cannot survive or thrive if extremism and sectarianism takes root.

laboration and to inject accountability and transparency. While CSOs have their own challenges, their commitment to bringing genuine peace to their country must be valued and supported. Ultimately, if the going gets tougher, Iraqis have no exit strategy, unlike their international counterparts.

Recommendations

The recommendations below reflect the priorities of Iraqi women's NGOs as presented to the New York-based NGO Working Group on Women, Peace and Security in July 2012 and at the Global Open Day on SCR 1325 convened by UNAMI in Baghdad in October 2012.

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To the Iraqi Government:

1. Ensure the structured and systematic participation of women and women's groups in the political dialogue and negotiations regarding the future of peace and democracy building. Submit the CSO thematic report to the CEDAW Committee, which will focus on the Security Council Resolution 1325 agenda.
2. Enact the Political Parties law to ensure a one-third quota for women in political parties and within the leadership structure. Include measures to support women candidates in the 2013 Provincial Councils and the 2014 Council of Representatives elections.
3. Adopt a national strategy for the advancement women addressing obstacles to the integration of women in economic, social and cultural life and the use of modern technology among large segments of the young girls and women.

4. Make all elements of the state budget gender-responsive.
5. Approve a national strategy to combat violence against women (VAW) that includes:
 - Monitoring violations of women's rights guaranteed in the Constitution and laws;
 - Reviewing and reforming unfair laws in accordance with international standards
 - Enacting the Law on Protection from Domestic Violence;
 - Establishing the necessary structures and mechanisms to protect female survivors of violence and enable their rehabilitation and reintegration into public life; and
 - Ending impunity for perpetrators of violence against women and girls and boys.
6. Form the High Commission for the Advancement of Women including state institutions, CSOs and the media to monitor the implementation of national policies and raise social awareness of women's rights and their role as positive and powerful change agents in promoting sustainable development and societal progress.
7. Issue the Social Security Law including access to education and employment to provide a safety net for vulnerable social groups (including widows, divorcees, women breadwinners, people with special needs and victims of terrorism and military operations).
8. Enact laws that guarantee and uphold freedom of expression, peaceful assembly, freedom of information and media and the protection of minorities and human rights defenders.
9. Strengthen and build a culture and system where the rule of law is based on the principles of equal citizenship before the law and equal opportunities without discrimination.
10. Enact legislation to ensure that independent Iraqi civil society organizations have the right to access financial support for their programs from within the annual State budget.

To the World Bank and Bilateral Donors:

1. Support the development of employment programs, particularly for youth from troubled areas, combining income generation with building self-dignity and promoting respect for equal rights and non-violence.
2. Make gender sensitivity an integral condition for all funds and programs allocated to Iraq, including those channeled through contractors.
3. Develop and implement entrepreneurship initiatives partnership with Iraqi civil society.
4. Prioritize sustainability of the Iraqi civil society sector in all programming areas and draw on the EU's methodology to ensure good practice.
5. Maximize the expenditure of funds in Iraq and ensure that international contractors determine priorities based on equal partnerships with Iraqis.
6. Support and draw lessons from regional assessments of the effectiveness of aid.

To the United Nations Mission and UN Specialized Agencies:

1. Support the independent Iraq Human Rights Commission that ensures adherence to international human rights laws and norms, including gender equality provisions.
2. Convene a regular (monthly) working group on women's rights, peace and security that includes Iraqi civil society, government and international partners to develop common priorities, strategies, and activities for the implementation of the SCR 1325 agenda in Iraq.

Monitor the situation of Iraqi women including through the report of the Special Representative of the Secretary General. Integrate a section on implementation of the SCR 1325 agenda, and align long-term programs with national strategies to build the capacity of women organizations on addressing violence against women, trafficking of women and peace building.

3. Commit to structured and systematic outreach and the inclusion of women's organizations and networks in critical transition and development processes supported by the UN in collaboration with the Iraqi government.
4. Map and identify critical Iraqi civil society actors and organizations with a track record in reconciliation, mediation and decision-making processes at national and grassroots levels. Ensure their involvement in UN-supported justice and reconciliation efforts.

To International Non-Governmental Organizations:

1. Provide financial assistance to Iraqi CSOs and women's groups in accordance with SCR 1325 and 1889. Fund advocacy activities and campaigns to enhance women's position in public life, preserve human rights and address gender based violence.
2. Assess existing capacities and needs to provide comprehensive training programs for civil society on gender-based violence, trafficking and peace building.
3. Provide support to women's rights and human rights activists.
4. Acknowledge the role and expertise of Iraqi women's groups in rights, peacemaking, reconciliation and security issues regionally and internationally. Ensure that Iraqi experts are given opportunities to share their experience and offer trainings to others in the region.

This brief and other country briefs on Tunisia, Iran, Egypt and MENA regional trends are available on our website at:
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