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Committee on the Rights of the Child

Concluding observations on the combined fifth and sixth periodic reports of Iraq*

I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Iraq[1] at its 2884th and 2885th meetings,[2] held on 15 and 16 May 2025, and adopted the present concluding observations at its 2906th meeting, held on 30 May 2025. In the present document, the Committee uses the term "child" to refer to a person who is under 18 years of age.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State Party and the written replies to the list of issues,[3] which allowed for a better understanding of the situation of children's rights in the State Party. The Committee expresses its appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State Party, including the delegation from the Kurdistan Regional Government.

3. Where not otherwise stated, the present recommendations are addressed to the Government of Iraq, including the Kurdistan Regional Government.

II. Follow-up measures taken and progress achieved by the State Party

4. The Committee welcomes the various legislative, institutional and policy measures taken by the State Party to implement the Convention, including the adoption of the Legal Aid Act, the Trafficking in Persons Act, the Yazidi Female Survivors Act, the national strategy to combat violence against women and girls (2018–2030), the national policy to prevent children and minors being recruited by terrorists (2024–2029), the National Early Childhood Development Strategy 2022–2031 and the national strategy for education and higher education 2022–2031 and the launching of the child protection units by the Ministry of Labour and Social Affairs.

III. Main areas of concern and recommendations

5. The Committee reminds the State Party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would

* Adopted by the Committee at its ninety-ninth session (12–30 May 2025).

[1] CRC/C/IRQ/5-6.

[2] See CRC/C/SR.2884 and CRC/C/SR.2885.

[3] CRC/C/IRQ/RQ/5-6.

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like to draw the State Party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: non-discrimination (para. 19), the right to life, survival and development (para. 22), abuse, neglect, sexual abuse and exploitation (para. 27), harmful practices (para. 30), administration of child justice (para. 50) and children in armed conflict (para. 52).

6. **The Committee recommends that the State Party ensure the realization of children's rights in accordance with the Convention, and the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State Party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

A. General measures of implementation (arts. 1, 4, 42 and 44 (6))

Reservations and declarations

7. **The Committee, in line with its previous recommendations,[4] encourages the State Party to consider withdrawing its reservation to article 14 (1) of the Convention.**

Legislation

8. **The Committee remains concerned that the draft child protection law and the draft law on the protection of children's rights in the Kurdistan Region have still not been adopted, that the Personal Status Act allows for marriage at 15 years of age with the permission of the judge and that laws affecting children remain fragmented and not in line with the Convention. It recalls its previous concluding observations[5] and urges the State Party:**

(a) **To ensure that the draft child protection law and the draft law on the protection of children's rights in the Kurdistan Region are adopted without further delay and are in full conformity with the Convention and the Optional Protocols;**

(b) **To expedite the review of its existing laws related to children's rights, including the Personal Status Act, particularly regarding the age of marriage, and the Penal Code, to ensure that they are in full compliance with the Convention;**

(c) **To develop a child-rights impact assessment procedure for national legislation and policies relevant for children, taking into account the needs and views of children;**

(d) **To ensure that the human, technical and financial resources for the implementation of legislation providing for the rights of children are adequate and sufficient.**

Comprehensive policy and strategy

9. **The Committee notes the ongoing evaluation of the child protection policy plan 2022–2025 and the child protection policy of 2023 in the Kurdistan Region. The Committee recommends that the State Party and the Kurdistan Regional Government, with the inclusive participation of children, update these plans accordingly or adopt new ones for the next period, to encompass all areas covered by the Convention and its Optional Protocols, with clear national action plans, indicators, timelines and monitoring mechanisms and supported by sufficient human, technical and financial resources.**

[4] CRC/C/15/Add.94, para. 6; and CRC/C/IRQ/CO/2-4, para. 7 (a).
[5] CRC/C/IRQ/CO/2-4, para. 10.

Coordination

10. **The Committee notes that the Child Welfare Commission in Iraq formed a working group to follow up on the implementation of programmes and activities under the child protection policy. It also notes that the Child Protection Directorate was established in the Kurdistan Region with a similar coordination mandate. The Committee recommends that the State Party provide the necessary human, technical and financial resources, as well as sufficient authority, to these bodies to coordinate all activities related to the implementation of the Convention at the cross-sectoral, national, regional and local levels, and encourage the active participation of all involved ministries, United Nations agencies, civil society and children.**

Allocation of resources

11. **Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State Party:**

(a) **Conduct a comprehensive assessment of the budget needs for children, allocate adequate budgetary resources, in accordance with article 4 of the Convention, for the implementation of children's rights and, in particular, increase the budget allocated to social protection systems, education, health and access to birth registration and other required documentation, and to addressing vulnerabilities exacerbated by conflict, economic crisis, natural disasters or other emergencies;**

(b) **Utilize a child-rights-based approach in establishing the State budget, by implementing a tracking system for the allocation and use of resources for children's rights throughout the budget, and use this tracking system for impact assessments on how investments in any sector may serve the best interests of the child;**

(c) **Take immediate measures to combat corruption and strengthen institutional capacities to mobilize the maximum available resources for the implementation of children's rights.**

Data collection

12. **Recalling its general comment No. 5 (2003) on general measures of implementation and its previous concluding observations,[6] the Committee recommends that the State Party:**

(a) **Ensure sustainable funding for the maintenance, updating and enhancement of the National Child Data Portal;**

(b) **Ensure that data collected on children's rights cover all areas of the Convention and the Optional Protocols thereto, with data disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background, in order to facilitate accurate, gender-sensitive analysis of the situation of children, particularly those in situations of vulnerability;**

(c) **Ensure that statistical data and indicators on children's rights cover all situations, including the sale or trafficking of children, children deprived of liberty and children deprived of their families, and are shared among the ministries concerned and used for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;**

(d) **Approve and implement the child protection information management system within the childcare directorate and units across the country to enhance their capacity to deliver equitable services to those who need them the most;**

(e) **Continue its technical cooperation with the United Nations Children's Fund (UNICEF), among other entities.**

[6] Ibid., para. 7 (d).

Access to justice and remedy

13. **The Committee recommends that the State Party:**

(a) **Ensure that all children have access to: (i) confidential, child-friendly and independent complaint mechanisms in schools, alternative care settings both institutional and family types, and detention centres for reporting all forms of violence, abuse, discrimination and other violations of their rights; and (ii) legal support and age-appropriate information on access to counselling and remedies, including compensation and rehabilitation;**

(b) **Raise awareness among children of their right to file a complaint under existing mechanisms; and ensure that the police duly records victims' complaints and treats them as victims and not as offenders;**

(c) **Ensure systematic and mandatory training for all relevant professionals working with children on child-friendly procedures and remedies, children's rights and the Convention.**

Independent monitoring

14. **The Committee recalls its previous concluding observations and recommends that the State Party:**

(a) **Ensure that the Iraqi High Commission for Human Rights is able to receive, investigate and address complaints by children in a child-sensitive and child-friendly manner and ensure that the Commission is accessible to all linguistic and other groups and covers all regions, including the Kurdistan Region;**

(b) **Increase the human and financial resources allocated to the Iraqi High Commission for Human Rights to enable it to discharge all its duties effectively and independently and in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).**

Dissemination of the Convention and awareness-raising

15. **The Committee recommends that the State Party strengthen its awareness-raising programmes, including campaigns, in cooperation with civil society organizations to ensure that the Convention and the Optional Protocols thereto are widely known by the general public, including parents and children themselves.**

Cooperation with civil society

16. **The Committee recommends that the State Party:**

(a) **Strengthen the protection against reprisals of human rights defenders, including journalists and lawyers working on children's rights;**

(b) **Build a climate of trust and cooperation with civil society;**

(c) **Systematically involve communities and civil society, including children's organizations, in the planning, implementation, monitoring and evaluation of policies, plans and programmes related to children's rights.**

Children's rights and the business sector

17. **Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, the Committee recommends that the State Party establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environment and other standards, particularly with regard to children's rights.**

B. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

18. The Committee is seriously concerned that:

(a) Article 14 of the Constitution has a narrower scope than article 2 of the Convention and that there is a lack of comprehensive legislation prohibiting all forms of discrimination;

(b) Girls continue to face multiple and intersecting forms of gender-based discrimination, leading to their vulnerability in terms of access to basic services and education, exposure to domestic and sexual violence and abuse; child and forced child marriage remains a critical issue; and there is a lack of systematic efforts, including engagement with religious and community leaders, to challenge discriminatory norms and practices;

(c) Children from disadvantaged and marginalized groups, particularly refugee and internally displaced children, children from ethnic and religious minorities, children with disabilities, lesbian, gay, bisexual, transgender and intersex children, children born to unmarried parents or those born from forced or informal marriages or as result of rape or conflict-related sexual violence, experience widespread discrimination, including in access to essential services such as education, healthcare, social protection and civil documentation, which in turn exacerbates their vulnerability and exclusion.

19. **The Committee recalls its previous concluding observations[7] and urges the State Party:**

(a) **To amend existing legislation to ensure that the definition of discrimination against children is fully aligned with article 2 of the Convention and consider adopting comprehensive anti-discrimination legislation that provides effective protection for all children, regardless of status or background;**

(b) **To repeal discriminatory laws and end practices and norms that perpetuate gender bias against girls, through legal reform and awareness-raising efforts in families, communities, schools and institutions;**

(c) **To develop and implement targeted policies and programmes to address the needs of refugee and internally displaced children, children from ethnic and religious minorities, children with disabilities, LGBTI children, children born to unmarried parents or born from forced or informal marriages or as result of rape or conflict-related sexual violence, and ensure that they have equitable access without discrimination to education, healthcare, social services and documentation;**

(d) **To mobilize communities and the general public by undertaking systematic efforts, such as community outreach and public education campaigns, in collaboration with the mass media, schools and social media and in partnership with religious and traditional leaders, to transform traditional attitudes, harmful social norms and behaviours, foster respect for diversity and promote inclusive attitudes. These efforts should focus particularly on reducing stigma and discrimination against children in vulnerable situations and encourage tolerance, empathy and respect for diversity.**

Best interests of the child

20. **Recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recalls its previous concluding observations[8] and recommends that the State Party:**

(a) **Ensure that the principle of the best interests of the child is fully incorporated and systematically applied in the design and implementation of all**

[7] Ibid., paras. 18 and 20.
[8] Ibid., para. 22.

legislation, policies, programmes and projects that are relevant to and have an impact on children, and that it is consistently used as a primary consideration in all administrative and judicial proceedings involving or affecting children;

(b) **Ensure that all professionals working with and for children, including judges, lawyers, law enforcement professionals, social workers, teachers, educators and health workers, receive mandatory and ongoing training on how to assess and apply the best interests of the child in their fields of work, using clear procedures and criteria grounded in international standards.**

Right to life, survival and development

21. The Committee is seriously concerned that:

(a) Explosive war remnants continue to be the leading cause of child casualties;

(b) Children may be sentenced to death as adults owing to difficulties in determining their age because of missing or inaccurate documentation, particularly in the context of counter-terrorism legislation;

(c) There is an alleged rise in executions, which may especially affect children in vulnerable situations;

(d) Many Iraqi children still live in camps in the Syrian Arab Republic.

22. **The Committee urges the State Party:**

(a) **To step up its efforts to clear landmines and other explosive remnants of war in formerly conflict-affected areas, including through strengthened international cooperation, and to increase the provision of its assistance to and rehabilitation services for child victims of unexploded ordnance, including through comprehensive mine risk education programmes in affected regions;**

(b) **To ensure full compliance with the absolute prohibition of capital punishment for children in all legal proceedings and practices, including those at risk due to a lack of or inaccurate documentation and/or accused of association with Da'esh; and enhance all measures, including legal frameworks, to protect children from execution, particularly children at risk for any reason, and ensure full accountability for violations;**

(c) **To continue to take effective measures to repatriate all children currently residing in camps in the Syrian Arab Republic, and facilitate the urgent, child-sensitive and rights-based rehabilitation of such children and their reintegration into their families and communities.**

Respect for the views of the child

23. **While welcoming the adoption of the national framework for youth participation, the Committee recalls its general comment No. 12 (2009) on the right of the child to be heard and recommends that the State Party:**

(a) **Widely disseminate the national framework for youth participation;**

(b) **Develop and implement clear guidelines to support the establishment and functioning of children's organizations and to promote and support meaningful child participation, with particular emphasis on empowering adolescent girls and supporting child-led initiatives;**

(c) **Institutionalize the Iraqi Children's Parliament, ensuring the inclusion of children from all regions, including the Kurdistan Region, and provide the Children's Parliament with a clear and meaningful mandate, as well as adequate human, technical and financial resources, to enable its effective and sustained engagement with national legislative processes on matters that affect children's lives and rights.**

C. Civil and political rights (arts. 7, 8 and 13–17)

Birth registration and nationality

24. **Taking note of target 16.9 of the Sustainable Development Goals, the Committee strongly urges the State Party:**

(a) **To amend the Iraqi Nationality Act No. 26 of 2006 to ensure that children born to unmarried parents receive a birth certificate and other identity documents;**

(b) **To develop protocols and guidelines for birth registration of children who are internally displaced, who were born in the context of armed conflict and humanitarian emergencies, who return from the Syrian Arab Republic, who have parents affiliated with Da'esh, whose documentation was issued by Da'esh or was lost, orphaned children found in areas previously controlled by Da'esh and children who belong to ethnic and religious minorities;**

(c) **To streamline and simplify birth registration procedures, increase human capacity and resources for case management and remove bureaucratic obstacles that delay birth registration;**

(d) **To cease the practice of mentioning religion on birth certificates;**

(e) **To ensure that the Ministry of Labour and Social Affairs continues to lead the high-level child coordination mechanism, involving representatives from various ministries, United Nations agencies and local and international non-governmental organizations, with a focus on prevention, access to all services, including birth registration, and community-based reintegration for all conflict-affected children in Iraq;**

(f) **To seek technical assistance from the Office of the United Nations High Commissioner for Refugees and UNICEF, among others, for the implementation of these recommendations.**

Access to appropriate information

25. **Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State Party adopt the draft cybercrime law and ensure that it adequately protects children from harmful content and materials and online risks and provides for mechanisms to prosecute violations.**

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 35, 37 (a) and 39 of the Convention, and the Optional Protocol on the sale of children, child prostitution and child pornography)

Abuse, neglect, sexual abuse and exploitation

26. The Committee notes the adoption of two national strategies and the establishment of the Directorate for Protecting Families and Children from Domestic Violence. The Committee remains seriously concerned, however, about:

(a) The delays in the adoption of the draft law against domestic violence;

(b) The provisions in the Penal Code that allow "the disciplining of a wife by her husband, the disciplining by parents and teachers of children under their authority within certain limits prescribed by law or by custom", as interpreted by the Federal Supreme Court, and provide mitigating circumstances for so-called "honour killings" and for the impunity of perpetrators of rape in some cases where they marry the girl they have abused;

(c) The lack of adequate resources allocated for the implementation of Act No. 8 of 2011 on combating domestic violence in the Kurdistan Region;

(d) The rise in cases of domestic violence, its underreporting and the lack of thorough investigations and inefficiency of court processes in handling cases of domestic violence;

(e) The high prevalence of sexual exploitation of children, particularly girls, including online;

(f) The stigmatization of child victims of sexual exploitation and abuse, including during the court proceedings.

27. **The Committee recalls its previous concluding observations[9] and urges the State Party:**

(a) **To promptly adopt the law against domestic violence in conformity with international standards that criminalize domestic violence;**

(b) **To repeal without delay legal provisions that might be used or interpreted as permitting so-called "honourable motives" to serve as a mitigating factor, in particular articles 41, 128, 130, 131, 398, 409 and 427 of the Penal Code, and to ensure that the defence of so-called "honour" may not be invoked under any circumstances and that perpetrators of crimes committed in its name receive sanctions commensurate with the gravity of their crimes;**

(c) **To allocate adequate resources for the implementation of Act No. 8 of 2011 on combating domestic violence in the Kurdistan Region;**

(d) **To ensure that allegations of crimes related to gender-based violence are independently and thoroughly investigated and that perpetrators are brought to justice; and provide regular substantive training for judges, lawyers, prosecutors, police officers and other relevant professional groups on standardized, gender- and child-sensitive procedures for dealing with victims;**

(e) **To establish mechanisms, procedures and guidelines to ensure mandatory reporting, multi-agency intervention, and investigation and prosecution of all cases of sexual exploitation and abuse of children, with the aim of preventing the revictimization of those children;**

(f) **To establish a functional child-friendly national helpline and drop-in centres to facilitate reporting;**

(g) **To ensure that all children who are victims or witnesses of violence or sexual abuse or exploitation, including online, have prompt access to child-friendly, gender-sensitive, multisectoral and comprehensive interventions, services and support, including forensic interviews and psychological therapy, with the aim of preventing the secondary victimization of children;**

(h) **To conduct awareness-raising activities to combat the stigmatization of victims of sexual exploitation and abuse.**

Corporal punishment

28. **Recalling its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment and its previous concluding observations,[10] the Committee urges the State Party:**

(a) **To explicitly prohibit corporal punishment in law and in all settings, including at home and in schools, childcare institutions, alternative care settings and penal institutions, including by repealing the right of the parents and teachers to discipline the children under their authority within certain limits as prescribed by law or by custom;**

[9] Ibid., paras. 41 and 43.

[10] Ibid., para. 39.

(b) **To promote positive, non-violent and participatory forms of child-rearing and discipline;**

(c) **To conduct awareness-raising campaigns for parents and professionals working with and for children to promote change within the family and the community in attitudes towards the prohibition of corporal punishment and the promotion of positive parenting.**

Harmful practices

29. Recalling its previous recommendation,[11] the Committee remains seriously concerned about:

(a) The minimum age of marriage for girls being 15 years of age and 16 in the Kurdistan Region;

(b) An amendment that was proposed, but rejected, to further lower the age to 9;

(c) In exceptional circumstances, marriages at a younger age being approved by judges;

(d) Each year, thousands of couples entering into unregistered marriages officiated by religious leaders, which are culturally accepted as valid, in order to circumvent restrictions on child and forced marriage in the Personal Status Act;

(e) The persistence of temporary marriage (*mut'ah*), forced marriage and female genital mutilation.

30. **The Committee recalls joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, reiterates its previous concluding observations[12] and urges the State Party:**

(a) **To ensure that a minimum age of marriage of 18 years for both girls and boys without exception is enforced in the State Party, including in the Kurdistan Region;**

(b) **To prohibit temporary marriage (*mut'ah*) and forced marriage and create protection schemes for victims of these practices;**

(c) **To develop awareness-raising campaigns and programmes on the harmful effects of child marriage on the physical and mental health and well-being of girls, targeting households, local authorities, religious leaders, judges, prosecutors and other professionals in contact with children and parents;**

(d) **To strictly enforce the criminalization of female genital mutilation, particularly in the Kurdistan Region, including by making its reporting mandatory, to support the victims and to ensure that those performing it are prosecuted and punished in accordance with the law;**

(e) **To develop awareness-raising programmes to eliminate underlying social norms, value systems and attitudes that contribute to the practice of female genital mutilation, targeting households, local authorities, religious leaders, medical practitioners, teachers, educators and social workers, as well as judges and prosecutors.**

Torture and other cruel, inhuman or degrading treatment or punishment

31. **Recalling its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee urges the State Party:**

(a) **To strictly enforce the prohibition of torture and ensure that allegations of torture or cruel, inhuman or degrading treatment or punishment of children in detention centres are duly investigated, that perpetrators are punished in a manner**

[11] Ibid., para. 49.

[12] Ibid., paras. 26, 47 and 49.

commensurate with the gravity of their acts and that children who are victims receive adequate support, remedies and compensation;

(b) **To ensure that children have access to confidential, child-friendly complaint mechanisms for the reporting of cases in children's detention centres, alternative care settings and refugee camps;**

(c) **To create an independent mechanism for the monitoring of detention facilities and enhance the capacity of the Ministry of Justice and the Prime Minister's Adviser for Human Rights Affairs to monitor children's detention facilities, including by providing them with adequate human, technical and financial resources.**

Optional Protocol on the sale of children, child prostitution and child pornography

32. **Recalling its 2019 guidelines on the implementation of the Optional Protocol, the Committee recalls its previous concluding observations[13] and urges the State Party:**

(a) **To fully incorporate the Optional Protocol into its domestic legal system and to amend the definition of sale of children, which is similar but not identical to trafficking in persons, in order to implement adequately the provision on sale of children contained in the Optional Protocol and ensure that any form of sale of children, especially girls, is fully criminalized, investigated and prosecuted, in particular selling, buying or exchanging them, or using them as gifts or compensation, including through *muta'ah* and in the context of dispute resolution before tribal or religious courts;**

(b) **To repeal expeditiously article 398 of the Penal Code and all legal provisions that can be used to excuse perpetrators of sexual abuse of children;**

(c) **To address the root causes of offences under the Optional Protocol, such as poverty, discrimination and displacement and to target families and children in the most vulnerable situations;**

(d) **To take all measures necessary to change attitudes that discriminate against girls who have become victims of sale of children, sexual exploitation of children in prostitution and child sexual abuse material, including online.**

Recovery and reintegration of child victims

33. **The Committee recommends that the State Party:**

(a) **Provide adequate resources for the full implementation of the Yazidi Female Survivors Act, in particular the administration of compensation, rehabilitation and reintegration schemes, including health services, psychological rehabilitation centres and educational opportunities;**

(b) **Put in place child-sensitive mechanisms to facilitate and promote the reporting of cases and ensure that complaints mechanisms are child friendly and available both online and offline, paying particular attention to alternative care settings, detention facilities and locations for refugee and internally displaced children;**

(c) **Ensure that child victims and witnesses of crimes are interviewed without delay by trained forensic professionals in child-friendly facilities, avoiding revictimization resulting from repetitive interviews, and that they are provided with protection and services, taking into account the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime.**

[13] CRC/C/OPSC/IRQ/CO/1.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

34. **The Committee notes with concern that the 2025 amendments to the country's Personal Status Act, which give religious courts increased authority over family matters, undermine the safeguards in the Act and the role of the civil courts. The Committee draws the State Party's attention to the Committee's statement on article 5 of the Convention, recalls its previous concluding observations[14] and recommends that the State Party strengthen efforts:**

(a) **To repeal all provisions in the Personal Status Act that discriminate against women and negatively affect their children, including those that allow polygamy;**

(b) **To provide female-headed households with sufficient financial support and equitable access to social security, food, healthcare, education and income- and livelihood-generating opportunities;**

(c) **To ensure that, in the case of parental separation, both parents retain shared parental responsibilities, unless such arrangement is contrary to the best interests of the child, and that children's views are duly considered in such proceedings, particularly concerning guardianship; and to build the capacity of the judiciary to conduct child-sensitive assessments of the best interests of the child.**

Children deprived of a family environment

35. **Drawing the State Party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State Party:**

(a) **Ensure the availability of adequate and sufficient alternative family- and community-based care options for children deprived of a family environment, including orphans, by reinforcing efforts to identify extended family members, formalizing and allocating sufficient financial resources for foster care, conducting regular reviews of placement decisions and facilitating family reunification whenever it is in the child's best interests;**

(b) **Provide sustainable and durable solutions for unaccompanied and separated children returning from the north-eastern region of the Syrian Arab Republic, including prioritizing reunification with extended families or placement in community-based foster care, ensuring their access to social safety net schemes and developing standard operating procedures for care and reintegration of these children;**

(c) **Establish and implement quality standards for all alternative care settings, and ensure systematic monitoring of care quality, including through the provision of safe and accessible channels for reporting, investigating and remedying maltreatment of children;**

(d) **Strengthen the capacity of professionals working with and for children and families to promote and ensure family-based alternative care responses, and increase their understanding of the rights and needs of children deprived of a family environment.**

Children of incarcerated parents

36. **The Committee recommends that the State Party:**

(a) **Safeguard the rights and well-being of children with incarcerated parents and ensure provision of social services, financial assistance and child-sensitive interventions to families affected by incarceration;**

[14] CRC/C/IRQ/CO/2-4, para. 51.

(b) **Establish integrated support systems that provide mental health and psychosocial support, educational opportunities and financial assistance to children affected by incarceration and to their caregivers.**

F. Children with disabilities (art. 23)

37. **Noting the establishment of the Commission for the Rights of Persons with Disabilities and Special Needs, the Committee recalls its general comment No. 9 (2006) on the rights of children with disabilities and its previous concluding observations[15] and urges the State Party to adopt a human rights-based approach to disability, to set up a comprehensive strategy for the inclusion of children with disabilities and:**

(a) **To mainstream disability rights in national legislation, strategies and action plans;**

(b) **To make the social safety net more disability-sensitive and introduce a child disability benefit;**

(c) **To expand the disability benefits offered in Kurdistan Region to address the full scope of costs faced by families of children with disabilities;**

(d) **To ensure the systematic collection and analysis of data on children with disabilities disaggregated by age, sex, and type and degree of disability and develop a system for disability assessment that is efficient, harmonized, child-rights-based, transparent, accessible and respectful of the dignity and evolving capacities of each child, to facilitate early identification and provide a reliable base for timely and equitable access of children with disabilities to inclusive education, health services, early intervention programmes, social protection measures and individualized support services;**

(e) **To undertake awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of, and prejudice against, children with disabilities.**

G. Health (arts. 6, 24 and 33)

Health and health services

38. **Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State Party:**

(a) **Continue improving the infant and under-5 mortality rates and address the leading causes of child mortality, particularly preventable diseases, such as malnutrition, respiratory infections and diarrhoea, that are exacerbated by conflict and displacement;**

(b) **Improve the quality of care for newborns, including with regard to care during pregnancy, during childbirth and in the postnatal period;**

(c) **Improve universal health coverage and adopt a social health insurance scheme to reduce high out-of-pocket expenditures on health;**

(d) **Continue to improve vaccination coverage, particularly in rural areas where full vaccination for children with one or no doses should be prioritized;**

(e) **Collect disaggregated data on malnutrition, stunting, overweight and obesity, ensure the availability of essential micronutrients, including iodine and iron, for children under 5 years of age and strengthen preventive measures, including by raising awareness of nutrition issues and proper feeding practices, developing**

[15] Ibid., para. 59.

regulations regarding the marketing of unhealthy food and providing nutritional support for breastfeeding mothers;

(f) **Take all measures necessary to promote exclusive breastfeeding for at least six months, fully implement the International Code of Marketing of Breast-milk Substitutes and develop a national programme for the protection, promotion and support of breastfeeding through comprehensive campaigns.**

Mental health

39. **The Committee recommends that the State Party:**

(a) **Improve the availability and accessibility of age- and development-appropriate mental health services for children, particularly those in vulnerable situations, such as children affected by conflict and displacement;**

(b) **Integrate mental health into the school curriculum and training for teachers;**

(c) **Provide training for relevant professionals, including paediatricians, psychologists, care professionals and teachers, on identifying and addressing post-traumatic stress disorder, depression, anxiety disorders and suicidal behaviour among children.**

Adolescent health

40. **Recalling its general comment No. 4 (2003) on adolescent health and development in the context of the Convention and general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recalls its previous concluding observations**[16] **and recommends that the State Party:**

(a) **Adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education is part of the mandatory school curriculum and targeted at adolescents, with special attention given to preventing early pregnancy and sexually transmitted infections;**

(b) **Ensure that all adolescents, including refugee adolescents living in camps or urban areas, receive confidential and age-appropriate sexual and reproductive health information and services, including access to contraceptives;**

(c) **Decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, making sure that their views are always heard and given due consideration as a part of the decision-making process;**

(d) **Address the incidence of drug use by adolescents by, inter alia, providing them with accurate and objective information and life skills education on preventing substance abuse – including tobacco and alcohol – and develop accessible and youth-friendly drug dependence treatment and prevention campaigns.**

H. Standard of living (arts. 18 (3), 26 and 27 (1)–(3))

41. **The Committee recommends that the State Party:**

(a) **Review the design and implementation of the public distribution system and the social safety net to ensure that they are child-sensitive, that they effectively reach a greater number of children and that they address the specific needs of the most vulnerable households;**

(b) **Prioritize the provision of safe drinking water and equitable access to age-appropriate, culturally sensitive, gender-responsive sanitation and hygiene interventions, across all regions, particularly underserved and marginalized**

[16] Ibid., para. 67.

communities, and consider requesting technical and financial assistance from international agencies such as UNICEF and the World Health Organization to support these efforts;

(c) **Ensure that children and their families living in poverty receive sufficient financial support and have free and non-discriminatory access to essential services, including healthcare, education, housing and social protection.**

I. Children's rights and the environment (arts. 2, 3, 6, 12, 13, 15, 17, 19, 24, 26 and 31)

Impact of climate change on the rights of the child and environmental health

42. **Recalling its general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change, the Committee recommends that the State Party:**

(a) **Develop a national plan to monitor children's environmental health, conduct an assessment of the risks and effects of polluted air, water and soil on children's health as a basis for designing a well-resourced strategy to remedy the situation, and strictly enforce the maximum concentrations of air and water pollutants;**

(b) **Collect disaggregated data identifying the types of risk faced by children with respect to the occurrence of a variety of disasters in order to formulate international, regional and national policies, frameworks and agreements accordingly;**

(c) **Increase children's awareness and preparedness for climate change and natural disasters by incorporating education thereon into the school curriculum and teachers' training programmes.**

J. Education, leisure and cultural activities (arts. 28–31)

Aims and coverage of education

43. **The Committee recommends that the State Party:**

(a) **Undertake further legislative and administrative measures to expand access to early childhood education to reach out to the overwhelming majority of children who do not benefit from early childhood care and development;**

(b) **Ensure that all children, particularly girls, complete free, equitable and good-quality primary and secondary education that ensures relevant and effective learning outcomes;**

(c) **Continue to identify out-of-school children, especially girls and those who have been affected by armed conflict, and provide effective interventions informed by data collection to address and collect accurate data about the reasons for dropping out, particularly out of secondary education;**

(d) **Continue to take measures to identify and address the learning outcomes that might have been negatively affected either as a result of school closures during the coronavirus disease (COVID-19) pandemic or armed conflict;**

(e) **Pay close attention to the right to education of refugee and asylum-seeking children, especially in the Kurdistan Region;**

(f) **Strengthen alternative education pathways and provide digital, flexible, open learning opportunities, as well as non-formal education programmes, allowing increased enrolment of out-of-school children and retention of children in pre-primary, primary and secondary education, especially among girls, learners affected by conflict and displacement, students with special needs and students from poor backgrounds;**

(g) **Ensure that pregnant teenagers and adolescent mothers are supported and assisted in continuing their education in mainstream schools;**

(h) **Take measures to provide further training and upscale other skills of teachers whose qualifications are below the national minimum standards to eliminate the notable gaps;**

(i) **Further accelerate its efforts, including by allocating more locally mobilized resources, to expand and rebuild school infrastructure to accommodate the increasing number of students and decrease the need to have multiple shifts;**

(j) **Finalize the work of the high-level ministerial committee to develop policies, plans and programmes to address the situation of education and to improve the aims of education by promoting a spirit of peace, tolerance, cooperation, peaceful coexistence, belonging and citizenship, while rejecting extremism, violence and discrimination.**

Inclusive education

44. **The Committee recommends that the State Party:**

(a) **Implement the inclusive education framework, ensure that all children with disabilities have access to inclusive education in mainstream schools, ensuring that schools are equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities;**

(b) **Train and assign specialized teachers and professionals in integrated classes providing individual support;**

(c) **Further use early childhood education as a means to ensure the timely detection of, referral of and response to childhood developmental delays, based on a comprehensive and holistic policy of early childhood care and development.**

K. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40 of the Convention, and the Optional Protocol on the involvement of children in armed conflict)

Asylum-seeking, internally displaced and refugee children

45. **Recalling joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, the Committee recommends that the State Party:**

(a) **Provide asylum-seeking, internally displaced and refugee children with legal aid, specialized mental health and psychosocial support, education, healthcare, protection-related services and social protection schemes, as well as increased access to self-reliance opportunities;**

(b) **Facilitate access to the asylum system for children in need of international protection, in line with articles 6, 22 and 37 of the Convention and general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin;**

(c) **Consider ratifying the Convention relating to the Status of Refugees, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.**

Economic exploitation, including child labour

46. **The Committee recommends that the State Party prevent the involvement of children in hazardous work and eliminate the worst forms of child labour, including recruitment of children by armed forces and commercial sexual exploitation,**

strengthen labour inspection mechanisms specifically focusing on child labour and rigorously enforce existing laws and regulations.

Children in street situations

47. **The Committee remains very concerned about the large number of children in street situations. Recalling its general comment No. 21 (2017) on children in street situations and its previous concluding observations,[17] the Committee urges the State Party to ensure their access to adequate nutrition, clothing, housing and educational opportunities, promote and implement programmes aimed at physical and psychological recovery and social reintegration, and facilitate, whenever possible, their reunification with their families.**

Trafficking

48. **The Committee recommends that the State Party rigorously enforce existing laws and regulations on trafficking in persons, ensure the effective provision of referral and support services to children who are victims of trafficking, investigate all cases of child trafficking, bring perpetrators to justice and treat children as victims and not perpetrators, including by not detaining them.**

Administration of child justice

49. The Committee is seriously concerned about:

(a) That the age of criminal responsibility is set at 9 years and at 11 years of age in the Kurdistan Region;

(b) About the lack of framework for diversion;

(c) About the lack of specialized services and alternative measures for children.

50. **Recalling its general comment No. 24 (2019) on children's rights in the child justice system and with reference to the global study on children deprived of liberty, the Committee urges the State Party to bring its child justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State Party**:

(a) **To raise the legal minimum age of criminal responsibility to at least 14 years of age and develop early intervention, education and child welfare services to address behaviour that constitutes a criminal offence by children below this minimum age;**

(b) **To strengthen specialized child court facilities and procedures that guarantee due process, provide free legal aid and are gender sensitive, ensuring that they are supported by adequate human, technical and financial resources; include systemically in the strengthening all specialized judges, prosecutors and police officers for children; and ensure that they receive appropriate training;**

(c) **Initiate pilot programmes for law reform on diversion and restorative justice; promote, adopt and enforce legislative and procedural reforms prioritizing non-judicial measures, such as diversion and mediation for children alleged as, accused of or recognized as having infringed criminal law and, wherever possible, the use of non-custodial sentences for children, such as probation or community service; and ensure that health and psychosocial services are provided to such children;**

(d) **Ensure that detention is used as a measure of last resort and for the shortest appropriate period of time and that, in the few situations where deprivation of liberty is justified, children are not detained together with adults, the decision to detain is reviewed on a regular basis with a view to the release of the child and their detention conditions are in line with international standards, including with regard to sanitation,**

[17] Ibid., para. 83.

access to education, food and water, health services and child-friendly monitoring and complaint mechanisms.

Children in armed conflict, including implementation of the Optional Protocol on the involvement of children in armed conflict

51. The Committee welcomes the successful implementation of the action plan to prevent the recruitment and use of children by the Popular Mobilization Forces (PMF), which led to the delisting of PMF and the establishment of an interministerial prevention committee to continue efforts to implement the action plan. It remains concerned, however:

(a) That the recruitment of children is not criminalized;

(b) About the radicalization of children;

(c) That the national counter-terrorism strategy is not yet adopted;

(d) About the detention of foreign children mostly on charges related to terrorism charges and/or affiliation with Da'esh;

(e) About the use of schools for military purposes.

52. **Recalling its previous recommendations on the Optional Protocol on the involvement of children in armed conflict,**[18] **the Committee urges the State Party:**

(a) **To amend its legislation to explicitly criminalize the recruitment and use of children under the age of 18 years by the armed forces and non-State armed groups;**

(b) **To implement a comprehensive time-bound national counter-terrorism strategy to prevent the recruitment and use of children by terrorist groups operating in the State Party;**

(c) **To continue its efforts to implement the action plan throughout the country, to ensure that any strategy prioritizes the prompt release, disarmament, rehabilitation and reintegration of child victims of recruitment and their family reunification and to provide psychosocial support and rehabilitation services to children who have been affected by conflict-related trauma, in close cooperation with the country task force on monitoring and reporting;**

(d) **To address the root causes of the radicalization, recruitment and involvement of children in armed conflict and launch a public awareness-raising campaign to inform communities about the risks involved and the measures they can take to safeguard their children, including by offering positive alternatives for youth at risk of recruitment;**

(e) **To continue to support the repatriation of foreign children detained under the terrorism charges and/or charges of association with Da'esh to their countries of origin; and find durable solutions, maintaining family unity whenever it is in the best interests of the child, for those children whose mothers are not being repatriated;**

(f) **To ensure that schools are not used as military bases, repair and rebuild schools damaged or destroyed during armed conflicts and consider endorsing the Safe Schools Declaration.**

L. Ratification of the Optional Protocol to the Convention on a communications procedure

53. **The Committee recommends that the State Party ratify the Optional Protocol to the Convention on a communications procedure.**

[18] CRC/C/OPAC/IRQ/CO/1.

M. Ratification of international human rights instruments

54. **The Committee recommends that the State Party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments:**

(a) **Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;**

(b) **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;**

(c) **Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;**

(d) **Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.**

IV. Implementation and reporting

A. Follow-up and dissemination

55. **The Committee recommends that the State Party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.**

B. National mechanism for reporting and follow-up

56. **The Committee recommends that the State Party establish a standing government structure and ensure that it has the mandate and adequate human, technical and financial resources to coordinate and engage with, and prepare reports to, international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms effectively. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the Iraqi High Commission for Human Rights and civil society.**

C. Next report

57. **The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State Party in due course, in line with the envisaged predictable reporting calendar, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State Party. The reports should be in compliance with the Committee's harmonized treaty-specific reporting guidelines[19] and should not exceed 21,200 words.[20] In the event that reports exceeding the established word limit are submitted, the State Party will be asked to shorten the reports. If the State Party is not in a position to review and resubmit the reports, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.**

[19] CRC/C/58/Rev.3.

[20] General Assembly resolution 68/268, para. 16.