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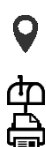
June 2024

Maat for Peace, Development and Human Rights takes advantage of the opportunity to submit this report to the Committee on the Elimination of Racial Discrimination, in order to evaluate the Iraqi government's compliance with the provisions of the Convention on the Elimination of All Forms of Racial Discrimination. Maat was informed before preparing the combined report of the twenty-sixth and twenty-seventh periodic reports submitted by Iraq. Maat notes Iraq's continued reservation on Articles 2 (f, g) and 16 of the Convention on the Elimination of All Forms of Discrimination against Women, which oblige it to abolish discriminatory laws and practices and achieve equality in all matters related to family and marital relations, which is considered a continuation of the Iraqi authorities' violation of the measures which would help prohibit racial discrimination¹. Maat welcomes the launch of the Ministry of Labor and Social Affairs in Iraq, in cooperation with the International Labor Organization, "Iraq's National Strategy to Prevent and Reduce Employment Inequality for the Years 2024-2028." The strategy focuses on achieving equality between women and men in the workplace, through initiatives aimed at enhancing women's participation and protect it. The strategy is an important step towards creating a work environment in Iraq, in which every individual, regardless of his background or circumstances, has equal access to opportunities and fair treatment. However, the report discusses additional challenges that prevent full compliance with the provisions of the agreement and focuses specifically on Iraq's compliance with specific articles in the agreement.

Definition of racial discrimination (Article 1)

The Iraqi Constitution and local laws lack a clear and specific definition that addresses racial discrimination with its elements mentioned in Article 1 of the Convention, although Article 14 of the Iraqi Constitution prohibits discrimination on the basis of sex, race, nationality, origin, color, religion, sect, belief, opinion, economic or social status, which contradicts Iraq's obligations under Article 1 of the Convention, which established a clear, specific and precise definition of racial discrimination as any discrimination, exception, restriction or detail that aims or entails the disruption or impediment of the recognition, enjoyment or exercise of human rights and fundamental freedoms, or their enjoyment or exercise, in the political, economic, social, cultural,

¹ Text of reservations and declarations submitted by Iraq regarding the Convention on the Elimination of All Forms of Discrimination against Women, <https://tinyurl.com/bdvzvspg>



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or any other field of public life². Therefore, Maat sees the need for the committee to urge the Iraqi delegation during the review to coordinate between the various Iraqi authorities, specifically the legislative authority, in order to develop a clear and specific definition of racial discrimination in accordance with Article 1 of the Convention.

Measures to prohibit racial discrimination (Article 2)

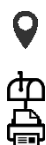
Maat reviewed the measures taken by the Iraqi government in order to prohibit racial discrimination based on any considerations, and among these measures is the establishment of an administrative unit in each ministry for the empowerment of women, and the campaigns in which the government participated with the High Commission for Human Rights in Iraq. Maat confirms that, despite Iraq's launch of the National Human Rights Plan (2021-2025), one of its most important goals was to take more measures aimed at achieving equality and prohibiting racial discrimination, in addition to developing the Iraqi legislative system and making it consistent with international agreements and preparing and developing national policies for the protection and promoting human rights, consolidating national achievements, and building capabilities at the institutional and individual levels, this plan was not effectively reflected in the measures aimed at prohibiting racial discrimination in Iraq. However, many groups inside Iraq still suffer from various forms of discrimination and inequality, especially those with brown skin. Black people are Africans, as many people of African descent, some of whom are stateless, live in extreme poverty with high rates of illiteracy and unemployment among them. The majority of these people live on the geographical margins of urban agglomerations without real political representation, nor a strong tribal umbrella, in addition to stigma. The constant process of being called slaves during everyday interactions³. Members of religious minorities such as the Baha'is continue to suffer from forms of racial discrimination against them. Laws restricting freedom of religion and belief, including those prohibiting the Baha'i religion, remain in place. Iraqi federal law prohibits the practice of Baha'i rituals and stipulates a 10-year prison sentence for any person condemned for practicing it⁴.

Maat notes that there is no Iraqi law that criminalizes widespread hate speech against minorities in Iraq, including speech by politicians and religious leaders, which multiply forms of racial discrimination against those minorities. In April 2023, the Yazidis became the target of a campaign

² International Convention on the Elimination of All Forms of Racial Discrimination, article 1, <https://tinyurl.com/bdd9dd8a>

³ Black Iraqis have been invisible for a long time. Their vibrant culture and struggle must be recognized, Atlantic council, 24 March, 2023, <https://tinyurl.com/5n6hrwr6>

⁴ U.S. Strongly Critical of Religious Abuses in Iraq, kurdistan24, 28 June 2024, <https://tinyurl.com/mtuw5fsb>



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of hate speech on social media after they were accused of burning a mosque in the Sinjar region during a peaceful demonstration against the return of families suspected of belonging to ISIS, and thousands of posts on social media incited violence against them, which means Iraqi society's lack of tolerance and respect for diversity, manipulation of popular feelings, and deliberate use of Misconceptions and myths to instill mistrust and hatred towards minorities⁵. Maat observed other widespread practices to which Iraqis of African origin are exposed in the city of Zubayrah in Basra Governorate in Iraq, where it launched a campaign by some Iraqi individuals of African origin to address the issue of garbage. The city municipality disavowed its responsibility for the piles of garbage and attributed responsibility to the Basra Oil Company, which stated that it would not be able to bear the costs of a project to remove the mask, and despite the gains the company makes from monthly oil revenues, the Basra Oil Company only agreed to supply the citizens of the city of Zubair, where citizens of African origin live, with dilapidated oil barrels for temporary use in collecting garbage⁶. Despite the few measures taken by the Iraqi government aimed at prohibiting racial discrimination, Maat appreciates Iraq's launch of a new strategy aimed at eliminating discrimination and achieving equality, as the Iraqi Ministry of Labor and Social Affairs and the International Labor Organization launched "Iraq's National Strategy to Prevent and Reduce Employment Inequality for the Years 2024 - 2028," the strategy focuses strongly on achieving equality between women and men in the workplace, through initiatives aimed at enhancing women's participation and protection. The strategy is an important step towards creating a work environment in Iraq in which every individual, regardless of his background or circumstances, has equal opportunities to obtain fair treatment, the program mainly aims to promote equal access to quality education and lifelong learning by promoting inclusivity in the education system, improving skills development opportunities, aligning education with labor market needs, and ensuring adequate protection for all workers by strengthening legal coverage, and ensuring compliance with labor laws and promoting social dialogue.

The strategy also gives priority to achieving comprehensive social protection by expanding social protection coverage and ensuring access to it⁷. Maat notes that the Iraqi Penal Code, in Article 372, requires the imposition of a prison sentence or a fine on anyone who assaults a belief, insults a sect's rituals, desecrates, or damages a building or temple. However, it did not live up to the

⁵ Addressing challenges to tolerance and religious diversity in Iraq, middle east institute, 5 July, 2023, <https://tinyurl.com/rfkrtddd>

⁶ Legacies of Slavery and Revolt in Iraq's Port City <https://peacerep.org/2024/01/09/legacies-of-slavery-and-revolt-in-iraqs-port-city/>

⁷ Groundbreaking Iraqi national strategy set to reduce inequalities in the world of work, reliefweb, 8 Mar 2024, <https://tinyurl.com/4x5yzwx>



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prohibition of discrimination and hatred towards any attack on the beliefs, rituals and places of worship of non-Muslims⁸. Maat notes that although the Iraqi Constitution obligates the government to provide social care and health security for persons with disabilities, by protecting them against discrimination and providing them with housing and care programs, however, Iraqi law still does not completely prohibit racial discrimination against people with physical or mental disabilities, and despite the fact that 5% of public jobs are allocated to people with disabilities, discrimination against them continues to this day, and Maat has documented several protests and sit-ins by persons with disabilities in the Kurdistan region of Iraq, to demand non-discrimination against them, especially with regard to employment, societal bullying, and harassment against them, in accordance with the provisions of the Convention as well as the principles and provisions of the Convention for Persons with Disabilities.

Resorting to national courts (Article 6)

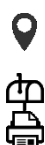
The Iraqi national courts guarantee the possibility of resorting to them in some cases of discrimination against certain groups. For example, the Iraqi Labor Law, in Article (8), guarantees the right to resort to the labor court or the civil and criminal courts to confront any violation or transgression of the principle of equal opportunities and equal treatment, whatever the reason, and in particular discrimination between workers, whether that is direct or indirect discrimination in everything related to vocational training, employment, or terms and conditions of work⁹. During the year 2023, specifically since June, the Iraqi courts issued many rulings and legal procedures against hate speech and violence, which increase racial discrimination within Iraqi society. These rulings aimed to eliminate one of the most dangerous forms of racial discrimination, which is hate speech, in order to foster the spirit of equality among members of societies, acceptance of cultures, dialogue, and respect for other opinions¹⁰. However, there are still no modern and classified statistics regarding the recourse of people who are subjected to racial discrimination to national courts, the number of cases that have been adjudicated, and the rulings issued for compensation for the damages suffered by people who have been subjected to discriminatory practices.

Elimination of racial discrimination in teaching, education, culture and information (Article 7)

⁸ Iraqi Penal Code No. 111 of 1969, amended, Article 372. To view the rest of the articles, see the following link: <https://tinyurl.com/5n6zatchb>

⁹ Iraqi Labor Law and Workers' Rights, March 15, 2023, <https://tinyurl.com/mnrhsa2s>

¹⁰ Judiciary: Courts issued many rulings against hate speech and violence, June 18, 2023, <https://tinyurl.com/2jxvd644>



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Maat notes positively the developments made by Iraq in order to implement Article Seven of the Agreement, including holding 42 training courses during the period from 2018 to 2021 inside Iraq for law enforcement officials in the Iraqi Ministry of Interior. Maat also noted that the National Human Rights Plan in Iraq 2021-2025 aimed to increase awareness activities in the media to combat racial discrimination. The strategy also set a goal to make Iraqis equal before the law without discrimination on the basis of gender, race, color, or social status¹¹. However, Maat has seen reports indicating that hate speech, including discriminatory practices, is still prevalent in the media with impunity and lack of accountability¹². Maat has documented the continued discrimination against education for certain groups of children in Iraq. Since 2019, children suspected of being linked to ISIS have not received their education. The Iraqi authorities have also applied financial compensation laws to many families who were displaced during the war on ISIS in a discriminatory manner, as Families believed to belong to ISIS were excluded from receiving these compensations, which left many of these displaced people without the minimum financial resources necessary to begin rebuilding their lives and the ability to recover, which ultimately led to the deterioration of their living conditions, which deprived many children belonging to these families from exercising their right to education, and Iraqi laws still entrench discrimination against stateless persons, mainly through discrimination against women in nationality laws, which led to major challenges that stateless persons faced in accessing to their most basic rights, including access to education and job opportunities, especially access to jobs in the public sector, medical care, and access to civil documents necessary to conduct their daily lives normally¹³. Maat also documented the existence of several obstacles to accessing education in Iraq, the most important of which is the failure to take real measures to provide Internet service at reasonable prices, including free and fair access to the Internet for educational content¹⁴.

Maat for Peace recommends the following:

- Urging the Iraqi government to expand the scope of recourse to the Iraqi national courts to confront various forms of racial discrimination against certain categories or groups, so that the matter is not limited to equality in work only.
- Urging the Iraqi government to pay special attention to people of African descent and to consider the situation of that group living in the city of Al-Zubair in Basra.

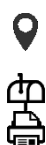
¹¹ The National Human Rights Plan in Iraq 2021-2025, at the following link:

<https://www.humanrights.dk/files/media/document/Iraq%20NHRAP%202021-2025%20Arabic.pdf>

¹² Monitoring hate speech in the Iraqi media, <https://tinyurl.com/4ncexwks>

¹³ Human Rights in Iraq and the Kurdistan Region, Al-Marsad, 2023, <https://2u.pw/x03IKaFe>

¹⁴ Iraqi children suffer from violations, lack of education, and unregistered marriage. Where are their rights? New World, March 28, 2024, <https://tinyurl.com/9hmd3vnd>



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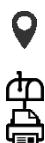


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- Introducing a legislative amendment that establishes a definition of racial discrimination consistent with Article 1 of the Convention.
- Create a platform to document complaints related to racial discrimination practices in Iraq and make them available to the public.
- Encouraging the government to take the necessary measures to eliminate racial discrimination in education, especially against children whose families are suspected of belonging to ISIS, and granting those families the necessary financial compensation to help them educate their children.
- Work to end all practices of racial discrimination against persons with disabilities in Iraq.
- Working to develop specialized programs to reduce hate speech and racial discrimination.
- Working to increase education and training programs for law enforcement and public employees in Iraq.



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