



13 May 2020

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Republic of Iraq and welcome the constructive engagement of your Government during the 34th session of the UPR Working Group in November 2019.

As the final outcome report on the review of Iraq has been recently adopted by the Human Rights Council at its 43rd session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Iraq – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 111 delegations and the presentation made and responses provided by the delegation of Iraq. I have also considered the actions taken by the Government to implement 175 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I would like to highlight encouraging steps taken by the Government of Iraq, including the ratification of the International Labour Organisation's Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), as well as the continued constructive collaboration with international organisations and mechanisms, including those emanating from the Human Rights Council.

I welcome the Government's establishment of a national committee for coordination and follow-up on the implementation of the national human rights plan with a view to meeting the international obligations arising from recommendations made during the second cycle of the Universal Periodic Review. I also welcome the adoption of a number of important human rights national action plans, including, amongst others, the Poverty Reduction Strategy 2018–2022, the Nutrition and Food Safety Strategy 2018–2022, and the National Strategy to Combat Violence against Women and to build capacity among women in Kurdistan Region 2017–2027.

His Excellency
Mr. Mohamed A. Alhakim
Minister of Foreign Affairs
Republic of Iraq

I welcome the adoption of the national human rights action plan and encourage Iraq to implement it effectively in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate the preparations for Iraq's fourth cycle of the UPR. My advice to all Member States is to implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I encourage Iraq to make further efforts to strengthen its national mechanism for comprehensive reporting and follow-up on recommendations received from all international and regional human rights mechanisms and on treaty obligations, while linking these to the Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at: http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf.

Kindly note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I welcome the decision by Iraq to submit a mid-term report and encourage the Government to do so on follow-up to the third cycle of the review, by 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

Finally, kindly allow me to use this opportunity to express my Office's profound solidarity with your country and all Member States in connection with the negative impact of the COVID-19 pandemic. I hope that despite unprecedented challenges it will soon be over in all countries worldwide, including through implementation of human rights based approaches to our collective response to the pandemic. I look forward to discussing with you ways in which my Office may assist Iraq in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc: His Excellency
Mr. Farooq Ameen Othman
Minister of Justice
Republic of Iraq

Mr. Richard Dictus
United Nations Resident Coordinator *ad interim*
Republic of Iraq

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the core treaties of which Iraq is not yet a party to.
- Implementing fully the Convention on the Elimination of All Forms of Discrimination against Women and amending domestic legislation to bring it into compliance with the Convention on the Elimination of All Forms of Discrimination against Women.
- Intensifying efforts aimed at implementation of the 1980 Hague Convention on the Civil Aspects of International Child Abduction.
- Continuing efforts to guarantee the full human rights of everyone as per the International Covenant on Civil and Political Rights.
- Implementing the recommendations made by the Special Procedures mandate holders, in particular by the Special Rapporteur on the rights of Internally Displaced Persons, and those recommendations made by the Treaty Body mechanisms, particularly by the Committee on the Elimination of All Forms of Racial Discrimination, the Committee on the Elimination of Discrimination against Women, and the Committee on the Rights of Persons with Disabilities.

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Taking measures to eliminate discrimination and persecution on the grounds of religion or belief.
- Amending the Nationality Act to ensure equal rights between women and men in the acquisition and transfer of nationality to their children.
- Adopting legislation prohibiting all forms of gender-based violence.

Development, the environment, and business and human rights

- Continuing efforts to fully implement the Iraq Poverty Reduction Strategy (2018–2022) and contributing towards the fulfilment of the Sustainable Development Goals.
- Continuing efforts aimed at eliminating financial and administrative corruption.

- Promoting equal employment opportunities for all, particularly marginalised groups.

Human rights and counter-terrorism

- Ensuring that all existing or new counter-terrorism laws are fully compliant with the International Covenant on Civil and Political Rights.
- Reforming anti-terrorism legislation in order to guarantee due process and fair trial.

B. Civil and political rights

Right to life, liberty and security of person

- Prohibiting corporal punishment.
- Amending legislation with a view to preventing torture and enforced disappearances.

Administration of justice, including impunity, and the rule of law

- Carrying out prompt and impartial investigations into the incidents relating to the demonstrations that have occurred since 1 October 2019, as well as allegations relating to torture and other forms of ill-treatment, enforced disappearances, summary executions and other credible allegations of human rights violations.
- Taking concrete measures to enhance the impartiality and independence of the judiciary in order to combat impunity and taking steps to raise the awareness of judges and lawyers in the field of international human rights law.
- Promoting national reconciliation through transitional justice processes.

Fundamental freedoms

- Protecting the right to freedom of expression and peaceful assembly, including by adopting the draft bill on freedom of expression, assembly and peaceful demonstration in full compliance with international human rights law, and by protecting the work of journalists and human rights defenders from the threat of retaliation.

Prohibition of all forms of slavery

- Intensifying efforts to combat trafficking in persons, especially women and children, providing special psychological care to child victims of sexual violence, and ensuring their physical and psychological recovery and reintegration.
- Implementing training and capacity-building programmes on combating trafficking in persons, especially women and children.

C. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

- Continuing efforts to promote youth employment, including through education and vocational training.

Right to an adequate standard of living

- Intensifying efforts in providing protection and assistance to internally displaced persons, particularly women and children.
- Providing access to basic services, including healthcare and education to all citizens.

Right to health

- Expanding the scope and quality of health services, particularly in rural areas and for persons with low income.

Right to education

- Taking measures to expand access to education for children in rural areas as well as marginalized groups, migrants, refugees and internally displaced persons.
- Intensifying efforts to promote education and strengthen the educational system, by increasing the budget and addressing the problem relating to the school dropout rate.

D. Rights of specific persons or groups

Women

- Adopting legislation prohibiting gender-based crimes, including those committed in the name of “honour”, and bringing them in line with international human rights standards.
- Supporting the Women’s Empowerment Division of the Secretariat of the Council of Ministers and promoting women’s political and economic empowerment.
- Adopting laws to prevent and eradicate harmful practices against women and girls, including early and forced marriage and female genital mutilation, and changing provisions that protect offenders if they marry their victims.

Children

- Immediately releasing from detention all children who have not been formally charged with a crime and ensuring that the treatment of children in prison complies with the Convention on the Rights of the Child.

- Taking steps to combat all forms of violence against children, including child prostitution, child trafficking, the recruitment of children by armed groups, early marriage and child labour.

Persons with disabilities

- Combating discrimination against persons with disabilities, including by ensuring equal access to education and employment.
- Continuing its programme to promote the rights of persons with disabilities, in particular those affected physically or emotionally by the conflict.

Minorities

- Pursuing policies aimed at strengthening the sense of unity among all ethnic and sectarian groups, and promoting tolerance and intercultural dialogue in order to protect the diversity of languages, religions, ethnicities and cultures.
- Increasing efforts to achieve fair representation of all groups in the Iraqi Government and in the administration.
- Investigating credible allegations of human rights violations targeting specific groups, including the Yazidi people, and holding the perpetrators accountable in accordance with international human rights law.
- Guaranteeing the protection of the religious and cultural traditions of all minorities.

Migrants and internally displaced persons

- Protecting the rights of all displaced persons, regardless of political affiliations.
 - Promoting and protecting the rights of migrant workers in line with the relevant international instruments.
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