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Forgotten Voices

Minority Women in Iraq

Human Rights Violation Report (4)

Saad Salloum

Human Rights Violations
(Report 4 – 2016)

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MINORITY WOMEN IN IRAQ

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Human Rights Violations (Report 4 – 2016)

**MASARAT FOR CULTURAL AND MEDIA DEVELOPMENT
(MCMD)
Baghdad-Iraq**

(Masarat MCMD) is Non-Profit organization focusing on minorities, collective memory Studies and interfaith dialogue; it was set up in 2005. **MCMD** issue a dedicated magazine to the study of cultural diversity in Iraq and the Middle East (Masarat magazine). **MCMD** produced a series of documentary films dealing with minority rights, human rights and promoting pluralism. Masarat also issued a series of studies on minorities. **MCMD** was among the institutions, which contributed to establishing the Iraqi Council for Interfaith Dialogue.



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Religious and Ethnic Minorities in Iraq Project
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TABLE OF CONTENTS

Introduction	7
1. The Status of Women in the Religious Traditions of Minority Communities in Iraq.....	17
- Women in the the Yezidi religious traditions.....	18
- Women in the Baha'i religious traditions	19
- Women in the Kaka'i religious traditions.....	21
- Women in the Mandaean religious traditions.....	23
- Women in Christian religious traditions.....	25
2. Effective Political Participation of Minority Women	27
3. The Right to Education for Minority Women.....	33
4. The Participation of Minority Women in Public Life.....	39
5. Models and Positive Stories about Minority Women.....	45
Recommendations	49

INTRODUCTION

The past decades have not been easy for Iraqi women, particularly since the US-led invasion of Iraq in 2003. An Iraqi female researcher summed up the situation of women as follows: «Women have become detainees in their homes and they are seeking to escape the harsh facts of war and domination. The ordinary day of an Iraqi woman starts with hard work to secure her basic needs and those of her family (electricity, gas, water, food, and medicine), and she ends by taking a deep breath because she has been able to survive death threats, violent attacks, and kidnapping.»⁽¹⁾

The situation has been particularly hard for minority women, who suffer the additional burdens of displacement, migration, and internal ethnic strife, along with the compounded pressure of discrimination against them first as women and second as minorities. Minority women suffer from discrimination in their personal and family lives as well as in society. Forms and shapes of discrimination are based on the prevailing patriarchal culture and are often given religious justifications. In many cases, the state itself is responsible for discrimination as a result of its policies and its laws and legislations.

The persistence of the patriarchal culture with the traditional roles of fathers viewed as providers for the family and women as wives and mothers who have to educate their children lends legitimacy to the prevailing stereotypes about women and fosters

(1) Hayfa Zankana, *The City of Widows: The Iraqi woman in the Liberation Process*, Arab Unity Study Center, Beirut, 2008, p. 22.

them. Thus, in many cases women's basic rights, such as the right to move and work, are restricted, and women are deprived of equality with men in other rights such as the right to inheritance. Additionally, some traditions deprive women the right to choose their spouses.

When speaking about women's rights, in general, and minority women's rights, in particular, a number of considerations overlap and make the addressing of minority women's rights as part of the discussion of human rights and minority rights very complicated given the exclusion of women by men, the interrelation between manmade laws, heavenly laws, and religious text, and prevailing social norms and customs. In this context, the low status of women is justified in many societies with various ways and means.

Strategies to Enhance the Role of Women

Some strategies have been adopted to enhance women's participation in public affairs and in the political process and to maximize their participation in state institutions and authorities, such as the quota system which allocates a certain percentage of seats in the parliament to women or compels political parties to allocate a certain percentage to women in their electoral lists. However, the application of this strategy has not positively and effectively strengthened women's participation and in most cases women continue to be followers of the programmes of political parties and movements that do not consider women's rights as a priority issue. This is because the structure of these parties and movements are built in a way which guarantees the continued dominance of men. Nevertheless, the quota strategy has strengthened the presence of women in the legislature authority while their presence in the executive branch has remained almost negligible continuing to be limited to men.

Depriving women of their right to education, men's monopoly and control of important economic sectors, and the other features

of a male dominant culture are all factors that have led women to take socially acceptable jobs in certain fields, such as in education and health. This hinders the enhancement of women's economic role, makes them poorer than men, and deprives them of their economic and financial independence that might enable them to practice their freedoms and enjoy their other rights. According to some studies, there is no inevitable link between women's educational level and the attainment of rights. In the Gulf countries, known for widespread violations of women's rights, the percentage of girls' education is very high and women in some other Arab countries have made many achievements and reached high level administrative and political positions, but this did not reflect on the basic social, economic, and humanitarian rights of women in these countries.⁽¹⁾

The Influence of Religious and Tribal Traditions

Minority women bear compounded burdens of poverty, suffering caused by their ethnicity and religion as well as from gender-related constraints, which often lead to more challenges with regard to the exercise of their rights. Gender roles, deeply rooted in the culture of the society, usually put women in a very weak position, especially with regard to the right to own land or property, the right to inheritance, and other rights.

The state, which has the prime responsibility of guaranteeing the rights of all its citizens, including women and minority women, is not the only party that is hindering women from enjoying their rights. There are other non-state social forces, such as tribes and their deep rooted traditions, which marginalize the rights of women and put them in a lower status than men. There are also religious institutions and their interpretation of religious

(1) Women and Democracy, Democracy Papers, Democracy Papers Series, Issue number 5, Iraq Center for Democracy Information, September 2005, p. 6.

texts which continues to further make women inferior to men. This impact on women's rights is not limited to certain religious traditions, but also to most religious and tribal traditions in Iraq and the rest of the countries in the region.

Methodology

This report was based on the collection of discrimination cases against women by conducting interviews with women from different religious and ethnic minorities in Iraq. The focus was on conducting in-depth interviews with prominent minority women activists who advocate the representation of minorities on the different political, social, cultural, and media levels and who give a good image of the positive contribution of minority women. The aim was to discuss the challenges women face in the representation of minorities and minority women and the rules of competition between men and women, which often serve the interests of men and make women play a minor role supplementing the role of men.

In addition, the report has chosen discrimination cases against women that reflect the real situation of all women so as to be able to generalize results obtained through the stories told by interviewed women.

Interviews were conducted with the religious leaders of the Yezidi, Christian, and Mandaean minorities to learn more about the true status of women in religious tradition rather than the image that relies only on religious texts or the interpretation of the clergy. Prevailing social customs and traditions are also taken into consideration as they give religious text a certain meaning that stresses the superiority of men's status at the expense of women.

The National Legal Framework

In its Article 2/2, the 2005 Iraqi constitution recognizes some religious minorities (Christians, Yezidis, and Mandaeans)

by mentioning them, while it does not mention some other minorities, and in its Article 125 it refers to some other minorities. The absence of explicit recognition of some ethnic and religious minorities such as the Baha'is, Shabaks, Kaka'is, and Iraqis of African origin has opened the door wide for debate about the limitations of recognition and thereby the scope of enjoyment of rights for minorities that are not mentioned in the Constitution. The exclusive recognition of some minorities limits the ceiling of demands of some minority women given that they are not mentioned or recognized in the Constitution.

Nevertheless, there are articles in the Constitution which prohibit discrimination and guarantee equality. Article (14) of the Constitution states that «Iraqis are equal before the law without discrimination based on gender, race, ethnicity, origin, color, religion, creed, belief or opinion, or economic and social status.» Additionally, Article (29) prohibits all forms of violence and abuse in the family, school, and society and provides protection for minority women from violence, as well as the protection provided by Article (37) which prohibits forced labor, slavery, slave trade, trafficking in women or children, and sex trade.

However, if these rights, as stipulated in the Constitution, are not translated into effective laws, then there is no effective protection system for minority women. For example, no laws have been passed providing for equality and non-discrimination and therefore, those who practice discrimination against minority women cannot be prosecuted and held responsible for their acts. Additionally, no laws have been passed to protect the basic rights of minorities such as the right to exist, the right to identity, the right to non-discrimination, and the right to participate in public life.

Until recently, there has been no legislation criminalizing human trafficking, so traffickers in women haven't been prosecuted and those who insult women's dignity and their rights haven't been held accountable. Additionally, the legislative system

lacks all kinds of legislation addressing domestic violence, «honor crimes,» and other forms of violence against women, along with crimes resulting from traditions, such as female genital mutilation (FGM), that are still socially acceptable in many communities in Iraq and the Middle East, including Iraq's minority communities.

Iraq did not ratify the Optional Protocol from the Convention on the Elimination of All Forms of Discrimination against Women, which establishes an international mechanism that allows receiving individual complaints. Therefore, women have been deprived of their right to demand equality and non-discrimination if national mechanisms prove to be futile or ineffective in ensuring women's rights.

The National Institutional Framework

The national institutional framework for guaranteeing women's rights is represented by a number of institutional frameworks that reflect a positive effort made by the Iraqi State, such as the creation of the State Ministry of Women's Affairs and the Higher Council for Women's Affairs in the Kurdistan region.

The role of each of these two frameworks is to review laws that discriminate against women, monitor national and regional policies on non-discrimination and equality between men and women in all political, economic, and social fields, and confront violence against women. However, this role remains limited in light of the fact that the State Ministry of Women's Affairs is nothing but an official framework that has no resources given its limited budget and the absence of a professional and adequate staff to perform the required roles because of the limits on the number of workers in the ministry.

Nevertheless, the country has witnessed development in the institutional and legal frameworks that has been reflected in positive policies to combat violence against women and to

guarantee their rights in the period extending from 2007 to 2013, i.e., until the emergence of the Daesh crisis and its occupation of vast areas of the country in 2014. This created a political and security crisis, accompanied by an economic crisis resulting from the collapse of oil prices, which led to the cancellation of a number of ministries, among them the State Ministry of Women's Affairs in 2015 to cut government spending. As a result, all the positive developments reached an unfortunate end.

Among these positive developments was the creation of family protection units in each of the provinces to be responsible for receiving complaints on violence against women in 2007, the passing of the anti-trafficking law which contains severe punishments that include lifetime jail sentences and fines reaching up to 25 million dinars for the trafficking of women, minors, and the disabled in 2012, the adoption of a national strategy to combat violence against women that aims at reforming current legislation related to violence against women, the passing of the Family Protection Act, the strengthening of the role of the Family Protection Units, and the creation of shelters, protection houses, and family courts along with the expansion in services provided for victims of violence in 2013.

In 2014, Daesh occupied the Ninawa province and other provinces and the progression of women's protection policies stopped even though minority communities, especially women who belong to minority groups, were exposed to the most horrific attacks in their history during this period. Even more, the suffering of the Yezidi women through captivity, slavery, and mass rapes should have become a real catalyst for the protection of women – being the most vulnerable sector of the society to abuses.

Instead of putting more efforts in this area, the national institutional framework, the only grantor of women's rights, along with other frameworks that guarantee human rights, were sacrificed. In August 2015, Iraqi Prime Minister Haider al-Abadi

announced the cancellation of the State Ministry of Women's Affairs and the Ministry of Human Rights, as part of the Iraqi government's efforts to tackle the financial crisis caused by falling oil prices to cover the growing expenses of the war against Daesh and to secure the salaries of millions of Iraqi government employees. These austerity policies have left the Iraqi state unable to execute any national involvement towards the enhancement of women's rights.

Strengthening the Rights of Minority Women

The success of this report is subject to its ability to attract attention to the situation of minority women by exposing the multifaceted discrimination practiced against them. Through an in-depth analysis, this report has attempted to reflect the realities suffered by minority women, to provide an information framework that could deepen the debate on the best means to correct practices and policies that violate the rights of minority women, and to present recommendations on how to improve the situation of women in Iraq, in general, and the situation of minority women, in particular.

Finally, we want to point out that the strengthening of women's status in the religious traditions of minorities is one of the fundamental goals of this report. Thus, from the point of view of this report, it is very important to advance equality and resist discrimination from a religious perspective. However, this does not mean interference in the power of clerics in interpreting religious texts, but rather encouraging the analysis of knowledge produced by them in a way which contributes to the strengthening of women's status and their image in religious discourse along with an in-depth analysis of the violence against women in terms of its relation with the religious system as a whole and its relation with sacred texts and their interpretations which reflect the cultural values and social traditions of the Iraqi society.

This is particularly important given that the available religious knowledge has been produced exclusively by men who belong to a traditional society and therefore reflect the mentality of this male-dominated society. As a result, their interpretations are highly biased and indicate their male-dominated perspectives establishing what could be called the «male-dominated jurisprudential perspective.» The recommendations of this report stress the need to launch a strategy to promote women's rights in partnership between the religious establishment, the government, and civil society organizations in order to improve the status of women from a religious and traditional perspective and to counter the increasing extremist interpretations that damage the status of women and the diversity of the society.

Saad Salum
BAGHDAD, May 2016

1. THE STATUS OF WOMEN IN THE RELIGIOUS TRADITIONS OF MINORITY COMMUNITIES IN IRAQ

Discussing the rights of women, their status in religious traditions, and the link between religion, or its interpretation, with violence and discrimination against women is a sensitive issue and this is perhaps due to the misperception that there is a disaccord between religion and equality and religious observance and feminist awareness. This view is related to a certain narrow interpretation of religion which oppresses women rather than other mainstream interpretations or the dominance of certain traditions and customs which, in essence, contradict religious teachings.

As noted by the study prepared by the UN Special Rapporteur on Freedom of Religion or Belief «discrimination against women is arguably not the invention of religions, women’s status being linked more to issues of social and cultural behavior than to adverse religious consequences. To accuse religions of bearing the greatest responsibility for the debased position of women would without doubt be unfounded. Women’s subordinate status is primarily a cultural phenomenon and extends, in both temporal and geographical terms, far beyond religions, at least those which are traditionally blamed for keeping women in an inferior position.»⁽¹⁾ This comment, which reveals a general fact that

(1) Civil and Political Rights Including the Question of Religious Intolerance, Report submitted by Mr. Abdelfattah Amor, Special Rapporteur, in accordance with

has some exceptions, applies to a large extent to the conditions and status of minority women, given the religious traditions of minority communities in Iraq.

Women in the Yezidi Religious Tradition

Unlike Muslims, the Yezidis do not have fixed laws that contain legal provisions, so it is very difficult to assign an official position to the Yezidi religion regarding the status of women. This is due to the fact that there are no religious texts because the Yezidi religion is based on oral traditions rather than written scripture, or what the Yezidi call «the science of the heart.»⁽¹⁾

The first difficulty facing Yezidi women relates to the restrictions of marriage which makes women's choices limited as long as this prohibition has a religious basis. Therefore, it is inconceivable for women to challenge this tradition without departing their religious community which is a non-missionary religion banning marriage from outside the same religious community, on the one hand, and banning marriages across classes of the community, on the other hand.

Moreover, many Yezidi researchers and intellectuals criticize the issue of depriving women of inheritance in the Yezidi religion while at the same time inflating the «dowry» of women to such an extent that many women are deprived of marriage opportunities increasing the number of spinsters in the Yezidi community.⁽²⁾

Baba Sheikh, the religious leader of the Yezidis, believes that the

Commission on Human Rights resolution 2001/42, Addendum study on freedom of religion or belief and the status of women in the light of religion and traditions, UN document, E/CN.4/2002/73/Add.2 24 April 2009.

(1) For more information, see Saad Salloum, *The Yezidis in Iraq*, Publications of the Italian Un Ponte Per, Baghdad, pp. 27-28.

(2) See for example, Khalil Jundi, *The Yezidis and the difficult test*, Aras Publishing House, Erbil, 2008, pp. 268-276.

Yezidi religion can be interpreted as one which calls for equality between women and men and this is because in all Yezidi religious prayers and poems the Yezidi individual, regardless of his sex, is referred to as «you human beings» and «you people» when requested to perform duties, prayers, and religious tasks and there is no discrimination between men and women in this regard.⁽¹⁾ Another source said that the Yezidi spiritual council has prepared an amendment to ensure equality between women and men regarding inheritance, on the condition that it is not implemented retroactively.⁽²⁾ However, lawyer Alia Bayaid believes that the Yezidis in the Ninawa province, with the absence of fixed laws regarding this issue, tend to apply the Islamic Shariah in issues relating to inheritance so as to increase the share of men and she told many stories from her own experience as a lawyer specialized in the protection of the rights of the Yezidis and other minorities about such practices.⁽³⁾

Women in the Baha’i Religious Tradition

Equality between women and men is one of the essential principles of the Baha’i faith and the main source of all attitudes, behaviors, and practices for partners in marriage relations, children, and everyone else in the society.

The Baha’is in Iraq are distinguished given the fact that they descended from different majority and minority Iraqi religions and ethnicities.⁽⁴⁾ The Baha’is have the full freedom to marry whoever

(1) Baba Sheikh, the spiritual leader of the Yezidis in Iraq and the world, Shikhan, August 2012, a special interview with the Masarat Foundation.

(2) Karim Suleiman, member of the advisory committee of the Yezidi Spiritual Council, Shikhan, August 2012 (a special interview, from the archives of the Masarat Foundation).

(3) Correspondence with Aliay Bayazid Ismail, a resident of Hanover – Germany, April 2016.

(4) Interview with Abdul-Razzaq al-Abayji, the representative of the Baha’is in Iraq, Baghdad, April 2016.

they want regardless of the religion and this is a unique tradition. As a result, the Baha'is are descended from mixed marriages with a wide range of ethnic, religious, and linguistic heritage.⁽¹⁾

The Baha'is believe that giving women their human rights and advancing their status are among the basics for the prosperity of humanity. They also believe that peace, as a universal value, is associated with the deep understanding of equality between men and women and with the application of this understanding in all social aspects of life. For them «the moral and psychological environment, where universal peace prospers, will not become stable unless women join all fields of human activities as full partners of men.»⁽²⁾

Although there are no clergy in the Baha'i religion, women have the exceptional responsibility of teaching the principles and the fundamental values of the Baha'i faith, and thus the Baha'is give a special priority to females rather than males when it comes to the right of education if the financial conditions of the family do not allow education for all the children. This shows that the Baha'i religion puts women in a very high position given their role as care givers of the new generation and their responsibility for teaching the basic values of religion to children within their family environment.⁽³⁾

For religious reasons, Baha'i women are deprived of the right to participate in politics, to run for parliamentary elections, or to take part in the government because the Baha'i religion bans any involvement in politics, joining of political parties, and participation in partisan and political affairs. Nevertheless, it does not forbid

(1) Wandî Mumen and Mujan Mumen, *Understanding the Baha'i religion*, translated by Ramzi Zein, Beirut, 2009, pp.75-76.

(2) *Global peace is a true promise*, translation of the statement issued by the Supreme House of Justice to the people of the world, al-Baha'iyah Publishing House, Brazil, 2nd edition, 1996, p. 25.

(3) Wandî Mumen and Mujan Mumen, *Understanding the Baha'i religion*, p.80.

women from voting for candidates and electing suitable persons who serve the society in which they live or from participating in public meetings that do not tackle political affairs. This religious ban from politics was why detained Baha'i women were reluctant to demand their rights in the 1970s as the name of the institution that was following up on their rights was the «Political Prisoners Institution.» Women were accused of belonging to a political stream, by the Baath Iraqi government, but beyond their religion principally forbidding involvement in political affairs, the essence of the Baha'i faith takes a global humanitarian approach.⁽¹⁾

Despite this prohibition, the Baha'is are still in the forefront of those who have worked with social issues concerning the rejection of racism and the promotion of gender equality. In addition, Baha'i women, similar to Baha'i men, usually accept government positions that do not have a political nature on the condition that they don't have to join any political party or promote any political movement or ideological doctrine, given that the Baha'i religion believes that the main challenge facing humanity is the unity of the human race.⁽²⁾

Women in the Kaka'i Religious Tradition

The Kaka'i doctrine is based on pure worship, solitude, and secrecy and thus contributes to the isolation of Kaka'i women. Relations with members of other groups are predetermined and this makes it difficult for the Kaka'i women to mix, communicate, and open up to other communities.

Similar to the Yezidi and Mandaean religious traditions,

(1) Interview with a Baha'i female women who was detained during the Baath era from 1973-1979, Baghdad, April 2016.

(2) Douglas Martin and William Hatcher, *The Baha'i religion, a research and a study*, translated by Fikri Abdul Hussein, published by the al-Baha'iyah Publishing House, Brazil, 2002, pp. 236-237.

the Kaka'is only marry from their own communities, class, and spiritual status as it is against the rules of their religion to do otherwise. Nevertheless, some Kaka'is have violated these strict rules and some high ranking Kaka'is have entered into marriage relations with lower ranking Kaka'is, which is considered against the beliefs of the Kaka'i community.⁽¹⁾ As a result of these strict marriage rules, marriage between cousins is the preferred option for the Kaka'is. A cousin can prevent his cousin from marrying another man, but she can still refuse to marry him.⁽²⁾

Samira Kraimat, a woman activist, said that the internal marriage of Kaka'is has its impact on Kaka'i women, who cannot violate the teachings of their religion. She added that «a Kaka'i woman cannot marry a man from other communities as this is considered a religious crime and its consequences are social marginalization as well as the disowning of the woman or man who marries from outside the community by the tribe.»⁽³⁾ In addition to obliging women to marry men from their community and religion, they are also obliged to marry men from their same class. The circle becomes even tighter as there is another category within the class itself and women should fully adhere to this rule, according to Kraimat.⁽⁴⁾ As a result, external marriages have become rare and internal marriages among the different social classes are not possible. Among the Kaka'is, there are a number of hierarchical groups, sorted in an ascending order, as follows: the general public, al-Darwish, al-Klamakhwan, al-Dali (al-mam), al-Bawa, and al-Ber (al-Sayyed).⁽⁵⁾ This has its clear impact on

(1) Nuri Yassin al-Harazani, *The Kaka'is, An anthropological study of social life*, the Kurdish Heritage Institute, Dar Iaras, Erbil, 2007, p. 108.

(2) *Ibid.*

(3) A special interview with the Kaka'i activist Samira Kraimat, Kirkuk, May 2016.

(4) *Ibid.*

(5) Muhammad Hussein Shawani, *Ethnic and Religious Diversity in Kirkuk*, Ministry of Education, Erbil, 2006, pp. 183-184.

women who lose their right to choose their husbands and their space of freedom which is limited to the circle of their community and even to a smaller circle of a class within the community.

Internal marriages within the community and within classes of the same community have created two problems: The first one reflects on the Kaka'i family as there are hundreds of spinsters over the age of forty. The second one, according to Kraimat, «is the fear that marriages of relatives, if it continues for several generations, will lead to an accumulation of bad genetic traits leading to poor birth genes and to a number of the most common genetic diseases.»⁽¹⁾

Although the Kaka'i religion orders equality between men and women, under the influence of the prevailing male-dominant customs and traditions in communities surrounding the Kaka'is, men tend to succumb, especially as these customs serve their interests. Nazdar Qadrat Abbas, a Kaka'i activist, gave the example of polygamy which is prohibited by the Kaka'i religion as well as divorce, but now there are many Kaka'is who are marrying more than one woman and there are those who are divorcing their wives without any respect to the Kaka'i teachings.⁽²⁾

Women in the Mandaean Religious Tradition

Similar to the Yezidi and Kaka'i religions, the Mandaean religion does not allow marriage from outside the Mandaean community and stresses internal marriages within the same group depriving women of their right to choose their husbands from outside their religious community. The Mandaean religion is a non-missionary religion that prohibits outside marriages and the punishment for those who violate this rule is death. In areas in southern Iraq,

(1) An exclusive interview with the Kaka'i activist Samira Kraimat, Kirkuk, May 2016.

(2) An exclusive interview with the Kaka'i activist Nazdar Qadarat Abbas, al-Sulaymaniyah, May 2016.

women who marry persons from outside their community are treated as women who have escaped with their lovers, so their killing is allowed.⁽¹⁾ However, the Mandaean religion, according to its religious leadership, affirms equality between men and women and this equality is reflected in the first Mandaean creation process where both Adam and Eve were created on the same day.⁽²⁾ Rishema Skeikh Ganzabra Sattar Jabbar al-Hilu, the head of the Mandanean sect in Iraq and the world, stresses that the presence of women in the Mandaean religion is clear and that women occupy a high position and this is why Mandaean sons and daughters are called by the names of their mothers rather than the name of their fathers during Baptism ceremonies and when other religious rituals are performed.

Similar to men, Mandaean women have the right to carry out all the religious rituals and practices, such as the practice of the baptism ritual. This ritual is considered central and very distinctive for the Madaeans.⁽³⁾ In terms of other rights such as the right to inheritance, the Mandaean religion has given equal rights to men and women in inheritance, but there are many disputes regarding this issue within the Mandaean community as greed makes men use the Islamic Shariah in the distribution of inheritance according to the al-Hanafi school which gives males double the amount given to females and thus disadvantages women in inheritance, according to Rishema Skeikh Ganzabra Sattar Jabbar al-Hilu.⁽⁴⁾

(1) Saad Salloum, *Minorities in Iraq - Memory, identity and challenges*, Masarat Foundation, Baghdad, 2013, p. 245.

(2) An exclusive interview with Rishema Skeikh Ganzabra Sattar Jabbar al-Hilu, the head of the Mandanean sect in Iraq and the world, Baghdad, April 2016.

(3) Arabi Farhan al-Khamisi, *A study and a review of the status of the Mandaean women in the past and present*, the website of the Federation of Mandanean Societies in the Diaspora, available on the following link:
<http://www.mandaeanunion.org/ar/views/item/349> .

(4) Special interview with Rishema Skeikh Ganzabra Sattar Jabbar al-Hilu, the head of the Mandanean sect in Iraq and the world, Baghdad, April 2016. This is

Women in Christian Religious Tradition

The rights of Christian women too are affected by Christian religious traditions as well as by some of the challenges posed by the reality of the Iraqi social. In some cases, Christian women are denied their right to get divorce according to some Christian denominations.

Christian religious practices agree on prohibiting women from taking religious responsibilities. For example, the Catholic Church limits ordination and Christian women cannot serve the Divine Liturgy. For this reason, there are no women priests or archbishop in the Orthodox or Catholic churches while in the Protestant and other churches, there are women priests and archbishops. This is another kind of discrimination against women in worship places. In addition, the difference between men and women in the religious and ritual sides consolidates the difference in their status and religions cannot completely free themselves of this difference as women are always treated as females. An Orthodox woman spoke about the impact this discrimination had on her self-esteem and her status in the society and within her family. She said that «Orthodox churches do not allow females to climb to the altar even if they are newly born, and it is not allowed for them to go around the altar (during the performance of the baptism ceremony) just because they are females while males are allowed to do so. This further consolidates discrimination against women. There are some religious justifications for this and these could be convincing, but despite that, this practice contributes to the establishment of a mental image among young girls and boys who are watching these events and who will not be able to understand

de facto although the Iraqi constitution in its Article 41 stipulates that «Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs, or choices.» This is the clearest evidence of males' violation of the Mandaean religious teachings and of the use of the provisions pertaining to other religions to dominate and aggrieve women's rights.

the justifications given. Females will feel that they are inferior to males and males will feel that they are superior to females.⁽¹⁾

Even though the Christian teachings are similar to the teachings of other religions, such as the Mandaeans, and they emphasize equality between males and females in the sharing of the inheritance, in practice inheritance is divided in a way which is far from equal, and women are deprived of their legitimate right to inheritance. Distribution takes place in accordance with the country's Islamic inheritance laws and Christian males usually do not object to this practice as long as it guarantees them a larger share of the inheritance.⁽²⁾

However, despite the difference between women and men religiously and ritually, women in Christian schools, which are affiliated with the churches, fraternities, and singing choirs, are treated like men and perhaps more privileged than them in this field. They may have priority, especially with everything related to children and their training on some of the rituals, such as Palm Day and other religious occasions.⁽³⁾

(1) Interview with an Orthodox woman, Baghdad, April 2016.

(2) A special interview with Yousif Thomas Mirkis, Chaldean Catholic Archbishop of Kirkuk and al-Sulaymaniyah, Kirkuk, May 2016.

(3) Interview with masseur A.D., Baghdad, May 2016.

2. EFFECTIVE POLITICAL PARTICIPATION OF MINORITY WOMEN

Effective political participation of minority women and their equal representation within the minority itself and with the women of the majority guarantees their participation in the making of decisions that concern them or impact them as well as in the discussion of issues that relate to the affairs of the minority and the society.

Women's participation in public affairs has its positive outcomes that benefit the society as a whole and reflects diversity which imparts strength and richness to the society. The women met during the preparation of this report argued that their political participation is very important and that their representation of the causes of minorities is more significant than the representation of men.

However, it is clear that minority women face hurdles that prevent them from effectively participating in political life. Some of these hurdles are cultural in nature, especially in local traditional societies that deprive women from taking part in the decision making process. Therefore, there is a heavier burden and a deeper kind of discrimination against minority women, which deprive them of expressing their opinions regarding national political decisions: first, because they are women and second, because they are minority women.

Women may be subjected to marginalization within their minority communities. This was noticed in the interviews conducted during the preparation of this report and this puts a

burden on the state and civil society to improve the representation of minority women within the minority communities themselves. If we know that the participation of minorities in national and local bodies responsible for policies, including economic life, national development, and the preparation of budgets, is ineffective and in many cases only symbolic in nature, then we can conclude that the situation of minority women is even worse. This is why the issues of minority women are often neglected and need attention so as to reach purposeful change.

Turkmen women stressed the importance of enhancing women's participation in executive positions. They said that women's participation in the legislative institution was due to the de facto quota system that gave women a 25% share of the federal parliament seats. Hayman Ramzi Mahmoud, a Turkman activist, said that minority parties, like all other parties, were obliged to have women in their lists, but the increase in the representation of women in the legislative authority was at the expense of their marginalization in the executive branch and this is a proof that the representation of women is nothing more than a pre-designed ceremonial role to give the image that these parties take gender issues into consideration.»⁽¹⁾

Hyman believes that the representation of women is necessary in Turkmen political parties to overcome division factors as the nature of the Turkmen parties representation has become a source of split within the Turkmen community, especially in areas characterized by sectarian diversity (Sunni Turkmen and Shiite Turkmen). According to her, competition in elections has scattered the voices of the Turkmen as Turkmen political representatives were nominated on different and scattered lists. If there was an effort to unify the lists in one national list, Turkmen would have been represented in one voting bloc and their performance would have been much more effective. This task should be undertaken

(1) Interview with Hayman Ramzi Mahmoud, a Turkman activist, Erbil, April 2016.

by Turkmen women who are distant from these division lines. Nirmeen al-Mufti, a Turkman journalist and activist in defending Turkmen rights, agrees with her colleague's opinions on the political participation of Turkmen women. She stressed the need to strengthen the role of Turkmen women «as given their nature and their fear for the welfare of their children, husbands, and brothers, Turkmen women have endured twice as much as men and were so strong and courageous and thus they excelled more than men.»⁽¹⁾

Al-Mufti made a comparison between the representation of women and men and its impact on the identity of the Turkmen. In this regard, she said that «if we examine the representation of Turkmen men, we will see the amount of fragmentation suffered by the Turkmen component, but if women were allowed to represent the Turkmen, they would have been more effective and much better than men.» She added that «it is time for women to represent the Turkmen so as to preserve their identity that has become fragmented along sectarian loyalties as a result of the sectarian politicization of identities by men.»

Souria al-Qado, the head of the Shabak Women Association, talked about the security challenges she faced in her political work as she participated and led a number of demonstrations to demand the rights of the Shabak. Similar to her colleagues from other minorities in some cases but able to be active politically, al-Qado stressed that the policies of political parties regarding women are only a matter of formality and for this reason the presence of women and their political role is weak. According to Qado, «political parties try to gain the trust of women during elections, but this does not reflect that they are convinced of the importance of the role of women. They do so because of the election law, which compels them to put the name of one woman among the names

(1) Interview with Nirmeen al-Mufti, a Turkman journalist and activist defending Turkmen rights, Kirkuk, May 2016.

of every three candidates in their electoral lists.» Regarding the reasons for the marginalization of the Shabak women by the Shabak men, Qado believes that «the nature of the Shabak community and women’s acceptance of traditions, make them sometimes marginalize themselves and this almost applies to half of the Shabak women, although few of them have tried to excel in the various educational, religious, social and economic fields.»

Princess Arouba Bayzaid Ismail, believes that «the Yezidi women representation is determined by two factors: The first relates to the tribal and patriarchal nature of the Yezidi society, where men have a dominant and prominent role in all fields of life and the second is the dominance of Kurdish political currents on the orientation and representatives of the Yezidis.» According to her «there is no real representation of the Yezidis. First, there is one female Yezidi representative in the federal parliament, but she represents the Kurdish alliance. Second, given the presence of the Yezidis in areas that fall under the control of one of the two major Kurdish parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), the representatives of the Yezidis (males and females) are pressured to follow the opinions of one of the two parties. Thus, it seems difficult for independent Yezidi women to enter the field of politics without having to deal with this very unjust option.»⁽¹⁾ However, Arouba still believes that «the Yezidi women are capable of holding leadership positions if they are given the chance to do so as many of them have excelled, were brave and were aware of the challenges ahead. Thus, if they are given the chance to life and leadership, I trust they are capable of being creative, resilient, and strong.»

Similar to the opinion expressed by Princess Arouba Bayazid, Amina Saad, a former Yezidi MP, said that there is no representation of the Yezidi women neither in the federal parliament nor in the

(1) Correspondences with Arouba Bayzaid Ismail, who is currently living in Germany, May 2016.

Kurdistan parliament, the only exception is Bavian Dakheel, who won a quota seat. Moreover, there are no Yezidi women represented in the executive authority or employed by the two governments even though there are very well qualified Yezidi women capable of holding government positions. Amina believes that the Yezidi women are suffering a double marginalization because they are women and because they are Yezidis and that this marginalization is part of a wider marginalization of the Yezidis in general. Within the Yezidi community and currents, it is only natural for men to marginalize women given the dominant patriarchal culture among all the component societies, not only the Yezidis.⁽¹⁾

Amina believes that it is important for women to get out of the waiting room and to enter into the arena of struggle for women's rights and the rights of minority women who represent the women of the society as a whole. She also believes that if they do not do so, the conditions of women cannot be improved as well as their representation in all state institutions. Thus, minority women should start a real movement to reform the culture and practices that oppress women.

(1) Interview with former MP Amina Saad, Erbil, May 2016.

3. THE RIGHT TO EDUCATION FOR MINORITY WOMEN

The traditional social environment where minority women are raised and its cultural determinants are considered barriers that prevent females from accessing adequate education or completely deprive them of this right. These cultural determinants include: cultural practices, early marriages, deeply rooted patriarchal structures, and gender roles that limit the freedom of movement of girls and women. Thus, the state should provide an educational environment that ensures minority women's access to education on an equal footing with other majority women as well as with men. However, doing so is not easy for the state with the presence of traditional settings, where there are many barriers to females' access to education.

If these obstacles are still forming a challenge for the activation of women's right to education, then they should be overcome. Other measures should also be taken to remove the present barriers that directly or indirectly prevent women from pursuing their university education. It is not enough for women to study the primary educational stages that qualify them to be illiterate (to know how to read and write in the languages of minorities or in the official state languages), especially in patriarchal familial and societal structures where traditional gender roles are still very well established.

At a time when social and cultural traditions prevent women from pursuing their education because of male dominance and the nature of the prevailing culture which gives priority for the

education of males and reduces the role of women and their status to only wives and family care takers, education deserves a lot of attention. From the point of view of this report, it is the entry point for enhancing the economic independence of minority women and for imposing and consolidating equality between men and women.

Iman, one of the Iraqi females from African origin in the al-Basra province, said that similar difficulties are faced by women who want to pursue their university education. She added that «I finished my secondary school and I was always finding difficulty in convincing my family to allow me to go to the university. Finally, I succeeded but many women could not finish more than their secondary school.» She gave the example of one of her fellow colleagues, who used to become upset every time she listens to a discussion during the final exams of the secondary school. She said that «girls were always talking about their aspirations and what they are going to study at the university after passing the exams, but this girl used to abstain from participation in the discussion and she seemed to be sad. I asked her for the reasons and she said that the secondary school is the last stage of education in her life because her male brothers and cousins will not allow her to pursue her education although she is getting very high grades. She explained that they believe that the place of women is their houses and that they should end up as married women.»⁽¹⁾

These cases where male dominance and the traditions they practice prevent women from pursuing their university education should urge women's NGOs and those who defend human and women's rights to intensify their efforts to help women access university education. They should pay special attention to minority women who suffer from dual discrimination (first being women and second being minorities) along with widespread illiteracy among certain minorities.

(1) Interview with Iman F., al-Basra, May 2016.

Although the Yezidi traditions have changed during the last three decades, women until recently have been facing difficulties in getting their rights to education without facing challenges. Nisreen Sido, a Yezidi activist, who belongs to the Sheikh's class, was working as an employee for the Supreme Commission for Elections in Sinjar. She spoke about the heavy burden of traditions and the obstacles that prevent women from pursuing their education. «I used to love to go to school and my grades were always higher than the grades of my fellow colleagues, but we were living in a village and it was difficult for my grandmother and grandfather to accept the idea of sending me to school. People were always asking them: How do you allow a girl who is from the Sheikh's class to go to school where there are boys? When I finished my primary school, there was no secondary school in the village and my father succumbed to the pressures of the society, and so I could not pursue my education while my brother was allowed to stay with our relatives in the city to continue his education. I stayed in the house for six years until a secondary school was opened in the village and there was only one class, which is the last class of the secondary phase. I took an external exam to finish my secondary class and I passed it and this is how I was able to continue my education,» she said. ⁽¹⁾

Princess Alia Bayzaid Ismail explained the conditions that have made the Yezidi community change its opinion regarding the education of women. She said that «the Yezidi religion and the tribal nature of the Yezidi community were against women's education, and it took the community long decades to accept to allow women to go to schools and universities and to become educated.»⁽²⁾

(1) Correspondences with the Yezidi activist Nisreen Sido who is currently living in France, May 2016.

(2) Correspondences with Princess Alia Bayzaid Ismail who is currently living in Hanover, Germany, May, 2016.

For her part, Souria al-Qado, an activist and the head of the Shabak Women's Union, said that there is a relation between the levels of education and minority women's rights and added that depriving women of their right to education is another barrier to their development to be added to others related to the traditional nature of the society, which perceives the role of women as limited to caring for the house and raising kids, a view that is also reinforced and upheld by the clergy adding more legitimacy. Al-Qado added that most of the Shabak women cannot perform a prominent role in representing the Shabak as their community lacks the presence of educated and cultured women who can assume leading positions. Furthermore, given that the areas where the Shabak are present are outside cities, the norms and traditions of the Shabak rural community with its male-dominated nature along with the clergy which supports male dominance because the religious institutions consist of males only have had their impact on women. She also said that when a girl becomes 11 years old, the only thing the family wants to do with her is to find her a husband. We usually hear the widely spread expression that the girl is old now, and it is a shame to send her to school. All these are factors affecting women who are demanding their simplest rights such as the right to education. Often girls cannot finish their primary school without the approval of the family, especially in villages and before 2003, the circumstances of women were even worse as there weren't any primary or secondary schools in areas inhabited by the Shabak and there were no mixed male and female schools.⁽¹⁾ After 2003, a new problem emerged because the areas of the Shabak in the Ninawa Plain are located in the disputed areas between the Arabs and the Kurds and thus they became targets of terrorism and attacks. All this was followed by acts of ethnic driven killing and displacement of the Shabak from al-Mosul. This has made the Shabak women seriously reconsider their participation in any kind of activity that might put them or put the members of their families in danger.

(1) Interview with the Shabak activist, Souria al-Qado, Baghdad, 2016.

When the state ensures an open and non-discriminatory educational environment and implements comprehensive educational policies for all people including all members of minorities as well as minority women, minority women will have the opportunity to study and learn from others. This will open horizons for building the capacity of minority women and allow them to develop a vision of their societal roles as well as their roles within the minority community itself.

It is clear that these cultural barriers which prevent women from the right to education reduce the chances of women, in general, and minority women, in particular, to fully participate in the social, cultural, political, and economic life. The result is that minority women who are not given the chance to pursue their education will suffer from another exclusion within their minority group as only males will be able to represent the minority and women will be given a role complementary to that of men, without representation and a role in public life.

4. THE PARTICIPATION OF MINORITY WOMEN IN PUBLIC LIFE

Under the Iraqi 2005 Constitution, women enjoy equal rights to work without discrimination. However, the general assumptions, supported by some discriminatory factors present in the Iraqi law which defines the economic options of women, promote the role of women as mothers and homemakers and prevent them from exercising all their choices and from achieving economic independence.⁽¹⁾

Even if the laws do not appear discriminatory, the patriarchal nature of the Iraqi family and the prevailing traditional culture assume discrimination in most aspects of life and determine the status of women on the basis of their gender: wives, mothers, and sisters which are the most important roles. Women that are generally accepted by the society are childbearing and obedient to their husbands.⁽²⁾ Also, religious traditions, which are often used by men to serve their own interests, can contribute to restricting the rights of women.

These stereotypes about the status of women in a traditional society make the laws regarding the rights of women meaningless and make it easy for the society to violate these rights and favor

(1) Ministry of Planning, the Central Bureau of Statistics,, the National Committee for Population Policies in Iraq, Empowering women in a helping environment and supporting culture, with support of the United Nations Population Fund, Iraq Office, Baghdad, p . 4.

(2) The United Nations Economic and Social Commission for Western Asia (ESCWA), Social Policies in Iraq, New York, 2006, p. 66.

the male figures of the family: the father, husband, brother, and even the son. Thus, even if women have the right to own property, engage in a commercial business, and work at a job of their choice, spending their incomes as they desire without having to seek the approval of their husbands or parents is still controlled by the power of traditions that expects women to give part or all of their income to one of their male family members (the father or the husband). A university student, who graduated and was able to get a job in the private sector, said that «abandoning part of my salary and sometimes all of it is an important condition for practicing my right to work. It is as if I am buying my right. I have the right to go out and practice a job, but I have to pay a tax for the family to allow me to do so,»⁽¹⁾ she said. And the same thing applies when women practice their other fundamental rights.

An Iraqi female activist who defends the rights of Iraqis from African origin spoke about the challenges faced by women living in a traditional environment even if they are economically independent. In this context, she told the story of a girl from African origin who lives with her four male brothers. After the death of the girl's father, everything owned by the family was sold and her male brothers, who were all married, have children, and own their own house, received their shares. She couldn't have hers when her father was alive unless she got married, and with the new situation after the selling of her father's house, she was at a crossroad. Her brothers wouldn't take her to live with them because their wives refused to have her and it was difficult for her to live in a separate house because of the traditions of the society which denounce women living alone. She continued to move from one place to the other until an old man felt sorry for her and rented her a house after guaranteeing her protection. All this happened to her even though she is a working woman and has a salary. It is difficult for a single woman to live alone without the protection of

(1) Interview with F. Q., a female bank employee, Baghdad, May 2016.

men and any woman who tries to do so will be exposed to all forms of exploitation.⁽¹⁾

A Christian woman spoke about the financial and economic independence difficulties faced by women in light of male dominated traditions. She said that males usually take the money women make and do not let them feel that they are independent financially. From her personal experience, she said «I did not stop working since the day I finished my BA and until I got my PhD. I never felt that I am economically independent as I never had the freedom to spend my money. I always felt as if I am begging to get some of the money I make and my female friends were telling me similar stories, so it is clear that my case is not an exception to the rule.»⁽²⁾

While these stories explain the challenges faced by minority women within the minority communities themselves, it is clear that double this burden is carried by all minority women as a result of their different religious or ethnic identity in dealing with the broader social environment of the majority, especially if they follow certain different cultural and religious practices which make it easy to isolate them and exclude them from the different economic and social circles. There are incidents of discrimination in work places against minority women even if they have high education and proficiency in their work as these are not necessarily the factors for improving their chances of getting jobs and keeping them. In this context, a young woman from African origin, finished her secondary school and graduated from the College of Agriculture. She felt very proud of becoming an agricultural engineer and she was appointed at the college with a temporary work contract. She continued to work as a temporary employee for two years and her contract was not changed into a permanent one. After her employment, another female was appointed and she was a fresh

(1) Interview with a woman from African origin, al-Basra, May 2016.

(2) Interview with a Christian woman who works as a university professor, Baghdad, May 2016.

graduate. She got the same temporary work contract but after six months, it became a permanent one. The female from African origin complained to the administration about this discriminatory treatment, but the one responsible for her clearly told her: 'You are not from us'. She answered saying: 'What do you mean by this?' and he told her: 'You have dark skin and your religion is different than ours. You are not from our community.'»⁽¹⁾

Minority women that have been interviewed during the preparation of this report said that in areas where there is widespread illiteracy and where minority women are not provided with educational and cultural capacities such as the ability to speak the official state languages and to solve some mathematics exercises, women who only speak their own languages will face unimaginable difficulties and discrimination even when it comes to the fulfilment of basic life needs. This will make them hide in their own narrow cultural and family circles and will deprive them of mixing with other people, which is necessary for the exchange of experiences and for expanding their chances to enter the labor market or develop their own skills.

There is a network of personal relations that women build with their parents, brothers, husbands, children, and neighbors, which further complicates the possibility of women's independence in making decisions. Women are taught in many ways that they have limited choices and that powerful men in the society have more chances. To begin with, a family may deprive its daughters from education when they are still so young for a number of reasons. Some families believe that it is not important for women to go to school because they are going to be housewives. They also fear that when female children become adults, they might be harassed by neighbors and that some people may spread rumors about them because they do not approve that they work. In addition, widows and divorcees, women who are often living in poverty conditions

(1) Interview with a female from African origin, al-Basra, May 2016.

and lacking experience, usually return back to their parents' houses in order to be under the protection of men or the persons who are responsible for the family because they fear that these women will be used and taken advantage from as the society treats widows and divorced women harshly.⁽¹⁾ Also, even if women get higher education, male dominance of some business sectors, such as trade and industry, deprive women from competing for jobs in these sectors. In many cases, traditions and the prevailing culture limit the choice of professions that women can practice to what is considered as «proper» and «safe» jobs for women, usually jobs in the education and health sectors

As previously stated, there are many challenges preventing women from joining the labor market, such as the absence of professional education, training, university certificates as a result of social and family restrictions on females, limited knowledge of the official languages of the state especially in areas far from the center of cities where minorities live, and limited available job opportunities. In addition, there is a lack of knowledge of available jobs such as those announced by the public sector because these opportunities are often politicized and in some cases those who are able to access these jobs should be affiliated with certain political groups that dominate certain sectors of government jobs. There is also the geographical factor which relates to the distance of the place of work from the residency place as women tend to apply for jobs that are close to their residency places even when it comes to government jobs.

Minority women in rural areas are extremely isolated due to several factors such as family restrictions, absence of education, and language related barriers. This particularly applies to the Shabak women in the Ninawa Plain villages, the Yezidi women in the Sinjar district villages and other areas, the Kaka'i women in the Ninawa Plain villages and in villages located southeast of Kirkuk, and the Faili women living in the eastern villages bordering Iran.

(1) Interview with a female from African origin, al-Basra, May 2016.

5. MODELS AND POSITIVE STORIES ABOUT MINORITY WOMEN

This report presents some of the violations of minority women's rights along with examples of discrimination against them. However, the positive side should also be stressed as reflected in the struggle of some minority women who are considered celebrated models and symbols for others to follow.

In the contemporary history of Iraq's Christians, Princess Surma Khanum, an Assyrian woman, stands out as a prominent figure. She defended the rights of the Assyrian Christian people and challenged their leadership. Among the Yezidi minority, Princess Mian Khanun, 1873-1956, a descendant of Yezidi princes was able to play an important role in managing the affairs of the religious minority after the assassination of her husband Ali Bek in 1913. Qurrat al-Ayn, a rare feminist Baha'i symbol, was considered by many writers and researchers as ahead of her time in defending women's rights and in calling for full equality between men and women. She also rebelled against the patriarchal tradition, which gives dominance to men in handling religious affairs and in the interpretation of sacred texts. In addition, the Kaka'is honor the distinguished status of Razbar who took care of Sultan Isaac (the Kaka'i holy central figure) and made him a model to be followed by the Kaka'i community.

The Mandaeans too have their own exceptional female who was a Rishema⁽¹⁾ and who reproduced the Mandaean holy books

(1) Rishema means the head of the nation. The person reaching this rank is considered an authority in religious affairs.

in the early AD centuries. She was a princess and her name was «Hayunah.» In the Shabak community, Zainab Suleiman, the fourth wife of Rasheed Agha Ben Hassan Agha Ben Ahmad Agha, was the prominent female figure and the first Shabak woman to strongly and decisively participate in the parliament election campaigns during the monarchy era for electing the representative of the Shabak from among the political leaders at that time. There are other examples that could be cited from all minorities in Iraq and we should remember and mention the positive and bright aspects of minority women's struggle which inspires other women and motivates them to work harder and continuously to improve the social, cultural, and economic reality of women for the better.

In this context, it may be appropriate to recall the plight of Baha'i women and how they were able to overcome it. In 1970, Law No. 105 banning the Baha'i faith was issued. The law punishes those who promote the Baha'i religion, become members of any of its forums, or join any entity that spreads the Baha'i faith or calls on people to embrace it in any way with imprisonment for a period of not less than ten years. After the passing of this law, many Baha'i women were imprisoned during the 1970s and they were only released in 1979. In this year, a new resolution was issued and the imprisonment penalty was changed to death penalty for any person who resumes a Baha'i activity. Baha'i women suffered a lot of cruelty, but they set the example of how to free oneself from the pain of the past and think in a positive way. One of the Baha'i women living in Baghdad said that «we were deprived from our right to obtain official documents that prove our identity and this has had its legal impact on us as we couldn't register our marriage contracts and the births of our children without which they cannot be enrolled in schools and universities.»⁽¹⁾

Despite this decision, Baha'i girls went to schools and completed their study and faced the difficulties. A female Baha'i doctor spoke

(1) Interview with a Baha'i woman from Baghdad, April 2016.

about how she completed her university degree although she did not have an identity card. She said that «there were always those who helped us and we did not lose hope. My father was always able to find a way to make me complete one school stage after the other until I graduated from medicine school.»⁽¹⁾ On the conditions of her imprisonment, another Baha'i woman said that she was imprisoned during the period extending from 1973 to 1979. «I was taken out of the university and put in prison and after ten years I was released. I returned to the university and continued my study and graduated as an agricultural engineer. After 2003, laws banning the Baha'i faith were not canceled and we weren't officially able to claim back our religious identity and we still cannot practice our religious rituals publicly, but now we can practice them inside our houses. Despite all these difficulties, we did not allow desperation to live in our hearts.»⁽²⁾

It should be mentioned that the role of minority women has bypassed their narrow society and they have become symbols for women's struggle to obtain their rights and an expression of Iraqi women's aspirations in general. Hanaa Edward, the secretary general of the Iraqi al-Amal Association, is now considered the icon of civil society in Iraq. She is a Christian woman from al-Basra, but women do not see her as a Christian activist as she has always been advocating the causes of all women regardless of their religions and ethnicities and she has devoted her life to defend and advocate the causes of women.⁽³⁾

There are other women who have succeeded in breaking men's monopoly of public affairs, such as Nadia Fadel, director of the Mandaean Endowment Office of the Christian, Yezidi, and Sabean Mandaean Bureau, who is considered the first woman in the history of Iraq to hold the post of general manager of

(1) Interview with a Baha'i woman from Dohuk, April 2016.

(2) Interview with a former Baha'i detained woman, al-Basra, April 2016.

(3) Interview with Hanaa Edward, Baghdad, May 2016.

a religious endowment. This has not happened before in any Islamic, Christian, Yezidi, or other religious group as this position was always reserved for men only⁽¹⁾.

Thawra Yousef is another example of commendable minority women. She is from African origin and she was raised in a popular and artistic environment close to the culture of Iraqis from African origins in al-Basra. She completed her higher university studies and now she has a doctorate degree in popular rituals in al-Basra. She shed light on a culture that had not been studied seriously and academically before. Through her knowledge of the unique culture of Iraqis from African origin, she tried to do what the state and the Ministry of Culture were not able to do. According to her, she tried to collect everything possible about this culture by increasing the number of groups engaged in artistic activities related to it and to open up channels of cultural and artistic dialogue with other cultures through holding workshops. With her work, Thawra was not only trying to preserve the culture of Iraqis of African origin, but also to celebrate this culture as one that «embodies the group's survival culture,» which reflects the survival will of the group, its love to life, and its insistence to continue living and thriving in spite of all kinds of discrimination and neglect. For all these reasons, this culture should continue to survive, become widely spread, and positively impact on the society in general.⁽²⁾

Finally, Nadia Murad, the Yezidi young woman who was able to escape from Daesh after her abduction, the killing of her family, and being raped many times is another model of minority women's struggle. Her courage and her ability to overcome her agony and become the spokesperson of the Yezidi kidnapped women and the oppressed women everywhere should inspire other women. She is a model of the creative ability of women to meet challenges and difficulties during ethnic conflicts.

(1) Interview with Nadia Fadel, the manager of the Mandaean Endowment, Baghdad, April 2016.

(2) Interview with Thawra Yousef, al-Basra, April 2016.

RECOMMENDATIONS

The Iraqi Government and the Kurdistan Regional Government

- The Iraqi government should ensure the enacting of legislations that guarantee the rights of minority women similar to those that guarantee the rights of minorities and laws on anti-discrimination and equality between men and women which should address the different forms of discrimination faced by the women of minority communities.
- Iraq should amend policies that impose restrictions on women and limit their freedom to work, move, wear the clothes they want, choose the spouses they want to marry, along with their freedom to choose their religion and belief.
- It should withdraw its reservations on the Convention on the Elimination of All Forms of Discrimination against Women as these reservations prevent the government from taking steps that would lead to the achievement of all of the aspired aims of the convention.
- It should ratify the Optional Protocol on the Convention on the Elimination of All Forms of Discrimination against Women, which establishes an international mechanism to enable receiving individual complaints.
- It should amend legislations which contain inequality between men and women through a comprehensive review and analysis of these legislations in a manner that

would remove articles that contradict Iraq's international obligations towards women's rights.

- The Iraqi government and the Kurdistan Regional Government should address traditional practices that are harmful to the rights of minority women such as early marriages, female genital mutilation, or revenge acts against women who marry from outside their community or religion.
- The state should punish public officials responsible for discrimination against minority women and train all government personnel on the rights of minority women, non-discrimination, and cases of violence against women to make it easier for minority women to seek justice and ensure non-discrimination against them in public or government departments.
- Domestic violence centers should be aware of the needs of minority women to make those who are victims of this violence feel secure and protected.
- Security forces staff and members should be trained on the conditions of minority women, especially as they are the most vulnerable group to sexual violence as a result of ethnic conflicts. Perpetrators of violent crimes against women, especially crimes of gang rape, kidnapping, sexual exploitation, and human trafficking, which women are often victims of, should be held accountable.
- The return of displaced people to areas from where they were displaced, especially minority areas, should take into consideration the needs of minority women. This should be part of the rebuilding of peace in areas liberated from Daesh.

The Human Rights Commission

- The role of the Human Rights Commission in Iraq has

become more important than before with the cancelation of all other national frameworks which guarantee the rights of women such as the Ministry of Women and the Ministry of Human Rights. For this reason, this report recommends the following:

- Ways should be found to strengthen the institutional frameworks of human rights to guarantee the rights of minority women, such as the High Commission for Human Rights, which lacks a special department that deals with the concerns of minority women. The creation of this department within the Commission could be the first step in this regard.
- The Commission should be encouraged to include in its annual reports on human rights in Iraq the violation of minority women's rights of minority women. It should collect information from the different state ministries and civil society organizations on the conditions of minority women and give recommendations to the Iraqi government to guarantee their rights.

The Religious Establishment

- A joint strategy between the religious establishment in partnership with the government and civil society organizations should be developed in order to improve the status of women from the perspective of religion and traditions and to confront the extremist interpretations that harm the status of women and the diversity of the community. This should include the following:
- The clergy and traditional leaders of minority communities should be encouraged to challenge or correct traditional practices that are harmful to minority women and put measures in place to protect them from these old and

deep-rooted practices in traditional cultures. They should review them logically and comprehensively in a way which takes into consideration equality between men and women before the law and non-discrimination. Examples of these traditional practices are early marriages, depriving women of their inheritance, female genital mutilation, and others.

- Religious authorities should reinterpret religious texts to correct the biased and male-driven interpretations, which lead to the consolidation of social mechanisms that sustain the current status of women and deprive them of their most basic rights such as freedom to travel, work, study in mixed places, or choose their spouses.
- The above reinterpretation of religious texts needs to be linked to the economic and social context of the community. Women liberation dynamics, if associated with the content of religious texts and their interpretations, does not explain the differences in the status of women in a society with the same religious beliefs. Therefore, the reinterpretation of religious texts should also go hand in hand with the development of the economic and social conditions of women in a way that reduces their patriarchal nature and the male dominated structures of power and repression associated with it.
- Interpretations which emphasize equality between women and men – interpretations that are common among religions need to be encouraged. This could contribute to providing an opportunity for a meeting between religions around the central issue of the status of women and their role in the contemporary world. This will at least require that the adopted interpretations contain a reformist outlook from a gender perspective. This is to say that they should present a «religious reformist vision» which rejects the use of sacred texts to justify discrimination and which gives alternative explanations.

- Dialogue and communications between followers of the different religions should not exclude women, the most marginalized group in most religious traditions. Therefore, the targeted sector of any communication process between the followers of the different religions should be expanded by changing it from a dialogue and communication between the religious elites into initiatives for communication and cooperation between representatives of religions and with the participation of women in order to achieve several goals, including the enhancement of the status of women in the various religious traditions.

Non-governmental Organizations

- Non-governmental organizations, working in the field of minority rights, should be encouraged to introduce a gender perspective in their work and to develop programs and projects which highlight the issues of minority women. An example of this is the creation of the minority women's section in the Masarat Foundation (MCMD), which is considered a model giving minority women attention aimed at achieving equality between men and women in Iraqi minority communities.
- Non-governmental organizations should be encouraged to conduct further studies on the conditions of minority women to strengthen the capacity of the government to respond to their needs and to make NGOs working in the field of minority rights arrange their priorities in a way that ensures that they are capable of dealing with challenges facing minority women.
- Non-governmental organizations should design programs to help minority women enhance their role and participation in the various aspects of public life. This should include providing minority women with legal assistance to help

them get their rights easily, organizing special training courses for minority women on leadership and negotiation skills and programs to address cases of discrimination and exclusion these women experience, providing them with social and health care services especially in remote areas, and exposing barriers that prevent them from getting the care they need and enjoying their rights.

The Media

- The media should confront stereotypes about minority women and present a positive image of them in printed materials and on TV and radio programs.
- It should support women by giving them the opportunity to be present in different programs to advocate their own causes and air their views, which are usually neglected by the society and the media. It should reflect the conditions of minority women who are suffering from displacement and highlight the impact of ethnic conflict on their conditions.

The Promotion of the Right to Education

- Special attention should be given to the needs of minority girls in the field of education to ensure that they get educational opportunities similar to others. A debate should be initiated with the traditional forces of the society, such as tribes, families, and representatives of religious communities, who should encourage giving minority women educational opportunities in order to overcome cultural barriers that prevent women from accessing education on an equal footing with others.
- While it is important to address stereotypes and misconceptions about the religions of minorities and their beliefs in the educational curriculum, there is also an equal

and parallel importance to address stereotypes about the role of women in the development of the society and the importance of equality between women and men in all areas. Thus, in the field of education, there should be efforts put on two parallel lines:

- First: The adoption of an educational approach that includes all cultures and which takes into consideration minorities, pays special attention to the pluralistic nature of the society, and highlights the positive contribution of minorities in the society.
- Second: The importance of highlighting the contribution of women because male-made social constraints and cultural barriers which put women in a lower level than men have made their impact on the activation of women's rights, such as their right to political participation and their role in public life in general.
- Providing minority women and their children with equal opportunities in education in their own languages and in the official state languages.

Promoting Women's Participation in Public Life

- The state should guarantee the empowerment of minority women to attain their economic, social, and political rights in order to become active agents of change and part of the decision-making process.
- One of the most important steps is to empower women economically in a manner that changes the stereotype image as workers of certain professions only rather than all professions, to build their capacity to take jobs that break the cycle of marginalization and stereotyping of women, such as encouraging them to work in the security forces, and to take part in the decision-making process in important

and sovereign sectors. In this way, the government sets an example to encourage political parties, non-governmental organizations and the private business sector to make a real change in their traditional concepts and practices that discriminate against women.

- The political participation of minority women needs to be strengthened in ways that put an end to their symbolic and ceremonial participation. Factors that limit their effective participation should be identified and monitored in order to control them and minimize their negative impact on women's participation, such as cultural practices that exclude the participation of women in public life and in decision making centers.
- Mechanisms, procedures, and newly created institutions to increase and enhance the level of political participation of members of minorities should take into consideration the specific needs of minority women. Tangible steps and arrangements that aim at increasing the political participation of minority women and building their capacities to effectively participate in the political life are considered essential entry points to reach meaningful representation of women and equality between men and women in the decision making process on the one hand and between the majority and the minority on the other.

Other Recommendations

It has become necessary to create a regional institution to address the issue of trafficking in women, especially minority women, who have become victims of ethnic conflicts. This step has a significant importance as Daesh has been able to create an infrastructure for slavery and trafficking in women. Among the tasks of such an institution is to provide women with protection and to ensure the return of trafficked women to their original areas

and to their families. Governments in the region, in coordination with this institution, should work together to put an end to this crime and to punish its perpetrators and they should put severe sanctions to deter those who might commit these crimes in the future taking advantage of the weakness of minority women both in peace and conflict times.

