



PROMOTING WOMEN'S POLITICAL PARTICIPATION IN IRAQ



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Introduction

Women in Iraq are still on the sidelines of political life, excluded from decision-making processes and denied input on public decisions and policies. Gender gap indicators are still high, especially in terms of women holding leadership positions.¹ This applies to national political posts in parliament, Government and municipalities, and to the entirety of political spaces such as political parties, political organizations and syndicates.

An unconventional scene has emerged in Iraqi political life: the strong presence of women in the October 2019 popular

protests, which laid bare the contradictions inherent in political and social structures that exclude women from leadership. Despite challenges, it is possible to summarize the reasons for women wanting to participate in political and social movements, which are reshaping the relationship between the State and its structures, on the one hand, and social actors, including women, on the other. Protest movements have produced new forms of political participation, addressing the issues of democracy, inclusion and citizenship. In this context, it is necessary to reflect on the availability of real opportunities for all to partake in political life and assume the responsibility of participating in the decision-making process.²

1 www.ifes.org/sites/default/files/gender_analysis_of_iraq_s_electoral_and_political_process_arabic_october_2019.pdf (in Arabic).

2 Democracy should aim at promoting social complementarity by giving various social categories, such as women, young people, persons with disabilities, ethnic

The Iraq Foundation has commissioned the present paper to understand the gender-based dynamics that hinder women's participation in public life, and to provide recommendations for policymakers and decision makers. The paper falls under the project entitled "Strengthening women's political participation", prepared by the Foundation with support from the United Nations Assistance Mission in Iraq (UNAMI) and technical assistance from the United Nations Economic and Social Commission for Western Asia (ESCWA). The paper determines the forms of cross-cutting issues women face, especially in the midst of the latest events, and identifies the most prominent policies that need to be adopted by international, regional and national entities that can lead to greater and more effective participation by Iraqi women in political life.

Numerous studies have addressed women's participation in politics in Iraq, focusing mostly on elections and representation in decision-making positions. The present paper attempts to analyse women's participation in politics more broadly. It adopts a general definition of political participation as "the activity that directly impacts the work of Government through the implementation of public policies, or indirectly by influencing the group of actors drafting these policies".³ Politics is therefore no longer confined to a specific rigid definition of the percentage of women represented in decision-making positions. It also includes unconventional forms such as participation in demonstrations, marches, protest movements and sit-ins. These unconventional forms challenge the patriarchal perspective of politics, which is confined to winning seats in elections.⁴

The author of the present paper adopted a qualitative research method, which included conducting interviews and organizing focus groups with a number of women political activists, who had either participated in the October 2019 popular protests, or those with previous political experience. The methodology imposes some specific indicators, meaning that the conclusions of the present paper cannot be generalized. The overarching purpose is to reveal the nature of young women activists' latest political participation in Iraq and their experiences of it.

I. Situational Analysis

Obstacles hindering women's participation in politics in Iraq

The October 2019 protest in Iraq introduced major changes in terms of women's participation. Women were at the forefront of protests and leading them, blogging with enthusiasm, covering the revolution

groups and older persons, a legitimate right for active participation in the decisions that affect them. ESCWA, Promoting participatory democracy in the ESCWA region, 2012.

³ Sidney Verba and others, Voice and Equality, Harvard University Press, 1995, p. 38.

⁴ Georgina Waylen, Analyzing women in the politics of the third world, Review of Japanese Culture and Society, vol. 9, December 1997, pp. 4-5.



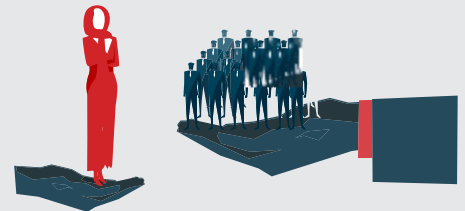
Iraq 2020 - Parliament

In 2020 Iraq ranked 70th worldwide in the number of women parliamentarians

Women occupy

25.5% of seats

84 of **329** seats



Iraq 2020 - Council of Ministers

Women's participation

9%

2 women out of **22** ministers



25%

Iraq 2003 - National Assembly

The year 2003 was a turning point for Iraqi women. The law now stipulates a quota to raise the participation of women.

A quota of **25%**
at least

as journalists, launching multiple social media campaigns, helping in building tents, attempting to protect protesters by shielding them from violent attacks, providing care to the injured, handling logistics, drafting statements, and engaging in various other activities and events.

The 2019 protests were an extension of previous popular protests, which had been ongoing since 2011. Throughout these various milestones, women took to the streets to demand rights, job opportunities and public services, such as electricity and water. They also made political demands directly related to the Constitution, early elections, regime reform and corruption. As citizens, women wish to build a country where they can enjoy their human rights without discrimination.

Despite the diversity of their participation, women have insisted on two principal issues. The first is the fact that the 2019 protests witnessed qualitative and quantitative developments in terms of women's participation, a result of years of women's increasing capabilities and their stances on public affairs. Women participated in previous popular protests in Iraq, albeit timidly and limited to some elites. The second issue highlighted by female activists is the feminist movement, which is an intrinsic part of the popular movement aimed at building a democratic State with full equality and social and economic justice. For these female activists, progress cannot be achieved in women's rights outside the framework of public liberties, equal rights, real democracy, and the rule of law.

1. General political scene

According to political activists who the author spoke with, the political milestones in recent Iraqi history have left their mark on the political system and spaces for political activity, and by extension on attitudes towards women's causes. These milestones, according to female activists, severely impacted the nature of the Iraqi polity, its forms of governance and its related political structures, and negatively impacted women's participation in political life, excluding them from playing active roles.

Female activists claim that political, social and religious systems deliberately exclude women and enshrine historic discrimination against them. The mechanisms of power transfer and decision-making, and participation in drafting policies within parties, syndicates and civil society groups, are usually restricted to men, making women's access to opportunities difficult. The self-contained hierarchy of leadership positions, limited to patriarchal groups, excludes women and exposes the flaws in democratic practices.

The women interviewed for the purpose of the present paper addressed the 2019 protests, which formed unstructured political movements. For some, such unconventional political work should be promoted, since it is rooted in horizontal democracy that makes room for everyone. Female activists who share this opinion agree that religious, sectarian and clan based political parties pose a great challenge. They maintain that existing political patterns undermine the culture of modern civil political work, and thus constitute an obstacle to creating parties that support women.

In this same context, some women activists raised the question of the Law on Political Parties, which failed to produce parties with a modern civil discourse, instead resulting in parties that consecrate



Iraq: Women's representation in parliament following the implementation of the quota law

FIRST SESSION 2006-2010

78 of **275** seats based on quotas,
and **21** seats without quotas

SECOND SESSION 2010-2014

81 of **325** seats based on quotas,
and **15** seats without quotas

THIRD SESSION 2014-2018

83 of **329** seats based on quotas,
and **20** seats without quotas

FOURTH SESSION 2018-2022

84 of **329** seats based on quotas,
and **22** seats without quotas

**These results indicate
the effectiveness
of quotas in securing
women's representation
in parliament.**



Baghdad, 4 November 2020, training for women intending to enter public office

political frameworks that control the State and its resources. In their view, such parties inevitably exclude women, considering them mere election tools instead of political actors. A second group of women activists opposed this view, and stressed the continuous need for parties, since they remained the most prominent political domains. However, they highlighted the need for a new understanding of parties' roles, and to develop their structures and forms. They believe that the latest protests will change the position and status of women in the general political scene in the upcoming years, but insufficiently. In their opinion, there is a need to build on these results by establishing a political feminist leadership that is active, influential and truly representative of people's causes, including those of women.

Women political activists agree on the prevailing fear of working in politics, because they are wary of the 'stigma' attached to individuals, especially women, involved in politics. Political work is perceived by society as tainted by corruption and abuse of power. This is one of the chief challenges to women's participation and involvement in direct political work.

2. Political violence against women: a methodological tool to exclude women

Women active in public life in Iraq are constantly subjected to intimidation, defamation and targeted killings. For instance, in 2018, many female candidates for parliament became victims of fabrication and defamation

campaigns. Political violence could be seen clearly during the 2019 protests, when female activists were subjected to intimidation and harassment on social media. Such attacks attempted to defame protesting women by raising socially sensitive issues, such as honour, reputation, or women activists' relationships with foreign embassies. Moreover, according to some reports, these women faced violence, even murder, for not abiding by stereotypical roles promoted by society and media outlets.⁵ The majority of female activists affirm that violence is a systematic tool used by political forces to create a socially hostile environment for women.

3. Conflict: an unsafe environment for women

For the women interviewed, the deteriorating security situation due to the conflict with ISIL impeded Iraqi women. A large number of female students were prevented by their families from attending school or university. In addition, numerous women had to leave their jobs because they were threatened with death or kidnapping. The kidnapping of women in Iraq terrorized families and hindered women's participation in various sectors. It even escalated to the point of selling kidnapped women as commodities, in and outside Iraq. In addition, religious extremism contributed to restricting women's freedom, especially by imposing dress codes, or subjecting women to violence if they violated the restrictions of extremist groups. Female activists claim that the conflict contributed to creating a misogynist social environment. Despite the adoption by Iraq of a national

⁵ www.ndi.org/sites/default/files/Focus%20Group%20Report%20-%20Dec%202018%20%28Arabic%29.pdf (in Arabic).

action plan to implement Security Council resolution 1325 in 2014, women have been excluded from political negotiations, committees of national reconciliation, and initiatives attempting to achieve civil peace.

4. Separation between feminist and political spheres of discourse

According to feminist activists, the most prominent problem that surfaced in the 2019 protests was that women's issues were seen as a separate and distinct sphere, rather than an integral part of a larger discourse and practice. Female activists agree that historical disregard for gender issues hinders the foundation of a democratic and civic movement, and perpetuates the legacy of political parties and frameworks that claim to uphold equality but fail to mainstream women's issues in the general political discourse. Hence, a number of female activists consider that changing the value systems demands changes to the political and institutional culture, which requires engaged entities and actors, and a new political awareness based on correlating justice and democracy with gender equality. In parallel, female political activists stated that the absence of feminist political leadership needed to be addressed. According to them, Iraq does not suffer from a lack of qualified women or female activists, but the problem lies in the meagre opportunities available to feminist leaders in occupying important political roles and in drafting and implementing public policies.

Female activists believe that separating women's issues from equality and democracy issues impacts the stance of political actors on gender issues. Vacillation and lack of clarity and seriousness in addressing women's participation in politics lead to contradictions. Certain actors in the political arena do not hold a stance on the overall issues of women in Iraq, while others adopt an appearance of equality but refrain from applying it in practice. A third group claimed that women's causes were divided based on political convictions and intellectual stances. Regardless of these positions, activists affirm their belief that gender equality is at the core of building a modern, democratic and fair State.

5. Empowerment mechanisms: enablement from within the system

According to the female activists, political and civil frameworks have failed to create an environment responsive to gender equality. Initiatives aimed at promoting a culture of justice and equality were not framed within organizational structures, work programmes, policies or effective procedures. Political frameworks succeed in promoting empowerment in a

traditional context by enhancing participation as part of existing systems, without working on changing and replacing them with more developed and flexible systems that allow women's participation in the decision-making process. Enablement as a mechanism to move towards women's participation is not solely limited to building and developing skills, but must include the adoption of policies and institutional and legal structures preventing inequality and combatting discrimination. Female activists pursue this argument to shed light on the quota system, which was unsuccessful in their opinion in overcoming the hidden gaps in public structures. Activists perceive the quota mechanism as limited to respecting numbers and percentages, without leading to an awareness of its role in creating change at the level of qualitative and quantitative indicators. Female activists agree that the women who managed to enter parliament are those who represent the opinions of their political blocks, and many failed to represent the demands of Iraqi women or push for public policies favourable to women. Consequently, the quota system has failed to create a feminist political leadership that insists on incorporating women's issues as part of public issues. The female activists gave the example of the draft law against domestic violence, which faced great opposition and was not adopted by women MPs as a shared platform.

6. Women's economic vulnerability: sustainable dependence

Women's weak economic situation in Iraq strongly impacts their participation in public life, although a large number are the main earners in their households. Female activists believe that gender inequality in accessing economic resources consolidates women's dependence on men, making them increasingly vulnerable to violence and exploitation. Discrimination in accessing economic resources and holding higher positions at the economic and productive levels has a great impact on women's lives. In addition, women's dependence in all areas of life is built on class and gender relations. Female activists therefore stress that achieving economic equality results in an important transformation in terms of power relations between genders, in both the private and public spheres. They pointed out that affirmative action was not implemented at the economic level to promote women's economic capabilities.

7. Positive burdens: exclusion from interaction in the public sphere

Men and women share joint responsibilities and burdens in political participation, but the space available for women is narrower, even non-existent, according to women political activists. They believe that women assume the

responsibility of raising children and housework, while men usually provide for the family. These roles render women less able to interact and participate in public life on an equal footing with men. This gender-based division of labour reflects negatively on the roles of women in society, including their role in politics.

8. Value system: the pretext of gaps, capabilities and qualifications

Female activists believe that the balance is always largely tipped in favour of men, providing them with practical expertise denied to women. The limited opportunities available to women prevent them from accumulating knowledge and gaining experience, meaning that they lack understanding of the role of knowledge in determining power relations. Moreover, preconceived attitudes by various political entities that female expertise is meagre is self-justifying. Their political frames and structures take, more often than not, these assumed drawbacks as a pretext to avoid their commitments to provide equal opportunities to women. Political entities do not adopt programmes capable of confronting customs and social and cultural stereotyping of women. As a result, women are absent from leadership positions. Pretexts and justifications include: women lack qualifications, women have to prove themselves, and women do not care about politics. Women activists believe that this stereotypical image has become deeply rooted in women themselves, making them afraid of engaging in political action. There are a number of factors conserving this image, including the media that promotes the image of women as 'victims' or 'commodities', and education curriculums that fail to nurture political awareness based on equal citizenship.

9. Legislative system: failure to protect from violence and discrimination

According to women activists, women and girls from different backgrounds in Iraq are susceptible to violence at home, in school and in public spaces.⁶ Moreover, political strife and armed conflict in the country have increased the level and frequency of violence, with a negative impact on women's lives. The legal framework does not provide sufficient guarantees to preserve and safeguard women's rights. The Constitution provides women equality before the law but does not recognize absolute equality without

discrimination in general. Article 14 states that "Iraqis are equal before the law without discrimination based on gender, race, ethnicity, origin, colour, religion, creed, belief or opinion, or economic and social status". Some other articles in the Constitution even present threats to women's right and equality. The Penal Code falls short in protecting women from all forms of violence, especially sexual violence.⁷ Women in Iraq are still murdered in the name of defending family honour, and the Penal Code legitimizes, as a legal right, the husband's punishment of his wife.⁸ Meanwhile, a law on protection from domestic violence has yet to be adopted. Article 128 of the Penal Code provides for a reduced sentence for perpetrators of honour crimes. Article 409 provides mitigation for a person who surprises his wife or one of her mahrams (close relatives) in the act of adultery and kills or assaults her. This article has been amended in KR-I so that the killing or harming of women under the pretext of honour is not a mitigating factor (Decision No. 59 on 12/4/2000).

10. Pertinent electoral laws: formalistic female representation

For women activists, the electoral law plays a key role. Article 49.4 of the Constitution, which states that "the election law aims to achieve a percentage of representation for women of not less than a quarter of the number of members of parliament," provides a 25 per cent quota for women in parliament, but does not extend the quota to other State offices although article 20 of the Constitution guarantees equality between men and women in political rights. Law No. 36 of 2015 requires political parties to take into consideration female representation when forming parties, but this is not a mandatory requirement. Parties make little effort to develop women's experience in political work, and are satisfied with filling their electoral lists with female candidates to meet the quota requirement. Moreover, parties do not have internal structures that contribute to promoting women's participation, a flaw that has led some to call for changing parties' internal bylaws.⁹ Law No. 11 of 2007 of the Independent High Electoral Commission (IHEC) establishes that women's participation should be taken into consideration in its formation. Nonetheless, the law does not guarantee that women occupy a fair percentage of commissioner seats. Only one woman was represented in the Commission's Council in 2019. Article 3 of the new IHEC law No. 31 of 2019 merely requires that the representation

⁶ <https://iraq.unfpa.org/en/news/call-put-end-violence-against-women-and-girls-iraq>.

⁷ According to article 398 of the Iraqi Penal Code, a verified marriage certificate between the perpetrator and the victim is considered a legally mitigating excuse. If the marriage contract was ended by the husband for no legitimate reason or with a court-sanctioned divorce because of misconduct by the husband, within a three-year period of the sentence, the sentence will be reviewed and increased upon the request of the Public Prosecutor, the victim or any stakeholder.

⁸ www.ohchr.org/EN/NewsEvents/Pages/DomesticViolenceIraq.aspx.

⁹ <https://ar.iraqicivilsociety.org/?p=5991> (in Arabic).

of women should be taken into consideration in the selection of the Council's nine members.

At the regional level, the draft constitution of the Kurdistan region stipulates in article 41 that laws on electing parliament members shall take into consideration the fair representation of the people of Iraqi Kurdistan, and preserve no less than 30 per cent of seats for women's representation in parliament. Article 106 of the

draft constitution related to municipal councils states that the law on municipal council elections shall aim at achieving at least 30 per cent women's representation. The parliament also adopted law No. 2 of 2009 and law No. 4 of 2009 where the percentage of women's participation was set at over 30 per cent of the number of parliament seats, as is the case for members of provincial councils in all of the regions' provinces.

II. Conclusion and Recommendations

The question of women's political participation in all its forms remains an ever-present, highly complicated and interconnected topic. Transformational phases in Iraq constitute a historic opportunity that should be exploited to enshrine universal values, abolish outdated precepts, and consolidate equitable perceptions of women's roles and rights. The current transformation in Iraq places responsibility on the various actors to draft policies and adopt workplans that reframe the role of individuals, especially women, in public life, by providing a legal and institutional framework capable of achieving gender equality in the public sphere. In this context, these various political entities are called upon to place women's issues at the centre of their priorities, as an integral component of a democratic and just system. They are also urged to institutionalize the status of women through practical programmes based on gender equality, benefitting from accumulated knowledge and practice. They are advised to get closer to women, especially the young, to promote their political awareness, and to highlighting women's issues as part of national effort to realize rights and freedoms for everyone without discrimination. There is a need to tackle the issue of women's participation as a priority, to enshrine the values of equality, justice and democracy.

A. Recommendations to the Iraqi Government:

- Ensure the creation of a national mechanism on women rights, promote its institutional capabilities, and provide it with a legal mandate, decision-making power and the human, technical and financial resources needed to work efficiently;
- Draft women-specific strategies aimed at promoting a culture of equality, combatting discrimination and rejecting violence;
- Ensure that gender concepts are mainstreamed in policies, strategies and national measures;
- Dedicate State budget items to managing, developing

and promoting the status of Iraqi women;

- Achieve economic empowerment for women, reduce marginalization and poverty by establishing a new development pattern that reduces gender gaps at the economic level and assists in developing a comprehensive and fair labour market, and guarantee social protection for women;
- Build women's capabilities to run election campaigns and appear on the media;
- Guarantee the provision of electoral funding throughout the various stages of elections;
- Tackle the social factors that prevent women from accessing justice in discriminatory situations, combat traditional stereotypes based on gender, preconceived notions and misogyny, and build support for women's causes on media platforms;
- Take measures to abolish tribal practices that violate human rights by implementing article 45 of the Constitution, which stipulates that "The State shall seek the advancement of the Iraqi clans and tribes, shall attend to their affairs in a manner that is consistent with religion and the law, and shall uphold their noble human values in a way that contributes to the development of society. The State shall prohibit the tribal traditions that are in contradiction with human rights."

B. Recommendations to the Iraqi parliament

- Ratify international treaties and annexed optional protocols;
- Drop remaining reservations to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
- Add a legal text defining gender-based discrimination, ensuring its prohibition in line with article 2 of CEDAW;
- Annul discriminatory provisions in some laws and take the suggested amendments to national legislations

into consideration, revoking all forms of discrimination against women;

- Reconsider the electoral law to guarantee a larger representation of various social groups, especially women, on the basis of justice, by not including those who won a parliamentary seat with the needed votes as part of the quota, and adopt all mechanisms needed to guarantee a higher percentage than the 25 per cent stated in article 49, paragraph 4 of the Constitution;
- Enact amendments to election laws (parliamentary and provincial elections) to include a text on the women's quota with its own list, similar to the minorities list, presented by every political entity in the elections, in addition to its regular list that is mixed, with men and women, according to the order mentioned in the electoral law;
- Amend article 11 of the Law on Parties No. 36 of 2015 by determining the quota of female representation in parties' leadership positions at no less than a third, to guarantee the political empowerment of women, and build their leadership and political capabilities, preparing them to enter the political arena in all its phases;
- Reconsider the structure of IHEC article 3, and add an explicit female quota;
- Approve draft laws and bills aimed at ensuring legal protection to women victims of all forms of gender-based violence, and give priority to women's access to justice;
- Draft a law on protecting women from all forms and types of violence, including a specific text on political violence in line with international standards.

C. Recommendations to party leaders in Iraq

- Develop party platforms from a gender perspective at the national level and internally;
- Place women's issues high on the agenda when deliberating legislation or overseeing government performance;
- Support policies, measures, and decisions that any Government spearheads to empower women and promote their presence in politics;
- Build the capabilities of women involved in parties, raise their political awareness, provide opportunities to accumulate political experience, and assist in building a female leadership within the party;
- Take the necessary measures to expand women's membership in parties and entrust them with significant party responsibilities;
- Promote the gender dimension in organizational and political functions of the party;

- Draft internal policies that take into account the concept of gender discrimination in party membership;
- Allow access to updated qualitative and quantitative data on gender discrimination in party membership;
- Set internal policies and measures to report, investigate and handle harassment and abuse to create a safe space for women in parties.

D. Recommendations to civil society organizations

- Develop messaging that combats stereotypes, preconceived notions and harmful practices against women and political feminist narrative;
- Develop new mechanisms targeting young female activists and contributing to their involvement in public action;
- Initiate networking mechanisms and coordination at the national and regional levels;
- Document, preserve, publish and exchange women experiences;
- Develop feminist solidarity mechanisms among women;
- Build capabilities as part of sustainable programmes, implemented at the national level.

E. Recommendation to the media

- Mobilize the media to play its role in spreading a culture of equality and combatting stereotypical images of women that do not reflect their realities and that undermine their roles in public life;
- Shed light on the accomplishments of women, showing their experience, knowledge, and competence;
- Involve more women, including young women, in media programmes that address political and legislative issues of national importance.

F. Recommendations to the international community

- Ensure that political participation and gender equality are priorities for grant providers to civil society organizations and research and academic institutions;
- Make advocacy of gender equality, mainstreaming of women's issues, and women's meaningful participation in public life an integral part of diplomatic communication with the Iraqi Government;
- Enhance technical skills and provide expertise to State and civic institutions seeking to promote women's political participation and gender equality.