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Women in Iraq: Background and Issues for U.S. Policy

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Summary

The issue of women's rights in Iraq has taken on new relevance, following the U.S.-led invasion of Iraq in 2003, the formation of the Coalition Provisional Authority (CPA), and subsequent U.S.-led efforts to reconstruct Iraq. In the past year, the Bush Administration has stated its interest in ensuring that Iraqi women are involved in the rebuilding and reconstruction efforts in Iraq. There has been a widening debate regarding the extent to which the U.S.-led reconstruction efforts have been able to assist women in Iraq and to incorporate them in plans for a future government.

In recent months, Iraqis, in general, and Iraqi women, in particular, have complained of a volatile security situation which has contributed to a deterioration in their status. According to some observers, this political uncertainty, coupled with a rise in popular religious activism, has called into question the future involvement of Iraqi women in nation building. At the same time, the U.S. Agency for International Development (USAID) reports that there has been extensive progress in the reconstruction efforts targeting women's education and the inclusion of women in local governance. Others note that the Transitional Administrative Law (TAL) signed by the Iraqi Governing Council in March 2004 includes many provisions that advocate women's rights and their inclusion in a future Iraqi government.

The first section of this report provides an overview of Iraqi women's situation under Baathist rule (1968-2003). The second section discusses the position of women since the overthrow of the Baathist regime, examining the role of the Coalition Provisional Authority (CPA). A third section highlights some of the U.S.-led reconstruction efforts targeting women in Iraq. The fourth section outlines significant issues affecting current and future U.S. policy on women in Iraq, focusing on the possible outcomes of a volatile security situation, of indigenous challenges to women's rights, such as the rise of Islamic conservatism, and of the transition to Iraqi sovereignty. A final section will discuss congressional interest in this topic. This report will be updated as events warrant.

Related CRS products include CRS Report RL31339, *Iraq: U.S. Regime Change Efforts and Post-Saddam Governance*, by Kenneth Katzman; CRS Report RS21820, *Iraq: June 30, 2004, Transition to Sovereignty*, by Kenneth Katzman and Jennifer Elsea; CRS Report RL31833, *Iraq: Recent Developments in Reconstruction Assistance*, by Curt Tarnoff; and *Iraq Reconstruction and Supplemental Proposal* (in the CRS Foreign Operations Appropriations Briefing Book), by Rhoda Margesson and Curt Tarnoff.

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Women in Iraq: Background and Issues for U.S. Policy

The issue of women's rights in Iraq has taken on new relevance, following the U.S.-led invasion of Iraq in 2003, the formation of the Coalition Provisional Authority (CPA), and the subsequent U.S.-led efforts to reconstruct Iraq. One of the major questions facing the United States regarding the reconstruction process is the extent to which the United States can help Iraqi women reintegrate into the political, educational, and economic spheres after a long period of decline, exacerbated by three major wars and more than a decade of economic sanctions. Advancing the position of women and committing adequate resources to girls' education have both been linked, on a global level, to the achievement of efficient and stable development, particularly in post-conflict regions. This report will examine the status of women under Baathist rule. It will also discuss the current status of women in Iraq as it relates to long-term developments, including the writing of a new constitution, the incorporation of women in local and national governance, the effect of religious versus secular forces, the growth of the Iraqi economy, the curbing of security concerns, and the role of U.S. and international assistance.

Women under Baathist Rule (1968-2003)

Under the relatively secular Baathist regime, which espoused Arab socialism, women enjoyed certain legal privileges and opportunities that were deemed, by many observers, to be more progressive than other countries in the Middle East. In practice, however, many Iraqi women faced various forms of discrimination and mistreatment. The following is a discussion of women's position in Baathist Iraq.

Education and Labor

In the 1970s and 1980s, Iraqi oil wealth financed a massive social sector expansion, helping build the public services, health, and educational sectors. As part of its program to improve economic development in the country, the secular Baathist government made education compulsory for boys and girls, until the age of 16. The Compulsory Education Law, passed in 1976, allowed for primary school attendance to become nearly universal by the beginning of the 1990s, when it reached 93%.¹ Some scholars argue that in addition to economic motivations, the Baathist regime supported girls' education as part of a deliberate policy to weaken tribal influence. The move challenged the existing kinship structure inherent in Iraqi society, a structure which looked unfavorably on any public role or political participation by

¹ "Situation Analysis of Children and Women in Iraq," United Nations Children's Fund (UNICEF/IRAQ), April 30, 1998.

women. The regime, according to one source, “made it a policy to end women’s isolation from the public sphere through education, work, unionization, and women’s associations.”²

Whether for economic or social reasons, the prominence of Iraqi women in the workforce during the Baathist years was, at least intermittently, an important policy objective. This was especially the case during the Iran-Iraq war in the 1980s when female labor was needed in order to fill the economic vacuum created by the large-scale mobilization of male breadwinners. The special demands on the Iraqi economy during the Iran-Iraq war, according to a United Nations report, led to increases in women’s industrial employment, from 13% in 1987 to 21% in 1993.³ By the same year, female employees constituted 79% of the services sector, 43.9% of the professional and technical sectors, and 12.7% in administrative and organizational posts.⁴ At the same time, women suffered the consequences of serious political repression, a characteristic of Iraqi society as a whole during this period.⁵ Moreover, despite gains in employment, thousands of widowed women were forced to become the sole household caretakers and to deal with the brunt of a decade-long war that imposed an emotional and physical burden on a large sector of the population.

Women and the Government

In 1972, in line with the party’s attempt to consolidate civil institutions under state control, the Baathists formed the General Federation of Iraqi Women (GFIW), also known as the “Iraqi Women’s Federation.”⁶ The GFIW became the only legally sanctioned women’s organization in Iraq. Despite the existence of the GFIW as part of the Baathist state, the participation of Iraqis, in general, and of women, in particular, within the national political discourse was fairly limited. Some sources argue that in reality, “men ran the state apparatus and filled most of the senior management positions as Iraq remained a largely patriarchal society.”⁷

According to a 2003 conference report on women’s role in post-conflict Iraq, the GFIW organization was originally conceived to “ensure that regulations regarding women were complemented by capacity-building and literacy programs, and to

²Shereen T. Ismael, “Dismantling the Iraqi Social Fabric: From Dictatorship Through Sanctions to Occupation,” *Journal of Comparative Family Studies* 35 (2004): 335.

³ “Situation Analysis of Children and Women in Iraq,” *op. cit.*

⁴ *Ibid.*

⁵ Findings and conclusions presented in the *Winning the Peace Conference Report: Women’s Role in Post-Conflict Iraq*, Woodrow Wilson International Center for Scholars, Proceedings of a Forum held on April 21-22, 2003, p. 4.

⁶ For general historical information on the GFIW, see Suad Joseph, “Elite Strategies for State-Building: Women, Family, Religion and State in Iraq and Lebanon,” in *Women, Islam and the State* (Philadelphia: Temple University Press, 1992), pp. 176-200.

⁷Fariba Nawa, “Iraqi Women Debate Future Government,” *WeNews*, July 1, 2003.

sponsor educational programs on women's legal rights."⁸ One scholar hypothesizes that Saddam Hussein (1979-2003) came to support the GFIW, seeing it as a way to break old familial and tribal allegiances while redirecting them towards a Baathist and nationalist focus.⁹ Some estimates indicate that in 1997, 47% of all women in Iraq belonged to the GFIW.¹⁰ Other sources provide a more modest estimate, noting that in the late 1990s, the GFIW had a reported membership of 1.5 million women, in 222 branches across Iraq. Analysts maintain that the GFIW became "a strong force in implementing women's legal claims to land, assuring them access to education"; it also promoted women's rights to marry and divorce and in exchange many women "supported the [Baath] Party just as their leader wished."¹¹

Despite these indications, the lack of women's political involvement in the highest ranks of the Baathist regime is noted by a 1998 report published by the United Nations Children's Fund (UNICEF). The report also indicates that the proportion of women in Iraqi's National Assembly had declined from a high in 1984 of 13.2% to 10.8% in 1990. Moreover, while there were legal provisions guaranteeing women's right to run for Iraqi political parties for local "Popular Councils," the report concludes that these guarantees "did not result in equitable representation in these political institutions."¹²

Deterioration of the Social and Economic Situation (1990-2003)

A number of analysts concurs that, for various reasons, the position of women in Iraqi society rapidly deteriorated following the 1991 Gulf War and the United Nations-imposed economic sanctions (1990-2003). Economic, social, and political restrictions placed extreme strain upon women. While there were no official statistics published on the rate of illiteracy among women, a trend of decreasing literacy was being reported by the Iraqi government during the 1990s. In 2000, the United Nations estimates that adult illiteracy among Iraqi women was approximately 45%, an increase in illiteracy from a reported 25% in 1987.¹³ The economic decline was coupled with a decline in the public education sector. In some cases, young girls were

⁸*Winning the Peace Conference Report: Women's Role in Post-Conflict Iraq, op. cit.*

⁹Elizabeth Fernea, "The Challenges for Middle Eastern Women in the 21st Century," *The Middle East Journal* 54(2000): 187.

¹⁰ "Background on Women's Status in Iraq Prior to the Fall of the Saddam Hussein Government," *Human Rights Watch Briefing Paper*, November 2003, fn. 4, [<http://www.hrw.org/background/wrd/iraq-women.htm>].

¹¹Fernea, "The Challenges for Middle Eastern Women," 187.

¹² "Situation Analysis of Children and Women in Iraq," United Nations Children's Fund (UNICEF/IRAQ), April 30, 1998.

¹³ Compare with the year 2000 statistics for Egypt (33.4%), Morocco (38.2%), and Syria (11.7%). See "Indicators on Illiteracy," United Nations Educational, Scientific and Cultural Organization (UNESCO), [<http://unstats.un.org/unsd/demographic/social/illiteracy.htm>]. The 1987 statistic was reported by UNESCO and cited by Human Rights Watch, "Background on Women's Status in Iraq," *op. cit.*

required to share in the domestic responsibility and to assist their families by earning informal wages, thus their school attendance was curbed.¹⁴ Women endured other hardships under the strict political regime of Saddam Hussein; according to a U.S. Department of State Fact Sheet, Hussein's regime utilized sexual assault and torture to terrorize dissidents and to elicit confessions from female prisoners.¹⁵

It appears that the position of Kurdish women in northern Iraq was somewhat different during this period. Between 1991 and 2003, the Kurdish region was fairly autonomous, protected by the no-fly-zone enforced by U.S., French, and British warplanes. Some argue that as a result, Kurdish-Iraqi women in a better situation than their counterparts, allowing them to be involved in the Kurdistan Regional Government and to form women's organizations and networks that seek greater political and public participation of women.¹⁶ However, in the more traditional and tribal parts of Kurdistan, the custom of "honor killings," as will be discussed shortly, persisted. One news report indicates that with the recent help of dozens of non-governmental organizations (NGOs), this custom might be gradually eroding in the Kurdish areas.¹⁷

Deterioration of the Legal Situation

The 1970 Iraqi Constitution issued by the Baathist regime declared equal rights for all Iraqis, regardless of sex, race, language, social origin, or religion. In 1980, Law No. 55 granted women the right to be nominated to the Iraqi National Assembly. Labor laws also required equal pay, benefits, and promotions for men and women. For the most part, the personal status laws in Baathist Iraq were based on the 1959 Code of Personal Status, which drew on various sources including Islamic law, customary law, and judicial precedence. Under this Code, polygamy was permitted only with the consent of the Muslim courts in Iraq. Compulsory marriage was punishable by law. A wife was entitled to request dissolution of her marriage if her husband did not "fulfil any lawful condition stipulated in [a] marriage contract."¹⁸

In practice, these laws were often not enforced. After the Iran-Iraq war ended in 1988, some sources indicate that a man was able to "divorce his wife without paying compensation, and men were also allowed to marry several wives without consulting current spouses."¹⁹ In the 1990s, the legal situation of Iraqi women began to deteriorate further. In 1990, as part of an effort to gain support from Iraq's tribal

¹⁴ Ibid.

¹⁵"Life Under Saddam Hussein: Past Repression and Atrocities by Saddam Hussein's Regime," April 4, 2003, [<http://www.state.gov/p/nea/rls/19675.htm>].

¹⁶*Winning the Peace Conference Report, op. cit.*, p. 5.

¹⁷A survey commissioned by the Kurdish Women's Union discovered that "382 women [were] known to have been murdered by their families between 1998 and 2002 in the northern half of Kurdish Iraq." See Nicholas Birch, "Efforts pay off to protect Kurdish women," *Christian Science Monitor*, March 3, 2004.

¹⁸See "Iraq, Republic of," [<http://www.law.emory.edu/IFL/legal/iraq.htm>].

¹⁹Rasha Saad, "Women's Fate," *Al-Ahram Weekly*, 19-25 June, 2003.

leaders and religious fundamentalists, Saddam Hussein introduced Article 111 into the Iraqi penal code. This law exempted men from punishment for the practice of “honor killings,” that is if they killed female relatives who had committed perceived sexual improprieties (even if these women were raped). Some reports suggest that Hussein also allowed the observance of a strict interpretation of *shar'ia* law, which called for the stoning death of women as a form of punishment for adultery.²⁰

Women under Post-Baathist Iraq (2003-)

Background

Since the U.S.-led invasion of Iraq in 2003 and the formation of the Coalition Provision Authority (CPA), the Bush Administration has stated its interest in ensuring that Iraqi women are involved in rebuilding and reconstruction efforts in Iraq. An August 2003 “Fact Sheet” issued by the Department of State indicated that:

The U.S. is committed to helping the Iraqi people transition to a sovereign, representative form of government that respects human rights, rejects terrorism and maintains Iraq’s territorial integrity without threatening its neighbors. We recognize that the women of Iraq have a critical role to play in the revival of their country and we strongly support their efforts. They bring skills and knowledge that will be vital to restoring Iraq to its rightful place in the region and in the world. The U.S. will engage with Iraqi women to secure and advance the gains that they have achieved so far.²¹

From the start of the occupation, the Administration has indicated that the CPA is working to advance women’s rights in Iraq.²² There has been a widening debate regarding the extent to which the CPA has been able to assist women in Iraq and to incorporate them in the reconstruction effort. Initially, the U.S. invasion, according to some sources, was welcomed by a number of Iraqi women who felt that the U.S. presence provided them an opportunity to have a greater role in the economic and political future of the country.²³ Since then, many Iraqis, in general, and Iraqi women, in particular, have been concerned over a volatile security situation which has contributed to a rapid deterioration in their status. According to some observers, this political uncertainty, coupled with a rise in popular religious activism, has called into question the future involvement of Iraqi women in nation building. Within this context, the United States has been dealing with conservative religious forces, in an effort to build local alliances. Some of these groups, particularly among the Shiite religious establishment, favor a more restricted role for women within Iraqi society.

²⁰*Winning the Peace Conference Report, op. cit.*, p. 5.

²¹“U.S. Policy on Iraqi Women’s Political, Economic, and Social Participation,” August 7, 2003, [<http://www.state.gov/g/wi/rls/22492.htm>].

²²This viewpoint was enunciated, for instance, by Secretary of Labor Elaine Chao in an editorial, “Iraqi Women Becoming a Powerful Voice,” *Tulsa World*, March 21, 2004.

²³Sharon Behn, “Iraqi Women Hopeful After Years of Horror,” *Washington Times*, February 13, 2004.

Governance

In July 2003, the CPA, headed by administrator L. Paul Bremer, unveiled the 25-member Iraqi Governing Council (IGC). Only three members of the IGC were women and one of them, Akila al-Hashimi, was assassinated in September 2003. She was replaced by another woman Salama al-Khufaji, who joined the other female appointees Rajaa Khuzai and Songul Chapouk. Chapouk is an ethnic Turkoman and a Sunni Muslim, while Khuzai and al-Khufaji are ethnically Arab and Shiite Muslim. Khuzai is a physician who headed a maternity hospital in the southern city of Diwaniyah. Al-Khufaji is from the Shiite city of Karbala and was a professor of dentistry at Baghdad University. Chapouk was a teacher of fine arts in the northern city of Mosul and had previously worked for women's causes.

Some observers have argued that Iraqi women have an inadequate presence in the Iraqi ministries and in the judicial infrastructure.²⁴ In December 2003, Khuzai and Chapouk enunciated their frustrations with the CPA, writing that "women are severely underrepresented in the leadership established for the transition"; they asserted that, "as plans for a new governing structure are developed, the Iraqi Governing Council and the Coalition Provisional Authority should ensure women their rightful place at the decision-making table."²⁵ While this critique seems to represent a viewpoint among some Iraqis, on news source reports that some Iraqi women's activists have also raised concerns that al-Khufaji, Khuzai, and Chapouk - who were appointed by U.S. officials - do not represent their interests and have little power to advance women's causes in Iraq. One women's activist was quoted as saying "They don't represent us. We don't know where they came from."²⁶

This criticism, as some observers have noted, highlights one of the challenges facing U.S. officials working to include Iraqi women in the governing structure. Prior to the formation of the IGC and in response to widespread concern over the inclusion of Iraqi exiles in interim government — concern that stemmed mainly from Iraqis who had lived under the Saddam Hussein regime — administrator Bremer reportedly promised that the IGC would include a wide spectrum of Iraqis and would not be dominated by exiles.²⁷ As a result, one of the problems in appointing local Iraqi women lay in identifying experienced women, who were not affiliated with the Baathist regime, to work within the interim government. As part of its "de-Baathification" policy,²⁸ the CPA abolished the GFIW, which had been the only officially recognized organization for women under Baathist rule. After its collapse,

²⁴ One op-ed indicates that currently there are only seven women judges in Iraq. See Shahin Cole and Juan Cole, "Iraq; Veil of Anxiety Over Women's Rights," *Los Angeles Times*, March 7, 2004.

²⁵ Raja Habib Khuzai and Songul Chapouk, "Iraq's Women are Ready to Lead Absent Voices," December 4, 2003.

²⁶ See Ashraf Khalil, "What Iraqi Women Want," *Buffalo News*, February 22, 2004.

²⁷ Rajiv Chandrasekaran, "U.S. Sidelines Exiles who were to Govern Iraq," *Washington Post*, June 8, 2003.

²⁸ "De-Baathification of Iraqi Society," Coalition Provisional Authority Order No. 1, May 16, 2003 [<http://www.cpa-iraq.org/regulations/CPAORD1.pdf>].

some of the GFIW's top leaders, who had been most closely affiliated with the Saddam Hussein regime, reportedly fled Iraq out of fear of arrest and (or) prosecution. In August 2003, an Iraqi newspaper alleged that Manal Yunus Abd-al-Razzaq al-Allusi, who was president of the GFIW for several years, had escaped to Jordan along with her family, in order to avoid arrest by Iraqis.²⁹ This story remains unconfirmed.

Legal Rights

On December 29, 2003, the U.S.-appointed IGC passed Resolution 137, which would have overruled the Iraqi Family Law that has been in effect since 1959. Resolution 137 would have placed several aspects of family law, including matters of marriage, divorce, and inheritance, under Islamic law. It was reported that "Islamists on the committee [IGC] want to ensure that no law can be passed that contradicts Islamic values. [But] Many women fear that this would reverse the social and legal freedoms gained during decades of secular rule."³⁰ Following protests led by women's groups and pressure by administrator Bremer, the IGC cancelled this resolution.

Despite the concern over women's constitutional rights, there were no Iraqi women on the nine-member committee drafting the Transitional Administrative Law (TAL), which was signed by the IGC on March 8, 2004. The TAL, which under the current plan will serve as Iraq's interim constitution until October 2005, declares equal rights for all Iraqis regardless of gender, ethnicity, religion, or nationality. It considers the Islamic religion as a source, but not the only source, of legislation; also, no provision in the TAL can violate Islamic principles. The TAL also contains a provision calling for a targeted goal of 25% representation for women in the forthcoming transitional National Assembly.³¹ It is unclear whether this provision will remain in effect after power is transferred to Iraqi hands.

Critics of the TAL have listed several concerns with provisions dealing with women's rights. They suggest that the TAL "offers no explicit guarantee that women will have equal rights to marry, within marriage, and at its dissolution; It does not explicitly guarantee women the right to inherit on an equal basis with men; It fails to guarantee Iraqi women married to non-Iraqis the right to confer citizenship to their children."³² Proponents of the TAL point out that in 1990, women constituted less than 11% of Iraq's National Assembly, and that the 25% targeted goal would more

²⁹ "Ex-Women's Union Head 'Bribes' her Way to Jordan," *Al-Da'wah* [Iraqi newspaper], August 13, 2003, supplied by *BBC Worldwide Monitoring*.

³⁰ Michael Howard, "Iraq: Divisions over Islam Delay Moves Towards Sovereignty," *The Guardian*, February 28, 2004.

³¹ "Law of Administration for the State of Iraq for the Transitional Period, 8 March 2004," [<http://www.cpa-iraq.org/government/TAL.html>] *Note*: Originally, the British government proposed a mandatory quota of 25% female representation in the government, an idea that was opposed by the U.S. government.

³² "Interim Constitution Shortchanges Women," *Human Rights Watch*, March 5, 2004, [<http://www.occupationwatch.org/article.php?id=3503>].

than double this proportion. They also note that 25% exceeds the number of women represented in the United States Congress and that the TAL is the only Arabic-language constitution clearly indicating that “gender-specific language,” that is language written in the more commonly used Arabic masculine form, “shall apply equally to male and female.”³³

U.S. Programs Targeting Women in Iraq

Funding

Although figures on total U.S. spending on Iraqi women’s programs are not available, the Bush Administration has launched some initiatives in the past year targeting women. In light of increasing violence in Iraq, it is difficult to assess the extent to which these programs have been sustained.³⁴ While women may benefit from a range of reconstruction and humanitarian programs, there are a few discrete programs that address women’s issues directly.

In conference report language (Conf. Rept. 108-337), accompanying the FY2004 Emergency Supplemental Appropriation (P.L. 108-106, passed in November 2003), which provides \$18.4 billion for Iraqi reconstruction, conferees included \$10 million “to support women’s programs” in Iraq. In February 2004, Deputy Secretary of Defense Paul Wolfowitz announced that “the United States is giving special emphasis to helping Iraqi women achieve greater equality and has allocated \$27 million for women’s programs.” He added that “Education for women is one of the highest priorities, and the United States has committed more than \$86.8 million to education projects, with special emphasis on ensuring that girls are registered and attending school.”³⁵

In March 2004, Secretary of State Colin Powell announced a \$10 million Iraqi Women’s Democracy Initiative, intended to “train Iraqi women in the skills and practices of democratic public life. Programs will include education for democracy, leadership and political advocacy workshops, entrepreneurship projects, media training for women aspiring to careers in journalism, and activities to help

³³ “Law of Administration for the State of Iraq for the Transitional Period, 8 March 2004,” *op. cit.*

³⁴ Iraqi reconstruction funds, in general, have been managed by the U.S. Agency for International Development (USAID), the Department of State, the Department of Defense, the Department of Health and Human Services, and the Department of Treasury. For more information on sector allocations within the FY2004 Emergency Supplemental Appropriation, see [<http://www.congress.gov/brbk/html/apfor38.html>], *Iraq Reconstruction and Supplemental Proposal (in the CRS Foreign Operations Appropriations Briefing Book)*, by Rhoda Margesson and Curt Tarnoff.

³⁵ “Women in the New Iraq,” February 1, 2004, [<http://www.defenselink.mil/speeches/2004/sp20040201-depsecdef0844.html>].

non-governmental organizations build capacity.”³⁶ The Secretary also announced the formation of a “U.S.-Iraq Women’s Network” (USIWN). Iraqi women’s issues and women’s programs have also received an indeterminable amount of funding through other Iraqi reconstruction funds, targeting women in education, local governance, healthcare, and civil society.

Overview of Reconstruction Programs

Since April 2003, USAID has implemented a number of programs targeting women in governance. Some of these initiatives have been managed under the auspices of the Iraq Local Governance Program (LGP), a program intended to provide a foundation for Iraq’s transition to democracy. According to the Research Triangle Institute (RTI International), which has been contracted to work in this sector, the LGP has attempted to deal with the obstacles presented by Iraqi culture to women in governance. The Iraqi Women in Local Governance Group (IWLGG) has been established in order to “enhance the political participation of women through civic education and training and monitoring the progress of female participation in each local government.”³⁷

The LGP also supports and funds initiatives by local women’s groups to develop their own NGOs, civil society organizations, and professional associations. A major component of the project, according to USAID, is to facilitate the participation of women in city councils. Through this program, USAID has held a number of workshops for women throughout Iraq, specifically in cities such as Arbil, Hillah, Karbala, and Baghdad. At these conferences, “international and local participants discuss issues such as Islam, democracy, oppression of women, women’s rights and participation in future elections.”³⁸

USAID has supported accelerated learning programs that are specifically targeted toward girls’ education. These programs are intended to provide girls with life skills and the academic background necessary to return to formal schooling. A USAID report discussing reconstruction accomplishments in March 2004, indicates that USAID has rehabilitated 2,351 schools and trained over 32,000 teachers and education administrative workers. The report indicates that these efforts, “have resulted in children returning to school. Notably, female attendance has surpassed male attendance, and overall attendance during exam week was 97 percent.”³⁹

In trying to encourage the work of NGOs in Iraq, the CPA has worked with USAID in order to build the organizational capacity of NGOs targeting women through training and other assistance programs. Some U.S.-based NGOs have

³⁶ “Secretary of State Colin L. Powell To Announce Iraqi Women’s Democracy Initiative and Creation of the U.S.-Iraq Women’s Network,” March 8, 2004, [<http://www.state.gov/r/pa/prs/ps/2004/30223.htm>].

³⁷ Information provided to CRS by the Research Triangle Institute, March 2004.

³⁸ Ibid.

³⁹ “USAID accomplishments in Iraq Mar 2003 to Mar 2004,” March 18, 2004, [<http://www.reliefweb.int/w/rwb.nsf/s/CEC16D9F9A47731085256E5C0056EE14>].

conducted workshops for women and worked with Iraqi women's organizations on women's rights awareness and skills training. For example, Women for Women International, a U.S.-based NGO, is supporting the development of an NGO community in Iraq and has partnered with agencies and other groups to develop a number of women's centers throughout the country, some of which will provide leadership workshops as well as vocational skills training.⁴⁰

Issues for U.S. Policy

The Bush Administration has continued to assert that the position of Iraqi women has improved following the U.S. toppling of the Saddam Hussein regime. In a speech on March 12, 2004, President Bush indicated that "every woman in Iraq is better off because the rape rooms and torture chambers of Saddam Hussein are forever closed."⁴¹ Nonetheless, a number of concerns has been raised over the past few months regarding the role of women in a future Iraq and the status of U.S. efforts targeting women in Iraq.

Security Issues

There are a number of security concerns affecting not only the involvement of women in the developing Iraqi political system but also the access of ordinary Iraqi women to reconstruction programs. As noted above, IGC member Akila al-Hashimi was assassinated in September 2003. In late March, 2004, gunmen opened fire on a convoy carrying Iraq's female Minister of Public Works Nisreen Berwari, who escaped unharmed. On March 9, 2004, Fern Holland, a 33-year old lawyer and former Capitol Hill staffer from Oklahoma, was murdered, along with her deputy Salwa Ourmashi and coalition press officer Robert Zangas.⁴² Holland worked with the CPA, as the women's rights coordinator in Shiite-dominated areas within southern Iraq. Some have speculated that Holland was targeted for her work in promoting women's rights. The lack of security has been cited as a major obstacle in the progress of reconstruction efforts aimed at advancing women's rights. With the escalation of violence in April 2004, it appears that "many large international aid groups, including most of those with women's programs, have already withdrawn international staff because of attacks against aid workers. Now the few remaining women's groups fear they will be next."⁴³

A delegation of Iraqi women visiting the United States in early March 2004 indicated that progress on women's rights in Iraq was continuously threatened by a

⁴⁰ Women for Women International, [<http://www.womenforwomen.org/owiraq.html>].

⁴¹"President, Mrs. Bush Mark Progress in Global Women's Human Rights," March 12, 2004, [<http://www.whitehouse.gov/news/releases/2004/03/20040312-5.html>].

⁴²A news story states that close to the town of Karbala, "their car [was] forced off the road and machine-gunned. Investigators arrested six suspects, four with valid Iraqi police ID." See Annia Ciezadlo, "After an Advocate's Killing," *Christian Science Monitor*, April 1, 2004.

⁴³Ibid.

precarious security situation and the rise of Islamic factions.⁴⁴ One analyst recently wrote that since the start of the occupation, “life has not returned to ‘normal’ in Iraq. In places where kidnapping occurs frequently, children must be accompanied to schools and women are escorted to the market and have taken to donning *abaya* (body-covering black garments) to ensure greater self-protection.”⁴⁵ Yanar Mohammad, the leader of a secular, Iraqi-based women’s rights group called the Organization of Women’s Freedom in Iraq, reports she has received several death threats from Islamist militia groups, who have “threatened to assassinate her and ‘blow up’ activists who work with her.”⁴⁶

Challenges within Iraq

There are a number of Iraqi cultural beliefs and attitudes that might present challenges to reconstruction efforts targeting women. One of the challenges is related to the extent that Islamic law or *shar’iah* will play a role in a future Iraqi government. As discussed above, there are Iraqi groups — some of which are represented on the U.S.-appointed Governing Council — that are interested in instituting Islamic courts instead of civil courts to oversee matters related to marriage, divorce, and inheritance. These courts would be run by Muslim clerics - all of whom are male.

According to news sources, some Iraqi women’s groups fear that “individual religious judges would impose Saudi- or Iranian-style rulings that strip women of rights they enjoyed under Saddam’s more-secular government.”⁴⁷ Some analysts are concerned that the growing religious conservatism within Iraqi society is threatening women who are liberal, secularist, and non-Muslim or those Muslim women who do not wish to be ruled by a religious-based law. There is also concern among Kurdish-Iraqi women’s groups who feel that the strides made during years of relative autonomy (1990-2003) could be threatened by the fast-growing conservative religious tide. Many Iraqi women have complained that they have been forced to wear a head scarf and reports indicate that in the southern Iraqi city of Basra, Christian female university students have also been pressured to don head scarves.⁴⁸

Other Iraqi women’s groups, however, point out that Islamic law is not inherently against women. A Baghdad-based group called the Islamic Women’s Movement notes that “Islamic scriptures accord women considerable rights — inheriting property, for example, or declining an unwanted husband. They say it’s the way male authorities interpret those writings that keeps women from exercising

⁴⁴“The Role Of Women in the Emerging Government and Society of Iraq,” event on March 8, 2004, Woodrow Wilson International Center for Scholars.

⁴⁵Anita Sharma, “Women in Iraq: Between Fear and Freedom,” March 12, 2004, [<http://www.opendemocracy.net/debates/article-2-95-1776.jsp>].

⁴⁶ Houzan Mahmoud, “An Empty Sort of Freedom,” *The Guardian*, March 8, 2004.

⁴⁷ Paul Wiseman, “Iraqi Women Juggle Freedom,” *USA Today*, March 8, 2004.

⁴⁸ “Iraq: Female Harassment from Religious Conservatives,” *Integrated Regional Information Networks (IRIN)*, April 14, 2004.

them,” adding that teaching women their rights under Islam would help end injustices against them.⁴⁹

Some recent studies have shown that there is some degree of indigenous resistance to women’s involvement in governance or to women having equal rights, particularly in the more traditional and Shiite-dominated region of southern Iraq. One study of southern Iraq indicated that most Iraqi men and women do not give full support for women’s civil and political rights, “including freedom to move about in public and to participate in government.”⁵⁰ The study mentions that “lack of support for such rights for women may be related to implementation considerations, such as inadequate numbers of teachers, employment opportunities, and safety issues, among others.”⁵¹ This may not reflect the opinion of Iraqis towards women in other regions of Iraq. Women in the northern Kurdish region, as discussed above, have experienced greater freedom and more opportunities for political involvement in the past several years. The attitude of Iraqis towards women in larger urban centers, such as Baghdad, has yet to be investigated and might also reflect a range of opinions on women’s rights.

Threats to Reconstruction Programs

It is difficult to generalize about the status of the reconstruction programs in Iraq, because the country’s political and social landscape is diverse. However, some assessments of U.S. reconstruction programs have called into question the extent to which CPA and USAID programs have been effective in improving the lives of Iraqi women, especially considering the uncertain security situation. One recent survey by Christian Aid, a UK and Ireland-based charity, indicated that poverty in Iraq, particularly among women and children, has been exacerbated by “insecurity, crime, economic uncertainty, unemployment, inadequate public services and poor housing.”⁵² The survey states that in parts of Baghdad, “children’s education is being severely disrupted. Almost two-thirds of school-age children in the families surveyed were not attending school full time. The reasons given included poor standards of education, dilapidated school buildings and children forced to work to boost family income.”⁵³ A poll conducted by the Institute for Civil Society Studies, an Iraqi NGO, indicated that serious security concerns have hindered women’s access to healthcare facilities. The problem is especially visible in southern Iraq, in the Shiite-majority city of Basra, where many women have suffered from the long-term effects of war,

⁴⁹ Annia Ciezadlo, “A Religious Awakening,” *Newsday*, February 19, 2004.

⁵⁰ Lynn Amowitz, et. al., “Human Rights Abuses and Concerns About Women’s Health and Human Rights in Southern Iraq,” *Journal of the American Medical Association* 291 (2004): 1477.

⁵¹ *Ibid.*

⁵² “Life ‘worse’ for many of Iraq’s poor, survey reveals,” *Christian Aid*, April 16, 2004, [<http://www.reliefweb.int/w/rwb.nsf/s/2560AADB2607EEFC1256E7C00317D2E>]

⁵³ *Ibid.*

beginning with the Iran-Iraq war in the 1980s, and are in desperate need of medical care.⁵⁴

Some analysts have observed that recent terrorist attacks have focused on civilian targets, making civilian employees working on the reconstruction effort for the CPA or NGOs targets for violence or kidnaping. Despite this trend, according to USAID and NGOs, several reconstruction programs are still fully operational and continue to serve the needs of many Iraqis, including women and children. In some cases, while foreign NGO workers may have left Iraq, the NGO offices themselves have continued to operate with the help of newly-trained Iraqi staffers.

Women and the Transition to Iraqi Rule

The handover of government to Iraqis has been promised by the Bush Administration and is scheduled to take place on June 30, 2004. The Administration's plans to handover sovereignty would place strict limits on the new Iraqi government, "including only partial command over its armed forces and no authority to enact new laws."⁵⁵ In the long run, however, what is of major concern to proponents of women's rights is whether any future Iraqi government would maintain or enforce those constitutional provisions that support the rights of Iraqi women. It appears that the biggest challenge to Iraqi women in the upcoming months will be seeking to voice their opinions in a future government, when they have already struggled to gain a voice within a U.S.-appointed government dominated by men.

Some regard the exclusion of Iraqi women in the writing of the TAL as a worrisome sign for the future, raising the question of whether women will be involved in the writing of a new constitution. Other questions have been raised about the enforcement of current and future laws that provide equality for women. Even if a future Iraqi constitution contains progressive provisions for women's rights, some analysts are concerned that, "in fact a number of Arab states actually have similar constitutional rights. The problem comes -as is the case in the U.S., Europe and elsewhere-not so much in the written law as in its implementation."⁵⁶ The issue of preparing Iraqi women for future elections and for helping them attain the targeted goal of 25% of the seats in a new National Assembly is of immediate relevance, as is the question of how women's rights will be affected if religious conservatives are given greater voice in a new Iraqi government. Moreover, some proponents have argued that in order to ensure that women are well-integrated in the nation-building

⁵⁴ "Women afraid to seek healthcare in south," *Integrated Regional Information Networks (IRIN)*, April 5, 2004.

⁵⁵ Steven R. Weisman, "White House Says Iraq Sovereignty Could be Limited," *Washington Post*, April 23, 2004.

⁵⁶ Phyllis Bennis, "Talking Points: The Iraqi Constitution," March 16, 2004, Institute for Policy Studies, [<http://www.globalpolicy.org/security/issues/iraq/election/2004/0316talkingpoints.htm>].

process, their role in rebuilding the Iraqi economy must be institutionalized through support for equal access to economic and financial resources.⁵⁷

Congressional Interest

The issue of women in Iraq has been a focus of congressional interest in the past year. In May 2003, a bill “expressing the sense of Congress that the United States should provide assistance for women and women’s organizations in Iraq in order to strengthen and stabilize the emerging Iraqi democracy” was introduced as H.Con.Res. 196. In November 2003, a bill “commending Iraqi women for their participation in Iraqi government and civil society, encouraging the inclusion of Iraqi women in the political and economic life of Iraq, and advocating the protection of Iraqi women’s human rights in the Iraqi Constitution” was introduced as H.Con.Res. 342. Both bills have been referred to the House Committee on International Relations. In March 2004, two Members took the initiative to form the Iraqi Women’s Caucus, with the intension of improving Iraqi women’s lives and supporting women to gain access to educational and professional opportunities. In S. 2144, introduced in February 2004 as the Foreign Affairs Authorization Act FY2005, includes a section stating the “sense of Congress that the rights of women in Iraq, including their full participation in government and society, should be protected following the transfer of sovereignty to Iraq in June 2004.”

⁵⁷ “Building a New Iraq: Women’s Role in Reconstruction: Findings and Conclusions,” *Women Waging Peace*, November 19, 2003, [<http://www.wilsoncenter.org/news/docs/findings1103.doc>].

