

Fact Sheet: Sexual and Reproductive Health and Rights in Iraq



Iraq (officially: the Republic of Iraq) is a country in Western Asia with a population of 38 million.¹ The main ethnic groups are Arabs (75-80% of the population) and Kurds (15%); in addition, there are many smaller ethnic groups such as the Assyrians and Turkmens. The official languages are Arabic and Kurdish. 99% of the population is Muslim (Shia 60%-65%, Sunni 32%-37%) and 0.8% is Christian.²

Current situation in Iraq

Various forces have violently competed for power in Iraq after the US-led invasion of 2003, and governments have struggled to hold the country together since US forces left in 2011.³ Iraq's 2005 Constitution recognises an autonomous Kurdistan region in the north of the country, run by the Kurdistan Regional Government.⁴ The current conflict between the extreme jihadist group Islamic State and government forces (including allied militias) takes a heavy toll on civilians.⁵ Islamic State has executed numerous civilians and forced women into sexual slavery.

Sexual and Reproductive Health and Rights (SRHR)

The findings in this fact sheet are based on various studies and reports, and existing rules and regulations in Iraq regarding Sexual and Reproductive Health and Rights (SRHR). This fact sheet is intended as a summary of relevant data gathered from available and reliable sources; it does not claim to be complete.

Sexual violence

The law criminalises rape (but not spousal rape), with a maximum sentence of life imprisonment if the victim dies.⁶ The law allows authorities to drop a rape case if the perpetrator marries the victim. There are no reliable estimates of the incidence of rape. Due to social stigma and retribution against both the victim and perpetrator, victims of sexual crimes do not usually report them to authorities. There is no specific law against sexual harassment, but there is a law prohibiting sexual relations outside marriage. This includes rape or sexual solicitation that may occur during sexual harassment. In 2015, the Iraqi Media Women Forum revealed results of its national survey on sexual harassment, noting that 77 per cent of women surveyed reported harassment, and 91 per cent of harassed women said that local traditions and customs prevented them from seeking justice through the legal system.

Family planning, abortion

In Iraq, the total fertility rate was 4.6 births per woman in 2014.⁷ The adolescent fertility rate (births per 1,000 women aged 15-19) was 83, i.e. the number of adolescent women who give birth is relatively high.⁸ About 51% of married women aged 15-49 use a method of contraception.⁹ Modern methods of contraception are used by 33% of women, while 18% use traditional methods. The pill is the most common modern contraceptive used (15%) in Iraq, followed by the intra-uterine device (IUD) used by 10%. Less common methods include female sterilisation (3%), injections (3%) and male or female condoms (2%) Among the traditional methods, the most common contraceptive

¹ <https://en.wikipedia.org/wiki/Iraq>

² <https://www.cia.gov/library/publications/the-world-factbook/geos/iz.html>

³ <http://www.bbc.com/news/world-middle-east-14544541>

⁴ <http://www.bbc.com/news/world-middle-east-28147263>

⁵ <https://www.hrw.org/middle-east/n-africa/iraq>

⁶ <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dclid=252925>

⁷ <http://data.worldbank.org/indicator/SP.DYN.TFRT.IN?locations=IQ>

Rutgers is an international centre of expertise on Sexual and Reproductive Health and Rights (SRHR) founded and based in the Netherlands, but operating at both a national and an international level. We envisage a world where all people are able to make their own sexual and reproductive choices, free from discrimination, coercion and violence.

Rutgers uses the definition of SRHR developed by the WHO: "Sexual health is a state of physical, emotional, mental and social well-being in relation to sexuality; it is not merely the absence of disease, dysfunction or infirmity. Sexual health requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence. For sexual health to be attained and maintained, the sexual rights of all persons must be respected, protected and fulfilled." Sexual rights include: the right to the highest attainable standard of sexual health; to sexuality education; to consensual sexual relations; and to decide whether, and when, to have children.

⁸ <http://data.worldbank.org/indicator/SP.ADO.TFRT?locations=IQ>

⁹ http://reliefweb.int/sites/reliefweb.int/files/resources/MICS4_Iraq_Preliminary_Report_Eng.pdf

¹⁰ <https://www.womenonwaves.org/en/page/4836/abortion-law-iraq>

¹¹ <http://www.emro.who.int/irq/programmes/hiv-aids.html>

¹² [http://files.unaids.org/en/dataanalysis/knowyourresponse/countryprogressreports/2012countries/ce_IQ_Narrative_Report\[1\].pdf](http://files.unaids.org/en/dataanalysis/knowyourresponse/countryprogressreports/2012countries/ce_IQ_Narrative_Report[1].pdf)

¹³ http://reliefweb.int/sites/reliefweb.int/files/resources/MICS4_Iraq_Preliminary_Report_Eng.pdf

¹⁴ <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252925>

¹⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/545939/CIG_Iraq_FGM.pdf AFG_narrative_report_2014.pdf

¹⁶ <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252925>

method is withdrawal (14%); only two per cent of women rely on the lactational amenorrhoea method as a contraceptive method, and only one per cent on periodic abstinence. Abortion is illegal except to save a woman's life (Penal Code of 19 August 1969).¹⁰

STDs/HIV

The prevalence of HIV in Iraq is currently less than 0.1% of the population, but associated vulnerability and risk factors continue to increase as a result of liberalised trade relations and increased drug use.¹¹ As of December 2014, less than 100 people living with HIV were reported. However, no (systematic) HIV testing is done among key populations at higher risk, such as sex workers, men who have sex with men and injecting drug users.¹² Widespread stigma and discrimination, extreme social marginalisation, as well as sometimes (severe) physical violence against these groups keeps them from seeking HIV testing for fear of being exposed. Thus, reliable data on these groups are not available and these groups are severely underrepresented in the national HIV/AIDS statistics. Knowledge of HIV prevention methods is very low, with significant differences between urban and rural areas.¹³

Child marriage

The legal minimum age of marriage is 15 with parental permission and 18 without parental permission.¹⁴ The government makes few efforts to enforce the law. Traditional forced marriages of girls as young as 11 continue to take place, particularly in rural areas. In a study in 2011, UNICEF found that six per cent of girls are married by 15, and 24 per cent are married by 18. Girls between the ages of 11 and 18 told UNICEF that early marriage was the primary obstacle to completing their education. Early and forced marriages, as well as abusive temporary marriages, are more prevalent in IS-controlled areas.

Female Genital Mutilation (FGM)

FGM mainly occurs in the Iraqi Kurdistan Region; studies have found that 41-72% of women and girls there have experienced the procedure.¹⁵ Some studies show that FGM also occurs in other parts of Iraq, although it is far rarer than in Iraqi Kurdistan.

Sexual orientation

No law specifically prohibits consensual same-sex sexual activity, although the law prohibits sodomy, irrespective of gender.¹⁶ There are no data on prosecutions for sodomy. Authorities use public indecency charges or confessions of monetary exchange (that is for prostitution, which is illegal) to prosecute same-sex sexual activity. LGBTI persons also often face abuse and violence from family and their social environment. Neither hate crime nor antidiscrimination laws exist, nor do other criminal-justice mechanisms exist to aid in the prosecution of crimes motivated by bias against members of the LGBTI community.