

## CEDAW Shadow Reports: Process, Method, and Content

**Event:** Regional Roundtable Discussion

**Date, Place:** June 2-3, 2012, Rotana Hotel, Erbil – Iraq

**Concept:** Prof. Nadjé Al-Ali, Suzan Aref, Dr. Martin Beck

**Organization:** Prof. Nadjé Al-Ali, Women Empowerment Organization, Konrad Adenauer Stiftung Amman

### 1. Program Overview

**Saturday, June 2, 2012**

#### Welcome Speeches

Suzan Aref

Director  
Women Empowerment Organization  
Erbil – Iraq

Dr. Martin Beck

Resident Representative  
Konrad Adenauer Stiftung Amman  
Amman – Jordan

Prof. Nadjé Al-Ali

Centre for Gender Studies  
SOAS  
University of London  
United Kingdom

#### Background & Aims of the Roundtable

Prof. Nadjé Al-Ali

Centre for Gender Studies  
SOAS  
University of London  
United Kingdom

#### History and Goals of CEDAW Shadow Reports

Afaf Jabiri

Women's Rights Activist  
Jordanian Women's Union  
Amman – Jordan

Dr. Azza Solaiman

Women's Rights Activist  
The Center for Egyptian Women's Legal Assistance  
Cairo – Egypt

Konrad-Adenauer-Stiftung e.V.

**Presenting the 2011 Iraqi CEDAW Report**

AUSLANDSBÜRO JORDANIEN

Ta'mine Alazawi

Legal Consultant  
Relief International  
Baghdad – Iraq

June 2-3, 2012

**Formulating Questions in Relation to the Government Report**

WARREN ALTOUNIAN  
DR. MARTIN BECK

**Sunday, June 3, 2012**

**Developing the CEDAW Shadow Report: Main Concerns, Processes, and Difficulties**

[www.kas.de/amman](http://www.kas.de/amman)

Liza Hido

Director  
Baghdad Women Association  
Baghdad – Iraq

Suzan Aref

Director  
Women Empowerment Organization  
Erbil – Iraq

Hanaa Edwar

Director  
Iraqi Al Amal Organization  
Baghdad – Iraq

Hanaa Hamood

Director  
Rafidain Women Coalition Association  
Baghdad – Iraq

**Writing the Jordanian CEDAW Shadow Report**

Afaf Jabiri

Women's Rights Activist  
Jordanian Women's Union  
Amman – Jordan

**A Thematic Report: Gender-based Violence in Egypt**

Dr. Azza Solaiman

Women's Rights Activist  
The Center for Egyptian Women's Legal Assistance  
Cairo – Egypt

**Working Groups: Developing the Iraqi CEDAW Shadow Report: Evidence-based Research**

**Future Steps and Action Plan**

Konrad-Adenauer-Stiftung e.V.

AUSLANDSBÜRO JORDANIEN

June 2-3, 2012

WARREN ALTOUNIAN  
DR. MARTIN BECK

[www.kas.de/amman](http://www.kas.de/amman)

## 2. Objective

The Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) was passed by the UN General Assembly in 1979. Considered to be the bill of rights for women, the convention is a comprehensive document which details standards and methods of incorporating gender equality. One of the most important monitoring provisions within it is the requirement for signatory states to conduct research and develop periodic reports on the status of gender equality in the country. To measure the government's performance and accuracy, CEDAW also calls for a shadow report to be written after the government submits its findings. The role of civil society is pivotal in producing the shadow report because it is responsible for holding the government accountable; verifying the accuracy of its assertions, and providing recommendations which seek to raise awareness of new gender issues and ways to address old ones.

Iraq became a signatory member of CEDAW in 1986, and during Saddam Hussein's regime it produced three CEDAW periodic reports (the second and third reports were later combined into one). Although the UN's CEDAW Committee reviewed the reports and made recommendations, the prohibition of effective civil society organizations in Iraq made writing of shadow reports impossible. In 2011, Iraq produced its first post-Saddam era government report. Thus the opportunity for civil society to write a shadow report and authenticate the veracity of the government's report is unprecedented.

In cooperation with Women Empowerment Organization, Konrad Adenauer Stiftung Amman organized the two-day roundtable in Erbil, Iraq to discuss ways to strengthen the quality of research and methods of writing Iraq's first CEDAW shadow report. It was the fourth meeting in a series of Iraqi women's advocacy roundtables – with the previous meetings taking place in Amman and Beirut. Iraqi NGOs and academics, and regional experts came together to discuss

the methodology of writing CEDAW shadow reports. The roundtable aimed to develop links between civil society and academics focusing on gender issues in Iraq and the Middle East. Furthermore, it highlighted practical strategies for researching and writing reports by drawing on the experiences of those who had done so previously.

Aims of the meeting:

1. To promote links and synergies between civil society activists and academics interested in women's & gender issues in Iraq and the region.
2. To help develop and build on existing regional communities of interest as information-exchange forums.
3. To develop strategies for capacity building for evidence based research on women's and gender issues.
4. To develop practical strategies to help the researching for and writing of Iraqi CEDAW shadow reports.
5. To foster knowledge transfer between regional and Iraqi researchers and activists.

## 3. Details

### Welcome Speeches

**Suzan Aref** congratulated the group for its first convening in Iraq. She extended gratitude to those who traveled from throughout the region and within the country to exchange ideas and discuss writing Iraq's first CEDAW shadow report.

**Dr. Martin Beck** credited Suzan Aref and Dr. Nadjé Al-Ali for their efforts in organizing the roundtable. He noted the highly pragmatic nature of the discussion – more so than the previous meetings in Amman and Beirut. Dr. Beck went on to note that at times governments do not report problems adequately, or tend toward reporting their own policies in a positive light. From the point of view of civil society, this is not appropriate. According to Dr. Beck, CEDAW shadow reports provide the opportunity to raise the major issues and crises women experience. Shadow reports are a useful, technical tool for implementing

Konrad-Adenauer-Stiftung e.V.

AUSLANDSBÜRO JORDANIEN

June 2-3, 2012

WARREN ALTOUNIAN  
DR. MARTIN BECK

[www.kas.de/amman](http://www.kas.de/amman)

human and women's rights that require explicit knowledge on how to write and implement them.

**Dr. Nadjé Al-Ali** contextualized the conference as a facilitative meeting between Iraqi academics and NGOs. It is important to bring regional expertise, such as Arab CSOs and people working in gender studies, to the table to exchange related experiences. But, she explained, such exchanges do not exist in a vacuum; therefore, drawing on the experiences of others will increase capacity where it is needed.

#### **Background & Aims of the Roundtable**

**Dr. Nadjé Al-Ali** provided an introduction to the basic principles of CEDAW and an overview of 1998 Iraqi government report.

As an international human rights convention, CEDAW is considered to be the bill of rights for women. It sets forth an agenda for action regarding gender equality in all aspects of life. Until the late 1960s, all activities of the UN were inadequate in protecting women. CEDAW was the first comprehensive international convention which secured women's rights. It is not a perfect solution, as discrimination persists everywhere. Although many aspects of discrimination occur in the intimate family-sphere, systemically, gender is linked to other aspects of women's identity (ethnicity, religion, political affiliation, etc.). The convention aims to protect women not only in and before the law, but also in the exercise and enjoyment of human rights. Thus, CEDAW calls for the abolition of so-called cultural traditions that discriminate against women.

In October 1982, the CEDAW Committee held its first meeting. By 2007, 185 member states had ratified or exceeded the convention – not in all cases, however, does ratification beget compliance. Iraq ratified CEDAW in 1986, but made reservations on Article 2 and Article 16 of the convention – the former deals with discrimination by the state, while the latter deals with equity in

marriage. This action effectively negated the principles of the convention, rendering it ineffective on Iraqi policies.

The Iraqi government's CEDAW report of 1998 was produced by the General Federation of Iraqi Women. The report praised the government's actions, stating it "implemented legislative reforms with regard to the personal status law." It is likely that the government used the opportunity for its own gain. The report was mostly rhetorical strategy, and lacked a true assessment of what was happening on the ground. "Naming and shaming" is one of the main purposes of all shadow reports.

In 2000, the CEDAW Committee asked for statistical data on violence against women and the response of police, social workers, and healthcare workers. In addition, they recommended that help hotlines and shelters be established for women. These recommendations are 12 years old and more relevant to Iraqis now than ever before. Under the previous regime there was no free civil society; therefore, the opportunity to produce a shadow report is unprecedented for the country.

#### **History and Goals of CEDAW Shadow Reports**

**Afaf Jabiri** began by stating that before CEDAW, women were not seen as equal actors in political and civil institutions, particularly in the Middle East.

The convention was the result of the global need to show women's equality through declaration. Women continue to suffer from discrimination, thus traditional beliefs must be challenged not only in the law but also in society.

CEDAW requires gender equality through a mandatory quota for positions in the public sector – providing women with a temporary, positive bias to close the gap between them and men in society. In Jordan, for example, the quota is 5% for special procedures. But reform on paper does not solve the problems. Protection of women's rights has

Konrad-Adenauer-Stiftung e.V.

**AUSLANDSBÜRO JORDANIEN**

June 2-3, 2012

**WARREN ALTOUNIAN  
DR. MARTIN BECK**

[www.kas.de/amman](http://www.kas.de/amman)

to be active and official – substantive equality is with the law, society, and reality. Consensus on what to address must be reached internally within the CEDAW Committee, before approaching the state.

The UN's CEDAW Committee undergoes a six-step process when reviewing the status of a signatory state:

1. The state submits its report.
2. The CEDAW Committee presents the state with a list of issues and questions based on concerns raised in the report.
3. The state submits its written replies to the list of questions.
4. The CEDAW Committee and state engage in a dialogue session.
5. The CEDAW Committee issues its concluding observations and recommendations on the state's report.
6. Procedures are taken to follow up on implementation of the committee's recommendations.

**Dr. Azza Solaiman** discussed the goals of Egypt's shadow report and the difficulties its writers experienced while producing it.

Initiating change requires challenging political and legal institutional barriers which are difficult to overcome. One major challenge Egypt faced was fundamentalism, not solely on a religious level. The rule of law is almost nonexistent; when one discusses democracy, there is little mention of women's issues due to both political and religious tyranny. Because international treaties are vague, there needs to be explicit constitutional text to implement change. Redistributing financial resources toward women's advocacy and training is crucial to counter the problems they confront.

**The discussion session** provided an opportunity for the participants to identify what they viewed as the biggest challenges Iraq faces, and what they want to focus on for the shadow report.

One participant stated that Iraq is underdeveloped when it comes to women's rights. If a woman faces discrimination in the West, she can go to the courts for help.

In Iraq it is a dual system: Islamic and Western laws. How can change be implemented when there are contradicting laws?

Another participant considered the thousands of international workers being imported to Iraq for illicit activities and how CEDAW could be used to protect them.

Dr. Sabbah, from Salahaddin University, contested that Iraq needs new laws which address its approach to women in order to promote a change of ideology on women's rights.

The issue was raised that although anti-domestic violence laws have been passed by the Kurdistan Regional Government, they are not implemented in the courts.

Another problem is limited access to well-sourced information. There are few independent media outlets, as most of them are politicized; and without accurate information, criticism of the government can easily be refuted.

**Presenting the 2011 Iraqi CEDAW Report**

**Ta'mine Alazawi** briefly overviewed the difficult process of writing Iraq's first CEDAW report since the fall of Saddam Hussein and then opened the floor to the participants to address specific questions.

The Ministry of Human Rights was instrumental in writing the report and international organizations like United Nations Assistance Mission for Iraq (UNAMI) were integrated because of their expertise.

There were many shortfalls in developing the report, namely:

1. Differences of technical training between government ministries.
2. Lack of training on gathering statistics.
3. Shortage of statistical sources.
4. Inadequate knowledge and experience of CEDAW on the part of government ministries.

Konrad-Adenauer-Stiftung e.V.

AUSLANDSBÜRO JORDANIEN

June 2-3, 2012

WARREN ALTOUNIAN  
DR. MARTIN BECK

www.kas.de/amman

5. Dependence on the statistical research of others, causing further delays.

With regard to the Kurdistan region, indicators showed many positive developments in recent years. Most figures came from official reports directly from the ministries.

#### Questions and Comments in Relation to the Government Report

Dr. Martin Beck stated, that based on Ms. Alazawi's presentation, there is a lack of appropriate statistics and suggested that the academics of the group start a research project to meet this need. Furthermore, it could be argued that because the Iraqi government is obligated to write a proper report, it would be in violation of its international commitments if it declined to support academic research projects. But to do so would require lobbying the government, and convincing a ministry to support this would take a core group of 5-10 people. The report needs the government's support from the very beginning so it cannot be rejected if the statistics are unfavorable to the government's actions. The government will try to delegitimize even the best statistics in a report unless they are involved in the process from the beginning. Dr. Beck suggested that a university that is independent of the state should assist in the research.

One participant recommended conducting a population census to survey women's health and social status in the country. Another participant asserted that as long as the reports go unanswered they are not useful. She stated that there are statistics of women being abused in the southern and central regions of the country who need psychological counseling.

Ta'mine Alazawi said that in writing the report, the government was generally uncooperative. Her group also requested assistance from academics, which went unheeded, making it difficult to find external support.

Dr. Nadjé Al-Ali commented on one participant's statement that there has been an increase of honor killings and suicide in recent years. Dr. Al-Ali said that perhaps there is not an increase in either – rather they are being reported and documented far better now.

#### Day Two

#### Developing the CEDAW Shadow Report: Main Concerns, Processes, and Difficulties

**Hanaa Edwar** presented the experiences of Iraqi Al Amal Baghdad Women's Network and the Institution of Iraqi Women which both received training on writing shadow reports in 2008.

The situational instability made it difficult to collect information in Baghdad, and the information that was able to be gathered often contradicted other data. Data collected from the government was used as the basis of their research and the foundation of the report. They also incorporated witness testimonials and other indicators. The report they produced prompted the government's report in 2010.

**Hanaa Hamood** focused on Iraq's main issues affecting the country in its post-war state.

The United States' occupation had dramatic consequences: While the democratization process brought many women into decision making positions, most women in parliament serve as "decorations" and are not effectual.

**Liza Hido** reported that Iraqi organizations have a problem with writing shadow reports, despite having been trained by a Norwegian organization on CEDAW.

Six organizations met in Baghdad to focus on gender based violence; the group suggested translating the report into English but need expertise on making it presentable. The report needs to be reviewed, redrafted, and re-written. Ms.

Konrad-Adenauer-Stiftung e.V.

AUSLANDSBÜRO JORDANIEN

June 2-3, 2012

WARREN ALTOUNIAN  
DR. MARTIN BECK

[www.kas.de/amman](http://www.kas.de/amman)

Hido expressed the need for more training to review and write in a better fashion, in addition to legal consultation.

**Suzan Aref** highlighted the positive outcome of these workshops – namely the unification of 6 organizations working toward similar goals – but reminded the group that information should be shared from Basra to Sulaymania in order to give a full picture of Iraq.

The different organizations responsible for writing different parts of the CEDAW report submitted their findings by email – everything was stitched together without cohesion, poorly translated, and out of order. The report was sent to academics and it was not reviewed. This suggests that either the report is perfect or that it is largely being ignored. It was sent to the United Nations Assistance Mission in Iraq, but there were internal discrepancies over certain parts of the report. This is the current state of affairs; however, many lessons of cooperation were learned at this preliminary stage.

#### **Writing the Jordanian CEDAW Shadow Report:**

**Afaf Jabiri** discussed the report Jordan presented to the United as a reference to women's status in the country.

The report was meant to be a local product. Deciding whether to do a shadow report or a specialized report was another point of contention. Their findings discovered that 77% of Jordanian women accept violence in one form or another. Thus, in one way, the report aimed to end subjugation to religious laws. The most important lesson, however, was the importance of having an accurate translation. As the authors and supporting organizations of the report generally read Arabic only, the message can be lost when it is translated and presented to the UN. The committee also worked closely with the media, distributing its progress as it developed.

#### **A Thematic Report: Gender-based Violence in Egypt**

**Dr. Azza Solaiman** discussed Egypt's 2010 CEDAW report.

At the time there were many governmental reports that did not appear suspicious or inaccurate. A network of 23 organizations unified to produce the report and collaborated with governmental bodies. The process became highly complicated due to conflicting egos and a lack of willingness to compromise – a major lesson learned for future cooperation in writing reports of this nature.

#### **Working Groups: Developing the Iraqi CEDAW Shadow Report: Evidence-based Research**

The group discussion covered a variety of logistical issues and general concerns in producing thematic and shadow reports.

One issue was whether or not writing the report should be funded or done on a voluntary basis. The contention was made that funding overhead costs was necessary for the smaller organizations.

A participant stated that political instability is the biggest challenge to Iraq. When the Ministry of Women's affairs was introduced, the excitement of its potential was overshadowed by disappointment in its inefficacy. There was, however, a successful conference with the Ministry of Labor and Social Affairs – which aimed to fight problematic laws. Thus, by looking at different scenarios, the group found that inconsistency is the main issue in dealing with the Iraqi government.

Afaf Jabiri recommended the group submit one thematic report and one shadow report. In doing so, Dr. Nadje Al-Ali suggested utilizing individuals from various specializations including legal experts, people on the ground, statisticians, writers, academics, and media experts. Despite the deep security issues, the group must work



Konrad-Adenauer-Stiftung e.V.

**AUSLANDSBÜRO JORDANIEN**

**June 2-3, 2012**

**WARREN ALTOUNIAN  
DR. MARTIN BECK**

[www.kas.de/amman](http://www.kas.de/amman)

to incorporate representatives from the entirety of Iraq.

Dr. Beck recommended that when writing the thematic report to focus on things that are not be covered by the government in an appropriate or adequate manner. It is highly likely that the government will report the successes of new laws; therefore the thematic report should focus on issues not relating to the laws, rather, those issues that the government will ignore.

#### **Future Steps and Action Plan**

The participants were divided into work groups to draft an action plan in moving forward. The results below are the proposed subjects and areas of focus for the CEDAW shadow report and thematic report.

Objective: To write a specialized thematic report focusing on the content of CEDAW and draw from United Nations Security Council Resolution 1325 – which emphasizes the need to gender-mainstream security.

The reports shall discuss following:

1. The government's interest in promoting programs related to women's issues.
2. The efficacy of the government in reducing the dominance of traditional law in state practice.
3. Whether or not the government intends to ratify the Optional Protocol and lift its reservations on some provisions of CEDAW.
4. What action the government is taking to empower the Ministry of Women's Affairs and other relevant actors.
5. What indicators exist which suggest violence against women is decreasing, as the CEDAW report suggests.
6. What legal or social protection is being offered to prevent trafficking of women.
7. The government's role to promote legislation which is in line with international conventions and treaties.
8. The government's role in preventing harassment and exploitation of female workers.
9. The government's intention to reduce early-marriage and provide education, employment, and healthcare to women and girls in rural areas.

10. The effect of economic sanctions imposed by the UN Security Council on Iraqi women.
11. The effect of the U.S. occupation on women.
12. Women's participation in democratization during the transitional period.

Conducting the necessary research for the reports requires mobilization of the Iraqi Women's Network – comprised of over 90 organizations spread across the country. They will reach out to specialized academics in economics, politics, psychology, statistics, sociology, and law; and female specialist figures: lawyers, women from the media, judges, and women in healthcare. They will form an action plan by assigning tasks to different workgroups, laying out a timeline to complete each task, organizing follow-up meetings, and writing sub-reports to assess performance.

Ultimately, the goal is to hold a national conference which will display the efforts and results of the reports. This will also serve as an opportunity for the government to apply their recommendations and strengthen ties between the Iraqi's and the CEDAW Committee.

#### **4. Conclusion**

The discussion, case studies, and testimonies all indicated that the road ahead will be arduous for the Iraqi organizations. Internal struggle between the organizations and inconsistent cooperation from the government will be major challenges to overcome. In a positive light, however, the participants recognized what they face, and are thus better prepared to meet those challenges.

Several times during the two-day roundtable, United Nations Security Council Resolution 1325 was mentioned. On April 9-10, 2012, KAS Amman and WEO organized a conference on Resolution 1325. The resolution aims to gender mainstream security by involving women at all levels of negotiations, peacekeeping, and conflict resolution. Combined with CEDAW, the two UN documents are capable of fighting



**Konrad-Adenauer-Stiftung e.V.**

**AUSLANDSBÜRO JORDANIEN**

**June 2-3, 2012**

**WARREN ALTOUNIAN  
DR. MARTIN BECK**

**[www.kas.de/amman](http://www.kas.de/amman)**

discrimination in every facet of life. Linking CEDAW and Resolution 1325 could be highly useful when approaching international organizations for support, including the UN.

The report on UNSCR 1325 can be found at the link below.