



## Security Council

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### Working Group on Children and Armed Conflict

#### Conclusions on children and armed conflict in Iraq

1. At its 89th meeting, on 8 January 2020, the Security Council Working Group on Children and Armed Conflict examined the third report of the Secretary-General on children and armed conflict in Iraq ([S/2019/984](#)), which covers the period from 1 July 2015 to 30 July 2019 and was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. The Permanent Representative of Iraq to the United Nations also addressed the Working Group.
2. The members of the Working Group welcomed the report of the Secretary-General, in accordance with Security Council resolutions [1612 \(2005\)](#), [1882 \(2009\)](#), [1998 \(2011\)](#), [2068 \(2012\)](#), [2143 \(2014\)](#), [2225 \(2015\)](#) and [2427 \(2018\)](#), and took note of the analysis and recommendations contained therein.
3. The members of the Working Group expressed deep concern at the scale and nature of violations and abuses against children affected by the armed conflict in Iraq during the reporting period, in particular the abhorrent violations and abuses and the extreme violence committed by the Islamic State in Iraq and the Levant (ISIL). They also expressed support for the stability, prosperity and security of Iraq, in particular in the light of the territorial victory of Iraq over ISIL, welcomed the finalization of the national child protection policy of Iraq and its commitment to develop an action plan on ending and preventing the recruitment and use of children by the Popular Mobilization Forces and discussed the development of a national prevention strategy for all six grave violations against children affected by armed conflict. They discussed several other issues, including the situation of children in detention for association or alleged association with ISIL, the drafting of a comprehensive child rights law, the issuance of civil documentation, accountability for violations and abuses against children, reintegration programmes, rape and other forms of sexual violence, children born of rape and the child protection capacity and efforts of the United Nations Assistance Mission for Iraq (UNAMI) in support of the Government of Iraq.
4. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions [1612 \(2005\)](#), [1882 \(2009\)](#), [1998 \(2011\)](#), [2068 \(2012\)](#), [2143 \(2014\)](#), [2225 \(2015\)](#) and [2427 \(2018\)](#), the Working Group agreed to the direct action as set out below.

#### *Public statement by the Chair of the Working Group*

5. The Working Group agreed to address a message, through a public statement by its Chair, to the following:



*All parties*

(a) Reaffirming the importance of the stability, prosperity and security of Iraq for the people of Iraq, the region and the international community, in particular in the light of the territorial victory of Iraq over the Islamic State in Iraq and the Levant (ISIL);

(b) Expressing grave concern at and its strongest condemnation of the scale and nature of violations and abuses that have been committed against children in Iraq during the reporting period, and urging all parties to immediately end and prevent all violations of applicable international law involving the recruitment and use of children, killing and maiming, rape and other forms of sexual violence, abduction, attacks on schools and hospitals and denial of humanitarian access and to comply with their obligations under international law;

(c) Calling upon all parties to further implement the previous conclusions of the Working Group on Children and Armed Conflict in Iraq ([S/AC.51/2011/6](#) and [S/AC.51/2016/2](#));

(d) Stressing the importance of accountability for all violations and abuses against children affected by armed conflict and calling on Iraq to continue to address impunity by, inter alia, efforts to strengthen its national accountability mechanisms, including by ensuring that all those responsible for violations and abuses against children are brought to justice and held accountable without undue delay, including through timely and systematic investigation and, as appropriate, prosecution and conviction; and welcoming in this respect the establishment, pursuant to Security Council resolution [2379 \(2017\)](#), of the United Nations Investigative Team to Promote Accountability for Crimes Committed by Daesh/Islamic State in Iraq and the Levant to support the domestic efforts of Iraq to hold ISIL accountable by collecting, preserving and storing evidence in Iraq of acts that may amount to war crimes, crimes against humanity and genocide by ISIL in Iraq;

(e) Expressing deep concern at and its condemnation of the recruitment and use of children in violation of applicable international law; strongly urging all parties to release immediately and without preconditions all children associated with them, to hand them over to relevant civilian child protection actors in coordination with the respective Iraqi authorities and to end and prevent the further recruitment and use of children; expressing concern about the deprivation of liberty of children for their association or alleged association with armed forces or armed groups or for the association or alleged association of their parents or relatives, including with armed groups who are designated by the Security Council as terrorist, and urging all parties to the conflict to treat associated children, including those who may have committed crimes, primarily as victims of recruitment and use, to work to ensure their full reintegration through family- and community-based reintegration programmes, including access to health care, psychosocial support and education programmes, as well as raising awareness and working with communities to avoid stigmatization of these children and facilitate their return, to provide access to the United Nations to all detention centres and any other facilities, in which children are held, in coordination with the respective Iraqi authorities, and to ensure that, where children face prosecution for allegedly committing crimes, those prosecutions are carried out with respect for the rights of the child; and urging the relevant parties and Governments, including the countries of origin of foreign children deprived of liberty in Iraq, to cooperate with the United Nations and the Iraqi authorities to seek rights-based durable solutions, taking into account the principle of the best interests of the child;

(f) Expressing grave concern at the high levels of children killed and maimed as a direct or indirect result of hostilities during the reporting period, of incidents of indiscriminate attacks against the civilian population, including those involving shelling and aerial bombardment, of improvised explosive devices and explosive remnants of war, and of extrajudicial killings, torture and physical ill-treatment; and calling upon all parties to respect their obligations under international humanitarian law, in particular the principles of distinction, proportionality and precaution, as well as the prohibition of indiscriminate attacks;

(g) Expressing deep concern at cases of rape and other forms of sexual violence perpetrated against girls and boys, in particular by ISIL, during the reporting period, and urging all parties to take immediate and specific measures to put an end to and prevent the perpetration of rape and other forms of sexual violence against children;

(h) Strongly condemning the attacks on schools and hospitals in violation of international law during the reporting period and calling upon all parties to comply with applicable international law and to respect the civilian character of schools and hospitals, including their personnel as such, and to end and prevent disproportionate or indiscriminate attacks or threats of such attacks against those institutions and their personnel as well as the military use of schools and hospitals in violation of applicable international law;

(i) Strongly condemning the denial of humanitarian access, and calling upon all parties to allow and facilitate safe, timely, and unhindered humanitarian access to children, including to children in internally displaced persons camps or detention independent of their legal status, consistent with the humanitarian principles of humanity, neutrality, impartiality and independence, to respect the exclusively humanitarian nature and impartiality of humanitarian aid, to respect international humanitarian law and to respect the work of all United Nations agencies and their humanitarian partners without adverse distinction;

(j) Underlining the importance of the implementation of the 2030 Agenda for Sustainable Development, recognizing that a strong focus is needed on combating poverty, deprivation and inequality to prevent and protect children from all violations and abuses in the context of armed conflict in Iraq and to promote the resilience of children, their families and their communities and the importance of promoting education for all and peaceful and inclusive societies for sustainable development, and calling on the international community to remain strongly committed to providing support to Iraq for its humanitarian, stabilization, reconstruction and development efforts;

#### *The Islamic State of Iraq and the Levant*

(k) Condemning in the strongest possible terms the abhorrent violations and abuses and extreme violence committed against children, including children belonging to religious and ethnic minorities, by ISIL, including their killing and maiming, recruitment and use, abduction, rape and other forms of sexual violence, attacks on schools and hospitals and denial of humanitarian access, noting that such violations and abuses may amount to war crimes or crimes against humanity,

(l) Urging ISIL to immediately:

(i) Cease all attacks directed against civilians and civilian objects, including those resulting in the killing and maiming of children, and comply fully with international humanitarian law by, inter alia, putting an end to any targeting of the civilian population, especially children, as well as to disproportionate and indiscriminate attacks in populated areas, including through terror tactics,

attacks by suicide bombers or any other forms of extreme violence or the indiscriminate use of weapons, in particular improvised explosive devices, and any use of weapons prohibited by international law;

(ii) Cease and prevent the recruitment and use of children in violation of applicable international law, including through abduction, end the military training of children and release without preconditions all children who remain under their control;

(iii) Cease the rape and other forms of sexual violence, such as child, early and forced marriage, sexual slavery and human trafficking for sexual exploitation, including against children belonging to ethnic and religious minorities;

(iv) Cease the abduction of children and all violations and abuses committed against abducted children, including girls, and release without preconditions all abducted children, including those whose whereabouts remain unknown, and allow for swift family reunification in the best interests of the child or provide information as to their fate if no longer alive;

(m) Strongly condemning the denial of humanitarian access, including through attacks against humanitarian personnel and facilities, and stressing that the denial of humanitarian access, including by deliberately impeding humanitarian access, can constitute a breach of international humanitarian law;

#### *The Government of Iraq*

(n) Recognizing the efforts by the Government of Iraq to address the security threats and challenges in maintaining law and order in the country;

(o) Stressing that the Government retains the primary responsibility for the protection of civilians, including children, noting in this regard that Iraq is a State party to the Convention on the Rights of the Child, including its Optional Protocol on the involvement of children in armed conflict, and noting in this regard, in all actions concerning children, the best interest of the child must be a primary consideration;

(p) Welcoming the dialogue on an action plan on ending and preventing child recruitment and use by the Popular Mobilization Forces (PMF) and the significant decrease in cases of child recruitment and use by the PMF and government forces; calling on the Government to release children associated with the PMF, to ensure their reintegration in cooperation with civilian child protection actors and to engage with tribal mobilization groups and religious leaders; and calling on the Government, including through engagement with the United Nations, to develop a comprehensive national strategy to prevent all six grave violations against children affected by armed conflict;

(q) Welcoming the adoption of the national child protection policy of Iraq in December 2017, with a focus on preventing child recruitment and use and ensuring the release of children; calling for its full and effective implementation; welcoming the steps taken towards the development of a comprehensive child rights law, inter alia criminalizing child recruitment; and calling for its swift adoption;

(r) Calling upon the Government, without prejudice to children's association or alleged association with armed groups, to issue civil documentation, such as birth certificates and identification cards, so as to enable children to have access to public assistance and basic services, including access to formal schooling, and to identify practical solutions to overcome existing administrative and security barriers; welcoming the Government's special administrative process to register children born of rape; and encouraging its deployment, without delay, at the national level;

(s) Calling upon the Government, in close coordination with and with the support of the United Nations and relevant child protection actors, to ensure the reintegration of children formerly associated with parties to the conflict, including children associated with ISIL, and to treat them primarily as victims;

(t) Calling upon the Government to consider non-judicial measures as alternatives to prosecution and detention that focus on the reintegration of children formerly associated with armed forces and armed groups, including psychosocial support; and calling upon the Government to comply with its obligations under the Convention on the Rights of the Child, taking into account that the deprivation of liberty for children should be used only as a measure of last resort and for the shortest appropriate period;

(u) Expressing grave concern over the allegations of torture and ill-treatment of children in detention for association or alleged association with armed groups or on national security charges, and recalling the international obligation of the Government to ensure adherence to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

(v) Urging the Government to strengthen the provision of and access to specialized and gender-sensitive services for victims of rape and other forms of sexual violence in armed conflict, including those from ethnic and religious minority groups, and to fight and prevent the stigmatization of victims, and stressing the importance of accountability for those responsible for sexual and gender-based violence against children;

(w) Stressing the importance of accountability for all violations and abuses against children, and urging the Government to end impunity by ensuring that all such perpetrators, including members of its own security forces and PMF, are brought to justice without undue delay through timely and systematic investigation and, as appropriate, prosecution and conviction, and to exclude those found guilty from any government security forces;

(x) Calling upon the Government to ensure that all children, irrespective of their perceived status or affiliation, benefit from humanitarian access without discrimination and according to the principles of humanity, neutrality and impartiality and independence, including by reducing bureaucratic impediments to access.

6. The Working Group agreed to address a message, through a public statement by the Chair of the Working Group, to community and religious leaders:

(a) Emphasizing the important role of community and religious leaders in strengthening the protection of children affected by armed conflict;

(b) Urging community and religious leaders to strengthen community-level protection and to publicly condemn and continue to advocate ending and preventing violations and abuses against children, in particular those involving the recruitment and use of children, killing and maiming, rape and other forms of sexual violence, attacks and threats of attacks on schools and hospitals, abductions and denial of humanitarian access, and to engage with the Government, the United Nations and other relevant stakeholders to support the reintegration of children affected by armed conflict in their communities, including by raising awareness to avoid stigmatization of these children.

### **Recommendations to the Security Council**

7. The Working Group agreed to recommend that the President of the Security Council transmit a letter addressed to the Government of Iraq:

(a) Recognizing the efforts by the Government of Iraq to address the security threats and challenges in maintaining law and order in the country;

(b) Reaffirming the importance of the stability, prosperity, and security of Iraq for the people of Iraq, the region and the international community, particularly in the light of the territorial victory of Iraq over ISIL;

(c) Stressing that the Government retains the primary responsibility for the protection of civilians, including children, noting in this regard that Iraq is a State party to the Convention on the Rights of the Child, including its Optional Protocol on the involvement of children in armed conflict, and other relevant human rights and international humanitarian treaties, including the prohibition of torture, and noting in this regard, in all actions concerning children, the best interest of the child must be a primary consideration;

(d) Welcoming the establishment of the interministerial committee on grave child rights violations in November 2017 and its resumption of activities in July 2019, and calling on it to continue its cooperation with the United Nations country task force on monitoring and reporting, and welcoming further the continued cooperation between the Government of Iraq and the Special Representative of the Secretary-General for Children and Armed Conflict;

(e) Welcoming the dialogue on an action plan on ending and preventing recruitment and use by the Popular Mobilization Forces (PMF) and the significant decrease in cases of recruitment and use by the PMF and government forces; calling on the Government to release children associated with the PMF, to ensure their reintegration in cooperation with civilian child protection actors, and to engage with tribal mobilization groups and religious leaders; and calling on the Government, including through engagement with the United Nations, to develop a comprehensive national strategy to prevent all six grave violations against children affected by armed conflict;

(f) Welcoming the adoption of the national child protection policy of Iraq in December 2017, with a focus on preventing child recruitment and use and ensuring the release of children; calling for its full and effective implementation; welcoming the steps taken towards the development of a comprehensive child rights law, inter alia criminalizing child recruitment, and calling for its swift adoption; and calling on the Ministry of Defence to develop and enforce age verification procedures for recruitment by government forces and Government-affiliated armed groups;

(g) Calling upon the Government, without prejudice to children's association or alleged association with armed groups, to issue civil documentation, such as birth certificates and identification cards, so as to enable children to have access to public assistance and basic services, including access to formal schooling, and to identify practical solutions to overcome existing administrative and security barriers; welcoming the Government's special administrative process to register children born of rape and encouraging its deployment, without delay, at the national level;

(h) Calling on the Government to comply with its obligations under international humanitarian law, international human rights law and international refugee law, to ensure the protection of civilians and to ensure that the rules of engagement of all security forces, including Government-affiliated armed groups, include child protection measures;

(i) Calling upon the Government, in close coordination with and with the support of the United Nations and relevant child protection actors, to ensure the reintegration of children formerly associated with parties to the conflict, including children associated with ISIL, and to treat them primarily as victims;

(j) Calling upon the Government to consider non-judicial measures as alternatives to prosecution and detention that focus on the reintegration of children formerly associated with armed forces and armed groups, including psychosocial support; urging the Government to treat these children, including children who may have committed crimes, primarily as victims of recruitment and use, to provide unimpeded, regular and confidential access to children in detention for the United Nations in coordination with the respective Iraqi authorities, and to ensure that, where children face prosecution for allegedly committing crimes, those prosecutions are carried out with respect for the rights of the child as well as international standards of due process and fair trial guarantees; and calling upon the Government to comply with its obligations under the Convention on the Rights of the Child, taking into account that the deprivation of liberty for children should be used only as a measure of last resort and for the shortest appropriate period;

(k) Expressing grave concern over the allegations of torture and ill-treatment of children in detention for association or alleged association with armed groups or on national security charges, and recalling the international obligation of the Government to ensure adherence to the prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

(l) Urging the Government to strengthen the provision of and access to specialized and gender-sensitive services for victims of rape and other forms of sexual violence in armed conflict, including those from ethnic and religious minority groups, and to fight and prevent stigmatization of victims, and stressing the importance of accountability for those responsible for sexual and gender-based violence against children;

(m) Stressing the importance of accountability for all violations and abuses against children, and urging the Government to end impunity by ensuring that all such perpetrators, including members of its own security forces and the Popular Mobilization Forces, are brought to justice without undue delay through timely and systematic investigation and, as appropriate, prosecution and conviction, and to exclude those found guilty from any government security forces;

(n) Noting that violence in Iraq during the reporting period exposed children to violations and abuses, resulting in intense psychological distress and trauma, and urging the Government to strengthen reintegration programmes, including access to education, mental health and psychological programmes to address the needs of children;

(o) Calling upon the Government to ensure that all children, irrespective of their perceived status or affiliation, benefit from humanitarian access without discrimination and according to the principles of humanity, neutrality and impartiality and independence, including by reducing bureaucratic impediments to access, and that children in detention benefit from specific individualized care and protection, including access to food, to medical and psychosocial care and to fundamental rights and services, including international standards of due process, as well as fair trial guarantees;

(p) Inviting the Government to keep the Working Group on Children and Armed Conflict informed of its efforts to implement the recommendations of the Working Group and the Secretary-General, as appropriate.

8. The Working Group agreed to recommend that the President of the Security Council transmit a letter to the Secretary-General:

(a) Welcoming the efforts of his Special Representative for Children and Armed Conflict, the United Nations Assistance Mission for Iraq (UNAMI) and the

United Nations Children's Fund to highlight the plight of children affected by armed conflict in Iraq, and welcoming their efforts to strengthen child protection in Iraq;

(b) Requesting the Secretary-General to ensure that the country task force on monitoring and reporting in Iraq and other relevant United Nations agencies continue their engagement and efforts to support the Government of Iraq to address violations and abuses committed against children in Iraq;

(c) Recognizing the importance of the monitoring and reporting of violations and abuses against children, and requesting the Secretary-General to ensure the continued effectiveness of the monitoring and reporting mechanism on grave violations against children in situations of armed conflict, as established by the Security Council in its resolution [1612 \(2005\)](#) and further developed in subsequent resolutions;

(d) Requesting the Secretary-General to ensure support for the mandate of UNAMI to assist the efforts of the Government of Iraq to strengthen child protection, including the rehabilitation and reintegration of children, to continue to give priority to the child protection capacity of UNAMI and to ensure that information and analysis on the six grave violations against children affected by armed conflict are specifically included in his future reports, in line with relevant Security Council resolutions.

9. The Working Group agreed to recommend the following to the Security Council:

(a) To continue to ensure that the six grave violations against children affected by armed conflict continue to be taken into consideration by the Security Council, including when reviewing the mandate of UNAMI and its activities;

(b) To ensure the continuation of and support for the mandate of UNAMI to assist the efforts of the Government of Iraq to strengthen child protection, including by ensuring the continuation of and support for the child protection capacity of UNAMI, especially with regard to monitoring and reporting on violations and abuses committed against children in armed conflict, as well as preventing such violations and abuses, including through training on and mainstreaming of child protection;

(c) To communicate the present document to the Security Council Committee pursuant to resolutions [1267 \(1999\)](#), [1989 \(2011\)](#) and [2253 \(2015\)](#) concerning the Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities.

#### **Direct action by the Working Group**

10. The Working Group agreed to send letters from the Chair of the Working Group to the World Bank and other donors as follows:

(a) Stressing the critical child protection needs in Iraq, and calling upon the international community to support the Government in implementing national programmes and initiatives to enhance the protection of children and to support monitoring and reporting activities by the United Nations and its partners to inform and identify child protection priorities and enhance child protection programming;

(b) Emphasizing the importance of international support towards enhancing the institutional capabilities of the Government, and in this regard calling upon the World Bank and donors to consider providing flexible, timely and sufficient funding and support to the Government of Iraq towards strengthening the protection of children affected by armed conflict, including:

(i) Supporting the implementation of the national child protection policy and sustainable multisectoral release and reintegration programmes, that are gender- and age-sensitive, for all children formerly associated with parties to the



conflict, including access to health care, psychosocial support and education programmes, as well as raising awareness and working with communities to avoid stigmatization of these children and facilitate their return, for all children formerly associated with parties to the conflict, emphasizing the importance of socioeconomic reintegration and the need to support viable and sustainable alternative livelihoods in order to prevent the re-recruitment of children;

(ii) Supporting the provision of access to adequate health care, emphasizing the importance of continued investment in service delivery and mental health and psychosocial programmes addressing the needs of children affected by armed conflict;

(iii) Supporting the provision of and access to specialized services for child victims of sexual violence in armed conflict, including timely and non-discriminatory medical and psychosocial assistance to child victims, including from ethnic and religious minority groups, of rape and other forms of sexual violence committed in armed conflict;

(c) Inviting the World Bank and donors to keep the Working Group informed on their funding and assistance efforts, as appropriate.

## Annex

[Original: Arabic]

### **Statement by the Permanent Representative of Iraq to the United Nations to the Working Group on Children and Armed Conflict regarding the report of the Secretary-General on children and armed conflict in Iraq (S/2019/984)**

8 January 2020

Iraq appreciates efforts made by the Security Council Working Group on Children and Armed Conflict, chaired by the Mission of Belgium, in drafting the recommendations. It expresses its gratitude to Virginia Gamba, the Special Representative of the Secretary-General for Children and Armed Conflict, for documenting the grave violations and acts of aggression committed by the Islamic State in Iraq and the Levant (ISIL) terrorist organization against civilians and children in Iraq contained in the report of the Secretary-General issued on 23 December 2019 (S/2019/984), and highlighting the brutality of those crimes, which include the murder of civilians and children, and their torture, recruitment, abduction, use as human shields, and coercion into carrying out suicide missions among civilians. The report documents that organization's use of chemical weapons and its bombing and demolition of buildings, including hospitals and schools. While Iraq welcomes some of the progress that has been made in cooperation with the Office of the Special Representative, it would like to call for an increase in that cooperation and also to express its observations on certain paragraphs in the report, as follows:

1. The report uses the term "parties to the conflict", which is an inaccurate usage in terms of international jurisprudence. The provisions of the 1899, 1907, 1929 and 1949 conventions do not define the concept of non-international armed conflict. That term was not defined until the adoption of Protocol II of 8 June 1977 additional to the Geneva Conventions, which is applicable to conflicts "which take place in the territory of a High Contracting Party between its armed forces and dissident armed forces or other organized armed groups". That characterization does not apply to the current situation in Iraq for several reasons. First of all, the armed forces are not the only party; other elements of the Iraqi people are taking part alongside them, including the Popular Mobilization Forces, the Peshmerga and tribal members. Secondly, this war is not being waged against dissident groups or other organized armed groups in the sense intended in the Protocol when it was drafted four decades ago. At that time, the widespread international terrorism that we see today did not exist. Thirdly, the provisions refer specifically to conflict taking place in the territory of a contracting party. However, terrorism has no borders to act within; it spans borders and continents. The international community would not be providing Iraq with military and logistical cooperation if this war against terrorism were not legitimate. A terrorist group cannot be a party to a conflict. Iraq is a sovereign State fighting a war in an international coalition against such a group.

2. The report calls on all parties to abide by their obligations under international humanitarian law and refrain from acts of aggression or human rights violations. Here one must be clear and ask whether or not to call on terrorist groups to respect their international obligations confers on them a legal personality. Naturally, that would present additional legal complications.

3. The report has documented certain cases in detail, with the dates and places of the incidents. However, in other cases it just mentions a number and a year, as is the case, for example, in paragraphs 25 and 39, where the dates when or places where children were used by the police or army are not specified.

4. The report cites information that has not been confirmed by the Iraqi authorities. In addition, some information referred to in the report is incomplete, which makes it difficult to verify. We call on the Office of the Special Representative to cooperate more fully with the Iraqi authorities to obtain accurate information so that any violations can be addressed and the best interests of children realized, and not simply engage in criticism for the sake of criticism.

5. The report covers events up to July 2019. However, it also refers to demonstrations that began in the month of November 2019, that is to say, after the end of the reporting period.

6. The report refers to overcrowding among juveniles detained in juvenile prisons on charges of belonging to terrorist groups. Here we remind you of the ongoing requests by Iraq for assistance to construct new correctional institutions to accommodate the large numbers of detainees and to establish safe zones. We note that ISIL burned down and destroyed many correctional institutions.

7. Regarding legal accountability, juvenile offenders are dealt with in accordance with Act No. 76 (1983) concerning juvenile welfare and amendments thereto, and the legal procedures deriving therefrom. Special courts have been set up to try juveniles. They are housed in the Observation Home of the Ministry of Labour and Social Affairs. There is a special investigation court to hear human rights complaints in line with the standard minimum rules for the treatment of inmates and detainees and international human rights standards in accordance with Act No. 14 (2018) concerning inmates and detainees. In cases where there are no identity papers to establish the age of a juvenile, the court or juvenile correctional facility refers the person in question for a medical examination to assess his age scientifically.

8. Under Cabinet Order No. 193, a committee was formed to investigate allegations of violations of human rights. It has investigated allegations of violations attributed to members of the rapid response unit of the Ministry of Internal Affairs. The Committee has proven that some violations occurred and referred them to the courts.

9. With regard to the recruitment of children, Act No. 65 of 1969 concerning military service sets the minimum age for compulsory service (recruitment) in Iraq at 19. It should be noted that the mandatory aspect of this law was suspended on 23 May 2003 by Coalition Provisional Authority Order No. 2, section 3, which suspended compulsory service indefinitely. That is to say, enlistment in military service in the Iraqi army or the Population Mobilization Forces is on a voluntary basis and not compulsory.

10. The Iraqi Government, represented by the Ministry of Migration and Displacement and the Iraqi security forces, in cooperation with international organizations, works to deliver humanitarian assistance to displaced persons and homeless families in dangerous areas. That happened in Jughayfi and Dulu'iyah during the liberation operations. In other areas, ISIL planted thousands of explosive devices prior to withdrawing, which has required close cooperation between Iraq and the United Nations Mine Action Service to remove explosive materials in order to allow families to return to their regions safely.

11. We would like to emphasize that both the Constitution and Iraqi legislation criminalize and prohibit torture and ill-treatment. Officials accused of such acts are brought before the courts. If there are cases of torture, they are not political or systematic, but rather isolated cases. The courts have been careful to protect and enforce legal safeguards at all stages. Confessions obtained under torture are inadmissible.

12. Airstrikes against ISIL terrorist organization targets are guided by confirmed military intelligence and conducted in cooperation and coordination with international coalition forces under a joint operations command. Laser-guided bombs are used to avoid mistakes and prevent civilian casualties.

13. Despite the brutal campaign waged against it by terrorist groups, Iraq has made sure to maintain respect for basic human rights during military operations, with a view to protecting the safety of innocent defenceless civilians and liberating areas under the control of the terrorist organization.

14. We welcome the call in the Secretary-General's report for the repatriation of foreign children to their countries of nationality. We call upon other States to cooperate with Iraq to safeguard children's rights.

15. Regarding children born of rape, we refer the Working Group to the law submitted by the Office of the Presidency of the Republic to the Iraqi Council of Representatives this past April, which contains a paragraph addressing the issue of registration of children born of rape.

16. Iraq draws the attention of the international community to its previous proposal regarding the need to provide assistance and build capacities for rehabilitation of the large numbers of children who were used, recruited and brainwashed by ISIL. They must be reintegrated into society and prevented from turning into a new generation of ISIL in the future.

Lastly, the Iraqi Government expresses its strong commitment to compliance with international instruments and conventions, and to cooperation with the United Nations and other international organizations to safeguard the rights of children. It asks that the observations of Iraq be annexed to the Working Group's final report.

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