

Conference Report

OPEN DEBATES 7

WOMAN QUOTA IN IRAQ: LIMITING OR SECURING WOMAN POLITICAL PARTICIPATION

17-18/10/2019

Erbil, Kurdistan Region - Iraq

OPEN THINK TANK (OTT) organized its seventh conference under the name of Open Debates 7 in partnership with Konrad Adenauer Foundation (KAS), Syria/Iraq office. The Open Debates is a series of public events such as conferences, meetings, and workshops held by Open Think Tank in collaboration with its partners. The following is the conference report which includes recommendations that were derived from a two-day conference debates, discussions, and questions and answers.

Introduction

The woman quota is the only system that guarantees the political participation of women in Iraq. For instance, the Council of Representatives (CoR) provides a quota of 25% women participation and the Kurdistan Parliament (KP) provides 30% of participation. This quota secures a fixed number of seats for women in both parliaments. Nevertheless, there is no quota for women in executive power and other state institutions. Therefore, this raises a series of questions that includes:

- Is the quota system only about numbers or it is a real representation of women in the country?
- What are the advantages of the women quota in Iraq?
- What are the disadvantages and limitations that women face within a quota system in Iraq?
- To what extent do women feel represented with the existing laws and regulations in Iraq?
- Does quota limit or secures women's participation?
- Are women included in the decision-making positions?
- How possible it is for women to participate in political and decision-making processes without the quota system support?
- What are the societal and religious boundaries for female political participation?

OPEN DEBATES 7, brought together Members of the two parliaments in Iraq together in a conference where they discussed one of the main political arguments which are the quota system. In addition, the conference allowed both legislators to discuss further possibilities of working together in promoting the rule of law in Iraq. Furthermore, the conference gathered experts, academics, journalists, civil society and woman activists, researchers and individuals who work closely in this field from all over Iraq.

The objective of this event was to determine to what extent is female representation and participation secured due to the current quota system in Iraq. There is a need for continuous dialogue to understand the participation of women in the process of democratization in new Iraq. The main objective of this conference was to reveal to what extent experts, activists and politicians are satisfied with the woman's political participation according to the existing quota system in Iraq. Not least, this project concludes with suggestions and recommendations by our participants for further improvements to the woman quota systems in Iraq.

Conference Report by:

Dr. Mohammedali Taha¹

The Six Panels, Speakers and the Main Questions

¹ Dr. Mohammedali Taha is president of Open Think Tank

Opening Remarks

Dr. Mohammedali Taha, President of OPEN THINK TANK (OTT)

Gregor Jaecke, Head of the Syria/Iraq Office, Konrad-Adenauer-Stiftung (KAS)

Keynote Addresses

H. E. Dr. Rewaz Faiyaq, President of Kurdistan Parliament - Iraq

Day One

Panel 1 – Women Quota in Iraq: Laws and Implementation

Chair: **Wasfiya Shekho**, Member of Iraqi Council of Representatives

The key questions of the panel:

- Why is it important to have the quota system in Iraq?
- What are the advantages and disadvantages of the quota system in Iraq?
- Does the quota system limit or secure female participation?
- What legal amendments can improve the quota system in Iraq?

Input 1: The Role of Women MPs in Iraq and Women Committee at the Parliament

Speaker: **Hayfa Al Ameen**, MP, President of Women Committee at Parliament

- Why is it important to have a quota system in Iraq?
- Do women benefit from the woman quota system? How?
- Due to your practical experience, do you believe that quota secures or limits the woman participation?
- Are there any law amendment recommendations for a better participation of women?

Input 2: Main Obstacles for Women Political Participation

Speaker: **Dr. Ashwaq Jaff**, Former MP, Iraqi Council of Representatives

- Is it impossible for women to participate without a quota system?
- What are the advantages and disadvantages of women quota in Iraq?
- Does quota limit or secure the women participation?
- What guarantees could be considered for the absence of a quota system?

Panel 2: Women Quota in Kurdistan Region-Iraq: Laws and Implementation

Chair: **Fareeda Yaseen**, Woman Rights Activist

- The key questions of the panel:
 - Why is it important to have a quota system in KRI?
 - What are the advantages and disadvantages of women quota in KRI?
 - Does quota limit or secure women participation?
 - What are the legal amendments that can improve the quota system in KRI?

- Input 1: The Role of the Kurdistan Parliament in securing the woman political participation

Speaker: **Muna Kahveci**, Secretary of Kurdistan Parliament

- What is the role of the Kurdistan Parliament Presidency in securing female participation, while also taking into account that within the presidency, two of three of its members are women?
 - Is participation only about numbers or is it also about effectiveness?
 - Do you see the quota system as the only system that allows woman to be in politics and participate?
 - What legal amendments can be brought to improve the quota system in KRI?
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- Input 2: The role of women organizations and institutions

Speaker: **Pakhshan Zangana**, Kurdistan Women Supreme Council

- What is the role of the Women Supreme Council in protecting the rights of women?
 - What are the capacities and what have we done to guarantee women participation so far?
 - What would be the alternative for the quota to guarantee participation?
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- Input 3: The academic perspectives of women participation

Speaker: **Dr. Nagham Isaac**, Law Professor, UoD

- What are some academic suggestions?
- What legal amendments can be brought to improve the quota system in KRI?

Panel 3: Social and Traditional Boundaries of Women Participation

Chair: **Lejla Djulancic**, Konrad Adenauer Stiftung (KAS)

- The key questions of the panel:
 - What place do women hold for participation due to the existing religious and traditional norms?
 - What are the challenges facing female participation based on religious and social boundaries?
 - What can be improved in the application of the rights of female political participation?
 - Is it impossible to participate without a quota?

Input 1: Women participation from the perspective of Shari'a and Religious laws

Speaker: **Dr. Mohammad Shakir Mohammed**, MP MP, Iraqi Council of Representatives and professor of Islamic Shari'a

- What is the Shari'a perspective of woman participation?
- What are the challenges facing female participation related to religious and social boundaries?
- Is there hope towards better guarantees of female participation?

Input 2: Woman Participation and boundaries in Iraqi Society

Speaker: **Dr. Nazand Begikhani**, Academic, Writer and Activist

- What is the situation of female participation due to the existing religious and traditional norms?
- What are the challenges facing female participation related to religious and social boundaries?
- What can be improved in applying the rights for female political participation?

- Input 3 Social Boundaries of Women Participation

Speaker: **Dr. Ana Cristina Marques**, University of Kurdistan-Hewler

- What is the situation of female participation due to traditional norms?
- What are the challenges facing female participation related to traditional and social boundaries?
- What can be improved in the application of the rights of female political participation?

Day Two

Panel 1 – UN Security council’s 1325 Resolution and Implementations in Iraq

Chair: **Dr. Mohammedali Taha**, President of Open Think Tank

The key questions of the panel:

- How is it possible for the international community to help in implementing the agenda?
- Why is it important to implement the agenda in Iraq?
- Is it possible to localize the agenda and how?
- What are the steps taken to localize and implement the 1325 Resolution in Iraq?

– **Input 1:** The Role of Diplomatic Missions in Implementing the Agenda

Speaker: **Serena Muro**ni, Consul of Italy in Erbil-KRI

- How could the international community help in implementing the agenda?
What has been done so far?
- How does the coordination and cooperation between the KRI and your mission work in this matter?
- Why is it important to implement the agenda in Iraq?

– **Input 2:** The Role of Diplomatic Missions in Implementing the Agenda

Speaker: **Barbara Wolf**, Consul General of Germany in Erbil-KRI

- How could the international community help in implementing the agenda?
What has been done so far?
- How does the coordination and cooperation between the KRI and your mission work in this matter?
- Why is it important to implement the agenda in Iraq?

– **Input 3:** The Localization and Implementation Process of 1325 Resolution in Iraq

Speaker: **Suzan Arif**, Women Empowerment Organization

- Why is it important to implement the agenda in Iraq?
- Is it possible to localize the agenda and how?
- What are the steps taken to localize and implement Resolution 1325 in Iraq?

Panel 2: Women and Elections in Iraq

Chair: **Dr. Viyan Sabri**, MP Iraqi Council of Representatives, Head of KDP Fraction

- The key questions of the panel:
 - Do women feel represented with the existing laws and regulations?
 - What are the main challenges facing women in Elections in Iraq?
 - Do women vote for women?
 - What are the legal amendments that can improve the women participation in Iraq?

- Input 1: The Woman Political Representation in Iraq

Speaker: **Maison Damluji**, Iraqi Politician

- Are women really represented in Iraq?
- Do the existing laws and regulations guarantee women participation?
- What are the main challenges facing women in Elections in Iraq?

- Input 2: Women in Election Process in Iraq

Speaker: **Dr. Buhar Mahmood**, MP Iraqi Council of Representatives

- What are the main challenges facing women in Elections in Iraq?
- Do women vote for women?
- What legal amendments can be brought to improve female participation in Iraq?

- Input 3: The elections from the perspectives of a woman from minority groups

Speaker: **Dr. Khalida Rasho**, MP Iraqi Council of Representatives

- What are the advantages and disadvantages of being a woman and representing minority groups in an election?
- Do women vote for women?

- What are the social and religious boundaries for a woman during elections?
- What are the law amendments can be brought to improve the women participation in Iraq?

Panel 3: Women Political Recruitment in Iraq

Chair: **Viyan Abbas**, Former MP

- The key questions of the panel:
 - Who recruits women, how and why?
 - What are the challenges women face in participating in decision making? What are the legal amendments that can be brought to improve the women participation in Iraq?
 - Are women in the position of decision making?

- Input 1: Women in Decision Making in Iraq

Speaker: **Dr. Chinar Saad**, Former KRI minister and member of KDP leadership council

- What is the place of woman in decision making?
- What are the challenges that women face in participating in decision making?
- Who recruits woman? How?

- Input 2: The problems of woman participation and political recruitment in Iraq

Speaker: **Mamilan Hussein**, University Lecturer

- What is the situation of female political participation?
- What are the challenges women face in order to participate in decision making?
- Who decides for women recruitment?

The Outcomes of the Open Debates 7

The conference created a space to come together and better understand the challenges and possibilities of female political participation. It further discussed the advantages

and disadvantages of quota system and existing laws that guarantee women participation. The 6 panels of the Open Debates 7 in a two-day conference aimed at determining the extent to which women representation and participation are secured due to the current quota system in Iraq. Further, the debate attempted to reveal the perspectives, recommendations, and suggestions presented by the politicians, academics, experts of the field and activist regarding the existing system of women participation.

Highlights and Recommendations

The Open Debates 7 attempted to contribute to the unfolding of the informal dialog among the experts, academics, politicians, decision-makers, lawmakers, and stakeholders regarding the political participation of women. One of the main goals of the Open Debates is to disseminate the positions of these actors to a broader local, regional and international public through the event report, video, and printed proceedings. The following are a set of recommendations derived from the Open Debates 7.

Legislations, amendments and existing laws

Although female participation has increased in Iraq since the regime change and the new constitution in 2005, to reach greater success in female participation political parties need to prepare and educate all their members (both female and male) to have a better understanding and appreciation of women participation. The existing laws guarantee women participation, but at the same time, it also limits participation to 25% as a quota. However, laws are not sufficient to bring change; it needs social support. At the same time, there is a contradiction of laws and their implementation in Iraq. The constitution refers to a minimum of 25% for women participation while the high electoral commission considers 25% quota as a maximum percentage. This quota is only in legislative power and this is not guaranteed in the executive. The same quota in KRI parliament is 30% while in the Iraqi Council of Representatives is 25%. There must be cooperation and collaboration between the two parliaments to increase and secure better participation. The quota legislation is empowered by the constitution while the amendment of the constitution is complicated. The interpretation should be generalized that 25% is the minimum of female participation and it could increase. On this matter, we could focus on working towards the implementation of Open Quota or Volunteer Quota.

Thus, the quota secures women's participation while at the same time limiting it. Elected women carry the responsibility of all women, thus elected women must make it a priority to reform and combat corruption for their female counterparts, as the main victims are women. In this aspect, two new legislation could be proposed: Combatting Domestic Violence - Rescued Women from Sexual Violence. As well as a law amendment: to amend quota law and propose quota in legislative as well. The advantages of Quota: 1) securing the least of women participation 2) encouraging women to enter election competition and practice her right 3) Securing women representation. The disadvantages of Quota: 1) Dividing politics on a gender basis 2)

Limiting participation to as low as 25% 3) Talents and expertise of women are neglected in the quota system and as a result, many women do not vote for women

Social, religious and traditional boundaries

Evidently, tribal and cultural expectations and norms suppress women from showcasing their full talents and furthering their careers in politics. The relevant participation of women compared to men is a global phenomenon; it's not limited to Iraq and requires researchers to strengthen these areas: education, weak literacy rate, reasons that affect all countries. However, one of the biggest challenges that we are facing in Iraq and KRI is patriarchy. Patriarchy is the root of all female inequality as men are dominant and women are marginalized or excluded altogether. This is deep-rooted in all sectors of our society regardless of female education, status, experience. In a broader viewpoint, less attention has been paid to females not only regarding political participation but also in social participation. For instance, women analysts are rarely seen in the media, women are not frequently seen in top-tier businesses and economic processes, women are less significant actors in the public sphere. Therefore, the understanding of women as the transmitters of culture should be spread widely and that they are forming the future citizens of the Kurdistan region and Iraq. For this, there needs to be a redefining of our concept of "culture" in a way that empowers and does not suppress women in all sectors, even as a mother in a household. It's important to acknowledge that throughout Kurdish history, females weren't able to have significant impacts in the public sphere without risking their tribal or social reputation and image.

Another traditional challenge facing women is religion and Political parties are to blame for the lack of access to equal opportunity. To achieve these aims there has to be integrity in political parties to create an environment free of sexism and enforce equal participation. Sexism; corruption and gender-related violence is too prevalent in most societies and especially in their political institutions. Classic gender roles have to be challenged for females to gain equality.

Women also need to upskill themselves; create self-confidence and recognize their expertise; the creation of networks that encourage women to address their female issues and start rational dialogue with men is highly necessary: there needs to be a push for women entering into the political arena in order to tackle the obstacle of social interaction between men and women; women are not all alike; there is an inter-sexual approach to gender. We need to reach to other women – women with fewer qualifications, the difference in age and those in rural areas.

Resolution 1325 implementation and action plan

The first step towards implementing the action plan is to have a budget; not having a budget has weakened the implementation plan in Iraq. Iraq was the first country in the Middle East to adopt an initial plan for female peace in 2014 with a joint operation with governments and NGOs to implement 1325. It included recommendations based on three pillars: participation prevention and protection. However, not having a budget that provides for a localized plan of action its implementation faces

challenges. Also, new cabinets of government have new priorities and there are different levels of understanding between a cabinet to another regarding the women's issues. Also, political and security instability plays a negative role as for the second national action plan, the defeat of ISIS has increased the chance for significant advancement in female issues and implementation of the action plan. Actors are now fully recognized, but without the full participation, it can't be implemented.

The civil society's plan is important but not effective without a government and parliament supported plan, particularly incorporations with civil society organizations. Thus, media promotion and campaigns as well as networking and better coordination is necessary. There are numerous proposals such as: including the gender and women issues into the education curricula in Iraq; women to be included in political negotiations and delegations; urgent need of military law amendment to provide and increase gender balance and remove the discriminatory approaches between the military female and male personnel; the women quota for executive power must be introduced. Meanwhile, work should be done to improve the 25% of legislative quota, we need to have local facilitation because the change has to come within the communities; interpreting Res. 1325 into our own reality; the best way to do this is to localize the plan however when Res. 1325 is applied on civil society and female organization, it is not paid attention to; develop local capacities by providing education and stressing accountability on those responsible for violence against women; women need to be capacitated at different levels and on different skills to have active participation in all aspects of the society. female economic empowerment is important to direct women independently in better participation.

Women political recruitment and their role in decision making

Women face multiple problems concerning political recruitment; possible solutions require dealing with root causes and developing multi-faceted approaches. Such approaches include involvement of various leaders and community members (dialogue with faith and religious leaders), public awareness and youth involvement including illiterate and rural women strengthening them, involving different media platforms to increase awareness. Many challenges can be overcome by networking and connecting in solidarity and support groups.

Through a comparative lens inside Iraq, we witness that after 2014, Iraq has suppressed women from participation while in the KRI women participation is improved. Iraq remains to suppress women justifying to focus on "higher priority issues". However, the presence of women is not necessarily at the level of making decisions but by the existing laws and regulations, we could refer to woman participation as "only for decoration" in legislative councils. It is unfortunate that until today, women's occupation has been decided for them; gender roles include nurse, teacher, housewife and etc., Participation in other fields such as politics and economics are categorized as "male occupations." Thus, we need to identify the factors and finding corrections.

Many women are reluctant to participate in political processes because of male treatment. Thus, women and men need to cooperate and reach positive interactions

between them because women are needed at the forefront of the political sphere as they are half the population of the community – women are the face of the community.

The quota is a legal establishment; it should serve as a first step to grow. The maximum role to be obtained by a female is to be elected as an MP. Justice is in danger when there is a lack of balance struck; this is apparent in female presentation thus why the quota is necessary to strike a balance. Greater efforts need to be done to eradicate the mentality that quota is a “charity” and instead it is a global mechanism of “positive discrimination” and required to achieve justice. The legal viewpoint states that Article 49 does not limit women. Therefore, two main aspects could be our agenda: the first aspect is to make the quota system efficient and apparent in other authorities such as executive, Second, we must work to pass this transitional stage towards the development of the quota and even a better alternative.

There are essential issues that are rarely spoken of, including mistrust of community members towards women. For example, the challenges that face women in the election process such as religion, social, cultural traditions have bound females with certain criteria to follow and these are considered to measure female ethics and manners. We need institutions to build the capacity of female leaders and in the election process. We need to join other committees in the Iraqi Parliament to prove that we need to respond to the needs of other communities. The class of productive women has emerged, those who run service projects, etc. They become an important part of the Iraqi economy. Economic aspects include a high rate of illiterate women, and if women are economically dependent on men, this means that we are also dependent on men in the political area. Thus, political parties should support women because of this unbalanced dependency.

Political Parties and Women

Participation in the political process is multi-layered; to what extent can women play a role? The answer: a very weak role simply because women have weak positions and have not gained the confidence of society yet. One of the possible solutions to the problem of participation and decision making authority in Iraq and Kurdistan rests on political parties, thus there are solid solutions. There is a need to amend the executive and legislative laws towards better inclusion of female participation. An amendment could be introduced to the political party law as well and the funding of the political parties must be changed; any political parties with higher members will have proportionate funds. In a way that, if a party increases the number of women in the decision-making or leadership councils, the party funds will increase. This requires more lobbying and the support of males as well.

In general, political parties are the main actors in recruiting women. Not all women want to be affiliated with a party for different reasons such as trust in men dominated atmosphere, the corrupt fame of the political party atmosphere, not having an interest to work in partisan surroundings. Therefore, when there’s no law to support these women and guarantee their participation, it remains challenging. Recruitment of women and men could be at the optimum level by taking the example of non-

governmental institutions and the mechanisms which they use based on qualifications.

The need for continuous discussions and dialogues

Continuous dialogues, debate, and methodological approaches to the issue of female political participation is only halfway to creating a solution. Evidence-based data is still required while greater attention paid to research centers and academic work is also required.