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اسم الكاتب: سبان جميل مصطفى، برجين سفر محمد
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Evaluation of Gender Mainstreaming in the Iraqi Parliament

[1] Lecturer. Span Jameel Mustafa [2] Assist. Lecturer. Brjin Safar Mohammed
[1] College of Law- Department of Public Law, University of Duhok
[2]College of City and Regional Planning- University of Duhok

Abstract:

The concept of gender has recently gained importance in various sectors that focus on development and progress, which have begun to define their strategy by shifting from a women's empowerment methodology to gender equality. This approach addresses society as a whole rather than targeting a specific group of women, which leads to improving social and political conditions. As a result, both woman and man can participate in economic and social development, improve women's conditions, and empower them by strengthening social relations. In addition, this shift will increase women's political influence, enabling them to participate in economic and legal decision-making, not just political and social ones. Ultimately, this approach emphasizes the importance of gender equality in all aspects of life, which are diverse and different.

Based on this, it is necessary to adopt and promote the culture of gender, which means equality between women and men in rights and duties and achieving justice between them in positions and practices. The concept of gender has spread significantly in Iraqi society, gaining prominence across sectors focused on development, population, family planning, equality, fairness, and women's empowerment. Efforts are being made to mainstream gender into all areas of life—political, parliamentary, legal, and legislative—to foster a sound culture about gender.

This requires us to take an introductory, methodological, and analytical stand to know its content, framework, and applications in women's issues in general.

1: Email:
Span.musrafa@uod.ac
2: Email:
Zhen.mzory@uod.ac

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تقييم اندماج النوع الاجتماعي (الجندر) في البرلمان العراقي

[١] سپان جميل مصطفى ٢ برجين سفر محمد
كلية القانون – قسم القانون العام جامعة دهوك ٢ كلية تخطيط المدن والأقاليم – جامعة دهوك

المستخلص

لقد اكتسب مفهوم النوع الاجتماعي (الجندر) مؤخرًا أهمية في مختلف القطاعات التي تركز على التنمية والتقدم. والتي صارت تحدد استراتيجيتها من خلال التحول من منهجية تمكين المرأة الى مساواة الجندر. هذا النهج يعالج المجتمع ككل بدلاً من استهداف مجموعة معينة من النساء، مما يؤدي إلى تحسين الظروف الاجتماعية والسياسية. ونتيجة لذلك، يمكن لكل من المرأة والرجل المشاركة في التنمية الاقتصادية والاجتماعية، وتحسين أوضاع المرأة، وتمكينهن من خلال تعزيز العلاقات الاجتماعية. بالإضافة إلى ذلك، سيزيد هذا التحول من التأثير السياسي للمرأة، مما يمكنها من المشاركة في صنع القرارات الاقتصادية والقانونية، وليس فقط القرارات السياسية والاجتماعية. في النهاية، يؤكد هذا النهج على أهمية المساواة بين الجنسين في جميع جوانب الحياة التي هي متباينة ومتنوعة.

وتأسيسا على ذلك لابد من تبني ونشر ثقافة الجندر الذي يعني التساوي بين المرأة والرجل في الحقوق والواجبات وتحقيق العدالة بينهما في المواقف والممارسات. وقد انتشر مفهوم الجندر بشكل ملحوظ في اوساط المجتمع العراقي بل تزايد استخدام المفهوم في جميع القطاعات المهتمة بمسائل التنمية والسكان وتنظيم الاسرة والمساوات والانصاف وتمكين المرأة ومحاولة دمج النوع الاجتماعي في ميادين الحياة كافة، السياسية والبرلمانية والقانونية والتشريعية لنشر الثقافة السليمة حول الجندر.

الامر الذي يقتضي منا وقفة تعريفية ومنهجية وتحليلية لمعرفة مضمونه واطره وتطبيقاته في قضايا المرأة على وجه العموم.

الكلمات المفتاحية: النوع الاجتماعي، التعميم، التمثيل، البرلمان، الدستور، العراق.

Introduction

Gender mainstreaming is widely adopted in preparing, formulating, designing, and implementing policies, plans, and organizational measures countries adopt to achieve gender equality.
Despite the Iraqi Constitution (2005) supporting women's participation in the political process and stipulating that women should represent no less than a quarter of the members of the Council of Representatives (Article 49/Fourth) and its emphasis on equal opportunities for all Iraqis without discrimination (Article 14), and ensuring the achievement of equal opportunities and the state's commitment to taking the necessary measures to achieve this (Article 16), the mainstreaming of gender consideration in all policies, programs and procedures by what is stipulated in the Constitution is still slow.
In Iraq, the debate is still ongoing in 2021 about the importance of women's participation in the political process (as voters and candidates). Women face a male culture and authority, whether in choosing who represents them in parliament or in participating in running for office. This is due to the male way of thinking that has authority over sources of knowledge, learning, planning, legislation, spending, and policy-making, as well as in providing (incorrect) interpretations of religion, which gives men more power and control over women and girls, especially at the family level and in society in general.

Significance of the Research

This research is critical as it addresses a significant societal issue involving women: their participation alongside men in political life to build the state and their pivotal role in the civilizational development of societies. It highlights the essential topic of women's political participation and the importance of gender mainstreaming in the parliament. Expanding women's parliamentary representation and

activating their role deepens the concept of gender equality, as enshrined in Iraq's constitution, which mandates equal rights and opportunities for all citizens. Women representatives can work with different political trends and are more cooperative and participatory than male representatives. Moreover, they are more responsive to the needs of voters, as women always place fundamental indicators related to education and health at the top of the list of priorities.

Problem Statement

The problem statement of this research focuses on the extent to which the Iraqi constitution supports gender through its constitutional provisions and ordinary legislation. It addresses whether Iraq has successfully integrated the concept of gender into its political institutions and whether the principle of equality between men and women has been achieved as a constitutional requirement for social equality by promoting women's roles in Iraq. The research also considers whether women still require a quota system to attain parliamentary representation, irrespective of their competence and effectiveness in politics. Additionally, it seeks to assess whether significant activity has been documented among these numerous female members or if women's participation has primarily been to fill gaps.

Research Objective

This study aims to highlight the support for generalizing “gender” in official political institutions and demonstrate the essential mechanisms for representing women in parliament consistent with the gender equality perspective.

Research Question

To what extent does parliamentary work in Iraq consider "gender" in its legislative and oversight performance, and how well does it reflect the principles of equality and citizenship enshrined in the Constitution?

Research Methodology

In this study, researchers employ descriptive and analytical approaches to display women's representation in the Iraqi parliament, analyze the status of legal and constitutional frameworks governing the issue, and examine gender mainstreaming within the Iraqi parliament.

Research Structure

The study structure deals with two main chapters. The first chapter addresses the theoretical, challenges, and legal instruments of gender mainstreaming in politics, and this is divided into four sections: The concept and scope of Gender and Gender mainstreaming in politics, theories of representation, political, social, and cultural barriers, institutional barriers to women's participation, gender quota and its impact, and approaches and models from different countries are examined consecutively. The second chapter deals with incorporating gender mainstreaming in the Iraqi Parliament; the following sections are investigated successively: Legal and institutional framework for gender mainstreaming, constitutional and legal framework, institutional framework, evaluation of gender mainstreaming in the Iraqi Parliament, participation of female parliamentarians in the parliamentary committees of the legislative council, and participation of female parliamentarians in the oversight field.

I. Chapter One

Theoretical, Challenges, and Legal Instruments of Gender Mainstreaming in Politics

I.1. Concept and Scope of Gender and Gender Mainstreaming in Politics:

Gender is a set of social and cultural constructs that differentiate between male and female entities(1). "Gender" refers to the social, cultural, and political roles, behaviors, expectations, and identities that societies attribute to individuals based on their perceived or designated sex(2). It describes how these roles and identities influence power dynamics, possibilities, and representation within contemporary society. This term should be distinguished from "sex," which refers to biological differences(3).

However, gender and politics concern how people's gender structures their participation in and experience of political affairs and how political institutions are encoded with gendered thoughts. Researchers highlight that the interaction of gender and politics is intersectional and dependent on peoples' race, class, and gender expression(4).

(1) Raewyn Connell, *Gender*. Vol. 14. Polity, 2009. P. 134.
(2) Muhammad Fajrul Azka, "The role of gender in the dynamic of social change: analysis of intersectionality in the context of contemporary society." (2023). P. 1-15. OSF Preprints. June 18. doi:10.31219/osf.io/ab8e4. Muhammad.azka.50159@gmail.com
(3) Zachary DuBois, and Heather Shattuck-Heidorn. "Challenging the binary: Gender/sex and the bio-logics of normalcy." *American Journal of Human Biology* 33, no. 5 (2021): e23623. P. 1-19.
(4) Karen Celis, Johanna Kantola, Georgina Waylen, S. Laurel Weldon "Introduction: Gender and Politics: A gendered world, a gendered discipline." (2013). The Oxford Handbook of Gender and Politics, Oxford University Press. P. 514.

The term gender in the politics aspect is frequently used to highlight the specific focus on how gender, mainly women's roles and experiences, intersects with political processes and institutions(1). Nevertheless, in politics, scholars examine how gender affects representation and political roles, which aligns with a more comprehensive understanding of gender's influence on power dynamics, opportunities, and representation within political systems. They conceptualize "gender" in politics, encompassing representation and participation, policy and decision-making, gender mainstreaming, intersectionality, feminist critique, and advocacy(2).

Gender mainstreaming can be defined as *"the process of assessing the implications for women and men of any planned action, including legislation, policies or programs, in all areas and at all levels. It is a strategy of making women's and men's concerns and experiences an integral dimension of designing, implementing, monitoring, and evaluating policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality to transform structures of inequality"*(3).

There is a growing consensus that gender mainstreaming is a crucial strategy for achieving women's empowerment in society and enabling them to participate effectively and equally in political institutions(4). In modern democracies, women's political participation in formal governments is identified as a condition for full democracy. Therefore,

(1) Mona Leana Krook and Sarah Childs. *Women, gender, and politics: A reader*. Oxford University Press, 2010. P. 3.

(2) Gary Goertz, and Amy Mazur. "Mapping gender and politics concepts: Ten guidelines." *Politics, gender, and concepts. Theory and methodology* (2008): 14-44.

(3) Shirin M Rai. *Mainstreaming gender, democratizing the state*. Manchester University Press, 2003. P. 16.

(4) United Nations. 2005. *Equal Participation of Women and Men in Decision-Making Processes, with Particular Emphasis on Political Participation and Leadership: Report of the Expert Group Meeting Addis-Ababa, Ethiopia*. P.3.

a vital concern of all democracies is creating a full range of enabling conditions for women to participate actively in decision-making(1). Different approaches have been implemented worldwide to eliminate gender disparities and promote greater equality in the political process and within institutions. Gender mainstreaming requires drawing on women's and men's perspectives, experiences, knowledge, and interests in policy-making, planning, and programming(2). Mainstreaming can identify the changes needed in goals, strategies, and actions to ensure that both men and women can influence, participate in, and benefit equally from the development process. This may involve crucial organizational structures, procedures, and cultural changes to create environments conducive to promoting gender equality(3). It requires gender views and awareness of gender equality to be central to all activities, policy development, research, advocacy/dialogue, legislation, resource allocation, program and project planning, implementation, and monitoring(4). Scholars engaging in gendered foundations and recurrent practices in the political process have pinpointed that the legislature itself is a gendered institution that marginalizes women(5).

(1) Lisa Vetten, Lindiwe Makhunga and Alexandra Leisegang. "Making Women's Representation in Parliament Count." The case of violence against women. The Tshwaranang Legal Advocacy Centre to End Violence Against Women, European Union. (2012). P. 2.

(2) Eva M. Rathgeber, "Towards an agender mainstreaming action plan for the Department of Technical Cooperation (TC) International Atomic Energy Agency (IAEA)." (2006). P. 1-40.

(3) Rubeena Zakar, Muhammad Zakria Zakar & Naqib Hamid. "Gender mainstreaming in politics: Perspective of female politicians from Pakistan." *Asian Journal of Women's Studies* 24, no. 2 (2018): P. 225.

(4) United Nations. Office of the Special Adviser on Gender Issues & Advancement of Women. 2002. *Gender Mainstreaming: An Overview*. P. 1.

(5) Rubeena Zakar, Muhammad Zakria Zakar & Naqib Hamid. Ibid. P. 242.

I.2. Theories of Representation:

Political representation is one of the forms of democracy known in human history. Due to the impossibility of responding and the realism of implementing direct democracy, a shift in democracy came, where the people exercised power through their representatives or representatives. Then, the political function of citizens was limited to choosing representatives to undertake governance affairs.

Hanna Pitkin (1967), provides one of the most precise definitions of political representation: to represent is to "make present again." *Political representation* is the process that ensures citizens' voices, opinions, and perspectives are effectively 'present' in public policy-making processes. It is when political actors are entrusted with the responsibility to speak, advocate, represent, and act on behalf of citizens in the political arena. In essence, political representation is a form of political assurance in which political actors play a crucial role(1).

Numerous studies cite Hanna Pitkin's enormously influential treatment of the concept of political representation (1967), which proposes four-dimensional concepts as representation theories. Theories of political representation are often profoundly shaping, which soon became the standard reference for both normative theorists and empirical scholars(2). It discusses the categorization of various types of representation.

In the context of this study, these theories can provide a framework for exploring how women are represented in political life and to what degree they have a voice and influence in the political

(1) Jeffrey Kurebwa. "A review of Hanna Pitkin's (1967) conception of women's political representation." *International Journal of Scientific and Research Publications* 5, no. 11 (2015): P. 50

(2) Federico Russo and Maurizio Cotta. "Political representation: concepts, theories, and practices in historical perspective." In *Research Handbook on political representation*, Edward Elgar Publishing, 2020. P. 3.

scene. Various types of representation can be used to evaluate women's presence, power, and influence in political institutions and their capability to shape policies and decisions.

The following dimensions examine how each type of representation can be employed to the integration of gender, specifically women, into politics:

Formalistic representation deals with representation's institutional arrangements (formal rules and procedures). In other words, it focuses on how representatives gain their positions and are responsible to voters. Additionally, it revolves mainly around the legality of their mandate and the mechanisms for holding them accountable rather than specific performance standards(1). Descriptive representation refers to a condition in which the social backgrounds of elected representatives reflect, to some degree, the social backgrounds of the voters. Based on this dimension, the Justices' view of gender representation is that it is unfair for men to dominate the political arena. Underrepresentation of women, or overrepresentation of men, indicates exclusion due to "gatekeeper" biases within the party system. Gender quotas have been suggested to counter these biases and increase women's political participation(2).

Symbolic representation concerns the symbolic meaning and influence of representatives seen as symbols for their members. This dimension refers to representing the electoral district through the symbols that form meanings about it. This approach can be practical because it shapes perceptions, motivates societal transformation, and strengthens the importance of gender equality in political decision-making processes. Therefore, it emphasizes the significance of

(1) Suzanne Dovi. "Political representation." (2006). Stanford Encyclopedia of Philosophy
https://plato.stanford.edu/ENTRIES/political-representation/

(2) Mari Teigen. "Can descriptive representation be justified outside politics?" *Democratic State and Democratic Society* (2018). P. 193.

women's representation beyond just their numerical presence in political institutions(1).

Substantive representation: Involves representatives functioning in the interests of those they represent and being responsive to their needs. It is usually comprehended either in an essentialist way, where men and women are treated as two main groups that are systematically diverse in their views and interests, or this dimension in gender representation can be discussed in a less essentialist way, where the multiple interests, views, and perspectives of women (and men) are emphasized. In both cases, adequately representing citizens' voices, views, interests, and perspectives is fundamental to discussing gender representation(2).

I.3. Political, Social, and Cultural Barriers

In the 21st century, more than 95% of countries have given women the right to vote and run for office. New Zealand was the first to grant women the vote in 1893, followed by Finland in 1906. Despite this, women's political representation stays limited worldwide, with male candidates prevalent. Achieving gender equality in politics requires implementing equality laws and policies, including quotas. Electoral systems that favor proportional representation mainly affect women's entry into parliament(3)

Political barriers continue to exist for women, mainly through the gender barrier, which hinders them from getting higher positions. Despite endeavors by governments and political institutions to incorporate women into politics, as described by the United Nations Development Program UNDP, this mainstreaming still needs to be improved. Women continue to face considerable obstructions in the

(1) Emanuela Lombardo and Petra Meier. "The significance of symbolic representation for gender issues in politics." *NORA-Nordic Journal of Feminist and Gender Research* 27, no. 4 (2019): 231-244.

(2) Dovi, Suzanne. "Theorizing women's representation in the United States." *Politics & Gender* 3, no. 3 (2007): P. 300.

(3) Nadezhda Shvedova. "Obstacles to women's participation in parliament." *Women in parliament: Beyond numbers* 33, no. 1 (2005): P. 34.

political sphere, underlining the need to boost empowerment efforts to include people and organizations to recognize and value gender differences as positive qualities and assets for development(1).

In addition to the political barriers, including obstacles to joining elections, guiding male-dominated bureaucracies and political parties, handling family responsibilities, and combating harmful public perceptions of politicians. Further, the dual burden of home and work remains a significant impediment to women's political effectiveness. This underscores the importance of continued support for and improvement of these initiatives(2).

I.4. Institutional Barriers to Women's Participation

Participation is *"the involvement and cooperation of individuals or groups in development and decision processes. It includes both taking part and having a say. Political participation focuses particularly on activities affecting politics"*(3).

Political participation, a significant factor in this process, is often contingent on membership in social and political groups and is closely tied to citizenship. To be a citizen of a society or a member of any social group, one must actively participate(4).

(1) Maimunah Ismail and Roziah Mohd Rasdi, and Akhmal Nadirah Abd. Jamal. "Gender empowerment measure in political achievement in selected developed and developing countries." *Gender in Management: An International Journal* 26, no. 5 (2011): P. 388.

(2) Rubeena Zakar, Muhammad Zakria Zakar & Naqib Hamid. Ibid. P. 224.

(3) Sylke Nissen. "Political Participation: Inclusion of Citizens in Democratic Opinion-forming and Decision-Making Processes." In *Peace, Justice and Strong Institutions*, pp. 665-675. Cham: Springer International Publishing, 2021. https://link.springer.com/referenceworkentry/10.1007/978-3-319-95960-3_42#citeas

(4) Howarth Caroline, and Andreouli Eleni, and Kesi, Shose. "Social representations and the politics of participation." In *The Palgrave Handbook of Global Political Psychology*, London: Palgrave Macmillan UK, 2014. pp. 1.

The United Nations Sustainable Development Goal 5 recognizes women's political participation as a fundamental right. It focuses on fostering gender equality and empowering women. Influential representation in policy-making is at the core of gender equality. When measuring the success of gender mainstreaming in politics, the ratio of women representatives in national parliaments is an essential indicator. In recent years, the increasing number of female politicians and elected members of national parliaments worldwide has represented significant gains in women's political participation and empowerment(1).

In addressing institutional obstacles to women's political participation, some claim that women's participation in state institutions must adopt a "together and against" approach. This method entails mobilizing women's interests within civil society to challenge existing gender standards while involving with government policymaking processes to institutionalize the progress attained through these actions. This double strategy is critical to mainstreaming gender into state structures despite situations where national mechanisms may co-opt the gender agenda, undermining its transformative possibility. These challenging negotiations within and beyond state borders emphasize the fractured and vague environment facing women in politics, demanding strong democratic movements to hold state agencies to account and ensure the adequate progress of women's interests(2).

I.5. Gender Quotas and Their Impact

Women's quota is *"a system whose primary purpose is to set a minimum percentage of representation for men and women, ensuring a balance through the presence of men and women in politics"*(3).

(1) Rubeena Zakar, Muhammad Zakria Zakar & Naqib Hamid. Ibid. P. 225.
(2) Shirin M Rai. Ibid. P. 108.
(3) Ani Purwanti. "Quota laws for women in politics: Implementation in Indonesia." *South East Asia Journal of Contemporary Business, Economics, and Law* 6, no. 4 (2015): P. 28.

The nature of electoral systems, political party practices, and the ingrained culture of masculinity within institutional structures led to the adoption of gender quotas to adjust systems and procedures to some degree, but not profoundly. In addition to handling reasons for adopting gender quotas, recent debates address the significance of such tools in increasing women's participation in politics and representation. While gender quotas and gender mainstreaming may seem distinct in their f

II. Chapter Two

Incorporating Gender Mainstreaming in the Iraqi Parliament

II.1. Legal and Institutional Framework for Gender Mainstreaming

The Iraqi constitutional legislator has enshrined gender equality in many texts, although gender considerations for women have not been explicitly constitutionalized. However, we can find an implicit constitutional basis for it, represented by the principle of equality, or the right to equality between men and women, among the folds of the texts of the Iraqi constitution. For example,

- Article (14) of the Iraqi constitution states that: "Iraqis are equal before the law without discrimination based on gender, race, nationality, origin, color, religion, sect, belief, opinion, economic or social status".
- Article (18) states that: "An Iraqi is anyone born to an Iraqi father or an Iraqi mother, and Iraqi nationality is a right for every Iraqi and is the basis of his citizenship".
- Article (16): "Equal opportunities are a right guaranteed to all Iraqis, and the state shall guarantee to take the necessary measures to achieve this".
- Article (20): "Citizens, both men and women, have the right to participate in public affairs and enjoy political rights, including the right to vote, elect and run for office."

- Article (30): "The state shall guarantee the individual and the family, especially children and women, social and health security and the basic requirements for living a free and dignified life, and provide them with an appropriate income."
- Article (37): "Forced labor, slavery, slave trade, trafficking in women and children, and sex trafficking are prohibited."
- Article (49/ Paragraph 4): "The election law must achieve a representation rate of women of no less than a quarter of the number of Parliament of Representatives members: 25%."

It is clear to us from the texts of the Iraqi Constitution that they agreed to establish principles that guarantee the state's commitment to achieving equality between women and men and construct a goal that seeks to combat all forms of discrimination and take gender into account in favor of women, as the gender approach focuses on gendering the constitutional discourse. This is because the constitutional discourse varied and always spoke at the same time about women and men, and this would refute any interpretations that limit some rights in favor of men or women.

However, reality still confirms the vast gap between the constitutional legal text and the reality of the Iraqi female representative. The parliamentary work, lacking consideration of gender in legislative and oversight performance, underscores the importance of the legal measures or mechanisms that the Iraqi legislator has relied on to encourage women's representation in the Parliament of Representatives as follows:

1. Through a constitutional text that stipulates the allocation of a percentage for women's representation in parliamentary committees.
2. Through electoral laws that allocate a certain percentage.

II.2. Constitutional and Legal Framework

The Iraqi Constitution of 2005 included adopting a quota system to allocate a percentage of seats for women of no less than 25%. Constitutional Article No. (49) of 2005 established a percentage of women's participation in legislative councils equal to 25%, approved in the State Administration Law. Article © of the State Administration Law for the Transitional Period stipulated: "The Elections Law aims to achieve a percentage of women's representation of no less than a quarter of the National Assembly."

Then it was stated in Article (3) of Order No. 96 issued by the Provisional Coalition Authority on February 3, 2004 (Election Law) Section (4), "The name of at least one woman must be among three candidates on the list, and the names of the first six candidates on the list must include the names of at least two women, and so on until the end of the list."

For quota, the constitutional article established legal rules that worked to amend the achievement of women's participation in Iraq, represented by Elections Law No. 16 of May 10, 2005, and the Provincial Councils Elections Law No. 36 of 2008, and after establishing the text of the quota in the constitution and including it in the Parliamentary Elections Law[(1)].

The Iraqi legislator organized the quota in Elections Law No. 16 of 2005 by the principle of equality and the spirit of democracy. In 2020, the Elections Law was canceled and replaced by the Iraqi Council of Representatives Elections Law No. (9) of 2020, which stipulated: "When submitting the open list, it is required that the sequence of women be taken into account at a rate of one woman for every three men." It is also indicated in Article (16):

(1) Sinan Salah Bashir. "The Political Role of Iraqi Women after 2003." *Journal of Political Science*, University of Baghdad, no. 55 (2018): 452.

First: The percentage of women's representation shall be at least 25% of the number of members of the Parliament.

Second: women shall represent at least 25% of the number of members of the Parliament in each governorate.

Third: The women's quota shall be determined for each governorate as specified in the attached table.

Fourth: There shall be no replacement process if the women's quota is finished according to the governorate's election results.

Fifth: The women's quota shall be distributed if it is not achieved according to Clause (Fourth) as follows:

A- One (virtual) seat is added to the number of women winners for each electoral district.

1- The number resulting from the process in paragraph (A) is divided by the total number of seats allocated to the electoral district to determine the percentage of women winners in the event of an increase.

2- One seat is added to the number of women seats for the electoral district that obtained the lowest percentage.

D- If the required number of women seats allocated to the Council is not completed according to what is stated in paragraphs (A, B, C), there will be a new process starting from paragraph (A) with the calculation of the increase that occurred previously in paragraph C.

Sixth: This process is repeated until the total number of women reaches the number allocated to the Council.

Seventh: If two or more electoral districts obtain the exact percentages, a seat is added to the electoral district with the fewest votes.

Eighth: If there are an equal number of valid votes, a lottery will determine which electoral district should receive an additional seat.

Ninth: If a woman's seat is vacant, a woman is only required to replace her if that would influence the percentage of women's representation.

Based on the articles above, the law confirmed a 25% quota for women and introduced a new calculation method not considered in the

previous law to ensure this representation. If the required percentage is not achieved, a virtual parliamentary seat is added to the remaining seats allocated to women. Then, the total number of votes is divided by the new number of seats, and one seat is added to the electoral district with the lowest percentage. This process is repeated to ensure that the allocated number of seats for women is completed for each district.

Although the percentage specified in the law above does not meet the United Nations Economic and Social Council's target of at least 30% women's representation in the highest state bodies, the election law represents a significant improvement in the representation of women in the state's parliamentary councils. This progress is notable when compared to the percentage of women's representation in the parliaments of both developing and developed countries.

After the implementation of the quota system in Iraq, Iraqi women won 78 seats out of 275 seats based on the quota in the first parliamentary session (2006-2010) and 21 seats without a quota.
As for the second state (2010-2014), they won 81 seats out of 325 through the quota and (15) seats without a quota.

In the third state (2014-2018), they won 83 out of 329 through the quota and 20 seats without a quota. Finally, in 2018, they won 84 seats out of 329 through the quota and 22 seats without a quota. They also occupy 11% of the executive authority, with two women out of 22 ministers[1].

II.3. Institutional Framework

Among the achievements the state has pursued to support Iraqi female representatives is forming the (Women's Empowerment Department) in the General Secretariat of the Council of Ministers, according to Order No. 333 of 2016. This department replaced the

(1) Dr. Rawafid Al-Tayyar. "The Impact of the Women's Quota on the Democratic Process in Iraq." Center for Strategic Studies (CSS), 2021. https://kerbalacss.uokerbala.edu.iq/wp/blog/

Ministry of Women and is part of the Council of Ministers General Secretariat. Its vision is to develop strategies and work methodologies to advance the reality of Iraqi women.

In 2020, the United Nations Assistance Mission for Iraq (UNAMI) and the United Nations Economic and Social Commission for Western Asia (OSCO) issued a report indicating that Iraq ranks 70th worldwide in terms of women's representation in parliament. Despite this, women have yet to hold any critical executive presidential positions in the Iraqi government.

On December 24, 2020, the Iraqi Women's Empowerment Department announced the launch of the second national plan to implement UN Security Council Resolution No. 1325. This plan aims to advance the reality of women in various fields.

The Supreme Committee oversees women's empowerment in the political process. It held its first protest at the General Secretariat building on March 23, 2021. The committee discussed ways to encourage women to participate actively in elections, providing moral and educational support for their campaigns. The Director General emphasized the need for international organizations to support female candidates and protect them from media blackmail. Women's associations held university debates, online seminars, and awareness sessions targeting female trainees, including with the High Commission. The Women's Foundation for Human Rights organized youth activities, and the Iraqi Women Journalists Forum created awareness and educational posters while offering psychological and legal support to female candidates during the elections[(1)].

(1) Badriya Saleh Abdullah "The Role of Iraqi Women in the 2021 Elections." *Journal of Political Science* 65 (2023): P. 145.

II.4. Evaluation of Gender Mainstreaming in the Iraqi Parliament

Considering gender in favor of women can be relied upon to activate and promote their rights. Iraq has sought to activate the principle of actual equality (gender equality) within the parliamentary institution. Still, parliamentary work lacks consideration of gender in legislative and oversight performance and the existence of some discriminatory practices that include Iraqi female representatives. This is what we will try to show in the following sections:

II.5. Participation of Female Parliamentarians in the Parliamentary Committees of the Legislative Council

Parliamentary committees are the backbone of legislative and oversight work in all world parliaments. Parliamentary committees are defined as: - bodies formed by the Parliament from among its members that assume responsibility for preparing draft laws and oversight of the work of the executive authority, each according to its jurisdiction and according to what is stipulated in the internal regulations of the Parliament. These committees listen, research, scrutinize, and prepare reports on everything presented to them to implement the will of the Parliament in legislation and oversight and within its authorized framework[1].

The Council of Representatives appointed permanent specialized parliamentary committees governed by Articles 69-82 of its internal regulations. These committees, crucial for central functions like legal, budget, and financial affairs, exhibit gender discrimination. Female

(1) Osama Mohammed Qasim. "Parliamentary Committees and Their Role in the Legislative Process under the 2005 Constitution of the Republic of Iraq." Rasalet Al-Huquq Journal, University of Karbala, Year 4, Issue 2 (2012): P. 240.

parliamentarians are notably absent from critical committees such as Security and Defense, the Economic Committee, and the Oil and Gas Committee. They also needed more representation in Iraq's Ministry of Foreign Affairs and were inadequately represented in the Constitutional Amendments Committee (2006-2009), with only two female representatives(1).

This is because the members' work in the committees is closely related to the degree and importance of the committees for the political parties and representatives. Committees vary in significance and competition. Committees like Security and Defense offer significant party and member privileges, requiring robust male personalities. Therefore, we find that the parties typically nominate their committee members, often assigning women to less critical committees, while men dominate sovereign committees(2).

As for leadership positions in parliamentary committees (committee chair, committee vice chair, committee rapporteur), in the first electoral cycle (2006-2010), female representatives held leadership positions in parliamentary committees as follows: only two chaired committees (Women's and Civil Society Institutions), four served as vice chairs (Health and Environment, Endowments and Religious Affairs, Martyrs', Women's, and Women and Children's), and ten served as rapporteurs (Integrity, Finance, Education and Training, Labor and Services, Regions, Human Rights, Endowments and Religious Affairs, Transitional and Displaced Persons, and Women's).

(1) Women's share in the first legislative elections (2006–2010) was 73 seats out of 275, equivalent to 28.4%.

(2) Amina Mohammed Ali. "The Oversight Role of Women in the Iraqi Council of Representatives and Its Impact on Anti-Corruption." *Political and International Journal*, Women's Studies Center, University of Baghdad, p. 946.

In the second electoral cycle (2011-2014)[1], the number of committees headed by female representatives is five committees, namely (Health, Services and Reconstruction, Displaced Persons, Women, Members' Affairs Committee), while the position of Vice-Chair of the Committee is five (Services, Culture and Media, Displaced Persons, Civil Society Institutions, Members' Affairs), while the number of committees in which female representatives also held the position of Rapporteur is five (Foreign Relations, Services, Agriculture, Martyrs, Women's Committee).

As for the third electoral cycle (2014-2018), the female representatives' committees comprised three (Culture, Women, and Civil Society Institutions). Six committees held the positions of deputy and committee chair (Economy, Services, Tourism, Culture, Martyrs, Women). There were seven committees in which female representatives held the position of committee rapporteur (Foreign Relations, Education, Higher Education, Health, Endowments, Martyrs, Women). In light of this data, we find that the selection of party, presidents, deputies, and rapporteurs is based on the principle of quotas according to the percentages of political parties in the Parliament. The large parties have a large number of committees, and the leaders of these parties are men who are not dismissed for anything less than the presidency of the committee, which has denied the rights of many women[2]. Although the agreement with the Presidency was to allocate

(1) In the second electoral cycle, women won (82) seats out of 325 seats, which is equivalent to 2% of the total number of members of the House of Representatives, noting that 21 members of the current quorum were former members and 60 held parliamentary seats for the first time. The number of women who won votes without the quota was 15. Some statistics (19) indicate an improvement in the image of women's performance in the mindset of the Iraqi voter, who was able to win more votes from voters.

(2) Ban Ali Kazem. "Evaluation of Iraqi Female Parliamentarians in the Iraqi Council of Representatives." PhD diss., College of Political Science, University of Baghdad, 2017, 80.

25% of these positions to women, female parliamentarians were placed under the guardianship of political parties. We find that most parties nominate female representatives to committees that are limited to family, education, and civil society issues and exclude them from committees related to security, natural resources, legal, and foreign affairs. Also, the parties should have considered specialization, competence, academic achievement, or their desire to choose, meaning there is no female or deputy committee chair. Women remain largely symbolic in the parliament, with none nominated as Speaker. This lack of nominations doesn't reflect a shortage of qualified women but rather the control political parties exercise over female parliamentarians[1].

In the third electoral cycle (2014-2018), women won 82 out of 328 seats, with 22 winning through competitive votes, though it was still considered a quota system. Women chaired four committees: Parliamentary Education (68% women), Human Rights (46% women), and Women, Family, and Childhood (100% women). Female representatives highlighted the displaced persons crisis due to ISIS's control, with Vian Dakhil and Alaa Talabani demanding international intervention. Alia Nassif and others raised the issue of violence against women, advocating for recognition of the situation as genocide by the UN. Their supervisory role was evident through oral and written questions to ministers[2].

However, they did not engage in legislative activity on women's issues or contribute to pro-women legislation. In the third parliamentary session, Ala Talabani and Marwa Abdul Wahid became the first women to lead their parliamentary parties. At the same time, Hanan Al-Fatlawi played a significant role in new parliamentary administrative conflicts[3]. Despite these advancements, only ten out of

(1) Hiyam Murhej. "The Political Role of Minority Women in Iraq After 2003." Al-Bayan Center for Planning and Studies, 2022.
(2) Iraqi Parliament. 2014. 114, 41.
(3) Amina Mohammed Ali. Ibid. P. 599.

80 women had a clear and active role in the Iraqi Parliament. This indicates that female parliamentarians were more active and effective than in previous sessions but still needed to perform their role as required(1).

In the fourth electoral cycle (2018-2021), women won 83 out of 329 seats, with some securing over 50,000 votes without relying on the quota system. However, Adel Abdul Mahdi's government lacked female representation, as dominant political parties were not serious about empowering women. Women were often seen as mere numbers without real influence. The 2021 parliamentary elections demonstrated that women have leadership qualities and can reach political decision-making positions without a quota. Women should have a strong presence in parliamentary committees and lead essential committees(2).

II.6. Participation of Female Parliamentarians in the Oversight Field

The Iraqi Parliament exercises the supervisory role over the executive authority through the mechanisms specified by the Iraqi Constitution in Article 61 and in the internal regulations through Articles (32, 38, 50, 55, 56, 58). Among these mechanisms are:

First: Parliamentary Questions*:* It refers to querying or wanting to investigate a matter of authority, where a member of parliament directs a question or questions to the Prime Minister or any minister to request inquiries on a specific topic(3). Based on Article (6/Paragraph 7/A) of Iraq's Constitution of 2005, any member of the parliamentarian can pose questions within their jurisdiction, with the ministers required to respond. Chapter (10) of the Parliament 2006 Internal Regulations further organizes procedural rules for

(1) Ban Ali Kazem. *Ibid.* p. 959.
(2) Badriya Saleh Abdullah. Ibid., P. 144.
(3) Adel Tabtabai. *Parliamentary Questions*. Kuwait University Publications, 1987, p. 29.

questioning. Statistics from the Iraqi Parliament Department show that in the first electoral cycle (2006-2010), no questions were directed by either men or women, potentially reflecting women's generally weaker roles than men. Many women are new to politics, entering parliament through quotas, often adhering to party leaders' decisions amidst pressures, especially from parties in the executive facing opposition threats, such as confidence withdrawal or parliamentary session boycotts.

This mechanism remained inactive among the parliamentarians in the second electoral cycle (2010-2014). In the third electoral cycle, 26 questions were directed to the government, with male representatives submitting eight questions, 30%, and female representatives submitting 18 questions, representing 70% of their total number in the Parliament[1].

Second: Raising a General Topic for Discussion: Article (61, paragraph 7, b) of the Iraqi Constitution allows at least twenty-five members of the Parliament to initiate a discussion on the policies and performance of the Council of Ministers or Ministries. The ministers must appear before the Council upon setting a date. Internal regulations of the Parliament, detailed in Article 14, support this provision and grant permanent committees the authority—with majority approval—to call ministers, their deputies, or officials of equivalent rank for clarification.

In the first cycle, this mechanism was utilized by 18 members, but the specific parliamentary member submitting requests should have been disclosed in the session minutes. In the second electoral cycle, women submitted 17 requests compared to men's 48, while in the third cycle, female representatives submitted nine requests

(1) Raghad Jasim Nasif, and Badriya Saleh Abdullah. "Parliamentary Oversight of Government Performance in Iraq during the Three Electoral Cycles (2006-2018)." *International Studies Journal* no. 80 (2020): P. 191.

versus 14 by male representatives. These statistics suggest that male members raised more significant issues over the three cycles due to their large numbers. Still, this difference does not imply that female representatives were inactive or less involved[1].

Third: Interrogation: Interrogation, constitutionally approved in (Article 61/Seventh/C) of Iraq's Constitution and supported by internal Parliament regulations, is a critical parliamentary tool in its government oversight. During the first electoral session, parliamentarians initiated (5) interrogations, with female participation in (1) led by MP Hanan Al-Obaidi in 2009. This interrogation targeted the Minister of Electricity, Karim Wahid, highlighting bold questioning that exposed shortcomings without resulting in political consequences for the minister. In the second session, (3) interrogations were submitted: (2) by male parliamentarians and one by MP Hanan Al-Fatlawi against commission head Faraj Al-Haidari, though political agreements prevented its implementation[2].

In the third legislative session, Ms. Shorouk Al-Abayji ran for Speaker of Parliament for the first time in Iraqi history. She obtained (19) votes, while Salim Al-Jabouri received (194). Additionally, Ms. Hanan Al-Fatlawi was selected for President of the Republic for the first time, receiving (37) votes against Dr. Fouad Masoum's (175) votes. During this session, (6) interrogations were directed: (2) by men and (4) by women, targeting the Minister of Defense (Khaled Al-Obeidi), Minister of Electricity, Minister of Communications, Acting Minister of Trade, Chairman of the Election Commission, and Chairman of the Media and

(1) Mustafa Naji. Research Department, Research Division, Iraqi Council of Representatives, Based on Tables from the Committee Affairs Section of the Parliamentary Department of the Iraqi Council of Representatives.
(2) Ban Ali Kazem. Ibid. 2017, p. 151-152.

Communications Commission, the two who requested the interpellation were (Alia Nassif and Hanan Al-Fatlawi)[1].

In light of the above, Iraqi female representatives they played a prominent role in this session, showing increased activity and effectiveness, most likely due to the accumulated parliamentary experience and insights learned from previous sessions.

Conclusion

This study concludes the following:

1. Gender mainstreaming is critical for achieving gender equality in politics by integrating gender perspectives into all policy-making and institutional practices.
2. Despite progress, significant barriers and obstacles persist, requiring continued efforts and strategic approaches such as gender quotas to ensure women's effective participation and representation in political life.
3. The Iraqi legal system has attempted to address gender equality and women's weak participation in the legislative authority and decision-making positions by adopting a quota system, which allocates a limited number of parliamentary seats for women.
4. Drafting a constitution that aligns with gender equality principles is among the essential techniques to consider. This means including a gender equality perspective, prohibiting discrimination based on gender, and ensuring women's right to participate in public and political life. A democratic constitution should reflect the extent to which it is gender-inclusive and support mainstreaming gender concepts in parliament and

(1) May Hamoudi Al-Shammari. "The Status of Iraqi Women after 2003 and Ways of Their Participation in Decision-Making, Policy Formulation, and Governmental Policies." Paper presented at the Sadie Conference of the Arab Women Organization, Role of Women in Arab States and Paths of Reform and Change.

government. However, the Iraqi constitution does not explicitly state the principle of gender equality, relying instead on ideas of equality and justice.

5. The constitutionally guaranteed percentage of women's representation in the Iraqi parliament is insufficient to adequately represent gender in the legislative authority.
6. An inverse relationship has emerged between the power of positions in the highest authorities of the state and women's access to those positions. The more powerful the position, the fewer chances a woman has to assume it. This is attributed to male dominance in political power and the absence of legal requirements for women to maintain these positions, even at a certain percentage.
7. The efforts to increase women's representation in parliament and to consider gender are merely formalities and political embellishments. The stipulated percentage of 25% does not align with the fact that women make up 60% of the population in Iraq, violating the principle of equality. Some female parliamentarians won their seats through voting power without relying on the quota system. However, the High Commission included these women in the quota system to meet the 25% requirement, interpreting it as the maximum limit for women's participation. This undermines the achievements of women who succeeded in the electoral race independently of the quota system, representing an injustice and an infringement on gender equality and women's competence in political life. Therefore, it is essential to work towards changing the gender composition of the Iraqi parliament.
8. The weakness of political will and lack of interest in gender issues within government institutions are significant obstacles to highlighting women's roles. There is a need for increased legislation regulating gender issues and a more precise

description of women's presence in all stages of the political, governmental, and electoral processes. Statistics reveal that parliamentary work often neglects gender considerations in legislative and oversight performance.

9. Researchers believe that representation in Iraq lies within the realms of descriptive representation through the quota system, alongside substantive representation, highlighted by different scholars through the limited but ongoing efforts to address women's issues in parliament.

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