



Kurdistan Regional Government - Ministry of Justice

Equality and Justice Policy



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The Ministry of Justice was established on 7/9/1992, within the first ministerial formation of the Kurdistan Regional Government according to Article 9/1 of Cabinet Law No. (3) for the year 1992 issued by the Parliament of the Region, and on 11/21/1992 the first law of the Ministry was issued law No. "12" for the year 1992, based on the necessity to develop the judicial system and the responsibility it bears in achieving justice and protecting the rights of citizens and developing legislation so that it becomes able to carry out its legal and judicial tasks in a more efficient and effective manner, in order to establish the principle of the rule of law.

The Ministry's Law has been changed according to Law No. (13) of 2007, and it consists of the following main judicial agencies: The General Directorate of Justice (Al-Diwan), the Regional Shura Council, the Judicial Supervision Authority, the Presidency of the Public Prosecution, the General Directorate of the Judicial Institute, the General Directorate of Real Estate Registration and the General Directorate of Justice Departments.

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About the EU Regional Trust Fund in response to the Syrian crisis, the EU Madad Fund:

Since its establishment in December 2014, a significant share of the EU's non-humanitarian aid for Syria's neighbouring countries is provided through the EU Regional Trust Fund in Response to the Syrian Crisis, the EU 'Madad' Fund. The Trust Fund brings a more coherent and integrated EU aid response to the crisis and primarily addresses economic, educational, protection, social, and health needs of refugees from Syria in neighbouring countries such as Jordan, Lebanon, Turkey, and Iraq, and supports overstretched local communities and their administrations. For more information about the EU Trust Fund, please visit:

https://ec.europa.eu/trustfund-syria-region/content/home_en

About Women Empowerment Organization:

Women Empowerment Organization (WEO) is an independent, non-profitable and non-governmental organization that aims to promote equal rights, gender and women, equal participation of women as well as ensuring their effective role in Iraqi society. WEO aspires to a peaceful and safe community where equality and justice is maintained thus reflected unambiguously in laws, policies, and peace initiatives. Men and women alike share economic, political, and cultural resources, as well as contributing to decision-making and conflict resolution. WEO believes that men and women are entitled to human rights, freedoms, and the right to access resources without distinction. WEO has made breakthroughs, at the national level, bringing about changes in the lives of the people with whom it has communicated over the past years. Also, it focused on activating the role of women and enhancing their political, economic, cultural, and social participation. Since its inauguration in 2004, the organization has worked to render its services as part of four main sectors: economic empowerment, livelihood, political participation, legal and social advocacy, gaining support, and lobbying. The organization played an important role in prioritizing and advocating for Women's Peace and Security (WPS) agenda, and leading initiatives to develop the national action plan for UN Security Council Resolution 1325.

Euromed Feminist Initiative IFE-EFI advocates for equality and justice and women's universal human rights as inseparable from democracy building and citizenship, for political solutions to all conflicts, and for the right of peoples to self-determination.

Introduction:

"We are against any sexual discrimination and stand against any marginalization of the role of women. Women should be given the role and the rightful place in society and actively participate in the political, economic, social and cultural fields in the region."

Women and men have different access to resources and opportunities. This difference is rooted in the current standards, norms and beliefs about men and women's roles, responsibilities, rights and behaviors, stemming from the society and culture that prevails in them and the traditional view of women at work and positions.

Over the past years, the Kurdistan Regional Government (KRG) has made extensive efforts in establishing the idea of equality and justice between men and women and spreading it through amending laws and developing various strategies and programs. Despite the efforts made, the matter still requires strategic interventions at all levels of programs, policy-making and the adoption of special measures to promote equality and justice between men and women and empower women.

The ministry's commitment towards international agreements related to equality and justice between men and women, especially the Convention on the Prohibition of All Forms of Discrimination Against Women known as CEDAW, international decisions concerning women and international recommendations issued by the Human Rights Council within the universal periodic review mechanism and the concluding observations of the Committee on the Elimination of Discrimination against Women, known as the Committee CEDAW.

Fulfilling the fifth goal of the sustainable development goals of achieving equality and justice between men and women, and a commitment to work to implement the lines of the work program of the ninth ministerial cabinet of the Kurdistan Regional Government, is one of its aspects to ensure the effective participation of women in all fields. The role of the Ministry of Justice is effective and influential in implementing programs for the government and in the development of legislation.

The Law No. 13 of 2007 aimed at achieving justice and equality for all citizens in the region in line with the Universal Declaration of Human Rights and with international covenants.

The ministry of justice is a fundamental partner with other ministries in the Kurdistan Regional Government to work towards achieving and implementing the goals of the National Strategy to Combat Violence against Women in the Kurdistan Region and the National Strategy for the Development of the Status of Women, which were adopted by the Supreme Council for Women it's Affairs in the Kurdistan Region. It is also one of the first ministries that formed a special committee to follow up the implementation of the first national plan for Security Council Resolution 1325 related to women, peace and security, and to the belief that working on equality and justice between men and women and empowering women is the responsibility of all institutions.

The Ministry took the initiative to issue a ministerial order on 12/27/2018 to form the Administrative Unit for Equality and justice between men and women, specialized in working to make progress towards mainstreaming equality and justice between men and women in a systematic and effective manner, promoting equality and empowering women within the Ministry.

Based on all these reasons, the endeavor was to establish the equality and justice policy within the framework of the institutions and agencies of the Ministry of Justice, which we aspire to lead to the development and development of the Ministry's role in the field of equality through the integration of equality and justice between men and women and the empowerment of women and their access to decision-making positions in all the Ministry's work and activities.

Policy Preparation Methodology

1-A project has begun on preparing this policy to initiate a participatory approach between the Ministry and the Women Empowerment Organization, based on the National Strategy for the Development of the Status of Women in the Kurdistan Region. The Chairman of the Special Committee for Resolution 1325 in the Ministry of Justice initiated a presentation and proposal to WEO to cooperate and coordinate with the Ministry and the Supreme Council for Women's Affairs for the purpose of arranging and preparing the equality and justice policy for the Ministry of Justice in the Kurdistan Regional Government. WEO adopted the project and expressed its readiness to cooperate, coordinate and support the policy in all stages (arrangement, preparation, and issuance) and officially addressed the Ministry of Justice on 20/2/2020. The Ministry of Justice approved, in its letter No14/955 from 2/3/2020 to cooperate and coordinate with the organization in order to prepare the aforementioned policy within the framework of the ministry's institutions, and for that, the first official meeting was held between the representatives of the ministry, the Director General of Justice and the Chairman of the Resolution 1325 Committee, with the representatives of the Women Empowerment Organization on the anniversary of International Women's Day 8/3/2020.

2- On 15/7/2020, according to Ministerial Order No. 20/252, a special committee was formed by the Director General of Justice and the membership of representatives of the judicial bodies in the Ministry, the head of the Women Empowerment Organization and the legal advisor to the organization, in order to start work on the stages of preparing the policy.

3- The committee held its first meeting on 21/7/2020 in order to develop a work plan for the institutional analysis process that includes work stages, distribution of roles and tasks, and identification and collection of qualitative and quantitative data needed to prepare the policy.

4- On 26/7/2020, a remote training workshop was held (online) for the participants in the committee, regarding the stages of policy development, its importance and

the course of work on it (action plan - collecting quantitative and qualitative data, and analyzing the internal environment and resources at the ministry level).

5- The committee held the second meeting on 29/7/2020, during which the necessary data to analyze the policy from equality perspective was collected in the ministry and its affiliated institutions through: -

- A- Collecting and presenting quantitative data organized by the Development Directorate of the Ministry and analyzing it from equality perspective, looking at the differences between men and women's roles by relying on accurate scientific observation and abstract and objective facts.
- B- Collecting and reviewing the documents issued by the Ministry of Justice, including documents related to the Ministry's law, the regional Shura Council law, the civil service law, the organizational structure of the ministry, decisions and instructions that take into account work at all levels, publications, in addition to the website that is supervised by the Information Directorate and the Directorate Information technology in the ministry.

Qualitative Data Collection:

- Four focus groups were formed of female employees who represent all the justice agencies in the ministry. The focus groups held their meetings on 20, 21, 22/8/2020 and the meetings discussed and answered the guiding questions that were developed about the policy of equality and justice. The questions centered on three key paragraphs and a set of questions were presented in each paragraph. In the first paragraph (General Entry), questions were asked related to the extent to which female employees of the Ministry and judicial agencies were aware of equality and justice between men and women and the agreement on combating all forms of violence against women and national strategies,

while the second paragraph included questions related to describing the reality of Women in general in the Ministry's judicial system in terms of numbers, proportions, positions, roles and powers; based on this description, levels of men and women discrimination were defined .The third paragraph included questions related to a reading of the reality of the ministry's interventions and the extent to which the ministry considered equality and justice between men and women and how to implement it, in addition to the paragraph concerning the recommendations that would define the facilities procedures for the female employees who want to be available in the ministry and which are related to the reproductive role and how the institution can push towards a greater presence of women, their roles and the measures that the ministry requires to protect women from any form of violence.

The closed and open questionnaire, through the Google Form program, in order to collect qualitative data.

- Relying on the responses of the representatives of the ministry, justice agencies and decision-makers through the committee formed to set the policy.

- 1- The committee held several meetings during the past three months since holding its first meeting, and its last meeting was on 22/10/2020, in the presence of the committee chairman and members, where the final draft of the policy was discussed and adopted, after it was presented to the Minister of Justice for the purpose of final review and comments on it in order to be approved.
- 2- Analyzing institutional work through:

- A- Analyzing the reference laws, decisions and instructions of the Ministry, which is a set of documented rules that control, direct and regulate work in the Ministry.
- B- The structure of the ministry: it is the human resources in the ministry and the administrative relations that govern it at all horizontal and vertical levels, the sources of decision and the decision-making mechanisms, and the procedures followed in the management of personnel affairs of appointment, promotion and termination of service.

The first section / the international framework, the constitutional and legal framework, and the national strategies related to women in the Kurdistan Region

First: the international framework:

In preparing the policy, we relied on a set of international instruments and decisions that call on member states to mainstream the equality perspective in their legislations and policies and to adopt special measures to promote equality and justice between men and women and empower women, the most important of which are: -

1- The Convention on the Elimination of All Forms of Discrimination

Against Women in 1979 CEDAW: - as it affirmed in its preamble the belief in basic human rights, the dignity and value of the individual, and the equality of men and women in rights, in its articles 2 to 4 present the nature of states 'obligations in the form of laws, policies and programs that states should undertake temporary positive measures aimed at accelerating equality between men and women. Paragraph 1 of Article 11 states that "States Parties shall take all

appropriate measures to eliminate discrimination against women in the field of work in order to guarantee equality between men and women in rights.” The Republic of Iraq approved this convention in 1986 with reservations on some of the provisions.

2- The Declaration of the 1995 Beijing Platform for Action and the Beijing Declaration +5: - The declaration covers 12 areas for the advancement of women, including the participation of women in power and decision-making, the protection of women's human rights, and ensuring the integration of the equality and justice between men and women issues into national, regional and international policies and programs. It promotes active and clear policies to mainstream equality perspective in all policies and programs so that before decisions are taken, an analysis of their effects on women and men can be conducted, and the Republic of Iraq is committed to this Declaration.

3- Sustainable Development Goals (Global Agenda 2030): It is a set of goals (seventeen goals) set by the United Nations, regarding equality and justice between men and women and the empowerment of women which lie at the core of the sound, enforceable legislation and the strengthening of existing policies and legislation such as this, meant to advance equality and justice between men and women and empower all women and girls at all levels, in addition to mainstreaming the 2030 Agenda for Sustainable Development at the national and local levels, and integrating it into national, sub-national and local development plans. The Republic of Iraq has agreed to this Agenda in 2016.

4- Conclusions of the Economic and Social Council: - Agreed in 1997, it indicated that the mainstreaming of the equality and justice

perspective is a process of evaluating the effects of any scheduled action on women and men, including legislation, policies or programs, in all fields and at all levels. It is a strategy to make women's and men's concerns and experiences an integral dimension of designing, implementing, monitoring and evaluating policies or programs in all political, economic and societal areas, so that men and women benefit equally and not be exposed to inequality. The ultimate goal is to achieve the equality and justice between men and women.

5- Security Council Resolution 1325 on Women, Security and Peace issued in 2000: - which calls on the Security Council, the Secretary-General, Member States and all other parties to expedite the taking of necessary measures in matters related to the participation of women in decision-making and peace processes, and to introduce the integration of equality and justice in training and preservation of Peace, the protection of women, as well as the inclusion of the equality and justice in all United Nations reporting systems and program implementation mechanisms.

Second: The Constitutional and Legal Framework on Equality and Justice between Men and Women

1- Equality and Justice in The Draft Constitution of The Kurdistan Region:

The draft constitution of the Kurdistan Region affirms equality in the first, second and third paragraphs of Article 20, as is stipulated in the first paragraph that everyone is equal before the law, and the second paragraph indicated all forms of discrimination on the basis of race, colour, sex, language, social background or nationality, origin, religion, belief, thought, age, economic, social or political status, disability . The principle of equality does not prevent the correction of the effects and

consequences of injustice in the past by previous regimes against the citizens of Kurdistan - Iraq and its national, religious and linguistic components. It explicitly stipulated the principle of equality and justice between men and women in the third paragraph, "Men and women are equal before the law, and the regional government must strive to remove everything that is considered an obstacle to equality in life and to civil, political, social, cultural and economic rights. Article 27/4 stipulates that the regional government shall guarantee the establishment of special homes for the care and protection of women who lack family security for social reasons and Article 41 /2 stipulates that a fair representation of the components of Iraqi Kurdistan people should be taken into account in the system of electing members of Parliament, and at least 30% of the seats for women representation should be guaranteed.

2- Equality and Justice between Men and Women in Laws Related to Organizing The Work of The Main Agencies in The Ministry of Justice- :

The Ministry of Justice and its agencies rely on a set of laws in their work, including Ministry of Justice Law No. 13 of 2007, Public Prosecution Law No. 159 of 1979, Law of Justice Fees No. 114 of 1981, Law of Judicial Supervision No. 124 of 1979, Implementation Law No. 45 of 1980 Law No. 52 of 1970 on Ratification of Signatures on Iraqi and Foreign Documents Law No. 33 of 1998, Law for the Care of Minors No. 78 of 1980, Real Estate Registration Law No. 43 of 1971, Shura Council Law No. 14 of 2008, Law of the Judicial Institute in the region No. 7 of 2009, Law of Publication in the Official No. 4 of 1999, Civil Service Law No. 24 of 1960, Law on Salaries of State and Public Sector Employees No. 22 of 2008, Discipline Law of State and Public Sector Employees No. 14 of 1991, Law Penalties No. 111 of 1969, Childbirth and Maternity Benefits Law No. 23 of 2003. Upon careful consideration and analysis of the texts of these laws, it was found that they are neutral regulatory and procedural laws, but they do not explicitly provide for equality between the men and women. However, there are texts that refer to women's rights in their content. Below are the texts in some laws:

A- Law of the Ministry of Justice in the Region No. 13 of 2007: - There are no discriminatory provisions against women in this law stating, for example, prohibiting them from holding certain positions in the ministry. In return, we do not find an explicit legal article or text referring to equality and justice and equal opportunities between them except for Article 2 / First of the law as it stipulates that Ministry aims to achieve justice in the region and protect the rights of citizens by applying and preparing laws and respecting their contents in a way that achieves the defense of human rights and is consistent with the Universal Declaration of Human Rights and the relevant international covenants and through checking the law of the Ministry of Justice in the region and comparing it with the Federal Ministry of Justice Law No. 18 of 2005 and the procedural and organizational laws for the implementation and care of minors and notary writers, it becomes clear to us that each of the three agencies is subordinate to a general directorate alone, but according to Article 4 of the Law of the Ministry of Justice in the Kurdistan Region, these three agencies are affiliated with the General Directorate of Justice Departments. The ministry's commitment to achieving justice as a strategic goal and its commitment to defend human rights in line with international declarations, charters and covenants guarantee the achievement of equality and justice between men and women, and the Ministry will work in the event of amending its law to establish an explicit provision on equality. Nevertheless, there is no text that favours men over women. In practice, women constitute more than 40% of all employees of the Ministry of Justice.

B- Public Prosecution Law No. 159 of 1979: Abolishing the condition of marriage for the purpose of appointment as a member of public prosecution, as the first paragraph of Article 41 of this law was amended and this condition was abolished by Law No. 2 of 2007 issued by the regional

parliament, and thus the opportunities became more equal between men and women to hold the position of Public Prosecution Judge.

C- The Justice Fees Law No. 114 of 1981 amended: Article 24 / stipulates the following fees: divorce application, or divorce certification request that occurred outside the court before this law came into effect, and the husband shall bear this fee in all cases. Article 25 stipulates the following: a fee of one hundred dinars is levied in a case for attestation or proof of divorce occurring outside the court after the enforcement of this law. The husband shall bear it, and if the wife is the applicant for certification or proof, then he shall be exempted from the fee. Article 34/4 stipulates that no fee shall be levied for a delivery transaction. Article 49 / c stipulates: a fee of 1% of one hundred shall be collected from the applicant for registering the following transactions: the gift or emptying without an allowance if it is between spouses, between parents and children, or between brothers and sisters, as well as revoking the gift or emptying without allowance or amending its terms, and in other cases, the provisions of Article 48 of this Law shall apply. We find through the above legal texts that there is positive discrimination for women, as they stipulated that the fees for attestation or proof of divorce lawsuits that occurred outside the court shall be borne by the husband and not the wife. If the wife establishes it, then she is exempt from paying fees and in the transactions of the gift or emptying there is a state of equality if it is between the spouses or parents and children Male and female, or between brothers and sisters.

D- Law on the Care of Minors No. 78 of 1980: Article 27 stipulates that the guardian of a young child is his father, then the court and Article 34 stipulates the guardian is the one whom the father chooses to take care of the affairs of his young child or fetus and then the one who is appointed by the court, provided that the mother comes before another, according to the interest of the child, and if there is no one of them, then the guardianship is for the Minors' Welfare Department until the court establishes a trustee. Through

these texts it appears to us that the compulsory guardianship over the young, especially in the financial support of the father without the mother and even in the guardianship, the lesson is who the father chooses to take care of his young child, except that the mother takes precedence over others according to the interest of the young, meaning there is negative discrimination against the mother (woman), but according to a law Amending the application of the Personal Status Law No. 15 of 2008 in the Kurdistan Region in the third paragraph of Article No. 15 of 2008 amending the text of Article 8 concerning the marriage of minors and minors who did not reach the age of eighteen and reached the age of fifteen, and a third paragraph was added stating: The father is dead or absent and she was the custodian.) The mother was given the mandate to give permission to marry a minor, but on the condition that the father is dead or there is firm evidence of his absence, and in both cases she must be the custodian of the minor.

E- Maternity Benefits Law No. 23 of 2003: According to this law, the full amount of the salary and allowances for women who enjoys maternity or maternity leave shall be disbursed throughout the period of her enjoyment of the leave. This leaves human to be kind to his parents. With much pain his mother bore him, and with much pain she gave birth to him; His bearing and weaning are thirty months. When he grows to manhood and attains his fortieth year, he says: 'Make me so disposed of My Lord, so that I give thanks for the favours with which You have blessed me, my father and mother, and that I will do good deeds that will please You. And, make me righteous and also my descendants. To You I repent, and I am among those who surrender. ' (15)

F- Penal Code No. 111 of 1969: Article 402 of the Penal Code stipulates: punishment with imprisonment for a period not exceeding three months and a fine not exceeding thirty dinars, or one of these two penalties:

- 1- Whoever requests things contrary to morality from another male or female.
- 2- Whoever is exposed to a female in a public place by words, deeds or signs in a manner that infringes her modesty. The penalty is imprisonment for a period not exceeding six months and a fine exceeding one hundred dinars if the perpetrator returns to committing another crime of the same type of crime for which he was sentenced within a year from the date of the previous ruling. The term "exposure to a woman in a public place" is certain that government departments and workplaces are public places. I use the terms words, deeds and signs, as it includes every behaviour that suggests sexual harassment of an employee while she is performing work despite the fact that the Federal Labor Law No. Sexual harassment in employment and profession, whether it is in the search for work, vocational training, employment, terms and conditions of work, and we do not see a difference between the two terms because what matters is the intentions and meanings and not the words and constructs. It is worth noting, and within the distinct legal amendments, the region's parliament issued Law No. 7 of 2001 according to which Paragraph (1) of Article 41 of the Federal Penal Code in force in the region No. 111 of 1969 was amended as it stipulated that the wife was excluded from the right to discipline contained therein and considered beating the husband, his wife has a crime punishable by law

G- The State and Public Sector Employees Discipline Law No. 14 of 1991: - We do not find in this law any article that explicitly refers to equality between the sexes despite its importance as it governs the relationship between the employee and the administration and in light of the provisions of this law, the Council of Ministers in the Kurdistan Region issued a system of professional rules and behaviour For Kurdistan Region employees No. (1) for the year

2011. We also did not find in this system any article that explicitly refers to equality between the sexes, but at the same time they do not contain any explicit or implicit text suggesting a distinction between them, except that the absence of a text referring to equality does not mean permissible or permission to distinguish between them.

H- Law of the Kurdistan Region Integrity Commission - Iraq No. (3) for the year 2011: - According to Article (5 / seventh) (10 / fifth) of this law, the Commission issued instructions for professional conduct for public employees in the Kurdistan Region No. (1) for the year 2016. Article 2 / expressly refers to equality as one of the basic values of the job and the public employee must adhere to it (equality through a commitment to perform his job duties in a fair and equal manner, regardless of the sex of the client ... and Article 4 / stipulates the public employee adopts the principle Everyone is equal before the law, and he applies it in a just and steady manner without any discrimination between individuals of any kind and for any reason.

Third: - National Strategies Related to Women in The Kurdistan Region

A- The National Strategy for Combating Violence Against Women in Kurdistan 2017-2027

The Ministry of Justice has a major role in implementing and achieving the goals of the strategy for implementing and achieving the first goal related to the legal field eliminating all types of legal discrimination against women and providing legal protection for them, by providing legal protection for women who face violence and discrimination in public and private life. A judicial body that does not tolerate the perpetrators of violence against women prepares judicial and legal cadres in how to deal with cases of violence against women from equality and justice perspective, and harmonizes legal articles with international conventions and charters, in addition to increasing women's participation in the judicial field.

As for the implementation and achievement of the second goal related to prevention of educating society about the causes and effects of violence against women on the family and society, the role of the Ministry of Justice is limited to educating women about their legal rights.

Regarding the implementation and achievement of the third and fourth goals in the field of protection support and advocacy for victims of violence and protection of women from all forms of violence and the field of care improving services provided to women survivors of violence.

B - The National Strategy for the Development of the Status of Women in the Kurdistan Region 2016-2026

This strategy was approved by the Council of Ministers of the Kurdistan Region in its Resolution No. 98 and in its session held on 11/22/2016. This strategy includes six outcomes (long-term results and goals) and the role of the Ministry of Justice is key in achieving and implementing a set of outcomes as it is the partner. The main factor in achieving the first outcome concerning a legislative and legal environment in line with human rights principles and international treaties and all its outputs related to draft laws and approved procedures to eliminate pockets of discrimination against women, if any, and specialized government institutions are qualified to implement laws and decisions related to women's rights, coalitions built to mobilize support for the adoption of the proposed legal and procedural frameworks. The ministry has a major role in achieving the first output of the fifth outcome in the strategy related to the high level of women's participation in decision-making and peacebuilding positions based on Security Council Resolution 1325, during the implementation of legal and legislative procedures and measures. Administrative office proposed to increase the number of women in policy-making and decision-making positions, in addition to that the ministry will have an important role in partnership with the others ministries in achieving and implementing the sixth outcome related to institutions concerned with women's affairs being supported with resources and

powers that allow them to perform their tasks effectively and to achieve the third output related to (equality and justice mainstreaming curriculum developed to build the capacities of all ministries. The ministry of Justice can participate in achieving the objectives of the national strategy through its mission of developing laws and issuances of the Legal Research Center (newly created), the Shura Council, the Public Prosecution Authority, and the Unit for Equality and Justice and Human Rights.

The Second Section: Policy Objectives and Policy Implementation Mechanisms

First: Policy Objectives- :

The advantages of the Ministry of Justice are that most of its human resources are from the field of law (judges, consultants, members of the public prosecution, jurists, experts, and employees.) The reality of the equality and justice perspective in the ministry in terms of equality is at a high level and almost approximately half where females constitute (46%) compared to the proportion of males (54%). Despite this, there are still areas and opportunities for effective participation of women, especially in their assuming higher leadership positions, as the percentage of women in this field is small, which is (29%) compared to the proportion of men, which is (71%), and in their assuming administrative positions, participating in fieldwork, forming committees, and in order to fill these gaps and create a supportive and advocacy work environment for women's rights that takes into account equality and justice and meets the different needs of female employees, this policy aims to: -

1. The ministry's adoption of the issue of equality and justice between men and women and the integration of equality and justice approaches within the Ministry's levels.
2. Enhancing the participation and engagement of women by removing barriers that hinder the effective participation of women in the justice sector.
3. Striving to achieve equality and justice through the services provided and carried out by the Ministry, taking into consideration the differences and challenges that women face.

4. Promoting a work environment that enables employees (permanent and temporary / s) to work productively and ensures their protection from discrimination and violence.

These goals will be achieved based on work at the institutional and program levels, through various interventions, as follows:

A- The Institutional Level

1. Personnel policies: The Ministry will take into account all internal equality and justice policies, decisions and instructions for employees and work on reviewing them periodically.
2. Employment: The Ministry will seek to achieve men and women balance in employment and achieve equal opportunities, all within the framework of the instructions and directives of the Civil Service Council in the region if it is formed according to its law.
3. Performance evaluation: equality and justice sensitivity will be one of the performance indicators for evaluation.
4. Capacity building for equality and justice between men and women awareness: Organizing workshops, training programs and discussions to promote and enable equality and justice-sensitive work culture. Regular training courses on awareness and confidence building for field staff will also be held, with a special focus on female staff.
5. Protection from violence against women: The Ministry will endeavour to prevent and combat sexual harassment in all departments of the Ministry, if it exists in any form, through punitive and administrative legal articles, in addition to ensuring the implementation of professional conduct rules in the workplace.
6. Working to make equality and justice between men and women more institutionalized in the ministry and translating it into action plans, programs and work mechanisms that take into account building the capacities of the

ministry's employees, providing resources and taking measures aimed at promoting work for equality and empowering women in the ministry.

7. Taking into consideration the conditions of female employees and mothers in view of the beginning and end of the official working hours, and working on preparing nurseries in the official departments of the Ministry.

B- Program Level:

1. Skills building and capacity development on equality and justice between men and women perspective will be one of the Ministry's objectives in all programs, courses and workshops.
2. The Ministry will promote all programs aimed at the equal participation of all stakeholders in order to promote and evaluate the inclusion of equality in every project.

Second: Mechanisms for Working on Politics

A- Mechanisms of Action at The Institutional Level: -

In order to institutionalize equality and justice between men and women in the ministry, uncover unequal opportunities between the sexes and fill in the gaps that hinder the actual contribution of women's efforts in the work of the ministry, the ministry will:

- 1- Work on preparing an action plan to achieve the policy objectives and implement them through cooperation and coordination with non-governmental organizations.
- 2- Amend the Ministry of Justice Law No. 13 of 2007 and make an explicit provision to achieve equality.
- 3- Adding the study of international charters, conventions and decisions related to women and equality to the curricula of the Judicial Institute by a decision of the Board of Directors of the Judicial Institute by studying human rights declarations and charters and combating violence against women.

4- The ministry's obliged to achieving equal opportunities and equality and justice to reach leadership positions and be accepted into the Judicial Institute.

5- Enhance, activate and empower the role of the equality and justice unit in the ministry by raising the administrative and organizational level of the unit and providing it with a trained functional cadre with competence, energies and capacities to assimilate the equality and justice between men and women.

6- Staff policy: to include decisions, instructions and internal regulations issued by the ministry that take into account equality and justice between men and women and take into account the content of this policy.

7- Employment policy: The Ministry is committed to the laws related to employment in addition to taking into account equality and justice between men and women in appointing vacant jobs based on non-discrimination, competence and skill through the Service Council.

8- Performance evaluation: providing an accurate database on work and equality and justice between men and women in the ministry and developing a measurement system that emphasizes qualitative indicators.

9- Allocating a budget that is responsive to equality and justice between men and women.

10- Protecting women from violence and sexual harassment at work in accordance with the State Employees Discipline Law and the employee's rules of conduct, and in implementation of the punitive articles that criminalize harassment and violence.

B: Mechanisms of action at the program level:

1-Creating partnerships with local, regional and international organizations concerned with integrating equality and justice between men and women by forming a channel between the ministry and local, regional and international organizations.

2-Training the Ministry's employees and building their capabilities, taking into consideration the equal participation of the sexes, to work according to participatory and equality-sensitive approaches and rights-based and advocacy approaches.

Section Three: Policy Implementation, Monitoring and Evaluation

Under the direction of the Council of the Ministry and depending on the Equality and Justice Unit in the Ministry, which is supervised by the Director General of Justice in coordination with the representatives and of all judicial agencies, this policy will be implemented, followed up and evaluated at the institutional and program levels, and the policy will be followed up and evaluated through- :

1-Disseminating the policy to all judicial agencies in the ministry.

2-Holding periodic meetings with representatives of the judicial authorities and in coordination with the Supreme Council for Women in the Kurdistan Region for the purpose of discussing challenges and obstacles and presenting proposals that lead to the optimal implementation of the policy, and reporting the meetings to the Minister of Justice.

3-Preparing and publishing an annual report on the policy and indicators of the level of progress made in implementing the policy and providing the necessary recommendations for that in line with the strategies related to women in the Kurdistan Region.

General concepts

Equality policy: It is a set of principles and rules set by the ministry to guide and take current and future decisions with the aim of integrating equality and women's needs, and participating on an equal approach in decision-making within the ministry and its affiliated institutions, obtaining rights, empowerment, and benefiting from available materials and opportunities in addition to obtaining protection for creating equality and justice between men and women.

Equality and justice between men and women: The term equality and justice between men and women refers to the differences of social and cultural foundations between women and men.

Sex: refers to the biological and psychological differences between females and males.

Equality and justice between men and women roles: societal norms shaped by what is generally considered acceptable, appropriate, or desirable for each sex. These standards often adapt early in life, and are reflected in the political, social and productive spheres.

Stereotype: It is a generalized view or a preconceived notion of characteristics or traits that men and women have or should have, or the roles that they should play. A stereotype is harmful when it limits the ability of women and men to develop their personal capabilities, pursue their careers, and make choices about their lives and life plans.

Identity: how people define themselves within the equality and justice spectrum. Identities can be feminine, masculine, and non-conforming to norms.

Equality: that everyone, regardless of their sex, has equal rights and access to opportunities, services, resources, benefits, participation and responsibilities.

Justice: advancing equality and justice a step forward. It requires recognition of the differences between social groups, and it acknowledges their different needs, limitations and aspirations. Only then can equal opportunities and outcomes be created.

Discrimination: It is any discrimination, exclusion, or restriction made on the basis of sex with the aim of weakening or frustrating the individual's recognition of human rights and fundamental freedoms in the political, economic, social, cultural and civil fields or in any other field, or undermining or frustrating his / her enjoyment of these Rights or his / her exercise of them, regardless of his / her marital status.

Empowerment of women: a process by which women realize their choice, power, and control over their lives. It is a goal in itself. For empowerment to be achieved, women must not only have equal capabilities and equal access to resources and opportunities like men, but also have the means to use these rights and opportunities to define their choices and decisions as a member of society.

Equal Opportunities: It is fairness and non-discrimination in providing opportunities in all areas such as family, education, work, positioning and other fields, by taking into account needs, competence and capabilities.

The equality gap: it is the difference between the relative value of men from the relative value of women for a particular characteristic, i.e. subtracting the proportion of men (men / total men) from the proportion of women (women / total women)

Violence against women and girls: It is violence that differs from other types of violence in that it is directed at people on the basis of their sex, identity, or aspirations. Violence against women and girls can be of a physical, sexual, emotional or economic nature.

Sexual harassment: It is a form of discrimination that indicates unwanted approaches of closeness that have a sexual nature and may also include rape in addition to verbal, non-verbal, written, visual, psychological and physical threats.

Equality-responsive budget: These are government budgets that take into account the difference in roles and are based on a study and analysis of the needs of women and men in every stage of budget preparation, including the planning stages of budget preparation, implementation, follow-up and evaluation, and they are not only budgets for women.

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