

# Iraq

*Women, Business and the Law 2020* presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Baghdad). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Iraq scores 45 out of 100**. The overall score for Iraq is lower than the regional average observed across the Middle East & North Africa (49.6).

## Iraq - Scores for Women, Business and the Law 2020



### Relative Strengths

When it comes to laws affecting women’s decisions to work, Iraq gets a perfect score.

### Areas for Improvement

However, when it comes to constraints on freedom of movement, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, constraints on women's starting and running a business, gender differences in property and inheritance, and laws affecting the size of a women's pension, Iraq could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Iraq is on the indicator related to constraints related to marriage (the WBL2020 Marriage Indicator). To improve on the Marriage Indicator, Iraq may wish to consider no longer requiring a married woman to obey her husband, allowing women to be head of household, enacting legislation protecting women from domestic violence, allowing women to obtain a divorce in the same way as a man, and giving women the same rights to remarry as men.

### Recent Reforms (2018-2019)

No reforms impacting the WBL2020 indicators have been observed during the past two years.



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	No	Personal Status Law No. 188 of 1959, Art. 23
	Can a woman travel outside her home in the same way as a man?	No	Personal Status Law No. 188 of 1959, Art. 25(1)
	Can a woman apply for a passport in the same way as a man?	Yes	Passport Law No. 32 of 2015, Arts. 1(10) and 5; Passport application form
Workplace	Can a woman travel outside the country in the same way as a man?	No	Personal Status Law No. 188 of 1959, Art. 25(1)
	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Labor Law, Arts. 8-11
	Is there legislation on sexual harassment in employment?	Yes	Labor Law, Arts. 10-11
Pay	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Labor Law, Arts. 10-11 <i>Civil:</i> No applicable provisions could be located
	Does the law mandate equal remuneration for work of equal value?	Yes	Labour Law No. 37/2015, Sec. 1-14 and 53-5
	Can women work the same night hours as men?	No	Labor Law, Art. 86
	Can women work in jobs dangerous in the same way as men?	No	Jobs deemed hazardous: Labor Law, Art. 85 Jobs deemed arduous: Labor Law, Art. 85 Jobs deemed morally inappropriate: No restrictions could be located
Marriage	Are women able to work in the same industries as men?	Yes	Mining: No restrictions could be located Construction: No restrictions could be located Factories: No restrictions could be located Agriculture: No restrictions could be located Energy: No restrictions could be located Water: No restrictions could be located Transportation: No restrictions could be located Other: No restrictions could be located
	Is there no legal provision that requires a married woman to obey her husband?	No	Personal Status Law No. 188 of 1959, Art. 33
	Can a woman be head of household in the same way as a man?	No	National ID Law No. 3 of 2016, Art. 1(16)
	Is there legislation specifically addressing domestic violence?	No	No applicable provisions could be located
	Can a woman obtain a judgment of divorce in the same way as a man?	No	Personal Status Law, Art. 37
	Does a woman have the same rights to remarry as a man?	No	Personal Status Law, Arts. 47 and 48
	Is paid leave of at least 14 weeks available to mothers?	Yes	Labor Law, Art. 87
	Does the government pay 100% of maternity leave benefits?	No	Labor Law, Art. 87
	Is there paid paternity leave?	No	No applicable provisions could be located
	Is there paid parental leave?	No	No applicable provisions could be located
Parenthood	Is dismissal of pregnant workers prohibited?	No	No applicable provisions could be located
	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
Entrepren.	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as a man?	Yes	No restrictions could be located
	Do men and women have equal ownership rights to immovable property?	Yes	Civil Law of 1951, Arts. 93-106
Assets	Do sons and daughters have equal rights to inherit assets from their parents?	No	Personal Status Law No. 188 of 1959, Arts. 89(1) and 90
	Do female and male surviving spouses have equal rights to inherit assets?	No	Personal Status Law No. 188 of 1959, Arts. 90 and 91(1)
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Personal Status Law No. 188 of 1959, Art. 1(2)
	Does the law provide for the valuation of nonmonetary contributions?	No	No applicable provisions could be located
Pension	Are the ages at which men and women can retire with full pension benefits equal?	No	Women: Law on Retirement and Social Security No. 39 of 1971, Art. 65 Men: Law on Retirement and Social Security No. 39 of 1971, Art. 65
	Are the ages at which men and women can retire with partial pension benefits equal?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are the mandatory retirement ages for men and women equal?	No	Women: Labor Law 215, Art. 43(2) Men: Labor Law 215, Art. 43(2)
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Law on Retirement and Social Security No. 39 of 1971, Art. 31(a)