



**UNHCR ELIGIBILITY GUIDELINES FOR
ASSESSING THE INTERNATIONAL PROTECTION
NEEDS OF IRAQI ASYLUM-SEEKERS**

**United Nations High Commissioner for Refugees (UNHCR)
Geneva**

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NOTE

UNHCR *Eligibility Guidelines* are issued by the Office to assist decision-makers, including UNHCR staff, Governments and private practitioners, in assessing the international protection needs of asylum-seekers from a given country. They are authoritative legal interpretations of the refugee criteria in respect of specific groups on the basis of objectively assessed social, political, economic, security, human rights, and humanitarian conditions in the country of origin concerned. The pertinent protection needs are analyzed in detail and recommendations made as to how the applications in question should be decided upon in line with the relevant principles and criteria of refugee law as per, notably, the 1951 Convention and its 1967 Protocol, the UNHCR Statute and relevant regional instruments such as the Cartagena Declaration, the 1969 OAU Convention and the EU Asylum Directives. The recommendations may also touch upon, as relevant, complementary or subsidiary protection regimes.

UNHCR issues its *Eligibility Guidelines* pursuant to its responsibility to promote the accurate interpretation and application of the above-mentioned refugee criteria as envisaged by Article 8 of its Statute, Article 35 of the 1951 Convention and Article II of its 1967 Protocol and based on the expertise it has developed over several years in eligibility and refugee status determination matters. It is expected that the positions and guidance contained in the *Guidelines* should be weighed heavily by the relevant decision-making authorities in reaching a decision on the asylum applications concerned. The *Guidelines* are researched strictly and are written based on factual evidence provided by UNHCR's global network of field offices and information from independent country specialists, researchers and other sources which is rigorously reviewed for reliability. The *Guidelines* are posted on UNHCR's Refworld website at <http://www.refworld.org>.

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LIST OF ABBREVIATIONS

ACE	Assyria Council of Europe
ADM	Assyrian Democratic Movement
AFP	Agence France-Presse
AI	Amnesty International
AINA	Assyrian International News Agency
AMS	Association of Muslim Scholars
AQI	Al-Qa'eda in Iraq
BBC	British Broadcasting Company
CAT	Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (United Nations)
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women (United Nations)
CFR	Council on Foreign Relations
CoR	Council of Representatives
COSIT	Central Organization for Statistics and Information Technology
CPA	Coalition Provisional Authority
CPJ	Committee to Protect Journalists
CRC	Constitutional Review Committee
CRS	Congressional Research Service
CSIS	Center for Strategic and International Studies
CS Monitor	Christian Science Monitor
DDM	Directorate of Displacement and Migration
FGM	Female genital mutilation
FPS	Facilities Protection Service
FT	Financial Times
HRW	Human Rights Watch
IA	Iraqi Army
IAF	Iraqi Accordance Front
IBC	Iraq Body Count
ICCPR	International Covenant on Civil and Political Rights (United Nations)
ICG	International Crisis Group
ICRC	International Committee of the Red Cross
ID	Iraqi Dinar
IDP	Internally displaced person
IED	Improvised explosive device
IFA/IRA	Internal flight alternative / internal relocation alternative
IFJ	International Federation of Journalists
IHEC	Independent High Electoral Commission of Iraq
IHT	International Herald Tribune
IIP	Iraqi Islamic Party
IKP	Iraq's Kurdistan Parliament
ILO	International Labour Organization
INSI	International News Safety Institute
IOM	International Organization for Migration
IPS	Inter Press Service
IRCS	Iraqi Red Crescent Society

IRIN	United Nations Integrated Regional Information Networks
ISCI	Islamic Supreme Council of Iraq
ISF	Iraqi Security Forces
ISW	Institute for the Study of War
IWPR	Institute for War and Peace Reporting
IZ	International Zone
JAM	<i>Jaish Al-Mahdi</i> (Mahdi Army)
KDP	Kurdistan Democratic Party
KNA	Kurdistan National Assembly
KRG	Kurdistan Regional Government
LA Times	Los Angeles Times
LGBT	Lesbian, gay, bisexual and transgender
MEK	Mujahidin Khalq
ME Times	Middle East Times
MICS	Multiple Indicators Cluster Survey
MNF-I	Multi-National Forces in Iraq
MoDM	Ministry of Displacement and Migration
MoLSA	Ministry of Labour and Social Affairs
NCCI	NGO Coordination Committee in Iraq
NGO	Non-Governmental Organization
NPR	National Public Radio
NY Times	The New York Times
OHCHR	Office of the High Commissioner for Human Rights (United Nations)
PDS	Public Distribution System
PIC	Provincial Iraqi Control
PJAK	Party for a Free Life in Kurdistan
PKK	Kurdistan Workers' Party
PM	Prime Minister
PMOI	People's Mujahedin of Iran
PUK	Patriotic Union of Kurdistan
RCC	Revolutionary Command Council
RFE/RL	Radio Free Europe / Radio Liberty
RPG	Rocket-propelled grenade
RSD	Refugee status determination
RSF	Reporters sans Frontières (Reporters Without Borders)
SC	(United Nations) Security Council
SIGIR	Special Inspector General for Iraq Reconstruction
SoI	"Sons of Iraq"
SRSG	Special Representative of the United Nations Secretary-General for Iraq
UIA	United Iraqi Alliance
UK	United Kingdom
UN	United Nations
UNAIDS	The Joint United Nations Programme on HIV/AIDS
UNAMI	United Nations Assistance Mission for Iraq
UNAMI HRO	United Nations Assistance Mission for Iraq, Human Rights Office
UNAMI SSU	United Nations Assistance Mission for Iraq, Safety and Security Unit
UNDP	United Nations Development Programme
UNECA	United Nations Economic Commission for Africa
UNESCO	United Nations Educational, Scientific and Cultural Organization

UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNODC	United Nations Office on Drugs and Crime
UPI	United Press International
US	United States
USIP	United States Institute of Peace
WFP	World Food Programme
WHO	World Health Organization
VOA	Voice of America
VOI	Voices of Iraq

I. INTRODUCTION

1. This paper replaces UNHCR's position regarding the international protection needs of asylum-seekers from Iraq, set out originally in *UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers* ("Eligibility Guidelines")¹ and its *Addendum to UNHCR's Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers* ("Addendum"),² issued in August and December 2007 respectively. While these documents may still be consulted for archival purposes, they are all hereby superseded accordingly.³

2. In the papers mentioned above, UNHCR took the position that all asylum-seekers from the Central and Southern parts of Iraq were in need of international protection and should thus be considered as refugees under the 1951 Convention criteria. For those asylum-seekers from the Central and Southern Governorates whose evident need for protection might not be determined within the scope of the 1951 Convention refugee criteria, UNHCR recommended that they be recognized under the extended refugee definition, where applicable, or otherwise granted some form of complementary protection. This position was based on UNHCR's assessment that all asylum-seekers from Central and Southern Iraq were in need of international protection due to the pervasive extreme violence, serious human rights violations, and a general lack of law and order. As for the international protection needs of persons from the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah, UNHCR recommended that their asylum claims be individually assessed based on the 1951 Convention definition. In cases where an asylum-seeker was not recognized as a refugee under the 1951 Convention but nevertheless demonstrated protection needs for which complimentary forms of protection may be appropriate, it was recommended to assess the case accordingly.

3. The *Addendum* to the Eligibility Guidelines of December 2007 described developments in Iraq that started to re-shape the political and security landscapes at the end of 2007 and resulted in a reduction of civilian casualties and new displacement. Since then, the situation in Iraq has further evolved, with important improvements in the overall security situation in many parts of the country. In view of the totality of all these changes, a revision and update of UNHCR's position as summarized in the preceding paragraph has become necessary to reflect the situation at present.

4. This is the object of the present paper. In Part II which follows immediately below, a summary overview is provided of the key developments which have taken place since the Addendum and in light of which a new position needs to be set out. This overall new approach

¹ UNHCR, *UNHCR's Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-seekers*, August 2007, <http://www.unhcr.org/refworld/docid/46deb05557.html>. All weblinks referenced in this document have been accessed in March 2009, unless otherwise indicated.

² UNHCR, *Addendum to UNHCR's Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers*, December 2007, <http://www.unhcr.org/refworld/docid/4766a69d2.html>.

³ Note that these documents, along with UNHCR's *Country of Origin Information Iraq* (3 October 2005, <http://www.unhcr.org/refworld/docid/435637914.html>) can be consulted for additional country of origin information on, *inter alia*, political, security and human developments in Iraq, as well as detailed information on the profile of groups at risks. However, with regard to UNHCR's policy concerning the international protection needs of Iraqi asylum-seekers as well as its return policy, only the current document is applicable.

is then set out in Part III of the paper. Part IV of the paper provides a more detailed analytical breakdown of that approach and elaborates the applicability to the asylum claims being lodged by Iraqis in light of the relevant refugee law criteria, addresses possible situations of exclusion from refugee protection, examines the availability or not of internal flight or relocation alternatives in Iraq today, and underscores that the refugee status of Iraqis already recognized as such should continue to remain valid. While, in this analysis, the relevant country of origin information which supports this analysis will have been referred to accordingly in Part IV, the rest of the paper is then devoted to providing a detailed resume of that information. Part V thus outlines recent political developments in Iraq and Part VI recent security developments, while Part VII provides information on the human rights situation, all of which are relevant to understanding the nature and pattern of Iraqis who are forced to flee the country or could potentially lodge asylum claims. In this context, the final part of the paper, Part VIII, highlights groups which, in view of both the security and human rights situation described in the preceding parts, may be considered as being at risk in the Iraq of today.

II. SUMMARY OVERVIEW OF DEVELOPMENTS⁴

5. As a result of various factors, extremist groups have either changed their alliances, have been weakened or are lying low. Sectarian violence between the Shi'ite and Sunni communities, which accounted for a majority of the civilian casualties and was a main factor leading to the large-scale displacement of Iraqis in mainly 2006 and parts of 2007, has virtually halted, although extremist groups continue to aim at reigniting the violence. The Sunni-dominated insurgency has been considerably weakened as a result of the establishment of mostly tribal-based "Sons of Iraq" (SoI)⁵ and continuous military operations in its strongholds of the Central Governorates. Shi'ite armed groups, which engaged in sectarian killings and intra-Shi'ite power struggles, continue to largely adhere to a ceasefire, have been weakened or relocated. While acts of indiscriminate violence and targeted attacks at the hands of various extremist groups continue, the overall level of the violence has significantly reduced. It has become mostly political in nature and is often linked to ongoing power struggles between political parties, armed groups and ethnic communities. In 2008 and the first quarter of 2009, Iraq saw only limited displacement, often temporary, arising out of military operations in various areas of the country. There have been slow, but increasing returns of mainly IDPs. Armed groups are still capable of launching attacks aimed at disrupting the security environment, but the intensity of hostilities and the impact on the civilian population has decreased in many parts of Iraq.

6. The military, and, to a lesser extent, political developments that have taken place since those as of the last quarter of 2007,⁶ described extensively in UNHCR's *Addendum* of December 2007, have been, as said already, quite important and extensive. As compared with the situation in 2006 and the first three-quarters of 2007, when Iraq saw widespread sectarian violence coupled with a violent Sunni insurgency, intra-Shi'ite fighting, gross human rights violations and a general breakdown of law and order, parts of Central and Southern Iraq have seen significant stabilization since late 2007 and in 2008. The Northern Governorates of Dahuk, Erbil and Sulaymaniyah remain relatively stable and calm, as is described in detail later in this paper. For the country as a whole, the most significant developments which have positively affected the security and political environment can be summarized as follow:

- Relative overall security improvements and significant reduction of civilian casualties and new displacement, in particular in the Southern Governorates and some of the Central Governorates;⁷

⁴ Information in this document is generally updated until the end of February 2009, unless otherwise indicated.

⁵ Tribal councils (Awakening Councils or, in Arabic, *sahwat*) and former insurgents that turned against AQI as of late 2006 are collectively known as "Sons of Iraq" (SoI).

⁶ Developments included in particular the additional deployment of 30,000 US troops as of early 2007, the proliferation of "Awakening Movements" or "SoI", and the "freeze" of activities of the Jaysh Al-Mahdi/JAM.

⁷ For the purposes of this document, the "Central Governorates" refer to the Governorates of Al-Anbar, Baghdad, Diyala, Kirkuk, Ninewa and Salah Al-Din. It should be noted that Al-Anbar Governorate, while part of the central region of the country, will be referred to specifically throughout this document. Therefore, when the terminology "five Central Governorates" is used, this document is referring to Baghdad, Diyala, Kirkuk, Ninewa and Salah Al-Din only. The "Southern Governorates" include the Governorates of Babel, Basrah, Diwaniyah, Kerbala, Missan, Muthanna, Najef, Thi-Qar and Wassit; and

- Virtual halt of open Sunni-Shi'ite violence;
- Main actors of violence (i.e. Al-Qa'eda in Iraq [AQI] and *Jaish Al-Mahdi* [JAM] or Mahdi Army)/“Special Groups”) have either largely moved or been pushed out of urban areas, were seriously weakened or are lying low;
- Through a number of successive military operations targeting Sunni and Shi'ite extremist groups, the Iraqi Government with the support of the Multi-National Forces in Iraq (MNF-I) has asserted more authority over its territory, although local control is not necessarily exerted by the government-controlled Iraqi Security Forces (ISF), but often by local groups and individuals that ally themselves to varying degrees with the central Government (SoI, tribal leaders, militia groups, political parties);
- Largely violence-free provincial elections in January 2009;
- Limited, yet increasing return of persons displaced inside and, to a lesser extent, outside the country.

7. Needless to say, these developments and improvements all have to be seen in context. They can be unpredictable, with several set-backs occurring, and there are major uncertainties and risks remaining. Thus, despite the fact that overall security has improved, armed groups remain lethal and suicide attacks and car bombs directed against the MNF-I/ISF and Awakening Movements as well as civilians (often areas attracting crowds such as markets, bus stations, restaurants, places and areas of religious significance or worship, police stations, and recruitment centres)⁸ in addition to targeted assassinations and kidnappings continue to occur

“Northern Iraq” refers to the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah under jurisdiction of the Kurdistan Regional Government (KRG).

⁸ In 2009, several mass-casualty attacks have taken place, with a particular spike in March, including:

- 26 March 2009: A bomb in a parked car exploded in a market in the Sha'ab neighbourhood of Baghdad, killing 20 people and wounding more than 35, many of them women and children.
- 23 March 2009: A suicide bomber blew himself up at a Kurdish funeral in the town of Jalwala in Diyala Governorate, killing 25 people and wounding 45.
- 10 March 2009: At least 33 people were killed and more than 50 injured in a suicide bomb attack on a reconciliation gathering of Sunni and Shi'ite Muslim tribal leaders and security officials in a crowded market in Abu Ghraib in western Baghdad. The blast also killed a reporter and cameraman from the private Baghdadiya satellite channel and wounded a cameraman from the state-run Al-Iraqiya channel.
- 8 March 2009: A suicide bomber killed 28 people, mostly police and police recruits, and wounded 57 at the main police academy in Baghdad. An AQI-linked group claimed responsibility for the bomb attack.
- 5 March 2009: A car bomb exploded in a livestock market in Hamza, a mostly Shi'ite Muslim town in the Southern Governorate of Babel, killing 12 people, wounding 40.
- 13 February 2009: A suicide bomber blew herself up in a crowd of Iraqi Shi'ite pilgrims in Iskanderiyah (Babel Governorate), killing 39 people and wounding 69 others during the religious event of *Arba'een*.
- 11 February 2009: Sixteen people were killed and 25 wounded when twin car bombs exploded at a bus terminal and market area in Baghdad.
- 4 January 2009: At least 40 people were killed and 72 were wounded in a suicide bombing at the doorstep of one of Iraq's holiest Shi'ite sites in Baghdad's Kadhemiyah neighbourhood.

See: Agencies, *Suicide bomber targets Mosul police*, 31 March 2009, <http://english.aljazeera.net/news/middleeast/2009/03/200933184742228986.html>; BBC, *Blast rips through Baghdad crowd*, 26 March 2009, http://news.bbc.co.uk/2/hi/middle_east/7965409.stm; Reuters, *Iraq suicide bomber kills 25, wounds 45 – police*, 23 March 2009, <http://www.alertnet.org/thenews/newsdesk/LN305659.htm>; Jo Adetunji, Michael Ho, *Baghdad suicide*

on a regular basis, claiming lives and causing new displacement. Overall levels of violence are lower, but fluctuate and vary significantly from Governorate to Governorate, and even within Governorates, districts and neighbourhoods. Violence is mostly concentrated in the Central Governorates of Ninewa, Diyala, Salah Al-Din, Kirkuk and Baghdad.⁹ In March 2009, there was a remarkable increase in car and suicide bombings, which could indicate an assertion of strength by militant groups since the US announced its intentions to withdraw all its combat troops from Iraq by August 2010.¹⁰ While AQI and insurgent groups still hold the capability to launch attacks on mainly the ISF/MNF-I and Awakening Councils, the largely homogenous population in Al-Anbar Governorate makes it less prone to ethnic and sectarian violence than the other Central Governorates. The Southern Governorates of Kerbala, Najef, Muthanna,

bomber kills 33, The Guardian, 10 March 2009, <http://www.guardian.co.uk/world/2009/mar/10/suicide-bomber-abu-ghraib>; Reuters, *Suicide attack kills 28 at police academy in Iraq*, 8 March 2009, <http://www.alertnet.org/thenews/newsdesk/L8621855.htm>; Reuters, *Car bomb in south Iraq livestock market kills 12*, 5 March 2009, <http://www.alertnet.org/thenews/newsdesk/L544661.htm>; Dagher and Mudhafer Al-Husaini, *Bomber at Iraqi Shrine Kills 40, Including 16 Iranian Pilgrims*, NY Times, 4 January 2008, <http://www.nytimes.com/2009/01/05/world/middleeast/05iraq.html?ref=middleeast>.

The deadliest attacks in 2008 included:

- 23 January 2008: An attack in Mosul left 60 people dead and 280 injured.
- 1 February 2008: Female bombers killed 99 people in attacks blamed on AQI at two popular Baghdad pet markets.
- 24 February 2008: A suicide bomber targeting pilgrims heading to one of Shi'ite Islam's holiest rites in Kerbala killed 63 people and wounded scores in Iskandariyah.
- 6 March 2008: Two bombs exploded in Baghdad's mainly Shi'ite Karrada District, killing at least 68 people. Another 120 were wounded in the blasts.
- 17 March 2008: A suicide bomber killed 52 people in the Shi'ite holy city of Kerbala.
- 15 April 2008: A car bomb killed 40 people and wounded 80 outside a provincial government headquarters in Ba'quba (Diyala). Another car bomb, believed to be driven by a suicide attacker, exploded outside a popular restaurant in Ramadi, killing 13.
- 17 June 2008: A truck bomb blasted Al-Hurriyah neighbourhood in Baghdad, killing 63 people and wounding at least 75.
- 10 November 2008: At least 28 people died and dozens were wounded in a double bombing in Baghdad's Sunni District of Adhamiyah.
- 11 December 2008: A suicide bomber detonated explosives inside a restaurant north of Kirkuk. At least 50 people were killed and 109 wounded in the blast.
- 27 December 2008: A bomb at a bus station in the Shi'ite neighbourhood of Kadhemiyah in Baghdad killed at least 22 people and wounded 54.

See: AFP, *The trail of bloodshed in Iraq*, 2 January 2009, http://www.newssafety.com/index.php?view=article&catid=84%3AIraq-security&id=11060%3Athe-trail-of-bloodshed-in-iraq-&option=com_content&Itemid=100378; Reuters, *TIMELINE-Deadliest bomb attacks in Iraq*, 11 December 2008, <http://www.alertnet.org/thenews/newsdesk/LB268644.htm>.

⁹ The majority of civilian casualties occur in the five Central Governorates of Baghdad, Ninewa, Diyala, Salah Al-Din, and Kirkuk, which account for approximately half of Iraq's total population. Between 1 October and 30 December 2008 and 1 June and 30 September 2008, the following numbers of attacks were recorded: Ninewa (511 / 924 attacks), Baghdad (713 / 867), Diyala (251 / 533), Salah Al-Din (374 / 482), and Kirkuk (184 / 245); Special Inspector General for Iraq Reconstruction (SIGIR), *Quarterly Report and Semiannual Report to the United States Congress*, January 2009, p. 101, <http://www.sigir.mil/reports/quarterlyreports/Jan09/Default.aspx> (further: "SIGIR, *January 2009 Report to Congress*"). See also US Department of Defense, *Measuring Stability and Security in Iraq*, Report to Congress in accordance with the Department of Defense Appropriations Act 2007 (Section 9010, Public Law 109-289), 9 January 2009, p. iv, http://www.defenselink.mil/pubs/pdfs/9010_Report_to_Congress_Dec_08.pdf (further: "US Department of Defense, *December 2008 Report to Congress*").

¹⁰ See "Current Role of the MNF-I".

Missan and Thi-Qar are relatively calm and stable, although political power struggles at times turn violent. Higher levels of insecurity are prevalent in Basrah Governorate, where targeted assassinations of mainly high-profile individuals continue to occur, although at a much reduced level following the military operation there in March 2008, as well as in parts of Babel and Wassit that have a less homogenous population and are bordering Baghdad from where violence regularly swaps over.

8. The causes of violence seen in today's Iraq are manifold. Sectarian violence among Arab Sunnis and Shi'ites has drastically reduced¹¹ despite the fact that some armed groups still aim at sewing sectarian strife by targeting members of the opposite group (e. g. suicide attacks in populated areas such as markets or mosques or during religious festivities).¹² At the same time, violence appears to be often politically motivated and linked to ongoing struggles over territory and power among various actors.¹³ Power struggles have become evident in the run-up to the 31 January 2009 provincial elections and may likely further intensify ahead of national elections to be held later in the year. The yet unresolved status of the "disputed areas" continues to cause ethno-political tensions that occasionally erupt into violence and provide a fertile ground for armed groups seeking to destabilize the country and/or further their political agenda. Furthermore, extremists continue to target members of non-Muslim religious minorities such as Christians, Yazidis and Sabaeen-Mandaeans, journalists, professionals and academics as well as women with the objective of destroying Iraq's cultural, intellectual and political diversity and hampering economic recovery. Women, homosexuals and others considered to be violating strict Islamic rules or their family's honour are also frequently targeted, often by their own families.

9. The picture with regard to the actors of violence is also continuing to change. As is widely recognized, armed groups such as AQI no longer have the capacity to pose an immediate threat to the Iraqi Government's survival, and the ISF is increasingly developing their capacity to provide security. They nevertheless remain able to launch indiscriminate and targeted attacks in key urban centres such as Baghdad and Mosul. This was again evidenced during the last month, which saw several devastating mass-casualty attacks claiming the lives of dozens, underscoring the fragility of security improvements.¹⁴ Indeed, the situation can be said to have become more complex in many ways, given the high number of actors providing security on the one hand, and actors involved in violence on the other, with lines often blurred. For example, while the JAM is generally seen as abiding by its "freeze" of armed activities, a number of little-known splinter groups and other, allegedly Iranian-backed, militias ("Special

¹¹ Sectarian-based targeting persists although overall incidents are low and decreasing. Nonetheless, possibly sectarian killings continue with bodies being found in mixed areas (e.g. Baghdad, Diyala, Babel and Wassit); see "*Sectarian Violence and Segregation*".

¹² For example, the Shi'ite pilgrimages to Kerbala are regularly implicated in roadside bombings and suicide attacks in mainly Baghdad, Babel and Kerbala; see "*Sectarian Violence and Segregation*" and Annex "*Sectarian violence*".

¹³ According to the US Department of Defense, "(A)s security has improved, enduring political disputes have risen to the forefront (...)" ; see US Department of Defense, *December 2008 Report to Congress*, p. iv, see above footnote 9. According to the American Center for Progress, "violence has become more focused on political ends, rather than mass attacks against members of the opposite sect"; Peter Juul, *Power Is Decided by the Gun*, American Center for Progress, 7 November 2008, http://www.americanprogress.org/issues/2008/11/iraq_assassinations.html.

¹⁴ See the list of major incidents in 2009 as listed above in footnote 8.

Groups”) are active and violent.¹⁵ Among the mainly Sunni SoI, many seek to be integrated into the regular security forces, however, the groups are also reported to be infiltrated by AQI and some members openly threaten to realign themselves with AQI should their demand for full integration not be met by the Iraqi Government. Parts of the ISF, which has undergone considerable purges since 2007 and is increasingly becoming less sectarian, may still hold militia affiliations or are infiltrated by armed groups.¹⁶

10. In assessing the opportunities and risks which prevail in Iraq today, observers widely agree that there are still serious concerns with regard to the sustainability of the security improvements¹⁷ as they are based on largely fragile or temporary security arrangements, including the still large-scale presence of the MNF-I, the JAM “freeze” and reorganization into a mainly cultural and social movement as well as *ad hoc* arrangements with the SoI. Wider political participation by and reconciliation among the various actors, required to address controversial political issues such as the status of “disputed areas”, revision of the Constitution and the division of federal/regional powers, still need to be achieved. The Iraqi Government also urgently needs to improve the delivery of basic public services, address unemployment and engage in reconstruction and marginalize “parallel” security and service-delivering structures. Furthermore, the uncoordinated, large-scale return of the nearly 1.6 million post-2006 IDPs displaced and two million refugees displaced to mainly neighbouring countries after the fall of the former regime has the potential to upset the security situation.¹⁸ Fundamental decisions and developments are required to further consolidate security and political improvements, including:

- Responsible MNF-I drawdown from Iraq that does not leave a security vacuum that drivers of conflict will seek to fill;
- Wide participation in fair and free elections that provide for a better representation of Iraq’s various actors at the national level, as has been done at the provincial level, enjoying greater legitimacy;
- Finding cross-party and cross-sectarian agreements on fundamental issues such as the power of regions, the management of oil revenues and the status of “disputed areas”;
- Further strengthening of the ISF’s capacities and shape as a non-sectarian institution that is able to operate with decreasing MNF-I support;

¹⁵ See “*Shi’ite militias*”.

¹⁶ See “*Growing ability of the Iraqi Security Forces*”.

¹⁷ According to the US Department of Defense, “*Although these security achievements are increasingly positive, they remain fragile in some places, most notably in Ninewa and Diyala Provinces, as well as in some parts of Baghdad. [...] (D)espite the continued progress, these gains remain fragile and uneven throughout the country, and their durability has not been seriously tested. Iraq remains fragile, primarily because the underlying sources of instability have yet to be resolved (...)*”; see US Department of Defense, *Measuring Stability and Security in Iraq*, Report to Congress in accordance with the Department of Defense Appropriations Act 2007 (Section 9010, Public Law 109-289), 15 March 2009, pp. iv, vii, http://www.defenselink.mil/pubs/pdfs/Measuring_Stability_and_Security_in_Iraq_March_2009.pdf.

¹⁸ The US Department of Defense identified in particular the following challenges as having the potential to reverse stabilization efforts: transition of SoI to permanent employment, provincial elections, disputed internal boundaries (including Kirkuk), the return of IDPs and refugees. Further, it said that “*(A)dditional challenges to security are posed by AQI and Special Group leaders’ attempts to reignite violence, continued malign Iranian influence, and a lack of government services and rule of law;*” US Department of Defense, *December 2008 Report to Congress*, pp. iv-v, see above footnote 9.

- Full transfer of the SoI under government control and successful integration into the ISF and civilian employment;
- Strengthening of the rule of law and independence of the judiciary from external influence and threats; tackling corruption;¹⁹
- Well-managed return and reintegration of many of the four million Iraqi IDPs and refugees, many of whom have lost their homes;
- Re-establishment of public services and infrastructure; reduction of unemployment.²⁰

11. The new UNHCR position set out in this paper is thus developed in relation to a situation which remains very mixed. As said already, there have been quite meaningful significant improvements in the overall security environment in the country. On the other hand, the relevant developments still carry risks and uncertainties. This means that, on the whole, Iraqis will continue to leave their country or remain outside it in the search for safety and protection which cannot be found at home. At the same time, in those instances where the security conditions have undeniably changed, the relevant claims for asylum and protection by Iraqis can be dealt with differently. This paper thus, on one hand, varies some of the approaches established in the UNHCR positions thus far, while affirming the continuing validity of others. These new and or validated positions are explained below.

¹⁹ Transparency International in its *2008 Corruption Perception Index* rated Iraq, along with Myanmar, as the second-corrupt country in the world; Transparency International, *2008 Corruption Perception Index*, http://www.transparency.org/news_room/in_focus/2008/cpi2008/cpi_2008_table. SIGIR called corruption “a second insurgency” that “continues to harm the country;” SIGIR, *January 2009 Report to Congress*, p. 52, see above footnote 9. According to the US Department of Defense, “Corruption in Iraq remains a significant problem and an impediment to reconstruction and stabilization;” US Department of Defense, *December 2008 Report to Congress*, p. 5, see above footnote 9. The Executive Director of the United Nations Office on Drugs and Crime (UNODC), Antonio Maria Costa, warned that corruption in Iraq, as everywhere in the world, is a “corrosive force that destroys trust in public institutions, robs a country of its development, deprives the poor of basic services, funds violence and terrorism, empowers organized crime;” UNODC, *Building Public Trust in Government: How the UN Convention against Corruption can help Iraq*, 17 March 2008, <http://www.unodc.org/unodc/en/about-unodc/speeches/2008-03-17.html>.

²⁰ See, for more details, the chapters on political and security developments below.

III. OVERALL APPROACH TO THE ASSESSMENT OF INTERNATIONAL PROTECTION NEEDS OF IRAQI ASYLUM-SEEKERS

12. In view of the serious human rights violations and ongoing security incidents which are continuing in the country, most predominantly in the five Central Governorates of Baghdad, Diyala, Kirkuk, Ninewa and Salah Al-Din, UNHCR continues to consider all Iraqi asylum-seekers from these five Central Governorates to be in need of international protection. In those countries where the numbers of Iraqis asylum-seekers from those five Central Governorates are such that individual refugee status determination is not feasible, UNHCR encourages the adoption of a *prima facie* approach. In relation to countries which are signatory to the 1951 Convention relating to the Status of Refugees ("1951 Convention") and/or its 1967 Protocol or relevant regional instruments and have in place procedures requiring refugee status to be determined on an individual basis, Iraqi asylum-seekers from the Central Governorates of Baghdad, Diyala, Kirkuk, Ninewa and Salah Al-Din should be considered as refugees based on the 1951 Convention criteria or the relevant applicable regional criteria.

13. In those countries in which such asylum-seekers are not recognized under the 1951 Convention because of the way the Convention criteria are interpreted, international protection should be afforded through the application of an extended refugee definition,²¹ where this is available, or otherwise through a complementary form of protection.²² In such cases, UNHCR considers that asylum-seekers originating from the five Central Governorates who are found

²¹ See Article 1 of the Convention Governing the Specific Aspects of Refugee Problems in Africa ("OAU Convention"), 10 September 1969, <http://www.unhcr.org/refworld/docid/3ae6b36018.html>:

"1. For the purposes of this Convention, the term "refugee" shall mean every person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events is unable or, owing to such fear, is unwilling to return to it.

2. The term "refugee" shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality."

and Section III para. 3 of the Cartagena Declaration on Refugees, 22 November 1984, <http://www.unhcr.org/refworld/docid/3ae6b36ec.html>:

"To reiterate that, in view of the experience gained from the massive flows of refugees in the Central American area, it is necessary to consider enlarging the concept of a refugee, bearing in mind, as far as appropriate and in the light of the situation prevailing in the region, the precedent of the OAU Convention (article 1, paragraph 2) and the doctrine employed in the reports of the Inter-American Commission on Human Rights. Hence the definition or concept of a refugee to be recommended for use in the region is one which, in addition to containing the elements of the 1951 Convention and the 1967 Protocol, includes among refugees persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order."

²² The term "complementary protection" is used in these Guidelines to refer to the range of mechanisms which have been adopted by States to complement the protection accorded under the 1951 Convention, in particular to extend protection to individuals who, while not meeting the criteria in Article 1 A(2) of the 1951 Convention, are outside of their country of nationality or habitual residence and are unable to return there owing to serious and indiscriminate threats to life, physical integrity or freedom resulting from generalized violence or events seriously disturbing public order. See also: UNHCR, *UNHCR Statement on Subsidiary Protection Under the EC Qualification Directive for People Threatened by Indiscriminate Violence*, January 2008, <http://www.unhcr.org/refworld/docid/479df7472.html>.

not eligible for refugee status should be considered to be at risk of serious harm in the situation of armed conflict which is ongoing in Iraq²³ and should, therefore, be accorded a form of complementary protection.²⁴

14. Although serious concerns remain regarding the sustainability of the improvements, the security situation in the Southern Governorates of Babel, Basrah, Diwaniyah, Kerbala, Missan, Muthanna, Najef, Thi-Qar and Wassit has significantly stabilized since late 2007. The largely homogenous population in Al-Anbar Governorate makes it less prone to ethnic and sectarian violence than the other Central Governorates. Therefore, the international protection needs of asylum-seekers from the Southern Governorates of Babel, Basrah, Diwaniyah, Kerbala, Missan, Muthanna, Najef, Thi-Qar and Wassit and from Al-Anbar Governorate should be assessed individually based on the 1951 Convention refugee definition or relevant regional instruments, while favourable consideration should be given to the specific groups identified to be at risk in the following paragraph. The caution highlighted already concerning the situation in those locations should be borne in mind, which thus may justify the same approach as for asylum-seekers from the Central Governorates, should the situation deteriorate.

15. It is not possible to set down with absolute precision the types and patterns of claims that will continue to be made by Iraqi asylum-seekers from those parts of the country. However, the detailed analytical information provided further below in the paper highlights

²³ The hostilities between the MNF/ISF and the armed insurgency following the hand-over of sovereignty on 28 June 2004 to the Iraqi Interim Government have been qualified by the ICRC as a non-international armed conflict. See: ICRC, *Iraq post 28 June 2004: protecting persons deprived of freedom remains a priority*, 5 August 2004, <http://www.icrc.org/Web/Eng/siteeng0.nsf/iwpList322/89060107D77D7299C1256EE7005200E8>. The ICRC continues to qualify Iraq as an armed conflict situation, since the Government is fighting non-state armed groups, as is made clear in, for example, its latest operational update, in which ICRC indicates that it is promoting international humanitarian law, ensuring that soldiers and other fighters know and respect international humanitarian law, and reminding weapon bearers of their obligation to spare persons not, or no longer, taking part in hostilities; see: ICRC, *Iraq: ICRC activities in January 2009*, 11 March 2009, <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/iraq-update-110309>. It can also be derived from their field newsletter: ICRC, *Iraq: women in war*, 5 March 2009, <http://www.icrc.org/Web/Eng/siteeng0.nsf/html/iraq-women-newsletter-050309>, which deals with women suffering the effects of armed conflict. For a discussion of whether the conflict (or “conflicts”, given that the insurgency is not monolithic) could be considered as an “internationalized internal armed conflict”, see: Knut Dörmann and Laurent Colassis, “International Humanitarian Law in the Iraq Conflict”, *German Yearbook of International Law*, No. 47, 2004, p. 293-342, re-published at [http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/Iraq-legal-article-31122004/\\$File/IHL_in_Iraq_conflict.pdf](http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/Iraq-legal-article-31122004/$File/IHL_in_Iraq_conflict.pdf). On the issue of “internationalized internal armed conflict”, see: James G. Stewart, “Towards a single definition of armed conflict in international humanitarian law: A critique of internationalized armed conflict”, *International Review of the Red Cross*, No. 850, p. 313-350, June 2003, [http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/5PYAXX/\\$File/irrc_850_Stewart.pdf](http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/5PYAXX/$File/irrc_850_Stewart.pdf).

²⁴ In the European Union, where the term “subsidiary protection” is used, UNHCR considers that asylum-seekers originating from the Central Governorates of Baghdad, Diyala, Kirkuk, Ninewa and Salah Al-Din who are not found to be refugees should receive subsidiary protection under Article 15(c) of the EU Qualification Directive (*Council Directive 2005/85/EC of 1 December 2005 on Minimum Standards on Procedures in Member States for Granting and Withdrawing Refugee Status*, 2 January 2006, <http://www.unhcr.org/refworld/docid/4394203c4.html>). Applying the reasoning of the European Court of Justice in *Elgafaji v. Netherlands State Secretary of Justice* (Case C-465/07, 17 February 2009, <http://www.unhcr.org/refworld/docid/499aaee52.html>), UNHCR considers the degree of violence which characterizes the ongoing armed conflict in those areas to be of such a high level that there are substantial grounds for believing that a civilian, if returned to those areas, would, solely because of his/her presence in those areas, face a real risk of being subject to a serious and individual threat to his/her life or person.

some of the key groups from which those who are most at risk of harm are drawn. Without implying that each and every member of these groups is actually the target of risk, they include, in particular:

- Iraqis affiliated with political parties engaged in power struggles
- Government officials and other persons associated with the current Iraqi Government, Administration or Institutions
- Iraqis (perceived to be) opposing armed groups or political factions
- Iraqis affiliated with the MNF-I or foreign companies
- Members of religious and ethnic minorities
- Certain professionals (academics, judges, doctors, etc.)
- Journalists and media workers
- UN and NGO workers, human rights activists
- Homosexuals
- Women and children with specific profiles

16. For asylum-seekers from the three Northern Governorates of Sulaymaniyah, Erbil and Dohuk, UNHCR is maintaining its position thus far, namely that their claims should be individually assessed based on the 1951 Convention refugee definition.

17. In assessing claims which may be lodged by Iraqis, the availability or not of an internal flight or relocation alternative (IFA/IRA) may come into question. UNHCR maintains that an internal flight or relocation alternative should not be considered to be available for Iraqi asylum-seekers within any parts of the Central and Southern Governorates because of the overall ability of agents of persecution to perpetrate acts of violence with impunity, the ongoing violence and human rights violations, risks associated with travel, and the hardship faced in ensuring even basic survival in areas of relocation. In general, an internal flight alternative will not be relevant if the persecution feared originates from State actors. With regard to persecution feared from non-State actors, there is a strong likelihood that non-state agents of persecution could extend their reach to other areas of the Central or Southern Governorates. If, however, the availability of an IFA/IRA must be assessed as a requirement in a national eligibility procedure, it should be examined carefully and on a case-by-case basis, bearing in mind the strong cautions in these Guidelines²⁵ and, in general, UNHCR's 2003 Guidelines on International Protection on Internal Flight Relocation/Alternative.²⁶

18. With regard to the three Northern Governorates, while the overall security situation has been less precarious than the situation in the Central and Southern Governorates, it nevertheless remains tense and unpredictable due to a number of primarily political factors. In regard to the availability of an internal flight alternative in the Central and Southern regions, no such alternative is available for Iraqi asylum-seekers originating from the Northern Governorates due to the the lack of absorption capacity combined with the insecurity and human rights violations in those areas. Whether an IFA/IRA may be available for them within the three Northern Governorates themselves must be examined carefully on a case-by-case basis. The examination should take into account factors such as the background, profile and circumstances of the individual concerned; the existence of legal and physical barriers to accessing the area of

²⁵ See, more specifically, "*Internal flight or relocation alternative (IFA/IRA)*".

²⁶ UNHCR, *Guidelines on International Protection No. 4: "Internal Flight or Relocation Alternative" Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, 23 July 2003, HCR/GIP/03/04, <http://www.unhcr.org/refworld/docid/3f2791a44.html>.

relocation, which are known to be prevalent; possibilities of new risks of harm in the area of relocation; and whether undue hardship is likely to be faced by living in the area of relocation. Furthermore, certain categories of individuals with given profiles are not admitted there, including those as listed in these Guidelines.

19. In light of Iraq's history of serious human rights violations and violations of humanitarian law in the country's long history of conflicts, the applicability of the exclusion clauses will continue to be a relevant consideration in the context of refugee protection. An individualized assessment is needed based on all relevant facts in each case particularly in relation to those Iraqis with certain backgrounds and profiles, as set out in these Guidelines. Acts which may bring an applicant within the scope of the exclusion clauses could have occurred before or after the fall of the Saddam Hussein regime in 2003. There have been several periods of armed conflict, both international and non-international, as well as specific events which could give rise to exclusion considerations. Exclusion is warranted where the individual responsibility of the asylum-seeker for a crime under the exclusion clauses is established.

20. In cases where Iraqi asylum-seekers find themselves in countries where there is no national legislative or administrative framework for refugee status determination, UNHCR urges States concerned to, in any case, permit Iraqis from the five Central Governorates lawful stay or residence in those countries, even only on a temporary basis, according to any appropriate framework which may facilitate this and allow access to essential protection measures. In relation to persons from the Southern Governorates, Al Anbar Governorate and the three Northern Governorates, international protection needs may be assessed individually. Persons assessed to be in need of international protection should be permitted lawful stay or residence.

IV. DETAILED ANALYSIS AND GUIDANCE ON THE ELIGIBILITY FOR INTERNATIONAL PROTECTION OF IRAQI ASYLUM-SEEKERS

A. Inclusion for refugee status under the 1951 Convention criteria

21. Article 1A(2) of the 1951 Convention, provides that the term “refugee” should apply to any person who

“owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”

22. This definition applies in peacetime as well as in times of armed conflict, be it international or non-international in character. While the 1951 Convention does not explicitly refer to those who are compelled to leave their country of origin or habitual residence in the context of armed conflict, such persons are eligible for refugee status if they have a well-founded fear of persecution for reason of one or more of the Convention grounds. This is particularly relevant where individuals are fleeing armed conflicts rooted in ethnic, religious or political differences, in which specific groups are victimized. Those fleeing under such circumstances may be at risk of serious harm due to their religion, (imputed) political opinion or ethnicity. There is no need for the applicant to have been singled out or individually targeted, nor is there a requirement that he or she suffers from a risk or impact which is different than for other persons. It is also irrelevant whether the group affected is large or small. Whole communities may risk or suffer persecution for Convention reasons. The fact that all members of the community are equally affected does not in any way undermine the legitimacy of any particular individual claim.

23. The 1951 Convention does not require that, for a claim to be successful, it must be based on events arising prior to or at the time the applicant leaves the country of origin. Grounds for recognition as a refugee may arise based on events and circumstances occurring after his or her departure. In such situations, the person may become a refugee while being in the host country (“*sur place*”). This means that for Iraqis who had left Iraq prior to the fall of the former regime, their refugee claims should be examined based on the current situation. This approach would also include those among them who had previously presented asylum claims and whose claims had been rejected. They should be permitted to submit new claims, and their claims should be examined according to these Guidelines.

1. Well-founded fear of persecution

24. The refugee definition of the 1951 Convention contains both a subjective and an objective element. The former refers to an individual’s fear of harm in the event of return to the country of origin or, in the case of a stateless person, the country of habitual residence. The objective element refers to the applicant’s fear being well-founded, which means that there is

a reasonable possibility that the harm feared or some other form of harm would materialize upon return.²⁷

25. Whether or not an applicant's fear is well-founded must be assessed in the context of the situation in the country of origin, taking into account the personal profile, experiences and activities of the applicant which would put him or her at risk. While having been subjected to persecution or mistreatment in the past would normally indicate that the applicant continues to be at risk of some form of harm in the future, this is not a precondition for recognition as a refugee.²⁸ Additionally, the experiences of others, such as friends, relatives or persons in a similar situation as the applicant or of the same ethnic, religious or social group, may also show that the applicant's fear of becoming a victim of the harm is well-founded.²⁹

26. The 1951 Convention does not define "persecution". However, it may be inferred from Article 33(1) of the 1951 Convention that a threat to life or freedom on account of race, religion, nationality, political opinion or membership of a particular social group constitutes persecution, as would other serious violations of human rights for the same reasons.³⁰ Yet, the scope of persecution should not be defined solely in terms of existing codified human rights standards. Other kinds of serious harm or treatment may also amount to persecution.³¹ Severe discrimination could also amount to persecution, in particular where livelihood is threatened. Measures which are not of a serious character by themselves may amount to persecution on a cumulative basis.

27. In the context of the **Central Governorates** of Baghdad, Diyala, Kirkuk, Ninewa and Salah Al-Din where, even though the security situation has improved in parts, there is still a prevalence of instability, violence and human rights violations by various actors, and the overall situation is such that there is a likelihood of serious harm. Armed groups remain lethal, and suicide attacks and car bombs directed against the MNF-I/ISF, Awakening Movements and civilians, in addition to targeted assassinations and kidnappings, continue to occur on a regular basis, claiming the lives of civilians and causing new displacement. These methods of violence are usually targeted at chosen areas where civilians of specific religious or ethnic groups gather, including places of worship, market places, bus stations, and neighbourhoods. Violence appears often to be politically motivated and linked to ongoing struggles over territory and power among various actors. As clarified above, even where an individual may not have personally experienced threats or risks of harm, events surrounding his or her areas of residence or relating to others, may nonetheless give rise to a well-founded fear. There is also more specific targeting of individuals by extremist elements of one religious or political group against specific individuals of another, through kidnappings and execution-style killings. Rape is also being used as a means of persecution. Due to the complex situation of a high number of actors involved in providing security and actors involved in violence, where the lines are often

²⁷ See UNHCR, *Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees*, HCR/IP/4/Eng/Rev.1, UNHCR 1979, Reedited, Geneva, January 1992, para. 37-41, <http://www.unhcr.org/refworld/docid/3ae6b3314.html> (further: "UNHCR, *Handbook*").

²⁸ *Ibid.*, para. 45.

²⁹ *Ibid.*, para. 43.

³⁰ *Ibid.*, para. 51. The requirement of a link with a Convention ground is discussed below at "Link with a 1951 Convention ground".

³¹ See UNHCR, *Handbook*, para. 51, see above footnote 27.

blurred, an asylum-seeker's failure to identify the perpetrator of violence should not be considered as detrimental to his/her credibility.

28. Persecution is not limited, however, to acts which cause physical harm. Acts which restrict human rights can also amount to persecution, in particular, where the consequences are substantially prejudicial to the individual concerned.³² Hence, measures which restrict one's ability to earn a living so that survival is threatened, would amount to persecution.³³ Another type of restrictive measures is those which limit an individual's fundamental right to freedom of religion, which could also amount to persecution.³⁴ This applies with regard to measures of a discriminatory nature which result in limitations on religious belief or practice, but also in forced conversion or forced compliance or conformity with religious practices, including, for example, certain forms of behaviour or ways of earning a living.³⁵ Consideration should be given to the nature of the restrictions and their impact, including cumulative effect, on the individual concerned. It may be noted that throughout the Central Governorates, discriminatory treatment by radical elements belonging to majority Muslim groups against moderate Muslims as well as against members of minority religious groups is increasingly taking on such serious proportions that it could be considered as amounting to persecution. In addition, non-Muslim as well as moderate Muslim women are coming under increasing pressure to abide by strict Islamic codes of behaviour which may be so restrictive as to be intolerable to the individuals concerned.

29. Unlike the Central Governorates (except Al-Anbar), where levels of violence remain high given that these Governorates have mixed populations and political, ethnic and religious groups are competing for power, territory and resources, the security situation in the South has largely stabilized after military operations there in 2008. However, the situation varies from area to area and some governorates such as Babel and Missan continue to see relatively higher levels of violence given either their demographic set-up or their proximity to Baghdad or the Iranian border. There are still serious concerns with regard to the sustainability of the security improvements in the Southern Governorates, as they are largely based on fragile or temporary security arrangements. Political parties linked to militias continue to be in power. Targeted, often politically motivated killings, in particular of security officials, local government or party officials, religious and tribal leaders, journalists and certain professionals continue to occur. Regarding in Al-Anbar Governorate, due to its largely homogenous population, it is less prone to ethnic and sectarian violence than the other Central Governorates. Hence, the international protection needs of asylum-seekers from **Al-Anbar Governorate and the Southern**

³² UNHCR, *Handbook*, see above footnote 27, para. 54.

³³ UNHCR, *Handbook*, see above footnote 27, paras. 62-64.

³⁴ Article 18(3) of the ICCPR permits restrictions on the freedom to manifest one's religion or beliefs if these restrictions "are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others." Furthermore, such "limitations may be applied only for the purposes for which they were prescribed and must be directly related and proportionate to the specific need on which they are predicated. Restrictions may not be imposed for discriminatory purposes or applied in a discriminatory manner." See Human Rights Committee, *General Comment No. 22*, adopted on 20 July 1993, UN Doc. CCPR/C/21/Rev.1/Add.4, 27 September 1993, at paragraph 8, <http://www.unhcr.org/refworld/docid/453883fb22.html>.

³⁵ See also "Persons accused of 'un-Islamic' behaviour". Further guidance on the assessment of claims to refugee status based on religion can be found in UNHCR's *Guidelines on International Protection: Religion-Based Refugee Claims under Article 1A(2) of the 1951 Convention and/or the 1967 Protocol relating to the Status of Refugees*, HCR/GIP/04/06, 28 April 2004, <http://www.unhcr.org/refworld/docid/4090f9794.html>.

Governorates should be assessed individually based on the criteria of the 1951 Convention, while giving favourable consideration to these specific groups at risk.

30. In the three **Northern Governorates**, there is relatively greater religious and ethnic tolerance, and non-Muslims and members of non-Kurdish ethnic groups are generally respected. Nonetheless, there are reports of arbitrary detention and ill-treatment of suspected political opponents by the authorities. Hence, the international protection needs of Iraqi asylum-seekers from the three Northern Governorates should be assessed individually based on the criteria of the 1951 Convention. In particular, given reports of Kurdish political efforts to dominate and “kurdify” the traditionally mixed areas of the Governorates of Kirkuk, Ninewa, Salah Al-Din and Diyala, applicants of non-Kurdish origin, who claim discriminatory treatment in these areas should have their claims assessed to determine if the impact of treatment they or others experienced or fear experiencing, would constitute harm amounting to persecution. The overall situation remains tenuous and unpredictable, as there is anticipation that the conflict prevailing in other parts of the country might spill over. Assessing the international protection needs of asylum-seekers from the three Northern Governorates should thus take into account a situation which may change suddenly.

31. Where the applicant is at risk of harm at the hands of a non-State actor, the analysis of the well-foundedness of his or her fear requires an examination of whether or not the State, including the local authority, is able and willing to provide protection. In the situation of the Central Governorates, given weak government structures, and the fact that government security forces are infiltrated by radical elements from militia groups, protection from State authorities would, in almost all cases, not be available. Consequently, an asylum-seeker should not be expected to seek the protection of the authorities, and failure to do so should not be the sole reason for doubting credibility or rejecting the claim. In addition, given that these areas of Iraq are highly unstable and insecure, travel is fraught with risks, there are difficulties to access basic services and to ensure economic survival in a situation of displacement, an internal flight or relocation alternative would on the whole be unavailable. In the three Northern Governorates, there are limited possibilities for an internal flight alternative and each case will need to be examined individually. Nonetheless, individuals with certain profiles are not admitted there, including those as listed in these Guidelines.³⁶

32. Overall, protection by tribal leaders against persecutory acts at the hands of family members, particularly for women who face honour killings, is generally not available. Pursuing traditional systems of justice often leads to further violations of rights by the communities themselves rather than ensuring justice and respect for human rights. Thus, an individual should not be expected to avail him- or herself of traditional justice mechanisms, and failure to do so should not be the sole reason for rejecting a claim.

2. Link with a 1951 Convention ground

33. The well-founded fear of being persecuted must be related to one or more of the Convention grounds. That is, it must be “for reasons of” race, religion, nationality, membership of a particular social group, or political opinion. The Convention ground must be a relevant

³⁶ See below “*IFA/IRA in the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah*”.

contributing factor, although it does not need to be shown to be the sole, or dominant, cause.³⁷ More than one Convention ground may also be applicable.³⁸ This will be the case for many Iraqis seeking international protection. Even in instances of common criminal activity, victims are often targeted, at least in part, because of one or more of the 1951 Convention grounds.

a. Race, religion, nationality and political opinion

34. Given the overall security and political situation in Iraq, the Convention grounds “religion” and (imputed) “political opinion” are particularly relevant. They are also often interlinked. Even though the sectarian violence has drastically reduced, the main religious divide between the Sunnis and Shi’ites had pitted extremists of the two groups against each other along religious lines, impacting virtually all members of these groups. Additionally, some other groups, such as Shabak, Turkmen and Faili Kurds, who primarily adhere to the Shi’ite branch of Islam, may be targeted by Sunni Islamists on the basis of their sectarian identity. At the same time, violence has become more politically motivated, as has been evident in the run-up to the January 2009 provincial elections and examples of internal division within both groups have become apparent as well. As explained in these Guidelines, political polarization along religious lines goes back in time to the policies of past regimes, and is exacerbated by the post-2003 emphasis on religious and ethnic identities.³⁹ Thus, in many cases, while an individual’s religious affiliation is a factor in making that person a target for persecutory measures, political opinion is also imputed into the religious affiliation and the individual targeted for that reason as well.

35. Non-Muslim minority groups are also particularly affected. Groups such as Christians, Sabaeen-Mandaeans, Kaka’i, and Yazidis, which are targeted by Islamic extremist elements for being un-Islamic, including as “infidels”, are also perceived as supporters of the MNF-I and/or the Iraqi administration and are therefore additionally targeted.

36. The Convention grounds “race” or “nationality” may also be relevant in cases where persecution is linked to an individual’s ethnicity, real or perceived, as for example in the case of Yazidis, Shabak and Kaka’i, who are often identified as ethnic “Kurds” and targeted based on their (perceived) Kurdish ethnicity. In many cases, there will be an overlap with the Convention grounds “religion” and/or “political opinion”.

37. Persecutory acts in Iraq can thus be clearly linked to political and religious reasons, satisfying the causal nexus requirement. As described in these Guidelines, intimidation, kidnappings, torture, suicide bombings, killings and other crimes are used by groups involved in the conflict. There are also indications that Sunnis and Shi’ites are using violence to drive out other religious groups from their areas. Since these acts are targeted at members of specific religious, ethnic and political groups, the Convention grounds “religion”, “race”, “nationality” and “political opinion” are clearly relevant factors for the commission of these acts.

³⁷ UNHCR, *Guidelines on International Protection No. 1: Gender-Related Persecution Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, HCR/GIP/02/01, 7 May 2002, para. 20, <http://www.unhcr.org/refworld/docid/3d36f1c64.html>.

³⁸ See UNHCR, *Interpreting Article 1 of the 1951 Convention relating to the Status of Refugees*, April 2001, <http://www.unhcr.org/refworld/docid/3b20a3914.html>.

³⁹ See “Groups at risk”.

b. *Membership of a particular social group*

38. A person's "membership of a particular social group" may also be a relevant factor, often in combination with other Convention grounds. In the Iraq context, this factor would often be combined with the ground of "religion" and (imputed) "political opinion". As set out in UNHCR's relevant Guidelines:

*"a particular social group is a group of persons who share a common characteristic other than their risk of being persecuted, or who are perceived as a group by society. The characteristic will often be one which is innate, unchangeable, or which is otherwise fundamental to identity, conscience or the exercise of one's human rights."*⁴⁰

39. This encompasses two different ways of defining a "particular social group": on the one hand, under the so-called "protected characteristics" approach, a group is considered to be united by an immutable characteristic or one that is so fundamental to human dignity that a person should not be compelled to forsake it. On the other hand, individuals who share a common characteristic which makes them a cognizable group or sets them apart from society at large may also form a particular social group.⁴¹

40. In the Iraqi context, certain forms of persecution of women, including for example "honour killings" or other attacks, may be related to a transgression of religious or social mores, in which case the Convention ground "religion" as well as that of "membership of a particular social group" may be applicable. Individuals targeted because they belong to particular families may be considered as members of a particular social group, although such targeting may also be linked to political or religious grounds, as may be the case for example for those affiliated (or perceived to be) with the Ba'ath party, the MNF-I, UN and NGOs, political parties or current administration. Individuals subject to persecution for their unconventional sexual orientation or for their professions may be targeted because their sexual behaviour or their work is considered as un-Islamic and thus both the grounds "membership of a particular social group" as well as religion may be applicable.

41. The "membership of a particular social group" ground may also be relevant where there is a risk of persecution due to a person belonging to a particular social class based on his or her wealth, as it may also be relevant in the case of those exercising certain professions, such as the academia, judges, doctors and journalists.⁴² However, as noted elsewhere in these Guidelines, often such persons are also targeted because their activities are considered to be inconsistent with religious beliefs of the persecutors, or because they are considered to have political opinions not tolerated by the latter.

⁴⁰ UNHCR, *Guidelines on International Protection No. 2: "Membership of a Particular Social Group" Within the Context of Article 1A(2) of the 1951 Convention and/or its 1967 Protocol Relating to the Status of Refugees*, 7 May 2002, HCR/GIP/02/02, para. 11, <http://www.unhcr.org/refworld/docid/3d36f23f4.html>.

⁴¹ *Ibid.*, para. 6-7, for further guidance.

⁴² *Ibid.* See also: UNHCR, *Handbook*, see above footnote 27, para. 43.

B. Exclusion from international refugee protection

42. In light of Iraq's history of serious human rights violations and transgressions of international humanitarian law in the country's long experience with conflicts, exclusion considerations under Article 1F of the 1951 Convention may well arise in individual claims for refugee status. The exclusion clauses contained in Article 1F of the 1951 Convention provide for the denial of refugee status to individuals who would otherwise meet the refugee definition set out in Article 1A of the 1951 Convention, but who are deemed not deserving of international protection on account of the commission of certain serious and heinous acts.⁴³

43. The exclusion clauses must be applied scrupulously to protect the integrity of asylum. At the same time, given the possible serious consequences of exclusion from international refugee protection, it is important to apply the exclusion clauses with caution and only after a full assessment of the individual circumstances of the case. Similarly, as with any exception to human rights guarantees, the exclusion clauses must always be interpreted restrictively.

44. As the grounds of exclusion under Article 1F are based on criminal conduct, general principles of criminal law are applicable in assessing whether an individual is excludable under the 1951 Convention. Thus, for exclusion to be justified, individual responsibility must be established in relation to a crime falling within the scope of Article 1F. Such responsibility flows from the person having committed or participated in the commission of a criminal act in the knowledge that his or her act or omission would facilitate the criminal conduct. Individual responsibility would also arise on the basis of command/superior responsibility for persons in positions of authority, as further explained below.⁴⁴ Applicable defences as well as proportionality considerations should form part of the decision-making process.

45. The standard of proof for findings of fact related to exclusion on the basis of Article 1F is that of "*serious reasons for considering*". Although the application of the exclusion clauses do not require a determination of guilt in the criminal justice sense and therefore, it would be less than "proof of guilt beyond reasonable doubt", the standard of proof required has to be nevertheless high enough to ensure that "*bona fide refugees*" are not wrongly excluded. For this standard to be met, credible and reliable information is required.⁴⁵ In exclusion procedures, the burden of proof lies, in principle, on the decision maker, although, as seen below, in certain circumstances which give rise to a presumption of individual responsibility for excludable acts, a reversal of the burden of proof may be justified.⁴⁶

⁴³ Article 1F stipulates that "*the provisions of the 1951 Convention shall not apply to any person with respect to whom there are serious reasons for considering that he [or she] (a) has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes; b) has committed a serious non-political crime outside the country of refuge prior to his [or her] admission to that country as a refugee; c) has been guilty of acts contrary to the purposes and principles of the United Nations.*"

⁴⁴ See Chapter B.5, "*Individual Responsibility*".

⁴⁵ See UNHCR, *Background Note on the Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees*, 4 September 2003, para. 107-111, <http://www.unhcr.org/refworld/docid/3f5857d24.html> (further: "UNHCR, *Background Note on Exclusion*").

⁴⁶ *Ibid.*, para. 105-106.

46. Detailed guidance on the interpretation and application of Article 1F of the 1951 Convention is contained in UNHCR's relevant *Guidelines* and *Background Note on Exclusion*, which complement this section.⁴⁷ However, decision makers should always refer to UNHCR's *Guidelines* and *Background Note on Exclusion*⁴⁸ when considering the applicability of Article 1F to asylum-seekers from Iraq. A number of issues which are particularly relevant in the Iraqi context are highlighted below.

47. Exclusion considerations may arise in any individual case if there are elements in the applicant's claim that suggest that he or she may have been associated or involved with criminal acts that fall within the scope of Article 1F. In the context of Iraq, exclusion considerations may be of particular relevance in the cases of Iraqis with certain backgrounds and profiles. In particular, careful attention should be given to the following categories:

- The previous Ba'athist regime, its armed forces (in particular elite troops and paramilitary forces), the police, the security and intelligence apparatus, and the judiciary;
- Members of armed groups opposing the former regime;
- The current ISF;
- Militias;
- Awakening Councils;
- Insurgency groups;
- Criminal groups.

48. It should be noted, however, that the fact that a person was at some point a member of or associate with the former regime or a member of or associated with an organization involved in unlawful violence does not in itself assign individual liability for excludable acts. An individualized assessment, based on all relevant facts, is required in each case.

1. Acts within the scope of Article 1F

49. In cases where exclusion considerations arise, it is required to identify and assess the acts attributed to or associated with the applicant, which may bring him or her within the scope of Article 1F. It should be recalled that Article 1F exhaustively enumerates the types of crimes which may give rise to exclusion from international refugee protection on account of the applicant's conduct.⁴⁹ If such acts are identified as excludable acts, it also needs to be determined whether there is credible and reliable information (i.e. serious reasons for considering) linking the applicant to the acts in question.

⁴⁷ UNHCR, *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees*, 4 September 2003, HCR/GIP/03/05, <http://www.unhcr.org/refworld/docid/3f5857684.html>, and *Background Note on the Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees*, 4 September 2003, para. 107-111, <http://www.unhcr.org/refworld/docid/3f5857d24.html>.

⁴⁸ *Ibid.*

⁴⁹ More detailed guidance on the kinds of conduct which fall within the scope of Article 1F of the 1951 Convention can be found in UNHCR's *Background Note on Exclusion*, see above footnote 45, paras. 23-49.

50. In the Iraq context, acts which may bring an applicant within the scope of Article 1F occurred both before and after the fall of the regime of Saddam Hussein in 2003. In addition to possible violations of international humanitarian law, association with other events in Iraq's history might also give rise to exclusion. In UNHCR's view, careful examination should be given to asylum claims of individuals found to have committed or participated in the commission of the following acts, which may give rise to the application of Article 1F:

a. Before the fall of the former regime

- The systematic persecution of the Kurdish people (including through the *Anfal* campaign in 1988 and the gassing of civilians in Halabja in 1987, forced resettlement, destruction of villages and confiscation of properties);⁵⁰
- The forced expulsion of non-Arab citizens from Kirkuk and other oil-rich areas as part of the *Arabization* campaign;
- The forced deportation and denaturalization of Feili Kurds in 1980;
- The systematic drainage of the marsh areas (along with bombing raids, torture, disappearances and mass executions) and the consequent destruction of the economic, social and cultural base of the Marsh Arabs after the 1991 Gulf War;⁵¹
- Acts of violence committed by Shi'a opposition groups and the Government throughout the 1990s until the fall of the former regime;
- The Government's repression of the Shi'ite population including "*systematic assassinations, attacks and threats carried out against the Shi'ite leadership*";⁵²
- Systematic persecution by the former regime of (perceived) political opponents, including through summary and arbitrary executions, torture and other forms of cruel and inhuman treatment or punishment (for example amputations and mutilations for ordinary criminal offenses), and enforced or involuntary disappearances.⁵³

51. Crimes committed by various political groups and in particular their armed wings involved in violent resistance against the previous regime of Saddam Hussein (e.g. Kurdish *Peshmerga*,⁵⁴ Badr Corps, Dawa Party) and mostly directed against government officials and

⁵⁰ See, for example, HRW, *Genocide in Iraq – The Anfal Campaign Against the Kurds*, July 1993, <http://www.hrw.org/reports/1993/iraqanfal/>.

⁵¹ See, for example, HRW, *The Iraqi Government Assault on the Marsh Arabs*, January 2003, <http://www.hrw.org/backgrounder/mena/marsharabs1.htm>.

⁵² See, for example, UNHCHR, Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq, *The Situation of Human Rights in Iraq*, E/CN.4/1999/37, 26 February 1999, para. 20-23, <http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/5d0983c1727027ac8025673f0056c924>.

⁵³ See, for example, Indict, *Crimes committed by the Iraqi regime*, <http://www.indict.org.uk/crimes.php>; UN Commission on Human Rights, *Report of the Special Rapporteur, Andreas Mavrommatis, on the situation of human rights in Iraq*, E/CN.4/2002/44, 15 March 2002, <http://www.unhcr.org/refworld/docid/3caaffc42.html>; USDOS, Bureau of Democracy, Human Rights and Labor, *2001 Country Report on Human Rights Practices – Iraq*, 4 March 2002, <http://www.state.gov/g/drl/rls/hrrpt/2001/nea/8257.htm>; various reports by AI, <http://web.ammesty.org/library/eng-irq/index>; and various reports by HRW, <http://www.hrw.org/doc?t=mideast&c=iraq>.

⁵⁴ For an overview on the *Peshmerga* and its role throughout the various conflicts, see Michael Garrett Lortz, *Willing to face Death: A History of Kurdish Military Forces – The Peshmerga – From the Ottoman Empire to Present-Day Iraq*, Master of Arts Thesis in International Affairs, Florida State University, 14 November 2005, <http://etd.lib.fsu.edu/theses/available/etd-11142005-144616/>.

institutions would also need to be assessed in the light of the exclusion clauses, in particular Article 1F(b) would be most relevant, as the acts in question may have been disproportionate to the alleged political objectives. Similar considerations would apply with regard to serious human rights violations against civilians as well as KDP and PUK military and political officials reportedly committed by several Kurdish Islamist groups such as the Islamic Movement in Kurdistan and its various break-away groups, including Jund Al-Islam/Ansar Al-Islam, which opposed the ruling Kurdish parties as of 1991.

b. After the fall of the former regime

- Arbitrary arrest, *incommunicado* detention, torture, disappearances and summary or extrajudicial executions of civilians reportedly committed by parts of the ISF, and in particular the Police, Special Police Commandoes/Iraqi National Police and the FPS;
- Abductions, extortion and intimidation, torture, summary or extra-judicial killings and forced displacement of civilians by militias, at times in collaboration with the ISF, and insurgency groups;
- Abductions, torture, extra-judicial killings and extortion of civilians by members of the Awakening Councils;
- Forced displacement of Arab settlers in Kirkuk, as well as arbitrary arrests, abductions, *incommunicado* detention and torture attributed to the Kurdish *Peshmerga*, security and intelligence agencies;
- Abductions, extortion, rape, murder and torture by criminal gangs, at times in cooperation with or on behalf of militias or insurgents.

52. As with any exclusion assessment, the fact that a person was at some point a member of or associated with the former regime or with an organization involved in unlawful violence does not itself assign individual responsibility for excludable acts. An individualized assessment is required in each case. The applicable sub-clause of Article 1F would need to be determined in light of the nature of the acts, the context, and circumstances of the individual case. Further explanation on the application of each sub-clauses follows below.

2. Crimes against peace, war crimes and crimes against humanity (Article 1F[a])

a. Crimes against peace

53. Crimes against peace arise from the “*planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing*”.⁵⁵

54. Given the nature of this crime, it can only be committed in the context of an international armed conflict, and only by those in a high position of authority representing a State or a State-like entity. Any of the afore-mentioned acts committed by persons in such positions in relation to the armed conflicts between Iran and Iraq (1980-1988) or the invasion of

⁵⁵ Article 6(a) of the *Charter of the International Military Tribunal*, <http://www.unhcr.org/refworld/docid/3ae6b39614.html>.

Kuwait in 1990 and the subsequent Gulf War (1991) may fall within the scope of this category under Article 1F(a).⁵⁶

b. War crimes

55. War crimes are serious violations of the laws and customs of war which give rise to criminal responsibility directly under international law, either because this is explicitly provided for in the relevant international instruments,⁵⁷ or on the basis of customary international law. Decision makers should bear in mind that only those acts which are committed during times of armed conflict, and which are linked to the armed conflict (the so-called “nexus” requirement) can constitute war crimes. In conducting an exclusion analysis, it is necessary to consider whether the armed conflict is international or non-international in nature, as different legal provisions are applicable to acts committed in either. War crimes may be committed by civilians as well as military persons. Anyone – civilian or military – who enjoys protection under the relevant provisions of international humanitarian law can be the victim of a war crime.⁵⁸ In the Iraq context, the applicability of Article 1F(a) “war crimes” may arise with regard to acts committed during the various periods of armed conflict between 1979 and the present.⁵⁹

i) International armed conflict

56. Acts which constitute “war crimes” when committed in an international armed conflict are defined in the grave breaches provisions of the Four Geneva Conventions of 1949 and Additional Protocol (AP) I thereto of 1977. Article 8(2)(a) and (b) of the Statute of the International Criminal Court is also relevant for the qualification of acts which take place in an international armed conflict after July 1998. Acts committed during an international armed conflict⁶⁰ which come within the definitions set out in the relevant provisions may give rise to

⁵⁶ For further details, see paragraphs 26-29 of UNHCR’s *Background Note on Exclusion*, see above footnote 45. See also UN Security Council resolutions regarding Iraq’s invasion of Kuwait (UNSC, *Resolution 660 (1990)*, 2 August 1990, <http://www.unhcr.org/refworld/docid/3b00f12240.html>) and the violent suppression of the Kurdish and Shi’ite uprisings in Iraq following the Gulf War (UNSC, *Resolution 688 (1991)*, 5 April 1991, <http://www.unhcr.org/refworld/docid/3b00f16b30.html>).

⁵⁷ See below under “i) International armed conflict” and “ii) Non-international armed conflict”.

⁵⁸ See UNHCR, *Background Note on Exclusion*, paras. 30-32, see above footnote 45, and Annex B.

⁵⁹ In this context, it is worth noting that members of the KDP and PUK armed forces have been involved in a series of international and internal conflicts, sometimes fighting the Iraqi Central Government, sometimes siding with it, including during the Iran-Iraq War (1980-1988), the Kurdish Civil War (1995-1998) as well as the fighting against Kurdish Islamist groups after 1991, in particular the assault on Ansar Al-Islam in March 2003 with the help of US Forces. KDP/PUK armed forces also supported the US-led troops in defeating Iraqi Government troops in Kirkuk and Mosul in March/April 2003. In relation to these conflicts, exclusion considerations, in particular with relation to Article 1F(a) may come into play. It is noteworthy that the *Peshmerga* also had women in its ranks. See, for example, HRW, *Ansar al-Islam in Iraqi Kurdistan*, 5 February 2003, <http://www.hrw.org/legacy/backgrounders/mena/ansarbk020503.htm>; USDOS, Bureau of Public Affairs, *Saddam’s Chemical Weapons Campaign: Halabja, March 16, 1988*, 13 March 2003, <http://www.state.gov/documents/organization/18817.pdf>. It should be noted that the hostilities between the MNF/ISF and the armed insurgency following the hand-over of sovereignty on 28 June 2004 to the Iraqi Interim Government have been qualified by the ICRC as a non-international armed conflict. See above footnote 23 for further details.

⁶⁰ Since 1979, Iraq went through various periods of international armed conflict, notably

- The Iraq-Iran War (1980-1988);

exclusion under Article 1F(a) as “war crimes”, provided they take place in the context of, and were associated with, the armed conflict. If this link, or “nexus”, is not present, the acts in question could not amount to “war crimes” under Article 1F(a). Rather, they would need to be assessed under Article 1F(b) or, depending on the circumstances, as crimes against humanity under Article 1F(a).⁶¹

ii) *Non-international armed conflict*

57. The legal criteria for determining what acts or methods of warfare are prohibited in a non-international armed conflict are mainly found in Article 3 common to the Four Geneva Conventions of 1949, AP II thereto of 1977,⁶² and Article 8(2)(c) and (e) of the Statute of the International Criminal Court, which is relevant for the qualification of acts which take place after July 1998.⁶³

58. Traditionally, “war crimes” were considered only in international armed conflicts. Breaches of common Article 3 and AP II did not give rise to criminal responsibility at the international level and, as a consequence, such breaches could not be considered “war crimes” until mid-1990s. Only in 1994, with the adoption of the Statute of the International Tribunal on Rwanda (ICTR), were serious violations of Additional Protocol II considered within the jurisdiction of the Court as war crimes.⁶⁴ In 1995, the International Criminal Tribunal for the former Yugoslavia (ICTY) decided that violations of international humanitarian law applicable to non-international armed conflicts can be criminal under customary international law. After these developments, it has now become generally accepted that serious violations of international humanitarian law in a non-international armed conflict may give rise to individual criminal responsibility under international law, if the relevant conduct has been criminalized. Thus, it is now recognized that war crimes may also be committed in the context of non-international armed conflicts.⁶⁵

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- The invasion and occupation of Kuwait in 1990 and subsequent Gulf War (1991); and
 - The period from the US-led invasion in March 2003 until the handover of sovereignty to the Iraqi Interim Government on 28 June 2004.

⁶¹ See “*Crimes against humanity*”.

⁶² Iraq is not a party to the AP II of 1977. However, acts prohibited under Article 4 and 13 of AP II are considered to form part of customary international law.

⁶³ It is worth noting that from July 1998 onward, conscripting or enlisting children under the age of fifteen into armed forces or groups or using them to participate actively in hostilities is a war crime and would as such fall within the scope of Article 1F(a). See Article 8(2)(e)(vii) of the *Rome Statute of the International Criminal Court*, <http://www2.icc-cpi.int/Menus/ICC/Legal+Texts+and+Tools/Official+Journal/Rome+Statute.htm> (further: “ICC Statute”). See also: Preparatory Commission for the International Criminal Court, *Report of the Preparatory Commission for the International Criminal Court. Addendum. Part II, Finalized draft text of the Elements of Crimes*, UN Doc. PCNICC/2000/1/Add.2, 2 November 2000, p. 37 and 46, <http://www.unhcr.org/refworld/docid/46a5fd2e.html>.

⁶⁴ Article 4 of the Statute for the International Criminal Tribunal for Rwanda (ICTR) grants jurisdiction over violations of Common Article 3 of Geneva Conventions I to IV and Article 4(2) of Additional Protocol II. It should be noted that violations of Additional Protocol II are explicitly contained as war crimes in Article 4 of the Statute of the ICTR, <http://69.94.11.53/ENGLISH/basicdocs/statute.html>.

⁶⁵ As confirmed by the ICTY, criminal responsibility arises under customary international law for serious violations of Article 3 common to the Four Geneva Conventions of 1949, as supplemented by other general principles and rules on the protection of victims of internal armed conflict, and for breaching certain fundamental principles and rules regarding means and methods of combat in such conflicts. See

59. For the purposes of an exclusion analysis, this means that serious violations of international humanitarian law including violations of common Article 3 and AP II and customary international law applicable to internal armed conflicts, which were not criminalized before the mid-1990s could not give rise to exclusion on the basis of Article 1F(a) as “war crimes”. Conduct in breach of these provisions could, however, come within the scope of Article 1F(b) as serious non-political crimes or Article 1F(a) as crimes against humanity. In the Iraq context, these considerations should be borne in mind when assessing crimes committed during the 1991 Shi’ite and Kurdish Uprisings.⁶⁶

60. Acts committed during later periods of non-international armed conflict in Iraq may give rise to exclusion under Article 1F(a) as “war crimes”, provided the above-mentioned requirement of the nexus with the armed conflict is met. This could be the case, in particular, for crimes committed during the Kurdish Civil War (1995-1998)⁶⁷ and the armed conflict between the ISF/MNF and armed insurgent groups following the handover of sovereignty to the Iraqi Interim Government on 28 June 2004.⁶⁸ Acts of violence between the Sunni and Shi’ite communities, which began with tit-for-tat killings in mid-2005 and escalated into brutal violence after the February 2006 Samarra bombing, should be assessed within the context of this armed conflict and may constitute war crimes, if the nexus requirement with the armed conflict is met and if the acts in question meet the definitions under the relevant legal provisions.⁶⁹

c. Crimes against humanity

ICTY, *Prosecutor v. Dusko Tadic aka “Dule”, Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction*, 2 October 1995, para. 134, <http://www.un.org/icty/tadic/appeal/decision-e/51002.htm>. Moreover, violations of AP II are explicitly contained as war crimes in Article 4 of the ICTR Statute, <http://69.94.11.53/ENGLISH/basicdocs/statute.html>. See also Antonio Cassese, *International Criminal Law*, Second Edition, Oxford University Press, 2008, at pages 81-97.

⁶⁶ For an overview of the kinds of violations of international humanitarian law committed in this context, see HRW, *Endless Torment – The 1991 Uprising in Iraq and its Aftermath*, June 1992, <http://www.hrw.org/reports/1992/Iraq926.htm>.

⁶⁷ On 31 August 1996, the Iraqi troops at the request and with the assistance of the KDP first shelled and then captured the city of Erbil Kurdish self-administrated zone. According to the Special Rapporteur of the Commission on Human Rights, large-scale human rights violations took place, including the excessive use of force, summary executions and arbitrary arrests; UNHCHR, Special Rapporteur of the Commission on Human Rights, *Situation of human rights in Iraq*, A/51/496, 15 October 1996, paragraph 95, <http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/e9032b67acacaeb68025670e0036ca50>; see also UNHCHR, Special Rapporteur of the Commission on Human Rights, *Situation of human rights in Iraq*, A/51/496/Add.1, 8 November 1996, <http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/272b2c48b9147de58025671200517701>.

⁶⁸ See for more on the qualification of the situation in Iraq as one of armed conflict: footnote 23.

⁶⁹ See also the summary of a press briefing by the ICRC on 30 November 2006, in which the ICRC reminded all parties engaged in the violence that “regardless of the complexity of the issues at stake in the Iraqi conflict, it is unacceptable and contrary to the most basic principles of humanity and law to target persons not participating in the hostilities. State and non-State actors are equally bound by these rules. The ICRC calls again upon all parties to the conflict to respect the rules of international humanitarian law and to spare civilians and civilian property. In addition, it urges all those who can make use of their moral and political influence on the ground to call for respect of human life and dignity.” See ICRC, *Iraq: civilians continue to pay the highest price in the conflict*, Press Briefing, 30 November 2006, <http://www.icrc.org/web/eng/siteeng0.nsf/html/iraq-briefing-301106>.

61. Crimes against humanity involve the fundamentally inhumane treatment of the population in the context of a widespread or systematic attack directed against it. Such crimes include murder, extermination, deportation or forcible transfer of populations, imprisonment in violation of fundamental rules of international law, torture, rape, persecution on political, racial or religious grounds, and other inhumane acts (see also Article 7 of the ICC Statute). The act in question, however, only becomes a crime against humanity if it is part of a coherent system or a series of systematic and repeated acts. Thus, acts of torture⁷⁰ committed in a systematic manner or on a widespread scale, targeting political suspects or other civilians, could constitute crimes against humanity as envisaged by Article 1F(a). It is important to note that crimes against humanity can be committed both within and outside the context of an internal or international armed conflict.⁷¹

62. It is widely accepted that crimes against humanity were committed throughout the former regime (1979-2003), in situations of international and internal armed conflict as well as during government campaigns aiming at systematically suppressing political opponents or minority groups.⁷² Torture is known to have been used systematically and on a widespread scale.⁷³

3. Serious non-political crimes (Article 1F(b))

63. Article 1F(b) of the 1951 Convention provides for the exclusion from refugee status of persons who have committed a “serious non-political crime outside the country of refuge prior to being admitted to that country as a refugee”.⁷⁴ Determining the kinds of conduct which may give rise to exclusion as “serious non-political crimes” within the meaning of Article 1F(b) of

⁷⁰ Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defines torture as

“any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”.

See the Convention Against Torture, <http://www.unhcr.org/refworld/docid/3ae6b3a94.html>.

⁷¹ See UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 33–36 and Annex C.

⁷² See consistent reporting by the Special Rapporteur of the Commission on Human Rights on the Human Rights Situation in Iraq, <http://www.unhchr.ch/huridocda/huridoca.nsf/FramePage/Iraq+En?OpenDocument>. A Dutch court in The Hague ruled in 2005 that the killing of thousands of Kurds in Iraq in the 1980s was an act of genocide. It said that it had “no other conclusion than that these attacks were committed with the intent to destroy the Kurdish population of Iraq”; see: BBC News, *Killing of Iraq Kurds “genocide”*, 23 December 2005, <http://news.bbc.co.uk/2/hi/europe/4555000.stm>. See also: HRW, *Genocide in Iraq – The Anfal Campaign Against the Kurds*, July 1993, <http://www.hrw.org/reports/1993/iraqanfal/>. There are also claims that the destruction of the marshlands in Southern Iraq constituted “genocide”; see, for example, Prof. Joseph W. Dellapenna, *The Iraqi Campaign Against the Marsh Arabs: Ecocide as Genocide*, Villanova University School of Law, 31 January 2003, <http://jurist.law.pitt.edu/forum/forumnew92.php>; USIP, *The Marsh Arabs of Iraq: Hussein’s Lesser Known Victims*, 25 November 2002, <http://www.usip.org/newsmedia/releases/2002/nb20021125.html>.

⁷³ See consistent reporting by the Special Rapporteur of the Commission on Human Rights on the Human Rights Situation in Iraq, <http://www.unhchr.ch/huridocda/huridoca.nsf/FramePage/Iraq+En?OpenDocument>.

⁷⁴ For a more detailed discussion of the relevant criteria, see UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 37–45.

the 1951 Convention often requires a comparative approach, which takes into account, *inter alia*, whether most jurisdictions would consider a particular criminal conduct to be a serious and non-political offence.

64. In determining whether a crime is “serious”, certain factors should be considered, including: the nature of the act, the actual harm inflicted, the nature of the penalty, the form of procedure used to prosecute the crime, and whether most jurisdictions would consider it a serious crime. The gravity of serious non-political crimes as stipulated in Article 1F(b) should be judged against international standards, not simply by its categorization in the host country or country of origin. Given the requirement to interpret an exclusion clause restrictively, the qualification “serious” in Article 1F(b) indicates that the crime has to be a serious punishable act.⁷⁵ Minor offences punishable by moderate sentences are not grounds for exclusion under Article 1F(b), even if technically referred to as “crimes” in the penal law of the country concerned. Examples of “serious” crimes include for instance, murder, rape, arson, and armed robbery are considered to be “serious crimes”. Other offences can be regarded as “serious” if they are accompanied, for example, by the use of deadly weapons, or involve serious injury to persons.⁷⁶

65. As to whether a crime is “non-political”, regard should be given in the first place to its nature and purpose, i.e. whether it has been committed out of genuine political motives and not merely for personal reasons or gain. A serious crime should be considered non-political when other motives (such as personal reasons or gain) predominate. Where no clear link exists between the crime and its alleged political objective or when the act in question is disproportionate to the alleged political objective, non-political motives are predominant. Thus, the motivation, context, methods, and proportionality of a crime to its objectives are relevant factors in assessing its “political” nature. Acts that are grossly out of proportion to the political objectives sought would therefore not satisfy the “so-called” predominance text to determine whether a crime is political. It should be noted that in applying Article 1F(b), it is required that the nature and the seriousness of the offence presumed to have been committed by the individual be weighed against the degree of persecution feared.⁷⁷

66. Thus, when assessing whether an act may fall within the scope of Article 1F(b), it must be established that it meets the “seriousness and non-political” threshold required under this provision. The geographic and temporal criteria required under Article 1F(b) must also be met (“committed outside the country of refuge prior to admission to that country as a refugee”) for this exclusion clause to apply.⁷⁸ In each case, individual responsibility has to be established, that is, the individual must have intended to commit the excludable act or knowingly made a substantial contribution to it.⁷⁹

67. In the Iraq context, acts such as assassinations, abductions or torture committed by State security forces, armed opposition groups (pre-2003) or insurgency or criminal groups or militias (post-2003) are likely to reach the seriousness threshold required to fall under Article

⁷⁵ See UNHCR, *Handbook*, see above footnote 27, para. 155.

⁷⁶ See UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 38-41.

⁷⁷ See UNHCR, *Handbook*, see above footnote 27, para. 156. See also UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 41-43.

⁷⁸ For a more detailed discussion of the relevant criteria, see also UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 37-45, 81-82 and 85-86.

⁷⁹ See below at Section 5.

1F(b).⁸⁰ Similarly, egregious acts which involve the use of violence and the indiscriminate harm, or threat of harm, against civilians are also likely to constitute non-political crimes within the meaning of Article 1F(b) of the 1951 Convention.⁸¹

4. Acts contrary to the purposes and principles of the United Nations (Article 1F(c))

68. Article 1F(c) refers to “acts contrary to the purposes and principles of the United Nations”. The purposes and principles of the UN are contained in the Preamble and Articles 1 and 2 of the UN Charter.⁸² Their broad and general terms give little guidance as to the types of acts that would deprive a person of the benefits of refugee status under Article 1F(c) of the 1951 Convention. The *Travaux Préparatoires* of the 1951 Convention provide some clarification as to the intention of the drafters, and indicate that this provision was intended to cover mainly violations of human rights which, although falling short of crimes against humanity, were nevertheless of a fairly exceptional nature. It was also noted by the delegates that Article 1F(c) was not meant to be applied to the “man in the street”,⁸³ and the *Travaux Préparatoires* show that this provision was meant to be applied only in exceptional circumstances.⁸⁴

69. Given the vagueness of its terms, the lack of coherent State practice and the danger of being open to abuse, it is particularly important that Article 1F(c) is interpreted restrictively and with caution, in light of the purposes and object of the Convention. Some delegates had, in the *Travaux Préparatoires*, already expressed concerns about the risks of this provision to be open to abuse and the need to preserve the protection afforded by the Convention.⁸⁵

⁸⁰ For a more detailed discussion, see: UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 37-45.

⁸¹ See UNHCR, *Background Note on Exclusion*, see above footnote 45, para. 41.

⁸² The purposes of the United Nations are: to maintain international peace and security; to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples; to achieve international cooperation in solving socio-economic and cultural problems, and in promoting and encouraging respect for human rights and fundamental freedoms; and to serve as a centre for harmonizing the actions of nations. The principles of the United Nations are: the sovereign equality of States; fulfillment in good faith of obligations assumed under the Charter; the peaceful resolution of international disputes; and refraining from the threat or use of force against the territorial integrity or political independence of another State, or in any other manner inconsistent with the purpose of the United Nations; and assistance in promoting the work of the United Nations.

⁸³ UNHCR, *Background Note on Exclusion*, see above footnote 45, para. 46. See also Atle Grahl-Madsen, “The Status of Refugees in International Law”, Vol. I, 282-3 (1972). He observes that “it appears from the records that those who pressed for the inclusion of the clause had only vague ideas as to the meaning of the phrase “acts contrary to the purposes and principles of the United Nations” [...] it is easily understandable that the Social Committee of the Economic and Social Council expressed genuine concern, feeling that the provision was so vague as to be open to abuse. It seems that agreement was reached on the understanding that the phrase should be interpreted very restrictively”. The Supreme Court of Canada held similar views in the case of *Pushpanathan v. Canada* [1998] 1 SCR 982, 4 June 1998 (Supreme Court of Canada), <http://www.unhcr.org/refworld/docid/3ae6b71ca.html>, para. 62.

⁸⁴ As expressed by the French Delegate: ‘The provision was not aimed at the man-in-the-street, but at persons occupying government posts, such as heads of States, ministers and high officials’ (E/AC.7/SR.160, 18 August 1950, at page 18, and E/AC.7/SR.166, 22 August 1950, at page 6); Similar views were expressed by Canada (E/AC.7/SR.165; 19 August 1950, at page 23).

⁸⁵ See Summary Records, A/CONF.2/SR.24, at page 5; E/AC.7/SR/160, at page 16; E/AC.7/SR.160; 18 August 1950, at page 19; and E/AC.7/SR.165, 19 August 1950, at page 24. See also Guy S. Goodwin-Gill

70. Exclusion from refugee protection based on the criteria of Article 1F(c) should thus be reserved for situations where an act and the consequences thereof meet a very high threshold, that is, where an act is serious or egregious enough as to be capable of being contrary to the purposes and principles of the United Nations. This threshold should be defined in terms of the gravity of the act in question, the manner in which the act is organized, its international impact and long-term objectives, and the implications for international peace and security.⁸⁶ Thus, in UNHCR's view, crimes which are capable of affecting the maintenance of international peace and security and peaceful relations between States, as well as serious and sustained violations of human rights, would fall within this clause.⁸⁷

71. In the Iraq context, the UN Security Council (UNSC) considered Iraq's invasion in Kuwait in 1990 as a "*breach of international peace and security*."⁸⁸ In addition, the violent suppression of the popular uprisings in the aftermath of the Gulf War in 1991, which led to massive displacement to neighbouring countries, in particular Turkey and Iran, was condemned by the UNSC as a threat to international peace and security in the region.⁸⁹ It should be noted, however, that references to UNSC resolutions in this context should not suggest an automatic application of Article 1F(c). As previously stated, the application of Article 1F requires an individual examination, on the basis of reliable and credible information, that "there are serious reasons for considering" that the individual concerned has incurred individual responsibility for acts which are contrary to the purposes and principles of the UN falling within the scope of Article 1F(c).⁹⁰

72. Where the specific circumstances are such that a particular criminal conduct cannot be considered as contrary to the purposes and principles of the UN, the application of Article 1F(c) of the 1951 Convention would not be justified. Such offences may, however, come more appropriately within the scope of other sub-categories under Article 1F.

73. In principle, since Articles 1 and 2 of the UN Charter essentially set out the fundamental principles that States must uphold in their mutual relations, it would appear that only persons holding most senior positions of power may fall within the scope of this provision.⁹¹ Many commentators share this view, limiting the application of Article 1F(c) to Heads of State and high officials and reserving its exceptional application to those not holding senior government positions to individuals such as those responsible for serious human rights

and Jane McAdam, "The Refugee in International Law", Third Edition, Oxford University Press, 2007, at pages 184-185 and 191-197.

⁸⁶ UNHCR, *Background Note on Exclusion*, see above footnote 45, para. 47.

⁸⁷ *Ibid.*, para. 47. In the case of *Pushpanathan v. Canada*, although the Supreme Court of Canada found that conspiring to drug trafficking did not fall within Article 1F(c), it stated that "[...] Article 1F(c) will thus be applicable where there is consensus in international law that particular acts constitute sufficient serious and sustained violations of fundamental human rights as to amount to persecution, or are explicitly recognized as contrary to the purposes and principles of the UN"; see above footnote 83. See Guy S. Goodwin-Gill and Jane McAdam, "The Refugee in International Law", third Edition, Oxford University Press, 2007, at pages 188-189.

⁸⁸ UNSC, *Resolution 660 (1990)*, 2 August 1990, <http://www.unhcr.org/refworld/docid/3b00f12240.html>.

⁸⁹ UNSC, *Resolution 688 (1991)*, 5 April 1991, <http://www.unhcr.org/refworld/docid/3b00f16b30.html>.

⁹⁰ See UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 46-49.

⁹¹ See UNHCR, *Handbook*, see above footnote 27, para. 163; This position was also expressed by the drafters of the 1951 Convention, who intended the personal scope of this provision to be limited; see UNHCR's *Background Note on Exclusion*, see above footnote 45, paras. 48-50.

violations.⁹² In the Iraq context, particular attention should be exercised in relation to claims involving acts committed by applicants who held a position of State authority during the Iraq's invasion in Kuwait in 1990 and during the violent suppression of the popular uprisings in the aftermath of the Gulf War in 1991.

5. Individual responsibility

a. Basis for incurring individual responsibility

74. Exclusion on the basis of Article 1F of the 1951 Convention requires a finding of serious reasons for considering that the applicant incurred individual responsibility for excludable acts. For this to be established, it must be determined based on credible and reliable information that he or she committed, or participated in the commission of, the material elements of the crime(s) in question with the requisite mental element (*mens rea*).⁹³ Depending on the circumstances, a person may incur individual responsibility (i) by perpetrating excludable crimes him or herself, (ii) for crimes committed by others, either by inducing others to commit such crimes (for example, through planning, inciting, ordering), or (iii) by making a substantial contribution to the commission of crimes by others in the knowledge that his or her acts facilitated the criminal conduct (for example, through aiding or abetting, or by participating in a joint criminal enterprise).⁹⁴ Under certain circumstances, applicants who held a position of authority within a civilian or military hierarchy may also be held responsible and incur individual responsibility for crimes committed by persons under their effective command or control.⁹⁵

75. As a general rule, mere membership in or association with a particular group or organization is not sufficient to establish individual responsibility for excludable acts. Therefore, for example, the fact that an individual was part of the former regime or Ba'ath Party does not in itself entail individual liability for excludable acts.⁹⁶ Thus, for applicants who were associated with a group or organization that reportedly has been involved in human rights abuses, it is necessary to conduct a thorough assessment of their activities, role and responsibilities and to determine whether there are serious reasons for considering that the

⁹² See Guy S. Goodwin-Gill and Jane McAdam, "The Refugee in International Law", Third Edition, Oxford University Press, 2007, at pages 186-190.

⁹³ As reflected in Article 30 of the ICC Statute, the mental element generally required for individual responsibility is "intent" (with regard to conduct or consequences) and "knowledge" (with regard to circumstances or consequences); see UNHCR, *Background Note on Exclusion*, see above footnote 45.

⁹⁴ See UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 50-56.

⁹⁵ This would be the case if the applicant knew, or should have known, that his or her subordinates were committing or about to commit such crimes, and failed to take all necessary and reasonable measures within his or her power to prevent or repress their commission, or to submit the matter to the competent authorities for investigation and punishment. See UNHCR, *Background Note on Exclusion*, see above footnote 45, para. 56.

⁹⁶ It is also important to note that Ba'ath Party membership was widespread as it carried with it significant benefits, including, for example, greater career opportunities, economic advantages, trips abroad, access to better facilities, and access to university education. Moreover, journalists, officers, high ranking officials, scientists, teachers, lecturers and university-staff were often compelled to join the Ba'ath Party even if they did not share its ideology. Ba'ath party membership alone is therefore not conclusive regarding the applicability of the exclusion clauses.

persons' conduct and state of mind gives rise to individual responsibility for crimes within the scope of Article 1F.

76. In cases where it is established that the applicant's conduct had a significant effect on, and thus amounts to a substantial contribution to, the commission of excludable acts, a careful examination of the applicant's place within the organizational hierarchy is necessary, as holding certain positions could be indicative of the applicant's knowledge of the crimes perpetrated by subordinates or by other parts of the hierarchy. Relevant factors include the nature of the applicant's organization or institution and the extent to which the individual was aware of, for example, the types of operations carried out by members of that organization, or of the fate of the persons arrested under his or her supervision or as a result of the gathering of intelligence information.

77. In certain cases, an applicant's voluntary membership in a particularly violent group or organization may justify a presumption of individual responsibility for crimes committed by the group or organization, as it may be considered that the individual concerned somehow contributed significantly to the commission of violent crimes. Caution must be exercised when considering whether such a presumption exists. Factors to be taken into account include the actual activities of such a group, its place and role in the society in which it operates, its organizational structure and the individual's position in it, the individual's ability to have a significant influence on its activities, whether the group is cohesive or fragmented and whether and how the nature of the group's violent conduct has evolved over time. Even if a presumption of individual responsibility arises, this does not mean that the person concerned is automatically excludable. The presumption is always rebuttable: the applicant must be informed of the evidence/allegations on the basis of which exclusion may be decided and given the opportunity to show that he/she should not be excluded. A plausible explanation regarding the applicant's non-involvement in, or dissociation from, any excludable acts, coupled with an absence of serious evidence to the contrary, should remove the applicant from the scope of the exclusion clauses.⁹⁷

78. In the context of Iraq, a presumption of individual responsibility for excludable crimes may arise as a result of the person's continued and voluntary functioning in very senior positions of the former government, the Ba'ath Party or the security or military apparatus since these institutions were clearly engaged in activities that fall within the scope of Article 1F. In this context, it is also important to note that the former Iraqi Government has faced international condemnation, including from the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq,⁹⁸ the Commission on Human Rights and the General Assembly, for gross and systematic human rights abuses. Where the individual has remained in very senior positions of the aforementioned institutions, exclusion may be justified, unless he or she can rebut the presumption of knowledge of and personal involvement in such abuses.⁹⁹

⁹⁷ For further guidance on the criteria which must be met for a presumption of individual responsibility to be justified, see: UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 57-62, 105-106 and 110.

⁹⁸ See UNHCHR, *Documents on Special Rapporteur of the Commission on Human Rights on the Situation of Human Rights in Iraq*, <http://www.unhcr.ch/huridocda/huridoca.nsf/FramePage/Iraq+En?OpenDocument>.

⁹⁹ See also, UNHCR *Background Note on Exclusion*, see above footnote 45, paras 57-58.

b. *Grounds negating individual responsibility*

79. A complete exclusion analysis also requires an assessment of whether or not any circumstances which would negate individual responsibility arise in the applicant's case, for example because the person concerned did not have the necessary *mens rea*, or because there are circumstances which give rise to a valid defense, thus exonerating him or her from individual responsibility for his or her acts.¹⁰⁰

80. In the Iraqi context, grounds for rejecting individual responsibility may also need to be considered, in particular as to whether duress/coercion, self-defence or the defence of other persons was at issue. The defence of duress would apply where the criminal acts resulted from the applicant acting necessarily and reasonably to avoid a threat of imminent death or serious bodily harm to him or herself or another person.¹⁰¹ Acting on orders from superiors, in the absence of the imminent harm necessary to establish duress, will normally not provide a defence to criminal responsibility.¹⁰²

81. In examining defences to criminal responsibility, it should also be noted that persons belonging to the military, security and intelligence services as well as certain professional groups whose work was of special value to the Government (e.g. medical doctors, dentists, retired professionals, government employees, university professors, journalists, members of the media, authors and employees of the Information Ministry) were not allowed to leave the country or required special authorization. Unlawful departures carried with them the risk of detention and serious mistreatment for remaining family members. There are allegations of collective punishment against men and women, such as rape and other forms of torture, in cases where family members were wanted by the authorities but had left the country.¹⁰³ In other cases, legislation provided for severe punishment of those that refused to carry out certain acts. For example, medical doctors who refused to carry out ear amputations and tattooing of army deserters or evaders in line with RCC Decree 115 of 25 August 1994 were subject to severe punishment.¹⁰⁴

c. *Proportionality considerations*

82. If it is established that an applicant incurred individual responsibility for acts within the scope of Article 1F, the final step in the exclusion analysis consists of weighing the seriousness of the acts in question against the consequences of exclusion for the individual concerned.¹⁰⁵

¹⁰⁰ *Ibid.*, paras. 64-75.

¹⁰¹ The relevant criteria are provided for in Article 31(1)(d) of the ICC Statute.

¹⁰² It should be noted, however, that Article 33 of the ICC Statute provides for a defence of superior orders, in certain circumstances.

¹⁰³ UNHCHR, Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq, *The Situation of Human Rights in Iraq*, A/65/340, 13 September 2001, p. 6-7, [http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/8e85ad0aea73e88bc1256af10051cade/\\$FILE/N0153521.pdf](http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/8e85ad0aea73e88bc1256af10051cade/$FILE/N0153521.pdf); *Ibid.*, A/55/294, 14 August 2000, p. 7, [http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/81fd25017cae76c4c125697a0045cd36/\\$FILE/N0060774.pdf](http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/81fd25017cae76c4c125697a0045cd36/$FILE/N0060774.pdf).

¹⁰⁴ UNHCHR, Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq, *The Situation of Human Rights in Iraq*, A/49/651, 8 November 1994, paras. 53-54 and 65, <http://www.unhchr.ch/Huridocda/Huridoca.nsf/TestFrame/4ca4ae2431b4edb880256708005c71fa>.

¹⁰⁵ *Ibid.*, paras. 76-78.

d. *Consequences of exclusion*

83. Persons to whom an exclusion clause applies are not eligible for refugee status. They cannot benefit from international protection under the 1951 Convention, nor under UNHCR's mandate. However, they may still be protected against return to a country where they are at risk of ill-treatment by virtue of other international instruments and under international human rights law.¹⁰⁶

84. It is important to recall, however, that family members of excluded individuals are not automatically excluded as well. Their claim to refugee status needs to be examined on an individual basis in light of their own situation. Family members may qualify for refugee status even if their fear of persecution results from their relationship to the excluded relative. Family members are only excluded if there are serious reasons for considering that they are also individually responsible for excludable crimes. Where family members have been recognized as refugees, however, the excluded applicant cannot benefit from the right to family unity to secure protection or assistance as a refugee.¹⁰⁷

C. **Internal flight or relocation alternative (IFA/IRA)**

85. A detailed analytical framework for assessing the availability of an internal flight alternative or internal relocation alternative is contained in UNHCR's 2003 "*Guidelines on International Protection: the "Internal Flight or Relocation Alternative" within the context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees*".¹⁰⁸

86. As elaborated in the Guidelines, in order to assess the possibility of applying an IFA/IRA, two main sets of analyses should be undertaken, namely whether internal relocation is (i) **relevant**; and, (ii) if so, whether it is **reasonable**. The determination of whether the proposed internal flight or relocation area is an appropriate alternative in the particular case requires an assessment over time, taking into account not only the circumstances that gave rise to the persecution feared, and that prompted flight from the original area, but also whether the proposed area provides a meaningful alternative in the future.

87. In the context of Iraq, UNHCR's analysis distinguishes between the situation in the Central Governorates, the Southern Governorates, and the three Northern Governorates. The availability of an IFA/IRA in the latter area would also depend on whether the individual concerned is from the Central or Southern Governorates, or from within the three Governorates themselves.

¹⁰⁶ See UNHCR, *Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees*, HCR/GIP/03/05, 4 September 2003, para. 9, <http://www.unhcr.org/refworld/docid/3f5857684.html>, and UNHCR's *Background Note on Exclusion*, see above footnote 45, paras. 21-22.

¹⁰⁷ See UNHCR, *Background Note on Exclusion*, see above footnote 45, paras. 94-95.

¹⁰⁸ UNHCR, *Guidelines on International Protection No. 4: "Internal Flight or Relocation Alternative" Within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol Relating to the Status of Refugees*, 23 July 2003, <http://www.unhcr.org/refworld/docid/3f2791a44.html>.

1. IFA/IRA in the Central and Southern Governorates

a. *Relevance analysis*

88. With respect to refugee claims of Iraqi asylum-seekers from the Central and Southern Governorates of Iraq, it is UNHCR's assessment that an internal flight alternative is not available for persons fleeing State persecution, as the agent of persecution would be able to pursue the individual throughout the territory.

89. When assessing whether an individual fleeing persecution from non-State actor(s) is able to find an internal flight alternative elsewhere in the Central or Southern Governorates, key considerations include whether the individual can practically, safely and legally access the area of internal flight alternative (the "relevance analysis"), and whether the individual could live a relatively normal life in that area without facing undue hardship (the "reasonableness analysis").

90. Generally, no internal flight alternative will be available because of (i) the ability of non-State agents of persecution to perpetrate acts of violence with impunity, (ii) the ongoing levels of violence in mainly the Central Governorates of Baghdad, Diyala, Kirkuk, Ninewa and Salah Al-Din giving rise to new persecution, (iii) access and residency restrictions, and (iv) the hardship faced in ensuring even the basic survival in areas of relocation. When, however, the availability of an internal flight or relocation alternative must be assessed in a national asylum procedure, it should be examined cautiously and in the context of the individual claim. UNHCR's *Guidelines on Internal Flight/Relocation Alternative*¹⁰⁹ should be taken into account.

91. As also indicated in these Guidelines, persecution emanates mainly from a range of non-State actors. Generally, protection by national authorities will be not available given that the national authorities have yet limited capacity to enforce law and order, the ISF may be infiltrated by radical elements and the judiciary is prone to intimidation and corruption.¹¹⁰

92. Recent security improvements have weakened armed groups, including Sunni insurgent groups and Shi'ite militias, and limited their freedom of movement. Therefore, it may be considered that potential targets should be out of reach of certain non-State actors of persecution in areas where these do not have a presence. However, it needs to be taken into consideration that the actor of persecution is not always known to the victim. Furthermore, armed groups have proven in the past to be quite mobile and have often resurged in formerly "cleared" areas. For example, it is believed that some AQI militants have re-entered Al-Anbar Governorate after coming under increased pressure in Ninewa. The JAM is currently holding a low profile, but this should not be taken as a guarantee that individual cases may not still be pursued even into areas where it currently does not show an open presence. Therefore, the mobility of armed groups should not be underestimated.

¹⁰⁹ *Ibid.*

¹¹⁰ See "Access to justice" and "Growing ability of the Iraqi Security Forces".

93. Persons seeking to relocate to other areas may be at risk of facing renewed violence. UNHCR Protection Monitoring¹¹¹ showed that IDPs suffered from general violence,¹¹² inter-ethnic/religious violence,¹¹³ general criminality, targeted attacks, detentions, kidnappings, and military operations. Some 14% of IDP communities informed UNHCR of detentions. In Muthanna Governorate, it was reported that IDPs endure forced recruitment by armed groups and in the Governorates of Al-Anbar, Baghdad, Diyala, Najef and Salah Al-Din, IDPs reported abuse and harassment.¹¹⁴ IDPs in Diyala are reported to have been targeted specifically by armed groups.¹¹⁵ In Basrah Governorate, there are anecdotal reports of trafficking of young girls to nearby countries, notably the Gulf States.¹¹⁶ In Kirkuk, IDP families displaced from Diyala to Al-Multaqa sub-District were attacked.¹¹⁷

94. Quasi-security forces such as the SoI, which exercise *de facto* control over certain areas, should not be considered to be operating as effective authorities, as they themselves are the targets of attacks in those areas and their legal status has not yet been clarified.¹¹⁸

95. Common ethnic or religious backgrounds and existing tribal and family ties in the area of relocation are crucial when assessing the availability of an IFA/IRA as these generally ensure a certain level of community protection and access to services. This is particularly true for both towns and rural areas, where newcomers, particularly when he/she does not belong to the existing sect, tribes or families, may be discriminated against. Even those originating from the area may be perceived as newcomers, if they had left a long time ago previously and have lost all links with their tribal-based community. IDPs that share a common background with the host community and have tribal/family links in the area of relocation mostly have good relations with the local community and disputes over resources or employment are rare.¹¹⁹ In Kirkuk, which has a very diverse ethno-sectarian make-up, tensions and even harassment and persecution have been reported in areas where the host community and the IDPs do not share the same background. In some cases, this drives IDPs into secondary displacement in search for an ethnically homogenous community.¹²⁰ Areas hosting large numbers of IDPs are prone to

¹¹¹ UNHCR Protection Monitoring, March – December 2008.

¹¹² Governorates of Baghdad, Diyala, Missan, Najef, Salah Al-Din and Wassit.

¹¹³ Governorates of Kirkuk and Ninewa.

¹¹⁴ UNHCR Protection Monitoring, March – December 2008, and NGO reports, February – August 2008.

¹¹⁵ IOM, *Emergency Needs Assessments*, 1 January 2009, p. 9, <http://www.iom-iraq.net/Library/IOM%20Iraq%20Displacement%20Assessments%20and%20Statistics%201%20Jan%2009.pdf> (further: “IOM, January 2009 Assessment”).

¹¹⁶ IOM, *Basrah, Muthanna, Thi-Qar Governorate Profiles*, December 2008, p. 7, http://www.iom-iraq.net/Library/idp_gov_profiles/2008/Governorate_Profiles_Basrah_Muthanna_Thi-Qar_Dec08.pdf.

¹¹⁷ IOM, *Emergency Needs Assessments*, 1 October 2008, p. 12, <http://www.iom-iraq.net/Library/IOM%20Iraq%20Displacement%20Assessments%20and%20Statistics%201%20Oct%2008.pdf>.

¹¹⁸ See “Role of the “Sons of Iraq”” and “Tribal leaders and members of the Awakening Councils/SoI”.

¹¹⁹ IOM reported that in the Governorates of Al-Anbar, Babel, Baghdad, Basrah, Diyala, Diwaniyah, Kerbala, Najef, Salah Al-Din, Missan, Muthanna, Thi-Qar and Wassit, post-2006 IDPs and host communities generally enjoy good relations as most IDPs choose to relocate to or within these governorates along their tribal/family links and share the same ethnic/religious background. In Basrah and Babel Governorates, tensions have been reported when the two populations do not share a common sectarian or cultural identity.

¹²⁰ IOM, *Kirkuk, Ninewa, Salah Al-Din Governorate Profiles*, December 2008, p. 5, http://www.iom-iraq.net/Library/idp_gov_profiles/2008/Governorate_Profiles_Missan_Qadissiya_Wassit_Dec08.pdf (further: “IOM, Kirkuk, Ninewa, Salah Al-Din Governorate Profiles”).

tensions between the IDPs and the host community over scarce resources, housing and land disputes and rising prices. To a lesser extent, the (perceived) social behaviour of the IDPs and competition over employment can trigger tensions.¹²¹ UNHCR Protection Monitoring showed that in some areas of Al-Anbar, Diyala, Kirkuk and Ninewa Governorates, IDPs felt they are discriminated against by the host communities.¹²²

96. Groups of IDPs in the Centre and the South reported pressure to return or relocate elsewhere from local authorities, armed groups and host communities.¹²³ For example, the provincial authorities of Salah Al-Din declared that all IDPs originating from Diyala must return home for security reasons.¹²⁴

97. The high levels of ethno-religious violence in the formerly “arabized” areas, the highly sensitive political, ethnic and economic nature of these areas and the risk of further destabilizing the situation through significant population movements need to be considered when assessing the availability of an IFA/IRA in these Governorates (i.e. Kirkuk, Ninewa, parts of Diyala and Salah Al-Din Governorates).

98. Travel by road within the Central and Southern Governorates has become fairly safe in many areas, but all roads remain potentially dangerous. Roadside bombings, robbery and carjacking remain a daily occurrence mainly in the population centres. The main routes from Baghdad to the North, i.e. the Baghdad Western North route from Baghdad through the Governorates of Salah Al-Din and Ninewa and further North to Dahuk as well as the Baghdad Eastern North route from Baghdad through the Governorate of Diyala up to Kirkuk, see daily roadside bombings. In the South, there is a high risk of attacks on most routes in the Governorates of Babel and Wassit, especially in the districts lying closest to Baghdad. Travelling prior or during religious festivities also involves a heightened risk as armed groups aim at launching mass casualty attacks on Shi’ite pilgrims. Military operations among armed groups and the ISF/MNF-I continue mainly in the Central Governorates. Travelling is often delayed by ISF/MNF-I checkpoints and convoys, which also increases the risk of being targeted by armed groups or criminals or being caught in armed clashes.¹²⁵ Moving near official government convoys is particularly dangerous as they are a frequent target of armed groups, including by roadside bombs and “sticky bombs” attached under vehicles. Reportedly there has been a rise in the deployment of false vehicle checkpoints from which violent attacks have been mounted.¹²⁶ Grenades and explosives have been thrown into vehicles from overpasses, particularly in crowded areas.¹²⁷ Areas where vehicles are overlooked (e.g. around

¹²¹ UNHCR Protection Monitoring revealed tensions between the host community and the IDPs in the Governorates of Al-Anbar, Baghdad, Diyala, Kerbala, Missan, Najef and Ninewa; UNHCR Protection Monitoring, March – December 2008, and NGO reports, February – August 2008.

¹²² UNHCR Protection Monitoring, March – December 2008, and NGO reports, February – August 2008.

¹²³ *Ibid.*

¹²⁴ At the time of writing, the decision has not yet been enforced upon intervention from UNHCR.

¹²⁵ AKE, *AKE security briefing*, 12 February 2009, http://www.newssafety.org/index.php?option=com_content&view=article&id=11750:ake-security-briefing&catid=84:iraq-security&Itemid=100378.

¹²⁶ Foreign and Commonwealth Office, *Travel advice by country – Iraq*, updated 29 January 2009, <http://www.fco.gov.uk/en/travelling-and-living-overseas/travel-advice-by-country/middle-east-north-africa/iraq>.

¹²⁷ US Department of State / Bureau of Consular Affairs, *Travel Warning*, last updated 13 July 2008, current as of 29 January 2009, http://travel.state.gov/travel/cis_pa_tw/tw/tw_921.html.

bridges) or are forced to slow down (e.g. traffic control measures, bends in the road) are also potentially hazardous.¹²⁸ Movement may further be limited by curfews and vehicle bans, which can be enforced at short notice (e.g. around religious holidays or elections). Travel by air from Baghdad International Airport has also relatively improved. Though there have been no recent attacks on civilian aircraft, the potential threat still exists.¹²⁹

99. As a result of the large influx of IDPs in the aftermath of the Samarra bombing in February 2006, the local authorities in many Governorates imposed restrictions on the entry and residence of IDPs and/or their locations of settlement. As a result of a directive issued by the central Government in 2007 ordering governorates to lift restrictions on IDPs' entry as well as the overall decrease in new displacement occurring, restrictions have largely been eased. A notable exception is Al-Anbar Governorate, which requires IDPs to have a sponsor that guarantees that the person does not pose a security risk as well as the need to provide evidence that the IDP originates from a "hot area". In addition, persons seeking to relocate to the town of Fallujah (Al-Anbar) must have a special ID card issued by the ISF. In Kirkuk, Arab IDPs may reportedly be discriminated against on the basis of their ethnic belonging.¹³⁰ Furthermore, most central and southern governorates require that IDPs coming from other governorates obtain prior approval from the local authorities in the intended place of relocation to bring along their furniture.

100. Despite a directive issued by the central Government in 2007 to lift restrictions on IDPs' registration by MoDM, the responsible government body for registering IDPs in all 15 southern and central Governorates, restrictions continue to exist in several governorates, including the requirement to originate from a "hot area" or face a direct threat to one's life,¹³¹ to have a sponsor from the area of relocation¹³² and/or to provide proof that one originates from the area of relocation.¹³³ In addition, the registration process is often bureaucratic as IDP families are required to produce a range of documents including Public Distribution System (PDS) card, nationality certificate and photograph of the head of household, civil ID card for all family members, housing card from the place of origin and a letter of approval from the local mayor (*mukhtar*), the city council and/or the police. Furthermore, some IDPs in remote areas may not be able, for lack of resources or security, to physically approach MoDM, which has its offices in the urban centres. Protection monitoring undertaken by UNHCR revealed that three quarters or more of the IDPs in the Central and Southern Governorates have registered with MoDM or other local authorities. Recently, MoDM in Baghdad has informally ordered its branch offices to halt IDP registration and several governorates stopped the registration process

¹²⁸ AKE, *AKE security briefing*, 12 February 2009, http://www.newssafety.com/index.php?view=article&catid=84%3AIraq-security&id=11750%3AAke-security-briefing&option=com_content&Itemid=100378.

¹²⁹ *Ibid.*

¹³⁰ UNHCR information, February 2009; IOM, *Kirkuk, Ninewa, Salah Al-Din Governorate Profiles*, see above footnote 120.

¹³¹ As there is no clear and harmonized definition as to what constitutes a "hot area" or a "threat to a person's life", it has been left to the local authorities' discretion and may lead to arbitrary decisions. This requirement is still applicable in the Governorates of Diwaniyah, Diyala, Muthanna and Thi-Qar.

¹³² For example, in Salah Al-Din Governorate, registration is restricted for IDPs coming from Samarra District or from Al-Anbar or Diyala Governorates for security reasons. These IDPs require a sponsor from Salah Al-Din. IDPs seeking to relocate to Thi-Qar Governorate require a sponsor.

¹³³ For example in Khanaqeen (Diyala), non-Kurdish IDPs can only register if they can prove that they originate from the area.

for newly arriving IDPs or IDPs who had not been registered at the time in late 2008/early 2009.¹³⁴ On 19 February 2009, the Council of Ministers has officially instructed all MoDM offices to halt registration of IDPs. This puts unregistered IDPs at risk of harassment by the police and the local authorities and hampers access to assistance and basic services (*see below*).

b. Reasonableness analysis

101. Overall, for the reasons set out below and as demonstrated by the difficulties faced by IDPs in the Central and Southern Governorates, UNHCR considers it unreasonable to expect an individual fleeing persecution in Iraq to relocate to another area in the Central and Southern Governorates. Such an individual would not be able to lead a relatively normal life without undue hardship. Lack of basic facilities and difficulties with livelihoods and survival render it extremely harsh for persons to live normal lives at even basic subsistence levels within the Central and Southern Governorates.

102. Registration with MoDM is a condition to access a range of basic services as well as government assistance. Those IDPs that are unable to register may face the following problems: inability to transfer PDS cards, no access to social welfare grants and emergency assistance as well as inability to rent or buy properties. In addition, access to education, employment, food, fuels and land allocations may be restricted for unregistered IDPs. As described above, several Governorates have either restrictions on registration or have already halted registration of IDPs, leaving a number of them with no or limited access to assistance and basic services.

103. Access to **food** is an issue of concern to IDPs as they may not be able to access their monthly food rations through the Public Distribution System (PDS).¹³⁵ For more than 51% of the IDPs assessed by UNHCR, PDS rations remain the main source of food.¹³⁶ Almost two-thirds of the IDPs in Iraq have regular access to their food rations; however, rations are only complete for 18% of the IDPs.¹³⁷ Access varies significantly among governorates and the situation is particularly dire in the Governorates of Basrah (61% have no access), Kirkuk (57%) and Babel (39%).¹³⁸ In Wassit, 87% of the IDPs receive their food rations only “sometimes”; in Ninewa 79% and in Najef 68%.¹³⁹ The main reasons for no or irregular access are insecurity on

¹³⁴ Governorates of Babel, Basrah, Kerbala, Kirkuk, Missan, Najef, Ninewa and Wassit.

¹³⁵ Iraq’s food rationing system was set up in 1995 as part of the UN’s Oil-for-Food programme following Iraq’s invasion of Kuwait in 1990. However, it has been crumbling since the US-led invasion of Iraq in 2003 due to insecurity, poor management and corruption. In mid-2008, the Ministry of Trade said it was drawing up a plan to be implemented in 2009 that would restrict the PDS to the poor as of mid-2009. The Plan has not yet been approved by the CoR and the Presidential Council though the Iraqi Government is under a lot of pressure to cut its 2009 budget due to low world oil prices; IRIN, *IRAQ: Iraqis want free food programme to continue, finds survey*, 4 January 2009, <http://www.irinnews.org/Report.aspx?ReportId=82188>; *Ibid.*, *IRAQ: Trade Ministry moves to rationalise food aid system*, 10 June 2008, <http://www.irinnews.org/Report.aspx?ReportId=78659>.

¹³⁶ UNHCR Protection Monitoring, March – December 2008.

¹³⁷ *Ibid.*

¹³⁸ In Salah Al-Din, 23% of the IDPs surveyed do not have access to the PDS; Thi-Qar (28%), Najef (27%), Diwaniyah (15%), Al-Anbar and Diyala (16%), Muthanna (11%), Kerbala and Ninewa (9%), Ninewa (8%), Baghdad (5%), Missan (3%) and Wassit (2%); IOM, *IDP 2008 IOM Iraq Governorate Profiles*, December 2008, http://www.iom-iraq.net/library.html#idp_iraq_assessment (further: “IOM, *December 2008 Governorate Profiles*”).

¹³⁹ *Ibid.*

transportation routes and delays in transferring the PDS registration to the place of displacement. Furthermore, access to food is limited due to families' lack of income or difficulties to access markets due to insecurity, curfews, checkpoints, road and neighbourhood closures or military operations.¹⁴⁰ In response to the priority of food needs of IDPs, WFP launched in January 2008 an emergency operation to provide complimentary food rations to up to 750,000 food-insecure post-2006 IDPs, who have crossed governorate boundaries and cannot access their PDS rations. The food assistance will phase out once the PDS meets the needs of these people.¹⁴¹

104. **Housing** is an urgent priority for the majority of IDPs in all governorates. About half of the IDPs assessed by UNHCR live in rental accommodation, often in overcrowded conditions in sub-standard properties.¹⁴² IDPs in some governorates are forced to pay exorbitant rental fees and others must pay a year's rent upfront. Others live with relatives or host families (23%), in collective towns or settlements (12%), in former military or tented camps (8%) or in public buildings (7%).¹⁴³ For example, in Al-Bahar village in Dibis area (Kirkuk), 105 IDP families live in mud houses constructed hastily after they fled their homes in 2006. They have little protection from the elements or access to basic services.¹⁴⁴ Increasingly, evictions are a concern as IDPs living in public buildings or squatting in the homes of others may be forced to leave with no alternative place to go, resulting in secondary displacement. Some 43% of the IDP communities assessed reported evictions in their locations.¹⁴⁵ PM Order 101, issued in August 2008, gave all squatters in Baghdad one month to vacate any residence they illegally occupy so that rightful owners could reclaim their properties. This order, which took effect on 1 September 2008, was intended to facilitate the return process to Baghdad as a significant number of displaced families complained of occupied homes. The accompanying Council of Ministers Order 262 provided for a six-month 300,000 ID per month rental stipend to be issued to all IDP families evicted by PM Order 101. As of this writing, evictions were occurring through this order, although no accurate information was received on the actual provision of the rental stipend.¹⁴⁶ There is concern that a clear assistance plan for evicted families has not been realized, exposing these families to increased vulnerability. For example, the ISF evicted 700 IDP families squatting in the homes of other IDPs; however, they have not yet received the rental stipend as stipulated in PM Order 101.¹⁴⁷ IDPs have also been evicted in other Governorates without being offered alternative housing or compensation. For example, in Basrah, seven IDP families in Al-Shuhada neighbourhood and 10 families in Al-Faw settled on government land and have been threatened with eviction by the local authorities.¹⁴⁸ And near Al-Sider City in Nasseriyah District (Thi-Qar), a group of 41 IDP families are under imminent risk of being evicted by the local authorities with no housing alternative.¹⁴⁹ Among the IDPs

¹⁴⁰ UNHCR Monitoring, March – December 2008, and NGO reports, February – August 2008.

¹⁴¹ WFP, *WFP bolsters operations to provide food to vulnerable displaced in Iraq*, 27 May 2008, <http://beta.wfp.org/news/news-release/wfp-bolsters-operations-provide-food-vulnerable-displaced-iraq>.

¹⁴² UNHCR Protection Monitoring, March – December 2008.

¹⁴³ IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁴⁴ IOM, *Emergency Needs Assessments*, 1 February 2009, p. 12 (further: "IOM, *February 2009 Assessment*").

¹⁴⁵ UNHCR Protection Monitoring March – December 2008.

¹⁴⁶ UNHCR, February 2009.

¹⁴⁷ IOM, *February 2009 Assessment*, p. 5, see above footnote 144.

¹⁴⁸ *Ibid.*, p. 7.

¹⁴⁹ *Ibid.*, p. 19.

surveyed by the International Organization for Migration (IOM) in Kirkuk, 12% were at risk of being evicted by authorities, militants, relatives, neighbours and other sources.¹⁵⁰

105. **Water and sewage** systems in Iraq are generally poorly functioning and dilapidated. UNHCR Protection Monitoring showed that in areas where water networks/sewage systems exist or connect to areas, they are either overstretched or deficient.¹⁵¹ Lack of sufficient potable water for drinking and cooking was reported to be most common among IDPs and has been reported in all parts of Iraq.¹⁵² The situation is particularly precarious in the Central Governorates of Diyala, where 54% of the IDPs surveyed did not have regular access to water, Kirkuk (51%), Al-Anbar (39%) and Ninewa (34%).¹⁵³

106. Iraq's **health** care system has greatly deteriorated and IDPs, many of whom live in sub-standard conditions and lack basic services, are particularly affected. In areas where health clinics are operational, they are often under-staffed, under-equipped or lack specialist health care professionals. Lack of access to health services is especially problematic in the Governorate of Kirkuk, where 69% of the IDPs were found not to have access to healthcare.¹⁵⁴ For more than 100 IDP families residing in a former military camp in Tikrit District (Salah Al-Din), the nearest public health care centre is located more than 30 km away, making it inaccessible to most.¹⁵⁵ Lack of access to needed medicines is another concern, in particular for IDPs in Wassit (80% have no access), Kirkuk (70%) and Ninewa (60%).¹⁵⁶ Due to poor living conditions in Al-Chibayish District (Thi-Qar) more than half of the IDP children suffer from malnutrition and associated diseases such as diarrhoea, anaemia and weight loss. Many females also suffer from anaemia. Miscarriages are common because women work hard daily and have bad nutrition. There is also a shortage of drugs for chronic diseases of the elderly such as hypertension and diabetes.¹⁵⁷

107. Access to **income and employment** is consistently raised by IDPs as their first priority as many left jobs and livelihoods when displaced and face difficulties to find employment in the place of displacement. IDPs can often only find day labour jobs and the income they earn does not cover the rising costs for rent, food and fuel.¹⁵⁸ Many are unable to bring their possessions with them at the time of displacement and their savings are rapidly depleted. UNHCR Protection Monitoring revealed that only 51% of working-age men were engaged in

¹⁵⁰ IOM, *Kirkuk, Ninewa, Salah Al-Din Governorate Profiles*, see above footnote 120, p. 9.

¹⁵¹ UNHCR Protection Monitoring, March – December 2008, and NGO reports, February – August 2008.

¹⁵² UNHCR Protection Monitoring, March – December 2008.

¹⁵³ In Muthanna, 31% did not have regular access to water; Babel (25%), Wassit (22%), Missan (18%), Salah Al-Din (13%), Baghdad and Thi-Qar (12%), Kerbala (8%), Basrah (7%) and Najef (1%); IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁵⁴ In Diyala Governorate, 29% do not have access to health care, Muthanna (23%), Salah Al-Din Governorate, 20% do not have access to healthcare, Al-Anbar (13%), Missan (13%), Wassit (10%), Basrah (9%), Baghdad, Kerbala and Ninewa (7%), Thi-Qar (6%), Babel (5%), Diwaniyah (3%) and Najef (0.3%); IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁵⁵ IOM, *January 2009 Assessment*, p. 17, see above footnote 115.

¹⁵⁶ In Al-Anbar, 50% do not have access to medications needed, Diyala (41%), Muthanna (35%), Babel (34%), Diwaniyah (46%), Salah Al-Din (34%), Kerbala (22%), Baghdad (15%), Missan (13%), Basrah (10%), Thi-Qar (9%) and Najef (1%); IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁵⁷ IOM, *January 2009 Assessment*, p. 20, see above footnote 115.

¹⁵⁸ IOM, *December 2008 Governorate Profiles*, see above footnote 138.

paid labour.¹⁵⁹ Monitoring by IOM in all of Iraq showed that only 35% of the IDP families monitored have at least one family member earning an income. The situation is particularly troubling in Kirkuk Governorate, where only 1% of the families surveyed had at least one family member earning an income.¹⁶⁰

108. Heightened employment shortages and inflationary pressures linked to IDPs' concentration may result in tensions between IDPs and their host communities.¹⁶¹ Access to employment is particularly difficult for women, especially in conservative areas.¹⁶² A significant number of female heads of household do not have any income and are extremely vulnerable.¹⁶³ It has been reported that out of poverty, women IDPs have been forced into prostitution.¹⁶⁴ Many IDP children are reported to be working in order to support their families.¹⁶⁵ It has also been reported that stress related to economic hardship has resulted in high physical and mental abuse of children, in particular girls.¹⁶⁶ Humanitarian access to IDPs continues to be limited by armed conflict, general insecurity and crime, restrictions on movement and, in some cases, deliberate obstruction by authorities. Humanitarian workers must operate cautiously as in many cases they are deliberately targeted by armed groups.¹⁶⁷ IDP monitoring by IOM revealed that almost 37% of the IDPs surveyed in (all of) Iraq have not received any humanitarian assistance since their displacement. Access to **humanitarian assistance** is particularly low in the Governorates of Kirkuk (60% did not receive humanitarian assistance), Baghdad (50%) and Basrah (45%).¹⁶⁸

109. In all areas of Iraq, IDP children are often less likely to attend **school** than their host community counterparts because families cannot afford school costs or children must work to help their families, while others live too far from school or do not have the necessary documents to register. Girls are sometimes kept out of school due to conservative traditions or insecurity. In some areas, the schools cannot cope with the additional number of IDP students and schools are running double or triple shifts in order to accommodate all the children.¹⁶⁹ A considerable number of IDPs reported that their primary school-aged children do not attend school. Among groups assessed, 31% of the boys and 40% of the girls are not attending

¹⁵⁹ UNHCR Monitoring, March – December 2008.

¹⁶⁰ In Diwaniyah, Missan and Wassit only 12% of the families monitored by IOM had at least one family member earning an income; Basrah (14%); Babel (17%); Ninewa (19%); Muthanna (20%); Al-Anbar (22%); Thi-Qar (25%); Salah Al-Din (28%); Kerbala (37%); Baghdad (40%); Diyala (41%) and Najef (96%); IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁶¹ For example, in Diwaniyah, some competition over employment was reported; in Al-Anbar, tension is rising as prices of goods in local markets and rents have risen with the influx of IDPs; IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁶² IOM, *IDP Monitoring*, 2006 – 2008.

¹⁶³ UNHCR Protection Monitoring, March – December 2008, and NGO reports, February – August 2008.

¹⁶⁴ According to IOM, a clandestine prostitution industry has sprung up in Kirkuk and women are often forced by their family members into prostitution; IOM, *Kirkuk, Ninewa, Salah Al-Din Governorate Profiles*, see above footnote 120, p. 8.

¹⁶⁵ UNHCR Protection Monitoring, March – December 2008, and NGO reports, February – August 2008.

¹⁶⁶ *Ibid.*

¹⁶⁷ IDP Working Group, *Internally Displaced Persons in Iraq – Update*, September 2008, p. 19.

¹⁶⁸ In the Governorate of Salah Al-Din, 48% did not receive humanitarian assistance since in displacement, Muthanna and Thi-Qar (28%), Missan (26%), Ninewa (24%), Babel (27%), Kerbala (17%), Diyala (19%), Diwaniyah (11%), Najef (12%), Wassit (10%) and Al-Anbar (8%); IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁶⁹ IOM, *December 2008 Governorate Profiles*, see above footnote 138.

primary school.¹⁷⁰ For example, in the Governorates of Babel and Kerbala, only 12% of the families reported that all of their children attend school.¹⁷¹ The main reasons for not sending children to school in Iraq are lack of money (for both boys and girls), the need to work (mainly boys) and the lack of required documentation (boys and girls).¹⁷² In Ninewa, the curriculum language is also a major preventing factor.¹⁷³ The trauma of violence and displacement makes it harder for children to engage in learning even when they do attend.¹⁷⁴

110. In light of the overall situation in the Central and Southern Governorates, UNHCR considers that, on the whole, an internal flight or relocation alternative would not be relevant or reasonable, given, in particular, the continued existence of violence and prevalent human rights violations and the serious difficulties faced in accessing basic services and ensuring economic survival in a situation of displacement.

2. IFA/IRA in the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah

111. A significant number of persons from mainly the Central Governorates have found refuge in the three Northern Governorates since 2003. With recent security improvements, the flow of new arrivals has decreased significantly; however only few have yet returned to their places of origin. According to the KRG, 34,566 families (207,396 persons)¹⁷⁵ have been displaced from the Centre and the South to the three Northern Governorates since 2003, the majority of whom were displaced after February 2006. The influx of IDPs has had a significant impact on the host communities, including increasing housing and rental prices, additional pressure on already strained public services and concerns about security and demographic shifts. At the same time, the three Northern Governorates have also benefited from the migration of professionals bringing with them skills and disposable incomes that boost the local economy. Unskilled IDPs have also provided cheap labour for the construction industry.

112. The KRG authorities continue to implement controls on the presence of persons not originating from the Kurdistan Region. Depending on the applicant, especially his or her ethnic and political profile, he/she may not be allowed to relocate to or take up residence in the three Northern Governorates for security, political or demographic reasons. Others may be able to enter and legalize their stay, but fear continued persecution as they may still be within reach of the actors of persecution or face undue hardship to make their living, as unemployment is high and assistance is provided to few. Therefore, despite the hospitable attitude of the KRG

¹⁷⁰ UNHCR Protection Monitoring, March – December 2008, and NGO reports, February – August 2008.

¹⁷¹ In the Governorates of Basrah, Muthanna and Thi-Qar, 19% of the families send all girls to school and 24% send all boys to school; in Al-Anbar, Baghdad and Diyala Governorates, only 17% of families sent all of their female children to school and only 29.5% of the families had all male children attending school; in the Governorates of Diwaniyah, Missan and Wassit, less than 25% of the families surveyed send all their children to school; in Kirkuk, Ninewa and Salah Al-Din Governorates, 40% of the surveyed families reported that all girls are attending school while 48% said that all boys are attending school; IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁷² IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁷³ IOM, *Kirkuk, Ninewa, Salah Al-Din Governorate Profiles*, see above footnote 120, p. 14.

¹⁷⁴ IOM, *December 2008 Governorate Profiles*, see above footnote 138.

¹⁷⁵ By the end of February 2009, DDM registered 18,396 IDP families in Dahuk, 8,162 in Erbil and 8,008 in Sulaymaniyah Governorate.

authorities towards a considerable number of IDPs, the availability of an IFA/IRA must be carefully assessed on a case-by-case basis, taking into consideration the following:

a. Relevance analysis

113. Travelling to the three Northern Governorates of Sulaymaniyah, Erbil and Dahuk continues to be fraught with risks. In particular the main routes from Baghdad to the North, i.e. the Baghdad Western North route from Baghdad through the Governorates of Salah Al-Din and Ninewa and further North to Dahuk as well as the Baghdad Eastern North route from Baghdad through the Governorate of Diyala up to Kirkuk, see daily roadside bombings. Urban areas such as Ba'quba, Tikrit, Mosul and Kirkuk are particularly prone to security incidents. The roads from Kirkuk to Erbil and Sulaymaniyah are guarded by the Kurdish *Peshmerga* and are considered safe. The roads from Mosul to Dahuk and Erbil outside Kurdish control are considered unsafe. There are regular flights operated by Iraqi Airways from Baghdad and Basrah to Erbil and Sulaymaniyah. A one-way ticket from Baghdad to Erbil or Sulaymaniyah costs US \$85 US \$175 from Basrah to Erbil and Sulaymaniyah, an amount that cannot be borne by many for economic reasons. Travelling from Baghdad to Erbil or Sulaymaniyah by air is considered fairly safe and there have been no recent security incidents involving civilian aircraft.¹⁷⁶

114. In order to access the three Northern Governorates from other parts of Iraq, all Iraqis, including Kurds, must go through checkpoints at the unofficial borders (the so-called “green line”) between the central part of the country and the KRG-administered area. Other areas along the unofficial border have been heavily mined in the past decade and are regularly patrolled by Kurdish *Peshmerga*. Such conditions make it nearly impossible for persons to cross into the three Northern Governorates through the countryside without endangering themselves. Therefore, entry through the few major roads and their checkpoints is, practically, the only option available.

115. After the fall of the former regime, the Kurdish authorities have introduced strict security measures at their checkpoints and persons not originating from the Kurdistan Region, depending on their profile, may be denied entry into the Kurdistan Region. Though entry/residency measures have been relaxed¹⁷⁷ in parallel with security improvements in other parts of Iraq and the consequent drop in numbers of persons seeking to relocate to the Kurdistan Region, entry/residency requirements can still pose a serious obstacle for persons from the Centre or South seeking protection in the Kurdistan Region. The following provides an overview of the current entry/residency requirements at the time of writing; however, they may be subject to sudden changes. It should also be noted that entry/residency requirements are not applied uniformly across the three Governorates.

¹⁷⁶ See above para. 98.

¹⁷⁷ See for example, VOI, *No Sponsorship, Residency Conditions to Enter Arbil, Duhuk*, 7 December 2008, http://www.iraqupdates.com/p_articles.php/article/41281.

i) *Governorate of Dahuk*

116. Persons originating from the three Northern Governorates can enter the Governorate of Dahuk without any restrictions. In addition, families not originating from one of the three Northern Governorates are allowed to enter without restrictions, while single persons not originating from one of the three Northern Governorates need to have an acquaintance for security reasons.¹⁷⁸ The acquaintance will be requested by the border authorities by phone to confirm that he/she knows the person requesting to enter Dahuk Governorate.¹⁷⁹ Persons seeking to relocate to Dahuk Governorate need to fill out a card at the Security Directorate located at the entry checkpoint and will then be allowed to enter the governorate, provided they are not considered a security risk. Persons seeking to enter the governorate only for a limited period of time (less than 15 days), e.g. for trade, family visit or tourism, do not need to fill out the card. Single persons without an acquaintance are generally denied entry into the Governorate.¹⁸⁰

117. Persons not originating from the three Northern Governorates that seek to relocate to Dahuk Governorate have to approach the Residency Section in the Security Department to obtain a permit to stay. Single persons not originating from one of the three Northern Governorates in addition also need to have an acquaintance in order to legalize their stay.¹⁸¹ IDPs applying for a permit to stay have to undergo a security screening in which the reasons for relocation are investigated. Applicants need to either establish political links to the region or provide evidence that they have fled violence or persecution; otherwise they will not be allowed to stay. Provided the person is not considered a security risk, s/he will be granted a permit to stay for six months, which is subject to extension. Once a person has successfully registered with the security, he/she remains under limited surveillance. Persons who are considered a threat to security or who have committed a crime will not be allowed to remain in the Governorate and may risk to be forcibly removed. Upon arrival IDPs should also contact the Quarter Representative (*mukhtar*) to introduce themselves and should inform the security department whenever they change the place of residence. Since November 2006, Arabs and Kurds from “disputed areas” reportedly face difficulties registering in the governorate. Persons staying only for a short period of time (less than 15 days) do not need to register with the security to legalize their stay.

¹⁷⁸ The acquaintance could either be an individual person or a company. The responsibility of the acquaintance is to inform authorities that s/he knows the IDP and, in case of security-related incidents, the acquaintance will be questioned. Until recently, a “sponsor” was required, who had to have his/her PDS card issued in the governorate and have a good reputation.

¹⁷⁹ Usually the acquaintance introduces him/herself by telephone. He/she may be asked by the security a few questions or could be tracked by his/her phone number in order to be identified. If further identity checks are needed, the border authority may ask the acquaintance to present him/herself at the checkpoint. Previously, the “sponsor” had to present him/herself at the checkpoint in person.

¹⁸⁰ It appears that the authorities exceptionally grant entry to IDPs without an acquaintance, provided that 1) the person’s background can be thoroughly checked by the KDP, if the party has an office in the person’s place of origin (e.g. in Kirkuk, Ninewa) and it is determined that he does not pose a security risk and 2) the person can establish that he fled violence or persecution. Otherwise, the person will not be admitted to the Governorate of Dahuk.

¹⁸¹ Without an acquaintance, on an exceptional basis, and provided that 1) the person’s background can be thoroughly checked and it is determined that she/he does not pose a security risk; and, 2) the person can establish that he fled violence or persecution, a permit to stay might be given.

ii) *Governorate of Erbil*

118. Persons originating from the three Northern Governorates can enter the Governorate of Erbil without any restrictions. Persons not originating from one of the three Northern Governorates need to have an acquaintance if they wish to relocate to Erbil Governorate for a prolonged period of time (more than one month).¹⁸² The acquaintance will be requested by the border authorities by phone to confirm that he/she knows the person seeking to enter Erbil Governorate.¹⁸³ Persons seeking to relocate to Erbil Governorate are questioned by the security at the checkpoint about the purpose of visit, the intended duration of stay and the place of residence while in Erbil. All relevant data will be filled into an information card and the person will then be allowed to enter the governorate. He/she will be told to contact the Security Department in the intended place of residence in order to obtain a permit to stay. Persons without an acquaintance or otherwise deemed a security risk are generally denied entry. Persons seeking to enter the governorate only for temporary purpose (less than one month) such as trade, family visit or tourism do not need an acquaintance.

119. Persons not originating from the three Northern Governorates that seek to relocate to Erbil Governorate for more than a month have to approach the Residency Section in the Security Department to obtain a permit to stay. Provided a person has an acquaintance and has established a reason allowing him/her to remain, he/she will be issued an information card (*karti zaniyari*) by the security office in the place of relocation. This entitles him/her to remain in the governorate for up to three months, after which an extension is required. Persons who are considered a threat to security or who have committed a crime will not have their information card renewed. Persons without an acquaintance will generally not be able to obtain the information card. IDPs allowed to remain in Erbil Governorate must report to the Residency Section or the nearest security office if they wish to move, visit or return permanently to their place of origin. Persons staying only for a short period of time (trade, family visit or tourism) do not need to register with the security to legalize their stay.

iii) *Governorate of Sulaymaniyah*

120. Admission into the Governorate is generally not restricted and does not require a sponsor or acquaintance.¹⁸⁴ However, persons from “disputed areas” claimed by the PUK, i.e.

¹⁸² The acquaintance could either be an individual person or a company. The responsibility of the acquaintance is to inform authorities that s/he knows the IDP and, in case of security-related incidents, the acquaintance will be questioned. Until recently, a “sponsor” was required, who had to have his/her PDS card issued in the governorate and have a good reputation.

¹⁸³ Usually the acquaintance introduces him/herself by telephone. He/she may be asked by the security a few questions or could be tracked by his/her phone number in order to be identified. The border authority may also ask the acquaintance to present him/herself at the checkpoint. Previously, the “sponsor” had to present him/herself in person at the checkpoint.

¹⁸⁴ There are special procedures applicable to persons wishing to relocate to the District of Kalar. An IDP first has to approach the security office in person and submit a petition requesting permission to relocate. The applicant needs a Kurdish sponsor who resides in Kalar. The sponsorship letter needs to be ratified by the Notary Public Office in Kalar. Only after these conditions have been met, the security officer will provide the permission to relocate and to bring family members and belongings. Any applicant without a sponsor from Kalar will be denied permission to relocate. Once the IDP has moved to Kalar and rented a house, a letter from the *mukhtar* (neighbourhood representative) needs to be submitted to the security office to confirm the IDP’s address in Kalar.

Kirkuk and Khanaqeen in the Governorate of Diyala, are generally denied entry to the Governorate for political and demographic reasons, unless they wish to come for a visit only.¹⁸⁵ In that case, they are allowed entry but are not able to bring their belongings or a large amount of luggage with them. Persons arriving in Sulaymaniyah by airplane do not face any entry restrictions; however, this requires that the person has the necessary financial means.

121. Persons not originating from one of the three Northern Governorates intending to remain in Sulaymaniyah Governorate for more than one month generally must have a sponsor,¹⁸⁶ who accompanies them to the Directorate of Security. He/she will have to undergo a security screening during which the reasons for relocation are investigated. Provided the person is not considered a security risk, he/she will be granted a permit to stay for six months, which is subject to extension. Once an IDP has obtained a quasi residency permit, he/she remains under limited surveillance. Persons who are considered a threat to security or who have committed a crime will not have their quasi residency permit renewed or may have it withdrawn and be obliged to leave the Governorate. Upon arrival, IDPs should also contact the representative of the quarter (*mukhtar*) to introduce themselves and inform the security department whenever they change their place of residence. Persons who do not have a sponsor are not allowed to stay and are at risk of being forcibly removed from the governorate. IDPs allowed to remain in Sulaymaniyah Governorate must report to the nearest security office if they wish to move, visit or return permanently to their place of origin. Persons originating from Kirkuk or Khanaqeen, including Kurds, Arabs, Turkmen and members of other ethnic or religious groups, are not able to stay for demographic and political reasons.

122. A person from Central or Southern Iraq may be out of reach of his/her persecutors if relocated to the three Northern Governorates as the state protection of the Kurdish authorities comes into play. Protection by the KRG authorities will, however, only be provided if the person is both admitted to the Region of Kurdistan and allowed to legally remain there and if the Kurdish authorities are able and willing to provide protection in the case concerned. Generally, the Kurdish authorities will be able and willing to provide protection; however, certain persons, particularly those fleeing “honour killings” or tribal conflict (blood feud), may still be reached by their persecutors if relocated within Iraq.

123. Persons that may be considered to pose a security risk by the KRG, particularly single men, will not be allowed entry to and/or residency in the Kurdistan Region and can therefore not avail themselves of the protection by KRG authorities.

b. Reasonableness analysis

124. Generally, services such as education, health, electricity, fuel and water have come under tremendous pressure due to the high number of IDPs in the Kurdistan Region. All Governorates lack drugs and medical equipment and have difficulties absorbing additional

¹⁸⁵ Kurds as well as the Arabs, Turkmen, Yazidis and members of other religious or ethnic groups from disputed areas are denied entry.

¹⁸⁶ The sponsor could be an individual person or a company. The responsibility of the sponsor is to inform the authorities that he/she knows the IDP and, in case of security-related incidents, the sponsor will be questioned. The sponsor should have his/her food ration card issued in the Governorate of Sulaymaniyah and have a good reputation. Doctors, owners of companies/restaurants and university teachers are currently exempt from the sponsorship requirement.

numbers of school children. A severe shortage of affordable housing and high rents are exhausting the resources of displaced families and unemployment is soaring.

125. Access to **food** through the PDS is uneven across the three Northern Governorates and may, for political and demographic reasons, also depend on the IDP's place of origin. Between August 2008 and March 2009, IDPs in Dahuk Governorate were able to apply for the temporary transfer of their food rations from the place of origin to the place of displacement, provided they were legally residing in Dahuk.¹⁸⁷ However, since February 2009, IDPs originating from Ninewa Governorate or other "disputed areas" are no longer able to temporarily transfer their food rations to Dahuk Governorate but are requested to receive their food rations in their place of origin.¹⁸⁸ While some travel to their place of origin to collect their food rations, transportation costs and lack of security often limits their ability to do so. As of March 2009, also the temporary transfer of food rations was halted from all locations in the Centre and South of Iraq.¹⁸⁹ In Erbil Governorate, IDPs – with the exception of those originating from "disputed areas" – were generally allowed to apply for the temporary transfer of their PDS cards, provided that they were holding an information card. However, as of March 2009, the temporary transfer of food rations was halted from all locations in the Centre and South of Iraq.¹⁹⁰ In Sulaymaniyah Governorate, a mechanism to temporarily obtain food rations was introduced in early 2008, however it has again been suspended in September 2008 and, consequently, IDPs are not able to obtain food rations in their place of displacement. It is not expected that the temporary transfer of food rations will be reinitiated. Even for those IDPs that do receive their food rations in the three Northern Governorates, monthly distribution is not always guaranteed due to insecure transportation routes or lack of transportation.¹⁹¹ Some IDPs who relocated to the Kurdistan Region and who originate from one of the three Northern Governorates were able to permanently transfer their PDS cards. According to IOM, 75% of the IDPs surveyed in the three Northern Governorates reported no access to PDS rations.¹⁹²

126. Under WFP's country-wide emergency food subsidy programme rolled out in early 2008 (see above), IDPs in the three Northern Governorates are provided with a food package under certain conditions.¹⁹³ In early 2009, 57,000 IDPs in Dahuk, 30,000 IDPs in Erbil and 37,000 IDPs in Sulaymaniyah Governorate were receiving monthly food rations under the

¹⁸⁷ IDPs remained registered with the PDS in their places of origin in the Centre and South of Iraq but were able to obtain their food rations in Dahuk Governorate. However, as the procedures to apply for the temporary transfer were slow and time-consuming, IDPs had to wait for several months until they could receive their food rations in Dahuk Governorate. Of the more than 18,000 IDP families registered by DDM in Dahuk Governorate, only 7,248 families received their food rations by January 2009; UNHCR Dahuk, March 2009 and Dahuk Directorate of Food, March 2009.

¹⁸⁸ Information from Dahuk Directorate of Food, March 2009.

¹⁸⁹ *Ibid.*

¹⁹⁰ Office of Governor of Erbil, March 2009.

¹⁹¹ IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, December 2008, p. 8, http://www.iom-iraq.net/Library/idp_gov_profiles/2008/Governorate_Profiles_Dahuk_Erbil_Sulaymaniyah_Dec08.pdf (further: "IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*").

¹⁹² *Ibid.*, pp. 8-9.

¹⁹³ The conditions are that the IDPs:

- are displaced outside their governorate of origin;
- have not transferred their food ration card;
- hold a food ration card from their place of origin (not necessary in Dahuk Governorate); and
- are registered with DDM.

programme.¹⁹⁴ IDPs who did not register with the local authorities neither have access to the PDS nor the WFP subsidiary food programme.

127. Access to **housing** is restricted by the fact that in all three Governorates, non-Kurdish IDPs do not have the right to purchase or own property. IDPs may rent property provided that they have successfully registered with the security. Persons from outside the Kurdistan Region wishing to stay in a hotel for a prolonged period of time also need to be registered with the security.¹⁹⁵ In Sulaymaniyah Governorate, even those checking into a hotel for a short stay only need to obtain permission from the security, though this is generally a routine procedure. The majority of IDPs surveyed by UNHCR in the three Northern Governorates live in rental accommodation.¹⁹⁶ As most IDP families experience difficulties to find employment while in displacement, many find it difficult to afford housing as the time of their displacement lengthens. Accordingly, many live in low standard and dilapidated housing and overcrowding is a concern.¹⁹⁷ According to IOM, a considerable number of IDPs in Dahuk and Erbil Governorates reported fear from being evicted, though no evictions have taken place recently.¹⁹⁸

128. Only persons registered with the security have access to **employment**. Access to employment may also prove difficult for persons with no family, tribal or political connections in the Kurdistan Region. Access to employment, in particular in the public sector, often requires tribal links or affiliation with the KDP or the PUK, respectively. Single women face further difficulties to access employment as for cultural reasons they are often depending on their family/tribe to support them economically.¹⁹⁹ The lack of Kurdish language skills is another barrier to access employment for non-Kurdish IDPs, especially those that newly arrived. Skilled professionals such as professors or doctors have easily been absorbed into the local economy. UNHCR Monitoring in 2008 showed that only a few IDPs received their

¹⁹⁴ Figures from WFP Erbil.

¹⁹⁵ Hotels are required to register their clients on the basis of their ID card and are obliged to share such information with the security.

¹⁹⁶ UNHCR, *IDP Monitoring 2008*. See also IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, see above footnote 191, p. 8.

¹⁹⁷ In Dahuk Governorate, 63% of the IDP families surveyed reported living in crowded housing, 53% in somewhat crowded (5+ person per room) and 10 % in extremely crowded (8+ persons per room) housing. In Erbil Governorate, overcrowding was identified as an issue for 50% of the families surveyed by UNHCR, with many living in either somewhat crowded or extremely crowded conditions. In Sulaymaniyah Governorate, overcrowding was reported as an issue by 49% of the families, with many living in either somewhat crowded (44%) or extremely crowded conditions (5%). UNHCR surveyed 1,715 IDP households in Dahuk Governorate, 1,724 IDP households in Erbil Governorate and 2,278 IDP households in Sulaymaniyah Governorate between May 2007 and 30 June 2008; UNHCR, *IDP Monitoring 2008*.

¹⁹⁸ In Erbil Governorate, 15.4% of IDPs assessed by IOM reported that they were under threat of court-ordered eviction. IDPs in Dahuk Governorate reported eviction pressures from a mix of militants, authorities, neighbours and relatives. There are no IDPs reported eviction threats in Sulaymaniyah Governorate. Overall, these numbers are significantly higher than the 3.7% national average; IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, see above footnote 191, p. 8.

¹⁹⁹ According to IOM, many female IDPs have been forced into prostitution, either by family members, or in the case of some female-headed households, through sheer desperation. IOM Monitors in Dahuk reported that some women are being sexually assaulted by employers in order to not lose their jobs. Child labour among IDPs is also a continuing concern, as there are reports in all three governorates of children being forced out of school to sell cigarettes, tissues and other items on the street in order to contribute to the family income; IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, see above footnote 191, p. 7.

income through regular full-time employment when in displacement in the three Northern Governorates.²⁰⁰ According to IOM, IDPs are often paid a lower wage than members of the host community.²⁰¹

129. In late 2007, MoDM in Baghdad launched a monthly stipend of 150,000 ID (approximately US \$120) for a six-month period to each IDP family registered with MoDM. There were significant delays in extending this programme to the Kurdistan Region and payments through DDM were only made as of late 2008.²⁰² To date, nearly 32,000 IDP families in the three Northern Governorates applied for and were found eligible for the stipend. However, funds transferred from MoDM Baghdad are not sufficient, covering only 17,000 families and only for a three months period.²⁰³ Also, as MoDM issued a directive to no longer register new IDPs from the Centre/South (see above IFA/IRA in the Centre/South), newly arriving IDPs do not qualify for the stipend.²⁰⁴ New IDPs will also not be entitled to receive the return grant of one million ID, as this is directly linked to the previous registration as an IDP by DDM. Monitoring revealed that many IDPs had not received any humanitarian assistance since in displacement.²⁰⁵

130. IDPs, irrespective of whether or not they registered with the security, have access to the public **health** system in all three Governorates. While in Erbil and Sulaymaniyah Governorates most if not all IDPs were found to have access to primary healthcare and needed medication, only 64% of IDPs surveyed in Dahuk had access to primary healthcare and only 18% had access to needed medication. The main reason for not having access to primary healthcare in

²⁰⁰ In Dahuk Governorate, only 18% of the IDPs surveyed received their income through regular full-time employment. Most were either unemployed (21%) or relying on casual employment (75%). In Erbil Governorate, 68% of the surveyed IDPs of working age were found unemployed since their displacement. Among those that reported having some kind of employment, the majority were working as casual labourers. In Sulaymaniyah Governorate, only 9% of the IDPs surveyed received their income through regular full-time employment. 35% received their income from self-employment. Most were either unemployed (9%) or held some casual employment (54%); UNHCR, *IDP Monitoring 2008*. According to IOM, in more than 40% of the IDP families no family member has a job (66% in Dahuk, 32% in Erbil and 32% in Sulaymaniyah Governorates); IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, see above footnote 191, p. 12.

²⁰¹ *Ibid.*

²⁰² In Dahuk Governorate, distribution of the stipend started in November 2008, in Erbil and Sulaymaniyah in October 2008.

²⁰³ Information from DDM, March 2008.

²⁰⁴ On the basis of the MoDM decision to halt IDP registration, the General Directorate of DDM in Erbil in December 2008 instructed all DDM offices in the Kurdistan Region to halt IDP registration. In Erbil Governorate registration was halted in the beginning of December 2008, in Dahuk on 12 February 2009 and in Sulaymaniyah on 24 March 2009. However, the halt of IDP registration does not affect the entry/residency requirements for persons from the Centre/South as outlined above. Persons displaced as a result of border shelling by Turkey and Iran continue to be registered by DDM as IDPs; UNHCR, March 2009.

²⁰⁵ According to IOM, only 23% of IDPs assessed said that they had received humanitarian assistance since their displacement. This is significantly lower than the national average of 63%; IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, see above footnote 191, p. 13. UNHCR Monitoring showed that in Dahuk Governorate, 28% of the IDPs surveyed received humanitarian assistance (mostly food); in Erbil 26% (mostly food); and in Sulaymaniyah, only 5% received assistance (mostly food); UNHCR, *IDP Monitoring 2008*.

Dahuk was non-availability.²⁰⁶ In Dahuk Governorate, IDPs, registered or unregistered, have access to public **education**. In Erbil and Sulaymaniyah Governorates, access is limited to those registered with the security. Access to education is also often hampered by a lack of necessary documentation and a lack of Arabic schools. Accordingly, many (Arab) IDP children are not able to attend school.²⁰⁷

131. The large majority of IDPs have access to **water** and **sanitation** facilities, though the quality of services depends on the location.²⁰⁸ Access to **electricity** is better than in most parts of the country, but access to **fuel** is lower than the country-wide average.²⁰⁹

132. Women that have survived domestic violence, including “honour killings” may often be physically and psychologically scarred, preventing them from establishing a normal life on their own.

133. Another factor is whether the claimant has family, community and/or political links in the proposed area of relocation that could facilitate his/her economic survival and integration. If a person previously resided in the three Northern Governorates for a considerable length of time without protection problems, he or she would, in general, be deemed integrated into the local community and could be expected to relocate to that area. However, this is not applicable for persons from “disputed areas” as they are generally discouraged or even prevented by the local authorities from returning to the Region of Kurdistan, even if they had previously resided there.

134. While the larger cities in the Region of Kurdistan generally have a mixed population that allows persons of other ethnic, religious or tribal affiliation to integrate, relocation to more rural or homogenous areas is more difficult, as the person might be exposed to a serious risk of rejection by the community, which could result in physical insecurity and/or undue hardship. Arabs are also often met with suspicion by the Kurdish authorities and population for perceived links to the former regime and/or the ongoing insurgency.

135. The following provides a non-comprehensive list of groups of persons who may not be able to find protection upon relocation in the three Northern Governorates. Such persons may not be admitted to the Region, may still be targeted by the perpetrators of persecutory acts, or may have difficulties accessing basic services and therefore face undue hardship.

²⁰⁶ UNHCR, *IDP Monitoring 2008*. See also IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, see above footnote 191, p. 10.

²⁰⁷ Dahuk Governorate, which has the highest number of Arabic schools in the Kurdistan Region, Arabic schools mostly operate double or triple shifts to accommodate the students. Still, only 77% of the IDP children surveyed by UNHCR are attending school. In Erbil Governorate, 77% of the IDP families surveyed had school-age children not attending school, the lack of Arabic schools being the main reason for non-attendance. In Sulaymaniyah Governorate, 39% of the school-age children were not attending school, again the main reason for non-attendance being the curriculum language; UNHCR, *IDP Monitoring 2008*.

²⁰⁸ UNHCR, *IDP Monitoring 2008*.

²⁰⁹ Of IDPs assessed by IOM, 66% said that they could not access fuel, which is much higher than the 33% national average. In Dahuk, 99% of IDPs assessed reported that they had no access to fuel. Fuel prices are comparatively expensive in the north, which especially affects IDPs with low or no income. No access to fuel includes being unable to afford it, even if it is available in the local market; IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, see above footnote 191, pp. 9-10.

- Persons with no family, community, political or business links to the three Northern Governorates, as they may not be able to find a sponsor/acquaintance guaranteeing their entry and/or residency;
- Persons with a criminal record;
- Arab males, as well as those suspected of supporting the insurgency or intending to carry out terrorist attacks in the Region of Kurdistan;
- Turkmen and Arabs from Kirkuk, who may be denied entry to the Governorate of Sulaymaniyah for political reasons (this may be viewed as changing the demographics of Kirkuk); if admitted, they may face undue hardship due to obstacles in accessing services;
- Kurds and members of religious minorities from Kirkuk, Khanaqeen and Mosul, who would face problems relocating to the Governorates of Sulaymaniyah and Dahuk for political and demographic reasons; if admitted, they may face undue hardship due to obstacles to accessing services in all three governorates;
- Former Ba’athists and members of the former security/intelligence services, unless their background has been cleared and no involvement in crimes has been established;
- Women fearing “honour killing” as well as persons fleeing tribal conflict (blood feuds), as they may still be within reach of their families or communities which are the sources of the threats;
- Single women and female heads of household, if not accompanied by male relatives and/or receiving financial assistance from relatives, who may face undue hardship due to limited access to employment, except for qualified professionals.

3. IFA/IRA within the three Northern Governorates for Iraqis who originate from these Governorates

136. Despite the formal unification of the formerly separate administrations (PUK administration in the Governorate of Sulaymaniyah and KDP administration in the Governorates of Dahuk and Erbil) since 21 January 2006²¹⁰ and the establishment of a joint Kurdish government and parliament, the two areas still remain largely under *de facto* control of the respective ruling parties, which monopolize power with limited accountability.²¹¹

137. Persons fleeing persecution at the hands of the KRG or the ruling parties will generally not be able to find protection in another part of the Kurdistan Region.²¹² Persons fleeing

²¹⁰ To date, the Ministries of *Peshmerga*, Interior and Finance have not yet been unified and continue to exist as separate bodies in Dahuk/Erbil and Sulaymaniyah, respectively. The respective security and intelligence agencies, which are largely controlled by the KDP and the PUK, respectively, have also not been unified.

²¹¹ Sam Brannen, *The Misrule of Massoud Barzani: Iraqi Kurdistan's Yasser Arafat*, World Politics Review, 1 October 2008, <http://www.worldpoliticsreview.com/article.aspx?id=2729>; Sam Dagher, *Editors and reporters risk jail time as they expose cronyism and push Iraqi leaders for reforms*, CS Monitor, 12 June 2008, <http://www.csmonitor.com/2008/0612/p07s06-wome.htm>; Michael Rubin, *Is Iraqi Kurdistan a Good Ally?*, AEI Middle Eastern Outlook, January 2008, <http://www.meforum.org/article/1822>; Lydia Khalil, *Internal Divisions Threaten Kurdish Unity*, The Jamestown Foundation, Terrorism Monitor Volume 5 Issue 5, 16 March 2007, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=1042.

²¹² Persons may face difficulties to reach the other area as despite the (partial) unification of the two administrations as there continue to be a total of six checkpoints on the former border between the KDP and the PUK-dominated areas. Furthermore, the authorities in Erbil/Dahuk, for political reasons, would

persecution at the hands of non-state actors (e.g. family/tribe in the case of fear from “honour killing” or blood feud) may still be within reach of their persecutors. The same applies for persons fearing persecution by Islamist groups. Mainly single women and female heads of household may also face difficulties to access employment and provide for their living without family/community support network.

D. Continued protection needs of formerly recognized refugees

138. It is UNHCR’s assessment that the improvement of the situation in Iraq does not yet constitute fundamental changes sufficient to allow a general application of the cessation clauses of Articles 1C(5) or (6) of the 1951 Convention. The profound and enduring nature of the changes in circumstances referred to in UNHCR Executive Committee Conclusion 65(XLII) of 1991 will have to be assessed over a longer period.²¹³ Therefore, it is UNHCR’s recommendation that individuals already benefiting from international protection, whether on a *prima facie* basis or following individual status determination, should retain their status. Refugee status of such persons should be reviewed only if there are indications, in an individual case, that there are grounds for the cancellation of refugee status which was erroneously granted in the first place; revocation of refugee status on the grounds of Article 1F(a) or (c) of the 1951 Convention; or cessation of refugee status on the basis of Article 1C(1-4) of the 1951 Convention. Guidance on assessing the change of circumstances may be drawn from UNHCR’s *Guidelines on International Protection: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees (the “Ceased Circumstances” Clauses)*.²¹⁴

likely not be willing to provide protection to persons that have openly criticized the authorities or the PUK in Sulaymaniyah and vice versa.

²¹³ UNHCR, *General Conclusion on International Protection*, 11 October 1991. No. 65 (XLII) – 1991, <http://www.unhcr.org/refworld/docid/3ae68c404.html>.

²¹⁴ UNHCR, *Guidelines on International Protection No. 3: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees (the “Ceased Circumstances” Clauses)*, HCR/GIP/03/03, 10 February 2003, <http://www.unhcr.org/refworld/docid/3e50de6b4.html>.

V. RECENT POLITICAL DEVELOPMENTS IN IRAQ

A. Introduction

139. While Iraq has seen significant improvements in the security situation, further steps are needed towards national reconciliation after years of conflict and deep-seated mistrust among the various groups. According to the UN Secretary-General, “national reconciliation remains the main priority in Iraq (...)” and includes

*“in particular the holding of provincial and national elections, the resolution of the internal boundaries issue, and the adoption of constitutional and legislative measures in the political, economic and social fields.”*²¹⁵

140. In 2008, the Iraqi Government undertook some steps towards national reconciliation, including the issuance of key legislation that potentially addresses Sunni Arab demands and paves the way for more equal representation and political inclusion of formerly marginalized groups. However, their benefit for national reconciliation remains uneven given that much depends on their actual implementation.²¹⁶

141. Other legislative initiatives have been delayed or blocked and threatened to fracture the ruling coalition made up mainly of the Shi’ite Islamic Supreme Council of Iraq (ISCI), the Dawa Party and the two main Kurdish parties, the Kurdish Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK). Increasingly, Iraqi politics appear to be moving away from sectarianism and political disputes are more centered on political questions such as the future shape of Iraq as a federal state, the powers of the regions, the status of the “disputed areas” and the distribution of resources. More recently, Prime Minister (PM) Al-Maliki of the Dawa Party moved towards a more nationalist and centralist agenda, which brings him into confrontation

²¹⁵ UN SC, *Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008)*, 6 November 2008, p. 14, http://www.uniraq.org/FileLib/misc/SG_Report_S_2008_688_EN.pdf (further: “UN SC, November 2008 Report”). See also SIGIR, who identified the following key legislative and executive actions as essential with regard to national reconciliation:

- Implementation of provincial elections
- Enforcement of Article 140 of the Iraq Constitution
- Passage of the hydrocarbons legislation
- Implementation of anti-corruption legislation
- Implementation of constitutional reform
- Passage of private security contractor legislation

Special Inspector General for Iraq Reconstruction (SIGIR), “*Iraq’s security situation is fragile, with recent gains potentially reversible*”; SIGIR, *Quarterly Report to the United States Congress*, October 2008, p. 77, <http://www.sigir.mil/reports/quarterlyreports/Oct08/Default.aspx> (further: SIGIR, *October 2008 Report to Congress*).

²¹⁶ According to Robert Malley of the International Crisis Group (ICG):

“I(n) the absence of a basic political consensus over the nature of the state and distribution of power and resources, passage of legislation is only the first, and often the least meaningful step. Most of these laws are ambiguous enough to ensure that implementation will be postponed or the battle over substance converted to a struggle over interpretation. And in the absence of legitimate, representative and effective state and local institutions, implementation by definition will be partisan and politicized.”

Robert Malley, *Iraq and the Surge*, Testimony by Robert Malley, Middle East and North Africa Program Director, International Crisis Group to the Senate Armed Services Committee, 9 April 2008, <http://www.crisisgroup.org/home/index.cfm?id=5389>.

with his Kurdish and ISCI allies, which both favour strong provincial or regional governments. Rifts between the Kurdish parties and PM Al-Maliki have also significantly intensified over the last year. The Iraqi Government has taken steps to include the mainly Sunni SoI into the government, but deep-seated mistrust on both sides makes the outcome of this ongoing process unclear. Rifts among the Sunni political parties have also become evident. The main Sunni coalition in the Iraqi Government, the IAF, has fractured over the last year and at the local level, e.g. in Al-Anbar Governorate, the traditional Sunni parties face increasing competition from newly established political groups that emerged from the Awakening Councils. These rifts show that national reconciliation cannot be achieved by sectarian political groups but must come across all spectres of society.²¹⁷

142. In 2009, following the provincial elections in January 2009, a series of crucial political events are set to be held in Iraq, including national elections in December, a referendum on the Status-of-Forces Agreement (SOFA) in July, a planned population census²¹⁸ and decisions in relation to the status of Kirkuk and other “disputed areas”. Ahead, and as a result of these events, ongoing power struggles may further intensify.²¹⁹ Whether or not disputes over the division of power, territory and resources can be settled by peaceful means remains to be seen.

B. Justice and Accountability Law

143. In January 2008, the Iraqi Government issued the Justice and Accountability Law, which partly reversed the extensive De-Ba’athification Law,²²⁰ under which approximately 150,000 former Ba’athists, mostly Sunni Arabs, were excluded from government employment and pensions on the basis of their previous party membership.²²¹ The Justice and

²¹⁷ According to Fawaz Gerges, a professor of Middle Eastern studies at Sarah Lawrence College in Yonkers, New York:

“The political divide separating the Sunnis, the Shiites, and the Kurds remains as wide as it’s ever been. The American presence has postponed the inevitable and the inevitable is that the Iraqi rulers must face the challenge of transforming the sectarian-based government into a national unity government.”

Tom A. Peter, *As US withdraws, will Al Qaeda in Iraq find new openings?*, CS Monitor, 12 January 2009, <http://www.csmonitor.com/2009/0113/p01s01-wome.html>.

²¹⁸ According to Mehdi Al-Alak, head of Iraq’s Central Organisation for Statistics and Information Technology (COSIT), Iraq will hold a nationwide census in October 2009, ahead of national elections. The census results may have a bearing on the status of the “disputed areas” and may also alter allocation of the national budget, 17 percent of which goes to the Kurdistan Region based on population estimates. While a simple population count should be ready several days after the census, more detailed data on ethnicity and religion are not expected until late July 2010; Khalid al-Ansary and Missy Ryan, *Iraq plans census to map ethnic divisions*, Reuters, 2 March 2009, <http://www.alertnet.org/thenews/newsdesk/L2153841.htm>.

²¹⁹ See further below under “Local and national elections”, “Political power struggles” and “Pending key political decisions”.

²²⁰ Under the 2003 De-Ba’athification Law, members of the four senior Ba’ath Party ranks and anyone in the top three levels of management in the public sector who was a full member of the Ba’ath Party (irrespective of the rank), were dismissed from their jobs, whether or not they had been accused of wrongdoing; see CPA Order No. 1, *De-Ba’athification of Iraqi Society*, 16 May 2003, <http://www.unhcr.org/refworld/docid/468d097d2.html>.

²²¹ See in particular, International Center for Transitional Justice, *Iraq’s New ‘Accountability and Justice’ Law*, 22 January 2008, <http://www.ictj.org/images/content/7/6/764.pdf>. See also: ICG, *Iraq after the Surge II: The Need for a New Political Strategy*, Middle East Report No. 75, 30 April 2008, pp. 18-21, <http://www.crisisgroup.org/home/index.cfm?id=5418&CFID=34651682&CFTOKEN=56394917> (further: “ICG, *Iraq after the Surge II: The Need for a New Political Strategy*”); Center for American

Accountability Law, which was passed with the support of less than a third of the members in the Council of Representatives (CoR), did not bring the changes many had hoped for, i.e. to move away from the previous De-Ba'athification system that excluded many for their mere Ba'ath Party membership without looking at the responsibility the individual concerned held for crimes committed under the former regime. By the end of 2008, the Council of Ministers had not nominated the heads of the new Commission established by the law to replace the former "De-Ba'athification Commission". Therefore, no cases have been dealt with under the new law.²²² Despite agreement that the law needs to be amended, the CoR has not yet taken up the issue.²²³ Reportedly, some Sunni Arabs accuse the Shi'ite-dominated government of a discriminatory approach when reinstituting former Ba'athists into their former employment²²⁴

C. Provincial Powers Law and Amnesty Law

144. On 13 February 2008, the CoR passed simultaneously, based on compromises and concessions by all parties and across sectarian identities, the Provincial Powers Law, the Amnesty Law and the 2008 national budget. The Provincial Powers Law sets forth the relationship between the central government and the governorates.²²⁵ A recent campaign in Basrah to establish an autonomous region in the southern governorate did not garner the support required to hold a popular referendum.²²⁶

145. The Amnesty Law, a Sunni and Sadrist key demand given that their members had allegedly mostly been targeted in widespread arrest campaigns, provides for a limited amnesty

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- Progress, *Iraq Benchmark Report Card*, 24 January 2008, <http://www.americanprogress.org/issues/2008/01/benchmark.html>.
- ²²² US Department of Defense, *December 2008 Report to Congress*, p. 2, see above footnote 9; Ahmed Rasheed, *Iraq law on Baathists not being implemented*, Reuters, 17 June 2008, <http://www.alertnet.org/thenews/newsdesk/YAT251579.htm>.
- ²²³ US Department of Defense, *December 2008 Report to Congress*, p. 2, see above footnote 9.
- ²²⁴ *Ibid.*
- ²²⁵ The Iraqi Constitution establishes three main levels of government: the national government in Baghdad, regional governments and the governorates. Currently, there is only one region, the Kurdistan Region administered by the Kurdistan Regional Government (KRG). Iraq further comprises 18 governorates, three of which make up the Kurdistan Region. The Provincial Powers Law only deals with the powers of the governorates (or provinces) and excludes those governorates incorporated into a region, i.e. the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah. The Iraqi Constitution is very vague if not contradictory with regard to the division of powers between the central government and the governorates, which made it necessary to adopt a Provincial Powers Law. On the powers of the provincial councils on the basis of the Provincial Powers Law, see Middle East Progress, *The Iraqi Provincial Powers Law*, 7 April 2008, <http://www.middleeastprogress.org/2008/04/the-iraqi-provincial-powers-law/>.
- ²²⁶ A coalition of Shi'ite independents and the Fadhila Party in Basrah collected more than 34,000 signatures in order to initiate a referendum process. However, during the one-month period during which signatures could be collected in 34 centres across Basrah Governorate between 15 December 2008 and 15 January 2009, the required total of 10% of Basrah's voter population was not achieved, thereby failing the project to hold a popular referendum later in 2009; Reuters, *Autonomy Referendum For Iraq's South Struck Down*, 20 January 2009, http://www.rferl.org/content/Autonomy_Referendum_For_Iraqs_South_Struck_Down/1372452.html; Reidar Visser, *Basra, the Failed Gulf State, Part II: Wail Abd al-Latif Concedes Defeat*, historiae.org, 17 January 2009, <http://www.historiae.org/latif.asp>; AFP, *Iraq's oil-rich Basra province seeks autonomy*, 7 December 2008, <http://www.google.com/hostednews/afp/article/ALeqM5hfCCyTV6HjHhMen8-WdV-vnIsJkA>.

for persons accused of certain crimes.²²⁷ The approval of the law was one of the main reasons for the Sunni Accordance Front's (IAF) return to the cabinet in July 2008.²²⁸ However, to which extent the law will help Iraqis to move towards greater long-term reconciliation is yet difficult to establish, as the process to actually release persons eligible under the law has been slow. By January 2009, amnesty review committees set up under the law reviewed the cases of more than 158,000 Iraqis accused of or convicted for certain crimes. Out of these, more than 80%, mostly Iraqis free on bail or facing arrest warrants, were found eligible under the terms of the law.²²⁹ The high number is misleading as it includes the number of amnesty petitions filed and granted; however, often individuals file multiple petitions.²³⁰ The actual release of persons held in pre- or post-trial detention,

“(...) has proceeded slowly due to political, logistical, and reintegration difficulties as well as a lack of inter-ministerial cooperation.”²³¹

According to HRW, one obstacle to the implementation has been a lack of coordination between the detaining authorities and a slow verification that detainees are not also held for offenses not covered by the amnesty law.²³²

²²⁷ The amnesty applies to all Iraqis and those residing in Iraq “who have been:

- Sentenced to imprisonment, unless sentenced for one of the enumerated excluded crimes;
- Charged but not sentenced for a crime other than one of the enumerated excluded crimes;
- Detained for six months or more without being presented in front of an investigative judge for conformation of charges;
- Detained for one year or more without being presented before a competent court for trial.”

Persons charged or sentenced for certain crimes cannot benefit from the amnesty, including crimes against humanity, genocide, war crimes, crimes of terrorism that resulted in killing or infliction of permanent injury, premeditated murder, manslaughter in which the claimants (the victim's family) have refused to waive their personal rights, kidnapping, aggravated theft, embezzling state funds, rape, sodomy, incest, counterfeiting Iraqi or foreign currencies, forging official documents, drug crimes, smuggling of antiquities and offenses of the Military Penal Code. In addition, anyone sentenced to death is not eligible; Jason Gluck, *From Gridlock to Compromise: How Three Laws Could Begin to Transform Iraqi Politics*, USIP, March 2008, http://www.usip.org/pubs/usipeace_briefings/2008/0319_iraqi_politics.html. See also HRW, *The Quality of Justice – Failings of Iraq's Central Criminal Court*, December 2008, pp. 14-15, <http://www.hrw.org/sites/default/files/reports/iraq1208web.pdf> (further: “HRW, *The Quality of Justice – Failings of Iraq's Central Criminal Court*”).

²²⁸ See “Return of the Sunni Accordance Front”.

²²⁹ SIGIR, *January 2009 Report to Congress*, p. 52, see above footnote 9.

²³⁰ *Ibid.*

²³¹ The US Department of Defense reported that government officials from the Ministries of Justice and Interior as well as the Higher Judicial Council expressed concern that “terrorists” would be released under the law. The Ministry of Justice has implemented “redundant authentication procedures to verify authenticity of orders” due to the “existence of fraudulent orders”; US Department of Defense, *December 2008 Report to Congress*, p. 3, see above footnote 9. By September 2008, more than 5,700 detainees have been released; US Department of Defense, *Measuring Stability and Security in Iraq*, Report to Congress in accordance with the Department of Defense Appropriations Act 2007 (Section 9010, Public Law 109-289), 26 September 2008, pp. 2-3, http://www.defenselink.mil/pubs/pdfs/9010_Report_to_Congress_Sep_08.pdf (further: “US Department of Defense, *September 2008 Report to Congress*”). SIGIR reported that “(T)he execution of court orders, including amnesty orders, remains a significant problem;” SIGIR, *January 2009 Report to Congress*, p. 51, see above footnote 9.

²³² HRW, *The Quality of Justice – Failings of Iraq's Central Criminal Court*, see above footnote 227.

D. Return of the Sunni Accordance Front

146. Another notable development during 2008 was the return of the IAF, the largest Sunni faction, to the cabinet of PM Al-Maliki after almost one year of absence. On 19 July 2008, the CoR approved the appointment of six of their parliamentary members as ministers, in addition to four members of the United Iraqi Alliance (UIA) to replace Sadrist ministers who had also resigned in 2007.²³³ The IAF cited the release of Sunni prisoners under the new Amnesty Law as well as military operations against Shi'ite militias as the reasons for their return.²³⁴ The IAF's return was praised as a move towards national reconciliation.²³⁵

E. Local and national elections

1. Introduction

147. In 2009, Iraq is set to hold a series of election events, including provincial elections, held on 31 January 2009, district and town council elections to be held in June 2009 and national elections for Iraq's unicameral 275-member parliament (CoR) expected in December 2009 (or early 2010). These elections hold the potential to embolden political representation of formerly marginalized groups at the local and national level. Whether or not the elections and the likely transfer of power happen peacefully will be key in determining Iraq's political and security environment.²³⁶ The new national government will have to shape the future of Iraq after a US forces withdrawal.²³⁷

2. Provincial elections of 31 January 2009

²³³ Alexandra Zavis and Raheem Salman, *Sunni bloc returns to Iraq Cabinet*, LA Times, 20 July 2008, <http://articles.latimes.com/2008/jul/20/world/fg-iraq20>.

²³⁴ *Ibid.*

²³⁵ PM Al-Maliki's Office said in a statement that "reconciliation has proved a success and all political blocs will return to the government;" Ahmed Rasheed, *Iraq's Maliki says factions agree to rejoin government*, Reuters, 24 April 2008, <http://www.reuters.com/article/newsMaps/idUSL0434078820080424>.

²³⁶ According to the ICG, provincial council elections, if genuinely free and fair, "hold the potential of beginning to alter the political landscape by bringing a new generation and class of political leaders to the fore. Perhaps they could be a stepping stone toward a new national consensus." However, if the elections are fraud with boycotts, manipulations or major violence, they "may have the opposite result of further polarising an already deeply divided country," ICG, *Iraq after the Surge II: The Need for a New Political Strategy*, see above footnote 221, p. 29; see also Charles Levinson and Ali A. Nabhan, *Iraqi tribes caught between rival Shiite parties*, USA Today, 20 October 2008, http://www.usatoday.com/news/world/iraq/2008-10-19-iraqi-vote_N.htm (further: "Levinson/Nabhan, *Iraqi tribes caught between rival Shiite parties*"); Alissa J. Rubin, *Amid Progress in Iraq, Sides Have Scores to Settle*, NY Times, 1 October 2008, <http://www.nytimes.com/2008/10/02/world/middleeast/02iraq.html> (further: "Rubin, *Amid Progress, Sides Have Scores to Settle*").

²³⁷ Peter Graff, *PREVIEW-Iraqis eager for first polls since 2005*, Reuters, 20 January 2009, <http://www.alertnet.org/thenews/newsdesk/LJ498511.htm>.

148. On 31 January 2009, provincial elections were held in 14 out of Iraq's 18 governorates. The passing of the Provincial Election Law was marred by incidents of violence.²³⁸ The Provincial Powers Law²³⁹ included a deadline for holding provincial elections by 1 October 2008.²⁴⁰ A first draft law, which included the contentious issue of power-sharing in Kirkuk, was adopted by the CoR on 22 July 2008 against the will of Kurdish lawmakers who boycotted the session.²⁴¹ The draft law was subsequently vetoed by the Presidency Council due to a lack of consensus over power-sharing in Kirkuk.²⁴² Two months later, on 24 September 2008, the Provincial Elections Law was finally adopted, paving the way for holding provincial elections in 14 out of Iraq's 18 Governorates by latest by 31 January 2009. In order to pass the law and make elections possible in 14 central and southern governorates, the Governorate of Kirkuk, the key sticking point in the negotiations, was excluded from the 31 January 2009 elections.²⁴³ Instead, a committee comprised of seven representatives from the different ethnic-religious

²³⁸ In particular two events of election-related violence stand out. On 28 July 2008, Kurds in Kirkuk protested against an Arab-Turkmen proposal for a guaranteed quota of seats in the Kirkuk Provincial Council, when a suicide bomber blew herself up in their midst, killing at least 17 demonstrators and wounding 47 others. Though no group claimed responsibility for the attack, many in the crowd blamed Turkmen extremists for the attack and a mob of enraged Kurds started to attack Turkmen political offices and setting their buildings on fire, injuring at least 25 Turkmen guards. The guards returned fire, killing at least 12 Kurdish protestors. More than 100 people were wounded in the melee that followed the bombing. In mainly September and October 2008, a wave of attacks against Mosul's Christian minority was reported to have been politically motivated. The UN Secretary-General said that ahead of provincial elections "there is potential for election-related violence and instability, as witnessed recently in Mosul" where attacks in early October forced nearly 10,000 Christians to flee their homes; UN SC, *November 2008 Report*, p. 14, see above footnote 215; Richard A. Oppel Jr. and Sabrina Tavernise, *Bombers and Ethnic Clashes Kill 61 in Iraq*, NY Times, 29 July 2008, <http://www.nytimes.com/2008/07/29/world/middleeast/29iraq.html>.

²³⁹ See "Provincial Powers Law and Amnesty Law".

²⁴⁰ Provincial Councils are the governorates' governing body. They have jurisdiction over all of the districts in a given governorate and elect the provincial governor. Under the Provincial Powers Law, provincial councils and governors yield significant authority. The councils have the power to make laws for the governorate and to allocate funds for projects within that governorate. They are also a prime source of patronage through which government jobs, social benefits and contracts are distributed. Furthermore, the provincial council and governor appoint and dismiss provincial police chiefs and senior security officials in the governorate. Each provincial council is comprised of 25 seats, plus one seat for every 200,000 people (for more than 500,000 people). The number of seats therefore ranges from 28 in Salah Al-Din to 41 in Diyala to 57 in Baghdad; Timothy Williams and Steven Lee Myers, *Early Voting in Iraq Is Mostly Smooth*, NY Times, 28 January 2009, <http://www.nytimes.com/2009/01/29/world/middleeast/29iraq.html>; Scott Weiner, *2009 Provincial Elections Factsheet*, ISW, Background No. 39, 25 January 2009, [http://www.understandingwar.org/files/reports/Provincial Elections Factsheet FINAL.pdf](http://www.understandingwar.org/files/reports/Provincial%20Elections%20Factsheet%20FINAL.pdf).

²⁴¹ Alissa J. Rubin, *Kurds Object to Iraqi Provincial Election Law*, NY Times, 23 July 2008, <http://www.nytimes.com/2008/07/23/world/middleeast/23iraq.html>.

²⁴² Ned Parker and Saif Hameed, *Iraq Presidency Council vetoes provincial election bill*, LA Times, 24 July 2008, <http://articles.latimes.com/2008/jul/24/world/fg-iraq24>; Amit R. Paley, *Iraqi President Vows Veto of Election Bill*, The Washington Post, 24 July 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/07/23/AR2008072301978.html>.

²⁴³ Elections in the autonomous Region of Kurdistan will be held separately at a later stage on the basis of a regional election law, which has yet to be enacted by Iraq's Kurdistan Parliament (IKP; formerly Kurdistan National Assembly). On 21 January 2009, the KNA passed a law allowing the Kurdistan Region's provincial councils to remain in office until the end of 2009; VOI, *Kurdistan's Parliament Amends the Region's Presidency Law*, 22 January 2009, http://www.iraqupdates.com/p_articles.php?refid=DH-S-22-01-2009&article=43879.

communities²⁴⁴ was tasked to submit a report to the CoR by 31 March 2009, on, *inter alia*, a power-sharing mechanism for Kirkuk.²⁴⁵ However, in late March 2009 the committee announced the postponement of their recommendations until the end of July 2009 due to a lack of compromise.²⁴⁶

149. The new law changed the election system and provided for a partially open instead of a closed list, allowing Iraqis greater influence in choosing individual candidates to represent them instead of political parties or alliances. The law further mandated that at least 25% of elected representatives shall be women and placed restrictions on the use of religious imagery in political campaigns. On 3 November 2008, the law was further amended to include a provision for minority representations for Christians, Yazidis, Shabak and Sabaeen-Mandaeans in the provincial councils of Baghdad, Ninewa and Basrah.²⁴⁷ The provision was welcomed by the UN despite the fact that the minority quota was below the level it had recommended.²⁴⁸ Minority groups, however, considered the quota as a violation of their rights.²⁴⁹

150. While a number of violent attacks occurred in the run-up to the elections, including killing of election candidates²⁵⁰ and attacks on designated polling stations, elections largely proceeded smoothly and peacefully²⁵¹ amid tight security measures that included vehicle bans,

²⁴⁴ Two CoR members each from Kirkuk's Arab, Turkmen and Kurdish components and one Christian representative.

²⁴⁵ The report has to address the following issues: (a) mechanisms for sharing administrative and security powers and civil service positions in Kirkuk; (b) a review of violations against public and private property within the Governorate of Kirkuk before and after 9 April 2003, with the Government of Iraq guaranteeing the correction of those violations in accordance with the laws applied in Iraq; and (c) an examination of all data and records related to the demographic situation including the voter registry. The committee's findings will be binding recommendations for implementation by the IHEC; UN SC, *November 2008 Report*, p. 3, see above footnote 215.

²⁴⁶ Mustafa Mahmoud, *Feud delays Iraq committee Kirkuk recommendations*, Reuters, 29 March 2009, <http://www.alertnet.org/thenews/newsdesk/LT730689.htm>.

²⁴⁷ The law of 22 July included a minority representation clause (Article 50); however, it was dropped by legislators in the provincial election law of 24 September 2008, stirring outrage among minority representatives; Leila Fadel, *Iraqi minorities 'insulted' by new provincial assemblies law*, McClatchy Newspapers, 3 November 2008, <http://www.mcclatchydc.com/117/story/55220.html>; Reidar Visser, *Iraqi Minorities Get Special Representation in the Provincial Elections Law*, *historiae.org*, 3 November 2008, <http://www.historiae.org/minorities.asp>; Erica Goode, *Iraq passes provincial elections law*, *IHT*, 25 September 2008, <http://www.iht.com/articles/2008/09/25/africa/25iraq.php>.

²⁴⁸ UN, *Amendment to electoral law bodes well for Iraq's minorities, says UN*, 4 November 2008, <http://www.un.org/apps/news/story.asp?NewsID=28806&Cr=Iraq&Cr1>.

²⁴⁹ The parliament chose from three proposals and "passed the one that gives religious or ethnic communities the least representation: one seat for Christians in each of three provinces – Baghdad, Nineveh and Basra – and one seat each for Yazidis, Sabaeans and Shabaks in various provinces"; Christians, Yazidis and Shabaks claimed that they remained underrepresented; see: Leila Fadel, *Iraqi minorities 'insulted' by new provincial assemblies law*, McClatchy Newspapers, 3 November 2008, <http://www.mcclatchydc.com/117/story/55220.html>. See also: AINA, *Iraqi Minorities Denounce New Election Law Quotas*, 5 November 2008, http://www.iraquupdates.com/p_articles.php/article/39311.

²⁵⁰ Three candidates in Diyala, Baghdad and Mosul were assassinated the day before the elections and several other attempts were recorded against candidates in the weeks before, one of which was successful. See Annex "Party Officials".

²⁵¹ There were some exceptions, notably in Mosul (gunmen fired on two polling centres), Tuz Khurmatu (a civilian and six policemen were injured by a bomb) and Tikrit (three mortar rounds targeted a polling station and a bomb was defused near a voting centre), but these attacks did not cause major casualties nor did they significantly disrupt the voting process; UNAMI SSU, 31 January 2009.

body searches, barbed wire barricades and checkpoints. Over 14,400 candidates, including approximately 4,000 women, were cleared to run for a total of 440 seats in the 14 governorates.²⁵² Approximately 15 million Iraqis registered to vote in the elections,²⁵³ of which 51% finally turned out to vote, less than expected by many politicians. Among the reasons cited for the rather low voter participation, which varied from province to province,²⁵⁴ were political dissatisfaction with existing political blocs, problems with voter registration records, particularly among IDPs, and tight security measures that reportedly prevented some from reaching the polling stations.²⁵⁵

151. Election results from the provincial elections, released by the Independent High Electoral Commission of Iraq (IHEC) on 19 February 2009,²⁵⁶ indicate a major shift in the balance of power among the Shi'ite parties as the nationalist list supported by PM Al-Maliki, *State of Law*,²⁵⁷ made substantive gains in Baghdad, Basrah and several other Southern governorates. ISCI, which has strong ties to the religious establishment and dominated the provincial councils in Baghdad and most southern governorates since 2005, has been significantly decimated as voters apparently rejected its explicit sectarian identity and

²⁵² UNAMI, *Latest Information on the Upcoming Elections in Iraq*, visited 10 February 2009, <http://www.uniraq.org/electoral%5CIraqElections.asp>.

²⁵³ *Ibid.*

²⁵⁴ Voter turnout was relatively high in the Governorates of Diyala, Ninewa and Salah Al-Din, where Sunni Arabs had largely been excluded from power after they had boycotted or abstained for security reasons from the 2005 provincial elections. However, turnout was particularly low in Baghdad, reportedly due to failures to register IDPs, and in Al-Anbar, where tribal groups were not able to mobilize their constituencies; Stephen Farrell, *Election: Preliminary Results*, Baghdad Bureau, 5 February 2009, <http://baghdadbureau.blogs.nytimes.com/2009/02/05/election-preliminary-results/>; Oxford Analytica, *IRAQ: Elections pave way for nationalist coalition*, 10 February 2009, <http://www.oxan.com/display.aspx?ItemID=DB148963>; Ahmed Rasheed, *Iraqi election turnout not as high as hoped*, Reuters, 1 February 2009, <http://www.alertnet.org/thenews/newsdesk/L1417635.htm>.

²⁵⁵ Daud Salman, Abeer Mohammed and Dhirgham Muhammad Ali, *Disenchantment with politics mars poll*, IWPR, Iraqi Crisis Report No. 283, 11 February 2009, http://www.iwpr.net/?p=icr&s=f&o=349884&apc_state=henficr349974; Greg Bruno, *Iraq's Political Landscape*, CFR, 5 February 2009, http://www.cfr.org/publication/18411/iraqs_political_landscape.html?breadcrumb=/index; USA Today, *Turnout 51% for Iraqi provincial elections*, 2 February 2009, http://www.usatoday.com/news/world/iraq/2009-02-01-iraqi-elections_N.htm; Leila Fadel, *Low turnout in Iraq's election reflects a disillusioned nation*, McClatchy Newspapers, 1 February 2009, <http://www.mcclatchydc.com/homepage/story/61245.html>; Ahmed Rasheed, *Iraqi election turnout not as high as hoped*, Reuters, 1 February 2009, <http://www.alertnet.org/thenews/newsdesk/L1417635.htm>; Michael, Knight, *Iraqi Election Success? Not So Fast*, Foreign Policy, February 2009, http://www.foreignpolicy.com/story/cms.php?story_id=4654; Stephen Farrell and Alissa J. Rubin, *Under Tight Security, Iraqis Vote on Almost Violence-Free Election Day*, NY Times, 31 January 2009, <http://www.nytimes.com/2009/02/01/world/middleeast/01iraq.html>.

²⁵⁶ See Stephen Farrell, *Election: Preliminary Results*, Baghdad Bureau, 5 February 2009, <http://baghdadbureau.blogs.nytimes.com/2009/02/05/election-preliminary-results/>.

²⁵⁷ While PM Al-Maliki did not run himself in the provincial elections, he became the public face of the *State of Law* list, effectively using the elections to test his policy of emboldening the central government's authority at the expense of de-centralization efforts undertaken by others, in particular ISCI and the Kurdish parties. Despite Dawa's religious background, the *State of Law* list clearly avoided the use of overt religious references during the election campaign, portraying Al-Maliki as a non-sectarian leader; Amit R. Paley, *In Iraq's Provincial Elections, Main Issue Is Maliki Himself*, The Washington Post, 17 January 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2009/01/16/AR2009011604967.html>.

ambitions to de-centralize the country along sectarian lines.²⁵⁸ It is also widely held responsible for failing to improve public services.²⁵⁹ Pro-Sadrists have shown that they are still a political force to be reckoned with, particularly in Baghdad, Najef, Missan and Thi-Qar, while *Fadhila* lost seats across Iraq, including in its former stronghold Basrah.²⁶⁰ In mostly Shi'ite Kerbala, independent candidate Yousef Majid Al-Habboubi, a former Ba'athist and deputy governor under Saddam Hussein, received most votes, relegating the *State of Law* list to third place. Given Iraq's election system,²⁶¹ Al-Habboubi will only hold one seat, while the larger parties will benefit from the "surplus" votes. Other, more secular-leaning or nationalist, parties made a strong showing, including former PM Iyad Allawi's non-sectarian *Iraqi National List* (in Baghdad and Salah Al-Din) and nationalist Sunni parties such as Saleh Mutlaq's *Iraqi National Project* (Al-Anbar, Diyala and Salah Al-Din).²⁶²

152. In the majority Sunni Governorates of Ninewa and Diyala,²⁶³ the results indicate that a more balanced representation of formerly marginalized Arab Sunnis has been achieved. This shift came at the expense of the Kurdish parties in Ninewa and Arab Shi'ites in Diyala, which had previously dominated the provincial councils. In both governorates, more inclusive provincial councils may ease resentment among Sunni Arabs that fuelled a lingering insurgency.²⁶⁴ However, in Ninewa, there also remains the risk that tensions among Kurds and Arabs result in serious confrontations. The Kurdish parties accused the nationalist Sunni Arab *Al-Hadba* list, which won a majority of 19 out of 37 seats,²⁶⁵ of having ties to the insurgency

²⁵⁸ See, for example, Kenneth Kattmann, *Iraq: Politics, Elections, and Benchmarks*, CRS Report for Congress, p. 5, 17 February 2009, <http://www.fas.org/sgp/crs/mideast/RS21968.pdf>; Reidar Visser, *No Longer Supreme: After Local Elections, ISCI Becomes a 10 Per Cent Party South of Baghdad*, *historiae.org*, 5 February 2009, <http://historiae.org/ISCI.asp>; Joost Hiltermann, *Iraq's Elections: Winners, Losers, and What's Next*, *opendemocracy*, 10 February 2009, <http://www.crisisgroup.org/home/index.cfm?id=5902>.

²⁵⁹ Zaineb Naji, *Voters look beyond religion*, IWPR, Iraqi Crisis Report No. 283, 11 February 2009, http://www.iwpr.net/index.php?apc_state=hen&s=o&o=l=EN&p=icr&s=f&o=349974; Brian Murphy, *Iraq election hints at Shi'ite troubles*, AP, 2 February 2009, <http://news.ninensn.com.au/world/736707/iraq-election-hints-at-shiite-troubles>.

²⁶⁰ Reidar Visser, *No Longer Supreme: After Local Elections, ISCI Becomes a 10 Per Cent Party South of Baghdad*, *historiae.org*, 5 February 2009, <http://www.historiae.org/ISCI.asp>.

²⁶¹ Under Iraq's revised open-list structure, larger parties are favoured vis-à-vis smaller parties or one-person lists. If a candidate does not reach the number of votes required to secure him/her a seat, the votes he gained will be distributed proportionally among the other parties that did win seats. Votes for one-person entities will be wasted once a single seat has been secured. These "wasted" votes will then benefit the lists fielding a large number of candidates such as the *State of Law* list and ISCI, meaning that a significant number of voters actually do not see their votes represented, e.g. up to 60% of the voters in the Governorates of Wassit, Babel and Kerbala; Reidar Visser, *The Provincial Elections: The Seat Allocation Is Official and the Coalition-Forming Process Begins*, 19 February 2009, <http://www.historiae.org/allocation.asp>; Greg Bruno, *Iraq's Political Landscape*, CFR, 5 February 2009, http://www.cfr.org/publication/18411/iraqs_political_landscape.html?breadcrumb=/bios/13554/greg_bruno.

²⁶² Stephen Farrell, *Election: Preliminary Results*, Baghdad Bureau, 5 February 2009, <http://baghdadbureau.blogs.nytimes.com/2009/02/05/election-preliminary-results/>.

²⁶³ Sunnis in Diyala and Ninewa constitute approximately 60% of the local population.

²⁶⁴ Oxford Analytica, *IRAQ: Election implications are mixed*, 6 February 2009, <http://www.oxan.com/display.aspx?ItemID=ES148903>; Tim Cocks, *Election could help eject al Qaeda from Iraq*, Reuters, 6 February 2009, <http://www.alertnet.org/thenews/newsdesk/L6508956.htm>.

²⁶⁵ Ammar Karim, *Maliki List Tops Iraq Poll but Needs Alliances*, 20 February 2009, http://www.iraqupdates.com/p_articles.php/article/45644.

and the former Ba'ath Party, while *Al-Hadba* leader Atheel Najafi vowed to force the Kurdish *Peshmerga* out of the "disputed areas".²⁶⁶

153. In the aftermath of the elections, various parties made accusations of fraud and intimidation, fuelling fears that the transfer of political power may not be peaceful.²⁶⁷ Accusations and threats of a violent backlash were most pronounced in Sunni-dominated Al-Anbar Governorate, where the tribal-based Awakening Councils were pitted against the Iraqi Islamic Party (IIP). Sheikh Ahmed Abu Risha, the leader of the Sunni Awakening, warned that the result threatened to reignite the insurgency and Sheik Ali Al-Hatem, another local tribal leader who had backed another tribal-led state, warned that any outbreak of violence over the election results could become an intra-tribal conflict.²⁶⁸ It should also be noted that pro-Sadrists vowed to appeal the results in Baghdad, Diwaniyah, Najef and Missan.²⁶⁹ In Diyala, the Kurdistan Alliance said that 16,000 Kurdish returnee families in Khanaqeen had been deprived of casting their votes.²⁷⁰ Yonadem Kanna, Assyrian CoR member and leader of the Assyrian Democratic Movement (ADM) and the Assyria Council of Europe (ACE), made allegations of election violations in the Ninewa Plains.²⁷¹ Reportedly, violence, threats and other means of pressure prevented thousands of Assyrians from participating in the elections.²⁷² According to

²⁶⁶ Ned Parker and Usama Redha, *Arabs, Kurds take their fight to polls*, LA Times, 25 January 2009, <http://www.latimes.com/news/nationworld/world/la-fg-iraq-mosul25-2009jan25.0.6259422.story>.

²⁶⁷ Steven Lee Meyers and Sam Dagher, *After Iraqi Elections, Next Big Test Is Acceptance*, NY Times, 9 February 2009, <http://www.nytimes.com/2009/02/10/world/middleeast/10anbar.html>.

²⁶⁸ Sudarsan Raghavan, *Sheiks Voice Defiance in Iraq's Anbar*, The Washington Post, 5 February 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/02/04/AR2009020403744.html>;

Sam Dagher, *Iraqi Government Aims to Calm Tensions in Anbar Over Allegations of Election Fraud*, NY Times, 4 February 2009, <http://www.nytimes.com/2009/02/05/world/middleeast/05iraq.html>; Alissa J. Rubin and Steven Lee Meyers, *As Iraqis Tally Votes, Former Leader Re-emerges*, NY Times, 3 February 2009, <http://www.nytimes.com/2009/02/04/world/middleeast/04election.html?ref=middleeast>.

²⁶⁹ ME Online, *Iraq's Sadrists Complain of Vote Fraud*, 9 February 2009, http://www.iraqupdates.com/p_articles.php/article/44919.

²⁷⁰ Muhammed Abdullah, *Displaced Denied Vote in Diyala*, Niqash, 4 February 2009, http://www.iraqupdates.com/p_articles.php/article/44830.

²⁷¹ On 12 March 2009, Sheikh Abdullah Adnan Al-Tamimi, a Sunni religious leader who was a candidate in the 31 January provincial elections, was killed by armed men near his home south of Basrah; on 21 February 2009, gunmen killed Mohammed Hadi, a candidate in the provincial elections, in his house in south of Hilla (Babel); on 15 February 2009, Talab Muhsin Abid, a candidate for the *Al-Hadba* list was wounded in Mosul by a bomb planted in his car; on 12 February 2008, gunmen shot and injured Akram Khalaf, a candidate of the Sunni-led "National Movement for Reform and Development" in Mosul; on 7 February 2009, gunmen kidnapped Talib Al-Masoudi, who ran as a candidate for the Shi'ite *Fadhila* Party, from the Hussainiyah neighbourhood in Kerbala; on 6 February 2009, Abdulmajeed Al-Nuaimi, member of the incumbent provincial council in Ninewa, reported a strange object next to the outside wall of his home. The Iraqi Army identified it as a roadside bomb and detonated it under control, causing no damages or casualties; on 5 February 2009, gunmen in a speeding car opened fire on the car of Khadija Owaiyid, a provincial election candidate for the Constitution Party, in Abu Disheer in Baghdad. She survived unharmed; also on 5 February, the house of Salim Al-Zaidi, candidate of *Al-Liqaa* Party, in Gatoun (Diyala) was blown up while his family was in the house. The family members were unhurt; on 4 February 2009: Basrah Provincial Council member, Ahmed Al-Yasiri, survived an IED attack that targeted his motorcade in the Sa'ad Square area in Basrah; and on 2 February 2009, an IED detonated near the house of another candidate who ran for the *Iraqi National Congress* (INC) in Babel. No casualties were reported. See Annex "Party officials".

²⁷² AINA, *Many Election Violations Against Assyrians in North Iraq*, 10 February 2009, <http://www.aina.org/releases/2009029193222.htm>; ACE, *Violations and other threats against Assyrians*

Faraj Al-Haidari, the head of IHEC, there was only minor fraud not sufficient to alter the outcome of the vote.²⁷³

154. In most governorates, no single party won a majority enough to rule on its own. An exception is Basrah, where the *State of Law* list won 57% of the seats (although it received only 37% of the votes).²⁷⁴ In Baghdad and Wassit, the list won a near majority (49% of the seats in Baghdad and 46% of the seats in Wassit). Across the Shi'ite-majority governorates, the *State of Law* list is in the lead, followed by either ISCI or the Sadrist competing for the second biggest number of seats.²⁷⁵ This fact makes it necessary to forge power-sharing alliances.

155. Certainly, the elections solidified PM Al-Maliki's power basis and might lead to a further centralization of government power. This may deepen the conflict with his former allies, ISCI and the Kurdish parties, and further complicate the finding of a viable compromise with the Kurdish parties on the status of "disputed areas" and other pending issues.²⁷⁶ The elections also strengthened PM Al-Maliki's position ahead of national elections, in which he is said to be seeking to renew his mandate.²⁷⁷ While the political landscape has clearly shifted as a result of the provincial elections, the majority of seats in the CoR will continue to be held by parties that were disfavoured by the voters in the provincial elections until national elections are held in December 2009.²⁷⁸

F. Status-of-Forces Agreement (SOFA)

156. Since 2003, the presence of the MNF-I has been authorized by UN SC Resolution 1511.²⁷⁹ As its mandate expired on 31 December 2008 and the Iraqi Government vowed not to ask the SC for another extension,²⁸⁰ the Iraqi and the US Governments entered into negotiations on a status-of-forces agreement (SOFA) in early 2008. The security agreement stalled for

during preelection period in Nineveh Plain, January 2009, <http://www.assyriacouncil.eu/resources/Pre-election+violations+against+Assyrians+2009.pdf>.

²⁷³ Ahmed Rasheed, *Complaints Will Not Affect Iraq Election Result*, Reuters, 18 February 2009, http://www.iraqupdates.com/p_articles.php/article/45378.

²⁷⁴ See above footnote 256.

²⁷⁵ Reidar Visser, *The Provincial Elections: The Seat Allocation Is Official and the Coalition-Forming Process Begins*, 19 February 2009, <http://www.historiae.org/allocation.asp>.

²⁷⁶ Joost R. Hiltermann, *Iraq's Elections: Winners, Losers, and What's Next*, openDemocracy, 10 February 2009, <http://www.crisisgroup.org/home/index.cfm?id=5902>; David Romano, *In the Aftermath of Iraq's Provincial Elections, Part One: A Dangerous Year Ahead for Iraqi Kurds*, The Jamestown Foundation, Terrorism Focus Volume 6, Issue 5, 19 February 2009, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=34522. See also "Pending key political issues".

²⁷⁷ Amit R. Paley, *In Iraq's Provincial Elections, Main Issue Is Maliki Himself*, The Washington Post, 17 January 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2009/01/16/AR2009011604967.html>.

²⁷⁸ Claire Russo, *Capitol Hill Briefing: Provincial Elections in Iraq*, ISW, 19 February 2009, <http://www.understandingwar.org/press-media/commentary/capitol-hill-briefing-notes-provincial-elections-iraq>.

²⁷⁹ UN SC, *Resolution 1511 (2003)*, 16 October 2003, http://un.org/Docs/sc/unsc_resolutions03.html.

²⁸⁰ UN SC, *Security Council, Acting on Iraq's request, extends "for last time"*, 18 December 2007, <http://www.un.org/News/Press/docs/2007/sc9207.doc.htm>.

a long time over the question of legal immunity for US troops²⁸¹ and the dates for a full withdrawal. Negotiations were also protracted due to rivalries among the Iraqi political parties and their positioning ahead of elections in 2009. Finally, after nine months of negotiations, the SOFA was ratified by the Iraqi CoR on 25 November 2008²⁸² and approved by the three-member Presidency Council on 4 December 2008.²⁸³ It entered into force on 1 January 2009.

157. In a concession to the IAF, the CoR voted to require a national referendum on the agreement by 31 July 2009 and committed to other measures of “political reform”.²⁸⁴ Iraq’s senior Shi’ite clerics appeared to endorse the necessity of a referendum as a way to achieve national consensus on the agreement, given that the current parliament does not represent all political and sectarian groups.²⁸⁵ Shi’ite cleric Muqtada Al-Sadr and his followers fiercely opposed the SOFA, saying that it would serve to prolong illegitimate foreign occupation of Iraq, organized public protests and tried to disrupt the CoR’s vote on the pact.²⁸⁶ Al-Sadr also warned of renewed violence against US forces by his militiamen should the pact pass.²⁸⁷ Nevertheless, the SOFA was approved by the CoR, indicating, as argued by some commentators, the Sadr Movement’s waning influence.²⁸⁸

²⁸¹ Under Iraqi Law (CPA Order No. 17), the MNF-I, international consultants and US personnel were immune from the Iraqi legal process. A draft law, approved by the Iraqi Government on 30 October 2007, which would revoke the immunity from prosecution of private security contractors, has never been approved by the CoR. See BBC, *Iraq to end contractor immunity*, 30 October 2007, http://news.bbc.co.uk/2/hi/middle_east/7069173.stm; CPA, *Coalition Provisional Authority Order Number 17 (revised) – Status of the Coalition Provisional Authority, MNF-Iraq, Certain Missions and Personnel in Iraq*, 27 June 2004, <http://www.unhcr.org/refworld/docid/49997ada3.html>.

²⁸² The 275-member CoR passed the vote with 149 against 49 votes; 77 lawmakers were absent; Tina Susman and Raheem Salman, *Iraq lawmakers approve security pact with U.S.*, LA Times, 28 November 2008, <http://www.latimes.com/news/printedition/front/la-fg-iraq28-2008nov28.0.6835426.story>.

²⁸³ Reuters, *Iraqi Council Gives Final Approval to Pact with US*, 5 December 2008, http://www.iraquupdates.com/p_articles.php/article/41158.

²⁸⁴ The Sunni Arabs in the CoR made their agreement to the SOFA conditional on a package of political reform measures, including bigger representation in the Shi’ite-dominated ISF through the integration of Awakening members and the release of mostly Sunni detainees from US detention. Given that the CoR resolution on “political reform” is non-binding, its actual implementation will depend on the Iraqi Government’s commitment; Tina Susman and Raheem Salman, *Iraq lawmakers approve security pact with U.S.*, LA Times, 28 November 2008, <http://www.latimes.com/news/printedition/front/la-fg-iraq28-2008nov28.0.6835426.story>; see also Reuters, *Referendum seen as way to ‘correct’ US-Iraq pact*, 6 December 2008, <http://www.alertnet.org/thenews/newsdesk/L6286532.htm>.

²⁸⁵ Alissa J. Rubin, *More Iraqi Dead Last Month, but Fewer Than Last Year*, NY Times, 30 November 2008, http://www.nytimes.com/2008/12/01/world/middleeast/01iraq.html?_r=1&ref=middleeast.

²⁸⁶ Adam Ashton, *Sadr followers protest Iraqi-U.S. pact in huge rally*, McClatchy Newspapers, 21 November 2008, <http://www.mcclatchydc.com/103/story/56268.html>.

²⁸⁷ Mary Beth Sheridan, *Sadr Followers Rally Against U.S. Accord*, The Washington Post, 22 November 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/11/21/AR2008112103471.html>; UPI, *Sadr threatens attacks on U.S. troops*, 15 November 2008, http://www.upi.com/Top_News/2008/11/15/Sadr_threatens_attacks_on_US_troops/UPI-35091226780652/.

²⁸⁸ Sudarsan Raghavan, *Sadr Movement Seeks Its Way As Others Gain Power in Iraq*, The Washington Post, 5 December 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/12/04/AR2008120404371_pf.html; Tina Susman, *U.S.-Iraqi accord shows Muqtada Sadr’s diminished clout*, LA Times, 2 December 2008, <http://www.latimes.com/news/nationworld/world/la-fg-sadr2-2008dec02.0.5209714.story>; Peter Graff, *Influence wanes for followers of Iraq’s Sadr*, Reuters, 25 November 2008, <http://www.ihf.com/articles/reuters/2008/11/25/africa/OUKWD-UK-IRAQ-SADR.php>.

158. The SOFA provides for the withdrawal of US troops from Iraqi cities, towns and villages by 30 June 2009 (at which time the ISF shall assume responsibility in each governorate) and ends overall US presence by 31 December 2011. As part of the SOFA, the US troops' operations will be largely put under Iraqi control. US troops will no longer be allowed to make arrests or search homes without a court order.²⁸⁹ Under the SOFA, the US also has to either release or hand over to Iraqi custody the 15,800 detainees currently in US detention. Reportedly, the transfer of detainees is to commence as of February 2009.²⁹⁰ The SOFA allows for amendments if both parties agree to them; this has been interpreted as a possibility to extend the US forces' presence beyond 2011, if both sides wish.²⁹¹

159. In addition to the SOFA, Iraq and the US also negotiated a so-called "strategic framework agreement", which would define relations between the countries for years in "economy, culture, science, technology, health and trade [...]." The agreement will ensure that, while US forces will continue to withdraw from Iraq, the relationship between the two countries will develop "in many other important ways".²⁹²

G. Political power struggles

160. Political and military events since 2008 have highlighted much of the underpinning tensions and enduring rivalries among the various political actors at the national and local levels.²⁹³ Most frequently, political power struggles centre on differing ideas over the future shape of Iraq and the power of the central government vis-à-vis the regions and governorates. While power struggles are largely fought in the political arena, they have at times erupted into violence and hold significant potential for more violence, in particular ahead of elections in 2009 and decisions in relation to the status of the "disputed areas".

²⁸⁹ Under the UN mandate, the MNF was authorized to carry out activities "necessary to counter ongoing security threats posed by forces seeking to influence Iraq's political future through violence", including the "internment" of members of these forces "where it is necessary for imperative reasons of security". Persons arrested by the MNF should therefore, as a rule, have been transferred to the Iraqi prison system. On an exceptional basis, provided there are "imperative reasons for security", a person could have remained in detention of the MNF-I; see UN SC, *Resolution 1546 (2004)*, 8 June 2004, <http://www.unhcr.org/refworld/docid/411340244d.html>.

²⁹⁰ AFP, *Transfer of Iraqi Prisoners to Start from February*, 12 December 2008, http://www.iraqupdates.com/p_articles.php/article/41477/refid/RN-story-12-12-2008. See also "Human Rights Situation".

²⁹¹ Tina Susman and Raheem Salman, *Iraq lawmakers approve security pact with U.S.*, LA Times, 28 November 2008, <http://www.latimes.com/news/printedition/front/la-fg-iraq28-2008nov28.0.6835426.story?page=1>.

²⁹² Peter Graft, *Iraq, US sign pact on troops withdrawal deadline*, Reuters, 17 November 2008, <http://www.reuters.com/article/vcCandidateFeed7/idUSLH492272>.

²⁹³ According to outgoing US Ambassador Ryan Crocker, as violence in Iraq has diminished, unresolved conflicts have come into sharper relief, including tensions between Arabs and Kurds, a debate over power-sharing between the federal government and the provinces and divisions within Iraq's sectarian and ethnic communities; Anthony Shadid, *Departing U.S. Envoy In Iraq Sees Risks Ahead*, The Washington Post, 23 January 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/01/22/AR2009012201762.html>; Hamza Hendawi, *Iraqi Prime Minister Al-Maliki May Be Weakened By Security Pact Dealmaking*, AP, 28 November 2008, http://www.huffingtonpost.com/2008/11/28/iraqi-prime-minister-alma_n_147016.html; Rubin, *Amid Progress, Sides Have Scores to Settle*, see above footnote 236.

161. Relations between the KRG and the central government worsened over the past year over the extent of the Kurdistan Region's autonomy and the distribution of power and resources between the two.²⁹⁴ The most contentious issue is the yet unresolved status of the so-called "disputed areas". Dispute over an Arab and Turkmen proposal for a power-sharing agreement in Kirkuk as part of the provincial elections law ignited ethnic violence on 28 July 2008 and blocked the legislative process for more than two months. Finally, the governorate was excluded from the elections in January 2009.²⁹⁵ The central government also made clear its position that the Kurdish *Peshmerga* should not operate outside the autonomous region without central approval. In August 2008, the Iraqi Army deployed units to areas under *de facto* Kurdish control in Khanaqeen (Diyala) and an armed confrontation between the ISF and the *Peshmerga* was narrowly avoided.²⁹⁶ While the presence of the Kurdish *Peshmerga* has had a stabilizing security effect in many of the disputed boundary areas in Ninewa, Kirkuk, Diyala and Salah Al-Din Governorates after the fall of the former regime, the national government's tolerance for their presence outside the KRG's official borders has been rapidly reducing while the ISF is increasingly becoming more capable and assertive. PM Al-Maliki's efforts to establish tribal "Support Councils", which he considers an extension of the US-supported SoI needed as a backup for the ISF, emerged as a new flashpoint. The formation of such groups has been met with outright opposition by the Kurdish parties and the KRG, which consider them a challenge to their power in the areas they seek to incorporate into the Kurdistan Region.²⁹⁷

²⁹⁴ Shamal Aqrabi, *Iraq Kurd leader condemns councils backed by Maliki*, Reuters, 19 January 2009, <http://www.alertnet.org/thenews/newsdesk/RAS944480.htm>; Ned Parker, *Kurdish leader sees authoritarian drift in Iraq*, LA Times, 11 January 2009, <http://www.latimes.com/news/nationworld/iraq/complete/la-fg-iraq-barzani11-2009jan11.0.7826395.story>; Saif Nasrawi, *Strange new bedfellows*, Al-Ahram Weekly, Issue No. 924, 27 November – 3 December 2008, <http://weekly.ahram.org.eg/2008/924/re101.htm>; Riyadh Muhammed and Alissa J. Rubin, *Kurds Defend Policies in Sharp Rebuke to Iraqi Government*, NY Times, 1 December 2008, <http://www.nytimes.com/2008/12/02/world/middleeast/02kurd.html>; Mohammad Akef Jamal, *Al Maliki's Attack Widens Alliance Rift*, Gulf News, 29 November 2008, <http://gulfnews.com/opinion/columns/region/10263507.html>.

²⁹⁵ In order to pass the Provincial Elections Law and make elections possible in 14 central and southern governorates, the Governorate of Kirkuk, the key sticking point in the negotiations, was excluded from the 31 January 2009 elections. See "Local and national elections".

²⁹⁶ Ernesto Londoño, *Kurds in N. Iraq Receive Arms From Bulgaria*, The Washington Post, 23 November 2008, <http://www.washingtonpost.com/wp-dyn/content/story/2008/11/23/ST2008112300239.html>; Missy Ryan, *Kurd-Arab tensions may threaten Iraq calm*, Reuters, 13 November 2008, <http://www.ihf.com/articles/reuters/2008/11/13/africa/OUKWD-UK-IRAQ-KURDS-ARABS.php>; Mohammed A. Salih, *IRAQ: Is Kurdish-Arab "Honeymoon" Over?*, IPS, 30 September 2008, <http://ipsnews.net/news.asp?idnews=44072>; Amit R. Paley, *Strip of Iraq 'on the Verge of Exploding'*, The Washington Post, 13 September 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/09/12/AR2008091203584.html>; Sherko Raouf, *Standoff over Iraqi town stokes tension with Kurds*, Reuters, 31 August 2008, <http://www.alertnet.org/thenews/newsdesk/LV159246.htm>.

²⁹⁷ Adam Ashton, *With Iraqi parliament approving pact, Maliki's stature grows*, McClatchy Newspapers, 27 November 2008, <http://www.mcclatchydc.com/iraq/story/56610.html>; Ned Parker, *Iraq's Nouri Maliki may gain power with U.S. security agreement*, LA Times, 24 November 2008, <http://www.latimes.com/news/nationworld/world/la-fg-maliki24-2008nov24.0.1460328.story>; VOI, *Barazani Criticizes al-Maliki on al-Jazeera*, 16 November 2008, http://www.iraquupdates.com/p_articles.php/article/39981; VOI, *Sahwa Councils Could Stir Sedition, Says Key Legislator*, 12 November 2008, http://www.iraquupdates.com/p_articles.php/article/39798; Joseph Krauss, *Iraqi PM feuds with Kurds over militias*, AFP, 12 November 2008, http://www.metimes.com/Politics/2008/11/12/iraqi_pm_feuds_with_kurds_over_militias/afp/; Alissa J. Rubin, *Rejection of Oil Law and Move to Create Tribal Councils Add to Tensions With Kurds*, NY

Kurdistan President Barzani threatened to treat any tribal leaders who join such councils in the three Northern Governorates as “traitors” and warned that Arabs joining such councils in neighbouring governorates could trigger war.²⁹⁸ Barzani also accused the Iraqi PM of purging Kurds from the ISF and said Al-Maliki was drifting toward authoritarian rule.²⁹⁹ PM Al-Maliki criticized the Kurds for what he considered “*unconstitutional policies*”, including the unilateral signing of oil contracts and the opening of representative offices in foreign countries.³⁰⁰ The dispute culminated in November 2008, when the Iraqi Presidency Council publicly ordered the “Support Councils” to be suspended and demanded a legal review of their formation.³⁰¹ Distrust between the two sides runs so deep that the speaker of the Kurdistan National Assembly (recently renamed Iraq’s Kurdistan Parliament),³⁰² Adnan Mufti, called upon the US to insist on guarantees from the Iraqi Government that it will not use weapons purchased from the US to oppress minority Kurds or other Iraqis as happened in the past.³⁰³ Recent revelations about the delivery of a large quantity of weapons imported from Bulgaria to the KRG, which occurred outside the weapons procurement procedures of the central government,³⁰⁴ further increased concerns over the prospect of an armed confrontation between the Kurds and the central government.³⁰⁵

162. Among the Shi’ites, power struggles pitted the Sadrist Movement/JAM and the Shi’ite dominated central government against each other. In 2008, Al-Sadr and the JAM were politically and militarily marginalized, including by military operations in the Southern

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- Times, 27 October 2008, <http://www.nytimes.com/2008/10/28/world/middleeast/28iraq.html>. See also “*Pending key political decisions*” and “*Security in the Central Governorates*” (Kirkuk, Ninewa).
- ²⁹⁸ Shamal Aqrabi, *Iraq Kurd leader condemns councils backed by Maliki*, Reuters, 19 January 2009, <http://www.alertnet.org/thenews/newsdesk/RAS944480.htm>.
- ²⁹⁹ Ned Parker, *Kurdish leader sees authoritarian drift in Iraq*, LA Times, 11 January 2009, <http://www.latimes.com/news/nationworld/iraq/complete/la-fg-iraq-barzani11-2009jan11.0.7826395.story>.
- ³⁰⁰ Rania Abouzeid, *Iraq’s Maliki Faces Challenge Over Power Grab*, Time, 4 December 2008, <http://www.time.com/time/world/article/0,8599,1863762,00.html?xid=rss-world>; Riyadh Muhammed and Alissa J. Rubin, *Kurds Defend Policies in Sharp Rebuke to Iraqi Government*, NY Times, 1 December 2008, http://www.nytimes.com/2008/12/02/world/middleeast/02kurd.html?_r=1&ref=middleeast.
- ³⁰¹ Ranj Alaaldin, *Maliki’s Survival Game*, The Guardian, 6 December 2008, http://www.iraqupdates.com/p_articles.php/article/41333; AP, *Presidential council publicly criticises Al Maliki*, 22 November 2008, <http://www.gulfnews.com/region/Iraq/10261815.html>; AFP, *Iraq’s presidency demands suspension of pro-Maliki groups*, 21 November 2008, http://news.yahoo.com/s/afp/20081121/wl_mideast_afp/iraqpoliticsmalikikurds_081121194048.
- ³⁰² Aswat Al Iraq, *Kurdish Parliament Changes Its Name*, 11 February 2009, http://www.iraqupdates.com/p_articles.php/article/45066.
- ³⁰³ Mohammed A. Salih, *IRAQ: Is Kurdish-Arab “Honeymoon” Over?*, IPS, 30 September 2008, <http://ipsnews.net/news.asp?idnews=44072>; Shamal Aqrabi, *Kurd assembly speaker wary of Iraq arms purchases*, Reuters, 8 September 2008, <http://www.reuters.com/article/latestCrisis/idUSL8163038>.
- ³⁰⁴ Ernesto Londoño, *Kurds in N. Iraq Receive Arms From Bulgaria*, The Washington Post, 23 November 2008, <http://www.washingtonpost.com/wp-dyn/content/story/2008/11/23/ST2008112300239.html>.
- ³⁰⁵ According to Kenneth B. Katzman, a Middle East specialist at the Congressional Research Service in Washington, “(Y)ou could easily have a huge eruption of violence in the north” given that “(N)othing having to do with the Kurds is resolved”; Ernesto Londoño, *Kurds in N. Iraq Receive Arms From Bulgaria*, The Washington Post, 23 November 2008, <http://www.washingtonpost.com/wp-dyn/content/story/2008/11/23/ST2008112300239.html>; see also Saif Nasrawi, *Strange new bedfellows*, Al-Ahram Weekly, Issue No. 924, 27 November – 3 December 2008, <http://weekly.ahram.org.eg/2008/924/re101.htm>.

Governorates and Sadr City,³⁰⁶ widespread arrest campaigns and a decision banning political parties with militias from competing in the provincial elections – a move seen as directly aimed at the Sadrist.³⁰⁷ The Dawa party and ISCI hold substantially different views in relation to federalism and the power of regions vis-à-vis the central government.³⁰⁸ Starting with the military operation in Basrah in March 2008, PM Al-Maliki initiated efforts to reach out to Shi'ite tribes in the Southern Governorates, both in order to garner support during the military operations and to broaden his power base.³⁰⁹ This move met the opposition of ISCI, which dominates most provincial councils in the Southern Governorates. Dawa, unlike its rivals (ISCI and the Kurdish parties), does not have an armed militia.³¹⁰ Tribal groups often find themselves caught in the middle and attacks on tribal leaders who have responded positively to Al-Maliki's outreach have already been recorded.³¹¹ The growing rivalry between ISCI and Dawa threatens to disrupt the already delicate alliance that has dominated Iraq's central government since 2006.³¹² At the local level, provincial election results indicate that the Dawa Party (which allied itself with other parties in the "State of Law" list) made significant gains at the expense of ISCI.³¹³ However, as no party won an absolute majority, they will need to build coalitions and it is not yet clear how the divisions among Dawa and ISCI will be reflected at both the local and the central level.

163. The main Sunni bloc, the IAF, has also seen some intense internal divisions as shown most recently when the parties could not agree on a candidate to replace former CoR speaker Mahmoud Al-Mashhadani, who resigned in December 2008 after widespread complaints about his outspoken and often controversial behaviour that included outbursts and offensive

³⁰⁶ Ned Parker, *In Iraq, Muqtada Sadr's followers struggle for relevance*, LA Times, 10 November 2008, <http://www.latimes.com/news/nationworld/world/la-fg-sadr10-2008nov10.0.1733929.story>; Joe Sterling, *Shiite power struggle behind Iraq clashes, analysts say*, CNN, 15 May 2008, <http://edition.cnn.com/2008/WORLD/meast/05/15/iraq.shiites/>.

³⁰⁷ ICG, *Iraq after the Surge II: The Need for a New Political Strategy*, see above footnote 221, p. 16; Ned Parker and Raheem Salman, *Iraq: Sadr's party says it won't stand in election*, LA Times, 16 June 2008, <http://articles.latimes.com/2008/jun/16/world/fg-sadr16>.

³⁰⁸ In November 2008, Al-Maliki called for amendments to Iraq's constitution to strengthen the central government's power at the expense of the governorates. ISCI, however, has long envisioned a decentralized government and favours the idea a super-region comprising the nine Southern governorates; Rania Abouzeid, *A New Twist in Iraq's Shi'ite Power Struggle*, Time, 16 November 2008, <http://www.time.com/time/world/article/0,8599,1859465,00.html?iid=tsmodule>; see also Trenton Daniel, *Iraqi's Shiite political parties vie for power in south*, McClatchy Newspapers, 27 January 2009, <http://www.mcclatchydc.com/iraq/story/60851.html>.

³⁰⁹ Scott Weiner, *Maliki Makes a Play for the Southern Tribes*, Institute for the Study of War, Backgrounder No. 37, 6 November 2008, pp. 3, 4, http://www.understandingwar.org/files/reports/Maliki_Makes_a_Play_for_the_Southern_Tribes.pdf (further: "Weiner, *Maliki Makes a Play for the Southern Tribes*").

³¹⁰ Ranj Alaaldin, *Maliki's Survival Game*, The Guardian, 6 December 2008, <http://www.guardian.co.uk/commentisfree/2008/dec/06/iraq-kurds>.

³¹¹ For example, in October 2008, a raid by ISCI-dominated ISF on members of the Al-Fatla tribe in Thi-Qar, which had recently allied itself with PM Al-Maliki, may have been politically motivated; Lourdes Garcia-Navarro, *Competition Between Iraqi Shiites Gains Strength*, NPR, 22 October 2008, <http://www.npr.org/templates/story/story.php?storyId=95989157>; Levinson/Nabhan, *Iraqi tribes caught between rival Shiite parties*, see above footnote 236. See also Weiner, *Maliki Makes a Play for the Southern Tribes*, p. 2, see above footnote 309.

³¹² Weiner, *Maliki Makes a Play for the Southern Tribes*, p. 1, see above footnote 309; Levinson/Nabhan, *Iraqi tribes caught between rival Shiite parties*, see above footnote 236; AP, *Iraq's two Shiite parties becoming bitter rivals*, 17 October 2008, http://www.iraqupdates.com/p_articles.php/article/38255.

³¹³ See "Provincial elections of 31 January 2009".

language.³¹⁴ The infighting further fractured the IAF as two factions announced that their withdrawal from the alliance, shrinking it to just over half its original size of 44 members of parliament.³¹⁵ This is a further sign that political reconciliation has to occur among all political actors, including those not currently involved in the government, rather than among the main sectarian political brokers. In Al-Anbar Governorate, tensions between the more established Sunni political parties, in particular the IIP, and the new, tribal-based parties have at times erupted into open violence.³¹⁶ Provincial election results suggest that no party won a clear majority and there will be a need to forge alliances among the more tribal and religious-based parties.

H. Pending key political decisions

164. The unresolved status of the disputed internal boundaries remains an issue of major contention and is the principal reason for increasing tensions between the KRG and the central government as well as within Kurdish-Shi'ite alliance. A process foreseen in Article 140 of the Iraqi Constitution to reverse the previous "Arabization" policy and decide in a popular referendum the status of the so-called "disputed areas" has remained stalled as two deadlines were missed.³¹⁷

³¹⁴ See, for example, AP, *Iraq parliamentary speaker resigns*, 23 December 2008, <http://www.msnbc.msn.com/id/28366888/>.

³¹⁵ Abigail Hauslohner, *In Iraqi Politics, the Sunni-Shi'ite Divide Recedes*, Time, 14 January 2009, <http://www.time.com/time/world/article/0,8599,1871080,00.html>; AP, *Sunni Infighting Blocks Legislature*, 12 January 2009, http://www.iraqupdates.com/p_articles.php/article/43148. At the same time, these developments showed that, increasingly, the system of ethno-sectarian quota-sharing in the government is weakening; see above "Introduction".

³¹⁶ See "Security in the Central Governorates" (Al-Anbar Governorate) and "Provincial elections of 31 January 2009".

³¹⁷ According to the Constitution, the referendum should have been held latest by 31 December 2007. The deadline was extended, in agreement with the KRG, for six months until 30 June 2008, but passed, to the frustration of the KRG, without any further extension or a public statement regarding further steps; Kathleen Ridolfo, *Iraq: Kirkuk Referendum Delayed By Six Months*, RFE/RL, 21 December 2007, <http://www.rferl.org/content/article/1079288.html>. A stand-off between the Iraqi Army and the Kurdish Peshmerga in Northern Diyala Governorate and the political wrangling over provincial elections stoked fears of Arab-Kurdish strife. According to Brig. Gen. Tony Thomas, the US commander in Ninewa Governorate: "(T)he whole front of where the [Kurdistan Regional Government] borders the rest of Iraq from Sinjar through Kirkuk on down to Khanaqeen is timed for a misstep, especially a military misstep. We've got a real challenge and a crisis on our hands." Leila Fadel, *Kurdish expansion squeezes northern Iraq's minorities*, McClatchy Newspapers, 11 November 2008, <http://www.mcclatchydc.com/226/story/55711.html> (further: "Fadel, Kurdish expansion squeezes northern Iraq's minorities"). According to a report by ICG, "the territorial dispute is threatening to disrupt the current fragile relative peace" and holds potential to turn into a conflict that "matches and arguably exceeds the Sunni-Shiite divide that spawned the 2005-2007 sectarian war." ICG, *Oil for Soil: Toward a Grand Bargain on Iraq and the Kurds*, Middle East Report No. 80, 28 October 2008, p. i, http://www.crisisgroup.org/library/documents/middle_east_north_africa/iraq_iran_gulf/80_oil_for_soil_toward_a_grand_bargain_on_iraq_and_the_kurds.pdf. Other observers note that the ethnic tensions over the unresolved status of Kirkuk and other "disputed areas" could turn into wider conflict within Iraq and even with repercussions in the wider region; see for example, Brian Katulis, Marc Lynch and Peter Juul, *Iraq's political transition after the surge*, Center for American Progress, September 2008, p. 20, http://www.americanprogress.org/issues/2008/09/pdf/iraq_transition.pdf; Sherko Raouf, *In Iraq, fault lines run deep over Kirkuk's future*, Reuters, 9 August 2008, <http://www.reuters.com/article/GCA-GCA-iraq/idUSL739774220080810>.

165. As part of its mandate in Iraq,³¹⁸ the United Nations Assistance Mission for Iraq (UNAMI) is in the process of developing options that would assist the Government of Iraq and the Kurdistan Regional Government in resolving disputes over internal boundaries. A first set of analyses was presented on 5 June 2008 in relation to four districts in the Governorates of Diyala and Ninewa. The UNAMI report was based on an analysis of the demographics, histories, geographies, ethnic makeup, politics and economies in each area. It suggested a methodology for resolving the status of Akre, Makhmour and Hamdaniyah Districts and the sub-district of Mandali.³¹⁹ While some parties expressed reservations with the report, it was generally agreed that the process should continue.³²⁰ A second analytical package dealing with the contentious districts of Tal Afar, Tilkaif, Shekhan and Sinjar in the Ninewa Governorate, Khanaqeen District in Diyala Governorate and, ultimately, the Governorate of Kirkuk, has been delayed until after provincial elections on 31 January 2009 in order to avoid tensions.³²¹ This decision frustrated the KRG, which said that the UN was delaying the process.³²²

166. Ahead of elections and decisions on the “disputed areas”, various groups aim at strengthening their position including by using economic and political pressure on local populations and changing the demographics in the areas. Religious and ethnic minorities such as the Christians, Yazidis and Shabak are particularly vulnerable to such attempts.³²³

167. PM Al-Maliki’s efforts to establish tribal councils (“Support Councils”) in the “disputed areas” of Kirkuk, Khanaqeen and Jalawla have been met with mistrust and open

³¹⁸ UN SC Resolution 1770 (2007) stipulates that “(...) *the Special Representative of the Secretary-General and UNAMI, at the request of the Government of Iraq, shall a. advise, support, and assist (...) iii. the Government of Iraq and the Council of Representatives (...) on the development of processes acceptable to the Government of Iraq to resolve disputed internal boundaries;*” see UNAMI, *UNAMI Mandate Renewed-UNSCR 1770*, <http://www.uniraq.org/aboutus/mandate.asp>.

³¹⁹ UNAMI, *UNAMI presents first analysis to GOI to help resolve on disputed internal boundaries*, Press Release, 5 June 2008, <http://www.uniraq.org/newsroom/getarticle.asp?ArticleID=702>.

³²⁰ US Department of Defense, *September 2008 Report to Congress*, see above footnote 231, p. 12; UN SC, *Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007)*, 28 July 2008, p. 3, http://www.uniraq.org/FileLib/misc/SG_Report_S_2008_495_EN.pdf (further: “UN SC, July 2008 Report”); VOI, *De Mistura’s proposal on internal borders is unfair – Kurdish official*, 9 June 2008, http://www.iraqupdates.com/p_articles.php/article/32156.

³²¹ UNAMI is scheduled to deliver further recommendations after mid-April 2009; Mustafa Mahmoud, *Feud delays Iraq committee Kirkuk recommendations*, Reuters, 29 March 2009, <http://www.alertnet.org/thenews/newsdesk/LT730689.htm>; Michael Christie, *INTERVIEW-UN delays report on Kirkuk to avoid tensions*, Reuters, 29 November 2008, <http://www.alertnet.org/thenews/newsdesk/LT127906.htm>. Currently, the report still has not been issued yet.

³²² The Kurdish Globe, *Article 140 must be adhered to, say Kurdish officials*, 4 December 2008, <http://www.kurdishglobe.net/displayArticle.jsp?id=88DEA1F8F71490F0FAAC0D473939B3ED>; The Jordan Times, *Kurds Slam UN Envoy over Disputed Areas*, 1 December 2008, http://www.iraqupdates.com/p_articles.php/article/40898; Adam Ashton, *Iraq, with U.N. help, seeks to improve elections*, McClatchy Newspapers, 30 November 2008, <http://www.mcclatchydc.com/iraq/story/56724.html>; Michael Christie, *INTERVIEW-UN delays report on Kirkuk to avoid tensions*, Reuters, 29 November 2008, <http://www.alertnet.org/thenews/newsdesk/LT127906.htm>. According to the US Department of Defense, “(I)ncreased tension around Kirkuk and Khanaqin during the summer legislative recess indicates KRG and GoI inflexibility may complicate future boundary-related negotiations.”; see US Department of Defense, *December 2008 Report to Congress*, p. 2, see above footnote 9.

³²³ See “*Members of religious and ethnic minorities*”.

opposition by the Kurdish parties, which fear that the Iraqi Government uses them to put its hands on what they consider Kurdish-majority areas. KRG President Massoud Barzani said that if “*the process of forming support councils would continue, there will be a confrontation*”.³²⁴

³²⁴ Barzani compared the tribal alliances to the so-called Jackass Brigades of Kurds who had allied themselves with the former regime and fought against Kurdish rebels from the 1980s until 2003. These remarks brought thousands of Sunni and Shi'ite Arab protesters to the streets, including in Tikrit, Hawija and the southern cities of Kerbala, Najef, Nasseriyah, Samawa and Hilla; Adam Ashton, *With Iraqi parliament approving pact, Maliki's stature grows*, McClatchy Newspapers, 27 November 2008, <http://www.mcclatchydc.com/iraq/story/56610.html>; Hassan al-Obeidi, *Thousands of Iraqi Arabs attend anti-Kurdish protests*, ME Times, 15 November 2008, http://www.metimes.com/Politics/2008/11/15/thousands_of_iraqi_arabs_attend_antikurdish_protests/afp/; Ako Muhammed, *Kirkuk Tribal Militias Trouble for Kurds*, Kurdish Globe, 13 November 2008, http://www.iraqupdates.com/p_articles.php?refid=DH-S-14-11-2008&article=39836. See also “*Political power struggles*”.

VI. RECENT SECURITY DEVELOPMENTS IN IRAQ

A. Introduction

168. Overall, the security situation has significantly improved since the third quarter of 2007, although the impact at the local level has been uneven. The ISF is increasingly gaining strength and capability to provide security, but major challenges remain, including sustained attacks by armed groups, infiltration and militia affiliations, corruption as well as lack of leadership, training, equipment and personnel, making it still dependent on US support. The MNF-I's role is diminishing and a complete withdrawal from Iraq is projected to take place in the foreseeable future. Whether or not the ISF is ready and capable to take on the full security responsibility with decreasing or no US support will depend on the ISF's actual manpower and combat readiness and on whether Iraq can address key political questions and advance towards political accommodation/reconciliation required to shape the ISF as a legitimate, inclusive and non-sectarian force.³²⁵ The future status of the SoI remains another challenge given that the Iraqi Government continues to show reluctance to integrate the mainly Sunni SoI into the ISF and faces unfavourable economic conditions to transfer them to civilian employment.³²⁶

169. The paragraphs which follow provide an overview of the major security developments, challenges and uncertainties, including the growing capacity of the ISF, the decreasing role of the MNF-I, the current status of the SoI and Shi'ite militias. Information is also provided on the current security situation in each of the 18 Governorates in Iraq.

B. Growing ability of the Iraqi Security Forces

170. By 30 December 2008, the total number of authorized and assigned ISF personnel was over 609,000. This includes Ministry of Interior (MoI) Forces (Iraqi Police [IP], Iraqi National Police [NP] and Department of Border Enforcement [DPE]³²⁷), Ministry of Defence (MoD) Forces (Iraqi Army [IA], Air Force and Navy) as well as Special Forces of the Counter Terrorism Bureau (CTB).³²⁸ In addition, there are more than 100,000 Facilities Protection

³²⁵ See "Growing ability of the Iraqi Security Forces".

³²⁶ See "Role of the 'Sons of Iraq'".

³²⁷ According to Anthony H. Cordesman and Adam Mausner of the CSIS, the DPE "(...) is under-funded and under-manned. It also faces severe officer and NCO shortages, equipment shortages, fuel shortages, poor logistical support, inadequate maintenance capability, and poor facilities. The DBE also faces problems with the loyalty of its personnel, as many are locally recruited and loyal to, or complicit with, smugglers;" Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe? Iraqi Force Development and Conditions-Based U.S. Withdrawals*, Final Pre-publication Draft, CSIS, 17 February 2009, p. 132, http://www.csis.org/media/csis/pubs/090217_isf.no.graph.pdf (further: "Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*").

³²⁸ Alongside the MoD and MoI, PM Al-Maliki developed a powerful third force under his personal control, thereby holding potential for abuse. The 4,500 member strong Counter-Terrorism Bureau is commanded from his National Operations Centre in Baghdad. A legislative bill to establish the Counter-Terrorism Bureau as a separate ministry still awaits approval; Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, p. 128-129; DJ Elliott, *Iraqi Security Force developments and the latest congressional quarterly report*, The Long War Journal, 15 January 2009, http://www.longwarjournal.org/archives/2009/01/iraqi_security_force_24.php; Oxford Analytica, *IRAQ:*

Service (FPS) officers that provide static guard duties at government offices and facilities.³²⁹ The US Department expects the total requirement to be between 609,000 and 646,000 by 2010.³³⁰ The numbers do not demonstrate actual training and capability.³³¹ Levels of competence in the ISF vary greatly across the country and many units still do not have the necessary logistic, transport or intelligence capabilities to independently plan, execute and sustain counterinsurgency operations,³³² including in the 14 Governorates that have thus far been transferred to Provincial Iraqi Control (PIC).³³³ Generally, the MoD Forces are better equipped and trained than the MoI Forces.³³⁴

171. In 2008, the Iraqi Government undertook several military campaigns in Basrah, Sadr City, Mosul, Missan and Diyala against Shi'ite militias and Sunni insurgents.³³⁵ These campaigns, although heavily reliant on MNF-I support, enjoyed backing from Iraqi political parties across sectarian lines. However, despite the ISF's steadily improving capabilities, "(...) *they still have serious flaws and face major uncertainties*".³³⁶

172. While the ISF has shown improving capability to plan and lead limited security operations,³³⁷ major challenges remain, including continuing dependence on the MNF-I,³³⁸

Security forces gain strength, 9 January 2009, <http://www.oxan.com/display.aspx?ItemID=DB148217> (further: "Oxford Analytica, *IRAQ: Security forces gain strength*"). See also: US Department of Defense, *December 2008 Report to Congress*, p. 31, see above footnote 9.

³²⁹ Under the former CPA, FPS forces were decentralized within each ministry and each province. The FPS Reform Law, which has yet to be passed by the CoR, will consolidate all FPS within the MoI except those FPS forces currently detailed to the Ministries of Oil and Electricity as well as the Higher Judicial Council. The projected end strength of the force is expected to be around 108,000 after the consolidation expected later in 2009; US Department of Defense, *December 2008 Report to Congress*, p. 42, see above footnote 9.

³³⁰ *Ibid.*, p. 31.

³³¹ While the US has trained more than more than 556,000 ISF personnel, it is unknown how many remain in the force; US Department of Defense, *December 2008 Report to Congress*, p. 31, see above footnote 9. According to Anthony H. Cordesman and Adam Mausner of the CSIS, official MNF-I and Government of Iraq reporting on manpower and combat readiness is overly optimistic and, in relation to the MoI and IP, can be "misleading". Of the nearly 310,000 IP personnel, lack of training, desertions and departures could reduce the number of trained forces actually in service to around 40%; Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, pp. ix, xiii, 79, 80-82, 90-91.

³³² See below paragraphs 82 and 82.

³³³ See below "Current role of the MNF-I".

³³⁴ Oxford Analytica, *IRAQ: Security forces gain strength*, see above footnote 328.

³³⁵ For a detailed analysis of these military campaigns and the ISF's performance, see Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327.

³³⁶ Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327.

³³⁷ By December 2008, of the 165 Iraqi Army battalions, 110 were rated by the US Department of Defense as being ready and able to plan, execute, and sustain operations with minimal or limited assistance from the MNF-I; US Department of Defense, *December 2008 Report to Congress*, p. 47, see above footnote 9. However, according to Anthony H. Cordesman and Adam Mausner, "*MNF-I reporting continues to sharply exaggerate the real-world readiness of Iraqi Army units, and the ability of the ISF to takeover security responsibility in given governorates*;" Anthony H. Cordesman and Adam Mausner, *Iraqi Force Development*, CSIS, July 2008, p. 4, http://www.csis.org/media/csis/pubs/080722_isf_report.pdf.

³³⁸ According to SIGIR, "(...), *Iraq's security forces still substantially rely on the United States to assist them in a wide array of activities, including logistics, border security, equipping, and training*;" SIGIR, *January 2009 Report to Congress*, pp. 4, 43, see above footnote 9.

leadership shortfalls, inadequate logistics capacity and poor procurement processes.³³⁹ Despite the ISF's reliance on MNF-I support during combat operations, it was able to successfully enter and hold Basrah, other Southern Cities and Sadr City once a ceasefire was agreed to. The ISF was mostly successful in containing violence during the most recent provincial elections.³⁴⁰ Both the MoI and MoD suffer from funding shortfalls, which, in combination with slow budget execution, further affects the ISF's development.³⁴¹ According to Lieutenant General Frank Helmick, the US general in charge of training Iraqi troops, budget losses due to low oil prices will set back Iraq's ability to rebuild, train and equip its security forces.³⁴² Furthermore, many of the civilian MoI and MoD employees do not hold the necessary qualifications for their positions and are reluctant to receive training.³⁴³ The MoI further struggles with training due to a limited number of training facilities.³⁴⁴ According to Oxford Analytica, the MoI forces yet have little cohesion; however, the IA has increasingly developed a "*corporate identity*" and is well-connected, making it a "*potential threat to democratic governance*."³⁴⁵ The National Police, which acted as a largely Shi'ite force and was deeply implicated in sectarian violence,³⁴⁶ has undergone considerable reforms, including vetting, training and purges since

³³⁹ Lieutenant General Frank Helmick, the US General in charge of training Iraqi troops, described logistics as the ISF's "*Achilles' heel*"; Missy Ryan, *INTERVIEW-Falling oil price could hamper Iraqi military – US*, Reuters, 7 February 2009, <http://www.alertnet.org/thenews/newsdesk/L7488561.htm>; see also Haro Chakmakjian, *US and Iraqi armies in race against 2011 clock*, AFP, 20 February 2009, http://news.yahoo.com/s/afp/20090220/wl_mideast_afp/iraqusaustriamilitary; SIGIR, *October 2008 Report to Congress*, p. 45, see above footnote 215.

³⁴⁰ See "*Provincial elections of 31 January 2009*".

³⁴¹ *Ibid.*, p. 46.

³⁴² Iraq derives over 95% of its budget from oil exports; Missy Ryan, *INTERVIEW-Falling oil price could hamper Iraqi military – US*, Reuters, 7 February 2009, <http://www.alertnet.org/thenews/newsdesk/L7488561.htm>.

³⁴³ US Department of Defense, *December 2008 Report to Congress*, p. 32, see above footnote 9.

³⁴⁴ SIGIR, *January 2009 Report to Congress*, p. 48, see above footnote 9.

³⁴⁵ Oxford Analytica, *IRAQ: Security forces gain strength*, see above footnote 328. According to Anthony H. Cordesman and Adam Mausner of the CSIS, "(t)he regular Iraqi Armed Forces seem to be gradually becoming a more national force, with fewer highly Kurdish and Shi'ite elements, and reducing problems with Sunni officers. This progress, however, is slow and uncertain, and largely affects the regular military and National Police. No such progress is taking place in the regular police. Most of the regular police are locally recruited and most are only briefly —trained and equipped at the national level. The Iraqi Police (IP) and many other MoI security forces will remain tied to local and regionally officials, and under de-facto local control;" Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, pp. vi, 90-91.

³⁴⁶ Robert M. Perito, senior program officer in the Center for Post-Conflict Peace and Stability Operations, testified before the House Armed Services Subcommittee on Oversight & Investigations in March 2007 that "(t)he Iraqi National Police, a patchwork organization of commando-style, counter-insurgency units, harbors sectarian death squads. [...] By summer 2006, it became clear that many of these INP [Iraqi National Police] units were engaged in sectarian violence and death squad activities." See: Robert M. Perito, *Reforming the Iraqi Interior Ministry, Police and Facilities Protection Service*, Testimony before the House Armed Services Subcommittee on Oversight & Investigations, 28 March 2007, http://www.usip.org/congress/testimony/2007/0328_perito.html. In its September 2007 report, the congressionally mandated Independent Commission on the Security Forces of Iraq assessed that the "National Police have proven operationally ineffective, and sectarianism in these units may fundamentally undermine their ability to provide security" and recommended it be "disbanded and reorganized;" General James L. Jones, *The Report of the Independent Commission on the Security Forces of Iraq*, 6 September 2007, pp. 10, 20, 110-115, available at: <http://www.csis.org/media/csis/pubs/isf.pdf>. According to the Iraq Study Group Report, mandated by the US Congress, the "Iraqi police cannot control crime, and they routinely engage in sectarian violence, including the unnecessary detention, torture, and targeted execution of Sunni Arab civilians;" James A. Baker, III and Lee H. Hamilton, *The*

2007, reducing Shi'ite dominance and incidents of abuse. However, it reportedly continues to be seen as a largely sectarian institution by many Iraqis and the process of turning the National Police into a truly non-sectarian organization has not yet been completed.³⁴⁷

173. Arab-Kurdish tensions, as seen during the stand-off in Khanaqeen in 2008, could be a key challenge to the internal cohesion of the ISF, as Kurdish-dominated Army divisions may not be under effective Central Government control or may even challenge the Central Government's authority along the Kurdistan Region's borders.³⁴⁸ In the Central and Southern Governorates, IA formations are said to have become less susceptible to political or factional influence than in the past due to the careful shuffling of units between geographical locations and a strong centralistic approach by Prime Minister Al-Maliki.³⁴⁹

C. Current role of the MNF-I

174. The additional 30,000 US troops deployed to the wider Baghdad area as of early 2007 ("Surge"), along with other developments (mainly the establishment of Awakening Councils/SoI, JAM ceasefires), have been credited with having helped stabilize formerly violent areas of Iraq.³⁵⁰ By June 2008, the additional "surge" forces had largely been withdrawn

Iraq Study Group Report, 6 December 2006, p. 13, http://www.usip.org/isd/iraq_study_group_report/report/1206/iraq_study_group_report.pdf. Even Iraq's Interior Minister, Jawad Al-Boulani, has called for the comprehensive reform of his ministry; General James L. Jones, *The Report of the Independent Commission on the Security Forces of Iraq*, 6 September 2007, p. 88, available at: <http://www.csis.org/media/isis/pubs/isf.pdf>; Edward Wong and Paul von Zielbauer, *Iraq Stumbling in Bid to Purge Its Rogue Police*, NY Times, 17 September 2006, <http://www.nytimes.com/2006/09/17/world/middleeast/17ministry.html>. See also Robert M. Perito, *Iraq's Interior Ministry: Frustrating Reform*, USIP, May 2008, http://www.usip.org/pubs/usipeace_briefings/2008/0523_iraq_interior_ministry.html; HRW, *Iraq: End Interior Ministry Death Squads*, 28 October 2006, <http://www.hrw.org/en/news/2006/10/28/iraq-end-interior-ministry-death-squads>.

³⁴⁷ Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, pp. viii and 125-126. Reportedly, the reform resulted in the replacement of all nine brigade commanders, 18 of 27 battalion commanders and the firing of 1,300 lower-ranking officers; however, senior leaders have rarely been prosecuted for their possible involvement in sectarian violence and other misconduct, but have been reassigned to other positions within the MoI. At the same time, the number of Sunnis in the National Police has been increased to around 40% of the officer corps by early 2008; Alexandra Zavis, *Iraq works to clean up national police*, LA Times, 6 February 2008, <http://articles.latimes.com/2008/feb/06/world/fg-police6>.

³⁴⁸ The Central Government has experienced problems with two predominantly Kurdish divisions based around Mosul, which have sometimes followed orders from KDP officials rather than the central government chain of command; Oxford Analytica, *IRAQ: Security forces gain strength*, see above footnote 328. According to Anthony H. Cordesman and Adam Mausner, "(T)here are deep tensions between Iraqi Kurds and Iraqi Arabs, Turcomans, and other minorities. This threatens to divide the ISF along Kurdish and Arab lines, and weaken ISF efforts to fully defeat Al Qa'ida in Iraq;" see also Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, pp. vii, xi, and 92-95.

³⁴⁹ Oxford Analytica, *IRAQ: Security forces gain strength*, see above footnote 328.

³⁵⁰ See for example, SIGIR, *October 2008 Report to Congress*, see above footnote 215; ICG, *Iraq after the Surge II: The Need for a New Political Strategy*, see above footnote 221, pp. 18-21.

without upsetting the security situation.³⁵¹ Increasingly, the overall role of the 142,000 foreign troops³⁵² in providing security and shaping the security environment is shrinking. By February 2009, security in 14 of Iraq's 18 Governorates had been handed over to PIC, with the remainder to be handed-over by June 2009.³⁵³ The SOFA concluded between the US and the Iraqi Governments, which came into force on 1 January 2009, has drastically reduced the US troops' role in independently conducting security operations or arresting and detaining suspects. The SOFA requires that all actions by the US forces be coordinated with the ISF.³⁵⁴ Reportedly, this poses particular hurdles to US troops still engaged in counter-insurgency operations. For example, in February 2009, Iraqi officials said that US troops had violated the agreement twice in recent weeks by attacking Iraqi criminal suspects in Kirkuk without consulting with their Iraqi counterparts.³⁵⁵ Under the SOFA, US troops are set to leave from Iraqi cities, towns and villages by mid-2009 and to completely withdraw from Iraq by the end of 2011.³⁵⁶ In a first step, the US military closed down large bases and outposts occupied only by US troops; however, there are no plans yet to dismantle so-called joint security stations, which they man along with ISF in Baghdad. These joint security stations had been established as part of the "surge" in early 2007 to contain sectarian violence, impose law and order and start reconstruction projects.³⁵⁷ The MNF-I commander indicated that some US troops will remain in the cities even after June 2009.³⁵⁸

175. The MNF-I's draw-down from Iraq will be a major test for the yet developing ISF. Iraqi and US government and military officials and independent observers are divided over the impact of troop withdrawals on security in Iraq and whether or not the ISF will be capable of filling in the emerging vacuum which, it is feared, conflict drivers may seek to exploit. Whether or not security gains made since 2007 can be sustained and lead to a longer-term stabilization of the country after the withdrawal of the MNF-I, will depend on several security and political issues, including the pace of withdrawal, further progress in developing the ISF, the integration of the SoI,³⁵⁹ the creation of more representative governments at the local and national level through fair and inclusive elections³⁶⁰ and the addressing of key political decisions.³⁶¹ The pace

³⁵¹ UN SC, *November 2008 Report*, p. 1, see above footnote 215. See also: Mark Tran and agencies, *Bush announces withdrawal of 8,000 troops from Iraq*, The Guardian, 9 September 2008, <http://www.guardian.co.uk/world/2008/sep/09/iraq.usa>.

³⁵² By March 2009, there were a total of 142,000 foreign troops in Iraq, including 137,000 US troops and 5,000 of different nationalities, mostly from the UK; Brookings Institution, *Iraq Index*, 12 March 2009, pp. 24-25, http://www.brookings.edu/saban/~media/Files/Centers/Saban/Iraq_Index/index.pdf.

³⁵³ The following Governorates have been transferred to Provincial Iraqi Control (PIC): Muthanna (12 July 2006), Thi-Qar (21 September 2006), Najef (20 December 2006), Missan (18 April 2007), Dahuk, Erbil and Sulaymaniyah (30 May 2007), Kerbala (29 October 2007), Basrah (16 December 2007), Diwaniyah (16 July 2008), Al-Anbar (1 September 2008), Babel (23 October 2008) and Wassit (29 October 2008). The remaining governorates (Kirkuk, Diyala, Salah Al-Din and Ninewa and finally Baghdad) are scheduled to be transferred to PIC by latest June 2009; US Department of Defense, *December 2008 Report to Congress*, p. 29, see above footnote 9.

³⁵⁴ CNN, *U.S. troops to keep lower profile in Iraq*, 5 December 2008, <http://edition.cnn.com/2008/WORLD/meast/12/05/iraq.security/>.

³⁵⁵ Alissa J. Rubin, *U.S. Military Violated Security Agreement Twice in 2 Weeks, Iraqi Leaders Say*, NY Times, 6 February 2009, <http://www.nytimes.com/2009/02/07/world/middleeast/07iraq.html>.

³⁵⁶ See "Status of Forces Agreement (SOFA)".

³⁵⁷ Ernesto Londoño, *U.S. Troops Uneasy as Rules Shift in Iraq*, The Washington Post, 12 January 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/01/11/AR2009011102565.html>.

³⁵⁸ SIGIR, *January 2009 Report to Congress*, p. 44, see above footnote 9.

³⁵⁹ See "Role of the 'Sons of Iraq'".

³⁶⁰ See "Local and national elections".

of withdrawal is yet an open question. On the basis of the SOFA, the full withdrawal of US combat troops is set to be by 31 December 2011. US President Barack Obama, who had made the withdrawal of all US combat troops within 16 months from taking office (i.e. by 20 May 2010) a centrepiece of his electoral campaign,³⁶² told Americans on 1 February 2009 that a substantial number of the 140,000 US troops in Iraq would be home within a year.³⁶³ The further strengthening of PM Al-Maliki as a result of the recent provincial elections may also bolster the US Government's objective of drawing back US forces from Iraq.³⁶⁴ Senior Iraqi officials, although expressing some concerns about a quick US withdrawal, made it clear that they too are open to seeing US forces depart ahead of schedule, setting the stage for a renegotiated withdrawal deadline.³⁶⁵ PM Al-Maliki on 26 January 2009 announced that the pace of withdrawals "*will be accelerated and occur before the date set in the agreement.*"³⁶⁶ On the other hand, General Baha'a Nouri Yasseen, a commander of the National Police in Baghdad, speaking in his personal capacity, said US forces needed to stay for the time being and "*it is not the right time*" for a swift US withdrawal.³⁶⁷

176. Non-US coalition forces, including the UK, which has 4,100 troops in Iraq and Australia with several hundred remaining troops, signed their own security agreement with Iraq on 23 December 2008, stipulating their pull-out by 31 July 2009.³⁶⁸

D. Role of the "Sons of Iraq"

177. In late 2006, Sunni tribes and former insurgent groups in Al-Anbar Governorate began to turn against AQI, which had its stronghold there. In early 2007, the US military started to support and train these groups and encouraged the "Awakening" movements to spread into other Governorates, including Baghdad, Diyala, Salah Al-Din, Babel, Ninewa and Kirkuk, where the Sunni insurgency led a violent campaign against the MNF-I/ISF and Iraqi civilians.

³⁶¹ See above "*Pending key political decisions*".

³⁶² Obama also said he would retain a "*residual force*" in Iraq and the region to perform missions such as counter-terrorism missions against AQI and force protection for US facilities such as the new US Embassy in Baghdad, although he did not specify how large this force would be. He also said that the removal of US troops will be "*responsible and phased*"; see Obama/Biden, *Plan for Ending the War in Iraq*, visited 8 February 2009, <http://www.barackobama.com/issues/iraq/>.

³⁶³ Ross Colvin, *Obama says most US troops in Iraq home within a year*, Reuters, 1 February 2009, <http://www.alertnet.org/thenews/newsdesk/N01397189.htm>.

³⁶⁴ Oxford Analytica, *IRAQ: Election implications are mixed*, 6 February 2009, <http://www.oxan.com/display.aspx?ItemID=ES148903>.

³⁶⁵ Mark Kukis, *How Soon Is Too Soon to Leave Iraq?*, Time, 26 January 2009, <http://www.time.com/time/world/article/0,8599,1873494,00.html>; AP, *Iraq Willing to See US Troops Leave Early*, 22 January 2009 http://www.iraquupdates.com/p_articles.php/article/43847; Reuters, *Obama to discuss Iraq troop drawdown on Wednesday*, 20 January 2009, <http://www.alertnet.org/thenews/newsdesk/N20405853.htm>.

³⁶⁶ Reuters, *Iraq prime minister expects speedier US pullout*, 26 January 2009, <http://www.alertnet.org/thenews/newsdesk/LQ237863.htm>.

³⁶⁷ Mark Kukis, *How Soon Is Too Soon to Leave Iraq?*, see above footnote 365.

³⁶⁸ UPI, *Britain, Australia, Iraq sign troop pact*, 31 December 2008, http://www.upi.com/Top_News/2008/12/31/Britain_Australia_Iraq_sign_troop_pact/UPI-47281230733945/; Saif Hameed and Ned Parker, *Iraq OKs security deal allowing British troops to stay*, LA Times, 24 December 2008, <http://www.latimes.com/news/nationworld/world/la-fg-iraq24-2008dec24.0.6784776.story>.

Members of the SoI fight along MNF-I/SIF, man checkpoints, conduct patrols and provide the MNF-I/ISF with intelligence on insurgent activities, using their local knowledge and contacts.

178. The SoI, which largely enjoys control of Sunni-dominated areas of the Central Governorates, including Sunni-dominated neighbourhoods in Baghdad, is credited with helping to calm down formerly particularly violent and inaccessible areas of Iraq. In Baghdad (as opposed to more rural areas of Al-Anbar Governorate), the councils are less tribe-based as the population is not from one tribe and tribal bonds in general are weaker, but are largely composed of former insurgents.³⁶⁹ The various councils are fragmented and disconnected, exercising only local control in their neighborhoods.³⁷⁰ For example, Baghdad, where more than half of the SoI are based, reportedly accounts for 35 different groups.³⁷¹

179. This large mostly Sunni and tribal force is supposed to be a temporary security arrangement and the more than 90,000 men³⁷² need to be brought under government control and be provided with regular employment in the armed forces or in the public sector. As of autumn 2008, the Iraqi Government gradually took over responsibility for more than 84,000 SoI in Baghdad (as of 1 October 2008),³⁷³ Diyala, Babel, Diwaniyah and Wassit (as of 1 January 2009)³⁷⁴ Al-Anbar (1 February 2009)³⁷⁵ as well as Kirkuk and Ninewa Governorates (1 March 2009).³⁷⁶ Some 10,000 SoI in Salah Al-Din Governorate remain to be handed over in the coming months.³⁷⁷

³⁶⁹ This make-up reportedly also renders the groups in Baghdad more prone to infiltration; see Fadhil Ali, *Iran Charged with Infiltration and Sabotage of Iraq's Awakening Councils*, The Jamestown Foundation, Terrorism Focus, Volume 5, Issue 14, 9 April 9, 2008, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=4840; see also Brian Katulis, Peter Juul and Ian Moss, *Awakening to New Dangers in Iraq*, Center for American Progress, February 2008, p. 6, http://www.americanprogress.org/issues/2008/02/pdf/new_dangers.pdf.

³⁷⁰ Katulis, Juul and Moss, *Awakening to New Dangers in Iraq*, see above footnote 369.

³⁷¹ Charles Levinson, *Iraqi Army Prepares to Pay Sunni Fighter Groups*, USA Today, 10 November 2008, http://www.usatoday.com/news/world/iraq/2008-11-09-awakening-councils_N.htm.

³⁷² As of December 2008, there were 92,000 persons registered with the US Military, which refers to them as "Sons of Iraq"; US Department of Defense, *December 2008 Report to Congress*, p. iv, see above footnote 9. The US Department of Defense's figure does, however, not include the estimated 25,000 members of the Al-Anbar Awakening Councils. About 20% (18,000) of the force are Shi'ites, the large majority is Sunnis; Brookings Institution, *Iraq Index*, 19 February 2009, p. 11, <http://www.brookings.edu/saban/iraq-index.aspx> (further: "*Iraq Index*, 19 February 2009").

³⁷³ The Iraqi Government also assumed to pay their monthly salaries (US \$300 for lower-level personnel) as of 1 November 2008; Richard Tomkins, *Incorporating The Sons Of Iraq*, RFE/RL, 15 December 2008, http://www.rferl.org/content/Incorporating_The_Sons_Of_Iraq/1359808.html; Charles Levinson, *Iraqi Army Prepares to Pay Sunni Fighter Groups*, USA Today, 10 November 2008, http://www.usatoday.com/news/world/iraq/2008-11-09-awakening-councils_N.htm.

³⁷⁴ Jim Heintz, *Government gets control of Sons of Iraq in Diyala*, AP, 4 January 2009, http://www.boston.com/news/world/middleeast/articles/2009/01/04/government_gets_control_of_sons_of_iraq_in_diyala/.

³⁷⁵ Unlike the other governorates where the Iraqi Army is taking control of the SoI, in Al-Anbar, the SoI are transferred to the Iraqi Police, with which they had forged a close relationship from its early days on; MNF-I, *Anbar Sons of Iraq transfer complete*, 9 February 2009, http://www.mnf-iraq.com/index.php?option=com_content&task=view&id=25359&Itemid=128.

³⁷⁶ Barry Parker, *Iraq govt to control US-backed Sunni militias by April*, AFP, 12 March 2009, http://news.yahoo.com/s/afp/20090312/pl_afp/iraqusmilitarymilitia.

³⁷⁷ Tim Cocks, *US hands almost all Sunni guards to Iraqi control*, Reuters, 21 March 2009, <http://www.alertnet.org/thenews/newsdesk/LL466696.htm>.

180. The transfer of the SoI to Iraqi Government control has gone smoothly so far;³⁷⁸ however, uncertainties over their economic and political future remain. The Iraqi Government vowed to absorb 20% of the SoI into the ISF and provide the rest with civilian employment. However, the process has been slow and “(c)oncerns remain regarding the ability and will of the Shia-led GOI to absorb or pension off the SOI.”³⁷⁹ The numbers of SoI reportedly incorporated into the ISF vary from 5,200 to 20,000.³⁸⁰ As “(...) as unemployment rises and oil prices fall, economic troubles could make integration [into civilian government employment] difficult.”³⁸¹ Already, the UN Office for Humanitarian Affairs (OCHA) warned that Iraq cannot sustain the high number of public sector employees.³⁸² Furthermore, the SoI’s political ambitions worry the Shi’ite-dominated Government.³⁸³ Mutual distrust and hostility remains prevalent on all sides.³⁸⁴ ISF-led arrests and raids targeting SoI leaders in Diyala in October 2008³⁸⁵ as well as public statements by senior government officials calling for the dissolution of the SoI programme increased fears that the Iraqi Government ultimately intends to dismantle the programme without providing the SoI with adequate alternatives,³⁸⁶ in particular in light of

³⁷⁸ According to Kenneth Katzman, a specialist in Middle Eastern affairs for the non-partisan CRS, “It’s been smoother than expected. It’s been almost two months [since the October 1 handover], and so far I have not seen any major problems;” Greg Bruno, *Finding a Place for the ‘Sons of Iraq’*, CFR, 9 January 2009, <http://www.cfr.org/publication/16088/> (further: “Greg Bruno, *Finding a Place for the ‘Sons of Iraq’*”).

³⁷⁹ SIGIR, *January 2009 Report to Congress*, p. 14, see above footnote 9.

³⁸⁰ According to the Brookings Institution, 5,200 have been integrated into the ISF, another 2,300 have been vetted for possible ISF positions and some 15,000 found other permanent employment (by October 2008); *Iraq Index*, 19 February 2009, see above footnote 372, p. 11. According to the US Department of Defense, which expressed concern over the slow pace of transition, over 16,000 Awakening members made the transition in 2006 and 2007, while in 2008 only a small number has been integrated into the ISF or other employment; US Department of Defense, *September 2008 Report to Congress*, p. 7, see above footnote 231. See also Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, pp. viii, 143.

³⁸¹ Greg Bruno, *Finding a Place for the ‘Sons of Iraq’*, see above footnote 378.

³⁸² OCHA warned in its recent Labour Force Analysis 2003-2008 that already now “(T)he recent sharp drop in oil prices and absence of other budget sources makes this level of public employment unsustainable.” Public sector employment, which has doubled since 2005, currently makes up for 60% of all full-time jobs in Iraq. Unemployment is particularly high among young men with 28% of those aged 15 to 29 being unemployed. The report noted that Iraq’s private and public sectors are ill-equipped to provide jobs for 450,000 new entrants yearly into the labour force. Young unemployed men are particularly vulnerable to recruitment by insurgents; Tina Susman, *Iraq’s young jobless threaten stability, report says*, LA Times, 16 February 2009, <http://www.latimes.com/news/nationworld/iraq/complete/la-fg-iraq16-2009feb16.0,1693723.story>; AFP, *Too Many Iraqis in Government Jobs: UN*, 15 February 2009, http://www.iraqupdates.com/p_articles.php/article/45294; LA Times, *IRAQ: Unemployment bad and getting worse*, Babylon & Beyond, <http://latimesblogs.latimes.com/babylonbeyond/2009/02/iraq-iraq-unemp.html>.

³⁸³ *Ibid.*; Jack Fairweather, *Political ambitions of Sunni tribal leader worry Baghdad elite*, FT, 19 April 2008, http://www.ft.com/cms/s/0/112332c8-0dad-11dd-b90a-0000779fd2ac.html?ncllick_check=1.

³⁸⁴ Greg Bruno, *Finding a Place for the ‘Sons of Iraq’*, see above footnote 378; Richard Tomkins, *Incorporating The Sons Of Iraq*, RFE/RL, 15 December 2008, http://www.rferl.org/content/Incorporating_The_Sons_Of_Iraq/1359808.html.

³⁸⁵ A raid of the home of an Awakening leader by ISF in Diyala on 21 October 2008 supported concerns that the Shi’ite-dominated Iraqi Government and the predominantly Sunni Awakening Councils will face further confrontations in the absence of US supervision, undermining the chances of sustaining the current security improvements; Oxford Analytica, *IRAQ: Awakening Council raid raises tensions*, 21 October 2008, <http://www.oxan.com/display.aspx?ItemID=ES146396>.

³⁸⁶ According to the US Department of Defense, “allegations of GoI targeting SoI leaders in Diyala Province are of concern if they are indicators of GoI reluctance to integrate SoI into the ISF or, more

decreasing US supervision.³⁸⁷ Unless jobs and economic opportunities are found for a large segment of the force and the SoI are also included in power-sharing at the local and national level, the gains the SoI have made are at stake and many elements, armed and unemployed, could once more turn hostile to the central government.³⁸⁸

181. Given the increase in suicide bombings by women,³⁸⁹ some 1,000 women have been recruited by the MNF-I in various governorates in a programme called “Daughters of Iraq”. These women are trained to search other females at security checkpoints and entrances to government facilities, thereby expanding the capabilities of the SoI, which for cultural reasons cannot search suspect females. In addition, the programme provides much-needed income to Iraqi women with few chances for employment.³⁹⁰

182. There are rifts within the SoI, as different groups vie for power and access to resources. This became evident during the last provincial elections in Al-Anbar Governorate, when tribal groups competed fiercely for votes.³⁹¹ Also, the traditional Sunni Arab political parties such as the IIP, are wary of the SoI seeking political representation, considering them as political competitors.³⁹² The SoI also continues to be a major target for AQI³⁹³ and has reportedly also

broadly, to reconcile a diverse province”; US Department of Defense, *September 2008 Report to Congress*, see above footnote 231, p. 7.

³⁸⁷ According to Kenneth Katzman of the CRS, “(U)ntil the United States really draws down and is not completely tied up with security affairs in Iraq it’s going to be really difficult to say how the Sons of Iraq are going to be treated;” Greg Bruno, *Finding a Place for the ‘Sons of Iraq’*, see above footnote 378. Nir Rosen, in his testimony to Congress in April 2008, referred to the Awakening Councils as “new militias” and predicted that with the reduction of US troops from Iraq there will be “(...) increased space for Sunni and Shiite militias to operate in, they will resume fighting for control over Baghdad and its environs;” Nir Rosen, *Prepared Testimony of Nir Rosen Before the Senate Committee on Foreign Relations*, April 2008, pp. 3, 4, <http://www.senate.gov/~foreign/testimony/2008/RosenTestimony080402p.pdf>; Joost Hiltermann of the ICG said that “(I)f the Americans pull out, they will start fighting each other unless there is political accommodation and power-sharing arrangements at the top;” Sam Dagher, *Market Bombings: Baghdad Locals Want Security, not Iraqi Police*, CS Monitor, 4 February 2008, <http://www.csmonitor.com/2008/0204/p06s01-woiq.html>.

³⁸⁸ Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, p. viii; Greg Bruno, *Finding a Place for the ‘Sons of Iraq’*, see above footnote 378. According to the UN Secretary-General, the Sunni fighters “(...) satisfactory incorporation into government organs and civilian life will be a key determinant in consolidating security and stability gains in Iraq as State security forces take on increasing responsibility and improve their capacities across the country;” UN SC, November 2008 Report, p. 14, see above footnote 215.

³⁸⁹ See below paragraph 259.

³⁹⁰ SIGIR, *January 2009 Report to Congress*, p. 46, see above footnote 9. See also: CNN, *U.S. trains Iraqi women to find female suicide bombers*, 24 June 2008, <http://edition.cnn.com/2008/WORLD/meast/06/24/daughters.of.iraq/>; Army Capt. Mike Starz, *Soldiers Help Create ‘Daughters of Iraq’ Program*, American Forces Press Service, 18 April 2008, <http://www.defenselink.mil/news/newsarticle.aspx?id=49628>.

³⁹¹ Sam Dagher, *Tribal Rivalries Persist as Iraqis Seek Local Posts*, NY Times, 19 January 2009, <http://www.nytimes.com/2009/01/20/world/middleeast/20anbar.html>; IHT, *A Dark Side to Iraq ‘Awakening’ Groups*, 4 January 2008, <http://www.military.com/NewsContent/0,13319,159357,00.html>.

³⁹² See “*Political power struggles*”.

³⁹³ In late December 2007, Osama bin Laden condemned those joining the Awakening movement, calling them “traitors” and “infidels.” Since then, there has reportedly been an exceptional spike in AQI attacks against members of the Awakening Councils; see Greg Bruno, *Finding a Place for the ‘Sons of Iraq’*, see above footnote 378. See also “*Iraqis affiliated with the MNF-I or foreign companies*”.

been targeted by factions of the Shi'ite JAM and the Badr Corps.³⁹⁴ The SoI is also wary of the new "Support Councils"³⁹⁵ established by PM Al-Maliki, fearing them to be a way to sideline them.³⁹⁶

E. Shi'ite militias

183. Since 2004, Muqtada Al-Sadr and his JAM played a pivotal role in defining the security and political environment in Baghdad and the Southern Governorates. Al-Sadr, who enjoys wide popular support among the young and impoverished Shi'ite population, has pursued his goals with military and, as of 2006, political means as well. In 2004, the JAM was engaged in two armed uprisings against the US Forces in Najef and a power struggle with other Shi'ite groups, in particular ISCI and the Badr Organization, erupted into open violence in 2006 and 2007. The JAM was also involved in a violent struggle over power and territory with Sunni insurgent groups in Baghdad, which included systematic sectarian killings and displacement of Sunnis and resulted in a significant change of the capital's sectarian make-up in mainly 2006 and parts of 2007. In parallel, the Sadr Movement also engaged in the political process. In May 2006, Al-Sadr, whose loyalists won 30 seats in the CoR in the December 2005 national elections, helped PM Al-Maliki come to power and form his government. However, he soon split with Al-Maliki and, in April 2007, withdrew his six ministers from the cabinet after the PM's refusal to set a timetable for US troop withdrawal from Iraq.³⁹⁷ Since August 2007, Al-Sadr has imposed a series of unilateral ceasefires on the splintering JAM in order to regain control and enhance its distorted reputation.³⁹⁸ The unilateral ceasefires, which by and large have been honoured by the mainstream JAM, are widely considered a crucial factor in Iraq's improved security as specific types of violence associated with the JAM have noticeably declined, in particular sectarian killings.³⁹⁹ In addition, formerly open intra-Shi'ite violence has

³⁹⁴ Bill Roggio, *Iran undermines Iraq's Awakening movement*, The Long War Journal, 27 February 2008, http://www.longwarjournal.org/archives/2008/02/iran_undermines_iraq.php; Mardini, *Uncertainty Facing Iraq's Awakening Movement Puts U.S. Strategy at Risk*, February 2008; Farook Ahmed, *Sons of Iraq and Awakening Forces*, ISW, Background No. 23, 21 February 2008, p. 12, <http://www.understandingwar.org/files/reports/Backgrounder%2023%20Sons%20of%20Iraq%20and%20Awakening%20Forces.pdf>; Solomon Moore and Richard A. Oppel Jr., *Attacks Imperil U.S.-Backed Militias in Iraq*, NY Times, 24 January 2008, http://www.nytimes.com/2008/01/24/world/middleeast/24sunni.html?_r=1&oref=slogin; Kathleen, Ridolfo, *Iraq: Awakening Councils Face Political, Terrorist Pressure*, January 2008.

³⁹⁵ See for more information on the "Support Councils": "Political power struggles".

³⁹⁶ AP, *Presidential council publicly criticises Al Maliki*, 22 November 2008, <http://www.gulfnews.com/region/Iraq/10261815.html>; Hamza Hendawi, *Program in Iraq against al-Qaida faces uncertainty*, AP, 29 June 2008, http://www.usatoday.com/news/world/2008-06-29-3345723750_x.htm.

³⁹⁷ Sudarsan Raghavan, *Six Sadr Loyalists Quit Cabinet in Challenge to Iraqi Premier*, The Washington Post, 17 April 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/04/16/AR2007041600638.html>.

³⁹⁸ On 31 August 2007, Al-Sadr ordered the JAM to temporarily lay down its arms for six months. After another six-month extension in the end of February 2008, Al-Sadr extended the freeze indefinitely on 28 August 2008; BBC, *Iraq's Sadr extends militia truce*, 28 August 2008, http://news.bbc.co.uk/2/hi/middle_east/7586284.stm.

³⁹⁹ Sudarsan Raghavan, *Sadr Movement Seeks Its Way As Others Gain Power in Iraq*, The Washington Post, 5 December 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/12/04/AR2008120404371_pf.html; Richard A. Oppel Jr., *Sadr orders Mahdi army to extend cease-fire*, IHT, 22 February 2008,

subsided to a large extent, although targeted assassinations of political rivals continue.⁴⁰⁰ Military operations and arrest campaigns in Basrah, Baghdad (Sadr City) and Missan have further weakened the JAM in its major strongholds.

184. A number of JAM breakaway factions as well as allegedly Iranian-supported “Special Groups” continue to confront the ISF/MNF-I and seek to destabilize the security environment irrespective of Al-Sadr’s instructions.⁴⁰¹ While these groups have reportedly been weakened during the recent crackdowns in their strongholds in Baghdad and the Southern Governorates, resulting in numerous deaths and arrests, many of their leaders are said to have fled to neighbouring Iran where they regroup, retrain and rearm themselves with the intent of returning to Iraq.⁴⁰² Reports of arrests and discoveries of weapons caches in mainly Southern Governorates as well as a number of attacks in recent months seem to indicate that militiamen have indeed returned and maintain the ability to disrupt the security environment.⁴⁰³ Some of these groups are reportedly also involved in criminal activities.⁴⁰⁴

F. Sectarian violence and segregation

185. The widespread sectarian violence among Iraq’s Sunni and Shi’ite communities that gripped the mixed parts of the country between 2005 and 2007 has largely abated due to several factors, including the turning of tribal and former insurgent groups’ against AQI,⁴⁰⁵ repeated JAM ceasefires,⁴⁰⁶ the surge of 30,000 US troops⁴⁰⁷ and their enhanced presence in Baghdad’s streets and, arguably, the *de facto* segregation of formerly mixed due to sectarian cleansing.

<http://www.iht.com/articles/2008/02/22/mideast/iraq.php>; Bill Roggio, *Report: Sadr to extend cease-fire*, The Long War Journal, 21 February 2008, http://www.longwarjournal.org/archives/2008/02/report_sadr_to_exten.php.

⁴⁰⁰ See “*Iraqis affiliated with parties engaged in power struggles*”.

⁴⁰¹ See for example, Kenneth Katzmann, *Iran’s Activities and Influence in Iraq*, CRS Report for Congress, 13 February 2009, <http://www.fas.org/sgp/crs/mideast/RS22323.pdf>; Mark Mazzetti, *Documents Say Iran Aids Militias From Iraq*, NY Times, 18 October 2008, <http://www.nytimes.com/2008/10/19/world/middleeast/19intel.html?em>; Joseph Felter and Brian Fishman, *Iranian Strategy in Iraq: Politics and “Other Means”*, Combating Terrorism Center at West Point, 13 October 2008, http://ctc.usma.edu/Iran_Iraq.asp; Marisa Cochrane, *Special Groups Regenerate*, ISW, Iraq Report No. 11, 2 September 2008, <http://www.understandingwar.org/files/reports/IraqReport11.pdf>; US Senate Committee on Armed Services, *Statement of General David H. Petraus, Commander, Multi-National Force-Iraq*, 8 April 2008, http://armed-services.senate.gov/Transcripts/2008/04_April/A_Full_Committee/08-33_-_4-8-08.pdf; Kimberley Kagan, *Iran’s Proxy War Against the United States and Iraq*, ISW, Iraq Report No. 6, 29 August 2007, <http://www.understandingwar.org/files/reports/IraqReport06.pdf>.

⁴⁰² US Department of Defense, *December 2008 Report to Congress*, p. 18, see above footnote 9.

⁴⁰³ VOI, *Documents say Iran helps Iraqi militia- paper*, 19 October 2008, http://www.iraqupdates.com/p_articles.php/article/38174.

⁴⁰⁴ US Department of Defense, *December 2008 Report to Congress*, p. 5, see above footnote 9.

⁴⁰⁵ See “*Role of Awakening Councils*”.

⁴⁰⁶ See “*Shi’ite militias*”.

⁴⁰⁷ See “*Current Role of the MNF-I*”.

186. Since the escalation in sectarian violence after the Samarra bombing in February 2006, the demographic structure of Iraq's mixed areas, and Baghdad in particular, has been altered dramatically. This has been most evident in the capital Baghdad, which has turned from an *"ethnically mixed city to a patchwork of rival ethnic and religious enclaves whose residents rarely intersect outside their gated communities."*⁴⁰⁸

187. Baghdad used to have a Sunni-majority population in 2003 and has subsequently become a Shi'ite-majority city. Shi'ites now reportedly constitute a clear majority in more than half of all neighbourhoods and several Sunni areas have become surrounded by predominately Shi'ite neighbourhoods. Baghdad has become segregated with the Sunnis living in "*ghettos encircled by concrete blast walls to stop militia attacks and car bombs.*"⁴⁰⁹ Reportedly, walls now separate and surround at least eleven Sunni and Shi'ite enclaves in Baghdad.⁴¹⁰ More recently, there are reports that segregation walls are dismantled in some parts of the city in a sign of relative normalization.⁴¹¹ However, the homogenization of neighbourhoods continues as returns of Sunnis to Shi'ite-dominated areas and Shi'ites to Sunni-dominated areas are very limited and there have been reports of targeted attacks on returnees belonging to the opposite sect.⁴¹² In June 2008, hundreds of Shi'ite IDPs demonstrated in Baghdad to protest against the SoI in the Sunni-dominated neighbourhood of Adil, saying that they were preventing them from returning to their homes in the neighbourhood.⁴¹³

188. Despite the drastic fall of sectarian violence since late 2007, extremist groups such as AQI aim at reigniting sectarian violence, including by targeting Shi'ite sites, including religious places or pilgrims during Shi'ite festivities, mainly in Shi'ite-dominated areas of Baghdad, Babel and Kerbala but also in Sunni areas where Shi'ites make up a minority (e.g. Diyala, Salah Al-Din, Ninewa). For example, during three consecutive days of attacks during the *Arba'een* religious rite, insurgents targeted Shi'ite pilgrims in Baghdad, Babel and Kerbala Governorates, killing at least 65 people and wounding many more. Earlier this year, dozens of pilgrims commemorating the anniversary of the Imam Hussein's death were killed or wounded in Baghdad and Khanaqeen (Diyala). Occasionally, bodies are found in the streets of Baghdad and other mixed areas, often bearing signs of torture and gun shot wounds. It is often difficult

⁴⁰⁸ Glenn Kessler, *Ethno-Sectarian Violence*, The Washington Post, 9 April 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/04/08/AR2008040803527.html?sid=ST2008040803815>.

⁴⁰⁹ Leila Fadel, *Security in Iraq still elusive*, McClatchy Newspapers, 9 September 2007, <http://www.mcclatchydc.com/homepage/story/19566.html>.

⁴¹⁰ According to Foreign Policy In Focus, the US military policy "*has been less about minimizing violence than containing Iraq's population;*" see Steve Niva, *The New Walls of Baghdad*, Foreign Policy In Focus, 21 April 2008, <http://www.fpif.org/fpifxt/5162>; see also Anthony Shadid, *Baghdad a city divided, with walls at every turn*, The Washington Post, 4 January 2009, http://www.boston.com/news/world/middleeast/articles/2009/01/04/baghdad_a_city_divided_with_walls_at_every_turn/.

⁴¹¹ Stephen Farrell, Alissa J. Rubin, Sam Dagher and Erica Goode, *As Fears Ease, Baghdad Sees Walls Tumble*, NY Times, 9 October 2008, <http://www.nytimes.com/2008/10/10/world/middleeast/10walls.html>; see also Laith Hammoudi, *Iraqis cross divide in Baghdad*, McClatchy Newspapers, 12 November 2008, http://seattletimes.nwsource.com/html/nationworld/2008380170_iraqbridge12.html.

⁴¹² See "*Members of religious/ethnic minorities returning to areas where they constitute a minority*".

⁴¹³ Hamza Hendawi, *Program in Iraq against al-Qaida faces uncertainty*, AP, 29 June 2008, http://www.usatoday.com/news/world/2008-06-29-3345723750_x.htm.

to determine whether these continue to be limited excesses of sectarian violence or mere criminal acts or both.⁴¹⁴

G. Iranian and Turkish cross-border military operations

189. The reported presence of several thousands PKK (Kurdistan Workers Party) and PJAK (Party for a Free Life in Kurdistan) fighters in remote mountain areas of Northern Iraq leads to repeated cross-border shelling campaigns by Iranian and Turkish forces, causing material damage, limited civilian casualties⁴¹⁵ and, mostly temporary, displacement.⁴¹⁶ Existing tensions built up in late 2007 and resulted in thousands of Turkish troops massing at the border and a series of aerial bombardments of border areas in November and December 2007. On 21 February 2008, Turkey launched a one-week ground and air offensive into Iraqi Kurdistan to target the PKK, which Turkey claims is using Northern Iraq as a launch-pad for attacks on Turkish soil. A brief standoff between the Kurdish *Peshmerga* and Turkish troops near Dahuk did not result in an armed confrontation.⁴¹⁷ UN Secretary-General Ban Ki-moon expressed concern about the escalation, saying that “(T)he protection of civilian life on both sides of the border remains the paramount concern”,⁴¹⁸ and Iraq and the US urged Turkey to end its incursion as soon as possible amid fears of escalating regional tensions.⁴¹⁹ Turkey said that it had given the PKK a “lesson” by inflicting high casualties and severe damage to the PKK’s

⁴¹⁴ UNAMI HRO, *Human Rights Report 1 January – 30 June 2008*, December 2008, p. 11, http://www.uniraq.org/documents/UNAMI_Human_Rights_Report_January_June_2008_EN.pdf (further: “UNAMI, *June 2008 Human Rights Report*”). See also “*Security in the Central Governorates*” (Baghdad) and “*Security in the Southern Governorates*” (Wassit, Missan).

⁴¹⁵ During the March 2008 shelling, five to eight villagers were wounded, a few heads of livestock were killed and orchards were burnt; UNHCR, January 2009.

⁴¹⁶ Three hundred families (around 900 persons) displaced from their villages in Zharawa and Sangasar Sub-Districts in Pishdar District (Sulaymaniyah Governorate) in December 2007 have not yet been able to return due to ongoing military activities in the area. In the Rawandouz, Soran and Choman areas (Erbil Governorate), some 150-200 persons remain displaced to date; UNHCR, February 2009. According to the Directorate of Displacement and Migration (DDM) in Erbil, the cross-border shelling between mid-2007 and 2008 affected around 100 villages and 2,000 persons in Erbil Governorate, including by internally displacing some of them and destroying their houses, livestock and farming land; information from DDM Erbil, February 2009. See also: UNHCR, *UNHCR helps displaced families in northern Iraq*, 18 March 2009, <http://www.unhcr.org/news/NEWS/49c7b8ec2.html>.

⁴¹⁷ Turkey had retained small bases inside Northern Iraq since earlier offensives in the 1990s. When Turkish tanks attempted to leave one of the bases inside Dahuk Governorate, the *Peshmerga* stopped them from doing so, nearly bringing the two armies into a confrontation; Mariam Karouny, *Iraq protests Turkish incursion into N.Iraq*, Reuters, 22 February 2008, <http://www.alertnet.org/thenews/newsdesk/L22815380.htm>.

⁴¹⁸ AP, *Turkey launches ground incursion into Iraq*, 22 February 2008, <http://www.ihf.com/articles/ap/2008/02/22/news/Turkey-Iraq.php>.

⁴¹⁹ BBC, *Turkish troops pull out of Iraq*, 29 February 2008, <http://news.bbc.co.uk/2/hi/europe/7270566.stm>. The Iraqi Government denounced the Turkish Army’s incursion saying that tensions could escalate if the Kurdish military forces were drawn into the fight, in which case the lives of civilians might be endangered and infrastructure damaged. The KNA, in a special session, unanimously approved a measure authorizing the *Peshmerga* to defend themselves and the Kurdistan Region if they were attacked by Turkish troops. It also called on the Turkish Government to provide compensation for material losses sustained as a result of the incursion; Kim Gamel, *Iraq Government Demands Turkey Withdraw From Country*, AP, 26 February 2008, http://www.huffingtonpost.com/2008/02/26/iraq-government-demands-t_n_88501.html.

infrastructure in the region and pledged that “*other lessons*” would follow.⁴²⁰ Some analysts say that the operation’s impact on the PKK’s operational capacities was only limited, as attacks on, mainly, Turkish security forces and infrastructure allegedly launched from Iraq continued throughout the remainder of 2008.⁴²¹ More recently, the Turkish Government committed to rather use diplomatic means and also sought direct contacts with the KRG, which it had long accused of tolerating or even aiding the PKK.⁴²² The KRG has repeatedly pledged to stop PKK and PJAK fighters from using its territory for attacks on Turkey and Iran.⁴²³ At the end of January 2009, Turkey, Iraq and the US agreed to set up a joint command centre in Erbil in the coming weeks to gather intelligence to fight the PKK in the region.⁴²⁴ At the end of March 2009, Turkish President Abdullah Gul has been on a landmark visit to Iraq, consolidating relations with Iraqi leaders and seeking closer relations with the KRG. President Gul urged Kurdish Prime Minister Nechirvan Barzani to “*take a clear position*” against PKK rebels using Iraq as a base to attack Turkey.⁴²⁵ Barzani reiterated that the KRG will not allow the PKK to use Iraqi Kurdistan to carry out attacks inside Turkey.⁴²⁶ He further said that he supported a general amnesty for PKK rebels, something the Turkish President reportedly ruled out.⁴²⁷ Turkish bombardments of border areas continued throughout 2008 and into 2009.⁴²⁸

⁴²⁰ According to the Turkish Army, 240 PKK militants were killed. In addition Turkish ground and air attacks resulted in the partial or total destruction of 126 caves, 290 shelters, 12 command centres, six training centres, 23 logistical facilities, 29 signals and communications facilities, 40 trenches and 59 anti-aircraft emplacements; however, these figures have not been independently confirmed; Gareth Jenkins, *A Military Analysis of Turkey’s Incursion into Northern Iraq*, The Jamestown Foundation, Terrorism Monitor Volume 6/Issue 5, 7 March 2008, http://www.jamestown.org/programs/gta/single/?tx_ttnews%5Btt_news%5D=4774&tx_ttnews%5BbackPid%5D=167&no_cache=1.

⁴²¹ For example, on 3 October 2008, the PKK attacked a Turkish military outpost in Aktutun in eastern Turkey, killing 15 soldiers and wounding 20 others; Sabrina Tavernise, *15 Turkish Soldiers Dead in Fighting With Rebels*, NY Times, 4 October 2008, <http://www.nytimes.com/2008/10/05/world/europe/05turkey.html>.

⁴²² Kurd Net, *Turkey, Iraq pledge cooperation against Kurdish PKK rebels*, 25 December 2008, <http://www.ekurd.net/mismas/articles/misc2008/12/turkeykurdistan2057.htm>; Lale Sariibrahimogly, *Turkey’s Iraq Dilemma*, Zaman Today, 16 December 2008, http://www.iraqupdates.com/p_articles.php/article/41662.

⁴²³ AFP, *Iraq Aim to Stop PKK Rebel Attacks on Turkey, Iran*, 24 December 2008, http://www.iraqupdates.com/p_articles.php/article/42256.

⁴²⁴ Reuters, *Turkey, Iraq, U.S. step up efforts to fight PKK*, 23 January 2009, <http://www.reuters.com/article/latestCrisis/idUSLN277063>.

⁴²⁵ Reuters, *Turkey’s Gul presses Kurdish PM on PKK rebels*, 24 March 2009, http://www.khaleejtimes.com/DisplayArticleNew.asp?col=§ion=middleeast&xfile=data/middleeast/2009/March/middleeast_March472.xml.

⁴²⁶ Reuters, *FACTBOX-Turkey improves ties with Iraq*, 25 March 2009, <http://www.alertnet.org/thenews/newsdesk/LP957164.htm>.

⁴²⁷ Hurriyet, *Barzani considers PKK amnesty as a positive step, Turkey rules out*, 24 March 2009, <http://www.hurriyet.com.tr/english/domestic/11278465.asp>.

⁴²⁸ According to the US Department of Defense, the number of Turkish cross-border operations into Northern Iraq in 2008 was higher than in any year since 2003 despite improving relations between the Iraqi and the Turkish Governments; US Department of Defense, *December 2008 Report to Congress*, p. 5, see above footnote 9. According to the Turkish Army 670 PKK fighters were killed in 2008, while hundreds of others were detained and imprisoned. It further alleged that it launched 373 attacks against PKK bases during 2008; Adnkronos International, *Turkey: Militant casualty figures rejected by PKK*, 9 January 2009, <http://www.adnkronos.com/AKI/English/Security/?id=3.0.2890621944>.

H. Security in the Central Governorates⁴²⁹

1. Al-Anbar Governorate

190. Al-Anbar Governorate became the 11th of Iraq's 18 Governorates to be handed over to the ISF by the MNF-I on 1 September 2008 after two previous postponements.⁴³⁰ Al-Anbar is Iraq's largest governorate and has a predominantly tribal-oriented society that is almost entirely Sunni Arab. Initially, after the fall of the former regime, leaders of the dominant tribal groups were openly opposed to the US presence and the Iraqi Central Government, and provided both overt and covert support to insurgent groups. Al-Anbar was a long-time stronghold of AQI until local tribes established the Anbar Salvation Council in late 2006 and largely drove out AQI. Since 2007, however, security improvements have been significant, as overall levels of violence have sharply decreased.⁴³¹ A lingering AQI presence in Al-Anbar nevertheless remains that is capable of targeted assassinations and mass casualty attacks by suicide and car bombs,⁴³² and some suggest that as part of security operations in the Ninewa Governorate some AQI members may have moved (or moved back) into Al-Anbar.⁴³³ Most attacks occur in and around the city of Fallujah and in areas east of it towards Baghdad, as the proximity to Baghdad makes insurgent activities more permissive. Attacks are mostly directed against the ISF, the MNF-I as well as members of the Awakening Councils, often resulting in civilian casualties.⁴³⁴

⁴²⁹ Note: the following security assessments by governorate do not consider the recent provincial elections of 31 January 2009 as the effects of potential power changes do not yet have an immediate effect on security. For information on preliminary election results and possible effects at the local level, see "*Local and national elections*".

⁴³⁰ By January 2009, 23,000 US troops remain in the governorate, down from 37,000 in February 2008. The US military indicated that troop levels could be "*substantially*" reduced after the provincial elections in January 2009. Security is now mainly in the hands of some 28,000 policemen and 8,000 Iraqi Army members; AP, *U.S. general: Iraq leaders failed in Anbar*, 7 January 2009, <http://www.msnbc.msn.com/id/28544986/>; AFP, *In peaceful Anbar, US commander optimistic about troop cuts*, 24 October 2008, http://www.iraqupdates.com/p_articles.php/article/38608.

⁴³¹ US Department of Defense, *December 2008 Report to Congress*, p. 24, see above footnote 9.

⁴³² For example, on 8 November 2008, a female suicide bomber detonated her explosives vest in front of a hospital near Fallujah, killing three people and wounding seven; AFP, *Female Suicide Bomber Kills Three at Iraqi Hospital*, 9 November 2008, http://www.iraqupdates.com/p_articles.php/article/39589. See below for further information.

⁴³³ US Department of Defense, *December 2008 Report to Congress*, p. 24, see above footnote 9.

⁴³⁴ Incidents reported between November 2008 and February 2009 include: on 19 February 2009, two civilians were wounded when an IED went off in eastern Fallujah; VOI, *2 Civilians Wounded in IED Blast in Falluja*, 20 February 2009, http://www.iraqupdates.com/p_articles.php/article/45636; on 24 January 2009, thirteen people were killed in a car bomb attack targeting a police patrol near Fallujah; BBC, *Falluja car bomb blast 'kills 13'*, 24 January 2009, http://news.bbc.co.uk/2/hi/middle_east/7848930.stm; on 28 December 2008, a car bomb targeting a police patrol detonated at the eastern entrance of Fallujah, killing two people and wounding six; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 28 December 2008*, McClatchy Newspapers, 28 December 2008, <http://www.mcclatchydc.com/212/story/58619.html>; on 4 December 2008, at least 15 people were killed and almost 150 wounded in two suicide car bombings targeting Iraqi police posts in Fallujah. Women, children and policemen were among those killed; Saddam al-Dulaimi, *Bombers return to Fallujah as Iraq-US pact endorsed*, AFP, 4 December 2008, http://www.metimes.com/Politics/2008/12/04/bombers_return_to_fallujah_as_iraqus_pact_endorsed/afp/; on 13 November 2008, a roadside bomb detonated near Al-Akarim restaurant in downtown Fallujah. Two people were wounded; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Thursdays 13 November 2008*, McClatchy Newspapers, 13 November 2008, <http://www.mcclatchydc.com/212/story/55803.html>;

Furthermore, security officials,⁴³⁵ SoI/tribal leaders,⁴³⁶ government and party officials⁴³⁷ as well as religious figures⁴³⁸ have also been targeted by armed groups. On 11 February 2009, Izz

and on 9 November 2008, a female suicide bomber detonated her explosives vest in the emergency room of a hospital near Fallujah, killing three people, including two doctors; Ernesto Londoño, *Suicide Blast in Emergency Room Near Fallujah Kills 3*, The Washington Post, 10 November 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/11/09/AR2008110902129.html>.

⁴³⁵ For example, on 29 March 2009, a roadside bomb detonated at the gate of Anbar University targeting the head of the security, Brigadier General Ali Mikhilif Al-Asafi. He was seriously wounded in the incident; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 29 March 2009*, McClatchy Newspapers, 29 March 2009, <http://www.mcclatchydc.com/212/story/65015.html>; on 19 February 2009, a magnetic bomb detonated under a policeman's car in eastern Fallujah, killing the policeman's father and wife and wounding the policeman; Hussein Kadhim, *Round-up of Daily Violence in Iraq – Thursday 19 February 2009*, McClatchy Newspapers, 19 February 2009, <http://www.mcclatchydc.com/212/story/62453.html>.

⁴³⁶ For example, on 1 March 2009, suicide bomber detonated himself inside the house of Sheikh Hasnawi, a tribal leader of the Ifan tribe, in Ifan village south of Fallujah, killing the sheikh's son, Mahmoud Khalid Ifan; on 20 March 2009, a suicide bomber blew himself outside the house of Sheikh Talib Al-Hassnawi Al-Issawi, a tribal leader near Fallujah, killing one policeman and wounding two of the chieftain's guards; on 24 December 2008, three children were killed and four persons were wounded when an explosive charge exploded in front of the house of Sheikh Ahmed Rashed, a leader in Fallujah's Albo Issa tribes; on 17 September 2008, Muhannad Al-Ubeidi, head of the Awakening Council in the neighbourhood of Ta'mim in western Ramadi, was killed by a bomb planted in his car while travelling with his brother in the neighbourhood. Ubeidi's brother was severely wounded; on 7 September 2008, gunmen kidnapped four Awakening members at a checkpoint in Karmah. Three of them were later found dead, one remained missing; on 6 July 2008, a suicide car bomb targeted the Awakening Council office in Smeismiyah area in Rawa town, injuring eleven Awakening members; on 26 June 2008, a suicide bomber attacked a joint meeting between Awakening Council members and the MNF-I in Karmah, killing 22 persons, including 15 Awakening Council members; on 12 May 2008, Hazem Al-Shemri, an aide to an Al-Karmah Awakening Council leader, was killed by a roadside bomb in Al-Karmah; also on 12 May 2008, a roadside bomb targeted Abu Qutaiba, a local Awakening leader, in Al-Lehaib area near Fallujah, killing him and two bodyguards; on 21 April 2008, one Awakening member was killed and three others were injured in a suicide attack on their headquarters in Rutba town; on 11 April 2008, a car bomb driven by a suicide bomber targeted an Awakening checkpoint in eastern Ramadi, causing the death of four Awakening members and injuring three civilians; on 23 February 2008, a suicide bomber killed Sheikh Ibrahim Mutayri Al-Mohamaday, a tribal chief and leader of an Awakening Council in Saqlawiyah, and his bodyguard; on 20 January 2008, a suicide bomber handed an explosive-laden box to Sheikh Hadi at a celebration attended by members of the Anbar Awakening Council. The box exploded killing two guards. The bomber's target, Sheikh Aefan Al-Issawi, a leader of the Awakening Council, was unhurt; on 10 February 2008, three persons were killed, including two Awakening members of the Albo Essa tribe and a police officer, and seven civilians were injured when a suicide car bomb targeted a checkpoint in Albo Efan area; and on 5 January 2008: Gunmen opened fire on Sheikh Muhammad Abdul-Hadi Yousuf Al-Irsan Al-Zawbaie, a tribal chief in Zawbaa and a member in the Iraqi Tribal Chiefs Council, near his home in Zawbaa, southern Fallujah, killing him instantly. See Annex "Tribal figures and SoI leaders/members".

⁴³⁷ For example, on 26 December 2008, a roadside bomb went off in the home of a member of the Fallujah local council, killing three children and their mother; on 24 December 2008: Ahmed Al-Rashid, a leading election candidate in Al-Anbar Governorate was targeted in a bombing at his house that killed three of his children; on 26 October 2008, gunmen seriously wounded Ahmed Dawoud Marzouq, the Al-Anbar provincial representative of the Sunni Iraqi National Dialogue Front. The gunmen stormed his house after clashing with his guards in Ramadi; on 27 July 2008, two IEDs targeted the house and car of Zaki Obid, a member of the local council of Fallujah, killing two of Obid's guards and wounding Zaki Obid and his son and two others; on 26 June 2008, Kamal Abdulsalam, the Mayor of Karmah, was killed in a suicide attack on a gathering of local sheikhs; on 13 April 2008, the deputy of the local council in Fallujah town, Qasim Mashkoor, and his 11-years old son were seriously injured when an IED attached to their car exploded in downtown Fallujah; and on 31 March 2008, a bicycle bomb parked near Al-Khulafa mosque

Al-Din Khalaf Ayyoub, a psychology professor in Anbar University, was shot dead by unknown gunmen when leaving his house near Fallujah.⁴³⁹

191. The ISF in Al-Anbar are reportedly subject to some infiltration by insurgent groups,⁴⁴⁰ as evidenced by an attack in Karmah on 26 June 2008 when a suicide bomber attacked a joint meeting between Awakening Council members and the MNF-I. AQI claimed to have planned the attack, which was carried out by an active-duty officer of the Iraqi Police.⁴⁴¹

192. Further consolidation of security gains achieved in the past two years is dependent on the Awakening Councils' transfer to Iraqi Government control through their integration into the ISF, the provision of civilian employment and their inclusion into the political process. In addition, the governorate is in dire need of reconstruction and public services.⁴⁴² However, to date, such efforts have been slow and were met with resistance by the Shi'ite-dominated central government as well as the IIP of Iraqi Vice-President Tariq Al-Hashimi, which has so far been the main Sunni protagonist in both the central and the provincial governments. Since 2005, the IIP has dominated the local political institutions of Al-Anbar given that the January 2005 provincial elections were boycotted by other local parties.⁴⁴³ The Awakening Councils pledged to transform their anti-insurgency credentials into political power and to remove the IIP in the 31 January 2009 provincial elections.⁴⁴⁴ The political rivalry among the players has led to a war of words but also to violent attacks on party offices and possibly politically motivated legal charges and dismissals ahead of provincial elections.⁴⁴⁵ However several Awakening parties

targeted one of the Fallujah council members' cars in downtown Fallujah. One person was killed and four people were injured. See Annexes "Government Officials" and "Party Officials".

⁴³⁸ For example, on 17 October 2008, a suicide bomber killed a prominent Sunni mosque preacher, Sulaiman Al-Jamali, in Fallujah; on 15 August 2008, gunmen tried to assassinate Sheikh Khamees Al-Dulaimi, the imam of one of the mosques in Fallujah. The Imam was injured in the incident; and on 25 April 2008, a bomb planted under a chair in Al-Raqeeb mosque in downtown Fallujah targeted Imam Khalid Himoud, who was injured in the incident. Himoud had replaced the previous imam, who was killed nine months earlier. See Annex "Sunni and Shi'ite clerics".

⁴³⁹ See Annex "Professionals".

⁴⁴⁰ Although only in discrete numbers, given that recruitment into the ISF is frequently channelled through tribal groups who can guarantee a person's integrity to a certain degree. Information received from UNAMI, November 2008.

⁴⁴¹ AQI released a statement on the internet saying that the victims of the attack had "*sold their souls to the American devil for a cheap price*," Sam Dagher, *U.S. forces to hand over hard-won Anbar Province*, CS Monitor, 30 June 2008, <http://www.csmonitor.com/2008/0701/p01s01-wome.html>.

⁴⁴² Reconstruction in the governorate has been slow as the Shi'ite Government is said to apply double-standards in distributing funds among Shi'ite and Sunni-dominated areas. Marine Maj. Gen. John F. Kelly, the top US commander in Al-Anbar, considers the lack of reconstruction in Al-Anbar "*a mission failure*"; AP, *U.S. general: Iraq leaders failed in Anbar*, 7 January 2009, <http://www.msnbc.msn.com/id/28544986/>.

⁴⁴³ In Al-Anbar, 36 out of 41 provincial council members and also the electoral commission are members of the IIP; Stratfor, *Iraq: The Anbar Handover and Sunni-Shiite Strife*, 2 September 2008, <http://www.stratfor.com/analysis/iraq-anbar-handover-and-sunni-shiite-strife>; Fadhil Ali, *Sunni Rivalries in al-Anbar Province*, Terrorism Focus, Volume 5 / Issue 10, 11 March 2008, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=4779.

⁴⁴⁴ Ma'ad Fayad, *Iraq: National Front for Salvation of Iraq Leader Vows to Fight Islamic Party*, Asharq Alawsat, 26 September 2008, http://www.iraqupdates.com/p_articles.php/article/37101; *Ibid.*, *Iraq: Al-Anbar Salvation Council to Run in Parliamentary Elections*, 21 September 2008, http://www.iraqupdates.com/p_articles.php/article/36783.

⁴⁴⁵ For example, on 12 June 2008, the IIP's Fallujah headquarters was blown up. An example for the political rivalry was the provincial council's dismissal of the governorate's police chief, General Tariq

competed in the elections, weakening their stance vis-à-vis the IIP.⁴⁴⁶ There are concerns that insurgents could take advantage of political rifts.⁴⁴⁷

2. Baghdad Governorate

193. While, in recent years, Baghdad accounted for the highest number of security incidents and civilian casualties, 2008 was the first year that more people were killed outside the capital.⁴⁴⁸ Violence levels in Baghdad have significantly fallen since the last quarter of 2007 as a result of several factors, including the “freeze” of JAM activities, the “surge” forces deployed by the MNF-I, the establishment of the SoI in many Sunni-dominated neighbourhoods and improved ISF capabilities. The sources of instability in Baghdad continue to be Shi’ite militia groups, including JAM and a range of splinter and “Special Groups”, and a persistent, albeit weakened, presence of predominantly Sunni insurgents, including AQI and other groups, often loosely affiliated with AQI.⁴⁴⁹ The targets of armed groups are, in particular, members of the ISF/MNF-I and the SoI⁴⁵⁰ as well as government⁴⁵¹ and party officials.⁴⁵² They also continue to

Yousef Al-Asaal, a loyalist of the tribal sheikhs, in June 2008. Al-Asaal ignored the dismissal, saying that the decision was politically motivated by the IIP; Sudarsan Raghavan, *Rise of Awakening Groups Sets Off A Struggle for Power Among Sunnis*, The Washington Post, 4 July 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/07/03/AR2008070303440.html>; Alissa J. Rubin, *Explosion demolishes headquarters of Sunni political party in Fallujah*, NY Times, 13 June 2008, http://www.signonsandiego.com/uniontrib/20080613/news_1n13iraq.html; also, on 25 October 2008, the IIP suspended all “official communication” with US officials after the killing of a senior party member during a raid that targeted an alleged insurgent leader. The IIP said the raid was politically motivated and implicated the MNF-I of acting on false information provided by their political rival, the Awakening Councils; Leila Fadel, *Powerful Iraqi party claims U.S. killed innocent man*, McClatchy Newspapers, 25 October 2008, <http://www.mcclatchydc.com/homepage/story/54774.html>.

⁴⁴⁶ Sudarsan Raghavan, *Sheiks Voice Defiance in Iraq's Anbar*, The Washington Post, 5 February 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/02/04/AR2009020403744.html>; see also “Provincial elections of 31 January 2009”.

⁴⁴⁷ Stratfor, *Iraq: The Anbar Handover and Sunni-Shiite Strife*, 2 September 2008, http://www.stratfor.com/analysis/iraq_anbar_handover_and_sunni_shiite_strife; Brian Murphy, *Analysis: Security transfer stalled in Iraq region*, AP, 18 July 2008, http://www.usatoday.com/news/world/2008-07-18-1223506075_x.htm; Fadhil Ali, *Sunni Rivalries in al-Anbar Province*, Terrorism Focus, Volume 5 / Issue 10, 11 March 2008, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=4779.

⁴⁴⁸ See “Civilian casualties”.

⁴⁴⁹ Information provided by UNAMI SSU, November 2008.

⁴⁵⁰ For example, on 16 March 2009, a roadside bomb targeted a SoI patrol in Doura neighbourhood, injuring two civilians and one SoI member; on 14 March 2009, a sticky bomb detonated in Grayaat neighbourhood in northern Baghdad, seriously injuring the family of the brother of Sahwa leader of Sabei Abkar area. The family included the mother, father, two sons and a daughter; on 5 March 2009, a SoI member was killed and three civilians were injured by a roadside bomb in Saidiyah neighbourhood; on 21 February 2009, an IED detonated near the home of Captain Firas Al-Ani, chief of Sulaikh District SoI; injuring him and two bodyguards; on 11 February 2008, gunmen wounded three SoI at a checkpoint in Sha’ab neighbourhood, Baghdad. In a different incident, gunmen in a car opened fire at a SoI checkpoint in Dora neighbourhood, wounding two of them; on 18 January 2009, a roadside bomb detonated in front of the deputy SoI leader’s house in Furat neighbourhood in western Baghdad. The SoI leader was seriously injured; on 16 November 2008, a roadside bomb targeted a SoI checkpoint in Sha’ab intersection, killing three people, including two SoI and wounding seven others, including five SoI; on 6 November 2008, two roadside bombs targeted SoI in Sheikh Omar neighbourhood in north Baghdad, killing two people, including one SoI, and wounding five others, including three SoI; on 15 October 2008, two roadside bombs detonated in a SoI headquarters in Dora, Baghdad injuring six, including two

target civilians,⁴⁵³ often in populated places such as markets, mosques, bus stations or restaurants.⁴⁵⁴ Shi'ite and Sunni extremists also share responsibility for indirect fire attacks against the International Zone (IZ), the Baghdad International Airport (BIAP) and MNF-I bases around the city. For example, on 15 January 2009, an attack on the IZ close to the UN Residential Compound resulted in the injuring three private security company guards.⁴⁵⁵

194. Baghdad sees a high number of often politically-motivated killings of security officials,⁴⁵⁶ government officials and employees, party officials, journalists⁴⁵⁷ and

SoI and four soldiers; 12 October 2008, gunmen opened fire on a SoI checkpoint in Dora neighbourhood, killing two SoI; on 13 September 2008, gunmen killed Fouad Ali Hussein Al-Douri, a Sunni imam and SoI leader in the Jihad neighbourhood in western Baghdad. Reportedly, he had also been a proponent of reconciliation, promoting Sunni-Shi'ite co-existence in a neighbourhood of Baghdad especially affected by sectarian killings and displacement; on 6 September 2008, a car bomb killed Abdul-Amer Gattie, the head of a US-backed SoI group in Saidiyah; on 25 August 2008: A suicide bomber killed at least 25 people celebrating the return from US custody of Adnan Hanoush, head of the Awakening Movement in Abu Ghraib. Adnan Hanoush was among those killed; on 17 August 2008, a suicide bomber detonated his explosives in Al-Adhamiyah, killing 15 people, including Faruq Abdul Sattar, a deputy commander of Adhamiya's Awakening Council and several other Awakening Council members; on 17 April 2008, a roadside bomb targeted a SoI checkpoint in Adhamiyah, killing five SoI and one civilian; on 8 February 2008, the SoI leader in 14th of Ramadan neighbourhood, Mshahda, north of Baghdad, was assassinated by gunmen. Two of his security guards were injured; on 7 January 2008, a suicide car bomb exploded near a SoI checkpoint in Adhamiyah neighbourhood, Baghdad, killing 14 people, including SoI leader Reyadh Al-Samarra'i, and injuring 18 others; also on 7 January 2008, gunmen in five cars kidnapped at least eight SoI from their checkpoint in Adan Street in Sha'ab neighbourhood; on 6 January 2008, Sheikh Ismail Abbas, an Awakening Council leader, was shot dead at a checkpoint in Sha'ab. Eight other members were abducted; and on 5 January 2008, a suicide bomber blew himself up at the offices of the Sunni Endowment in Adhamiyah, killing at least 14 people including the local Awakening chief Colonel Riyadh Al-Samarraie, who was in charge of the Adhamiyah Awakening Council and responsible for communicating with the US military. See Annex "*Tribal figures and SoI leaders/members*".

⁴⁵¹ See Annex "*Government Officials*".

⁴⁵² See Annex "*Party Officials*".

⁴⁵³ According to the US Department of Defense, "(...) actors appear to be focusing attacks on the civilian population and are being more discriminate in how they conduct attacks;" US Department of Defense, *December 2008 Report to Congress*, p. 23, see above footnote 9.

⁴⁵⁴ For example, on 10 November 2008, a suicide bomber detonated near a crowded restaurant and two roadside bombs also exploded in a crowded shopping area in Adhamiyah neighbourhood, killing at least 28 people and wounding 68; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Monday 10 November 2008*, McClatchy Newspapers, 10 November 2008, <http://www.mcclatchydc.com/212/story/55630.html>.

⁴⁵⁵ UNHCR, January 2009.

⁴⁵⁶ See Annex "*Members of the ISF*".

⁴⁵⁷ On 21 September 2008, an explosive charge detonated near the building of *Al-Bayyina* newspaper in Baghdad, causing no damage; on 20 September 2008, a bomb blast in Baghdad outside the offices of the Iraqi Journalists Syndicate wounded the union's chief Muaid Al-Lami and four other people; on 9 September 2008, *Al-Arabiya* TV channel's Baghdad bureau chief, Jawad Al-Hattab, escaped an attempt on his life when a sticky IED attached to the undercarriage of his vehicle went off in a parking lot in Al-Salihiya in Baghdad; on 24 August 2008, gunmen dressed in military uniforms shot and wounded Kurdish journalist Sadeq Jaafar Bashir in his Baghdad home, killed his sister and wounded his niece and mother; on 17 August 2008, gunmen threw a grenade at a car carrying a television crew for *Afaq*, a local TV station funded by Dawa Party, as they were about to enter their headquarters in Baghdad's Alawi Al-Hilla neighbourhood. A reporter, cameraman and driver were seriously injured and taken to a nearby hospital for treatment; on 6 July 2008, Saif Al-Khayiat, a journalist for the Japanese News Agency, was attacked by unknown gunmen while he was walking in central Baghdad. The attackers escaped after the intervention of nearby ISF and Al-Khayiat survived unharmed; on 9 May 2008, a mortar bomb hit the roof of the BBC office in Karrada, but there were no casualties; on 22 April 2008, three members of

professionals.⁴⁵⁸ In recent months, the use of under-vehicle explosive devices (“sticky bombs”) has become a regular occurrence. Initially used mainly to target Iraqi security personnel, mid- and low-ranking government officials and public servants,⁴⁵⁹ these devices increasingly being used against civilians.⁴⁶⁰

195. Insurgent groups continue to aim at stirring sectarian violence by targeting Shi’ite mosques and pilgrims, in particular ahead of and during major Shi’ite religious festivities. For example, at least 40 people, 16 of them Iranian pilgrims, were killed and 72 wounded in a suicide bombing at the doorstep of one of Iraq’s holiest Shi’ite sites, the shrine of the Imams Musa Al-Kadhem and Mohammed Al-Jawad in Baghdad’s Kadhemyah neighbourhood on 4 January 2009. Only one week earlier, on 27 December 2008, a car bomb attack killed at least 22 people and wounded more than 50 on the road leading to the same shrine.⁴⁶¹ Although at a much lower rate than in 2006-2007, dead bodies, usually bearing signs of torture, some blindfolded and others decapitated, are found occasionally in Baghdad.⁴⁶²

Beladi TV, including a reporter, a cameraman and a driver, were shot and wounded after being targeted by gunmen in eastern Baghdad; on 13 March 2008, gunmen opened fire on Qassem Abdul Hussein Al-Eqabi, journalist in the local *Al-Muwaten* newspaper, in the Karrada neighbourhood in central Baghdad, killing him on the spot; and on 23 February 2008: Shihab Al-Tamimi, Head of the Iraqi Journalists Syndicate, died from injuries he sustained from a targeted shooting in Baghdad. See Annex “Journalists and media workers”.

⁴⁵⁸ For example, on 10 October 2008, gunmen killed Weleed Salh Alazawee, a lawyer representing alleged Sunni insurgents, in Hurriyah neighbourhood; on 25 August 2008, Professor Khaldoun Sabry was kidnapped, tortured and shot in Yarmouk; on 7 July 2008, an adhesive IED on a civilian car exploded in Adhamiyah neighbourhood, injuring four civilians. The car belonged to a university teacher, Mohammed Sadoun, who had just left the car when it blew up. He was not amongst the injured; on 7 July 2008, Salih Abed Hassoun, Dean of the School of Law at Al-Qadisiyah University, was shot by gunmen in Baghdad; between 27 and 30 June 2008, Baghdad saw a chain of coordinated attacks targeting judges working at the Appeals Court in the Al-Rusafa complex. The chief justice, Kamel Al-Shuweili, was shot dead and two more judges, Suleiman Abdallah and Ali Al-Allaq, were injured; on 22 May 2008, judge Qasem Mohammad, from Abu Ghraib Court was seriously injured in a bomb attack; on 4 May 2008, Dr. Ayad Jafar, University professor and Deputy Head of Nahrain University, was killed in a drive-by shooting outside his house in Mansour neighbourhood; on 17 April 2008, Dr. Amer Lazem was killed in Baghdad; on 25 March 2008, gunmen killed the Iraqi Olympic Committee’s Assistant Secretary-General and a basketball referee and wounded the coach of the Iraqi basketball team; on 14 March 2008, armed men shot dead the coach of Al-Karkh football club, who was also a former national player; on 23 January 2008, the dean of Baghdad University dental school, Munthar Muhrej Radhi, was found dead with multiple gunshots in western Baghdad; and on 14 January 2008, gunmen assassinated Judge Amir Jawdat Al-Na’ib, a member of the Federal Appeal Court, while on his way to work in Mansour; see “*Certain Professionals*” and Annex “*Professionals*”.

⁴⁵⁹ See “*Government officials and other persons associated with the current Iraqi Government, Administration or Institutions*” and Annex “*Government officials*”.

⁴⁶⁰ Daud Salman, *Baghdad hit by “sticky bomb” terror*, IWPR, Iraqi Crisis Report No. 280, 13 January 2008, http://www.iwpr.net/?p=icr&s=f&o=348997&apc_state=henh.

⁴⁶¹ See Annex “*Sectarian violence*”.

⁴⁶² The Iraqi Police said that it had found 12 unidentified bodies in Baghdad Governorate during the month of February 2009, mostly in the suburbs; Sahar Issa, *Round-up of Daily Violence in Iraq - Tuesday 3 March 2009*, McClatchy Newspapers, 3 March 2009, <http://www.mcclatchydc.com/212/story/63143.html>. The US Department of Defense accounted for 73 ethno-sectarian deaths in the period September – November 2008; see US Department of Defense, *December 2008 Report to Congress*, p. 22, see above footnote 9. According to UNAMI HRO, three to five bodies were found on an almost daily basis in different parts of Baghdad during the first six months of 2008; UNAMI, *June 2008 Human Rights Report*, p. 11, see above footnote 414. See also “*Sectarian violence and segregation*”.

3. Diyala Governorate

196. Given Diyala's diverse religious and ethnic population, its strategic importance given the proximity to Iran and Baghdad⁴⁶³ and the unresolved status of so-called "disputed areas", in particular Khanaqeen, the governorate has been contested since the fall of the former regime in 2003.⁴⁶⁴ The ethnic and religious mix of Sunnis and Shi'ites, Arabs, Kurds and Turkmen, made it a fertile ground for militant groups and the scene of brutal sectarian violence. When AQI was pushed out of its former stronghold in Al-Anbar Governorate in late 2006, it relocated its powerbase to Diyala Governorate, controlling much of the Governorate,⁴⁶⁵ including its capital Ba'quba, which by mid-2007 was declared the capital of the Islamic State of Iraq.⁴⁶⁶ Diyala has been plagued by attacks against the ISF/MNF-I and widespread sectarian violence.

197. As a result of successive military operations by the MNF-I/ISF between June 2007 and May 2008, and supported by SoI, AQI was largely pushed out of Diyala's main urban centres (Ba'quba and Muqtadiyah), although it kept hold of the more rural areas of Balad Ruz District,

⁴⁶³ Establishing security in Diyala is critical to maintaining control of Baghdad as extremist groups have used Diyala as a springboard for car bombings and kidnappings in Baghdad; see for example AP, *Iraqi troops raid Diyala governor's office*, 19 August 2008, <http://www.ihf.com/articles/ap/2008/08/19/news/Iraq.php>; see also Josh Hammer, *Is Diyala the New Anbar?*, ME Times, 4 September 2008, http://www.metimes.com/Opinion/2008/09/04/is_diyala_the_new_anbar/5608/.

⁴⁶⁴ Claire Russo, *The Maliki Government Confronts Diyala*, ISW, Backgrounder No. 34, 24 September 2008, p. 1, <http://www.understandingwar.org/files/reports/Backgrounder%2034.pdf> (further: "Russo, *The Maliki Government Confronts Diyala*"); Kim Garnel, *Bombs, sectarian tensions still scar Iraq's Diyala*, AP, 30 August 2008, http://www.usatoday.com/news/world/iraq/2008-08-30-iraq-diyala_N.htm.

⁴⁶⁵ Eric Hamilton, *Expanding Security in Diyala*, ISW, 2008, p. 4, <http://www.understandingwar.org/files/reports/Security%20Diyala%20-%20Iraq%20Report%2010.pdf> (further: "Hamilton, *Expanding Security in Diyala*").

⁴⁶⁶ The "Islamic State of Iraq" is an umbrella organization of a variety of Sunni Islamist and insurgent groups, including AQI, and was established on 15 October 2006. It is reportedly dominated by AQI and created to strengthen AQI's credentials as an Iraqi movement. It is allegedly headed by Abu Omar Al-Baghdadi, whose existence/identity has remained a source of controversy. ISI's aim is to establish an Islamic state in the Sunni-dominated areas of Iraq. Despite becoming relatively isolated in recent years, the group continues to claim responsibility for major suicide attacks, including a bombing that killed 28 people, mostly police recruits, on 12 March 2009 in Baghdad. See: Reuters, *Qaeda-linked group claims deadly Baghdad bombing*, 12 March 2009, <http://www.reuters.com/article/latestCrisis/idUSLC628697>; AFP, *Iraq arrests Al-Qaeda 'oil minister'*, 28 February 2009, http://www.google.com/hostednews/afp/article/ALeqM5jD-A4apn_Xzni7pLGDEMxoa2S5iQ; Ian Black, *Sunni Muslim groups in Iraq*, The Guardian, 17 December 2008, <http://www.guardian.co.uk/uk/2008/dec/17/glasgow-airport-trial-uk-security1>; Bill Roggio, *Who is Abu Omar al Baghdadi?*, The Long War Journal, 14 September 2008, http://www.longwarjournal.org/archives/2008/09/who_is_abu_omar_al_b.php; Center for American Progress, *Background Basics: Iraq's Groups and Regional Actors*, 19 March 2008, http://www.americanprogress.org/issues/2008/03/background_basics_groups.html; Pascale Combelles Siegel, *Mergers and Acquisitions within the Iraqi Insurgency*, The Jamestown Foundation, Terrorism Focus Volume 5 / Issue 8, 28 February 2008, http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=4749; Greg Bruno, *Profile: Al-Qaeda in Iraq (a.k.a. al-Qaeda in Mesopotamia)*, CFR, 14 December 2007, <http://www.cfr.org/publication/14811/profile.html>.

north Khalis and above Lake Hamrin and Hamrin Ridge,⁴⁶⁷ which it used to “regroup, reconstitute, and re-penetrate areas of interest”.⁴⁶⁸ While overall violence in Diyala decreased significantly as of mid-2007,⁴⁶⁹ AQI maintained its ability to conduct attacks throughout the Governorate, including in the populated urban areas, while keeping strict control of rural areas, terrorizing the local population with intimidation, detention, torture and extra-judicial executions.⁴⁷⁰ Civilians were also targeted by mortar and small arms fire, assassinations and kidnappings.⁴⁷¹ During military operations in late 2007 and early 2008, MNF-I/ISF found several AQI detention/torture complexes as well as mass graves.⁴⁷²

198. In late July 2008, an Iraqi-led military offensive (“*Bashaer Al-Kheir*” or “Omens of Prosperity”) was launched, involving nearly 50,000 ISF troops and 4,000 US soldiers to pursue AQI.⁴⁷³ Radical Islamists reacted to the operation and launched a high number of attacks on mainly the ISF and Awakening Councils. Minority communities such as Kurds and Shi’ites were also targeted in an attempt to exacerbate sectarian tensions and worsen the regional security climate.

199. Crack-downs on Shi’ite militias by the Iraqi Government, in particular on JAM, have significantly reduced their presence and activities in the Governorate.⁴⁷⁴ The recent military campaigns also revealed the underlying sectarian tensions⁴⁷⁵ in the Governorate. Sunnis make up the majority population and also constitute the majority of Diyala’s SoI, which helped maintain a certain level of security in areas cleared in MNF-I/ISF military operations.⁴⁷⁶ At the same time, Shi’ites dominated the provincial council and most Iraqi Army and Police units. As a result, Sunni Arabs in Diyala perceived the security operations as a pretext to “arrest,

⁴⁶⁷ For an overview of the military operations in Diyala between June 2007 and May 2008, see Hamilton, *Expanding Security in Diyala*, see above footnote 465.

⁴⁶⁸ *Ibid.*, p. 2.

⁴⁶⁹ Violence in Diyala decreased by 70% between June 2007 and May 2008; see *Ibid.*, p. 26.

⁴⁷⁰ For example in Sinsil village north of Muqtadiyah, residents reportedly lived for more than a year under the ruling of an Islamic *Shari’a* court established by the Islamic State in Iraq, which handed out death sentences for even minor offenses. AQI prohibited smoking and drinking and required women to be covered at all times. AQI reportedly kidnapped individuals from the village randomly, many of which never returned. AQI threatened to kill anyone cooperating with the ISF/MNF-I or the Awakening Councils; Hamilton, *Expanding Security in Diyala*, pp. 4-5, 8-9, see above footnote 465. See also Scott Peterson, *Iraqi town defies Al Qaeda*, CS Monitor, 12 November 2008, <http://www.csmonitor.com/2008/1112/p01s02-wome.html>; LA Times, *Iraq seeks to oust militants from Diyala*, 5 February 2008, <http://articles.latimes.com/2008/feb/05/world/fg-militants5>.

⁴⁷¹ Hamilton, *Expanding Security in Diyala*, pp. 4-5, see above footnote 465.

⁴⁷² Joshua Partlow, *Mass Grave Containing 100 Bodies Found North of Baghdad*, 9 March 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/03/08/AR2008030800664.html>; LA Times, *Iraq seeks to oust militants from Diyala*, 5 February 2008, <http://articles.latimes.com/2008/feb/05/world/fg-militants5>; BBC, *Iraq ‘torture complex’ discovered*, 20 December 2007, http://news.bbc.co.uk/2/hi/middle_east/7154856.stm.

⁴⁷³ Bill Murray, *On the offensive in northern Diyala*, The Long War Journal, 8 August 2008, http://www.longwarjournal.org/archives/2008/08/on_the_offensive_in_1.php.

⁴⁷⁴ US Department of Defense, *December 2008 Report to Congress*, p. 25, see above footnote 9.

⁴⁷⁵ As the mixed governorate is dominated politically and militarily by Shi’ites (Governorate Council and ISF), the Government’s military operations to root out the (Sunni) insurgency (mainly AQI) in Diyala was perceived by Sunni Arabs as a pretext to actually target those Sunnis that are interested in taking part in the political process in the governorate (“moderate Sunnis and SoI”) and not only the extremists.

⁴⁷⁶ By May 2008, membership in the Awakening Council in Diyala reached almost 10,000; Hamilton, *Expanding Security in Diyala*, p. 28, see above footnote 465.

intimidate, or even kill moderate Sunnis and SoI groups who are otherwise interested in participating in the political process.”⁴⁷⁷ Preliminary results from the 31 January provincial elections indicate that the new provincial council will have a more balanced outlook and reflect the governorate’s ethnic and religious make-up.⁴⁷⁸

200. The Iraqi Government used the “*Bashaer Al-Kheir*” military offensive to confront the Kurdish *Peshmerga* in the disputed District of Khanaqeen. The confrontation with the Kurdish *Peshmerga*, which had *de facto* control over Khanaqeen District since the fall of the former regime in 2003, led to increasing tensions among the Kurdish parties and the Shi’ite coalition, both in the district and on the national level.⁴⁷⁹ Until today, the situation in Khanaqeen has not been resolved and *Peshmerga* and *Asayish* are still present in the area.

201. Despite massive military crackdowns, Diyala remains volatile and continues to see car bombs and suicide bombings,⁴⁸⁰ at times carried out by women,⁴⁸¹ often targeting members of the ISF/MNF-I and SoI, but also civilians. On 23 March 2009, a suicide bomber blew himself up at a Kurdish funeral in the town of Jalawla, killing 25 people and wounding 45.⁴⁸² On 5 February 2009, a female suicide bomber blew herself up inside a restaurant in Khanaqeen, killing 15 and wounding 25 others, mostly Kurds.⁴⁸³ Furthermore, the Governorate sees

⁴⁷⁷ Despite these tensions, the MNF-I assessed that the ISF and SoI in Diyala are conducting operations in a relatively coordinated effort; US Department of Defense, *December 2008 Report to Congress*, p. 25, see above footnote 9; see also Russo, *The Maliki Government Confronts Diyala*, pp. 3-4, see above footnote 464; see also Charles Levinson, *Awakening Councils in hiding as arrests on rise*, USA Today, 22 September 2008, http://www.usatoday.com/news/world/iraq/2008-09-22-iraqawakening_N.htm; AP, *Iraqi troops raid Diyala governor’s office*, 19 August 2008, <http://www.ihl.com/articles/ap/2008/08/19/news/Iraq.php>.

⁴⁷⁸ See “*Local and national elections*”.

⁴⁷⁹ See above “*Political power struggles*” and “*Pending key political decisions*”.

⁴⁸⁰ Given that AQI’s car bomb networks have largely been disrupted by ongoing military operations in Diyala and Baghdad Governorates, as of late 2007/early 2008, its preferred method became suicide bombings, which also require less infrastructure and resources; Hamilton, *Expanding Security in Diyala*, pp. 17-18, see above footnote 465.

⁴⁸¹ Women have become a popular choice for conducting attacks because they are less likely to be searched and can more easily hide explosives under their traditional dresses; *Ibid.*, p. 18.

⁴⁸² Reuters, *Iraq suicide bomber kills 25, wounds 45 – police*, 23 March 2009, <http://www.alertnet.org/thenews/newsdesk/LN305659.htm>.

⁴⁸³ Peter Graff and Waleed Ibrahim, *Bomb Kills 15 As 1st Results Due from Iraq Vote*, Reuters, 5 February 2009, http://www.iraqupdates.com/p_articles.php/article/44867; BBC, *Deadly bombing at Iraq restaurant*, 5 February 2009, http://news.bbc.co.uk/2/hi/middle_east/7872180.stm. Major suicide attacks by women in Diyala in 2008 included (not exhaustive):

- 8 October 2008: A female suicide bomber killed 10 people outside the court of appeals building in Ba’quba;
- 11 August 2008: A female suicide bombing at a market checkpoint in Ba’quba killed one police officer and wounds 14 people;
- 25 July 2008: A female suicide bomber blew herself up as she approached US-allied Sunni fighters in Ba’quba, killing at least eight and wounding 24 others;
- 22 June 2008: A woman detonated a device outside a government complex in Ba’quba, killing 15 and wounding 40;
- 1 May 2008: A bomber, disguised as a pregnant woman and accompanied by a male, attacked a wedding in Diyala, killing 35 people and wounding 65 others;
- 16 January 2008: A female suicide bomber killed eight people outside a Shi’ite mosque in Diyala province; and

a significant number of targeted assassinations and kidnappings, including of security officials,⁴⁸⁴ tribal leaders/SoI members,⁴⁸⁵ local government⁴⁸⁶ and party officials.⁴⁸⁷

– 2 January 2008: A female suicide bomb attack on a neighbourhood volunteer checkpoint in Ba'quba kills 10 people and wounds eight.

Sam Jones, *Female suicide bombings in Iraq over the last year*, The Guardian, 3 February 2009, <http://www.guardian.co.uk/world/2009/feb/03/female-suicide-bombings-last-year>.

⁴⁸⁴ See Annex “*Members of the Iraqi Security Forces*”.

⁴⁸⁵ For example, on 27 March 2009, gunmen shot dead Abdul-Kareem Juma, a Sunni tribal leader, and wounded seriously his son as they were leaving a mosque after finishing their night prayers in Jalawla; on 15 December 2008, gunmen assassinated Sattar Khaleel, an Awakening Council leader, while he was walking out of a mosque in Saidiyah District; on 6 December 2008, gunmen attacked the SoI office in Al-Isaiwid village, killing three SoI and injuring one; also on 6 December 2008, an IED exploded inside a coffee shop usually frequented by the SoI in Tahrir neighbourhood, in Ba'quba, injuring 18 people including eight SoI; on 3 December 2008, gunmen killed Hashim Al-Karawi, an Awakening member, and three of his cousins, near Jalawla; on 10 November 2008, a female suicide bomber targeted a SoI checkpoint in downtown Ba'quba. Five people were killed, including a SoI leader, and at least 15 others were wounded; on 7 November 2008, a roadside bomb targeted a minibus transporting SoI in Udham area, killing two SoI and injuring five others; on 2 November 2008, a roadside bomb targeting the car of Abbas Al-Mujamai south of Ba'quba, killing the Awakening leader of Imam Habash sub-district and five of his family; on 29 October 2009, gunmen attacked the house of the Dahalka SoI leader in Dahalka village in Balad Ruz, killing three of his family members and wounding 14 others; on 9 October 2008, the leader of a local Awakening Council was killed, along with his wife and two children, by a roadside bomb in Udham. Eight women, all relatives travelling in the same minibus with Azzawi, were also wounded in the attack; on 24 September 2008, gunmen killed 12 national policemen and eight SoI members in an ambush in Dulaimiyat village of Khan Bani Saad; on 15 September 2008, gunmen assassinated Sheikh Omar Raddam Getan, Azza tribal chief, in Al-Ain village north of Ba'quba; on 11 September 2008, gunmen killed tribal sheikh Rokan Al-Kayali and his infant son in their house near Khalis; on 8 September 2008, gunmen attacked the house of Raad Rasheed, the SoI leader in Shirween area north of Ba'quba, and kidnapped him; on 24 August 2008, a suicide bomber targeting Abdel Karim Ahmed Mindil, the leader of local Awakening Council, blew himself up in a car dealership in Khalis. Mindil was killed along with four others; on 2 August 2008, a roadside bomb targeted a SoI checkpoint in Flajjah village, killing four SoI and injuring another four; on 24 July 2008: A female suicide bomber blew herself up as she approached a group of Awakening Council guards in a crowded area of central Ba'quba, killing at least eight of the guards and wounding 24 other people. Reportedly, the local Awakening Council chief, Naaim Al-Duliami, was killed along with seven of his bodyguards; on 21 July 2008, gunmen attacked Al-Bowashi village south of Ba'quba targeting the SoI, killing one and kidnapping four; also on 21 July 2008, seven people including five SoI were killed and eight civilians injured in a parked tractor bomb in Saidiyah; also on 21 July 2008, gunmen shot dead Sheikh Abdelghafour Abdullah, a tribal chief of Al-Ubayd clan in Ba'quba; on 22 June 2008, mortar rounds fell on a SoI headquarters in Udham, killing 10 SoI and injuring 24 others; on 20 May 2008, five civilians were injured when a suicide bomber targeted Sheikh Mutlab Al-Nidawi, head of the Nidawi tribe and SoI leader in the town of Mandeli; on 5 May 2008, gunmen broke into the house of Sheikh Ibrahim Shalbi, a leader of the Majmaa tribe, at Bzyid Khureisan. The gunmen kidnapped the sheikh and three family members. Already one month earlier, the sheikh's son-in-law had been kidnapped and his dead body was found a few days later; on 2 May 2008, gunmen attacked a SoI headquarters in Al-Mukhifah area in Muqtadiyah, killing two SoI and injuring five. Then they rigged the building with explosives and blew it up; on 29 April 2008, a female suicide bomber detonated herself among SoI in Abo Saida village, killing one SoI and injuring five others; on 28 April 2008, gunmen attacked Al-Bayjat village, whose residents had joined the SoI. The residents refuted the attack and killed five gunmen; on 16/17 April 2008, brothers Arif and Haithem Mhawish, both Awakening members, were gunned down near their home in the village of Albu Mohammed. The following day, a suicide bomber blew himself up in the funeral tent amid a crowd of men and boys gathered to mourn the two slain tribesmen, killing 30 people, including Sheikh Kareem Shamil, an uncle of the two, who had been forming Awakening Councils in two different villages; on 8 April 2008, suspected AQI terrorists killed Sheikh Aziz Mohammed Faraj, head of the Obaid clan, and

Professionals have also been targeted.⁴⁸⁸ On 21 May 2008, the body of journalist Haidar Hashem Al-Husseini was found in Ba'quba two days after he was kidnapped.⁴⁸⁹

his three sons near Khalis; on 10 March 2008: A female suicide bomber killed Thaer Saggban Al-Karkhi, a prominent Sunni Arab tribal chief, who headed a neighbourhood security unit and three others in Kanaan. Al-Karkhi's niece was also killed and two bodyguards were wounded; and on 2 January 2008, a suicide bomber killed 10 people and wounded eight in a suicide attack on SoI members in Ba'quba. Among those killed was Abdul-Rafaa Al-Nidawi, whom police described as the coordinator between US forces and the volunteer patrols in the city. See Annex "*Tribal figures and SoI leaders/members*".

⁴⁸⁶ For example, on 8 February 2009, Ismail Adnan, a municipal council member in Saidiyah District survived an attempt on his life when a bomb targeted his vehicle; on 7 December 2008, an IED went off inside a store in central Ba'quba during a tour of local officials in the city, leaving 34 people, including Abdullah Al-Hayali, the city's mayor, wounded; on 9 November 2008, a roadside bomb targeting the district commissioner of Khalis, Uday Al-Khathran, detonated in Khalis market, killing five people and wounding eight including the district commissioner; on 29 September 2008, a roadside bomb targeted the motorcade of Ahmed Zarkoush, the mayor of Saidiyah town. Zarkoush was injured along with three of his bodyguards and two civilians; on 12 August 2008, a suicide bomber targeted the motorcade of the Governor of Diyala as it was leaving the Governorate compound. The Governor, who was accompanied by General Abdulkarim Khalaf, Commander of Operations in the Iraqi MoD, was not harmed but three civilians were killed and seven persons were injured; on 31 May 2008, gunmen assassinated Ahmed Foad, Head of the Diyala morgue, in Ba'quba; on 29 April 2008, the mayor of Saidiyah town, Samir Al-Sadi, was injured in an IED explosion that targeted his convoy while in downtown Saidiyah; on 24 April 2008, gunmen attacked Wayis Mohammed Zaidan, the head of Wajihyah sub-District, injuring him and his driver; on 14 April 2008, gunmen killed an Independent Electoral Commission worker in a drive-by shooting outside his house east of Ba'quba; on 31 March 2008, a roadside bomb targeted the Deputy Governor's convoy in Muqtadiyah, killing two of his guards; on 30 March 2008, a roadside bomb targeted the convoy of Ibrahim Hassan, the Head of Diyala Governorate Council, when on his way to Saidiyah. Two guards were killed in the incident; on 27 March 2008, the District Commissioner's office in Khan Bani Saad was targeted with mortar fire by the JAM; on 3 February 2008, a bomb exploded inside the office of Dr. Hussein Al-Zubaidi, the Head of the Security Committee for the Diyala Provincial Council, in Ba'quba. The blast injured him, two bodyguards and two US soldiers; and on 19 January 2008, a roadside bomb targeted the convoy of the Diyala Governor near his house in Al-Wajihyah, killing three bodyguards and injuring two. See Annex "*Government Officials*".

⁴⁸⁷ For example, on 5 February 2009, the house of Salim Al-Zaidi, candidate of *Al-Liqaa Party*, was blown up while his family was in the house. The family members, however, were unhurt. The explosion destroyed the house, located in Gatoun, to the west of Ba'quba and caused damages to two adjacent houses; on 29 January 2009, Abbas Farhan Al-Azzawi, a colonel in the former Iraqi Army and a member and candidate for the Reform and Development Party, a predominantly Sunni group, was shot dead along with his brother and another relative while he was pasting his election posters to a wall near the town of Mandali; on 26 January 2009, a bomber detonated an explosive device strapped to a bicycle near an IIP office in Ba'quba; five civilians were injured in the blast and the attacker was shot dead by the police; on 20 January 2009, a bomb exploded near the entrance of the headquarters of a Sunni political bloc participating in the upcoming provincial elections, injuring three bystanders; on 29 December 2008, gunmen opened fire on Ali Sirwan Kobkha Mahmoud, an official of the PUK's Social Office in Jalawla, killing him on the spot; on 30 September 2008, a roadside bomb targeted the convoy of Jamal Al-Sayd Khalili, a KDP member, in Saidiyah; on 11 September 2008, gunmen killed five KDP members, all of them from the same family, and injured four others in a drive-by-shooting in Saidiyah; on 6 July 2008, seven people were killed and three others were injured in an IED explosion that targeted a vehicle of Mohammed Ramadan, a PUK official, in Qara Tapa; on 19 June 2008, the body of Mahmoud Al-Dwadi, a member of the PUK, who was kidnapped by gunmen from Jamila, a small village in Jalawla sub-District, was found dead riddled with gunshots; on 6 June 2008, a roadside bomb targeted the house of a KDP member in Jalawla town, injuring one person; and on 3 May 2008, gunmen assassinated Abdul-Kareem Mahmoud, an official of the Iraqi Communist Party, in his orchard in Saidiyah. See Annex "*Party Officials*".

⁴⁸⁸ For example, on 7 February 2009, gunmen broke into the house of Kanan Majeed, a lawyer in Kanaan town east of Ba'quba and killed him; on 16 June 2008, Dr. Barakat Kathem was killed in Balad Ruz; and

4. Kirkuk (Tameem) Governorate

202. Most violence in the governorate is linked to the yet unresolved administrative status of Kirkuk and related power struggles between the various Arab, Kurdish and Turkmen actors.⁴⁹⁰ Security conditions in Kirkuk Governorate, and in particular in Kirkuk City, tend to worsen during political events related to the status of Kirkuk as armed groups aim at influencing political decisions. For example, during intense negotiations over a provincial elections law in summer 2008, a suicide attack on demonstrating Kurds resulted in an outbreak of inter-communal violence, in which more than 25 people were killed and over 200 injured.⁴⁹¹ Conversely, tensions and sporadic violence can complicate future status negotiations.⁴⁹² With the postponing of provincial elections in Kirkuk, the security situation has somewhat stabilized. However, simmering inter-communal tensions are prone to erupt into new violence ahead of decisions to be taken in relation to Kirkuk's unresolved status.⁴⁹³ Some observers note that tensions among ethnic groups over the unresolved status of Kirkuk could turn into another civil war.⁴⁹⁴ Insurgent groups such as AQI also aim at stirring inter-communal violence by attacking proponents of ethnic/religious groups.⁴⁹⁵ Furthermore, it has been reported that community groups in Kirkuk are arming themselves in preparation for future clashes.⁴⁹⁶

203. Kirkuk's Arab and Turkmen communities complain of harassment, intimidation, arbitrary arrests and demographic manipulation at the hands of the Kurds, who dominate the Governorate's political and security institutions.⁴⁹⁷ Kurdish law enforcement personnel and political leaders are in turn popular targets for assassination. PUK and KDP offices are also a regular target of attacks. Recently, two members of the Kurdistan Communist Party have

on 8 May 2008, Judge Rasheed Al-Manhal from the Diyala Appeals Court was kidnapped in Ba'quba; see "*Certain professionals*" and Annex "*Professionals*".

⁴⁸⁹ See "*Journalists and media workers*".

⁴⁹⁰ See "*Pending key political decisions*".

⁴⁹¹ See "*Local and national elections*".

⁴⁹² US Department of Defense, *September 2008 Report to Congress*, see above footnote 231, p. 2.

⁴⁹³ See "*Pending key political decisions*".

⁴⁹⁴ "*Pending key political decisions*".

⁴⁹⁵ Joost Hiltermann of the ICG said after the suicide attack on a restaurant in Kirkuk on 11 December 2008 "*(t)he real objective is to sow division between the various communities and inflame passions among the extremists among them – of whom there are plenty in all the communities – and set them up against one another;*" Timothy Williams, *Iraq Bomb Kills 48 in Volatile North*, NY Times, 11 December 2008, <http://www.nytimes.com/2008/12/12/world/middleeast/12iraq.html?ref=middleeast>.

⁴⁹⁶ AKE, *Security Briefing Iraq*, 26 September 2008, http://www.newssafety.com/index.php?view=article&catid=84%3AIraq-security&id=10054%3AAake-security-briefing&option=com_content&Itemid=100378.

⁴⁹⁷ More recently, PM Al-Maliki quietly changed the composition of the Iraqi Army forces in the Kirkuk in an effort to reduce the *Peshmerga* presence, drawing fierce protests from the Kurdish side; Charles Recknagel, *Baghdad's New Security Steps In North Worry Kurds*, RFE/RL, 13 March 2009, <http://www.rferl.org/content/Baghdads-New-Security-Steps-In-North-Worry-Kurds/1509638.html>; Deborah Heynes, *The divided and broken city of Kirkuk faces up to the curse of oil*, Times, 29 August 2008, <http://www.timesonline.co.uk/tol/news/world/iraq/article4629463.ece>; Richard A. Oppel Jr., *Kurdish control of Kirkuk creates a powder keg in Iraq*, IHT, 19 August 2008, <http://www.iht.com/articles/2008/08/19/africa/19kirkuk.php>; Hewa Aziz, *Iraq: Kirkuk's 'Asayish' Force Commander Denies Force Involved in Arrests*, Asharq Alawsat, 22 August 2008, http://www.iraqupdates.com/p_articles.php/article/35529; Sam Dagher, *Iraq's simmering ethnic war over Kirkuk*, CS Monitor, 24 April 2008, <http://www.csmonitor.com/2008/0424/p06s02-wome.html>.

been killed in their homes in Kirkuk. The brother of a high-ranking member of the same party was also killed.⁴⁹⁸ Religious and ethnic minorities often find themselves caught up in the middle of struggles for power and territory.⁴⁹⁹

204. In Kirkuk Governorate, there are regular roadside bombings, shootings, and occasional car bombs and suicide attacks. On 11 December 2008, a suicide bomber killed 46 people and wounded nearly 100 when he detonated his explosive vest in a restaurant packed with government officials, women and children during lunch near Kirkuk City.⁵⁰⁰ There are also

⁴⁹⁸ *Ibid.*

⁴⁹⁹ See “Pending key political decisions”.

⁵⁰⁰ Mustafa Mahmoud, *Suicide bombing kills 46 in Iraqi restaurant*, Reuters, 11 December 2008, <http://www.alertnet.org/thenews/newsdesk/LB590877.htm>. Other incidents reported between November 2008 and February 2009 (not comprehensive) include: on 3 February 2009, a suicide bomber was arrested by the Kurdish intelligence in downtown Kirkuk before detonating himself in a bus station; one day earlier, a mortar hit one a houses in Quriyah neighbourhood in downtown Kirkuk. The mortar did not explode and no damage was reported; Hussein Kadhim, *Round-up of Daily Violence in Iraq – Tuesday 3 February 2009*, McClatchy Newspapers, 3 February 2009, <http://www.mcclatchydc.com/212/story/61385.html>; on 1 February 2009, a roadside bomb targeted a truck on the main route between Kirkuk and Tikrit, injuring the driver and damaging the truck. One day earlier, a roadside bomb targeted a civilian car in central Kirkuk City late Saturday, without causing casualties; Sahar Issa, *Round-up of Daily Violence in Iraq – Sunday 1 February 2009*, McClatchy Newspapers, 1 February 2009, <http://www.mcclatchydc.com/212/story/61244.html>; on 21 January 2009, a roadside bomb detonated near Al-Noor mosque in eastern Kirkuk City, killing one person was killed and wounding another; Laith Hammoudi and Hussein Kadhim, *Round-up of Daily Violence in Iraq – Wednesday 21 January 2009*, McClatchy Newspapers, 21 January 2009, <http://www.mcclatchydc.com/212/story/60396.html>; on 17 January 2009, an IED went off near a truck in the southwest of Kirkuk city, wounding its driver; VOI, *IED Wounds Driver Near Kirkuk*, 18 January 2009, http://www.iraqupdates.com/p_articles.php/article/43585; on 9 January 2009, a roadside bomb targeted an Iraqi Army vehicle in Tuz District, killing one Iraqi soldier, injuring two others; Sahar Issa, *Round-up of Daily Violence in Iraq – Friday 9 January 2009*, McClatchy Newspapers, 9 February 2009, <http://www.mcclatchydc.com/212/story/59364.html>; 22 December 2008, gunmen opened fire on a policeman in Kirkuk City, injuring the policeman; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Monday 22 December 2008*, McClatchy Newspapers, 22 December 2009, <http://www.mcclatchydc.com/212/story/58293.html>; on 17 December 2008, a sticky IED went off in front of a house in Kirkuk, wounding two civilians; VOI, *Sticky IED Wounds 2 in Kirkuk*, 17 December 2008, http://www.iraqupdates.com/p_articles.php/article/41762; on 16 December 2008, a policeman was injured by a roadside bomb that targeted his vehicle in Rashad area west of Kirkuk; Laith Hammoudi, *Round-up of Daily Violence in Iraq – Tuesday 16 December 2008*, McClatchy Newspapers, 16 December 2008, <http://www.mcclatchydc.com/212/story/57902.html>; on 7 December 2008, two IEDs targeting police patrols went off in southern Kirkuk, killing one policeman and wounding four others; VOI, *2 IED Blasts Leave Policeman Killed, 4 Wounded in Kirkuk*, 8 December 2008, http://www.iraqupdates.com/p_articles.php/article/41283/refid/RN-story-09-12-2008; on 6 December 2008, a suicide bomber targeted police recruits, killing one policeman and wounding at least nine other people; VOA, *Suicide Blast Kills 1, Wounds 9 in Northern Iraq*, 6 December 2008, <http://voanews.com/english/2008-12-06-voa13.cfm>; on 21 November 2008, an adhesive bomb stuck to a civilian car parked in front of a civilian home in Al-Ghaz neighbourhood detonated, causing damage to the car; Sahar Issa, *Round-up of Daily Violence in Iraq – Friday 21 November 2008*, McClatchy Newspapers, 21 November 2008, <http://www.mcclatchydc.com/212/story/56264.html>; on 7 November 2008, an IED exploded in Hawija District in front of the house of a civilian causing material damages to the house. Another IED was found and defused; Sahar Issa, *Round-up of Daily Violence in Iraq, Friday, 7 November, 2008*, McClatchy Newspapers, 7 November 2008, <http://www.mcclatchydc.com/212/story/55466.html>; on 2 November 2008, a roadside bomb detonated in Hawija District, injuring three people. The same day, an adhesive bomb detonated under a civilian car in Kirkuk City. The driver of the car, who works in an Iraqi military base, was injured. Hussein Kadhim,

targeted kidnappings and assassinations, including of security officials,⁵⁰¹ tribal leaders/SoI,⁵⁰² government officials and employees,⁵⁰³ (mostly Kurdish) party officials,⁵⁰⁴ members of

Round-up of Daily Violence in Iraq-Sunday 2 November 2008, McClatchy Newspapers, 2 November 2008, <http://www.mcclatchydc.com/212/story/55138.html>; and on 1 November 2008, three children were killed when an IED went off in south-western Kirkuk City; VOI, *3 children killed in Kirkuk blast*, 2 November 2008, http://www.iraqupdates.com/p_articles.php/article/39157.

⁵⁰¹ For example, on 9 February 2009, a roadside bomb targeted the head of Rahimawa police station's convoy in downtown Kirkuk. One policeman was injured with one vehicle damaged; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Monday 9 February 2009*, McClatchy Newspapers, 9 February 2009, <http://www.mcclatchydc.com/212/story/61803.html>; on 16 December 2008, Al-Rashad District police chief, Captain Firas Kadhim, survived an attempt on his life when a sticky IED targeted his motorcade while he was heading to work. One of his security guards were wounded; VOI, *Police Chief Escapes Attempt on Life in Kirkuk*, 17 December 2008, http://www.iraqupdates.com/p_articles.php/article/41755; on 11 November 2008, an IED planted near the house of Colonel Jamal Fares, the Deputy Director of the District Police, in Al-Askari neighbourhood in southern Kirkuk, went off, causing severe material damage; VOI, *Bomb Explodes Near Security Official's House in Kirkuk*, 11 November 2008, http://www.iraqupdates.com/p_articles.php/article/39757; on 27 September 2008, Lt. Col. Hussein Ali, a training officer in Kirkuk's Police Academy, survived an attempt on his life when gunmen opened fire on his vehicle while he was heading to work in southern Kirkuk City; VOI, *Officer escapes attempt on life in Kirkuk*, 28 September 2008, http://www.iraqupdates.com/p_articles.php/article/37164; on 23 January 2008, a roadside bomb targeting the convey of Colonel Jawdet Mohammed Abdulla, deputy chief of Kirkuk's Police Academy, killed at least six people and wounded 12; Xinhua, *Six killed, 12 wounded in blast in Iraq's Kirkuk city*, 23 January 2008, <http://english.sina.com/world/1/2008/0123/143179.html>. See also Annex "Members of the ISF".

⁵⁰² For example, on 3 March 2009, gunmen driving a speeding car shot and killed Werya Fattah Agha al Kakai, brother of Adnan Agha al Kakai, a prominent tribal leader, on the door step of his house in central Kirkuk; on 8 December 2008, gunmen attacked the house of an Awakening Council member in a village south-west of Kirkuk city, wounding him; on 2 December 2008, an Awakening Council leader in Hawija escaped an attempt on his life; on 24 November 2008, Khalaf Al-Jaburi, a Sunni tribal leader, was shot dead outside his home in Kirkuk City; on 8 October 2008, gunmen in three cars assassinated Abdullah Ghazi, an Awakening Council leader, on his farm in Zab; on 18 August 2008, gunmen killed Raheem Thyab Al-Bayati, a SoI leader, south of Tuz town; on 5 August 2008, gunmen slit the throats of three Awakening members in an attack on their checkpoint near the village of Al-Hindiya in Al-Multaqa District; on 20 April 2008, a group of gunmen in two vehicles attacked the car of Mahmoud Attiya Hassan Al-Ubaydi, an Awakening Council official in Al-Rashad neighbourhood, and his son in south-west Kirkuk, killing Al-Ubaydi and his son instantly; on 11 March 2008, Odeh Khalaf Zidan, Head of the Abbasi District Awakening Council, was injured by a roadside bomb in Kirkuk; on 24 February 2008, one civilian was killed and nine people were wounded, including six SoI, when a car bomb exploded targeting the SoI in Hawija. The SoI leader Colonel Hussein Khalaf Ali was among those injured; and on 10 February 2008, the leader of the Abbasi Awakening Council, Majeed Ahmed Khalaf, was injured with two of his followers when a suicide bomber detonated his car near their car on the Abbasi – Hawija road south-west of Kirkuk City. See Annex "Tribal figures and SoI leaders/members".

⁵⁰³ For example, on 26 March 2009, three workers from the Electricity Department were injured when a roadside bomb targeted them while working in Rashad neighbourhood in western Kirkuk; on 25 February 2009, gunmen kidnapped three employees of Iraq's state-run Northern Oil Company in the town of Rashad, south-west of Kirkuk; on 14 January 2009, the Chief of Daquq Local Council, Amir Khuwa Karam, reportedly survived an assassination attempt after a roadside bomb attack is suspected to have targeted his motorcade in Kirkuk; on 15 November 2008, an explosive device attached to the car of a local official fell down on the road while the car was moving. It then exploded without causing any casualties; on 11 October 2008, an IED detonated near a vehicle carrying the Deputy Director of Kirkuk's Waqf (Endowments) Department, Mulla Mohammed Azad Khorshid, in western Kirkuk City, wounding him, his wife and an escort; on 18 September 2008, gunmen wounded a government employee in a drive-by shooting in central Kirkuk; on 8 September 2008, a civil servant working for the Iraqi North Oil Company (NOC) was kidnapped by an armed group in front of his house in Kirkuk City; on 2 September 2008, Rakan Said, Kirkuk's Deputy Governor survived an assassination attempt in Kirkuk City; on

minority groups,⁵⁰⁵ journalists⁵⁰⁶ and other professionals.⁵⁰⁷ Dead bodies continue to be found occasionally in Kirkuk Governorate.⁵⁰⁸

13 August 2008, a suicide bomber driving a pick-up truck targeted a convoy carrying Abdul Karim Ali Nassif, chief administrator of the Al-Multaqa District in Kirkuk; on 24 June 2008, gunmen opened fire on Ibrahim Hassan Ali, the mayor of Karhat Qazen village southwest of Kirkuk, killing him instantly; on 16 April 2008, a roadside bomb targeted the convoy of the Kirkuk Agricultural Department manager in downtown Kirkuk, injuring two guards; on 12 March 2008, a roadside bomb targeting a local council member near Kirkuk wounded two of his bodyguards; on 29 February 2008, police found the body of Ahmed Khalaf, a member of Hawija Municipal Council, who had been kidnapped a few days ago by gunmen. See Annex “*Government Officials*”).

⁵⁰⁴ For example, on 8 January 2009, gunmen opened fire on Abdelrazeq Mohsen Ulwi, the brother of Nusseir Ulwi, the leader of the Kurdistan Communist Party in Saadiya District, killing him instantly; on 5 January 2009, gunmen shot and killed Subhi Hassan, a leading PUK member, north of Kirkuk; on 3 January 2009, police found the dead body of Mohieddin Rassoul, a member of the Kurdistan Communist Party, inside his home in northern Kirkuk. He had been shot in his head; on 18 December 2008, Nahrla Hussein, a member of the Kurdistan Communist Party’s Women’s League was found beheaded inside her home in southern Kirkuk; on 4 November 2008, a roadside bomb blew up near a PUK office in the Nasr area in downtown Kirkuk. No casualties were reported; on 9 October 2008, three mortars hit the KDP headquarters in Kirkuk City, wounding two women; on 5 July 2008, a roadside bomb targeted a PUK official in Kirkuk, but no casualties were reported; on 8 October 2008, gunmen killed an intelligence member of the PUK in Aghjlar town east of Kirkuk; on 5 July 2008, a roadside bomb targeted a PUK official in Kirkuk, but no casualties were reported; on 4 February 2009, gunmen shot Mahmoud Ali Nafotji, a Turkman Front leader, in Tuz Khurmato. The attack, and a defused roadside bomb that targeted his funeral march, sparked outrage among Turkmen, who expressed concern that Kurds are trying to take control of Kirkuk; and on 2 February 2008, gunmen attacked a PUK headquarters south of Kirkuk and injured one of the guards. See Annex “*Party Officials*”).

⁵⁰⁵ On 9 January 2008, a civilian was injured in a car bomb that targeted the Kirkuk Cathedral in downtown Kirkuk city. In a separate incident, two civilians were wounded in a car bomb attack on Mar Athram Orthodox church in downtown Kirkuk city; see “*Members of religious and ethnic minorities*”).

⁵⁰⁶ On 10 October 2008, Dayyar Abbas, an Iraqi journalist working for the independent news agency *Al-Ain*, was killed in a drive-by shooting in downtown Kirkuk City; and on 21 July 2008, Soran Mama Hama, a reporter for the Kurdish-language magazine *Levin*, was shot dead in the City of Kirkuk. He was likely targeted for his reporting on local corruption and prostitution. See Annex “*Journalists and media workers*”).

⁵⁰⁷ For example, on 4 March 2009, gunmen shot dead a lawyer after storming his office in central Kirkuk; on 10 February 2009, gunmen in a car shot dead a football player who played for a local team in Kirkuk; on 24 November 2008, gunmen killed a lawyer in a drive-by shooting in central Kirkuk while he was heading for work; on 1 September 2008, ten people were injured including five guards, when a suicide car bomb targeted the convoy of Abdul Ameer Mahdi, a judge of Tuz Khurmato court, on the road between Kirkuk and Tuz Khurmato; on 25 June 2008, a bomb blast targeted the motorcade of the manager of the Kirkuk city hospital, Dr. Sabah Amin Al-Dawoudi, who narrowly escaped the bid on his life; on 5 March 2008, Abdul Sattar Tahir Sharif, University professor and minister under the former regime, was shot dead in Kirkuk; and on 1 January 2008, judge Tahseen Omer Naji of the Kirkuk Supreme Court was rescued by security forces after he was abducted a day earlier. See “*Certain professionals*” and Annex “*Professionals*”).

⁵⁰⁸ On 15 January 2009, police found three unidentified bodies of men showing signs of having been shot near a village in north-west Kirkuk; VOI, *3 Unidentified Bodies Found Near Kirkuk*, 16 January 2009, http://www.iraqupdates.com/p_articles.php/article/43499; on 23 December 2008, police found a body of an old man stabbed to death; Laith Hammoudi, *Round-up of Daily Violence in Iraq – Tuesday 23 December 2008*, McClatchy Newspapers, 23 December 2008, <http://www.mcclatchydc.com/212/story/58352.html>; on 1 December 2008, police found 12 dead bodies in Qara-Hassan village south of Kirkuk City. The corpses were burnt and bore signs of gunshots inflicted a few days earlier; VOI, *12 Corpses Found in Kirkuk*, 2 December 2008, http://www.iraqupdates.com/p_articles.php/article/40979; on 20 November 2008, police found the body of a woman with gun shot wounds in the town of Shwan, near Kirkuk; Reuters, *FACTBOX-Security*

5. Ninewa Governorate

205. Ninewa Governorate has a very diverse population of mostly Arabs, Kurds and Turkmen in addition to various religious and ethnic minority groups. Its demographic make-up and the fact that large parts of the governorate are contested between the KRG and the Central Government, make it a breeding ground for extremist groups seeking to destabilize the country.⁵⁰⁹ After AQI was forced out of most urban areas of Al-Anbar, Diyala and Baghdad Governorates, Mosul City, where the large majority of the population is living, has become its last urban stronghold.⁵¹⁰ Unlike other Sunni-dominated governorates, where Awakening Councils/Sol substantially helped to confront AQI and other insurgent groups, there is only a limited presence of some 2,700 Sol in the Southern parts of Ninewa.⁵¹¹ The main reason for the lack of Sol presence in other parts of Ninewa is the Kurdish opposition to the establishment of Arab tribal councils.⁵¹² Some Arabs consider the *Peshmerga* to be an occupying force, a sentiment that AQI and other Sunni insurgent groups try to exploit.⁵¹³ Insurgent groups also draw from the area's high unemployment rate of over 50%⁵¹⁴ and have reportedly also infiltrated the local ISF.⁵¹⁵ Furthermore, Ninewa's strategic position near the border with Syria

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- developments in Iraq, Nov 20, 20 November 2008, <http://www.alertnet.org/thenews/newsdesk/KAM037878.htm>; on 6 November 2008, police found a dead body in Sayada village on the way from Kirkuk to Taza; Hussein Kadhimi, *Round-up of Daily Violence in Iraq-Thursdays 6 November 2008*, McClatchy Newspapers, 6 November 2008, <http://www.mcclatchydc.com/212/story/55407.html>; on 5 November 2008, the bodies of a young man and a woman were found by police southwest of Kirkuk. The corpses bore signs of gunshot wounds; VOI, 2 bodies found in Kirkuk, 5 November 2008, http://www.iraquupdates.com/p_articles.php/article/39391; on 25 October 2008, police found an unidentified body in Tobzawa area in south-western Kirkuk; he appeared to have been shot; VOI, *Unidentified body found in Kirkuk*, 26 October 2008, http://www.iraquupdates.com/p_articles.php/article/38662.
- ⁵⁰⁹ Jonathan Steele, Iraq: *Al-Qaida intensifies its stranglehold in the world's most dangerous city*, The Guardian, 15 September 2008, <http://www.guardian.co.uk/world/2008/sep/15/iraq.alqaida> (further: Steele, *Al-Qaida intensifies its stranglehold in the world*”).
- ⁵¹⁰ According to the US Department of Defense, “Mosul continues to be a logistical, financial, and operational hub for AQI in the North and in other provinces;” US Department of Defense, *December 2008 Report to Congress*, p. 25, see above footnote 9. See also AP, *Reconciliation is Needed in Mosul*, 4 December 2008, <http://www.iht.com/articles/ap/2008/12/04/news/ML-Iraq-Fixing-Mosul.php> (further: “AP, *Reconciliation is Needed in Mosul*”); Michel Moutot, *Mosul, where Iraq's insurgency still rages*, AFP, 20 November 2008, http://news.yahoo.com/s/afp/20081120/wl_mideast_afp/iraqunrestusmosul_081120182139 (further: “Moutot, *Mosul, where Iraq's insurgency still rages*”).
- ⁵¹¹ UNHCR information, December 2008. See also Michel Moutot, *Mosul, where Iraq's insurgency still rages*, see above footnote 510; Steele, *Al-Qaida intensifies its stranglehold in the world*, see above footnote 509; Reuters, *FEATURE-Iraq's Mosul struggles to shake off al Qaeda*, 15 July 2008, <http://www.alertnet.org/thenews/newsdesk/L11709574.htm>.
- ⁵¹² See “*Political power struggles*”.
- ⁵¹³ According to the US military, there at least 13 insurgent groups in Mosul, many of which are remnants of Saddam Hussein's former Baath Party; Tim Cocks, *Election could help eject al Qaeda from Iraq*, Reuters, 6 February 2009, <http://www.alertnet.org/thenews/newsdesk/L6508956.htm>.
- ⁵¹⁴ Qassim Khidhir, *Mosul Reduced to Ghost Town*, IWPR, Iraqi Crisis Report No. 279, 19 December 2008, http://www.iwpr.net/?p=icr&s=f&o=348681&apc_state=henh; AP, *Reconciliation is Needed in Mosul*, see above footnote 510; Moutot, *Mosul, where Iraq's insurgency still rages*, see above footnote 510.
- ⁵¹⁵ For example, on 24 February 2009, two Iraqi policemen opened fired on four American soldiers and two Iraqi interpreters inside a police station in Mosul, killing one US soldier and one interpreter and

and remote mountainous and desert terrain is another challenge to secure it.⁵¹⁶ The relative security improvements in many parts of the country have not yet taken hold in Iraq's second largest city despite a wide-scale military operation launched in May 2008 ("Operation Mother of Two Springs") to root out AQI and other insurgent groups. As seen in the past, there have been only limited clashes between the ISF and AQI in Mosul, suggesting that AQI fighters are pursuing their usual tactic of lying low to wait out the assault or relocating elsewhere to keep their resources.⁵¹⁷ After the displacement of over 10,000 of Mosul's Christians in September and October 2008, a massive ISF presence has been deployed into Mosul City ("Operation Mother of Two Springs 2").⁵¹⁸ Nevertheless, mass-casualty attacks,⁵¹⁹ kidnappings and targeted assassinations continue to occur on an almost daily basis.

206. Ninewa's second city, Tal Afar, which is inhabited by many ethnic Turkmen, remains a stronghold of Sunni insurgents and sees regular attacks on the ISF, and, to a lesser extent the MNF-I. On a regular basis, civilians are targeted, mostly in public places such as mosques, restaurants and markets. Many attacks are targeting Shi'ite Turkmen in an aim to reignite sectarian violence. For example, on 15 February 2008, two suicide bombers attacked Friday prayers at the Shi'ite Jawad Al-Sadiq mosque in Tal Afar. At least four persons were killed and 13 wounded.⁵²⁰ Several attacks have also occurred in the (disputed) District of Sinjar, which is

wounding the others. See: Sudarsan Raghavan, *U.S. Soldier Killed as Two Iraqi Policemen Fire on Troops in Mosul*, The Washington Post, 25 February 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/02/24/AR2009022401468.html>.

⁵¹⁶ Mohammed Abbas, *Qaeda clings to Mosul as violence falls in Iraq*, Reuters, 8 October 2008, <http://www.reuters.com/article/reutersEdge/idUSTRE4975FN20081008>.

⁵¹⁷ Steele, *Al-Qaida intensifies its stranglehold in the world*, see above footnote 509.

⁵¹⁸ Currently there are approximately 35,000 members of the ISF present in Mosul City; Moutot, *Mosul, where Iraq's insurgency still rages*, see above footnote 510; Hisham Mohammed Ali, *Mosul Christians reluctant to return*, IWPR, Iraqi Crisis Report No. 276, 20 November 2008, http://www.iwpr.net/index.php?apc_state=hen&s=o&o=l=EN&p=icr&s=f&o=347913.

⁵¹⁹ According to the US Department of Defense, "(D)espite AQI's loss of capability, absent Iraqi-led and sustained presence, the group could recover and remains capable of conducting high-profile, mass casualty attacks;" US Department of Defense, *December 2008 Report to Congress*, p. 25, see above footnote 9.

⁵²⁰ Security incidents in Tal Afar between January 2008 and mid-February 2009 included in particular the following (as reported in the media): on 20 January 2009, a gunman threw a grenade on workers near a police check point in Tal Afar, wounding six persons, including two policemen; on 29 December 2008, a suicide bomber walking with a man tried to reach a joint centre for the Iraq Army and Police in Tal Afar. The police shot and killed the suicide bomber. The man detonated injuring the other man; on 2 December 2008, at least five people were killed and 25 others were wounded in a car bomb explosion near a police checkpoint in Tal Afar; on 15 November 2008, a car bomb exploded in a car dealership in Tal Afar, killing nine people and wounding 40; on 11 November 2008, 11 civilians were killed and 30 others were wounded by a parked car bomb in Tal Afar; on 28 October 2008, ISF found 20 corpses in the basement of a house in Tal Afar after receiving information from local residents; on 9 October 2008, a roadside bomb detonated in a restaurant in Tal Afar, killing two people and injuring three; on 2 October 2008, a roadside bomb detonated inside a restaurant in Tal Afar, killing two people, including a policeman, and wounding three others; on 20 September 2008, two civilians were killed and 17 others were injured when a suicide car bomber targeted a football yard in downtown Tal Afar; on 17 September 2008, a roadside bomb targeted an army patrol in Tal Afar, wounding three soldiers; on 6 September 2008, a suicide bomber detonated his car bomb in central Tal Afar, killing six civilians and injuring 32; on 27 August 2008, 14 civilians were injured by a suicide car bomb that detonated before reaching a checkpoint in Tal Afar; on 8 August 2008, a parked car bomb targeted civilians in a market in Tal Afar city, killing 20 civilians and injuring 70 others; on 16 July 2008, a car bomb detonated in a local market in Tal Afar, killing 16 and injuring 94 persons; on 9 June 2008, gunmen killed two prominent tribal

mostly inhabited by Yazidis.⁵²¹ In August 2007, Sinjar District was the site of the single most deadly attack in Iraq since 2003. The coordinated truck bombings of Yazidi compounds killed up to 500 Yazidis and wounded several hundred more.⁵²²

207. Further complicating matters is the fact that Ninewa contains some of the so-called “disputed areas” that the KRG seeks to incorporate into the Kurdistan Region. While the majority of the governorate is Sunni Arab (approximately 60%), the Kurds have dominated the local security forces and the provincial council.⁵²³ As part of the recent security offensive, PM Al-Maliki deployed Sunni Arab soldiers to Mosul to replace predominantly Kurdish army units and appointed his brother-in-law as the new commander of the IA division in charge of Mosul’s east side, which is predominantly inhabited by Kurds.⁵²⁴ The Kurds considered these moves as

leaders, Sheikh Abdulnoor Mohammed Noor Al-Tahhan, the chief of the Obaid tribe, and Sheikh Mohammed Khalil Hansh, the chief of Al-Halaibik tribe, when on their way from Mosul to Tal Afar; on 27 May 2008, a parked car bomb in Tal Afar killed five people and injured 45 others; and on 14 April 2008, a suicide bomber targeted a funeral ceremony in Tal Afar, killing four people and injuring 22. See Annex “Tal Afar”).

⁵²¹ On 31 December 2008, five people were killed and 45 others were injured by a parked car bomb near a market area in Sinjar town; Laith Hammoudi, *Round-up of Daily Violence in Iraq – Wednesday 31 December 2008*, McClatchy Newspapers, 31 December 2008, <http://www.mcclatchydc.com/212/story/58782.html>; on 14 December 2008, gunmen killed seven members of one family including three women in Sinjar town; Hussein Kadhim, *Round-up of Daily Violence in Iraq – Monday 15 December 2008*, McClatchy Newspapers, 15 December 2008, <http://www.mcclatchydc.com/212/story/57826.html>; on 12 September 2008, two people were killed and 12 were wounded when a suicide bomber detonated his explosives-laden vest outside a Shi’ite mosque in the town of Sinjar; Sam Dagher, *31 Killed in Car Bomb Attack on Iraq Shiite Enclave*, NY Times, 12 September 2008, <http://www.nytimes.com/2008/09/13/world/middleeast/13iraq.html>; on 29 May 2008, a bomber wearing an explosive vest blew himself up near a police recruitment centre, killing 16 people and injuring many others; Ned Parker and Saif Hameed, *Attack kills 16 in region disputed by Kurds, Arabs*, LA Times, 30 May 2008, <http://articles.latimes.com/2008/may/30/world/fg-iraq30>; on 14 April 2008, a suicide truck bomber targeted a *Peshmerga* squad while they were on their way home to Sinjar on vacation. Subsequently, gunmen opened fire on the *Peshmerga*. Fourteen soldiers were killed and 15 others were injured; Hussein Kadhim, *Round-up of Daily Violence – Monday 14 April 2008*, McClatchy Newspapers, 14 April 2008, <http://www.mcclatchydc.com/212/story/33575.html>; and on 10 February 2008, alleged AQI gunmen killed a family of six in Sinjar town; Laith Hammoudi, *Round-up of Daily Violence in Baghdad – Sunday 10 February 2008*, McClatchy, 10 February 2008, <http://www.mcclatchydc.com/212/story/27217.html>. See also Qassim Khidhir, *Mixed Fortunes of Yazidis in New Iraq*, IWPR, Iraqi Crisis Report No. 280, 12 January 2009, http://www.iwpr.net/?p=icr&s=f&o=349075&apc_state=henh.

⁵²² Leila Fadel and Yasseen Taha, *Death Toll From Iraq Bombings Likely To Be Worst of War*, McClatchy Newspapers, 15 August 2007, <http://www.mcclatchydc.com/100/story/18959.html>.

⁵²³ Most Sunni Arabs boycotted provincial elections in 2005 and Kurds hold 31 of 41 provincial council seats; AP, *Reconciliation is Needed in Mosul*, see above footnote 510; Missy Ryan, *Kurd-Arab Tensions May Threaten Iraq Calm*, Reuters, 13 November 2008, http://www.iraqupdates.com/p_articles.php/article/39847.

⁵²⁴ Charles Recknagel, *Baghdad's New Security Steps In North Worry Kurds*, RFE/RL, 13 March 2009, http://www.rferl.org/content/Baghdads_New_Security_Steps_In_North_Worry_Kurds/1509638.html; Ned Parker and Usama Redha, *Arabs, Kurds take their fight to polls*, LA Times, 25 January 2009, <http://www.latimes.com/news/nationworld/world/la-fg-iraq-mosul25-2009jan25.0.6259422.story>; AP, *Reconciliation is Needed in Mosul*, see above footnote 510; Sam Dagher, *Old ethnic rifts threaten to break into violence in Mosul*, IHT, 28 October 2008, <http://www.iht.com/articles/2008/10/28/africa/mosul.php>; see also Ernesto Londoño, *Kurds in N. Iraq Receive Arms From Bulgaria*, The Washington Post, 23 November 2008, <http://www.washingtonpost.com/wp-dyn/content/story/2008/11/23/ST2008112300239.html>.

an attempt to weaken their military influence in the city.⁵²⁵ Al-Maliki's efforts to reach out to Sunni tribal figures and to establish "Support Councils" in Ninewa have also been met with outright opposition from the Kurdish parties and the KRG.⁵²⁶ There are concerns that the ethnic-political tensions might spill out violently.⁵²⁷

208. As many of these so-called "disputed areas", such as the towns and villages in the Ninewa Plains and Sinjar District, are inhabited by religious and ethnic minority groups including Christians, Shabak, Yazidis and Kaka'i, they have become vulnerable to political pressure and manipulation.⁵²⁸ Extremist groups such as AQI are further exploiting the ethnic and religious fault lines.⁵²⁹ The vulnerability of religious minorities has become most obvious in the period between August and October 2008, when a systematic campaign of intimidation and assassinations directed against Mosul's Christian community resulted in the killing of at least 12 Christians and the displacement of over 10,000 persons to outlying districts, neighbouring governorates and into Syria.⁵³⁰ While it has not yet been established who was behind this campaign, it is believed to have a political background given that it took place during heated debates over a provincial elections law and the resolution of "disputed areas" inhabited by Christians.⁵³¹

209. Targeted attacks on Ninewa's religious minorities continue. On 12 September 2008, a suicide bomber killed two people and wounded 15 others in an attack on a Shi'ite mosque in the District of Sinjar.⁵³² On 15 October 2008, a roadside bomb detonated near Maskana church in Al-Noor neighbourhood in Mosul City, causing some damage to the church.⁵³³ On 2 November 2008, a Yazidi couple was found dead in a house in Biaaj.⁵³⁴ On 12 November 2008, gunmen killed two Christian sisters in their house in Mosul and injured their mother and then booby-trapped the building. On 13 November 2008, a car bomb exploded near St. George Church in Hamdaniyah in the Ninewa Plains, where many Christians had sought refuge the previous months. While it may be that the attack was aimed at local security forces, it nevertheless instilled fear among the minority group. On 16 November 2008, an archbishop received a threatening letter from the "Ansar Al-Islam Battalions" ordering all Christians to leave Iraq.⁵³⁵ On 7 December 2008, gunmen shot down two Yazidis inside their liquor store in

⁵²⁵ *Ibid.* This is part of the ongoing and intensifying tensions between the Central Government and the KRG (see also "Political power struggles").

⁵²⁶ See "Political power struggles".

⁵²⁷ Sam Dagher, *Old ethnic rifts threaten to break into violence in Mosul*, IHT, 28 October 2008, <http://www.iht.com/articles/2008/10/28/africa/mosul.php?page=1>.

⁵²⁸ See "Members of religious and ethnic minorities".

⁵²⁹ US Department of Defense, *December 2008 Report to Congress*, p. 25, see above footnote 9; see also Mohammed Abbas, *Qaeda clings to Mosul as violence falls in Iraq*, Reuters, 9 October 2008, http://www.iraqupdates.com/p_articles.php/article/37654.

⁵³⁰ UNHCR information, October 2008.

⁵³¹ See "Local and national elections".

⁵³² Reuters, *FACTBOX: Security developments in Iraq*, 12 September 2008, <http://www.reuters.com/article/GCA-GCA-iraq/idUSLC64947220080912>.

⁵³³ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Wednesday 15 October 2008*, McClatchy Newspapers, 15 October 2008, <http://www.mcclatchydc.com/212/story/53958.html>.

⁵³⁴ VOI, 2 Yazidis killed west of Mosul, 3 November 2008, http://www.iraqupdates.com/p_articles.php/article/39270.

⁵³⁵ UNAMI, November 2008.

northern Mosul.⁵³⁶ On 15 January 2009, an Armenian Christian was reportedly killed execution-style in Mosul.⁵³⁷ And on 18 February 2009, gunmen shot dead a Christian civilian in Al-Midan neighbourhood in Mosul.⁵³⁸ For fear of attacks, Christians have not been campaigning for the provincial elections in Mosul City, but were limiting their activities to Christian areas outside the city.⁵³⁹

210. Due to the ongoing presence of Sunni extremist groups and the potential for ethnic-political violence, the Governorate of Ninewa remains highly instable. In addition to suicide and IED attacks on the ISF⁵⁴⁰/MNF-I, Ninewa continues to see significant numbers of targeted assassinations and kidnappings of security officials,⁵⁴¹ local government officials and employees,⁵⁴² party officials and offices⁵⁴³ (in particular from the KDP/PUK, the IIP⁵⁴⁴ and the

⁵³⁶ VOI, 2 Yazidis running liquor store killed in Mosul, 8 December 2008, http://www.iraqupdates.com/p_articles.php/article/41294.

⁵³⁷ UPI, Christians growing tense in Iraq, 16 January 2009, http://www.upi.com/Emerging_Threats/2009/01/16/Christians_growing_tense_in_Iraq/UPI-24461232144139/.

⁵³⁸ VOI, Christian Civilian Shot Dead by Gunmen in Mosul, 18 February 2008, http://www.iraqupdates.com/p_articles.php/article/45444.

⁵³⁹ AP, Christian Killed in Northern Iraqi City, 19 January 2009, http://www.iraqupdates.com/p_articles.php/article/43565.

⁵⁴⁰ UNAMI, *June 2008 Human Rights Report*, p. 8, see above footnote 414.

⁵⁴¹ See Annex “*Members of the ISF*”.

⁵⁴² On 30 March 2009, gunmen opened fire, killing the General Director of the MoDM department in Hamdaniyah District and injuring another employee when they were leaving the department; on 29 March 2009, gunmen shot down an employee of the Mosul Medical Care Department, killing him instantly; on 19 March 2009, gunmen assassinated Khalil Abdul Rahman, the Mayor of Dobridan village of Bashiqa east of Mosul; on 18 March 2009, gunmen opened fire at a MoDM employee in Arabi neighbourhood in Mosul, wounding him in his head and chest; on 10 March 2009, a car bomb exploded in front of the local government building in Hamdaniyah District, killing two civilians, including the son of the head of the local Judicial Council, and injuring six people; on 6 February 2009, Abdulmajeed Al-Nuaimi, member of the incumbent Provincial Council in Ninewa, reported a strange object next to the outside wall of his home. The Iraqi Army identified it as a roadside bomb and detonated it under control, causing no damages or casualties; on 11 November 2008, a parked car bomb targeted the Department of Youth and Sports in downtown Mosul, injuring 15 civilians including twelve employees of the department; on 11 October 2008, Yahya Abad Mahjoub, an IIP official and member of the Ninewa Provincial Council, survived an assassination attempt when two gunmen targeted his motorcade north of Mosul City; on 7 October 2008, gunmen killed a government employee in Al-Quds neighbourhood in Mosul; on 27 September 2008, gunmen opened fire on Issa Hammoud, a municipal council member in Al-Biaaj, while he was driving his private car on the main road between Al-Biaaj and Sinjar, wounding him and his wife; on 22 September 2008, gunmen blew up the house of Hashem Al-Taei, a member of the CoR and head of its Provinces and Governorates Committee, in Mosul; on 18 September 2008, Younes Shamel, an assistant to the Governor of Ninewa, was gunned down as he was leaving evening prayers in central Mosul; on 8 September 2008, gunmen opened fire on the house of Ninewa Deputy Governor, Khisro Koran, in Mosul City. No casualties were reported; on 24 August 2008, armed men kidnapped an engineer working for the Ninewa Sewage Department near his home in Al-Baladiyat in northern Mosul; on 18 August 2008, Zuheir Al-Aaraji, the mayor of Mosul City, survived an assassination attempt in northern Mosul; on 4 August 2008, an IED exploded in Dorat Al-Yarmouk area in Mosul City targeting the convoy of Khisro Koran, the Deputy Governor of Ninewa. One of his guards was killed and six others were wounded; also on 4 August 2008, the body of a female employee in the Governorate Office was found in Al-Zohoor area in Mosul City; on 28 July 2008, gunmen killed Taghreed Ahmed Al-Maadidi, the chairman of the governmental Cooperation Union in eastern Mosul; on 10 July 2008, Brigadier General Riyadh Jarallah Kashmoula, Head of the Identity and Civil Affairs Department in Mosul, was assassinated by unidentified gunmen as he left his office. Kashmoula is a cousin of Ninewa Governor

Iraqi Communist Party⁵⁴⁵), religious figures⁵⁴⁶ and tribal leaders/SoI,⁵⁴⁷ members of religious minorities as well as professionals⁵⁴⁸ and journalists.⁵⁴⁹

Duraïd Kashmoula; on 7 July 2008, six mortar rounds targeted the Governorate building in Mosul City, injuring six civilians including two employees; on 25 June 2008, gunmen assassinated the Head of the Municipality of Mosul, Khalid Mahmoud, and his driver; on 26 June 2008, at least 18 people died in a car bombing in Mosul in an apparent attack on the Ninewa Governor, Duraïd Kashmoula, who was near the blast but escaped unharmed; on 7 June 2008, the convoy of Ninewa Governor Duraïd Kashmoula was attacked by gunmen during a tour in Zanjili neighbourhood in west Mosul. No casualties were reported, but some damages to the vehicles; on 24 May 2008, a roadside bomb targeted Zuhair Muhsin, the mayor of Mosul city, in eastern Mosul, injuring two of his bodyguards; on 20 April 2008, ISF found the bodies of Shamdein Ibrahim Shamdein, member of the Sinjar local council, and his brother near Sinjar after they had been kidnapped one day earlier from their home; and on 23 March 2008, gunmen shot dead an employee from the Mosul Water Department in Mosul. See Annex “*Government Officials*”.

⁵⁴³ On 29 March 2009, gunmen shot dead Abdullah Al-Sebaawi, a local IIP leader in the city of Mosul; on 24 February 2009, gunmen targeted a PUK office with a hand grenade, injuring two women; one day earlier, a sticky bomb went off near a PUK office in eastern Mosul; on 23 February 2009, Amir Al-Lihaibi, who was a candidate in the provincial elections for the *Iraqi National List*, was wounded by a bomb attached to his car in Mosul; on 15 February 2009, Talab Muhsin Abid, a member of *Al-Hadba* was wounded in Mosul by a bomb planted in his car. The politician ran in the 31 January 2009 provincial elections as part of *Al-Hadba* list in Ninewa; on 12 February, gunmen killed Abdul-Kareem Al-Sharabi, a senior member of the Sunni Arab secularist party “National Dialogue Front”, in a drive-by shooting in Mosul; on 12 February 2009, gunmen opened fire on Akram Khalaf, a candidate of the “National Movement for Reform and Development” in Mosul. Khalaf was injured in the attack; on 11 February 2009, gunmen killed Ahmed Al-Jubouri, a senior IIP member, as he left a mosque in Mosul; on 31 January 2009, gunmen attacked a house belonging to *Al-Hadba* list candidate Faisal Al-Habib south of Mosul. The house was unoccupied at the time of the attack; on 29 January 2009, Hazim Salim Ahmed, a candidate for the National Unity List and a close ally of PM Al-Maliki, was shot dead in Mosul near his home; on 27 January 2009, a suicide car bomber struck near the office of the KDP in Mosul, killing four security members and wounding five others; on 18 January 2009, Hassan Zaidan Al-Lihebi, the deputy leader of the Sunni Arab *Iraqi National Dialogue Front*, was killed in a suicide attack on his guesthouse in Al-Lihaib village south of Mosul as he was gathering with other politicians to discuss the upcoming provincial elections on 11 January 2009; Faris Al-Sinjari, a leading member of the *Al-Hadba* list, was wounded when a sticky IED attached to his vehicle went off in western Mosul; on 31 December 2008, Mowaffaq Al-Hamdani, a candidate for the Sunni Arab party “Iraq for Us”, was killed by gunmen in downtown Mosul; on 11 December 2008, an IED detonated inside an IIP office still under construction in southern Mosul City, causing no casualties; on 1 December 2008, gunmen assassinated two IIP members in two separate incidents in Mosul; on 20 October 2008, gunmen assassinated a member of the KDP in Sahin Al-Sham in Mosul; 8 October 2008, a suicide bombing that targeted a KDP office in Khorsbat area north of Mosul, left two dead and 16 wounded, including members of the KDP; on 7 August 2008, gunmen killed a senior member of the IIP, Mahmoud Younis Fathi, and a security guard as they were driving to work in the city of Mosul; on 31 July 2008, gunmen killed Yousuf Ahmed, a member of the IIP, in Mosul; on 7 July 2008, gunmen killed a member of the IIP in Tal Afar (Ninewa); on 16 June 2008, gunmen exploded the house of a PUK member in Rashidiyah neighbourhood in central Mosul while in a separate incident, another IED exploded in front of the house of a member of the Iraqi Communist Party, causing material damage to all the houses; on 10 April 2008, a member of the PUK was killed by gunmen after he had been abducted between Amian and Ismawa in eastern Ninewa one day earlier; and on 16 March 2008, 12 people were injured when a suicide bomber wearing an explosive belt detonated himself near a KDP office in eastern Mosul city. See Annex “*Party Officials*”.

⁵⁴⁴ According to Yahya Abed Mahjoub, an IIP official in Mosul, six IIP party leaders have been assassinated since the launch of the military operation in May 2008, reportedly for “*collaborating*” with the Iraqi Government and the Kurdish parties in the Provincial Council; Steele, *Al-Qaida intensifies its stranglehold in the world*, see above footnote 509.

⁵⁴⁵ The Iraqi Communist Party has reportedly gone virtually underground in Mosul after several leaders were killed; Steele, *Al-Qaida intensifies its stranglehold in the world*, see above footnote 509.

6. Salah Al-Din Governorate

- ⁵⁴⁶ On 2 October 2008, gunmen attempted to assassinate Radhwan Izuddin, religious sheikh of Al-Furqan Mosque in Al-Zuhour neighbourhood in eastern Mosul. Izuddin survived the attack that took place in front of the mosque with superficial injuries; on 17 August 2008, gunmen assassinated a Sunni preacher, Loai Saad Al-Din Othman, in a drive-by shooting in Mosul; and on 27 July 2008, gunmen shot and killed Sheikh Saleh Abdelaziz Saleh, a Sunni imam and employee at the Sunni Endowments Department, while he was on his way home in Mosul. See Annex “*Sunni and Shi’ite clerics*”.
- ⁵⁴⁷ On 3 January 2009, two leaders of Zubayd Al-Arabiya tribes in Al-Biaaj were killed and a third one was wounded when a sticky explosive charge targeted their vehicle in Sinjar District; on 24 December 2008, a suicide car bomber targeted the house of Sheikh Mohammad Al-Ramah in Al-Aghar village (south of Mosul). Seven people were injured including five members of the Sheikh’s family; on 3 November 2008, gunmen killed a tribal sheikh, spraying his car with bullets in western Mosul; on 7 September 2008, a member of Rabi’a Sol west Mosul was injured by an adhesive bomb that was attached to his car; on 9 June 2008, unknown gunmen assassinated two tribal chiefs in Tal Afar. Sheikh Abdulnoor Mohammed Noor Al-Tahhan was the chief of the Obaid tribe and Sheikh Mohammed Khalil Hansh was the chief of Al-Halaibik tribe; and on 2 February 2008, two Sol were killed and six others wounded when a suicide car bomb attacked a Sol gathering in the area between Makhmour and Qayara south of Mosul. See “*Tribal figures and Sol leaders/members*”.
- ⁵⁴⁸ On 14 December 2008, gunmen opened fire and wounded Muzahim Al-Khayatt, the Dean of the College of Medicine, in Shifaa neighbourhood in west Mosul; on 1 December 2008, gunmen kidnapped Dr. Mohamed Mahmoud Al-Eissaa, a neurologist, as he headed to work in downtown Mosul; on 27 September 2008, gunmen killed the coach of a table-tennis sport club in Mosul; between 25-29 August 2008, Dr. Tariq Al-Qatan was kidnapped, tortured and shot in Mosul; on 30 July 2008, gunmen using machine guns attacked judge Mohammad Khalaf Al-Sabeel as he was leaving his home in Al-Sideeq neighbourhood in Mosul, injuring the judge and one bodyguard; on 15 June 2008, lawyer Adel Hussein Al-Wagaa was shot dead by gunmen in his office in Mosul; on 14 June 2008, Mosul University teacher, Weleed Saadalla was assassinated by gunmen on his doorstep. He was about to head to work with his two young sons who were injured in the incident; on 2 June 2008, Faris Younis, Deputy Dean of the Agriculture Faculty at Mosul University, was killed by a bomb planted under his car in Mosul; on 15 April 2008, gunmen killed a lawyer and her sister as they were their car in Mosul; on 2 April 2008, unknown gunmen killed a female lawyer in Hay Al-Zahra’ in Mosul; on 11 March 2008, an assistant of Mosul University, Dr. Mowaffaq Yahya, survived an assassination attempt when gunmen using machine guns attacked him in downtown Mosul City; on 29 February 2008, judge Abid Jassim and lawyer Ahmed Al-Luizi were found executed by gunfire in Mosul; on 30 January 2008, Khalil Ibrahim Al-Nu’aymi, a University professor for *Shari’a* law, was killed in a drive-by shooting in Mosul; and on 22 January 2008, University professor Aziz Sulaiman was killed by gunfire in Mosul. See Annex “*Professionals*”.
- ⁵⁴⁹ On 13 September 2008, gunmen kidnapped and shot dead three Iraqi journalists from *Al-Sharqiya* TV station along with their driver in Mosul; on 19 August 2008, a mortar shell landed on the building of *Al-Iraqiya* and *Al-Mosuliya* satellite channels in eastern Mosul without causing any casualties; on 17 June 2008, gunmen shot dead Mohialddin Abdulhamid, a local anchorman for *Al-Iraqiya* channel outside his home in Mosul; on 4 May 2008, gunmen killed Sirwa Abdul-Wahab, a female journalist working for the Baghdad-based *Muraseloon* News Agency, on her way to work in eastern Mosul City. See Annex “*Journalists and media workers*”.

211. Between 2004 and 2007, Salah Al-Din was one of the strongholds of AQI and other insurgent groups. With the establishment of the SoI, made up of tribal members as well as former insurgent fighters, these groups have been weakened and the overall number of attacks has decreased in 2008. However, the security situation remains unstable as insurgents continue to have a presence in parts of the Governorate. They engage in battles with the ISF/MNF-I and SoI and launch regular attacks on them. In addition, insurgents are still capable of launching attacks against civilians, including sectarian attacks targeting minority Arab and Turkmen Shi'ites.⁵⁵⁰

212. In the governorate's capital, Samarra, local markets have reopened,⁵⁵¹ the local administration has become operational again⁵⁵² and reconstruction of the revered Shi'ite Al-Askari shrine, which was bombed twice by Sunni insurgents in 2006, fuelling a vicious cycle of sectarian killings in Iraq, is underway.⁵⁵³ The city is tightly secured with numerous checkpoints manned by the ISF/SoI, blast walls surrounding the city and barriers between neighbourhoods to control access.⁵⁵⁴ Unemployment is soaring given that reportedly 90% of Samarra's population made their living from religious tourism, which has come to a complete halt after the attack on the Al-Askari shrine.⁵⁵⁵ AQI is reportedly trying to re-infiltrate Samarra and recruit the city's unemployed youth.⁵⁵⁶

213. Salah Al-Din continues to see shootings, kidnappings and targeted assassinations of security officials,⁵⁵⁷ tribal leaders/Sol⁵⁵⁸ and government and party officials.⁵⁵⁹ On 15 May

⁵⁵⁰ On 1 October 2008, three civilians were killed and 30 others wounded when a car bomb went off near a Shi'ite shrine in Balad; on 12 September 2008, at least 31 people were killed and 60 wounded in a car bomb attack in the center of the predominantly Shi'ite town of Dujail; and on 1 March 2008, gunmen killed two people and wounded 10 in an attack on Shi'ite pilgrims heading home from the *Arba'een* religious ceremony near the town of Sarha. In another incident, 15 Shi'ite Turkmen pilgrims returning from Kerbala were kidnapped when gunmen stopped two minibuses in the town of Amerli. See Annex "Sectarian violence".

⁵⁵¹ Abigail Hauslohner, *Reconciliation at Iraq's Ground Zero*, Time, 6 August 2008, <http://www.time.com/world/article/0,8599,1829463,00.html> (further: Hauslohner, *Reconciliation at Iraq's Ground Zero*”).

⁵⁵² According to Juan Garcia of the US Army in Samarra, “(W)hen we came here it was the closest thing to anarchy I'd ever seen. There was no government, there were no police in town. People were struggling to survive,” Richard Tomkins, *New Day for Ground Zero in Iraq's Sectarian Strife*, ME Times, 10 November 2008, http://www.metimes.com/International/2008/11/10/new_day_for_ground_zero_in_iraq_s_sectarian_strife/7109/ (further: “Tomkins, *New Day for Ground Zero in Iraq's Sectarian Strife*”); Erica Goode and Mohammed Hussein, *In lull of sectarian violence, an Iraqi town rebuilds*, IHT, 3 October 2008, <http://www.iht.com/articles/2008/10/03/mideast/samarra.php> (further: “Goode/Hussein, *In lull of sectarian violence, an Iraqi town rebuilds*”).

⁵⁵³ Tim Cocks, *Iraq hopes shrine rebuild can reconcile sects*, Reuters, 6 October 2008, <http://www.reuters.com/article/worldNews/idUSTRE49502B20081006>; Hauslohner, *Reconciliation at Iraq's Ground Zero*, see above footnote 551.

⁵⁵⁴ Tomkins, *New Day for Ground Zero in Iraq's Sectarian Strife*, see above footnote 552; Hauslohner, *Reconciliation at Iraq's Ground Zero*, see above footnote 551; Goode/Hussein, *In lull of sectarian violence, an Iraqi town rebuilds*, see above footnote 552.

⁵⁵⁵ Hauslohner, *Reconciliation at Iraq's Ground Zero*, see above footnote 551; see also Tomkins, *New Day for Ground Zero in Iraq's Sectarian Strife*, see above footnote 552.

⁵⁵⁶ Tomkins, *New Day for Ground Zero in Iraq's Sectarian Strife*, see above footnote 552.

⁵⁵⁷ For example, on 21 March 2009, a bomb targeted the motorcade of Brigadier Mohammed Nejeeb, the Chief of Police of Salah Al-Din Governorate, injuring him slightly. When the bomb squad arrived to the scene, another bomb went off, causing no additional casualties; Sahar Issa, *Round-up of Daily Violence in*

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- Iraq – Saturday 21 March 2009*, McClatchy Newspapers, 21 March 2009, <http://www.mcclatchydc.com/212/story/64549.html>; on 21 February 2009, a sticky bomb targeted police lieutenant Arkan Jabir as he was driving his car in central Tikrit. Jabir was severely injured; Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Saturday 21 February 2009*, McClatchy Newspapers, 21 February 2009, <http://www.mcclatchydc.com/212/story/62590.html>; on 19 November 2008, a magnetic bomb detonated under a police officer's car in Samarra, killing him; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Wednesday 19 November 2008*, McClatchy Newspapers, 19 November 2008, <http://www.mcclatchydc.com/212/story/56135.html>; on 28 October 2008, Shawan Mohammed, the chief of the Kurdish security agency (*Asayish*) escaped an assassination attempt when an IED targeted his car in central Tuz Khurmatu; VOI, *Kurdish military official survives attempt in Tuz*, 28 October 2008, http://www.iraqupdates.com/p_articles.php/article/38894; on 1 September 2008, an IED detonated in front of the house of Lieutenant Colonel Hussein Ali, Head of the Crime Combating Department in Tuz Khurmatu. The official was wounded in the attack; VOI, *Touz Khormato police official escapes assassination attempt*, 2 September 2008, http://www.iraqupdates.com/p_articles.php/article/35888; on 5 August 2008, Lt. Colonel Nijm Salaheddin, Commander of the Tuz Khurmatu medical corps, survived unharmed an attempt on his life; VOI, *Touz Khormato medical corps commander survives attempt*, 5 August 2008, http://www.iraqupdates.com/p_articles.php/article/34716; on 21 March 2008, Lt. Col. Sabry Latif, the police chief of Balad, was killed along with two escorts when his car came under attack by gunmen; VOI, *Senior officer, 2 escorts killed in attack in Balad*, 21 March 2008, http://www.iraqupdates.com/p_articles.php/article/28886; see also Annex "Members of the ISF".
- 558 On 4 March 2009, two magnetic bombs detonated under the car of Sheikh Dhiab, a tribal leader, in Tal Al-Thahab village south of Balad. Sheikh Dhiab, his mother, brother and son were killed in the incident; on 22 February 2009, a bomb attached to a vehicle wounded a SoI leader in Samarra; on 15 December 2008, a woman suicide bomber killed Ahmad Khamis, an Awakening Council group leader, at the front door of his house in the town of Tarmiyah. Khamis' son was wounded by the blast; 18 October 2008, gunmen attacked the house of Aamer Jassem Khudeir, a local Awakening Council leader, near Balad, killing five persons, including Khudeir himself, and wounding two women and a child; on 1 September 2008, an IED targeted the car of Emad Sa'id Jasim Al-Mish'hadani, the leader of the SoI in Tarmiyah. Al-Mish'hadani was seriously injured; on 10 August 2008, ten people, including six civilians, three SoI and one US soldier, were killed and twenty other people, including three SoI, were wounded when a suicide bomber detonated himself in Tarmiyah; on 10 June 2008, Sheikh Ali Al-Nida, the head of Saddam Hussein's tribe of Al-Bu Nasir, was killed in an adhesive bomb explosion in the town of Awja; on 26 May 2008, four SoI and two policemen were killed and 18 others wounded when a suicide bomber detonated his motorbike near the headquarters of the SOI leader of Tarmiyah; on 20 May 2008, gunmen killed four SoI, including their leader Qassim Dlaiyil Al-Dulaimi, in an ambush in Yeshkan village near Dhuluiya; on 8 May 2008, a suicide bomber targeted Sheikh Nathim Al-Jubour, head of the Dhuluiya Awakening Council, in Khazraj area north of Dhuluiya. The sheikh was riding in a motorcade with the Chief of Police and the District Commissioner of Dhuluiya touring reconstruction projects. This was the second assassination attempt he survived with only superficial injuries; on 14 April 2008, some 40 gunmen attacked several houses in Ral Al-Dhahab village near Baiji, injuring 17 SoI; on 11 April 2008, a car bomb driven by a suicide bomber targeted a SoI checkpoint north of Baiji, killing one SoI and wounding eight; on 27 March 2008, gunmen attacked a SoI's house in downtown Samarra, killing the leader and his son and two other family members; on 26 March 2008, a roadside bomb targeted a SoI checkpoint on the main road near Awja, injuring seven SoI and two civilians; on 13 March 2008, three leaders of the Salah Al-Din Awakening Council were kidnapped; on 28 January 2008, Abbas Jassim Al-Dulaimi, the head of Sabaa Al-Bour Awakening Council, was killed by a car bomb in Taji; on 5 March 2008, two SoI were killed and four other people, including two SoI and two civilians, were wounded when a suicide bomber attempted to attack a SoI checkpoint in downtown Samarra; on 2 February 2008, four SoI members were killed and nine others injured in an IED explosion that targeted their patrol near Tal Mohammed village near Tikrit; and on 12 January 2008, gunmen simultaneously attacked two houses near Dhuluiya, killing a former Iraqi army officer and two Awakening members, Saadoun Ahmed and his son. Two other sons of Ahmed were also killed; see "Tribal figures and SoI leaders/members".
- 559 On 9 March 2009, the Governor of Salah Al-Din narrowly escaped death and five of his bodyguards were wounded when a roadside bomb struck his convoy just north of Tikrit; on 5 March 2009, explosive experts defused a magnetic bomb attached to the car of a municipality member in Rashad village; on

2008, Dr. Sabbar Mahrooz Abdullah, administrator of Tikrit Teaching Hospital, and his assistant, Dr. Ahmad Salah, were reportedly kidnapped near Tikrit.⁵⁶⁰ On 23 April 2008, gunmen injured teacher Jalal Khorsheed in Hawija Bahriyah. On 5 February 2008, three gunmen killed Essam Felaih, a member of the AMS and Imam of Al-Mukhtar mosque in central Samarra.⁵⁶¹

I. Security in the Southern Governorates⁵⁶²

1. Babel Governorate

214. Given its mixed Sunni-Shi'ite population, Babel has seen extensive sectarian killings and insurgent activities between 2005 and 2007, in particular in the so-called "Triangle of Death" south of Baghdad, which contains the towns of Yousifiyah, Mahmoudiyah, Iskandariyah, Musayyib and Latifiyah. As a result of extensive military operations in the governorate, the establishment of mainly Sunni SoI and the "freeze" of JAM activities since 2007, levels of violence, in particular sectarian violence, have fallen significantly. According to

1 March 2009, Mahmoud Khalaf, the Mayor of Samarra, was wounded by a roadside bomb while his convoy was passing by; on 22 February 2009, an official of the IIP, Jamal Al-Kilani, survived an assassination attempt when an IED went off near his vehicle in central Tikrit; on 27 January 2009, the Mayor of Sulaiman Pak escaped an assassination attempt when three IEDs targeted his motorcade on the road to Hafriyah; on 15 January 2009, Hussein Mohammed Al-Shatab, the mayor of Al-Mutasim, survived an attempt on his life when an unidentified man hurled a hand-grenade at his motorcade. Al-Shatab is a candidate running for the provincial elections on the Iraqi National List (INL) of former Iraqi PM Iyad Allawi; on 8 January 2009, gunmen opened fire at an official of the Badr Organization in front of his house in Amirli, killing him instantly; on 29 September 2008, a roadside bomb wounded the mayor of Samarra, Mahmoud Khalif, and four of his guards in central Samarra; on 27 September 2008, a roadside bomb struck the convoy of the Governor of Salah Al-Din, wounding three of his guards; on 21 September 2008, gunmen killed Khaled Karim Al-Bayati, a member of the Al-Tuz Municipal Council; on 13 September 2008, Rasheed Ali Ahmed, the head of the Municipal Council of Sulaiman Pak survived an assassination attempt when an explosive charge detonated near his house; on 26 August 2008, a car bomb parked near the entrance of the Health Department in Tikrit exploded, killing two guards and two civilians, injuring thirteen civilians; on 7 July 2008, a roadside bomb exploded in front of the residence of the mayor of Sulaiman Pak, critically injuring the mayor and wounding other civilians; on 10 June 2008, a bicycle bomb targeted the vehicle of Rasheed Ali, mayor of Sulaiman Pak, and wounded one of his bodyguards; on 3 June 2008, unknown gunmen opened fire at Dalshad Abdullah, member of the Tuz Khurmatu Municipal Council, and Naseh Moussa, member of the Salah Al-Din Provincial Council, inside their car in Tuz Khurmatu, killing them on the spot; on 10 April 2008, the head of the municipal council of Dour survived an assassination attempt when a roadside bomb targeted his car when he drove to work; on 6 April 2008, seven workers of the Ministry of Energy were abducted in Balad; on 22 March 2008, a suicide bomber blew up a car near the house of Sheik Hussein Al-Shatoab, the mayor of Al-Mutasim town. The explosion killed three Iraqi police officers guarding the house, but the mayor was unharmed; on 23 February 2008, a roadside bomb planted outside the house of Nuri Khalil, a municipal council member, killed his wife and wounded his son in Baiji; and on 29 January 2008, Talib Mohammed Mustafa, the head of Sulaiman Pak and member of Salah Al-Din Provincial Council survived an assassination attempt on the main road south of Tuz. See Annex "Government Officials".

⁵⁶⁰ See "Certain professionals" and "Annex "Professionals".

⁵⁶¹ See Annex "Targeted attacks on Sunni and Shi'ite clerics".

⁵⁶² Note: the following security assessments by governorate do not consider the recent provincial elections of 31 January 2009 as the effects of potential power changes do not yet have an immediate effect on security. For information on preliminary election results and possible effects at the local level, see "Local and national elections".

the MNF-I, the number of attacks in Babel has decreased by 80% from an average of 20 per week in 2007.⁵⁶³ While security has improved in the governorate, Lt. Gen. Lloyd Austin, the second in command of the US Army in Iraq, cautioned that ““while the enemies of Iraq are down, they are not necessarily defeated.””⁵⁶⁴

215. Due to the Governorate’s less homogenous population,⁵⁶⁵ ongoing power struggles between Shi’ite parties and militias and the proximity to Baghdad that allows Sunni insurgents to stage occasional attacks, the security situation in Babel, in particular its northern parts, remains tenuous. Competing militias and/or insurgent groups from Baghdad occasionally disrupt the environment with IED, RPG and rocket attacks and car or suicide bomb attacks. Most recently, on 5 March 2009, a car bomb exploded in a livestock market in Hamza, a mostly Shi’ite Muslim town, killing 12 people and wounding 40.⁵⁶⁶ Their targets are primarily the ISF/MNF-I⁵⁶⁷ and tribal leaders/SoI.⁵⁶⁸ Furthermore, security,⁵⁶⁹ government and party officials⁵⁷⁰ and civilians⁵⁷¹ have been targeted. Particularly, Shi’ite pilgrims and mosques,

⁵⁶³ Mary Beth Sheridan, *U.S. Cedes Control Over Iraq’s Once-Bloody ‘Triangle of Death’*, The Washington Post, 24 October 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/10/23/AR2008102300218.html>.

⁵⁶⁴ Bradley S. Klapper, *U.S. turns Babylon over to Iraqi control*, AP, 23 October 2008, <http://www.washingtontimes.com/news/2008/oct/23/babil-province-turned-over-iraqi-control/>.

⁵⁶⁵ Babel has a majority Arab Shi’ite population but also a significant Sunni Arab minority mainly settled in the governorate’s northern areas of Yousifiyah, Latifiyah and Mahmoudiyah.

⁵⁶⁶ Security sources said they suspected the attack to be the work of militants linked to feuding local Shi’ite politicians unhappy about the outcome of the 31 January 2009 provincial elections; Reuters, *Car bomb in south Iraq livestock market kills 12, 5 March 2009*, <http://www.alertnet.org/thenews/newsdesk/L544661.htm>.

⁵⁶⁷ Currently, there are approximately 3,800 US soldiers based in the governorate; Mary Beth Sheridan, *U.S. Cedes Control Over Iraq’s Once-Bloody ‘Triangle of Death’*, The Washington Post, 24 October 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/10/23/AR2008102300218.html>.

⁵⁶⁸ For example, on 30 March 2009, gunmen killed three SoI members in their car while they were going to work in Iskanderiyah town; on 23 February 2009, police found the body of a SoI leader in Jurf Al-Sakhr. The man had been handcuffed and shot in the head; on 2 January 2008, at least 24 tribal leaders of the Qaraghul tribe, who were meeting at the house of an influential Sunni sheikh in Yousifiyah, were wounded after a member of the tribe detonated an explosive vest among the guests; also on 2 January 2008, armed men fatally shot three members of an Awakening Council at a security checkpoint in Jurf Al-Sakhr. Six other Awakening members were wounded; on 25 October 2008, one man was wounded when a speeding car opened fire on a checkpoint of SoI patrols in Jurf Al-Sakhr; on 18 October 2008, gunmen opened fire on the leader of Jurf Al-Sakhr Awakening Council, Abdelhadi Ali Makki, while in his car near Jurf Al-Sakhr, killing him instantly; on 26 September 2008, militants killed one Awakening member and wounded another in an attack on their checkpoint; on 4 August 2008, gunmen attacked the convoy of Sheikh Ibrahim Al-Karbouli, an Awakening Council leader, in Yousifiyah and shot dead the sheikh and six family members; on 6 July 2008, Ali Abdul Ridha Al-Badri, head of an Awakening Council in Iskandariyah, was killed when a bomb attached to his car exploded. See Annex “*Tribal figures and SoI leaders/members*”.

⁵⁶⁹ For example, on 29 December 2008, a police officer, his wife and his daughter were killed by an adhesive bomb that was stuck to his car. The bomb detonated while the police officer was driving his car in Mahawil area north of Hilla. See Annex “*Members of the ISF*”.

⁵⁷⁰ For example, on 21 February 2009, gunmen killed Mohammed Hadi, a candidate in the 31 January 2009 provincial elections, in his house in south of Hilla; on 2 February 2009, an IED detonated near the house of a candidate who had ran for the Iraqi National Congress (INC) in the area of Al-Sayahai south of Hilla. No casualties were reported; on 16 January 2009, Haitham Kadhim Al-Husaini, Head of the Jabala District Council was killed after an election campaign appearance in Jabala. Al-Husaini ran in the provincial elections on the list of PM Al-Maliki. Four bodyguards were wounded. After the incident, the Governor of Babel said that local security forces could not guarantee the security of the many candidates

mostly ahead and during major Shi'ite religious festivities, are a particular target of Sunni insurgent groups with a view of stirring sectarian violence. For example, on 13 February 2009, a female suicide bomber blew herself up in a crowd of Iraqi Shi'ite pilgrims in Iskanderiyah, killing 39 people and wounding 69 others during the religious event of *Arba'een*. On 28 November 2008, a suicide bomber killed 12 people and wounded 19 in an attack on the Shi'ite Al-Hussainiyah mosque in Musayyib during Friday prayers. On 14 August 2008, 19 persons were killed and 99 wounded when a female suicide bomber blew herself up among Shi'ite pilgrims in the town of Iskanderiyah. In Iskanderiyah, 63 pilgrims were killed and many others

running for the elections and warned them to be “cautious”; in late March 2008, clashes among Shi'ite militias occurred in Hilla and the offices of the Dawa Party and ISCI were torched by JAM members on 27 March 2008, causing the death of three policemen and the injury of four; on 25 March 2008, gunmen attacked the house of the Babel Governor in Hilla, injuring three soldiers; and on 11 March 2008, a member of the local council of Yousifiyah town was killed and eight other members were injured when an IED exploded inside the building of the local council. See Annexes “Government officials” and “Party Officials”.

⁵⁷¹ Recent incidents include (until end of February 2009): on 23 February 2009, a sticky explosive charge targeted a civilian vehicle on Maseeb-Alexandria road north of Hilla, killing one civilian and wounding another; Aswat Al Iraq, *IED kills civilian, wounds another near Hilla*, 23 February 2009, <http://en.aswataliraq.info/?p=108556>; on 22 February 2009, gunmen opened fire at a civilian in front of his house in Al-Qassem, leaving him seriously wounded; Aswat Al Iraq, *Civilian wounded by unknown gunmen fire south of Hilla*, 22 February 2009, <http://en.aswataliraq.info/wp-content/themes/sl/print.php?p=108499>; on 20 February 2009, gunmen killed a civilian in front of his house in Latifiyah; Aswat Al Iraq, *Civilian killed by unknown gunmen in Babel*, 20 February 2009, <http://en.aswataliraq.info/?p=108423>; on 21 January 2009, a teacher in the town of Haswa was killed when a bomb placed in his car exploded; Sam Dagher, *A Top Sunni Survives an Attack in Iraq*, NY Times, 21 January 2009, <http://www.nytimes.com/2009/01/22/world/middleeast/22iraq.html> (further: “Dagher, *A Top Sunni Survives an Attack in Iraq*”); on 31 December 2008, two civilians were wounded in a bomb explosion in a market in northern Babel; VOI, *2 Civilians Injured in Northern Babel*, 31 December 2009, http://www.iraqupdates.com/p_articles.php/article/42680; on 26 December 2008, three persons were killed and 10 others were wounded when an explosive charge detonated on a main road near Hilla; VOI, *13 Killed, Wounded in Babel Explosion*, 27 December 2008, http://www.iraqupdates.com/p_articles.php/article/42411; on 2 December 2008, a civilian was killed when an IED attached to his bicycle exploded in Al-Maseeb area; VOI, *Sticky IED Kills Civilian in Babel*, 3 December 2008, http://www.iraqupdates.com/p_articles.php/article/41039; on 9 October 2008, six persons were wounded when an IED went off on a main road in Al-Khidr in Musayyib District; VOI, *6 wounded in blast near of Hilla*, 9 October 2008, http://www.iraqupdates.com/p_articles.php/article/37629; on 23 September 2008, one man was killed and two others wounded when an IED went off near their vehicle in the area of Al-Iskanderiyah; VOI, *Civilian killed, 2 wounded in blast north of Hilla*, 23 September 2008, http://www.iraqupdates.com/p_articles.php/article/36983; on 13 September 2008, two civilians were wounded when an IED planted inside their car went off; VOI, *2 civilians wounded in IED blast in Babel*, 13 September 2008, http://www.iraqupdates.com/p_articles.php/article/36491; on 9 September 2008, gunmen opened fire on a civilian car on the road that leads to Sadat Al-Hindiya, north of Hilla, killing one person and injuring another; VOI, *Civilian killed, son injured in Babel*, 9 September 2008, http://www.iraqupdates.com/p_articles.php/article/36272; on 6 September 2008, a civilian was killed by gunmen that opened random fire in the area of Jassman in Al-Iskandariyah District; VOI, *Civilian killed, unidentified body found north of Hilla*, 6 September 2008, http://www.iraqupdates.com/p_articles.php/article/36109; and on 3 September 2008, an IED ripped through Al-Iskandariyah market, killing one civilian and wounding seven others and damaging nearby shops. A second IED went off later in the same spot near a house, destroying it but causing no casualties; VOI, *IED blast kills civilian, wounds 7 in northern Babel*, 3 September 2008, http://www.iraqupdates.com/p_articles.php/article/35993.

wounded in a suicide attack on 24 February 2008.⁵⁷² Occasionally, dead bodies, commonly bearing signs of torture, are found in the Governorate.⁵⁷³

2. Basrah Governorate

216. Until spring 2007, Basrah was a battleground for Shi'ite militias including JAM, Fadhila, Thar Allah, the Badr Organization and other exclusively tribal formations, all vying for power and resources. Kidnappings and assassinations were common occurrences. On 25 March 2008, the ISF launched a massive military operation ("*Charge of the Knights*") to root out "outlaws" and "re-impose law".⁵⁷⁴ The operation in Basrah ended partly due to US military support and partly due to the Sadrist leadership calling for an end to militia resistance. A truce was brokered in Iran on 31 March 2008. The Iraqi Army launched widespread clearing operations and declared full control of Basrah City centre on 24 April 2008.⁵⁷⁵ In the aftermath, the Iraqi Government dismissed 1,300 soldiers and policemen who deserted or refused to fight during the operation.⁵⁷⁶

217. On the surface, the situation has significantly stabilized as a result of the military offensive and the extensive presence of the Iraq Army. The grip Shi'ite extremist groups held on the local population seems to have eased and "Un-Islamic" behaviour is no longer systematically punished with death,⁵⁷⁷ though occasional incidents continue to occur.⁵⁷⁸ The local police is known to be heavily infiltrated by militias despite some purges.⁵⁷⁹ Reviving the economy and reducing high unemployment are also seen as key to achieve lasting security as

⁵⁷² See Annex "Sectarian violence".

⁵⁷³ On 20 February 2009, police found an unidentified body in a house in Al-Hamza Al-Gharbi region south of Hilla. The decayed body bore signs of gunshot wounds; Aswat Al Iraq, *Police find unknown body in southern Babel*, 20 February 2009, <http://en.aswatiraq.info/?p=108408>; on 7 September 2008, police found an unidentified body of a civilian man dumped in a river near Sadat Al-Hindiya. The body showed signs of having been subjected to torture; VOI, *Unknown body found in Hilla*, 7 September 2008, http://www.iraquupdates.com/p_articles.php/article/36133; on 6 September 2008, police found an unidentified body in the area of Al-Mahnawiya in Al-Mahawil District. The body had the neck tied in a noose and the face and head had seemingly been hit by an axe; VOI, *Civilian killed, unidentified body found north of Hilla*, 6 September 2008, http://www.iraquupdates.com/p_articles.php/article/36109.

⁵⁷⁴ BBC, *Iraq forces battle Basra militias*, 26 March 2008, http://news.bbc.co.uk/2/hi/middle_east/7312078.stm.

⁵⁷⁵ AFP, *Iraq army claims in full control of Basra*, 24 April 2008, http://www.newssafety.com/index.php?view=article&catid=84%3AIraq-security&id=8389%3AIraq+army+claims+in+full+control+of+Basra&option=com_content&Itemid=100378.

⁵⁷⁶ Stephen Farrell and Qais Mizher, *Iraq Dismisses 1,300 After Basra Offensive*, NY Times, 1 April 2008, <http://www.nytimes.com/2008/04/14/world/middleeast/14iraq.html?partner=rssnyt&emc=rss>.

⁵⁷⁷ Andrew England, *Now Basra basks*, The FT, 1 September 2008, http://www.ft.com/cms/s/0/f0f5eb64-784e-11dd-acc3-0000779fd18c.dwp?uclid=17aab8bc-6e47-11da-9544-0000779e2340.html?nclink_check=1 (further: "England, *Now Basra basks*"); Arwa Damon, *Iraqi: 'I killed her with a machine gun'*, CNN, 21 May 2008, <http://edition.cnn.com/2008/WORLD/meast/05/20/basra.killings/index.html>; IRIN, *IRAQ: Islamic extremists target women in Basra*, 2 January 2008, <http://www.irinnews.org/Report.aspx?ReportId=76065>.

⁵⁷⁸ See "Persons accused of un-Islamic behaviour".

⁵⁷⁹ Andrew England, *Iraqi forces tested*, FT, 16 February 2009, <http://www.ft.com/cms/s/0/5f07188c-fc73-11dd-aed8-000077b07658.html>; England, *Now Basra basks*, see above footnote 577.

militias find it easy to attract young, unemployed and disillusioned men.⁵⁸⁰ Despite the allocation of funds for reconstruction and humanitarian aid in Basrah by the PM, spending has been slow. These delays coupled with rising intra-Shi'ite tensions among ISCI and Dawa,⁵⁸¹ “create favorable conditions for an increase in violence.”⁵⁸²

218. Despite the fact that overall levels of violence have decreased after the military operation in 2008 and the continued heavy presence of the IA, targeted, often politically-motivated killings, in particular of security officials,⁵⁸³ local government or party officials,⁵⁸⁴ religious⁵⁸⁵ and tribal leaders⁵⁸⁶ as well as professionals⁵⁸⁷ continue to occur. On 25 April 2008,

⁵⁸⁰ England, *Now Basra basks*, see above footnote 577; Charles Levinson, *In Basra, some worry militias just 'hiding behind fake walls'*, USA Today, 29 June 2008, http://www.usatoday.com/news/world/iraq/2008-06-29-basra_N.htm (further: “Levinson, *In Basra, some worry militias 'hiding behind fake walls'*”).

⁵⁸¹ See “*Political Power Struggles*”.

⁵⁸² US Department of Defense, *December 2008 Report to Congress*, p. 26, see above footnote 9.

⁵⁸³ For example, on 13 April 2008, gunmen assassinated Major Rafia Mohammad, an officer of Basrah Intelligence Directorate in downtown Basrah; Hussein Kadhim, *Round-up of Daily Violence – Monday 14 April 2008*, McClatchy Newspapers, 14 April 2008, <http://www.mcclatchydc.com/212/story/33575.html>. See also Annex “*Members of the ISF*”.

⁵⁸⁴ For example, on 12 March 2009, Sheikh Abdullah Adnan Al-Tamimi, a Sunni religious leader who was a candidate in the 31 January provincial elections, was killed by armed men near his home south of Basrah; on 4 February 2008, Basrah Provincial Council member, Ahmed Al-Yasiri, survived an IED attack that targeted his motorcade in the Sa'ad Square area in Basrah; on 29 January 2009, a bomb attached to a vehicle killed Haider Nassir, a civil servant and a member of a party participating in the forthcoming provincial election, in the city of Basra. Nassir was not a candidate; on 18 January 2009, an employee of the Basrah Prisons was wounded when a magnetic bomb planted under his car exploded in western Basrah City; on 28 December 2008, Bassem Al-Mussawi, a member of the Basrah Provincial Council, survived an attempt on his life when an IED stuck to his car went off right after he had left his car; on 24 December 2008, gunmen driving a car opened fire on Dr. Abdelamir Al-Moussawi, a Fadhila Party candidate, and his brother-in-law while they were distributing electoral material in Al-Sankar area in Basrah. Al-Moussawi survived the attack, while his brother-in-law was killed; on 18 August 2008, a director of an election centre and his deputy were killed and a companion was injured when gunmen attacked them while they were going to work in Bahadriyah area south of Basrah; on 4 July 2008, gunmen on a motorcycle assassinated Sheikh Salim Al-Dirraji, a senior ISCI official in Hayyanyiah District in Basrah; on 18 May 2008, a bomb exploded targeting a building that houses the Iraqi Labour Union and the Iraqi Communist Party in Basrah caused material damage to the building; on 28 April 2008, armed men opened fire on Ali Ghazi, a leader in the Sadrist bloc, in central Basrah, killing him on the spot and wounding his wife; on 7 April 2008, a roadside bomb targeted the convoy of General Abdul Kareem Khalaf, the MoI spokesman, in Al-Nashwa area north of Basrah, injuring four bodyguards; on 28 February 2008, Matar Thamer Muhyee, Director of the Electricity Department in Basrah, was kidnapped; and on 23 January 2009, Ali Mahmoud, an engineer working in Basrah Airport, was kidnapped from his house and killed see Annexes “*Government Officials*” and “*Party Officials*”.

⁵⁸⁵ For example, on 19 September 2008, gunmen on a motorcycle killed Sheikh Udai Ali Abbas, a cleric loyal to Muqtada Al-Sadr in an attack near his home in Basrah; on 24 August 2008, gunmen killed Haider Al-Saymari, a Shi'ite cleric and follower of Grand Ayatollah Ali Al-Sistani, in an ambush on his car in Basrah. He was an outspoken critic of sectarian militias; 15 April 2008, gunmen opened fire targeting Ali Al-Fadhli, a representative of Grand Ayatollah Ali Al-Sistani, while he was passing through Al-Tayaran intersection in downtown Basrah. One guard was killed and Fadhli and another guard were injured; on 18 March 2008, gunmen using machine guns attacked Sheikh Abdul Atheem Al-Edani, a deputy of Grand Ayatollah Ali Al-Sistani in Basrah, in central Basrah, injuring him and killing his driver; and on 12 March 2008, Shi'ite cleric and senior Al-Sadr aide in Basrah, Saed Al-Haidery, was shot dead in northern Basrah. See Annex “*Sunni and Shi'ite clerics*”.

⁵⁸⁶ For example, on 22 October 2008, gunmen tried to kidnap Sheikh Abdul Wahab Al-Rubaei, the head of the Southern Region Tribes Union, from his house in Basrah; on 19 September 2008, gunmen shot and

Ali Jassem Al-Battat, a cameraman working for the *Al-Nakhil* TV channel, was killed by an unidentified gunman in the area of Al-Qurna, north of Basrah.⁵⁸⁸

3. Diwaniyah, Muthanna and Thi-Qar Governorates

219. The situation in these three governorates of the Lower South appears to be relatively stable, and there have been no major security incidents in 2008. Given that the MNF-I presence in these governorates is limited, car bombs, roadside bombs and grenade attacks are infrequent and usually specifically targeted at MNF-I convoys or the major MNF-I base at Tallil Air Station southwest of Nasseriyah. On 11 March 2008, a roadside bomb targeted a bus near Al-Battha military base on the Nasseriyah – Basrah road, killing at least 14 people and injuring 18 others.⁵⁸⁹

220. The capitals of the three Governorates (Diwaniyah, Samawa and Nasseriyah) have all seen occasional outbreaks of violence in the past, mostly clashes among the two Shi'ite rivals, the JAM and the Badr Organization affiliated with ISCI, that usually ended after MNF-I intervention. Violence flared again in March, when the Iraqi Government began a crackdown against Shi'ite militiamen in Basrah, prompting reprisal attacks by Sadr's followers across the Southern Governorates. Those clashes quickly subsided when Muqtada Al-Sadr ordered his forces to stand down.

221. Recent security operations by the ISF in all three Governorates, with support from the MNF-I, led to the arrest of alleged militia leaders and the confiscation of weaponry.⁵⁹⁰ Allegedly, Iran-supported "Special Groups" operated three training camps in the Southern Governorates, including in Diwaniyah and Thi-Qar.⁵⁹¹ Reports suggest that "Special Groups" are returning to Iraq.⁵⁹² The police chief of Thi-Qar Governorate told AFP in September 2008 that some groups had arrived in Nasseriyah and that 20 motorcycle bombs had been seized. He said that these bombs were intended to target officials in Iraq and Nasseriyah. Consequently,

killed Shi'ite tribal leader, Sheikh Ady Ali Abbas Al-Agrash, in his house in Al-Kindi area near Basrah; and on 26/27 January 2008, police found the body of Sheikh Sami Hussein Al-Bahadili, the tribal leader of the Bahadil tribe, in Kut Al-Hajaj area in downtown Basrah City. He had been kidnapped by gunmen from Ashar area one day earlier. Reportedly, he had publicly criticized militias. See Annex "*Tribal figures and SoI leaders/members*". Note that some of these killings may also be the result of tribal disputes or have a criminal background.

⁵⁸⁷ For example, on 26 March 2008, Dr. Najim Abdullah, Director of the Emergency Division at Basrah General Hospital, was shot by gunmen when on his way home; on 10 March 2008, Dr. Khalid Nasir Al-Mayyahi, a neurosurgeon and acting director of the Basrah Training Hospital, was killed in a drive-by shooting outside the hospital; on 18 January 2009, hospital director Dr. Luma Saleh was killed by sniper fire when she left the hospital in Ma'qel, north of Basrah; and on 12 January 2008, surgeon Jinan Al-Sabbagh was killed in Basrah. See Annex "*Professionals*".

⁵⁸⁸ See Annex "*Journalists and media workers*".

⁵⁸⁹ Laith Hammoudi, *Round-up of Daily Violence in Iraq – Tuesday 11 March 2008*, McClatchy Newspapers, 11 March 2008, <http://www.mcclatchydc.com/212/story/29988.html>.

⁵⁹⁰ A US army commander said during a press conference in Baghdad on 18 February 2008 that US forces captured 200 suspects in the Governorates of Missan, Thi-Qar and Muthanna throughout the last one year; Aswat Al Iraq, *200 arrested in southern Iraq in one year- U.S. commander*, 18 February 2009, <http://en.aswatiraq.info/wp-content/themes/s1/print.php?p=108345>.

⁵⁹¹ Bill Roggio, *Iran continues to train Shia terror groups for attacks in Iraq*, The Long War Journal, 15 August 2008, http://www.longwarjournal.org/archives/2008/08/map_details_irans_op.php.

⁵⁹² See "*Shi'ite militias*".

the local authorities put in place tight security measures, including a ban on the use of motorcycles.⁵⁹³ In recent months, ISF has successfully defused a number of IEDs in Thi-Qar⁵⁹⁴ and seized weapon stockpiles. For example, on 2 December 2008, the police defused 10 bombs believed to have been placed to target the motorcade of PM Al-Maliki who was on a visit to the province.⁵⁹⁵ On 6 November 2008, an explosive charge placed in the Muthanna health department near the office of the director was defused.⁵⁹⁶

4. Kerbala and Najef Governorates

222. Kerbala and Najef are tightly controlled by the ISF and, therefore, outbreaks of violence are relatively rare. Both governorates are sites of great significance to Shi'ite Islam and their holy shrines attract thousands of pilgrims for various religious festivities each year. Kerbala saw intense fighting between the Badr-dominated ISF and JAM in August 2007 that resulted in the deaths of at least 50 people and led to the temporary “freeze” of JAM activities.⁵⁹⁷ Although not all JAM fighters adhere to Al-Sadr's order, the repeated ceasefires have been instrumental in reducing overall levels of violence in Kerbala and Najef. The ISF have also become more capable in providing security to pilgrims during Shi'ite festivities and security measures are tight during these events. Yet, some insurgent groups still succeed in launching mass-casualty attacks against crowds of religious pilgrims. On 12 February 2009, a roadside bomb killed eight pilgrims and wounded 46 near the revered shrine of Imam Hussein in central Kerbala during the *Arba'een* religious rite. On 25 June 2008, two people were killed and 15 others were wounded when a bomb exploded inside a car near Imam Abbas shrine in downtown Kerbala. On 17 March 2008, a bomb exploded near the shrine of Imam Hussein in central Kerbala, killing at least 52 and wounding many more.⁵⁹⁸ Furthermore, Kerbala sees

⁵⁹³ AFP, *Iran-trained Shiite Iraqis returning to launch bombings: police*, 20 September 2008, http://afp.google.com/article/ALeqM5gniKQVmkFo5eDYBptR0w_MqMX2IQ.

⁵⁹⁴ For example, on 17 February 2008, ISF defused two explosive charges planted on a road linking Nasseriyah to Al-Refae suburb; Aswat Al Iraq, *Two roadside bombs defused in Thi-Qar*, 17 February 2009, <http://en.aswataliraq.info/wp-content/themes/s1/print.php?p=108249>; on 11 February 2009, police defused a heavy and highly explosive roadside bomb that was planted near a school in Nasseriyah City; Aswat Al Iraq, *Heavy, highly explosive charge defused in Nasseriya* 11 February 2009, <http://en.aswataliraq.info/wp-content/themes/s1/print.php?p=107933>; on 14 January 2009, police defused a motorbike rigged with explosives in Nasseriyah City; VOI, *Motorbike Bomb Defused in Thi-Qar*, 15 January 2009, http://www.iraqupdates.com/p_articles.php/article/43420; and on 1 November 2008, police dismantled a bike bomb in Al-Hammar District east of Nasseriyah; Aswat Al Iraq, *Bike bomb dismantled in Thi-Qar*, 2 November 2008, <http://en.aswataliraq.info/?p=102347>.

⁵⁹⁵ Aswat Al Iraq, *Police defuse bombs believe to target al-Maliki*, 2 December 2008, <http://en.aswataliraq.info/?p=104070>. Other recent incidents include: on 25 January 2009, ISF seized a cache containing 37 rockets and locally-made explosive charges in Al-Fadaa neighbourhood north of Nasseriyah; Aswat Al Iraq, *Missiles, IEDs found near Nassiriya*, 25 January 2009, <http://en.aswataliraq.info/?p=106969>; and on 3 January 2009, ISF seized 30 rockets in Souk Al-Shuyukh District, south of Nasseriyah; Aswat Al Iraq, *30 rockets seized south of Nassiriya*, 3 January 2009, <http://en.aswataliraq.info/wp-content/themes/s1/print.php?p=105725>.

⁵⁹⁶ VOI, *Bomb defused in Muthanna health department*, 6 November 2008, http://www.iraqupdates.com/p_articles.php/article/39486.

⁵⁹⁷ Patrick Cockburn, *Sadr calls six-month ceasefire to prevent civil war*, The Independent, 30 August 2007, <http://www.independent.co.uk/news/world/middle-east/sadr-calls-sixmonth-ceasefire-to-prevent-civil-war-463540.html>; Joshua Partlow and Saad Sarhan, *Sadr Orders 'Freeze' on Militia Actions*, The Washington Post, 30 August 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/08/29/AR2007082900586.html>.

⁵⁹⁸ See Annex “Sectarian violence”.

occasional targeted assassinations of security,⁵⁹⁹ government/party officials and religious figures.⁶⁰⁰

5. Missan Governorate

223. The Governorate is a stronghold of the Sadrist Movement and the local government is run by politicians aligned with Muqtada Al-Sadr.⁶⁰¹ Military operations against Shi'ite militias in Basrah in late March 2008 resulted in street battles in Amara and senior militia leaders were alleged to have retreated to Amara after the ISF moved into Sadr City and Basrah.⁶⁰² On 27 March 2008, gunmen torched a Badr Organization office in Hitteen Square in central Amara.⁶⁰³

224. On 19 June 2008, the Iraqi Army, with discreet US military support, launched a military operation to crack-down on Shi'ite militias and impose central government authority in Missan (Operation “*Promises of Peace*”). In contrast to the fierce battles seen during earlier operations in Basrah and Sadr City, the ISF met little resistance during this military operation in line with an order from Muqtada Al-Sadr urging his followers to cooperate.⁶⁰⁴ While many militia members reportedly fled the Governorate,⁶⁰⁵ others surrendered to the ISF benefiting from an amnesty offered by the government ahead of the military crackdown.⁶⁰⁶ The ISF arrested a large number of persons, including senior Sadrist officials such as Rafea Abdul-Jabbar, the head of the Sadrist office in Missan who also served as the mayor of Amara and acting deputy governor, as well as several members of the provincial council for their alleged

⁵⁹⁹ For example, on 9 February 2009, a roadside bomb detonated in front of Lieutenant Faris Hatif's house, a police officer in Intisar neighbourhood police station in Najef City. No casualties were reported, but the house was slightly damaged; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Monday 9 February 2009*, McClatchy Newspapers, 9 February 2009, <http://www.mcclatchydc.com/212/story/61803.html>.

⁶⁰⁰ For example, on 7 February 2009, gunmen kidnapped Talib Al-Masoudi, who ran in the provincial elections as a candidate for the Shi'ite Fadhila Party, from the Husseinayah neighbourhood in Kerbala; on 9 October 2008, a bomb placed inside a car carrying the head of the Kerbala Provincial Council and a number of employees exploded and killed the council's head and wounding two employees; on 24 January 2008, an IED explosion targeted the car Sheikh Abdul Mahdi Al-Kerbala'i, Grand Ayatollah Ali Al-Sistani's representative in Kerbala, killing two of his guards and injuring two others. The attack took place only 500 meters away from the shrine of Imam Hussein in downtown Kerbala city. See Annexes “*Government Officials*” and “*Party Officials*”.

⁶⁰¹ Andrew E. Kramer and Alissa J. Rubin, *In Iraq's South, a Mission Has Dual Aims*, NY Times, 16 June 2008, <http://www.nytimes.com/2008/06/16/world/middleeast/16iraq.html>.

⁶⁰² Bill Roggio, *Iraqi offensive underway against the Mahdi Army in Maysan*, The Long War Journal, 14 June 2008, http://www.longwarjournal.org/archives/2008/06/iraqi_offensive_unde.php.

⁶⁰³ See Annex “*Party officials*”.

⁶⁰⁴ Sam Dagher, *U.S., Iraqi forces meet no Sadr resistance in Amara*, CS Monitor, 23 June 2008, <http://www.csmonitor.com/2008/0623/p01s05-wome.html>; Reuters, *Iraqi PM pledges to enforce law after Amara raid*, 23 June 2008, <http://uk.reuters.com/article/latestCrisis/idUKL2327944320080623>.

⁶⁰⁵ Bill Roggio, *Iraqi forces detain Sadrist leaders, uncover Special Groups headquarters in Amarah*, The Long War Journal, 2 July 2008, http://www.longwarjournal.org/archives/2008/07/iraqi_forces_detain.php (further: “*Roggio, Iraqi forces detain Sadrist leaders*”); Andrew E. Kramer and Alissa J. Rubin, *In Iraq's South, a Mission Has Dual Aims*, NY Times, 16 June 2008, <http://www.nytimes.com/2008/06/16/world/middleeast/16iraq.html>.

⁶⁰⁶ According to MoI, some 1,120 wanted men, including 450 who voluntarily turned themselves in to the ISF, were captured in the first two weeks of the operation; VOI, *1120 wanted men captured since Missan plan launched*, 4 July 2008, http://www.iraqupdates.com/p_articles.php/article/33329; AFP, *Iraq says deadline for Shiite fighters 'successful'*, 18 June 2008, http://afp.google.com/article/ALEqM5h1mXASNLOwvJaGnIXFIhyHqH_ZrA.

involvement in militia activities.⁶⁰⁷ Most of them were released shortly afterwards.⁶⁰⁸ The government also purged several hundred policemen suspected of criminal activities.⁶⁰⁹ The house of Missan Governor Adil Mhoder was raided by the MNF-I/ISF and 30 of his guards were arrested.⁶¹⁰ In protest against the arrests and the raid, 13 of the 41 provincial council members, all belonging to the Sadrist Movement, suspended their membership.⁶¹¹ The governor himself has reportedly been under virtual house arrest since the military operation.⁶¹² The Sadrist Movement, as well as some independent observers, said the operation was politically motivated as the Iraqi Government planned to weaken its political rival ahead of provincial elections.⁶¹³ Sadr officials also accused the ISF of “*harassing civilians, random shootings and beatings*”.⁶¹⁴ Iraqi Vice-President Adel Abdul-Mahdi alleged that the arrests were conducted in violation of law and that detainees might be subjected to torture.⁶¹⁵

225. Since the military operation began, the ISF/MNF-I confiscated large weapon arsenals, which they allege are smuggled by Iranian-supported “Special Groups” into Missan through the porous border with Iran. According to the MNF-I, the weapons-smuggling network in Missan has been disrupted.⁶¹⁶ However, ongoing attacks on MNF-I convoys show that armed groups are still trying to defend active supply lines.⁶¹⁷ The Baghdad National Emergency Response Unit found what is thought to be

*“the headquarters for Special Groups” in Amara, which contained a “torture room containing what were identified as interrogation tools and a large number of anti-Coalition propaganda.”*⁶¹⁸

The situation is currently relatively calm and stable, but armed groups continue to aim at launching IED, RPG and rocket attacks. Their targets are primarily the MNF-I and ISF,⁶¹⁹ but

⁶⁰⁷ Roggio, *Iraqi forces detain Sadrist*, see above footnote 605; AFP, *Iraq arrests provincial governor: officials*, 2 July 2008, <http://afp.google.com/article/ALeqM5gwAO7Xyysv87PBPYqoeH9pf7OOSA>; Robert H. Reid, *Al-Sadr's Top Official Arrested In Amarah*, The Huffington Post, 19 June 2008, http://www.huffingtonpost.com/2008/06/19/al-sadrs-top-official-arrest_108059.html.

⁶⁰⁸ VOI, *Security forces set free local official in Missan*, 6 July 2008, http://www.iraquupdates.com/p_articles.php/article/33395.

⁶⁰⁹ Ned Parker and Saad Fakhrideen, *Iraqi forces detain two Shiite officials in crackdown*, LA Times, 20 June 2008, <http://articles.latimes.com/2008/jun/20/world/fg-amarah20>.

⁶¹⁰ VOI, *Combined forces raid Missan governor's house*, 2 July 2008, http://www.iraquupdates.com/p_articles.php/article/33237.

⁶¹¹ VOI, *13 Missan provincial council's members suspend membership*, 8 July 2008, http://www.iraquupdates.com/p_articles.php/article/33512.

⁶¹² Nancy A. Youssef, *Iraqi forces aren't quite ready to take charge*, McClatchy Newspapers, 23 July 2008, <http://www.mcclatchydc.com/100/story/45338.html>.

⁶¹³ See “*Iraqis affiliated with political parties engaged in power struggles*”.

⁶¹⁴ Alexandra Zavis and Haydar Al-Alak, *Iraq crackdown in Amarah continues; harassment alleged*, LA Times, 21 June 2008, <http://articles.latimes.com/2008/jun/21/world/fg-iraq21>.

⁶¹⁵ VOI, *Sadrist MP says Missan official arrest “politically motivated”*, 4 July 2008, http://www.iraquupdates.com/p_articles.php/article/33332.

⁶¹⁶ Reuters, *US Army says it has disrupted Iraq weapons network*, 9 October 2008, <http://www.alertnet.org/thenews/newsdesk/N09316305.htm>.

⁶¹⁷ UNAMI SSU, January 2009.

⁶¹⁸ Roggio, *Iraqi forces detain Sadrist*, see above footnote 605.

⁶¹⁹ Reported incidents between November 2008 and February 2009 included: on 13 January 2009, an explosive charge went off targeting a US convoy north of Amara, causing no casualties; VOI, *Bomb Explodes Near U.S. Convoy in Missan*, 15 January 2009, http://www.iraquupdates.com/p_articles.php/article/43413; on 3 January 2009, an armed group fired Grad

occasionally result in civilian casualties.⁶²⁰ Regular arrests and discoveries of weapons stockpiles and weapons ready to be detonated suggest that militiamen still have a presence or are returning to Missan.⁶²¹

6. Wassit Governorate

226. In the end of March 2008, the military operation in Basrah resulted in several days of violent street battles between ISF and Shi'ite militants in the governorate's capital Kut, during which followers of Muqtada Al-Sadr took over several neighbourhoods.⁶²² Dozens of people were killed and many more wounded.⁶²³ However, as a result of Al-Sadr ordering his followers to lay down their arms and to cooperate with the ISF to bring security, the ISF took over control of the Governorate.⁶²⁴ Since then, the number of security incidents has decreased

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- missiles at an Iraqi army camp in Amara; there were no reports of casualties; VOI, *No Casualties in Amara Rocket Attack* – Source, 3 January 2009, http://www.iraquupdates.com/p_articles.php/article/42903; on 5 November 2008, Colonel Sadeq Abdul Aziem, the deputy chief of the Missan police survived an attempt on his life. One policeman was killed and four others were wounded in the bomb attack in central Amara; VOI, *Senior police officer survives assassination attempt*, 5 November 2008, http://www.iraquupdates.com/p_articles.php/article/39399.
- ⁶²⁰ Reported incidents between November 2008 and February 2009 included: on 16 February 2009, three children were killed and seven others were wounded in a mortar shell blast in Amara; VOI, *Mortar Shell Kills 3 Children, Wounds 7 in Amara*, 17 February 2009, http://www.iraquupdates.com/p_articles.php/article/45374; on 17 November 2008, 14 people were wounded in car bomb attack in central Amara; VOI, *14 Wounded in Amara Blast*, 17 November 2008, http://www.iraquupdates.com/p_articles.php/article/40105.
- ⁶²¹ See also above footnote 590. Reported incidents between November 2008 and February 2009 include: on 25 January 2009, ISF seized 10 missile launching pads and munitions in central Amara; VOI, *10 Missile Launching Pads, Ammo Seized in Amara*, 26 January 2009, http://www.iraquupdates.com/p_articles.php/article/44132; on 20 January 2009, US forces found and detonated a bomb targeting a US convoy at the northern inlet of Amara; VOI, *U.S. Forces Found Bomb North of Amara*, 21 January 2009, http://www.iraquupdates.com/p_articles.php/article/43801; on 18 January 2009, police defused four IEDs in Qalaat Saleh District; VOI, *4 IEDs Defused in Missan*, 18 January 2009, http://www.iraquupdates.com/p_articles.php/article/43592; on 14 January 2009, police seized four Katyusha rockets and five launch pads in downtown Amara; VOI, *Katyushas Seized, Highwaymen Nabbed in Amara*, 15 January 2009, http://www.iraquupdates.com/p_articles.php/article/43416; on 7 December 2008, defused 12 IEDs ready for detonation south of Amara; VOI, *12 IEDs Defused in Missan*, 8 December 2008, http://www.iraquupdates.com/p_articles.php/article/41290; on 26 November 2008, police discovered large amounts of ammunition and explosives in downtown Amara; VOI, *Ammo, Explosives Found in Missan*, 27 November 2008, http://www.iraquupdates.com/p_articles.php/article/40665; on 10 November 2008, police defused three bombs in central Amara; VOI, *3 Bombs Defused in Central Amara*, 10 November 2008, http://www.iraquupdates.com/p_articles.php/article/39703; and on 3 November 2008, police defused two bombs in central Amara; VOI, *2 bombs defused in Amara*, 3 November 2008, http://www.iraquupdates.com/p_articles.php/article/39273.
- ⁶²² Reuters, *Police say Sadr militia seizes parts of Iraq's Kut*, 25 March 2008, <http://uk.reuters.com/article/topNews/idUKL2561459420080325>.
- ⁶²³ VOI, *Casualties from Wassit armed clashes up to 115*, 28 March 2008, http://www.iraquupdates.com/p_articles.php/article/29119; AFP, *44 killed in Iraq clashes: police*, 27 March 2008, <http://www.abc.net.au/news/stories/2008/03/27/2201186.htm>; CNN, *More than 100 dead in two days of Iraq fighting*, 26 March 2008, <http://edition.cnn.com/2008/WORLD/meast/03/26/iraq.main/>.
- ⁶²⁴ Sholnn Freeman and Sudarsan Raghavan, *Sadr Tells His Militia To Cease Hostilities*, The Washington Post, 31 March 2008, <http://www.washingtonpost.com/wp-dyn/content/story/2008/03/30/ST2008033002200.html>.

significantly.⁶²⁵ Nevertheless, competing Shi'ite militias and Sunni insurgent groups occasionally disrupt the security environment with IED, RPG and rocket attacks, primarily targeting the ISF/MNF-I.⁶²⁶

227. Wassit is a rural desert region that borders Iran and therefore also has a level of violence associated with smuggling operations. Militants moving between Baghdad and Basrah also use the remote areas of Wassit to transit undetected. The MNF-I/ISF are conducting regular operations to interrupt the smuggling of Shi'ite militants and weapons into Iraq and continue to arrest suspected militants and seize weapon stockpiles.⁶²⁷

⁶²⁵ According to the MNF-I, Wassit Governorate saw a weekly average of 16-18 attacks, but now goes weeks without any incident; AFP, *Iraq takes control of Wasit province from US*, 29 October 2008, http://www.khaleejtimes.com/DisplayArticle08.asp?xfile=data/middleeast/2008/October/middleeast_October509.xml§ion=middleeast.

⁶²⁶ Major incidents in 2008/2009 included for example: on 24 January 2009, a roadside bomb targeting a US convoy in northern Wassit went off, devastating one vehicle; VOI, *U.S. Vehicle Devastated North of Kut*, 25 January 2009, http://www.iraquupdates.com/p_articles.php/article/44116; on 18 January 2009, three Katyusha rockets targeted the MNF-I base Camp Delta near Kut, but no casualties were reported; VOI, *Katyusha Attack on MNF Base*, 19 January 2009, http://www.iraquupdates.com/p_articles.php/article/43622; on 6 January 2009, four mortar shells were fired at a MNF-I Camp Delta base; VOI, *MNF Base in Wassit Mortared*, 7 January 2009, http://www.iraquupdates.com/p_articles.php/article/43032; on 2 January 2009, ISF defused three Katyusha rockets, which were ready to be fired towards the MNF-I's Camp Delta. Already on 1 January 2009 and 31 December 2008, Camp Delta was attacked by Katyusha rockets; VOI, *3 Katyusha Rockets Defused in Wassit*, 2 January 2009, http://www.iraquupdates.com/p_articles.php/article/42841; on 3 November 2008, the MNF-I military base in western Kut was attacked by unidentified gunmen using Katyusha rockets, with no reports of casualties; VOI, *U.S. base in Kut rocketed*, 3 November 2008, http://www.iraquupdates.com/p_articles.php/article/39279; on 26 August 2008, two policemen were wounded when an IED went off near their patrol in the District of Al-Aziziya, north of Kut city; VOI, *2 policemen wounded in IED blast north of Kut*, 26 August 2008, http://www.iraquupdates.com/p_articles.php/article/35680; on 7 August 2008, police defused a roadside bomb planted near a transmission station of Al-Iraqiya TV channel in Wassit; VOI, *Police forces defuse huge roadside bomb in Wassit*, 7 August 2008, http://www.iraquupdates.com/p_articles.php/article/34853; on 22 June 2008, an explosive charge targeting a MNF-I convoy exploded and damaged the Old Kut power plant; VOI, *IED blast stops Kut power plant*, 22 June 2008, http://www.iraquupdates.com/p_articles.php/article/32766; on 11 June 2008, an IED, planted on the main road Kut-Baghdad, targeted a police vehicle patrol, killing two policemen and wounding three others; VOI, *Death toll from Kut's blast rises*, 11 June 2008, http://www.iraquupdates.com/p_articles.php/article/32331.

⁶²⁷ For example, on 23 January 2009, ISF arrested the leader of a "Special Group" cell during a raid on his house in Al-Hay District; VOI, *Special Groups Leader Detained in Wassit*, 24 January 2009, http://www.iraquupdates.com/p_articles.php/article/44091; on 19 January 2009, police seized 38 cannon balls west of Kut; VOI, *Ammo Seized in Wassit*, 20 January 2009, http://www.iraquupdates.com/p_articles.php/article/43681; also on 19 January 2009, ISF arrested the leader of a "Special Group" cell during a raid on his house in northern Wassit; VOI, *Special Groups Leader Arrested in Wassit*, 20 January 2009, http://www.iraquupdates.com/p_articles.php/article/43689; on 14 January 2009, police seized 28 Katyusha rockets hidden in a farm in Sheikh Saad District; VOI, *28 Katyusha Rockets Seized in Wassit*, 15 January 2009, http://www.iraquupdates.com/p_articles.php/article/43415; on 13 January 2009, ISF seized arms and ammunition, including seven anti-aircraft missiles hidden underground in the west of Kut; VOI, *7 Anti-aircraft Missiles Seized in Wassit*, 14 January 2009, http://www.iraquupdates.com/p_articles.php/article/43342; on 2 January 2009, ISF seized six long-range rockets hidden underground at an area northeast of Kut; VOI, *6 Long-range Rockets Seized in Wassit*, 2 January 2009, http://www.iraquupdates.com/p_articles.php/article/42854; on 28 December 2008, ISF

228. Targeted assassinations and kidnappings of security officials⁶²⁸ and civilians⁶²⁹ continue to occur. Occasionally, local government and party officials,⁶³⁰ tribal⁶³¹ and

found seven long-range rockets of 1,000 kg each in a farm in Suwayra District; VOI, *7 Long-range Rockets Seized in Wassit*, 29 December 2008, http://www.iraquupdates.com/p_articles.php/article/42538; on 21 December 2009, police seized a cache of munitions and highly explosive material in an orchard in Numaniyah; VOI, *Munitions, Explosives Seized North of Kut*, 21 December 2009, http://www.iraquupdates.com/p_articles.php/article/42094; on 6 December 2009, ISF arrested 40 wanted men in a search raid in the District of Suwayra; VOI, *40 Wanted Men Arrested in Wassit*, 7 December 2008, http://www.iraquupdates.com/p_articles.php/article/41279; on 1 December 2009, a MoI Quick Response force arrested a Special Groups leader in northern Wassit; VOI, *Special Groups Leader Arrested in Wassit*, 2 December 2009, http://www.iraquupdates.com/p_articles.php/article/40970.

⁶²⁸ For example, on 2 February 2009, gunmen attacked the house of a policeman in Al-Izza area, western Kut, wounding his wife; VOI, *Cop's Wife Wounded in Armed Attack*, 3 February 2009, http://www.iraquupdates.com/p_articles.php/article/44757; on 31 August 2008, gunmen attacked the house of Lt. Colonel Abbas Khudeir Abbas in the area of Al-Izza, western Kut, leaving him seriously wounded and his wife killed; VOI, *Woman killed, man wounded in Iraq violence until Sunday afternoon*, 31 August 2008, http://www.iraquupdates.com/p_articles.php/article/35853; on 17 June 2008, an explosive charge went off targeting the motorcade of Colonel Saleh Mahdi, chief of Al-Aziziya police department, killing him and another officer and wounding ten others Al-Aziziya District; VOI, *Chief of local police killed north of Wassit*, 17 June 2008, http://www.iraquupdates.com/p_articles.php/article/32574; on 15 February 2008, Captain Majed Al-Imara, the chief of the criminal investigation department in Wassit, escaped an attempt on his life when an explosive charge went off near his motorcade in Al-Basroukiya region, southwest of Kut; VOI, *Senior police officer survives assassination attempt*, 15 February 2008, http://www.iraquupdates.com/p_articles.php/article/27406.

⁶²⁹ Reported incidents between November 2008 and February 2009 included: on 22 January 2009, gunmen opened fire at a family of four in Al-Zohour neighbourhood, Suwayra District, killing them all instantly; VOI, *4 Family Members Killed in Wassit*, 23 January 2009, http://www.iraquupdates.com/p_articles.php/article/43984; on 22 December 2008, two IEDs detonated on a road leading to Al-Gohayshat village in Suwayra District, wounding two civilians and causing damage to their vehicle; VOI, *IEDs Wound 2 Civilians in Kut*, 22 December 2008, http://www.iraquupdates.com/p_articles.php/article/42194; on 20 December 2008, four civilians of the same family were wounded when a locally-made roadside bomb went off near their house in Kut; VOI, *Four Civilians of One Family Wounded in Kut*, 20 December 2008, http://www.iraquupdates.com/p_articles.php/article/42074; on 18 December 2008, police found a bullet-riddled civilian body in western Kut; VOI, *Bullet-riddled Civilian Body Found in Wassit*, 22 December 2008, http://www.iraquupdates.com/p_articles.php/article/42054; on 28 November 2008, a nine-year-old boy was killed when a rocket fell on the house of his family in Kut; VOI, *Child Killed As Rocket Hits His Home in Kut*, 29 November 2009, http://www.iraquupdates.com/p_articles.php/article/40828; on 26 November 2008, one civilian was wounded when he came under gunmen's fire in southern Kut; VOI, *Gunfire Wound Civilian in Kut*, 27 November 2008, http://www.iraquupdates.com/p_articles.php/article/40663; on 20 November 2008, gunmen stormed a house and killed five members of the same family, including two children; Reuters, *Factbox – Security Developments in Iraq*, 20 Nov 2008, 20 November 2008, <http://www.alertnet.org/thenews/newsdesk/KAM037878.htm>; on 6 November 2008, a female student of the Faculty of Education at Wassit University was shot and wounded as she left the campus; VOI, *Female student shot outside university*, 6 November 2008, http://www.iraquupdates.com/p_articles.php/article/39492; on 1 November 2008, gunmen opened fire on two brothers in Al-Nasr neighbourhood in western Kut, killing one and wounding the other; VOI, *Civilian killed, brother wounded in Wassit*, 1 November 2008, http://www.iraquupdates.com/p_articles.php/article/39127.

⁶³⁰ For example, on 30 January 2009, gunmen attacked the house of Ahmad Al-Hakeem, a SIIC official and candidate for the Wassit provincial council, in western Kut and burned his private car; on 14 December 2008, gunmen attacked the house of Na'em Ali, head of the municipal council in Al-Wihda District north of Kut; on 22 March 2008, an IED targeted the house of CoR member Iman Jalal, a member of UIA, in Numaniyah, causing no casualties. The same day, an IED targeted the house of Muntather Al-Shahmani,

religious⁶³² leaders as well as professionals⁶³³ have been targeted for assassination. On 27 March 2008, gunmen attacked and set ablaze the house of Bashir Taaban, a journalist working for the Iraqi Media Network in Al-Dhubbat neighbourhood in northern Kut.⁶³⁴ In an attempt to prevent drive-by shootings from motorbikes, the police in Wassit issued a ban on motorbikes at night and allow only one person per motorbike during the day.⁶³⁵

229. Although at a much lower rate than in 2005-2007, but still on a regular basis, dead bodies are found, sometimes handcuffed, bearing signs of torture and multiple gunshots, possibly victims of sectarian killings.⁶³⁶

a member of the Sadrist bloc, also in Numaniyah; on 9 February 2008, gunmen kidnapped Haider Hamid, an official in Sadr's office in Kut, but set him free after being tracked down by security authorities. See Annexes "Party Officials" and "Government Officials".

⁶³¹ On 10 December 2008, gunmen detonated the house of Sheikh Salih Al-Igaidi in Al-Suwayra without causing any casualties. The sheikh himself had been kidnapped more than a year ago and was not heard of since; on 17 October 2008, gunmen shot and wounded a tribal leader in Kut; see "Tribal figures and SoI leaders/members".

⁶³² On 15 April 2008, gunmen injured Sheikh Habib Al-Khateeb, one of Grand Ayatollah Ali Al-Sistani's representatives in Kut, while he was on his way home after finishing prayers in a mosque downtown Kut. See Annex "Sunni and Shi'ite clerics".

⁶³³ For example, on 27 March 2008, gunmen attacked and set ablaze the house of Bashir Taaban, a journalist working for the Iraqi Media Network in Al-Dhubbat neighbourhood in northern Kut; on 3 January 2008, police found the body of Jalal Muhammad Rasheed, an athlete, on a main road in Wassit's northern district of Al-Wahda. The body had gunshot wounds to the head and chest and bore evident signs of torture; VOI, *Athlete's body found in northern Wassit*, 4 January 2008, http://www.iraquupdates.com/p_articles.php/article/25750.

⁶³⁴ See Annex "Journalists and media workers".

⁶³⁵ VOI, *Civilian killed by unknown gunmen fire*, 21 July 2008, http://www.iraquupdates.com/p_articles.php/article/34066; VOI, *Ban on motorbikes at night in Wassit*, 8 July 2008, http://www.iraquupdates.com/p_articles.php/article/33490.

⁶³⁶ For example, on 11 January 2009, the Al-Zahraa hospital morgue received the decomposed bodies of an Iraqi army soldier and a policeman that showed signs of having been subjected to torture; VOI, *Wassit Morgue Receives 2 Bodies*, 12 January 2009, http://www.iraquupdates.com/p_articles.php/article/43237; on 5 December 2008, three unknown bodies were fished out from a river in Al-Suwayra; the bodies showed signs of gunshots and torture, one of them wore a military uniform; VOI, *Wassit Morgue Receives 3 Bodies*, 5 December 2008, http://www.iraquupdates.com/p_articles.php/article/41206; on 2 December 2008, police found an unidentified body with signs of torture and bullet wounds in eastern Al-Dabouni area; VOI, *Unknown Body Found North of Kut*, 3 December 2008, http://www.iraquupdates.com/p_articles.php/article/41033; on 9 November 2008, a body was recovered from a river in Al-Suwayra. The body was decomposed and showed signs of torture; VOI, *Wassit Morgue Receives Unidentified Body*, 9 November 2008, http://www.iraquupdates.com/p_articles.php/article/39583; on 25 October 2008, police found a dead body inside an abandoned house south of Kut. The dead individual appeared to have been tortured and shot; Reuters, *FACTBOX-Security developments in Iraq*, Oct 25, 25 October 2008, <http://www.alertnet.org/thenews/newsdesk/ANW522427.htm>; on 17 October 2008, the body of a female, which showed signs of having been shot, was found on the Kut-Baghdad highway near Al-Dabouni. On the same day, the body of a pregnant woman that showed signs of having been shot was found in western Kut; VOI, *Unidentified body of woman found north of Kut*, 17 October 2008, http://www.iraquupdates.com/p_articles.php/article/38213; on 14 October 2008, police found two bodies, one male one female, with gun shot wounds in Kut; VOI, *2 bodies found in Kut*, 14 October 2008, http://www.iraquupdates.com/p_articles.php/article/37962; on 12 October 2008, two decomposed bodies, whose hands were tied and showed signs of having been tortured, were found in a canal in the outskirts of Suwayra; VOI, *Kut morgue receives 2 decayed bodies*, 12 October 2008, http://www.iraquupdates.com/p_articles.php/article/37820; on 6 October 2008, policemen found two unidentified bodies of a young man and a young woman in eastern Kut. Both bodies showed signs of

J. Security in the three Northern Governorates⁶³⁷

230. Since 2003, the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah have largely escaped the violence and collapse of law and order prevalent in many parts of the Centre and South and remain relatively quiet and stable. The security situation, however, remains tenuous and unpredictable for a number of reasons as outlined below.

231. There is anticipation that the conflict prevailing in the other parts of the country, in particular in neighbouring Kirkuk, Ninewa and Diyala Governorates where the Sunni insurgency has not yet been defeated, might spill over. Accordingly, the local authorities employ strict security measures, including on the admission of persons not originating from the area.⁶³⁸ The KRG's ambitions to expand its areas of control in the so-called "disputed areas" in the Governorates of Kirkuk, Ninewa, Salah Al-Din and Diyala on the basis of Article 140 of the Constitution are met with opposition by the Arab and Turkmen communities in the concerned areas, but also the central Government has made it clear that it will not tolerate the Kurdish security forces' presence outside the Kurdistan Region.⁶³⁹ In some areas of the Central Governorates, where Kurdish parties already exert *de facto* full or partial control (e.g. Kirkuk, Khanaqeen), attacks on party and security offices and representatives are common.⁶⁴⁰

232. Relations between the KRG and the Central Government have soured over the last year over the extent of the Kurdistan Region's autonomy and the distribution of power and resources between the two entities.⁶⁴¹

233. The reported presence of several thousands PKK and PJAK fighters in remote mountain areas of Northern Iraq leads to frequent cross-border shelling campaigns by Iranian and Turkish forces, causing material damage as well as limited civilian casualties and (mostly temporary) displacement.⁶⁴²

having been shot; Aswat al-Iraq, *Bodies of young man, woman found in Kut*, 7 October 2008, http://www.ccun.org/News/2008/October/7_n/US_Soldier_15_Iraqis_Killed_in_War_Attacks_Including_4_Executed_by_Death_Squads_According_to_October_7_2008_News_Reports.htm; on 25 September 2008, police found a body in Kut. The blind-folded body bore signs of torture; VOI, *Civilian body found in Wassit*, 25 September 2008, http://www.iraqupdates.com/p_articles.php/article/37075; on 22 September 2008, police recovered a body showing signs of torture from the Tigris River in Al-Suwayra; Reuters, *FACTBOX-Security developments in Iraq*, Sept 22, 23 September 2008, <http://www.alertnet.org/thenews/newsdesk/ANW220121.htm>; on 21 September 2008, police found two decomposed bodies with signs of torture in a river north of Al-Suwayra; VOI, *Wassit morgue receives 2 unknown bodies*, 21 September 2008, http://www.iraqupdates.com/p_articles.php/article/36821; on 20 September 2008, the body of a man was found on the Kut-Baghdad highway near Al-Aziziya north of Kut. The body showed signs of torture and multiple gunshots; VOI, *Mortuary receives tortured corpse*, 20 September 2008, http://www.iraqupdates.com/p_articles.php/article/36754.

⁶³⁷ Other chapters in this document also deal with the situation in the three Northern Governorates. See, for example, information given relating to the "disputed areas", the relations between KRG and the Central Government, and the PKK/PJAK. See also "*Iranian and Turkish cross-border military operations*".

⁶³⁸ See "*IFA/IRA in the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah*".

⁶³⁹ See "*Pending key political decisions*".

⁶⁴⁰ See "*Government officials and other persons associated with the current Iraqi Government, Administration or Institutions*".

⁶⁴¹ See, for more details, "*Political Power Struggles*".

⁶⁴² See "*Iranian and Turkish cross-border military operations*".

234. Radical Islamic militants, offshoots from *Ansar Al-Islam*, a home-grown indigenous Kurdish Islamist Movement, that seek to transform Iraq into an Islamic state based on a rigid Salafi ideology,⁶⁴³ reportedly have a limited presence in the Kurdistan Region, mainly in Sulaymaniyah Governorate near the Iraqi-Iranian border. The group was attacked by Coalition and Kurdish forces during the 2003 invasion for reportedly providing a safe haven to AQI. While Ansar Al-Islam (and its offshoot Ansar Al-Sunna) is mainly active in some areas of the Central Governorates, it is also accused of involvement in several (suicide) attacks in the Kurdistan Region in recent years, mainly directed against PUK and KDP officials as well as attacks on border guards on the Iraqi-Iranian border.⁶⁴⁴ Ansar Al-Islam at least temporarily cooperated with AQI and both groups are held responsible for a number of attacks in the Region since 2003.⁶⁴⁵ Threats from AQI and Ansar Al-Islam have prompted the KRG authorities to implement increased security measures, including by constructing a tunnel and security barricades segregating Erbil from Kirkuk and Ninewa Governorates and the deployment of 1,000 *Peshmerga* soldiers to the border with Iran in an attempt to stop possible infiltrations.⁶⁴⁶ Nevertheless, militant groups continued to have limited abilities to launch attacks in 2008, including on 14 May 2008, when a bomb exploded at a sports ground in the town of Raniya in Sulaymaniyah Governorate, seriously injuring three children who were playing football.⁶⁴⁷ On 10 March 2008, a suicide car bomber blew himself up outside the luxury Palace Hotel, owned by the PUK, in Sulaymaniyah City, killing one person and

⁶⁴³ Kathryn Gregory, *Ansar al-Islam (Iraq, Islamists/Kurdish Separatists)*, *Ansar al-Sunnah*, CFR, 5 November 2008, <http://www.cfr.org/publication/9237/>.

⁶⁴⁴ Ansar Al-Islam has conducted several sophisticated attacks against KRG border guards. For example, on 15 July 2007, gunmen killed seven Kurdish border guards and a civilian in an ambush on the Iranian frontier near the town of Penjwin; AFP/Reuters, *Seven Kurdish border guards killed in Iraqi Kurdistan ambush*, 16 July 2007, <http://www.ekurd.net/mismas/articles/misc2007/7/islamterror173.htm>; see also Lydia Khalil, *The Hidden Hand of Iran in the Resurgence of Ansar al-Islam*, The Jamestown Foundation, Terrorism Monitor Volume 5/Issue 11, 7 June 2007, http://www.jamestown.org/programs/gta/single/?tx_ttnews%5Btt_news%5D=4213&tx_ttnews%5BbackPid%5D=182&no_cache=1.

⁶⁴⁵ In 2007, two high-profile attacks targeting Kurdish Government and Party institutions have taken place, including a truck bombing which targeted the Interior Ministry and the Security Headquarter, killing 15 people and wounding more than 80 on 9 May 2007 and a bombing targeting local administration offices and a KDP Office in Makhmour, a predominantly Kurdish town 50 km southwest of Erbil, in which at least 50 people were killed. The Islamic State of Iraq, which is affiliated with AQI, claimed responsibility for both attacks; RFE/RL, Kathleen Ridolfo, *Iraq: Kurdish Region Under Increasing Threat*, 16 May 2007, <http://www.rferl.org/featuresarticle/2007/05/29c92089-22f0-42e2-acc7-3666f1ff1419.html>; on 25 October 2005, at least nine people were killed when a car bomb exploded near a *Peshmerga* Office in Sulaymaniyah City; Claudia Parsons and Andrew Quinn, *Iraq voters approve U.S.-backed constitution*, Reuters, 25 October 2005, <http://www.iiss.org/whats-new/iiss-in-the-press/press-coverage-2005/october-2005/iraq-voters-approve-us-backed-constitution/>; on 4 May 2005, a suicide bomber killed at least 60 people and wounded 150 more when he blew himself up at a KDP office in Erbil; Agencies, *Suicide bomber kills 60 in northern Iraq*, The Guardian, 5 May 2005, <http://www.guardian.co.uk/world/2005/may/04/iraq>; Ansar Al-Islam was held responsible for a devastating attack on the PUK and KDP headquarters in Erbil on 1 February 2004, in which more than 100 persons were killed, including KDP Deputy PM Sami Abdul Rahman; BBC, *Irbil bombings toll reaches 101*, 3 February 2004, http://news.bbc.co.uk/2/hi/middle_east/3457065.stm.

⁶⁴⁶ Asia News, *One Thousand Peshmerga Deployed Along the Iranian Border*, 11 May 2007, <http://www.asianews.it/index.php?l=en&art=9240&size=A>; Gulf News, Basil Adas, *Security tunnel to protect Arbil from Al Qaida*, 18 April 2007, http://www.iraquupdates.com/p_articles.php/article/16590.

⁶⁴⁷ Agencies, *Iraqi Kurdistan: Blast hits Rania city, injuring three children*, 15 May 2008, <http://www.ekurd.net/mismas/articles/misc2008/5/islamterror201.htm>.

wounding 30 people, including the city's security chief, Hassan Nouri.⁶⁴⁸ At the end of December 2008, the Kurdish authorities announced the arrest of eight alleged Islamic militants with links to Ansar Al-Islam in Sulaymaniyah, who had reportedly confessed their intent to carry out attacks.⁶⁴⁹ Islamist groups are also alleged to target individuals, including for their outspoken views or perceived "un-Islamic" behaviour. On 1 August 2008, journalist Amanaj Khalil of the weekly *Rudaw* survived a shooting attack near Sulaymaniyah. Reportedly, he had received death threats in relation to an article in which he had written about the links between a Kurdish Islamic organization and the terrorist group Ansar Al-Islam.⁶⁵⁰ On 16 December 2007, gunmen blew up a liquor store in the District of Kifri, but no casualties were reported.⁶⁵¹ In February 2007, Houzan Mahmoud, a Kurdish women activist reportedly received death threats by e-mail signed by Ansar Al-Islam.⁶⁵²

235. Despite the KRG authorities' commitment to respect human rights in their areas, serious violations of human rights continue to take place with specific groups being targeted, including journalists, persons accused of being affiliated with Islamist armed groups, and women. Journalists and media organizations have repeatedly claimed that press freedom is restricted and that criticism of the ruling parties can lead to physical harassment, arrest and imprisonment on fabricated charges.⁶⁵³ Furthermore, in unofficial detention centres run by the political parties' security and intelligence apparatus, detainees, in particular persons accused of being affiliated with Islamist armed groups, are held *incommunicado* and without judicial review of their detention for prolonged periods of time. The use of torture and other forms of ill-treatment have also been reported.⁶⁵⁴ The situation of women is another area of concern as so-called "honour killings" and other harmful traditional practices occur at alarmingly high levels.⁶⁵⁵

⁶⁴⁸ Rebaz Mahmood, *Kurdistan: Al-Qaeda Suspected of Sulaimaniyah Bombing*, IWPR, Iraqi Crisis Report No. 250, 20 March 2008, http://www.iwpr.net/?p=icr&s=f&o=343543&apc_state=heniicr200803.

⁶⁴⁹ AFP, *Eight alleged Islamic militants held in Iraq: police*, 30 December 2008, [http://www.metimes.com/Politics/2008/12/30/eight alleged islamic militants held in iraq police/afp/](http://www.metimes.com/Politics/2008/12/30/eight%20alleged%20islamic%20militants%20held%20in%20iraq%20police/afp/).

⁶⁵⁰ See Annex "Journalists and media workers".

⁶⁵¹ VOI, *Gunmen detonate liquor store in Kafri district*, 17 December 2007, http://www.iraqupdates.com/p_articles.php/article/25120/refid/RN-story-09-12-2008.

⁶⁵² *Iraqi Kurdish Feminist 'Houzan Mahmoud' in London Targeted by Islamists*, 27 February 2007, <http://www.ekurd.net/mismas/articles/misc2007/3/islamterror147.htm>.

⁶⁵³ See "Journalists in Northern Iraq".

⁶⁵⁴ See "(Perceived) members of Islamist groups in Northern Iraq" and "Human Rights Situation".

⁶⁵⁵ See "Situation of Women" and "Women and children with specific profiles".

VII. HUMAN RIGHTS SITUATION

A. Introduction

236. Overall, the improvements in the security situation have also had a positive impact on the human rights situation. In particular, the number of civilian casualties and new displacement has been significantly reduced.⁶⁵⁶ Nevertheless, according to Human Rights Watch (HRW), human rights conditions in Iraq remain “*extremely poor*”.⁶⁵⁷ In particular, the human rights situation of women has not improved.⁶⁵⁸ According to the UN Secretary-General, “(...) *grave and systematic human rights violations remain constant, but are less visible and less widely reported.*”⁶⁵⁹

237. Iraq continues to see indiscriminate and deliberate attacks on civilians by suicide and car bombs, abduction, torture, extra-judicial killings and forced displacement.⁶⁶⁰ Targeted attacks on government and party officials, persons considered to be collaborating with the MNF-I, the Iraqi Government or the SoI, journalists and professionals, religious and ethnic minorities, women and homosexuals remain a common occurrence.⁶⁶¹ During military operations in the Southern Governorates and Sadr City, all parties to the conflict have been implicated in violations of international humanitarian and human rights law.⁶⁶² In addition, there continue to be reports of killings of civilians by members of the ISF,⁶⁶³ SoI,⁶⁶⁴ MNF-I⁶⁶⁵

⁶⁵⁶ UN SC, *November 2008 Report*, p. 11, see above footnote 215.

⁶⁵⁷ HRW, *World Report 2009 – Iraq*, January 2009, <http://www.hrw.org/en/node/79254> (further: “HRW, *World Report 2009*”).

⁶⁵⁸ See “*Certain profiles of women and children*”.

⁶⁵⁹ UN SC, *November 2008 Report*, p. 11, see above footnote 215; see also UNAMI, *June 2008 Human Rights Report*, p. 2, see above footnote 414.

⁶⁶⁰ According to UNAMI HRO, “(T)hese systematic and widespread attacks against a civilian population are tantamount to crimes against humanity and violate the laws and customs of war (...)” For an overview of bomb attacks during the first six months of 2008, see UNAMI, *June 2008 Human Rights Report*, pp. 6-8, see above footnote 414.

⁶⁶¹ See “*Groups at risk*”.

⁶⁶² According to UNAMI HRO, “(R)eports suggested that all parties to the conflict failed to sufficiently distinguish between combatants and civilians, between military objectives and civilian objects and often used disproportionate force.” UNAMI, *June 2008 Human Rights Report*, pp. 2, 14-15, see above footnote 414.

⁶⁶³ UNAMI, *June 2008 Human Rights Report*, p. 14, see above footnote 414; see also AI, *The State of the World’s Human Rights, Report 2008 – Iraq*, <http://thereport.amnesty.org/eng/Regions/Middle-East-and-North-Africa/Iraq> (further: “AI, 2008 Human Rights Report”).

⁶⁶⁴ UNAMI, *June 2008*, p. 14, see above footnote 414.

⁶⁶⁵ The Iraqi Monitor of Constitutional Freedom and Bill of Rights (MRFC), a Baghdad-based non-governmental Iraqi human rights organization, said on 15 February 2009 that 303 Iraqis had been killed by US forces in 2008; VOI, *MRFC: 303 Iraqis Killed by U.S. Fire in 2008*, 15 February 2009, http://www.iraquupdates.com/p_articles.php/article/45352. According to Iraq Body Count (IBC), 365 civilians have been killed by US air strikes between January and November 2008; IBC, *Post-surge violence: its extent and nature*, 28 December 2008, <http://www.iraqbodycount.org/analysis/numbers/surge-2008/>. HRW reported that for example on 19 September 2008, US troops backed by airstrikes killed seven Iraqis north of Baghdad; the MNF-I said it had targeted an AQI bomb maker, but local officials said those killed were members of a displaced Baghdad family; HRW, *World Report 2009*, see above footnote 657. UNAMI HRO in its latest human rights report expressed concern over civilian deaths as a result of MNF-I air strikes, military ground

and private security companies.⁶⁶⁶ In several documented incidents, the MNF-I accidentally killed members of the SoI.⁶⁶⁷

238. The lack of due process, detention conditions and the excessive use of the death penalty are further areas of concern.

B. Civilian casualties

239. The decline in civilian casualties observed as of the third quarter of 2007⁶⁶⁸ has largely continued in 2008, with the notable exception for the months of March and April 2008 when military operations in Basrah and Sadr City resulted in intense clashes between the ISF/MNF-I and Shi'ite militias, claiming the lives of many civilians.⁶⁶⁹ Figures dropped again as of May 2008, when a ceasefire agreement was concluded between the Iraqi Government and JAM.⁶⁷⁰ Overall, Iraq Body Count (IBC) recorded between 8,315 and 9,028 civilian deaths in 2008 or 25 deaths per day, a substantial drop in comparison with the preceding two years and the lowest number of civilian deaths since the fall of the former regime in 2003.⁶⁷¹ The total number of civilian deaths since the US-led invasion in 2003 is approaching 100,000.⁶⁷² As a result of

operations or checkpoint confrontations, including during several incidents in the Governorates of Babel, Baghdad, Al-Anbar, Salah Al-Din, Kirkuk, Diyala and Ninewa; UNAMI, *June 2008 Human Rights Report*, p. 13, see above footnote 414. See also AI, *2008 Human Rights Report*, see above footnote 663.

⁶⁶⁶ According to the Washington Post, fatal shootings by private security contractors have dropped markedly in 2008 as a result of improved oversight of the contractors. Private security contractors guarding US State Department officials in Iraq have been involved in just one deadly shooting incident through the first 10 months of 2008 compared with 72 during the same time period in 2007; Walter Pincus, *Fatal Shootings by Iraq Contractors Drop in 2008*, The Washington Post, 20 December 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/12/19/AR2008121903129.html>. During the first six months of 2008, UNAMI HRO documented two incidents involving private security contractors; both took place in Baghdad; see UNAMI, *June 2008 Human Rights Report*, p. 12, see above footnote 414; see also AI, *2008 Human Rights Report*, see above footnote 663.

⁶⁶⁷ For example, on 23 September 2008, US forces accidentally killed Jassim Mohammed Al-Garout, head of Awakening Council in Siniyah town, north of Baghdad. According to a spokesman of the group, the incident occurred after Al-Garout rushed to a site of a bomb that injured one of his men; Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 23 September 2008*, McClatchy Newspapers, 23 September 2008, <http://www.mcclatchydc.com/212/story/52945.html>.

⁶⁶⁸ For casualty statistics in 2007, see IBC, *Civilians deaths in 2007*, 1 January 2008, <http://www.iraqbodycount.org/analysis/numbers/2007/>.

⁶⁶⁹ According to the statistics by the Iraqi Ministries of Interior, Health and Defence, 923 persons were killed in March and 969 in April 2008; IBC accounted for almost 2,800 killed civilians (1,538 in March and 1,260 in April 2008); see IBC, *Database*, <http://www.iraqbodycount.org/database/>; Alexandra Zavis, *Iraqi violence returns in force*, LA Times, 1 May 2008, <http://articles.latimes.com/2008/may/01/world/fg-iraq1>; Randy Fabi, *Iraqi casualties at highest level since August*, Reuters, 1 April 2008, <http://www.reuters.com/article/newsOne/idUSL2423186320080401>.

⁶⁷⁰ According to IBC, there have been 514 documented civilian deaths in December 2008 (provisory figure), 467 in November, 526 in October, 535 in September, 591 in August, 583 in July, 669 in June and 759 in May 2008. These figures are based on media reports and therefore do not reflect the full picture as deaths may go unreported. For monthly statistics, see IBC, *Database*, <http://www.iraqbodycount.org/database/>.

⁶⁷¹ IBC accounted for 12,047 dead civilians in 2003, 10,737 in 2004, 14,766 in 2005, 27,599 in 2006 and 24,299 in 2007; IBC, *Database*, <http://www.iraqbodycount.org/database/>; IBC, *Post-surge violence: its extent and nature*, 28 December 2008, <http://www.iraqbodycount.org/analysis/numbers/surge-2008/>.

⁶⁷² By 5 April 2009, IBC estimates the aggregate figure at between 91,364 – 99,751; IBC, *Database*, <http://www.iraqbodycount.org/database/>. For a discussion of various casualty estimates since 2003, see

sharply declined sectarian violence, the most notable reduction in violence has been observed in Baghdad, which in 2008 accounted for 32% of the total civilian deaths compared to 54% in 2006/2007.⁶⁷³ The number of civilians killed by car bombs and suicide attacks declined to ten a day in 2008 compared to 21 per day in 2007 and 16 a day in 2006. Among those killed by bullets or executed, an average of 14 civilians died per day in 2008, compared to 40 a day in 2007 and 56 per day in 2006. Notably, the number of civilians killed by roadside bomb, usually aimed at ISF or MNF-I, has only slightly decreased in 2008 in comparison with previous years.⁶⁷⁴ The Iraqi Government, whose civilian casualty statistics tend to be significantly lower than the ones of IBC, accounted for 5,714 people killed in 2008, including 2,300 in Baghdad.⁶⁷⁵ In January 2009, the Iraqi Government accounted for 138 civilians killed⁶⁷⁶ and IBC documented 275 civilian casualties.⁶⁷⁷ By 31 March 2009, IBC accounted for around 1,000 civilians killed in 2009,⁶⁷⁸ including 275 in January 2009,⁶⁷⁹ 343 in February 2009⁶⁸⁰ and 198 in March 2009.⁶⁸¹ Despite the fact that civilian casualty rates have decreased significantly in comparison with the enormously high casualty figures of 2006 and 2007, there remains a high level of violence in parts of the country and, in the words of the UN Secretary-General, “(...) civilian casualties as a result of violence remain unacceptably high (...)”.⁶⁸²

C. Due process of law

240. By January 2009, there were 35,000 detainees in Iraqi prison and detention facilities.⁶⁸³ Various reports indicate that Iraqi courts are seriously failing to meet international standards of due process and fair trials.⁶⁸⁴ Many detainees have been deprived of their liberty for prolonged

Hannah Fischer, *Iraqi Civilian Deaths Estimates*, Congressional Research Service, CRS Report for Congress, updated 26 August 2008, <http://www.fas.org/sgp/crs/mideast/RS22537.pdf>.

⁶⁷³ IBC, *Post-surge violence: its extent and nature*, 28 December 2008, <http://www.iraqbodycount.org/analysis/numbers/surge-2008/>.

⁶⁷⁴ According to IBC statistics, roadside bombs killed 1,423 civilians in 2006, 1,174 in 2007 and 1,106 in 2008 (by the end November); IBC, *Post-surge violence: its extent and nature*, 28 December 2008, <http://www.iraqbodycount.org/analysis/numbers/surge-2008/>.

⁶⁷⁵ In 2007, it accounted for 16,252 civilian deaths; BBC, *Iraq civilian deaths down in 2008*, 29 December 2008, http://news.bbc.co.uk/2/hi/middle_east/7802545.stm.

⁶⁷⁶ Reuters, *Iraq January death toll at lowest since 2003 war*, 31 January 2009, <http://www.alertnet.org/thenews/newsdesk/LV366590.htm>.

⁶⁷⁷ Provisory figure; IBC, *Database*, visited 25 February 2009, <http://www.iraqbodycount.org/database/>.

⁶⁷⁸ IBC, *Recent Events*, visited 5 April 2009, <http://www.iraqbodycount.org/database/recent/>.

⁶⁷⁹ IBC, *Database*, visited 5 April 2009, <http://www.iraqbodycount.org/database/>. The Iraqi Government accounted for 138 civilians killed in January 2009; Reuters, *Iraq January death toll at lowest since 2003 war*, 31 January 2009, <http://www.alertnet.org/thenews/newsdesk/LV366590.htm>.

⁶⁸⁰ IBC, *Database*, visited 5 April 2009, <http://www.iraqbodycount.org/database/>. The Iraqi Government accounted for 211 civilians killed in February 2009; Reuters, *Monthly U.S. death toll in Iraq lowest since beginning of war*, 1 April 2009, http://news.yahoo.com/s/nm/20090401/wl_nm/us_iraq_toll.

⁶⁸¹ The March 2009 figure is provisory; IBC, *Database*, visited 5 April 2009, <http://www.iraqbodycount.org/database/>. The Iraqi Government accounted for 180 civilians killed in March 2009; Reuters, *Monthly U.S. death toll in Iraq lowest since beginning of war*, 1 April 2009, http://news.yahoo.com/s/nm/20090401/wl_nm/us_iraq_toll.

⁶⁸² UN SC, *July 2008 Report*, p. 1, see above footnote 320; see also IBC, *Post-surge violence: its extent and nature*, 28 December 2008, <http://www.iraqbodycount.org/analysis/numbers/surge-2008/>.

⁶⁸³ *Iraq Index*, see above footnote 372, p. 21.

⁶⁸⁴ See in particular HRW, *The Quality of Justice – Failings of Iraq’s Central Criminal Court*, see above footnote 227; UN SC, *November 2008 Report*, see above footnote 215; and UNAMI, *June 2008 Human Rights Report*, see above footnote 414.

periods of time, for months or even years, under precarious physical conditions and without access to a defence counsel, being formally charged or brought before a judge.⁶⁸⁵ Due to “*slow bureaucratic procedures, insufficient resources and the absence of effective accountability measures (...)*” judicial review is delayed and “*(...) result in a lack of due process.*”⁶⁸⁶ UNAMI HRO reported that ministerial directives that would provide greater protection of detainees’ due process rights are “*slow to implement and remain partially or totally ignored in many detention centres.*”⁶⁸⁷

241. In the Kurdistan Region, individuals continue to be held for prolonged periods of time, mostly on the basis of vague accusations (usually on suspicion of involvement in terror-related incidents).⁶⁸⁸ UNAMI HRO reported that in a sample group of 55 detainees held at *Asayish* detention facilities in Erbil 38 had been held for up to four years without being charged or brought before a judge.⁶⁸⁹ The KNA’s Human Rights Committee, which is mandated to review detention facilities, registered 140 cases of persons detained for more than two years by the *Asayish* without charges.⁶⁹⁰ Generally, detainees held by the *Asayish* have limited access to lawyers and “for security reasons” discussions between lawyer and client will take place in the presence of an *Asayish* official.⁶⁹¹

242. The SOFA provides for the transfer of detainees held by the MNF-I to Iraqi custody, or to otherwise set them free. A joint Iraqi-US committee was formed to look into the cases of Iraqis currently detained by the US military in Iraq. The detainees will only be gradually handed-over to Iraqi custody given that Iraqi detention centres lack the capacity to receive all detainees at once.⁶⁹² The US military expects that the transfer of prisoners to Iraqi custody will take until the end of 2009 or early 2010.⁶⁹³ In light of reports implicating the Iraqi authorities in torture and ill-treatment as well as unfair trials leading to execution, this provision has caused

⁶⁸⁵ The *Law on Criminal Proceedings* (Law No. 23 of 1971) details the procedures to be followed for the investigation of offences, the collection of evidence, trials and appeals. In addition, the Iraqi Constitution of 2005 provides baseline protections for criminal defendants; see the unofficial English translation of the *Constitution of the Republic of Iraq* by UNAMI, <http://www.unhcr.org/refworld/docid/454f50804.html>; *Law No. 23 of 1971, Law on Criminal Proceedings*, 4 February 1971, <http://www.unhcr.org/refworld/docid/468a674a2.html>. See also HRW, *The Quality of Justice – Failings of Iraq’s Central Criminal Court*, see above footnote 227.

⁶⁸⁶ UN SC, *November 2008 Report*, p. 215, see above footnote 215; UNAMI, *June 2008 Human Rights Report*, p. 22, see above footnote 414.

⁶⁸⁷ UNAMI, *June 2008 Human Rights Report*, p. 24, see above footnote 414.

⁶⁸⁸ UNAMI, *June 2008 Human Rights Report*, p. 25, see above footnote 414.

⁶⁸⁹ *Ibid.*

⁶⁹⁰ *Ibid.*

⁶⁹¹ *Ibid.*, p. 26.

⁶⁹² VOI, *Iraqi-U.S. Committee on Detainees – Human Rights Minister*, 6 January 2009, http://www.iraqupdates.com/p_articles.php/article/43001; Campbell Robertson, *A Panel on Iraqi Detainees Meets*, NY Times, 11 December 2008, <http://www.nytimes.com/2008/12/12/world/middleeast/12baghdad.html>.

⁶⁹³ By mid-February 2008, some 14,550 Iraqi detainees remain in US custody. In addition, the US forces also hold 140 foreign detainees; VOI, *Drop in Iraqi Detainees in U.S. Jails*, 17 February 2009, http://www.iraqupdates.com/p_articles.php/article/45371; RFE/RL, *Iraq Has Processed 1,500 Former U.S. Detainees*, 16 February 2009, http://www.rferl.org/content/Iraq_Has_Processed_1500_Former_US_Detainees/1493764.html; Michael Christie, *Transfer of U.S. detainees to Iraq done by 2010*, Reuters, 11 February 2009, <http://www.alertnet.org/thenews/newsdesk/LB456923.htm>.

great concern, among others among human rights organizations.⁶⁹⁴ Reportedly, the US Government aimed at decreasing the number of detainees ahead of SOFA; however, the UN Secretary-General reported that “a steady flow” of Iraqis released by the MNF-I are subsequently rearrested by the Iraqi authorities, “in some case without sufficient evidence.”⁶⁹⁵

D. Torture and ill-treatment

243. Allegations of widespread and routine torture and ill-treatment of detainees, particularly those in pre-trial detention facilities run by Iraq’s MoD and MoI, including police stations, continue to be raised.⁶⁹⁶ Detainees in detention facilities of the MoI interviewed by UNAMI HRO regularly alleged that they had been beaten or otherwise ill-treated, some of them showed physical traces consistent with the alleged torture or ill-treatment. In most cases, the goal was to extract a confession from the detainees. The Iraqi law enforcement agencies continue to heavily rely on confessions rather than forensic evidence.⁶⁹⁷ In other cases, torture may be used to take revenge, e.g. if a person is accused of having killed a policeman, or as a means of extortion.⁶⁹⁸ A Ministry of Human Rights report on prisons and detention facilities was reportedly shelved following the objection of the Ministries of Defence and Justice.⁶⁹⁹ In August 2008, the Ministry of Human Rights said that it had documented 121 “proven cases” of detainees, including three women, who had been tortured in 2007, mostly in facilities of the MoI and, to a lesser extent, of the MoD. It also said that in 2007, 68 detainees had died in prisons, including as a result of illness and mortar attacks on the detention facilities. However, 14 cases were still under review as their death may have been caused by torture.⁷⁰⁰ In September 2008, the CoR’s Human Rights Commission found up to 200 malnourished and sick detainees in a secret prison of the MoD in Basrah. Reportedly, many of the detainees bore signs of torture. None of them had ever been tried or given access to legal counsel.⁷⁰¹ To date, officials accused of abusing detainees have not been prosecuted.⁷⁰²

244. In the Kurdistan Region, in particular, persons arrested on suspicion of involvement in terror-related incidents have been “routinely singled out for violent treatment amounting to

⁶⁹⁴ AI, *Security agreement puts 16,000 Iraqi detainees at risk of torture*, 28 November 2008, <http://www.amnesty.org/en/news-and-updates/news/security-agreement-puts-16000-iraqi-detainees-risk-torture-20081128>. HRW, *US: Iraq Security Deal Should Shield Detainees*, 29 October 2008, <http://www.hrw.org/en/news/2008/10/29/us-iraq-security-deal-should-shield-detainees>.

⁶⁹⁵ UN SC, *November 2008 Report*, p. 12, see above footnote 215.

⁶⁹⁶ HRW, *World Report 2009*, see above footnote 657; UNAMI, *June 2008 Human Rights Report*, p. 24, see above footnote 414.

⁶⁹⁷ HRW, *The Quality of Justice – Failings of Iraq’s Central Criminal Court*, see above footnote 227; US Department of Defense, *December 2008 Report to Congress*, p. 4, see above footnote 9.

⁶⁹⁸ Middle East Online, *Iraq’s human rights ministry says wants torturers not to be included on amnesty lists*, 20 August 2008, http://www.iraqupdates.com/p_articles.php/article/35437.

⁶⁹⁹ UNAMI, *June 2008 Human Rights Report*, p. 24, see above footnote 414.

⁷⁰⁰ Middle East Online, *Iraq’s human rights ministry says wants torturers not to be included on amnesty lists*, see above footnote 698.

⁷⁰¹ Mohammed Hamdoun, *Rights group finds secret prison in Basra*, Azzaman, 12 September 2008, http://www.iraqupdates.com/p_articles.php/article/36409.

⁷⁰² The Iraqi Constitution and the Law on Criminal Proceedings explicitly prohibit the use of torture and the Iraqi Penal Code and the Law on Criminal Proceedings provide for criminal liability of the use of torture. However, HRW reported that since 2004 successive Iraqi governments have blocked prosecution of officials accused of abuse; HRW, *The Quality of Justice – Failings of Iraq’s Central Criminal Court*, see above footnote 227; see also UNAMI, *June 2008 Human Rights Report*, p. 24, see above footnote 414.

torture during investigations” by security and intelligence officials.⁷⁰³ UNAMI HRO also continues to receive reports of abusive treatment of detainees, particularly those held by the *Asayish*, in order to extract information or confessions.⁷⁰⁴ Lawyers usually do not have access to persons held in *Asayish* detention facilities and for “security reasons”, are not allowed to engage in confidential discussions without the presence of an *Asayish* official.⁷⁰⁵ AI reported that two persons, a mother and her son, who had been arrested on suspicion of involvement in the 10 March 2008 attack on the Sulaymaniyah Palace Hotel, were acquitted by a criminal court in Sulaymaniyah for lack of evidence. However, despite the court order to release them, they were immediately re-arrested by the *Asayish*. The son had reportedly been tortured after his first arrest by being left suspended by his limbs for long periods, beatings with a cable and the application of electric shocks to different parts of his body, including his genitals.⁷⁰⁶

245. In a positive move, Iraq ratified on 17 August 2008 the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).⁷⁰⁷ On 16 November 2008, the CoR approved the establishment of an Independent High Commission for Human Rights as mandated in the Iraqi Constitution (Article 102) to promote and protect human rights.⁷⁰⁸

E. Detention conditions

246. Overcrowding in Iraqi detention facilities remains a major concern in many facilities.⁷⁰⁹ For example, the Khamees detention centre in Diyala has a capacity for 200 inmates but currently houses more than 450 in unsanitary conditions.⁷¹⁰ The building of five new prisons for over 6,500 prisoners and detainees in the coming six months, which are funded by the US Government, is expected to at least partially alleviate the problem of post-trial overcrowding in the future.⁷¹¹ Inmates often have inadequate access to healthcare⁷¹² and suffer from inadequate sanitation and hygiene conditions.⁷¹³ Despite some improvements, overcrowding and lack of

⁷⁰³ UNAMI, *June 2008 Human Rights Report*, p. 25, see above footnote 414.

⁷⁰⁴ *Ibid.*, p. 26.

⁷⁰⁵ *Ibid.*

⁷⁰⁶ AI, *UA 313/08, Fear for safety*, MDE 14/028/2008, 12 November 2008, <http://www.amnesty.org/en/library/asset/MDE14/028/2008/en/9f457a01-b0e6-11dd-ab25-87d0050ca707/mde140282008eng.pdf>.

⁷⁰⁷ US Department of Defense, *September 2008 Report to Congress*, see above footnote 231, p. 5.

⁷⁰⁸ UN, *Iraq: UN official welcomes creation of human rights commission*, 17 November 2008, <http://www.un.org/apps/news/story.asp?NewsID=28963&Cr=Iraq&Cr1=UNAMI>.

⁷⁰⁹ BBC documented in November 2008 that some 150 prisoners were held in a room of the size of a school classroom in Baghdad’s Rusafa facility. Many had been held for months or years without having been charged; BBC, *Iraq jails ‘terribly overcrowded’*, 26 November 2008, http://news.bbc.co.uk/1/hi/middle_east/7748795.stm. The Iraqi MoD currently holds over 2,000 pre-trial detainees though its capacity is limited to around 1,600; US Department of Defense, *December 2008 Report to Congress*, pp. 4, 46, see above footnote 9; SIGIR, *October 2008 Report to Congress*, p. 53, see above footnote 215.

⁷¹⁰ SIGIR, *January 2009 Report to Congress*, p. 124, see above footnote 9.

⁷¹¹ Furthermore, the Iraqi Government is in the preliminary stages of planning four new prisons providing for a total of 12,500 beds; SIGIR, *January 2009 Report to Congress*, p. 55, see above footnote 9.

⁷¹² US Department of Defense, *December 2008 Report to Congress*, p. 4, see above footnote 9.

⁷¹³ The US Department of Defense reported that “(I)nadequate medical care, poor quality of food and water, and a pervasive lack of latrines and hygiene facilities plague the [MoD’s] detention system. Approximately half the detention facilities do not allow family visits;” US Department of Defense, *December 2008 Report to Congress*, p. 46, see above footnote 9.

basic hygiene and sanitation remain a concern in some detention facilities in the Kurdistan Region.⁷¹⁴

F. Death penalty

247. The death penalty is extensively used and reportedly on the rise in Iraq.⁷¹⁵ According to AI, nearly 130 people currently face imminent execution in Iraq, a figure that was confirmed by the Iraqi Supreme Judicial Council.⁷¹⁶ AI reported at least 285 persons sentenced to death and 34 executions in 2008.⁷¹⁷ In 2007, it documented at least 199 men and women sentenced to death and at least 33 prisoners were executed,⁷¹⁸ while in 2006 it reported at least 65 persons executed, including two women.⁷¹⁹ Persons sentenced to death were exempted from the limited amnesty granted under the Amnesty Law of 13 February 2008.⁷²⁰ Most death sentences were passed by the Central Criminal Court of Iraq (CCCI)⁷²¹ following proceedings which failed to meet international fair trial standards.⁷²² In particular, defendants alleged that the court used

⁷¹⁴ UNAMI, *June 2008 Human Rights Report*, p. 27, see above footnote 414.

⁷¹⁵ Under the regime of Saddam Hussein, the death penalty was applicable for a wide range of offences and was used extensively. The former CPA by Order No. 7 amended the Iraqi *Penal Code* and suspended the death penalty. However, Order No. 3 of 2004 of the Interim Iraqi Government (IIG), passed on 8 August 2004, reintroduced the death penalty and provides for capital punishment for certain crimes affecting internal state security, public safety, attacks on means of transportation, premeditated murder, drug trafficking, and abduction. The first executions under the amended law were carried out on 1 September 2005. Concerns have been raised by the UN and human rights organizations about the high number of death sentences and actual executions following unfair trials; for a detailed discussion of the death penalty in Iraq, see AI, *Iraq – Unjust and Unfair: The Death Penalty in Iraq*, 20 April 2007, p. 1, <http://www.amnesty.org/en/library/asset/MDE14/014/2007/en/dom-MDE140142007en.pdf> (further: “AI, *Death Penalty in Iraq*”).

⁷¹⁶ AI, *Scores face execution in Iraq six years after invasion*, 20 March 2009, <http://www.amnesty.org/en/news-and-updates/news/scores-face-execution-iraq-six-years-after-invasion-20090320>.

⁷¹⁷ The total numbers could be even higher as there are no official figures for the number of prisoners facing execution and the Iraqi press’ reporting of death sentences is erratic; AI, *Fear of imminent execution*, MDE 14/004/2009, 9 February 2009, <http://www.amnesty.org/en/library/asset/MDE14/004/2009/en/263ea0e5-f6cd-11dd-b29a-27125ba517bb/mde140042009en.pdf>.

⁷¹⁸ AI, *2008 Human Rights Report*, see above footnote 663.

⁷¹⁹ AI, *Death Penalty in Iraq*, p. 1, see above footnote 715.

⁷¹⁹ *Ibid.*

⁷²⁰ See “*Provincial Powers Law and Amnesty Law*”.

⁷²¹ The former CPA established the CCCI by Order No. 13. It has jurisdiction to hear cases involving serious criminal offenses, including terrorism, organized crime, governmental corruption, acts intended to destabilize democratic institutions or processes and violence based on race, nationality, ethnicity or religion (Section 18); see CPA, Order No. 13 (revised and amended), *The Central Criminal Court of Iraq*, 22 April 2004, <http://www.unhcr.org/refworld/docid/42d103474.html>. For more information on the CCCI, see HRW, *The Quality of Justice – Failings of Iraq’s Central Criminal Court*, see above footnote 227.

⁷²² According to AI, “(M)ost of those currently facing execution are likely to have been sentenced to death by the Central Criminal Court of Iraq (CCCI), whose proceedings consistently fall short of international standards for fair trial. Some are likely to have been convicted of crimes such as murder and kidnapping on the basis of confessions they allege were extracted under torture during their pre-trial detention by Iraqi security forces. Allegations of torture are not being investigated adequately or at all by the CCCI;” AI, *Scores face execution in Iraq six years after invasion*, 20 March 2009, <http://www.amnesty.org/en/news-and-updates/news/scores-face-execution-iraq-six-years-after-invasion-20090320>.

confessions extracted under torture as evidence against them and that they did not have adequate legal representation.⁷²³ For example, in April 2008, 28 persons were executed after what AI called “*hasty and unfair trials*”. They had been arrested, sentenced and executed within three weeks.⁷²⁴ In its last human rights report, UNAMI HRO recommended to the Government of Iraq to “*give consideration to implementing a moratorium on the death penalty pending a thorough review of legal proceedings followed at both pre-trial and trial stages.*”⁷²⁵ Furthermore, it asked the MNF-I to continue its practice of not handing over prisoners under sentence of death to the Iraqi authorities pending a thorough review of the legal proceedings during their trial.⁷²⁶

248. The Iraqi High Tribunal,⁷²⁷ set up to try the most senior members of the former regime, sentenced several former high-ranking party, army, security and government officials to death for their involvement in the killing of Shi’ites in the town of Dujail in 1983, the Anfal campaigns in 1988, the suppression of popular uprisings in Southern Iraq in 1991, the killing and displacing of Shi’ite Muslims in 1999 and the killings of dozens of merchants in 1992. The death sentences against former President Saddam Hussein and three of his co-defendants, handed out for their involvement in the “Dujail Case”, and their subsequent executions at the end of 2006 and in early 2007 provoked wide international condemnation. UN human rights experts and international human rights organizations concluded that the executions had been carried out after a trial which failed to meet international fair trial standards and an appeal process which was fundamentally flawed.⁷²⁸ With the entering into force of the SOFA, Ali

[20090320](#). According to HRW, the CCCI is the country’s “flagship criminal court”, yet it “is failing to meet basic international fair trial and due process standards;” HRW, *Iraq: Unfair Trials Mar Main Criminal Court*, 14 December 2008, <http://www.hrw.org/en/news/2008/12/14/iraq-unfair-trials-mar-main-criminal-court>. HRW “documents how thousands of defendants in Iraq wait months or even years before facing a judge and hearing charges against them in the Central Criminal Court (CCCI), and cannot pursue a meaningful defense or challenge evidence against them;” HRW, *The Quality of Justice – Failings of Iraq’s Central Criminal Court*, see above footnote 227.

⁷²³ AI, *Death Penalty in Iraq*, p. 1, see above footnote 715; see also AI, *Prevent execution of tortured woman*, 10 December 2007, <http://www.amnesty.org/en/appeals-for-action/prevent-execution-tortured-woman>.

⁷²⁴ AI, *Iraq: 28 people executed after what seems to be hasty and unfair trials*, <http://www.amnesty.org/en/for-media/press-releases/iraq-28-people-executed-after-what-seems-be-hasty-and-unfair-trials-2008>.

⁷²⁵ UNAMI, *June 2008 Human Rights Report*, p. 4, see above footnote 414. The UN Special Rapporteur on the Independence of Judges and Lawyers has repeatedly called for a halt in the application of the death penalty applied “following procedurally flawed legal processes;” UN, *Special Rapporteur on the Independence of Judges and Lawyers Calls for Halt in Application of Death Penalty in Iraq*, 19 June 2007, <http://www.unhcr.ch/hurricane/hurricane.nsf/view01/A84919AF22090BDBC12572FF00377CAA>.

⁷²⁶ UNAMI, *June 2008 Human Rights Report*, p. 5, see above footnote 414.

⁷²⁷ An unofficial English translation of the Tribunal’s Statute is available at: http://law.case.edu/saddamtrial/documents/IST_statute_official_english.pdf.

⁷²⁸ According to HRW, “(...) trials in the IHT, including that of former president Saddam Hussein for crimes against humanity, were marred by failure to disclose key evidence, government conduct undermining the independence and impartiality of the court, and violations of defendants’ right to confront witnesses;” HRW, *World Report 2009*, see above footnote 657; see also AI, *Iraq: New evidence further undermines the right to fair trial*, MDE 14/026/2008, 9 October 2008, <http://www.amnesty.org/en/library/asset/MDE14/026/2008/en/7d602f34-96b7-11dd-baed-87eba7d59a3c/mde140262008eng.pdf>; UNAMI HRO, *Human Rights Report 1 November – 31 December 2006*, pp. 21-22, <http://www.uniraq.org/FileLib/misc/HR%20Report%20Nov%20Dec%202006%20EN.pdf>; HRW, *Judging Dujail: The First Trial before the Iraqi Special Tribunal*, Volume 18, No. 9(e), November 2006,

Hassan Al-Majid, Sultan Hashim Ahmad Al-Ta'i, Hussain Rashid Al-Tikriti and Abdul Ghani Abdul Ghafour, all of whom had been sentenced to death for their roles during the 1988 *Anfal* campaign and/or the suppression of the 1991 Uprising, will have to be handed over from US to Iraqi custody. They are likely to be executed.⁷²⁹ Staffan De Mistura, the Special Representative of the UN Secretary-General for Iraq (SRSG), urged the Iraqi Government to treat them fairly after the hand-over, “*if possible with some international observation.*” He also reiterated the UN’s opposition to capital punishment.⁷³⁰

249. According to an October 2008 report by *The Independent*, hundreds of prisoners have been summarily executed in the high-security detention centre in Kadhemyiah in Baghdad since 2003. Reportedly, those hanged are mostly alleged insurgents as well as common criminals and there are no public records of the killings.⁷³¹ Hamza Kamel, a spokesperson for the Iraqi Ministry of Human Rights denied the allegations saying that all executions in Iraq, about 100 up to 2007, had been legal according to Iraqi law and carefully recorded.⁷³²

250. In the Kurdistan Region, the KNA reintroduced the death sentence on 2 September 2006. Since then, 17 persons were executed.⁷³³ UNAMI HRO reported that between January and March 2008, courts in the Kurdistan Region sentenced four persons to the death and executed three.⁷³⁴ According to the KRG, 33 prisoners were on death row in Erbil and 47 in Sulaymaniyah by June 2008.⁷³⁵ On 6 November 2008, four more men were sentenced to death for their involvement in a car bomb explosion in Sulaymaniyah on 10 March 2008, in which one person was killed and forty others wounded,⁷³⁶ bringing the number of persons in death row to at least 84, including women.⁷³⁷ In one of the cases documented by AI in 2008, the

<http://www.hrw.org/sites/default/files/reports/iraq1106webwcover.pdf>; VOA, *UN Rights Group: First Saddam Trial Flawed*, 28 November 2006, <http://www.voanews.com/english/archive/2006-11/2006-11-28-voa22.cfm>; UN Working Group on Arbitrary Detention, *Working Group on Arbitrary Detention reiterates concerns regarding Saddam Hussein’s trial*, 28 November 2006, [http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear_en\)/4E7CC3934F443632C1257234004068BA?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/4E7CC3934F443632C1257234004068BA?OpenDocument); UN, *Expert on Judiciary Expresses Concern about Saddam Hussein Trial and Verdict and Calls for International Tribunal*, 6 November 2006, <http://www.unhchr.ch/huricane/hurricane.nsf/view01/0C31EA1E56E5D3FFC125721E005F706C>.

⁷²⁹ In March 2009, the Iraqi Government renewed its call for the executions of former officials to go ahead despite the objections of Iraq’s President and Vice-President; Reuters, *Iraq urges execution of Saddam-era officials*, 17 March 2009, <http://www.alertnet.org/thenews/newsdesk/LH258839.htm>; AI, “*Chemical Ali*” sentenced to death a second time, 2 December 2008, <http://www.amnesty.org/en/news-and-updates/news/chemical-ali-sentenced-death-second-time-20081202>.

⁷³⁰ Kim Gamel, *UN Urges Iraq to Treat Saddam-era Officials Fairly*, AP, 17 December 2008, http://www.iraqupdates.com/p_articles.php/article/41835.

⁷³¹ Robert Fisk, *Secrets of Iraq’s death chamber*, *The Independent*, 7 October 2008, <http://www.independent.co.uk/news/world/middle-east/secrets-of-iraqs-death-chamber-953517.html>.

⁷³² Michel Hoebink, *Executions rampant in Iraq*, *Radio Netherlands Worldwide*, 14 October 2008, <http://www.rnw.nl/internationaljustice/specials/HumanRights/081013-iraq-hanging>.

⁷³³ AI, *Death penalty/ risk of imminent execution*, MDE 14/032/2008, 12 December 2008, <http://www.amnesty.org/en/library/info/MDE14/032/2008/en> (further: “AI, *Death penalty/ risk of imminent execution*”).

⁷³⁴ UNAMI, *June 2008 Human Rights Report*, p. 27, see above footnote 414.

⁷³⁵ AI, *Death penalty/ risk of imminent execution*, see above footnote 733.

⁷³⁶ AI, *UA 311/08 Death penalty*, 11 November 2008, <http://www.amnesty.org/en/library/asset/MDE14/027/2008/en/06d7ae6a-b0aa-11dd-ab25-87d0050ca707/mde140272008eng.pdf>.

⁷³⁷ AI, *Death penalty/ risk of imminent execution*, see above footnote 733.

convict was sentenced to death on the basis of a confession allegedly obtained under torture.⁷³⁸ In its last human rights report, UNAMI HRO urged the Kurdistan Regional Government to abolish or suspend the death penalty and to impose a moratorium on executions.⁷³⁹ Reportedly, the KRG has expressed its intention to restrict the number of offences for which the death penalty may be imposed on the basis of the KRG Anti-Terror Law.⁷⁴⁰

G. Situation of women

251. Despite recent security improvements, “(t)he broader situation regarding women’s rights and conditions has (...) shown no significant overall improvement (...)”⁷⁴¹ According to Yakin Ertürk, the UN Special Rapporteur on Violence Against Women, the rights of Iraqi women have been eroded in all areas of life. She reported that

*“The ongoing conflict, high levels of insecurity, widespread immunity, collapsing economic conditions and rising social conservatism are impacting directly on the daily lives of Iraqi women and placing them under increased vulnerability to all forms of violence within and outside their home.”*⁷⁴²

252. Women in Iraq are victims of societal, legal and economic discrimination, abductions and killings for political, sectarian or criminal reasons,⁷⁴³ rape,⁷⁴⁴ forced displacement, domestic violence, including “honour killings” and other harmful traditional practices,⁷⁴⁵ (sex) trafficking, prostitution and forced recruitment by armed groups.⁷⁴⁶

253. Iraqi women face violence at the hands of a range of actors, including party militias, insurgents, Islamic extremists, members of law enforcement agencies, their families and community.⁷⁴⁷ According to HRW, “prosecutions are rare”, even in high-profile cases.⁷⁴⁸ Women also fall victims to the disproportionate use of force by members of the ISF and the MNF-I.⁷⁴⁹ With the rise in religious extremism since 2003, both Muslim women and women of other religious groups have increasingly been pressured to conform to strict Islamic dress and

⁷³⁸ *Ibid.*

⁷³⁹ UNAMI, *June 2008 Human Rights Report*, pp. 5, 28, see above footnote 414.

⁷⁴⁰ *Ibid.*, p. 28; see also Ako Muhammed, *Capital punishment opposed in Kurdistan*, Kurdish Globe, 3 July 2008, http://www.iraqupdates.com/p_articles.php/article/33314.

⁷⁴¹ UN SC, *November 2008 Report*, p. 11, see above footnote 215. A database containing more than 400 published reports revealed more than 21,000 cases of gender-based violence in Iraq over the past five years. Given the severe and often fatal consequences for victims who report acts of sexual violence, the analysis indicates that only a fraction of the incidents are known; UN SC, *July 2008 Report*, p. 8, see above footnote 320.

⁷⁴² UN, “*Violence Against Iraqi Women Continues Unabated*”, *Says UN Expert*, 25 November 2008, <http://www.unhchr.ch/huricane/hurricane.nsf/view01/FB6D94EF5507000DC125750C002E3654> (further: “UN, *Violence Against Iraqi Women Continues Unabated*”).

⁷⁴³ See several incidents listed by UNAMI HRO, UNAMI, *June 2008 Human Rights Report*, p. 15, see above footnote 414.

⁷⁴⁴ See for example, Anna Badkhen, *Rape’s vast toll in Iraq war remains largely ignored*, CS Monitor, 24 November 2008, <http://www.csmonitor.com/2008/1124/p07s01-wome.html>.

⁷⁴⁵ See below paras. 254-257 and “*Women and children with specific profiles*”.

⁷⁴⁶ See below para. 259.

⁷⁴⁷ UN, *Violence Against Iraqi Women Continues Unabated*, see above footnote 742; see also HRW, *World Report 2009*, see above footnote 657.

⁷⁴⁸ HRW, *World Report 2009*, see above footnote 657.

⁷⁴⁹ UN, *Violence Against Iraqi Women Continues Unabated*, see above footnote 742.

morality codes. In areas that are no longer under the control of insurgents or Shi'ite militias a certain amount of freedom has been re-established that allows women and girls to move more freely, pursue their work or attend school. However, in many parts of Iraq, pressures remain high on women to conform to conservative attire and behaviour.⁷⁵⁰ According to UNAMI HRO, women not conforming may be subjected to threats, harassment or other retaliatory measures by armed groups, law enforcement personnel or their families.⁷⁵¹

254. Domestic violence against women is reportedly on the rise in Iraq.⁷⁵² According to the *Iraq Family Health Survey* of 2006/7,⁷⁵³ 83% of the women said that their husbands controlled their behaviour, one third reported that they had suffered emotional violence and more than 20% had endured physical violence (among these, almost 14% during pregnancies).⁷⁵⁴ UNICEF reported that “*violence against women and girls is widespread, with 21.2% of women reporting experiencing physical violence in the home.*”⁷⁵⁵

255. Although the Iraqi Constitution provides for gender equality and female political representation is guaranteed at both the national and the provincial level, a number of Iraqi laws continue to discriminate against women. In February 2009, Nawal Samarai resigned from her post as Minister of State for Women's Affairs, saying that she was unable to do anything to address the immense needs of women with a monthly budget that was reduced from US \$7,500 to US \$1,500 as of January 2009, only one office and no power.⁷⁵⁶

256. So-called “honour killings”, i.e. murders committed by a family member to protect the family's honour, are reportedly also on the rise.⁷⁵⁷ Many women and girls, and, to a lesser extent, men and boys, are at risk of death if they are accused of behaviour believed to have brought shame on the family, such as loss of virginity (even by rape), infidelity, a demand for divorce or a refusal of marriage. Women can be killed based solely on suspicions or rumours

⁷⁵⁰ See “*Persons accused of un-Islamic behaviour*”.

⁷⁵¹ UNAMI, *June 2008 Human Rights Report*, p. 15, see above footnote 414.

⁷⁵² AI, *2008 Human Rights Report*, see above footnote 663. Among Iraqi refugees in neighbouring countries, domestic violence is on the increase, due to mounting social and economic problems among the refugee population; AI, *Iraq – Rhetoric and reality: the Iraqi refugee crisis*, June 2008, pp. 12 and 43, <http://www.amnesty.org/en/library/asset/MDE14/011/2008/en/43d61ea9-3637-11dd-9db5-cb00b5aed8dc/mde140112008eng.pdf>; IRIN, *JORDAN: Increased domestic violence among Iraqi refugees – IOM report*, 29 April 2008, <http://www.irinnews.org/report.aspx?reportid=77972>.

⁷⁵³ The *Iraq Family Health Survey 2006/7* is a representative survey of 9,345 households and 14,675 women of reproductive age, covering all governorates in Iraq. The report was conducted under the leadership of the Iraqi Ministry of Health, COSIT, the Ministry of Health/KRG and the Kurdistan Regional Statistics Office (KRSO). Technical and financial support was provided by WHO, United Nations Development Group (UNDG), Iraq Trust Fund (ITF) and the European Commission (EC); Ministry of Health/Ministry of Planning and Development Cooperation/WHO, *Iraq Family Health Survey 2006/7*, pp. 3 and 24-25, http://www.emro.who.int/iraq/pdf/ifhs_report_en.pdf (further: “*2006/7 Iraq Family Health Survey*”).

⁷⁵⁴ Figures were generally higher among women in the Central and Southern Governorates than for women in the Kurdistan Region; *2006/7 Iraq Family Health Survey*, see above footnote 753.

⁷⁵⁵ UNICEF, *Humanitarian Action Update – Iraq*, 19 January 2009, p. 2, http://www.unicef.org/infobycountry/files/HAU_Iraq_19_Jan09.pdf.

⁷⁵⁶ Tina Susman and Caesar Ahmed, *Iraq Cabinet member's exit raises gender, sectarian issues*, LA Times, 12 February 2009, <http://www.latimes.com/news/nationworld/iraq/complete/la-fg-iraq-women12-2009feb12,0,7143452.story>; Reuters, *Iraqi women's affairs minister resigns in protest*, 5 February 2009, <http://www.reuters.com/article/gc05/idUSTRE5146L720090205>.

⁷⁵⁷ AI, *2008 Human Rights Report*, see above footnote 663.

without the opportunity to defend themselves. The Iraqi *Penal Code* (Law No. 111 of 1969)⁷⁵⁸ contains provisions that allow lenient punishments for “honour killings” on the grounds of provocation or if the accused had “honourable motives”. The punishment is between 6 to 12 months imprisonment.⁷⁵⁹ Article 409 further provides that if a person surprises his wife or a female relative committing adultery and kills/injures one or both immediately, the punishment will not exceed three years.⁷⁶⁰ The law does not provide any guidance as to what “honourable motives” are and therefore leaves the door open for wide interpretation and abuse.

257. In the three Northern Governorates, the KRG, religious leaders, the media and civil society organizations in recent years initiated a public debate on violence against women and lobbied for legislative and administrative measures.⁷⁶¹ Nevertheless, the practical effects on women have yet been limited and violence against women, including “honour killings” and associated incidents of suicides by self-immolation and “accidental shootings” remain at alarmingly high levels.⁷⁶² Despite the fact that “honour killings” are considered by law as homicide, “honour killings” continue to be reported in high numbers and are reportedly among the primary unnatural causes of death among women.⁷⁶³ Given the fact that “honour killings” are prohibited by law, they are often concealed as accidents, suicides or suicide attempts. Reportedly, incidents of self-immolation are on the increase, with at least one case reported daily and many more either going unreported or concealed as accidents.⁷⁶⁴ While the KRG pledges to investigate and prosecute “honour killings” and other violence against women, most cases go unpunished. In the rare cases in which a person is convicted of having committed an “honour crime”, sentences are often lenient. For example, in Dahuk Governorate, there were ten convictions for honour-related crimes in 2006 and 2007. In 50% of the cases, the perpetrators received punishments ranging from 2 to 10 years imprisonment while the others

⁷⁵⁸ The unofficial English translation, as prepared by the US Armed Forces Judge Advocate General, is available at <http://www.unhcr.org/refworld/docid/452514424.html>.

⁷⁵⁹ Article 128(1) of the *Law No. (111) of 1969, Penal Code* reads:
“Legal excuse either discharges a person from a penalty or reduces that penalty. Excuse only exists under conditions that are specified by law. Notwithstanding these conditions, the commission of an offence with honorable motives or in response to the unjustified and serious provocation of a victim of an offence is considered a mitigating excuse.”

Article 130 of the *Penal Code* reads:

“If there exists a mitigating excuse for a felony for which the penalty is death, the penalty shall be reduced to life imprisonment or imprisonment for a term of years or detention for a period of not less than 1 year. If the penalty is life imprisonment or imprisonment for a term of years; the penalty shall be reduced to a period of detention of not less than 6 months unless otherwise stipulated by law.”

⁷⁶⁰ Article 409 of the *Law No. (111) of 1969, Penal Code* reads:

“Any person who surprises his wife in the act of adultery or finds his girlfriend in bed with her lover and kills them immediately or one of them or assaults one of them so that he or she dies or is left permanently disabled is punishable by a period of detention not exceeding 3 years. It is not permissible to exercise the right of legal defense against any person who uses this excuse nor do the rules of aggravating circumstance apply against him.”

⁷⁶¹ For example, in October 2008, the KNA promulgated an amendment to the *Personal Status Law* (as applicable in the Kurdistan Region) that tightens regulations on polygamy, although it fell short of fully banning it; VOI/AFP, *Kurdish women satisfied with Kurdistan Parliament’s amendments to personal law*, 5 November 2008, <http://www.ekurd.net/mismas/articles/misc2008/11/independentstate2510.htm>; Qassim Khidhir, *Polygamy lives to see another day*, *Kurdish Globe*, 30 October 2008, http://www.iraquupdates.com/p_articles.php/article/39005.

⁷⁶² According to official statistics, 56 women have been murdered and 150 have been burned in the Kurdistan Region in the first six months of 2008. According to UNAMI statistics, a large number of these women were under 20 years of age; UNAMI, *June 2008 Human Rights Report*, pp. 15-16, see above footnote 414.

⁷⁶³ UN, *Violence Against Iraqi Women Continues Unabated*, see above footnote 742.

⁷⁶⁴ *Ibid.*

served a maximum sentence of 15 years' imprisonment.⁷⁶⁵ In comparison with other first-degree murder cases, where either the death penalty or life imprisonment is imposed, these sentences appear rather lenient. Investigations and judicial proceedings are often hampered by "insufficient reliable evidence and the reluctance of witnesses, who are often family members, to testify".⁷⁶⁶ UNHCR is aware that most women at risk of "honour killing" will not report to the police and legally prosecute the family members involved for fear of retribution and bringing further shame to the family.⁷⁶⁷

258. In the Kurdish areas of Iraq, the harmful practice of FGM⁷⁶⁸ continues to be reported, which UNICEF regards as "one of the most persistent, pervasive and silently endured human rights violations."⁷⁶⁹ Though no national estimates are available, most recent statistics from by German NGO WADI revealed that over 60% of women in mostly rural areas of the Kurdistan Region have been mutilated. However, the practice can also be found in urban areas. According to Susan Faqi Rasheed, President of the Erbil branch of the Kurdistan Women's Union, as many as a third of the young girls have been circumcised in the Kurdistan Region's capital.⁷⁷⁰ Surveys showed that the practice, which is encouraged by some clerics, is prevalent among Kurds, Arabs and Turkmen.⁷⁷¹ Since 2007, human rights and women activists, physicians, and lawyers have been campaigning to ban FGM ("Stop FGM in Kurdistan"), thereby breaking a strict taboo. In a recent breakthrough, a draft law that would criminalize FGM was submitted to the KNA.⁷⁷² It is hoped that the KNA will debate the draft law during its new legislative term

⁷⁶⁵ UNAMI, *June 2008 Human Rights Report*, p. 16, see above footnote 414.

⁷⁶⁶ *Ibid.*

⁷⁶⁷ UNHCR information from Dahuk, Erbil and Sulaymaniyah, February 2009.

⁷⁶⁸ The term "female genital mutilation" (also called "female genital cutting" and "female genital mutilation/cutting") refers to all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs for non-medical reasons; WHO, *Eliminating Female genital mutilation – An interagency statement OHCHR, UNAIDS, UNDP, UNECA, UNESCO, UNFPA, UNHCR, UNICEF, UNIFEM, WHO*, 2008, p. 4, https://www.who.int/reproductive-health/publications/fgm/fgm_statement_2008.pdf.

⁷⁶⁹ UNICEF, *UNICEF hails progress toward ending female genital cutting*, 6 February 2006, http://www.unicef.org/media/media_30925.html.

⁷⁷⁰ Golnaz Esfandiari, *Female Genital Mutilation Said To Be Widespread In Iraq's, Iran's Kurdistan*, RFE/RL, 10 March 2009, http://www.rferl.org/content/Female_Genital_Mutilation_Said_To_Be_Widespread_In_Iraqs_Irans_Kurdistan/1507621.html; Amit R. Paley, *For Kurdish Girls, a Painful Ancient Ritual*, The Washington Post, 29 December 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/12/28/AR2008122802005.html>.

⁷⁷¹ Falah Muradkhin, published in Kurdish language in Hawlati newspaper, 28 August 2008, <http://www.hawlati.info/pdf/2008/8/27/452/11.pdf>; excerpts of the article can be found in English language at: WADI, *Debate about Female Genital Mutilation in Kurdish Newspaper*, <http://www.wadinet.de/analyse/iraq/debate-fgm.htm>. It is worth mentioning that this and other relevant articles in Hawlati stirred harsh reactions from a leading Islamic cleric in Northern Iraq, Bawke Hareth, who in response published an article strongly defending FGM as an Islamic practice; article available in Kurdish at: <http://www.hawlati.info/pdf/2008/9/3/454/11.pdf>.

⁷⁷² WADI, *Iraqi Kurdistan: Draft for a Law Prohibiting Female Genital Mutilation is submitted to the Kurdish Regional Parliament*, 23 November 2008, http://www.wadinet.de/news/dokus/press_nov07-law-prohibiting.htm; Abdel Hamid Zebari, *Iraq's Kurdish areas prepare to ban female circumcision*, AFP, 22 November 2008, http://www.metimes.com/Politics/2008/11/22/iraqs_kurdish_areas_prepare_to_ban_female_circumcision/afp/.

in 2009;⁷⁷³ however, women's advocates believe that senior Kurdish leaders will be reluctant "to draw international public attention to the little-noticed tradition."⁷⁷⁴ In addition, campaigners say that in addition to a legal ban of FGM, a wide range of other measures such as assistance to victims and awareness-raising campaigns, are required to eradicate the practice that is "deeply rooted in society and tradition" and for which "Islam is used as justification".⁷⁷⁵

259. Furthermore, women and girls in Iraq may be exposed to other harmful traditional practices such as forced and/or early marriage, including exchanging of women between families for purposes of marriage, and marriages between young women with much older men. The right of men and women to enter into marriage only if they freely and fully consent is not enshrined in the Constitution. It does provide, however, that the State must protect childhood and prohibits all forms of violence and abuse in the family.⁷⁷⁶ In addition, Iraq is party to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Elimination of Discrimination Against Women (CEDAW), both of which guarantee the right to marry at one's free will. Under Iraq's *Personal Status Law* (Law No. 188 of 1959),⁷⁷⁷ which governs the manner in which courts settle disputes in marriage, divorce, child custody, inheritance, endowments and other similar matters,⁷⁷⁸ forced marriage is prohibited and punishable by up to three years' imprisonment.⁷⁷⁹ The legal age for marriage is 18.⁷⁸⁰ However, a 1979-amendment to the *Personal Status Law* lowered the minimum age for marriage to 15 years when there is consent of the parents, an adult brother or an adult married sister. Despite these legal provisions, many women and young girls are forced to marry and risk enduring violence if they reject their families' choice, including "honour killings". Marriages of

⁷⁷³ VOI, *Draft Law Presented to Kurdish Parliament to Criminalize Female Circumcision*, 26 November 2008, http://www.iraqupdates.com/p_articles.php/article/40600/refid/RSS-latest-27-11-2008.

⁷⁷⁴ This view was confirmed by a statement of the KRG Minister of Human Rights, Yousif Mohammad Aziz, who said that in his view the issue did not require action by the KNA: "Not every small problem in the community has to have a law dealing with it," Amit R. Paley, *For Kurdish Girls, a Painful Ancient Ritual*, The Washington Post, 29 December 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/12/28/AR2008122802005.html>.

⁷⁷⁵ WADI, *Iraqi Kurdistan: Draft for a Law Prohibiting Female Genital Mutilation is submitted to the Kurdish Regional Parliament*, 23 November 2008, http://www.wadinet.de/news/dokus/press_nov07-law-prohibiting.htm.

⁷⁷⁶ Article 29(1) (B) and Article 29(4).

⁷⁷⁷ *Law No. (188) of 1959, Personal Status Law* (as amended), <http://www.unhcr.org/refworld/docid/469cdf3011.html>.

⁷⁷⁸ Iraq's *Personal Status Law*, which is considered one of the most progressive personal status laws in the Middle East in terms of women's rights, applies to both Sunnis and Shi'ites. Where, however, the *Personal Status Law* does not make explicit provision for a situation, Shari'a law is applicable. It may then be applied differently to members of the two communities as they follow different schools of jurisprudence. Non-Muslims were allowed to keep their separate systems. Their family matters are adjudicated by the *Personal Matters Court*, which seeks advice from the relevant religious authorities. Since 2003, the role of Islam and Shari'a law remains highly contentious. To date, no enabling legislation has been promulgated as required by Article 41 of the Constitution, which sets forth that Iraqis be free in matters of personal status according to their religions, sects, beliefs or choices. It remains unclear whether the *Personal Status Law* would be modified or cancelled altogether, leaving different sects to apply their own sets of laws and interpretation as was done before the introduction of the *Personal Status Law* in 1959. Certainly, any such decision would strongly affect the lives of Iraqis as it regulates relationships within families. Particular concerns are thereby expressed with regard to women, LGBT and minority rights.

⁷⁷⁹ Article 9 of the *Personal Status Law*.

⁷⁸⁰ Article 7 of the *Personal Status Law*.

girls below the age of 15 are done according to religious customs and are not legally recognized. The Iraq Family Health Survey 2006-2007 revealed that 9.4% of the girls were married at the age of 15.⁷⁸¹

260. In rural areas of Northern Iraq, a practice called *Jin bi Jin*, meaning “a woman for a woman”, can be a form of forced marriage as it involves the exchange of women between two families where no bride price is paid.⁷⁸² Similar practices can also be found in other areas of Iraq. Another custom, known as “exchange-for-blood marriage”, involves giving a girl or woman in marriage to another family as compensation for a killing.⁷⁸³

261. Women, who make up 60% of the Iraqi population,⁷⁸⁴ have been particularly affected by the dire humanitarian conditions after years of conflict. Women without a breadwinner are increasingly lacking the means to provide for themselves⁷⁸⁵ as access to the labour market is generally difficult,⁷⁸⁶ partly due to the increasing pressure for conservative behaviour⁷⁸⁷ in parts of Iraq. Widows and divorcees⁷⁸⁸ as well as displaced women are particularly affected.⁷⁸⁹

⁷⁸¹ The rate was highest in the Kurdistan Region with 10.3%; 2006/7 *Iraq Family Health Survey*, p. 2, see above footnote 753.

⁷⁸² See, for example, Tanyel B. Taysi, *Eliminating Violence Against Women Perspectives on Honor-Related Violence in the Iraqi Kurdistan Region, Sulaimaniya Governorate*, 16 March 2009, p. 26, http://www.uniraq.org/documents/asuda_report_16mar2009.pdf, who describes the practice as follows: “Zhin be Zhin (woman for woman) marriage is a cultural institution in which a woman is traded for another in a marriage arrangement. For example, man “A” has his eye on a daughter of man “B.” In return for agreeing to this marriage, man “B” is given the daughter or sister of man “A.” It is in essence a very severe form of the commoditization of women, as these women or girls are utilized as bargaining chips. To protest a Zhin be Zhin can leave a woman at risk of honor-related violence, as it is seen as her duty to submit to being traded.”

⁷⁸³ UNAMI, *June 2008 Human Rights Report*, p. 16, see above footnote 414. See also IWPR, Najeeba Mohammad, *Brides pay high price*, Iraqi Crisis Report No. 215, 17 March 2007, http://iwpr.net/?p=icr&s=f&o=334150&apc_state=heniicr2007.

⁷⁸⁴ Randa Jamal, *UNAMI’s Office of Constitutional Support holds a Roundtable on the Iraqi Legislative Framework on Women and Children’s Rights*, UNAMI, 11 December 2008, <http://www.uniraq.org/newsroom/getarticle.asp?ArticleID=895>.

⁷⁸⁵ AFP, *Iraq’s secret war of widows deepens*, 5 October 2008, <http://newsinfo.inquirer.net/breakingnews/world/view/20080510-135743/Iraqs-secret-war-of-widows-deepens>; Aseel Kami, *FEATURE-Iraq has million-woman social time-bomb*, Reuters, 31 January 2008, <http://www.reuters.com/article/featuredCrisis/idUSKAM744152>.

⁷⁸⁶ UNAMI, *June 2008 Human Rights Report*, p. 16, see above footnote 414. Generally, the level of women engaged in paid employment is low. According to the Iraq Family Health Report 2006/7, over 86% of the women are not working. The Multiple Indicators Cluster Survey (MICS) III 2006 (COSIT, UNICEF, 2007) provided a similar result (89.8%); 2006/7 *Iraq Family Health Survey*, p. 17, see above footnote 753.

⁷⁸⁷ The strict Islamic rules, which have increasingly been introduced by Sunni and Shi’ite Islamists since 2003, have affected women’s ability to access employment, as extremists require women not to engage in employment outside the house and have branded certain types of employment as “un-Islamic”. See “Persons accused of “un-Islamic” behaviour”.

⁷⁸⁸ According to statistics from the Iraqi Ministry of Women’s Affairs, there are 2 million widows and 1.5 million divorced women in Iraq, most of which were once reliant on their partner’s income. The majority of the widows lost their husbands’ in conflict-related violence, including at least 70,000 since the fall of the former regime in 2003. Only the poorest among them, some 86,000 widows, receive a small monthly government stipend ranging from US \$35 to US \$100; Aseel Kami, *Militants prey on desperate Iraqi women says minister*, Reuters, 16 September 2008, <http://www.alertnet.org/thenews/newsdesk/KAM533796.htm>; Andrea Stone, *Rising ranks of widows worry Iraqis*, USA TODAY, 10 May 2008, <http://www.usatoday.com/news/world/iraq/2008-05-08->

A significant number of female heads-of-household among the IDPs monitored in 2008 do not have any source of income, while some others do have employment, or rely on relatives/friends, charities or their children working.⁷⁹⁰ Some women may be compelled to engage in prostitution, begging or marriage to elderly men, including in so-called temporary or “pleasure marriages” (*muta’a*), in order to ensure their and their children’s livelihoods.⁷⁹¹ There is also a risk that they fall victim to forced prostitution,⁷⁹² (sex) trafficking⁷⁹³ or forced

[iraqwidow N.htm](#); Tony Perry and Tina Susman, *Little aid for Iraqi widows*, LA Times, 19 February 2008, <http://articles.latimes.com/2008/feb/19/world/fg-widows19>.

⁷⁸⁹ UNAMI, *June 2008 Human Rights Report*, p. 15, see above footnote 414; IDP Working Group, *Internally Displaced Persons in Iraq – Update September*, October 2008, p. 17 (further: “IDP Working Group, October 2008 Update”).

⁷⁹⁰ IDP Working Group, *October 2008 Update*, p. 18; see above footnote 789. Accordingly, the number of IDP children engaged in child labour is high; see also “*Situation of children and adolescents*”.

⁷⁹¹ Timothy Williams, *With Need Dire and Aid Scant, Iraq’s Widows Struggle*, NY Times, 22 February 2009, <http://www.nytimes.com/2009/02/23/world/middleeast/23widows.html?ref=middleeast>; Naseer Al-Ily, *Iraqi Families Disown Widows of Terrorism*, Asharq Alawsat, 10 February 2009, http://www.iraqupdates.com/p_articles.php/article/45035; Lourdes Garcia-Navarro, *Widows Face Challenges, Tough Conditions In Iraq*, NPR, 1 October 2008, <http://www.npr.org/templates/story/story.php?storyId=95172279>; Bobby Caina Calvan, *In Shiite Iraq, temporary marriages may be rising*, McClatchy Newspapers, 15 November 2007, <http://www.mcclatchydc.com/103/story/21584.html>; Nancy Trejos, *Temporary ‘Enjoyment Marriages’ In Vogue Again With Some Iraqis*, The Washington Post, 20 January 2007, <http://www.washingtonpost.com/wpdyn/content/article/2007/01/19/AR2007011901850.html>; IRIN, *IRAQ: Women’s groups blast “temporary” marriages*, 23 January 2006, <http://www.irinnews.org/report.aspx?reportid=26074>.

⁷⁹² There are numerous reports on Iraqi refugee women and girls engaged in prostitution and “survival sex” in neighbouring countries; see for example, IRIN, *IRAQ-SYRIA: Starving to survive: Iraqi refugees resort to desperate measures*, 2 January 2008, <http://www.irinnews.org/Report.aspx?ReportId=76062>; Alistair Lyon, *Iraqi refugees turn to sex trade in Syria*, Reuters, 31 December 2007, <http://www.reuters.com/article/worldNews/idUSL2966165920071231>; Lina Sinjab, *Prostitution ordeal of Iraqi girls*, BBC, 3 December 2007, http://news.bbc.co.uk/2/hi/middle_east/7119473.stm; Gerard Aziakou, *UN spotlights ‘survival sex’ among Iraqi women refugees*, 15 November 2007, http://www.iraqupdates.com/p_articles.php/article/24002. There have also been reports in some governorates (e.g. Kirkuk, Sulaymaniyah) indicating that IDP women have been forced into prostitution in order to provide a source of income for their families. In some cases, the police have arrested these women. In other cases, police have restricted the freedom of movement of both the women and their families, in effect limiting access to basic services, e.g. healthcare, education and possible alternative employment opportunities; Cluster F, *Internally Displaced Persons in Iraq – Update*, p. 19, 21 November 2007; see also IDP Working Group, *Internally Displaced Persons in Iraq – Update*, 24 March 2008, p. 18.

⁷⁹³ According to the US Department of State’s Office to Monitor and Combat Trafficking in Persons “*Iraq is a source and destination country for men and women trafficked for commercial sexual exploitation and involuntary servitude. (...) Iraqi women are trafficked within Iraq, as well as to Syria, Jordan, Kuwait, Qatar, United Arab Emirates, Turkey, and Iran for the purpose of commercial sexual exploitation.*” It further assessed that the Iraqi Government did not acknowledge the problem and did not take any meaningful action to address it. During the reporting period, no traffickers were prosecuted. On the contrary, some victims of trafficking were sometimes jailed for unlawful acts committed as a result of being trafficked or after returning from abroad (e.g. for having used false documents). Also, there are no governmental protection services available to victims of trafficking (e.g. shelters, legal, medical or psychological services). The Iraqi Government did also not sponsor any anti-trafficking campaigns nor did it monitor immigration/emigration patterns for evidence of trafficking. Iraq has not ratified the 2000 UN Trafficking in Persons (TIP) Protocol; US Department of State/Office to Monitor and Combat Trafficking in Persons, *2008 Trafficking in Persons Report – Iraq Country Narrative*, <http://www.state.gov/documents/organization/105660.pdf>. The Iraqi NGO Women’s Freedom in Iraq

recruitment by armed groups. As armed groups face limited operational space due to enhanced security measures, decreased popular support and disrupted networks, they are increasingly using vulnerable women⁷⁹⁴ and children to conduct suicide bombings.⁷⁹⁵ Some of the victims have reportedly been mentally retarded or otherwise handicapped, not having the capacity to understand what they did.⁷⁹⁶ An alleged female recruiter for *Ansar Al-Sunna* in Diyala, who was arrested in January 2009, reportedly confessed to the use of organized rape as a way of recruiting female suicide bombers by convincing them that martyrdom was the only way to escape the shame.⁷⁹⁷

H. Situation of children and adolescents

262. According to the UN Secretary-General,
*“(T)he continuing conflict and resulting psycho-social impact of violence and deprivation on millions of Iraqi children is of tremendous concern. Violations against children are being committed on a large scale and include child recruitment, attacks on schools and hospitals, killing and maiming by indiscriminate attacks and lack of humanitarian access due to insecure conditions.”*⁷⁹⁸

Children and adolescents⁷⁹⁹ continue to be killed and injured in violence in Iraq.⁸⁰⁰ It is estimated that tens of thousands of children have lost a parent to violence⁸⁰¹ and/or have been internally displaced. Children living near one of the 4,000 identified areas contaminated with

(OWFI) reported that an estimated 4,000 Iraqi women, one-fifth of which are under 18, have disappeared since 2003; many are believed to have been trafficked; Afif Sarhan, *Sex for Survival*, Al Jazeera, 16 August 2007, <http://english.aljazeera.net/news/middleeast/2007/08/2008525183626816642.html>.

⁷⁹⁴ According to the US Department of Defense, AQI increasingly uses women to carry out suicide attacks due to its limited “*freedom of movement and re-supply capacities*.” It accounted that about one third of the suicide bombers have been female; US Department of Defense, *December 2008 Report to Congress*, p. 18, see above footnote 9. According to Farhana Ali, a former US adviser on terrorism, “*Iraq is a country of widows*” and “*(W)hen women are vulnerable and have to protect themselves and play the role of the man and woman of the household, they are easily exploitable*”; Andrea Stone, *Rising ranks of widows worry Iraqis*, USA Today, 10 May 2008, http://www.usatoday.com/news/world/iraq/2008-05-08-iraqwidow_N.htm.

⁷⁹⁵ See “*Situation of children and adolescents*”.

⁷⁹⁶ For example, on 24 November 2008, a reportedly mentally-retarded female suicide bomber was detonated by means of remote control near a checkpoint at the entrance of Baghdad’s International Zone, leaving three persons killed and 12 others injured; VOI, *Green Zone Attack Targeted Intel. Building*, 25 November 2008, http://www.iraqupdates.com/p_articles.php/article/40530; see also Tom A. Peter, *Daughters of Iraq: front-line guards against suicide bombers*, CS Monitor, 11 September 2008, <http://www.csmonitor.com/2008/0911/p06s01-wome.html>.

⁷⁹⁷ BBC, *Iraq’s ‘female bomber recruiter’*, 4 February 2009, http://news.bbc.co.uk/2/hi/middle_east/7869570.stm.

⁷⁹⁸ UN SC, *July 2008 Report*, p. 8, see above footnote 320.

⁷⁹⁹ 15% of the Iraqi population are below the age of 18; Randa Jamal, *UNAMI’s Office of Constitutional Support holds a Roundtable on the Iraqi Legislative Framework on Women and Children’s Rights*, UNAMI, 11 December 2008, <http://www.uniraq.org/newsroom/getarticle.asp?ArticleID=895>.

⁸⁰⁰ In 2007, IBC accounted for at least 658 known child deaths; however, this is not the complete figure as in most incidents the victims’ ages were not reported; IBC, *Civilians deaths in 2007*, 1 January 2008, <http://www.iraqbodycount.org/analysis/numbers/2007/>.

⁸⁰¹ According to Iraqi Government statistics of 2007, there are five million orphans in Iraq; VOI, *5 million Iraqi orphans, anti-corruption board reveals*, 15 December 2007, http://www.iraqupdates.com/p_articles.php/article/25097.

mines and unexploded ordnances are at constant risk of being killed or maimed.⁸⁰² A high number of Iraqi children suffer from severe psychological trauma⁸⁰³ and domestic violence against children is reported to be on the rise.⁸⁰⁴ Many children lack access to education, health care and clean water.⁸⁰⁵ Among IDP children in all areas of Iraq, indications of economic and social vulnerability have been found, including child labour, begging in the streets, children not attending school,⁸⁰⁶ child heads of household and early marriages. IDP protection monitoring revealed that physical and mental abuse of children, in particular girls, is rife due to high unemployment and economic hardship.⁸⁰⁷

263. HRW reported that in Iraqi detention facilities, children are at times held together with adult detainees.⁸⁰⁸ Overcrowding and mistreatment of children and adolescents has been reported in Iraqi detention centres.⁸⁰⁹ On the basis of the SOFA, detainees must be transferred to Iraqi custody or be released. Children transferred to Iraqi custody are at risk of abuse and poor conditions of confinement.⁸¹⁰ In July 2008, *Knight Ridder* reported that US investigators

⁸⁰² As a result of years of international and internal armed conflict, Iraq is one of the countries most severely affected by landmines and explosive remnants of war (ERW). According to UNDP, mines claimed 14,000 victims in Iraq between 1991 and 2007, more than half of which died from their wounds; Aseel Kami, *FEATURE-Iraq struggles to sweep Saddam's landmine legacy*, Reuters, 16 November 2008, <http://www.alertnet.org/thenews/newsdesk/KAM244521.htm>. In 2007, Landmine Monitor identified at least 126 civilian casualties, including 28 children (17 boys and 11 girls). Between January and mid-August 2008, at least 45 civilian casualties were accounted, including 18 children; International Campaign to Ban Landmines, *Landmine Monitor Report 2008 – Iraq*, October 2008, <http://www.icbl.org/lm/2008/countries/iraq.php>. See also Ban Dhayl and Claire Hajaj, *Landmine awareness protects Iraq's children against deadly reminders of war*, UNICEF, 4 April 2008, http://www.unicef.org/infobycountry/iraq_43466.html.

⁸⁰³ According to Dr. Haithi Al Sady, Dean of the Psychological Research Center at Baghdad University, 28% of Iraqi children suffer some degree of post-traumatic stress disorder and their numbers are steadily rising. Professional treatment is extremely limited in Baghdad and virtually non-existent in most parts of Iraq; Cesar Chelala, *Crippling a generation of Iraqi children*, ME Times, 10 September 2008, http://www.mideast-times.com/left_news.php?newsid=661; see also Lourdes Garcia-Navarro, *Treating Iraqi Children For PTSD*, NPR, 25 August 2008, <http://www.npr.org/templates/story/story.php?storyId=93937972>; IRIN, *IRAQ: Traumatized Iraqi children suffer psychological damage*, 16 July 2008, <http://www.irinnews.org/report.aspx?ReportID=73258>; James Palmer, *Trauma severe for Iraqi children*, USA TODAY, 17 April 2007, http://www.usatoday.com/news/world/iraq/2007-04-15-cover-war-children_N.htm.

⁸⁰⁴ IRIN, *IRAQ: Domestic violence against children on the rise*, 24 May 2007, <http://www.irinnews.org/Report.aspx?ReportId=72350>.

⁸⁰⁵ UN SC, *July 2008 Report*, p. 8, see above footnote 320.

⁸⁰⁶ A considerable number of IDPs monitored reported that their primary school-aged children do not attend school. Among groups assessed, 31% of the boys and 40% of the girls are not attending primary school; IDP Working Group, *October 2008 Update*, p. 18; see above footnote 789.

⁸⁰⁷ IDP Working Group, *October 2008 Update*, p. 18; see above footnote 789.

⁸⁰⁸ HRW, *The Quality of Justice – Failings of Iraq's Central Criminal Court*, see above footnote 227.

⁸⁰⁹ The Committee on the Rights of the Child in May 2008 expressed concern about the number of children detained over extended periods of time, in certain instances for one year or more, without adequate access to legal advisory services or physical and psychological recovery measures; It was also concerned over reports indicating the use of cruel, inhuman and degrading treatment of detained children. UNAMI, *June 2008 Human Rights Report*, p. 18, see above footnote 414. See also “*Due process of law*”, “*Detention conditions*” and “*Torture and ill-treatment*”.

⁸¹⁰ A Guardian report of September 2008 described how hundreds of children, some as young as nine years old, were held in overcrowded and unsanitary conditions in the Karkh juvenile facility in Baghdad. Reportedly, inmates are subjected to frequent sexual abuse and blackmail by prison guards. The facility

probing allegations of torture at the Iraqi-run Tobchi Juvenile detention facility for boys in Baghdad found evidence of torture and abuse of children and adolescents, including the extra-judicial killings of two Sunni children while in detention.⁸¹¹ A recent visit to Al-Karrada Female Juvenile Detention Centre in Baghdad, which is currently hosting 14 girls between the age of 14 and 17, found the centre to be in better condition than Tobchi.⁸¹² By January 2009, all but one of the juveniles held by the MNF-I have been transferred to Iraqi custody.⁸¹³

264. While statistics are hard to come by, anecdotal evidence and a number of confirmed cases suggest that the problem of children associated with armed groups is significant and has rapidly escalated after the Samarra bombings in 2006. It has been reported that hundreds of them, some as young as ten years, have been used in varying tasks, including scouting, spying, planting roadside bombs, videotaping attacks and more traditional combat roles.⁸¹⁴ Especially troubling are reports of use of children, including mentally handicapped children, by AQI and associated groups as suicide bombers.⁸¹⁵ Other groups that have allegedly recruited children are the Awakening Councils and JAM.⁸¹⁶ The ISF is not known to use children under the age of 18 years.⁸¹⁷ Some families have become destitute and cannot provide for the barest necessities for their children, due to poverty and/or the absence of a head of household to provide protection. Many children are also not able to attend school due to poverty or insecurity and have little or

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- has a capacity of 250 but was holding 315 children; Jonathan Steele, *Inmates tell of sexual abuse and beatings in Iraq's overcrowded juvenile prison system*, The Guardian, 8 September 2008, <http://www.guardian.co.uk/world/2008/sep/08/iraq.humanrights>. UNAMI HRO after visits of Baghdad's Al-Tobchi juvenile pre-trial detention facility in October and November 2007 reported of severe overcrowding with around 400 inmates in a prison with an official capacity of 206. UNICEF in August 2008 reported some easing of overcrowding at Al-Tobchi juvenile detention facility, following the release of hundreds of detainees under the amnesty; UNAMI, *Human Rights Report, 1 July – 31 December 2007*, p. 24, <http://www.uniraq.org/FileLib/misc/HR%20Report%20Jul%20Dec%202007%20EN.pdf>; HRW, *World Report 2009*, see above footnote 657; Jonathan Steele, *Inmates tell of sexual abuse and beatings in Iraq's overcrowded juvenile prison system*, The Guardian, 8 September 2008, <http://www.guardian.co.uk/world/2008/sep/08/iraq.humanrights>.
- ⁸¹¹ Knight Ridder, *Torture, Death at Iraq Juvenile Prison*, 15 July 2008, <http://www.military.com/news/article/torture-death-at-iraq-juvenile-prison.html>.
- ⁸¹² SIGIR, *January 2009 Report to Congress*, p. 129, see above footnote 9.
- ⁸¹³ *Ibid.*, p. 52.
- ⁸¹⁴ Office of the Special Representative of the Secretary-General for Children and Armed Conflict, *Visit of the Special Representative for Children & Armed Conflict to Iraq and the region, 13-25 April 2008*, p. 9, <http://www.un.org/children/conflict/documents/countryvisits/IraqVisitReport.pdf> (further: "Special Representative for Children, *April 2008 Iraq Visit Report*").
- ⁸¹⁵ According to the Iraqi MoI, AQI over the past two years used 24 children to carry out suicide bombings. Five of them reportedly had mental disabilities and the others were orphans or street children; AKI, *Iraq: Al-Qaeda 'used 24 child suicide bombers in last two years'*, 1 October 2008, <http://www.adnkronos.com/AKI/English/Security/?id=3.0.2527067244>; see also Martin Chulov, *Raid uncovers al-Qaida network of child suicide bombers in Iraq*, The Guardian, 4 December 2008, <http://www.guardian.co.uk/world/2008/dec/04/iraq-alqaida-network-child-bombers>; CBS/AP, *Iraq Teens Trained As Suicide Bombers*, 26 May 2008, <http://www.cbsnews.com/stories/2008/05/26/iraq/main4127449.shtml>; IRIN, *IRAQ: Mentally handicapped children used in attacks*, 10 April 2007, <http://www.irinnews.org/Report.aspx?ReportId=71257>.
- ⁸¹⁶ Coalition to Stop the Use of Child Soldiers, *Child Soldiers Global Report 2008 – Iraq*, 20 May 2008, <http://www.childsoldiersglobalreport.org/content/iraq>; Special Representative for Children, *April 2008 Iraq Visit Report*, p. 9, see above footnote 814.
- ⁸¹⁷ The minimum age of voluntary military service is 18 years.

no access to basic care. Children join armed groups for various reasons, one of which is the strong economic incentive.⁸¹⁸

265. Iraq is a signatory to the *Convention on the Rights of the Child* and *ILO Convention 182 on the Worst Forms of Child Labour*. The Iraqi Constitution prohibits economic exploitation of children in all its forms⁸¹⁹ as well as forced labour and slavery.⁸²⁰ The Iraqi *Labour Law* (Law No. 71 of 1987 as amended by CPA Order No. 89)⁸²¹ provides for a minimum working age of 15⁸²² and lists types of work that children below the age of 16 are not allowed to perform as it is “likely to harm their health, safety and morals.”⁸²³ However, the Ministry of Labour and Social Affairs (MoLSA), which is responsible for overseeing labour inspections, is unable to fulfill its obligations under the law in enforcing child labour laws and removing children from exploitive labour situations for lack of inspectors and resources.⁸²⁴ Child labour is prevalent in Iraq and reportedly on the rise due to increasing poverty.⁸²⁵ In 2006, 12.4% of the children aged between 5 and 14 years have been engaged in child labour.⁸²⁶ Many children are selling items on the streets or are begging.⁸²⁷ In urban areas, children also work in automobile shops and on construction sites, often in hazardous conditions. In rural areas, children are engaged in seasonal manual labour.⁸²⁸ There are reports of children working in the sex industry and drug trade.⁸²⁹ Child labour is also common among IDPs and returnees. IDP and returnee monitoring by UNHCR revealed that at least 16% of the IDP children, 4% of the IDP returnee children and

⁸¹⁸ According to the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, armed groups pay approximately US \$20 for digging a hole for a roadside bomb, US \$20-40 for planting an IED, US \$50 for filming an attack and US \$100 for firing a mortar round; Special Representative for Children, *April 2008 Iraq Visit Report*, p. 9, see above footnote 814.

⁸¹⁹ Article 29 Third.

⁸²⁰ Article 37 (Third).

⁸²¹ CPA, Order No. 89, *Amendments to the Labor Code – Law No. 71 of 1987*, 30 May 2004, <http://www.unhcr.org/refworld/docid/49997ae11a.html>.

⁸²² *Iraqi Labour Law*, Article 90.

⁸²³ *Iraqi Labour Law*, Article 91. Additional legal requirements regarding the employment of children under 18 include a maximum 7-hour workday, a pre-employment medical examination, a daily rest period of one hour after four hours of work and a 30-day paid vacation per year. Employers must maintain a register of names of employees under the age of 18, post a copy of the labour provisions protecting children and keep medical fitness certificates of minors on file. However, youth 15 years or older who are employed in family enterprises are excluded from most of these provisions. Penalties for violation of these provisions are imprisonment for between 10 days and three months or fines up to 12 times the monthly minimum wage; see *Iraqi Labour Law*, Articles, 92-94 and 96.

⁸²⁴ US Department of Labor/Bureau of International Labor Affairs, *2007 Findings of the Worst Forms of Child Labour – Iraq*, pp. 229-230, <http://www.dol.gov/ilab/programs/ocft/PDF/2007OCFTreport.pdf> (further: “US Department of Labour, *2007 Child Labour Report*”).

⁸²⁵ Corinne Reilly, *Iraq’s unschooled children evidence of devastation’s depth*, 21 October 2008, McClatchy Newspapers, <http://www.mcclatchydc.com/103/story/54529.html>; IRIN, *IRAQ: Child labour on the rise as poverty increases*, 12 June 2007, <http://www.irinnews.org/report.aspx?ReportID=72683>; IRIN, *IRAQ: NGO warns of rising rates of child labour*, 15 June 2006, <http://www.irinnews.org/report.aspx?reportid=27017>.

⁸²⁶ Including 15.1% boys and 9.6% girls; US Department of Labor, *2007 Findings on the Worst Forms of Child Labor – Iraq*, 27 August 2008, <http://www.unhcr.org/refworld/docid/48caa4773c.html>.

⁸²⁷ US Department of Labour, *2007 Child Labour Report*, see above footnote 824; see also IRIN, *IRAQ: Child beggars proliferate in Baghdad*, 11 February 2007, <http://www.irinnews.org/Report.aspx?ReportId=70089>.

⁸²⁸ US Department of Labour, *2007 Child Labour Report*, see above footnote 824.

⁸²⁹ *Ibid.*; IRIN, *IRAQ: Children Lured into Drugs and Prostitution*, 12 February 2007, <http://www.irinnews.org/Report.aspx?ReportId=70094>.

41% of the refugee returnee children were engaged in some kind of labour, including as porters, rubbish collectors or in the agricultural sector.⁸³⁰ The need to work in order to support the family was also cited as a major reason for non-attendance at school.

266. The Iraqi Constitution prohibits trafficking in women or children.⁸³¹ However, there is evidence that traffickers are exploiting the unstable situation in Iraq and have built up child trafficking networks inside and outside the country. According to CATCH (Conference Against Trafficking of Children), child trafficking is increasing in Iraq due to extreme political chaos, poverty and war, although it is not known to what extent and reliable information is difficult to come by. After a mission to Iraq in 2008, CATCH reported⁸³² that the US Military, Iraqi officials as well as aid workers were concerned over the

“alarming rate at which children are disappearing throughout Iraq on a regular basis. One source commented “(W)e don’t have access to government statistics, but we often receive information that young people are being trafficked to other areas in the Gulf and to Europe.”

267. According to CATCH, thousands of young Iraqi women and girls are engaged in prostitution in Syria and Yemen *“under conditions constituting severe forms of trafficking in persons”*. It also said that orphans, including at least 5,000 in Baghdad alone, were particularly vulnerable to many forms of exploitation and abuse. According to CATCH, there is currently no anti-trafficking training for law enforcement officials⁸³³ and relevant laws are not enforced. There are also only a few NGOs or international organizations working specifically on trafficking issues.

268. The US State Department, in its 2008 Trafficking in Persons report, stated that *“Iraqi children are trafficked within the country and abroad for commercial sexual exploitation; criminal gangs may have targeted young boys, and staff of private orphanages may have trafficked young girls for forced prostitution.”*

It further assessed that the Iraqi Government did not acknowledge the problem and did not take any meaningful action to address it. During the reporting period, no traffickers were prosecuted. There are also no governmental protection services available to victims of trafficking.⁸³⁴

269. There are also reports of families selling their children out of poverty.⁸³⁵ According to police investigations and a study done by the Iraqi Families Association (IFA), an NGO established in 2004 to register cases of those missing and trafficked, Iraqi children are being

⁸³⁰ UNHCR Protection Monitoring, March – December 2008.

⁸³¹ Article 37 (Third).

⁸³² CATCH, *About Child Trafficking*, 2008, http://catchconference.org/about_trafficking.htm.

⁸³³ CATCH reported that an earlier version of the Basic Police Course for Iraqi officers included a section on trafficking. However, this course was reportedly substituted with additional security training.

⁸³⁴ US Department of State/Office to Monitor and Combat Trafficking in Persons, *2008 Trafficking in Persons Report – Iraq Country Narrative*, <http://www.state.gov/documents/organization/105660.pdf>.

⁸³⁵ Afif Sarhan, *Iraqis resort to selling children*, Al Jazeera, 5 January 2008, <http://english.aljazeera.net/news/middleeast/2008/01/200852519439276159.html>; Afif Sarhan, *Sex for Survival*, Al Jazeera, 16 August 2007, <http://english.aljazeera.net/news/middleeast/2007/08/2008525183626816642.html>; IRIN, *Iraq: Concern over reports of child trafficking*, 29 June 2006, <http://www.irinnews.org/report.aspx?reportid=27083>.

sold to foreign couples or specialized gangs for the purpose of adoption and possibly sex trade and the organ transplant black market.⁸³⁶

I. Access to justice

270. While the ISF's capabilities are growing, they continue to be a major target of armed attacks,⁸³⁷ are prone to infiltration and corruption and lack leadership, training, equipment and personnel.⁸³⁸

271. Despite some progress in expanding and reforming Iraq's judiciary and law enforcement agencies, Iraq continues to suffer from significant deficiencies to impose the rule of law. Or, in the words of Stuart Bowen, SIGIR, "*Iraq's rule-of-law system remains broken.*"⁸³⁹ The judiciary lacks sufficient numbers of judicial staff, in particular investigative judges,⁸⁴⁰ experience and basic equipment⁸⁴¹ is prone to outside influence and corruption⁸⁴² and generally enjoys little public confidence.⁸⁴³ Furthermore, "(...) *the criminal justice and courts system is unable to support the police, provide defendants the procedural and substantive due process provided for by law, and provide for suitable jails and detention facilities.*"⁸⁴⁴

⁸³⁶ Afif Sarhan, *Iraqis resort to selling children*, Al Jazeera, 5 January 2008, <http://english.aljazeera.net/news/middleeast/2008/01/200852519439276159.html>; IRIN, *Iraq: Concern over reports of child trafficking*, 29 June 2006, <http://www.irinnews.org/report.aspx?reportid=27083>.

⁸³⁷ UNAMI, *June 2008 Human Rights Report*, p. 8, see above footnote 414.

⁸³⁸ See "Growing ability of the Iraqi Security Forces".

⁸³⁹ SIGIR, *October 2008 Report to Congress*, p. 7, see above footnote 215. According to the US Department of Defense, "(F)urther improvement in Iraq's rule of law capability and capacity is essential to the country's long-term stability and the slow pace of progress here remains troubling"; US Department of Defense, *September 2008 Report to Congress*, see above footnote 231, p. vi.

⁸⁴⁰ According to the US Department of Defense, the total number of judges and prosecutors is 1,225 by the end of 2008; however, only 300 are serving as investigative judges; US Department of Defense, *December 2008 Report to Congress*, p. 4, see above footnote 9.

⁸⁴¹ According to the US Department of State, "(...) resources available to the judiciary are generally poor. Many courts in smaller communities lack basic necessities such as plumbing and electricity. Courts in the larger towns and cities generally have plumbing and electricity but are subject to the same electrical power shortages as their surrounding communities. Most small courts lack communications and automation equipment and access to the internet (...)"; US Department of Defense, *September 2008 Report to Congress*, see above footnote 231, p. 4.

⁸⁴² According to Anthony H. Cordesman and Adam Mausner of the CSIS, "(I)n many areas, the criminal justice system is thoroughly dominated by local, tribal, religious or sectarian interests, and in some areas criminal justice is effectively nonexistent.;" Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, p. 134. According to SIGIR Stuart Bowen, the Iraqi judiciary remains challenged, *inter alia*, by "improper court rulings, tainted by the tribal, religious, political, and personal prejudices of judicial authorities" and "public mistrust of the judicial process that stems from (...) the corrupt practices of today;" SIGIR, *April 2008 Report to Congress*, p. 148; see also US Department of Defense, *September 2008 Report to Congress*, see above footnote 231, p. vi.

⁸⁴³ For example, the Ministry of Justice's refusal to implement court orders, in particular those relating to land title conflicts, has decreased the public's confidence in the rule of law; US Department of Defense, *December 2008 Report to Congress*, p. 4, see above footnote 9.

⁸⁴⁴ Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, p. vii. See also above "Due process of law" and "Detention conditions".

272. The physical condition of courthouses remains a concern, although construction of new courthouses is ongoing.⁸⁴⁵ Judges, lawyers and courts have become a regular target for intimidation and attacks, further compromising the integrity and independence of the Iraqi judiciary.⁸⁴⁶ According to the US Department of Defence, judicial intimidation “(...) *is the most immediate threat to advancing the rule of law in Iraq.*”⁸⁴⁷ Lack of capacity to adjudicate the high number of detainee cases, for example in Baghdad there were 9,000 pre-trial detainees awaiting trial, results in a massive pre-trial backlog and failure to meet standards for fair trial.⁸⁴⁸

273. The Iraqi Government has made little progress in holding accountable government officials for corruption or involvement in sectarian violence. For example, two former high-ranking Shi’ite health officials who have been linked to JAM on charges of orchestrating the kidnapping and killings of Sunni patients in hospitals, have been acquitted for lack of evidence. However, according to the US Embassy spokesperson, there were serious allegations of witness intimidation and other irregularities during the trial.⁸⁴⁹

274. As a result of these institutional weaknesses, most human rights violations are committed with impunity,⁸⁵⁰ with protection generally unavailable from national law enforcement, security bodies or the judiciary. The MNF-I has a restrictive mandate with regard to the overall protection of civilians and its overall operational abilities are increasingly restricted as a result of the SOFA and plans to withdraw from Iraq.⁸⁵¹ Quasi-security forces such as the SoI, which are in *de facto* control of certain areas, are also primary targets of armed groups. Furthermore, their legal status has not yet been resolved and at least anecdotal evidence suggests that they may themselves engage in human rights violations, e.g. extra-judicial killings.⁸⁵²

⁸⁴⁵ SIGIR, *January 2009 Report to Congress*, see above footnote 9, p. 51.

⁸⁴⁶ See “*Certain professionals*”.

⁸⁴⁷ US Department of Defense, *December 2008 Report to Congress*, see above footnote 9, pp. v and 4.

⁸⁴⁸ *Ibid.*

⁸⁴⁹ AFP, *Iraq court acquits Shiite officials over death squads*, 4 March 2008, http://afp.google.com/article/ALeqM5hEKgWCdVu57I2W_KGq3vMVfdXiTA; Alissa J. Rubin, *Charges Are Dropped Against 2 Shiite Ex-Officials Accused in Sectarian Killings*, NY Times, 4 March 2008, <http://www.nytimes.com/2008/03/04/world/middleeast/04death.html>.

⁸⁵⁰ UNAMI HRO speaks about a climate of “*pervasive impunity of current and past human rights abuses*”. It further said that

“(A)ttacks were also perpetrated with impunity by armed groups targeting government officials, religious figures, state employees, law enforcement personnel and a number of professional groups including academics, journalists, lawyers and judges. Additionally, religious and ethnic minorities and other vulnerable groups were deliberately targeted, as were women including in cases involving so-called ‘honour crimes’. Numerous other incidents involving intimidation, threats, kidnappings, abduction of individuals from their homes, torture and killing took place throughout the country.”

With regard to religious minorities, it reported that it “*continued to receive reports of attacks against minority groups being conducted with total impunity*,” (emphasis by UNHCR); UNAMI, *June 2008 Human Rights Report*, see above footnote 414, pp. 2, 6 and 17.

⁸⁵¹ See “*Current Role of the MNF-I*.”

⁸⁵² For example, Abu Hani Al-Qaraghoul, a local SoI deputy in the town of Yousifiyah (Babel), said that if the SoI know someone guilty of murder, they will execute the alleged killer themselves rather than bringing him to the court; Tom A. Peter, *As US withdraws, will Al Qaeda in Iraq find new openings?*, CS Monitor, 12 January 2009, <http://www.csmonitor.com/2009/0113/p01s01-wome.html>. On 28 March, ISF arrested Adel Mashhadani, the Awakening leader in Fadhil neighbourhood in Baghdad for alleged criminal acts, including killings, kidnappings and extortion of civilians. A press release from by the MNF-I said that “he is suspected of illegally searching, detaining and extorting bribes in excess of

275. In the case of women at risk of “honour killings”, women shelters established by NGOs or the local authorities in the Kurdistan Region⁸⁵³ are not to be considered as providing effective protection to potential victims. While they offer physical protection, social, legal and psychological counselling to women at risk, they cannot generally offer any longer-term solutions to the women affected. In some cases, mediation efforts with the family may result in the woman being able to return home; for example, if a woman has a premarital relationship with an unmarried man, the two families may agree to have the couple get married. In other cases, where the family agrees to refrain from killing the woman, it is likely that her rights may be infringed in other ways. For example, in the case of rape, a woman may be obliged by her family to marry the perpetrator. In cases in which she had initially rejected a forced marriage by her family, she may have to agree to that marriage to avoid an “honour crime”. In cases of (alleged) adultery, the family’s decision to kill the woman in order to “cleanse” the family’s honour can generally not be changed through mediation, and the woman has no other option but to remain in the shelter with no prospects for her future.⁸⁵⁴ Women shelters and their employees are frequently subjected to various forms of threats and intimidation, because of

\$160,000 a month from the citizens of Fadhil, improvised explosive device (IED) attacks that killed Iraqi Security Forces (ISF), leading an IED cell, leading an indirect fire cell, ties to Al-Qaeda in Iraq, and collusion with the terrorist network Jaysh al Islami.” According to the MNF-I, some of the crimes were allegedly committed while he was heading the US-backed Awakening unit in Fadhil. The Iraqi authorities also accused Mashadani to maintain links with remnants of the former Ba’ath Party, which is banned under the Iraqi Constitution. The arrest led to a firefight between ISF and members of the Fadhil Awakening Council, during which at least four people were killed and 21 wounded. By 30 March 2009, Iraqi and US soldiers had completely disarmed the Fadhil Awakening Council; Tim Cocks, *Iraq Sunni guard wanted for grave crimes – US*, Reuters, 30 March 2009, <http://www.alertnet.org/thenews/newsdesk/LU115481.htm>; BBC, *Arrest tests loyalty of Iraq Awakening*, 30 March 2009, http://news.bbc.co.uk/2/hi/middle_east/7972784.stm; Rod Nordland, *Rebellious Sunni Council Disarmed After Clashes, Officials in Baghdad Say*, NY Times, 30 March 2009, <http://www.nytimes.com/2009/03/31/world/middleeast/31iraq.html>; MNF-I, *ISF Arrest al-Mashadani for Suspected Crimes (Baghdad)*, Press Release, 29 March 2009, http://www.mnf-iraq.com/index.php?option=com_content&task=view&id=25945&Itemid=128. On 3 April 2009, US forces said they opened fire on four armed men seen planting a roadside bomb in the District of Taji (Salah Al-Din), killing one of the men and wounding two others. A US statement said that “[i]nitial investigation revealed that at least one of the men had served in the Sons of Iraq program”; Robert H. Reid, *US in Iraq kills Sunni paramilitary planting bomb*, AP, 3 April 2009, http://seattletimes.nwsource.com/html/nationworld/2008933807_apmliraq.html; Reuters, *U.S. forces say fired on Sunni force in Baghdad*, 3 April 2009, <http://www.alertnet.org/thenews/newsdesk/L3198925.htm>. See also: Ghaith Abdul-Ahad, *Meet Abu Abed: the US’s new ally against al-Qaida*, The Guardian, 12 November 2007, <http://www.guardian.co.uk/print/0,,331225411-110878,00.html>.

⁸⁵³ At the time of writing, the following shelters are operating in the Kurdistan Region: in Dahuk Governorate, the Women Rehabilitation and Preparation Centre is funded by the MoLSA/KRG and administrated and supervised by the Dahuk Governor. In Erbil Governorate, Nawa Centre, with a capacity of sheltering 20 women, was opened by the MoLSA/KRG in September 2007. Another shelter in Erbil, Khanzad, was closed in July 2007 for renovation purposes; however, local media reports suggested that the closure was linked to women’s abuse by the shelter’s management. In Sulaymaniyah Governorate, the Aram Women Centre (run by the PUK’s Women Union and supervised/funded by KRG/MoLSA) and the Asuda Women Shelters in Sulaymaniyah and Kalar (run by Asuda local NGO and funded by UN agencies and NGOs) with a capacity of sheltering 20 women each.

⁸⁵⁴ In June 2008, a woman that had sought shelter in Nawa Centre in Sulaymaniyah returned to her family following mediation and was subsequently killed; information received from MoLSA/Erbil, February 2009.

their work and involvement in matters that are widely regarded as “family affairs”. In Dahuk Governorate, UNHCR has been informed that the Women Rehabilitation and Preparation Centre, which is funded by MoLSA in Erbil and supervised by the Governor of Dahuk, lacks governmental and political support and the Governor has threatened to close it down. In addition, it suffers from a lack of sufficient funds. On 11 May 2008, a gunman shot and seriously injured a woman, whose husband had accused her of adultery, in the Asuda Women Centre in Sulaymaniyah. This incident showed that despite security measures taken to protect the women, they may still be at risk of being targeted by infuriated family members even inside the shelter.⁸⁵⁵ For the reasons outlined, women at risk of “honour killings” can generally not find effective protection in the shelters available in the Kurdistan Region.

276. In the Central Governorates, there are no official shelters, although some women’s organizations provide victims with temporary shelter. Such arrangements are, however, not to be considered as a form of effective protection given the lack of prospects for the women in the shelter, the shelter’s unclear legal and financial status in addition to the general intolerance vis-à-vis such institutions and associated security risks.

⁸⁵⁵ Patrick Cockburn, *How picture phones have fuelled frenzy of honour killing in Iraq*, The Independent, 17 May 2008, <http://www.independent.co.uk/news/world/middle-east/how-picture-phones-have-fuelled-frenzy-of-honour-killing-in-iraq-829934.html>; Khanum Raheem Lateef, *Women’s shelter attacked by gunmen*, Asuda, 12 May 2008, <http://www.kurdmedia.com/article.aspx?id=14781>.

VIII. GROUPS AT RISK

A. Iraqis affiliated with political parties engaged in power struggles

277. In many areas of Iraq's Centre and South, power struggles between various political parties and armed groups are ongoing and result, *inter alia*, in acts of intimidation, politically motivated arrests,⁸⁵⁶ discriminatory administrative procedures⁸⁵⁷ and the assassination of political rivals. In 2008, several political figures and tribal/religious affiliates were assassinated. In mainly the Southern Governorates, several officials and clerics affiliated with Muqtada Al-Sadr,⁸⁵⁸ ISCI⁸⁵⁹ or Grand Ayatollah Ali Al-Sistani⁸⁶⁰ have been targeted for assassination or

⁸⁵⁶ Sunni tribal groups have complained about politically-motivated arrests of their members, for example in Diyala and Al-Anbar; see "*Role of the Sons of Iraq*". Sadrist have frequently raised accusations against the Government and the ISF about politically-motivated arrest campaigns targeting their members, mainly in the Southern Governorates. According to Sam Parker of the USIP, "(T)here is a real fine line between imposing law and order and eliminating your political opposition; Bernard Gwertzman, *Iraqi Prime Minister's Party Emerging as Strongest Among Shiite Parties in Elections*, interview with Sam Parker of USIP, CFR, 4 February 2009, http://www.cfr.org/publication/18476/iraqi_prime_ministers_party_emerging_as_strongest_among_shiite_parties_in_elections.html?breadcrumb=%2Findex. See also VOI, *Sadrist call for end of arrest campaigns against them*, 3 November 2008, http://www.iraqupdates.com/p_articles.php/article/23592; Rubin, *Amid Progress, Sides Have Scores to Settle*, see above footnote 236; AP, *Sadrist accuse Iraqi government of targeting movement*, 21 June 2008, http://www.usatoday.com/news/world/iraq/2008-06-21-iraq-sadrist_N.htm.

⁸⁵⁷ Rubin, *Amid Progress, Sides Have Scores to Settle*, see above footnote 236; Reidar Visser, *Iraq's Provincial Elections: Another D-Day Approaching*, 16 June 2008, <http://historiae.org/provincial.asp>. In Al-Anbar, Awakening members reported politically-motivated charges and removals from government office; see "*Security in the Central Governorates*" (Al-Anbar Governorate). In Mosul, the Kurds accused the central government of military marginalization. See "*Security in the Central Governorates*" (Nineva Governorate).

⁸⁵⁸ For example, on 9 October 2008, Saleh Al-Ogaili, a member of the CoR from the bloc of Muqtada Al-Sadr, was killed in a roadside bombing in the Habibiyah area in Baghdad; on 19 September 2008, gunmen on a motorcycle killed Sheikh Udai Ali Abbas, a cleric loyal to Muqtada Al-Sadr in an attack near his home in Basrah; on 17 July 2008, gunmen killed Sheikh Safaa Al-Lami, a mid-level aide to Al-Sadr, in Baghdad Al-Jadida. The assailants used a pistol with a silencer; on 28 April 2008, unidentified gunmen opened fire on Ali Ghazi, a leader in the Sadrist bloc, in central Basrah, killing him on the spot and wounding his wife; on 11 April 2008, Riyadh Al-Nouri, Head of the Sadr office in Najaf City and Sadr's brother-in-law and close associate, was assassinated by gunmen in Adala neighbourhood in Najef city as he was returning from Friday prayers; on 12 March 2008, a senior figure in Al-Sadr's Basrah office, Saed Al-Haidery, was shot dead in northern Basrah; on 5 February 2008, the body of Munther Majid, a key member of the Sadr Movement, was found dead in Amarah. The Sadr Movement accused the Iraqi Army to have shot Majid; the claim was rejected by the Iraqi Army; on 25 January 2008, gunmen killed Yasir Khadim Al-Mudhafer, a sheikh loyal to Muqtada Al-Sadr, outside his house in Najef; on 14 January 2008, gunmen assassinated Fayadh Al-Mosawi, the public relations official of Sadr's Basrah office, while he was attending a funeral ceremony in Zubayr, south of Basrah City; and on 3 January 2008, an IED attached to the car of Falah Shenshel, a member of the CoR for the Sadr Movement, exploded in a car park in Sadr City, causing no casualties. See Annexes "*Party Officials*" and "*Government Officials*".

⁸⁵⁹ For example, on 4 July 2008, gunmen on a motorcycle assassinated Sheikh Salim Al-Dirrari, a senior ISCI official in the Hayyanyiah area in Basrah; on 18 August 2008, unknown men opened fire on the vehicle of Shi'ite cleric Faris Jabir Dhahir in Za'afaraniyah in Baghdad, killing him instantly and seriously wounding his wife and daughter. Dhahir was working for the Najef-based Shahid Al-Mihrab

kidnapping. Power struggles generally intensify ahead of crucial political events (e.g. elections) and can result in more targeted attacks on political rivals.⁸⁶¹ In “disputed areas” of Ninewa, Kirkuk, Diyala and Salah Al-Din Governorates, targeted attacks on political, tribal and religious figures, including acts of intimidation, assassination and attacks on party offices, may be politically motivated. In Al-Anbar Governorate, political rivalry between Sunni political parties and tribal groupings/parties has also resulted in targeted attacks on their representatives and offices.⁸⁶² Given that other armed groups such as AQI and Shi’ite “Special Groups” also target political, tribal and religious representatives and most attacks are committed with impunity, it is often not possible to identify the perpetrators and their motives.

B. Government officials and other persons associated with the current Iraqi Government, Administration or Institutions

278. Various armed groups are held responsible for targeting persons involved in the Iraqi Government and Administration at the federal and local levels, members of their families and bodyguards.⁸⁶³ The perpetrators and their motives are multi-layered. While certain acts may be motivated to delegitimize the Iraqi Government and spread fear, other attacks seem to clearly target government officials, be it for their belonging to a certain political party or their involvement in certain political affairs. As seen in the past, extremist groups are also stepping up their efforts ahead of sensitive political events such as elections or during negotiations of legislative projects.

279. In some areas of the Central Governorates, where Kurds dominate the administration and the local security forces, attacks on Kurdish party officials (KDP, PUK and other aligned parties) as well as members of the Kurdish armed forces (*Peshmerga*) and security (*Asayish*) are common.⁸⁶⁴

280. Armed groups such as AQI and Shi’ite militias are also targeting government officials in an attempt to disrupt the political process. Ahead of the 31 January 2009 provincial elections,

Foundation that is headed by Ammar Al-Hakim, son of Abdel Aziz Al-Hakim, the head of ISCI; on 25 March 2008, gunmen attacked the headquarters of Badr Organization in Habibiyyah area in Baghdad, causing no casualties. In addition, a number of ISCI Government officials have been targeted in Baghdad and the Southern Governorates. See Annex “*Party Officials*”.

⁸⁶⁰ For example, on 24 August 2008, gunmen killed Haider Al-Saymari, a Shi’ite cleric and follower of Grand Ayatollah Ali Al-Sistani, in an ambush on his car in Basrah; on 15 April 2008, gunmen injured Sheikh Habib Al-Khateeb, one of Grand Ayatollah Ali Al-Sistani’s representatives in Kut, while he was on his way home after finishing prayers in a mosque downtown Kut; also on 15 April 2008, gunmen opened fire targeting Ali Al-Fadhli, a representative of Shi’ite cleric Grand Ayatollah Ali Al-Sistani, in downtown Basrah. One guard was killed and Fadhli and another guard were injured; on 18 March 2008, gunmen using machine guns attacked Sheikh Abdul Atheem Al-Edani, a deputy of Grand Ayatollah Ali Al-Sistani in Basrah, injuring him and killing his driver; on 24 January 2008, an IED explosion targeted the car Sheikh Abdul Mahdi Al-Karbala’i, Grand Ayatollah Ali Al-Sistani’s representative in Kerbala, killing two of his guards and injuring two others. Abdul Mahdi was also slightly injured; and on 17 January 2008, a representative of Grand Ayatollah Ali Al-Sistani in Basrah, Sheikh Mohammed Felek, escaped an assassination attempt as gunmen opened fire upon him in Al-Zubayr (Basrah). See Annex “*Religious and tribal figures*”.

⁸⁶¹ See “*Local and national elections*”.

⁸⁶² See “*Security in the Central Governorates*” (Al-Anbar Governorate).

⁸⁶³ UNAMI, *June 2008 Human Rights Report*, p. 8, see above footnote 414.

⁸⁶⁴ See in particular “*Security in the Central Governorates*” (Ninewa, Kirkuk and Diyala Governorates).

US General Raymond T. Odierno said that AQI and Shi'ite Special Groups "(...) are conducting intimidation assassinations against (Iraqi) government officials".⁸⁶⁵ Since 2008, there has been a noted increase in assassinations of government officials and government-affiliated party officials by the use of "sticky bombs" attached under vehicles as well as guns equipped with silencers. The Iraqi MoI issued a warning asking government employees not to park their cars in public places to avoid militants attaching adhesive bombs to their vehicles.⁸⁶⁶

281. Other attacks may be motivated by someone's involvement in particularly sensitive political issues,⁸⁶⁷ the transfer of the SoI,⁸⁶⁸ the status of the "disputed areas"⁸⁶⁹ or the de-Ba'athification process.⁸⁷⁰

282. In 2008 and early 2009, there have been several targeted attacks on high-ranking government officials,⁸⁷¹ including members of the CoR,⁸⁷² (deputy) ministers,⁸⁷³ other senior

⁸⁶⁵ Leila Fadel, *Assassinations replacing car bombs in Iraq*, McClatchy Newspapers, 9 October 2008, <http://www.mcclatchydc.com/homepage/story/53718.html>; see also CNN, *U.S. military: Iraqis trained for assassination coming home*, 22 September 2008, <http://edition.cnn.com/2008/WORLD/meast/09/21/iraq.assassination.squads/>.

⁸⁶⁶ Katherine Zoepf and Mudhafer Al-Husaini, *Militants Turn to Small Bombs in Iraq Attacks*, NY Times, 13 September 2008, <http://www.nytimes.com/2008/11/14/world/middleeast/14stickybombs.html>. Reuters, *Alarm over Growing Use of "sticky Bombs" in Iraq*, 7 November 2008, <http://www.reuters.com/article/worldNews/idUSTRE4A63OJ20081107>; Leila Fadel, *Assassinations replacing car bombs in Iraq*, McClatchy Newspapers, 9 October 2008, <http://www.mcclatchydc.com/homepage/story/53718.html>; UPI, *Sticky IEDs new Iraq assassination choice*, 9 October 2008, http://www.upi.com/Top_News/2008/10/09/Sticky_IEDs_new_Iraq_assassination_choice/UPI-77051223553357/.

⁸⁶⁷ Anthony H. Cordesman and Adam Mausner, *How Soon Is Safe?*, see above footnote 327, p. 69. According to a report by Reuters, corruption investigators "have been physically barred from ministries, intimidated by state officials and all too often become victims of violence themselves. Threats prompted the former head of the Integrity Commission to flee Iraq last year. At least 40 corruption investigators have been killed;" Missy Ryan, *U.S. Says Iraq Fails to Tackle Corrupt High Officials*, Reuters, 19 December 2008, http://www.iraqupdates.com/p_articles.php/article/41989.

⁸⁶⁸ For example, on 1 December 2008, a roadside bomb exploded near the convoy of Maj.-Gen. Mudhir Al-Mawla, an advisor to PM Al-Maliki, in Sleikh neighbourhood of Baghdad. Thirteen persons, including Al-Mawla, were injured and three civilians were killed in the attack. Al-Mawla has been dealing with the transfer of the Awakening Councils to government control; Reuters, *Senior Iraqi military official wounded in bombing*, 1 December 2008, <http://www.alertnet.org/thenews/newsdesk/L1315520.htm>; Laith Hammoudi, *Round-up of Daily Violence in Iraq – Monday 1 December 2008*, McClatchy Newspapers, 1 December 2008, <http://www.mcclatchydc.com/212/story/56753.html>.

⁸⁶⁹ For example, on 12 November 2008, a magnetic bomb detonated under a civilian car in Ummal neighbourhood in downtown Kirkuk. The car belongs to a member of the Committee to implement Article 140 of the Constitution. The member was injured with three others who were with him; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Wednesday 12 November 2008*, McClatchy Newspapers, 12 November 2008, <http://www.mcclatchydc.com/212/story/55741.html>.

⁸⁷⁰ On 5 September 2008, Ahmed Chalabi, Head of the Iraqi National Congress (INC) and Chairman of Iraq's De-Ba'athification Commission, survived an assassination attempt when a car bomb targeted his motorcade in Baghdad's Western Mansour neighbourhood. Six of his bodyguards were reportedly killed and at least 17 persons were wounded in the attack; Ned Parker and Saif Hameed, *Iraq politician Ahmad Chalabi survives assassination attempt*, LA Times, 6 September 2008, <http://www.latimes.com/news/nationworld/world/la-fg-iraq6-2008sep06,0,2251431.story>.

⁸⁷¹ For a (non-comprehensive) overview of targeted attacks on government officials in 2008 and early 2009, please see Annex "Government Officials".

ministry officials⁸⁷⁴ and advisors to the PM.⁸⁷⁵ At the local level, governors, deputy governors,⁸⁷⁶ local mayors⁸⁷⁷ and members of provincial and municipal councils have been targeted.⁸⁷⁸ There are also many attacks on government employees, including by targeting their private or office vehicles,⁸⁷⁹ and government buildings.⁸⁸⁰ Family members, drivers and

⁸⁷² Saleh Al-Ogaili, a member of the CoR, was killed in a targeted attack on 9 October 2008. Other attacks targeted the following members of the CoR and/or their families or residences: Hashem Al-Taei on 22 September 2008; Mithal Al-Alousi on 21 July 2008; Ayad Samarra and Abdul Kareem Samarra on 14 May 2008; Shatha Al-Musawi on 3 July 2008; Falah Shenshel on 3 January 2008. See Annex “*Government Officials*”.

⁸⁷³ For example, on 15 January 2009, Iraq’s Minister of Higher Education, Abd Thiab Al-Ajili, survived unharmed when a roadside bomb exploded near his convoy; two civilians were injured; on 3 November 2008, a bomb detonated near the house of Sahib Salman Qutub, a deputy Minister of Oil, in Atifiyah neighbourhood in Baghdad, injuring one of his guards; on 23 October 2008, the Minister of Labour and Social Affairs, Mahmoud Al-Sheikh Radhi, survived an attempt on his life; on 15 July 2008, a roadside bomb targeted the convoy of Waheed Kareem, the Minister of Electricity, in Baghdad; on 11 May 2008, a roadside bomb targeted the convoy of the Deputy Minister of Finance, Fadhel Mahmoud, injuring six people; on 20 February 2008, a roadside bomb targeted the Deputy Minister of Science and Technology, Sameer Salim Al-Attar, who was injured along with two of his guards; and on 31 January 2008, an attack on the convoy of Salam Al-Qazaz, Deputy Minister of Electricity, left two of his escorts and one civilian injured. See Annex “*Government Officials*”.

⁸⁷⁴ For example, on 3 September 2008, gunmen killed Nabeel Abdul Hasan Muhsin, General Director of the Project Department in the Ministry of Transportation, in Baghdad; on 23 August 2008, Kamal Shyaa Abdullah, a high-ranking official in the Ministry of Culture, was shot dead in Baghdad; on 21 August 2008, gunmen using pistols with silencers shot Major General Ahmed Rasheed Majeed, a Director in the Travel and Nationality Department, in Baghdad, injuring him seriously; on 21 June 2008, a bomb planted in the car of the Office Manager of the Minister of Higher Education and Scientific Research exploded in Baghdad, injuring three including the Minister’s Office Manager; on 12 June 2008, a roadside bomb targeting the convoy of Major General Sameer Al-Waeli, Head of the Social Care Department in the MoI, left three policemen and three civilians injured; on 26 May 2008, seven civilians were wounded in an attempt on the life of Brigadier General Abdel Hussein, Director for Tribal Affairs in the MoI; on 25 May 2008, Ali Hashim, Director of the Investigation Unit at the Ministry of Health, was shot dead by gunmen in Baghdad; on 29 April 2008, gunmen shot and killed Dheya Al-Jodi, a Director in MoLSA, when he was leaving his house in northern Baghdad; and on 28 February 2008, Matar Thamer Muhyee, Director of the Electricity Department in Basrah, was kidnapped and Mudhaffar Turki from the Public Integrity Commission was injured after gunmen opened fire on his car in east Baghdad. See Annex “*Government officials*”.

⁸⁷⁵ For example, on 1 December 2008, a roadside bomb exploded near the convoy of Maj.-Gen. Mudhir Al-Mawla, an advisor to PM Al-Maliki, in Sleikh neighbourhood of Baghdad; on 9 September 2008, General Hasen Maeen from the PM’s Office was targeted with an adhesive bomb stuck onto the car. He and two of his security personnel were severely injured in the explosion. See Annex “*Government Officials*”.

⁸⁷⁶ In 2008 and 2009, the (Deputy) Governors of Babel, Salah Al-Din, Diyala, Kirkuk and Ninewa have been targeted for assassination in 2008. See Annex “*Government Officials*”.

⁸⁷⁷ For example, the mayors of Karmah (Al-Anbar); Saab (Baghdad); Ghmash (Diwaniyah); Ba’quba and Saidiyah (Diyala); Karhat Qazen (Kirkuk); Mosul City (Ninewa); and Al-Mutasim, Sulaiman Pak and Samarra (Salah Al-Din) were targeted in 2008 and early 2009. See Annex “*Government Officials*”.

⁸⁷⁸ For example, members of the provincial councils of Basrah, Diyala, Kerbala, Ninewa, Salah Al-Din as well as members of the municipal/district councils of Fallujah (Al-Anbar); Jabala and Yousifiyah (Babel); Abu Disheer, Dora, Sadr City and Yarmouk (Baghdad); Saidiyah (Diyala); Daquq and Hawija (Kirkuk); Bijaaj, Mosul City and Sinjar (Ninewa); and Dour, Tuz Khurmatu and Sulaiman Pak (Salah Al-Din) and were targeted in 2008 and early 2009. See Annex “*Government Officials*”.

⁸⁷⁹ For example, on 29 November 2008, three civilians were injured by an adhesive bomb stuck to a car of a MoI employee in Baghdad; on 24 November 2008, a magnetic bomb demolished a bus of the Ministry of Trade killing 14 people and wounding 7, all of them government employees; on 11 November 2008, a roadside bomb targeted a government vehicle in Bab Al-Sharji, central Baghdad, injuring the driver and

bodyguards, in particular of senior government officials, are also at risk of being killed or wounded in attacks⁸⁸¹ or, in some case, have been targeted deliberately.⁸⁸² Ahead of provincial elections, a number of election officials and polling stations have also been targeted.⁸⁸³

five other civilians; on 6 November 2008, a roadside bomb targeted a bus for the Baghdad Municipality in downtown Baghdad, killing one person and wounding five; on 29 October 2008, a roadside bomb targeted a bus carrying employees of the Ministry of Education in east Baghdad. Two employees were killed and six others were wounded; on 26 October 2008, an adhesive bomb detonated under a civilian car belonging to an employee of the Ministry of Health; on 16 October 2008, an adhesive bomb detonated under a civilian car that belongs to a MoI employee in Baghdad. The three passengers of the car were wounded; on 8 September 2008, gunmen opened fire on a vehicle of the Ministry of Displacement and Migration in New Baghdad, injuring four employees; on 7 May 2008, an adhesive bomb exploded in a bus carrying employees of the Ministry of Foreign Affairs in central Baghdad, injuring three employees; on 22 April 2008, gunmen assassinated an employee of Baghdad municipality while he was driving his car in west Baghdad; on 21 April 2008, three IEDs planted in three cars targeted employees of the PM's Office, injuring three employees; on 6 April 2008, seven workers of the Ministry of Energy were abducted in Balad (Salah Al-Din); on 23 March 2008, gunmen shot dead an employee from the Mosul Water Department in Mosul; on 23 January 2009, Ali Mahmoud, engineer working in Basrah Airport, was kidnapped from his house and killed; on 22 January 2008, a roadside bomb targeted a bus carrying employees of the Ministry of Transportation, killing one civilian and injuring six employees; and on 7 January 2008, an employee in the Ministry of Trade was injured when an IED exploded inside his car in Za'afaraniyah neighbourhood in Baghdad. See Annex "*Government Officials*".

⁸⁸⁰ For example, on 11 November 2008, a parked car bomb targeted the Department of Youth and Sports in downtown Mosul, injuring 15 civilians including twelve employees of the department; on 3 November 2008, a car bomb exploded inside the garage of the Diyala Governorate Council and killed one policeman and wounded nine people; on 2 September 2008, gunmen attacked a governmental office for the Sunni Endowment in Adhamiyah neighbourhood in Baghdad, killing one guard and injuring two civilians; on 7 July 2008, six mortar rounds targeted the Governorate building in Mosul City, injuring six civilians including two employees; on 28 March 2008, the Office of Vice-President Tareq Al-Hashemi, located in Baghdad's International Zone, was hit by a missile, killing one at least one person; and on 26 January 2008, gunmen attacked a local council building in Ba'quba, injuring two guards. See Annex "*Government Officials*".

⁸⁸¹ For example, on 18 November 2008, a bomb detonated inside the house of Sadi Mahdi, a general inspector in the Ministry of Electricity, in Al-Qadissiyah neighbourhood in west Baghdad. Sadi's son and wife were injured; Laith Hammoudi, *Round-up of daily Violence in Iraq – Tuesday 18 November 2008*, McClatchy Newspapers, 18 November 2008, <http://www.mcclatchydc.com/212/story/56061.html>; on 11 October 2008, a roadside bomb targeted Mulla Mohammed Azad, Deputy Head of the Endowment Office in Kirkuk, injuring Azad, his wife and one of his security personnel; Sahar Issa, *Round-up of Daily Violence in Iraq – Saturday 11 October 2008*, McClatchy Newspapers, 11 October 2008, <http://www.mcclatchydc.com/212/story/53792.html>; and on 27 July 2008, two IEDs targeted local council member Zaki Obid in Fallujah. One exploded inside his garden, causing no casualties, and the other one was attached to his car, killing two of his guards and wounding Obid and his son; Laith Hammoudi, *Round-up of Daily Violence in Iraq – Sunday 27 July 2008*, McClatchy Newspapers, 27 July 2008, <http://www.mcclatchydc.com/212/story/45691.html>.

⁸⁸² For example, on 28 October 2008, the driver of Christian CoR member Yonadim Kanna was seriously injured when gunmen shot him while he was leaving a restaurant in Tuz area (Kirkuk); Laith Hammoudi, *Round-up of Daily Violence in Iraq – Tuesday 28 October 2008*, McClatchy Newspapers, 28 October 2008, <http://www.mcclatchydc.com/212/story/54873.html>; on 4 May 2008, Hiro Talabani, Iraq's First Lady, survived a roadside bomb explosion that targeted her convoy in central Baghdad. See Annex "*Government Officials*".

⁸⁸³ For example, on 28 January 2009, two police officers guarding a polling centre south of Kirkuk were killed by gunmen who fired at them from a passing car; on 27 January 2009, gunmen attacked and set fire to a designated polling centre south of Fallujah; on 3 January 2009, two schools that were to serve as polling stations for the provincial elections, were torched in the town of Garma, north-east of Fallujah. The police caught young boys, eleven and twelve years of age, who confessed to being members of

283. Members of the ISF are a major target for various armed groups and have been singled out for mass-casualty attacks (roadside bombs, suicide attacks), assassinations, and kidnappings. According to IBC, the Iraqi Police in particular presents “a relatively ‘soft’ occupation-associated target by comparison to well-armed and better protected foreign troops.”⁸⁸⁴ The Iraqi Coalition Casualty Count recorded on the basis of media reports that 8,916 members of the ISF have been killed since 2003.⁸⁸⁵ As with civilian casualties,⁸⁸⁶ monthly casualty rates have dropped significantly since the latter part of 2007, with an exceptional spike again during the military offensives in spring 2008 in Basrah, Sadr City and Missan. However, dozens of ISF continue to be killed every month, particularly in the Central Governorates.⁸⁸⁷ An analysis of recent attacks shows that a large number of ISF die in targeted attacks, at times when off-duty. Family members, guards and drivers of security officials are also at risk of being killed or wounded in attacks, which at times take place in their immediate vicinity, e.g. their homes or private vehicles.⁸⁸⁸

C. Iraqis (perceived to be) opposing armed groups or political factions

284. Iraqis openly criticizing or perceived to be opposing armed groups or political parties are at risk of being threatened, kidnapped or killed. This is in particular true for tribal/religious leaders, journalists, human rights activists or other professionals that express their dissatisfaction with local parties or armed groups, refuse cooperation, allege their involvement in violence, corruption or sectarianism or engage in reconciliation efforts. For

Ashbal Al-Qa’eda, an organization that recruits and trains boys; on 18 August 2008, gunmen ambushed a bus carrying election workers in the Abu Al-Khassib area south of Basrah, killing two of them and wounding a third person. The dead included the head of a local government committee preparing for provincial elections; on 14 April 2008, gunmen killed the head of an electoral station centre in Wajihyah east of Ba’quba (Diyala). See Annex “Government Officials”.

⁸⁸⁴ IBC, *Post-surge violence: its extent and nature*, 28 December 2008, <http://www.iraqbodycount.org/analysis/numbers/surge-2008/>.

⁸⁸⁵ Iraq Coalition Casualties Count, *Iraqi Deaths*, visited 21 February 2009, <http://icasualties.org/Iraq/iraqideaths.aspx> (further: “Iraq Coalition Casualties Count, *Iraqi Deaths*”).

⁸⁸⁶ See “*Civilian casualties*”.

⁸⁸⁷ Iraq Coalition Casualties Count recorded a total of 1,070 deaths in 2008, including 54 deaths in January 2009; 74 in December 2008; 27 in November 2008; 48 in October 2008; 98 in September 2008; 85 in August 2008; 98 in July 2008; 77 in June 2008; 110 in May 2008; 113 in April 2008; 161 in March 2008; 110 in February 2008; and 69 in January 2008; Iraq Coalition Casualties Count, *Iraqi Deaths*, see above footnote 885, visited 19 February 2009.

⁸⁸⁸ For example, on 9 February 2009, a roadside bomb detonated in front of the Lieutenant Faris Hatif’s house, a police officer in Intisar neighbourhood police station in Najef City. No casualties were reported, but the house was slightly damaged; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Monday 9 February 2009*, McClatchy Newspapers, 9 February 2009, <http://www.mcclatchydc.com/212/story/61803.html>; on 29 December 2008, a police officer, his wife and daughter were killed in Mahawil (Babel) by an adhesive bomb stuck to his car; Laith Hammoudi, *Round-up of Daily Violence in Iraq – Monday 29 December 2008*, McClatchy Newspapers, 29 December 2008, <http://www.mcclatchydc.com/212/story/58631.html>; on 4 November 2009, a police officer and his two sons were injured by an adhesive bomb that was stuck to their car in Karrada, Baghdad; Laith Hammoudi, *Round-up of daily Violence in Iraq – Tuesday 4 November 2008*, McClatchy Newspapers, 4 November 2008, <http://www.mcclatchydc.com/212/story/55247.html>; and on 28 August 2008, gunmen assassinated Iraqi Army Brigadier General Najam Abdullah and his wife in front of his house in Adel neighbourhood, Baghdad; Hussein Kadhim, *Round-up of Daily Violence – Thursday 28 August 2008*, McClatchy Newspapers, 28 August 2008, <http://www.mcclatchydc.com/212/story/50988.html>.

example, on 10 March 2009, at least 33 people were killed and more than 50 injured in a suicide bomb attack on a reconciliation gathering of Sunni and Shi'ite Muslim tribal leaders and security officials in a crowded market in Abu Ghraib in western Baghdad.⁸⁸⁹ On 2 January 2009, at least 24 tribal leaders who were meeting at the house of an influential Sunni sheik in the town of Yousifiyah (Babel) to discuss national reconciliation efforts were killed and as many as 42 others were wounded after a member of the tribe detonated an explosive vest among the guests.⁸⁹⁰ On 13 September 2008, gunmen killed Fouad Ali Hussein Al-Douri, a Sunni imam and Awakening council leader in the Jihad neighbourhood in western Baghdad. Reportedly, he had also been a proponent of reconciliation, promoting Sunni-Shi'ite co-existence in a neighbourhood of Baghdad especially affected by sectarian killings and displacement.⁸⁹¹ On 24 August 2008, gunmen killed Haider Al-Saymari, a Shi'ite cleric and follower of Grand Ayatollah Ali Al-Sistani, in an ambush on his car in Basrah. He was reportedly an outspoken critic of sectarian militias.⁸⁹² On 21 July 2008, gunmen killed Sheikh Abdul Ghaffar Abdullah when on his way to attend a reconciliation meeting in Abo Saida area north of Ba'quba.⁸⁹³ On 10 June 2008, two Turkmen leaders, Abdel Noor Mohammad Noor Al Tahan, Chieftain of Al-Obaid tribe, and Sheikh Mohammad Khalil Hansh, Chieftain of Al-Halaybek tribe, were killed by gunmen in Mosul. Both tribal leaders were strongly committed to the reconciliation process between tribes and were denouncing violence in Tal Afar (Ninewa).⁸⁹⁴ On 4 February 2008, three unknown gunmen opened fire at Sheikh Essam Fleih Hassani, Imam of Al-Mukhtar mosque, in central Samarra (Salah Al-Din), killing him instantly. Hassani was a member of the Sunni Association of Muslim Scholars (AMS) and was reportedly known for his opposition to armed groups, in particular AQI.⁸⁹⁵ On 12 December 2007, the headmaster and a teacher of a Boys' High School in Saidiyah (Diyala) were shot dead in front of their students, reportedly because they had openly criticized AQI.⁸⁹⁶

285. AQI and other insurgent groups continue to target Sunni Arabs involved in the political process, in particular members of the Iraqi Islamic Party (IIP), which they consider "traitors" and "collaborators".⁸⁹⁷ In September 2008, Abu Omar al-Baghdadi, the leader of the Islamic State in Iraq, issued a statement calling for the killing of IIP leaders.⁸⁹⁸

⁸⁸⁹ Jo Adetunji and Michael Ho, *Baghdad suicide bomber kills 33*, The Guardian, 10 March 2009, <http://www.guardian.co.uk/world/2009/mar/10/suicide-bomber-abu-ghraib>.

⁸⁹⁰ Timothy Williams and Riyadh Mohammed, *Suicide Attack Kills 24 at Iraqi Tribal Gathering*, NY Times, 2 January 2009, <http://www.nytimes.com/2009/01/03/world/middleeast/03iraq.html?ref=middleeast>.

⁸⁹¹ Sam Dagher, *Sunni proponent of reconciliation is killed*, IHT, 15 September 2008, <http://www.iht.com/articles/2008/09/15/africa/15iraq.php>.

⁸⁹² AP, *Gunmen kill Shiite cleric in southern Iraqi city of Basra*, 25 August 2008, http://www.iraqupdates.com/p_articles.php/article/35613.

⁸⁹³ Laith Hammoudi, *Round-up of Daily Violence in Iraq – Monday 21 July 2008*, McClatchy Newspapers, 21 July 2008, <http://www.mcclatchydc.com/212/story/44984.html>.

⁸⁹⁴ UNAMI, *June 2008 Human Rights Report*, p. 17, see above footnote 414.

⁸⁹⁵ VOI, *Anti-Qaeda cleric killed in Samarra*, 5 February 2008, http://www.iraqupdates.com/p_articles.php/article/26999.

⁸⁹⁶ Damien Cave and Khalid Al-Ansary, *Three Blasts Kill at Least 27 in Iraq*, NY Times, 13 December 2007, <http://www.nytimes.com/2007/12/13/world/middleeast/13iraq.html>.

⁸⁹⁷ In recent months, several IIP members have been targeted for assassination, in particular in Al-Anbar, Baghdad, Diyala, Ninewa and Salah Al-Din Governorates; see "Security in the Central Governorates".

⁸⁹⁸ VOI, *Armed group leader's call to kill Iraqi officials sign of al-Qaeda's failure – spokesman*, 11 September 2008, http://www.iraqupdates.com/p_articles.php/article/36359.

286. In the three Northern Governorates of Sulaymaniyah, Erbil and Dahuk as well as in areas under *de facto* control of the Kurdish parties, criticism of the ruling PUK and KDP can result in intimidation, beatings, arrest and detention and extra-judicial killings. Journalists are particularly at risk.⁸⁹⁹

D. (Perceived) members of armed opposition groups

1. (Perceived) members of armed opposition groups in the Central and Southern Governorates

287. Actual or suspected members or supporters of Sunni insurgent groups such as AQI, or Ansar Al-Sunna as well as Shi'ite militias (e.g. JAM or "Special Groups) are at risk of arbitrary arrest, often under violent circumstances, and may face ill-treatment and human rights violations at the hands of the ISF. Individuals suspected of "terrorist" or "militia" links are often held *incommunicado* under precarious physical conditions and without access to a defence council. They are held without charge or trial for prolonged periods of time, in some cases several years.⁹⁰⁰ There are numerous reports of "*widespread and routine torture or ill-treatment*" of detainees at the hands of the ISF, particularly those being held in pre-trial detention facilities. According to AI,

*"(P)olitical and security suspects are routinely tortured or ill-treated in prisons and detention facilities controlled by the Iraqi authorities."*⁹⁰¹

Often, torture is used in order to extract a confession.⁹⁰² Detainees held on terrorism or other security-related charges are at risk of facing grossly unfair trials at the CCCI or other criminal courts and may face the death penalty if convicted.⁹⁰³

288. The Kurdish *Asayish*'s practice to arrest and transfer Arabs and Turkmen from Mosul and Kirkuk to prisons inside the Kurdistan Region, which had first been reported by the Washington Post in June 2005,⁹⁰⁴ has largely been stopped since summer 2008.⁹⁰⁵ However, some Arabs and Turkmen arrested previously continue to be held by the *Asayish* inside the Kurdistan Region pending investigation.⁹⁰⁶

289. According to AI, former Iraqi Guantánamo inmates may be at risk of *incommunicado* detention upon return to Iraq. The whereabouts and legal status of four former detainees, who had been handed over to the Iraqi authorities in mid-January 2009, are currently unknown.⁹⁰⁷

⁸⁹⁹ See "Journalists and media workers in the three Northern Governorates".

⁹⁰⁰ See "Due process of law".

⁹⁰¹ AI, *Detainees held by USA at risk if transferred to Iraqi custody*, 5 January 2009, <http://www.amnesty.org/en/appeals-for-action/detainees-held-usa-risk-if-transferred-iraqi-custody>.

⁹⁰² See "Torture and ill-treatment".

⁹⁰³ See "Death penalty".

⁹⁰⁴ Steve Fainaru and Anthony Shadid, *Kurdish Officials Sanction Abductions in Kirkuk*, The Washington Post, 15 June 2005, <http://www.washingtonpost.com/wp-dyn/content/article/2005/06/14/AR2005061401828.html>.

⁹⁰⁵ UNAMI HRO, March 2009.

⁹⁰⁶ UNAMI, March 2009. See also UNAMI, *June 2008 Human Rights Report*, p. 26, see above footnote 414.

⁹⁰⁷ AI, *Iraq: The government must reveal the whereabouts of four ex. Guantánamo Detainees*, MDE 14/007/2009, 12 February 2009, <http://www.amnesty.org/en/library/asset/MDE14/007/2009/en/b0ffbda9->

2. (Perceived) members of Islamist groups in Northern Iraq

290. Actual or suspected members or supporters of Islamist armed groups such as Ansar Al-Islam may be at risk of ill-treatment and human rights violations at the hands of the Kurdish security forces. Individuals suspected of “terrorist” links are often held *incommunicado* for prolonged periods of time, in some cases for several years, without charge or trial by the Kurdish parties’ security and intelligence services. Many are arrested under violent circumstances and on the basis of vague accusations.⁹⁰⁸ Generally, detainees held by the *Asayish* have only limited access to lawyers. According to UNAMI HRO, suspects arrested on suspicion of involvement in terror-related incidents have been “*routinely singled out for violent treatment amounting to torture during investigations*”, including in order to extract confessions.⁹⁰⁹ Judicial sources interviewed by UNAMI HRO alleged

*“that torture remains prevalent as the Asayish leadership is alleged to sanction violent treatment for individuals suspected of affiliation to Islamists groups, particularly where corroborative evidence implicating these suspects is absent.”*⁹¹⁰

Persons convicted for terrorism-related offenses may face the death penalty under the KRG’s Anti-Terrorism Law (Law No. 3 of 2006).⁹¹¹

E. Iraqis affiliated with the MNF-I or foreign companies

291. As described by UNHCR in its previous positions on Iraq, civilians employed or otherwise affiliated with the MNF-I are at risk of being targeted by non-state actors. In areas where security has improved over the last year, the risks to persons affiliated with the MNF-I have diminished to some extent, but are still considerable given the continued influence of extremist groups. In areas where AQI and other insurgent groups continue to be present, in particular in Ninewa and Diyala Governorates, the risk of being targeted remains much higher. The risk is particularly high for persons working as interpreters for the MNF-I given their exposure and possible involvement in military activities, e.g. arrests, raids or interrogation of insurgent or militia members. Reportedly, some 300 interpreters have been killed in Iraq since 2003.⁹¹² There is also a heightened risk of attack in areas with a high concentration of foreign personnel such as the IZ or military compounds, particularly at checkpoints approaching these facilities and when travelling in military convoys.⁹¹³

[f9c0-11dd-b1b0-c961f7df9c35/mde140072009en.pdf](http://www.nytimes.com/2009/02/18/world/middleeast/18iraq.html); see also Marc Santora, *Iraq Says It Is Interrogating 4 Men Returned by U.S. From Guantánamo Prison*, NY Times, 17 February 2009, <http://www.nytimes.com/2009/02/18/world/middleeast/18iraq.html>.

⁹⁰⁸ See “*Due process of law*”.

⁹⁰⁹ See “*Torture and ill-treatment*”.

⁹¹⁰ UNAMI, *June 2008 Human Rights Report*, p. 26, see above footnote 414.

⁹¹¹ In June 2008, the KNA extended the application of the Anti-Terrorism Law for two additional years. See also “*Death penalty*”.

⁹¹² BBC, *Iraq translators’ mask ban dropped*, 6 December 2008, http://news.bbc.co.uk/2/hi/middle_east/7768041.stm.

⁹¹³ For example, on 24 November 2008, a female suicide bomber killed at least five people and wounded 12 others at a checkpoint by the entrance to the heavily-fortified International Zone; Reuters, *FACTBOX-Security developments in Iraq*, Nov 24, 24 November 2008, <http://www.alertnet.org/thenews/newsdesk/ANW421078.htm>.

292. So as to signal increasing security improvement and normalization, the US military in September 2008 issued an order that Iraqi MNF-I interpreters should no longer wear face masks when out in public working with MNF-I.⁹¹⁴ This caused great uneasiness among many interpreters, who fear being targeted. In early December 2008, in recognition of the still significant security risks faced by interpreters working for the MNF-I, the controversial order was rescinded, with the decision now left to troop commanders.⁹¹⁵

293. In addition, there are reports that the improved security makes it easier for people to settle old scores, i.e. to take revenge by killing persons, e.g. interpreters, that are held responsible for the arrest or killing of family members by the MNF-I.⁹¹⁶

294. Iraqi nationals employed by foreign companies are at risk of being attacked when outside a secure compound such as the IZ or a military base.⁹¹⁷

F. Tribal leaders and members of the Awakening Councils/SoI

295. Since tribal leaders and members of the Awakening Councils/SoI have turned against the insurgency, AQI and other insurgent groups started a systematic campaign against them.⁹¹⁸ Tribal leaders and members of the Awakening Councils/SoI are considered “traitors” for their alliance with the MNF-I or, after the transfer of responsibility, the Iraqi Government, and have been targeted by roadside bombs and suicide attacks as well as targeted kidnappings and killings.⁹¹⁹ Family members are often caught up in such attacks.⁹²⁰ On 29 December 2007, Al-Qa’eda chief Osama bin Laden speaking on audiotape, warned Sunni Muslims in Iraq not to take up arms against the AQI, saying those who did “*have betrayed the nation and brought disgrace and shame to their people. They will suffer in life and in the afterlife.*”⁹²¹ It followed an internet message from Abu Omar Al-Baghdadi, leader of the self-proclaimed Islamic State of Iraq, in which he announced on 4 December 2007 a new campaign against “*apostates*”, likely referring to the ISF and members of the Awakening Councils.⁹²² According to Lt. Col.

⁹¹⁴ Charles Pope, *Wyden urges military to allow Iraqi interpreters to continue disguising their identity*, The Oregonian, 20 November 2008, http://www.oregonlive.com/politics/index.ssf/2008/11/wyden_urges_military_to_allow.html; Ernesto Londoño, *Mask Ban Upsets Iraqis Hired as U.S. Interpreters*, The Washington Post, 17 November 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/11/16/AR2008111602040.html?referrer=emailarticlepg>.

⁹¹⁵ BBC, *Iraq translators' mask ban dropped*, 6 December 2008, http://news.bbc.co.uk/2/hi/middle_east/7768041.stm.

⁹¹⁶ Information received from UNAMI HRO, October 2008.

⁹¹⁷ AKE, *Security Briefings Iraq*, 9 October 2008, http://www.newssafety.com/index.php?view=article&catid=84%3AIraq-security&id=10202%3Aake-security-briefing&option=com_content&Itemid=100378.

⁹¹⁸ See “*Role of the Sons of Iraq*”.

⁹¹⁹ According to CFR Senior Fellow Max Boot AQI considers the SOI the most serious threat they face: “*That’s why they are putting so much effort into targeting Awakening members;*” Greg Bruno, *Finding a Place for the ‘Sons of Iraq’*, see above footnote 378. See also Annex “*Tribal figures and SoI leaders/members*” for a non-comprehensive overview of targeted attacks in 2008 and 2009.

⁹²⁰ See Annex “*Tribal figures and SoI leaders/members*”.

⁹²¹ AP, *Bin Laden warns Sunni Arabs in Iraq to back Al Qaeda*, 30 December 2007, <http://www.iht.com/articles/2007/12/30/africa/binladen.php>.

⁹²² AFP, *Shiite ‘Awakening’ members kidnapped in Baghdad*, 8 January 2008, <http://www.newssafety.com/index.php?view=article&catid=84%3AIraq->

Jeffrey Kulmayer, the US military's chief of reconciliation and engagement in Baghdad, 528 SoI members were killed and 828 wounded in 2008 alone.⁹²³

G. Members and associates of the Ba'ath Party and the former regime

296. UNHCR has, in its previous positions, detailed the risks faced by persons affiliated or associated with the former Government of Iraq, through membership in the Ba'ath Party or as a result of their functions or profession. Since the fall of that regime, and in particular since the elections in 2005, when Shi'ite parties came to power, these persons have been the subject to systematic attacks, mainly by Shi'ite militias. For various reasons, targeted attacks against former members and associates of the Ba'ath Party and the former regime also appear to have lessened to a large extent. One possible reason is that a large number of former Ba'athists and associates of the former regime have already fled Iraq since 2003 while those remaining have often been able to align themselves with the current parties in power and/or have been reemployed into the public sector or the ISF. Another reason is that Shi'ite militias have been lying low or were weakened after military operations in 2008. While members of the former Ba'ath Party and regime are no longer systematically targeted, they may still fall victim in individual cases, for example as a result of personal revenge of former victims or their families against perpetrators of detention, torture or other violations of human rights. While some killings of former Ba'athists or members of the former regime have been documented in the media in 2008 and 2009, mainly in the Central Governorates,⁹²⁴ other cases may go unreported,

[security&id=7624%3AShiite+%5C%5C%5C'Awakening%5C%5C%5C'+members+kidnapped+in+Baghdad&option=com_content&Itemid=100378.](http://www.iraqbodycount.org/analysis/numbers/surge-2008/)

⁹²³ Greg Bruno, *Finding a Place for the 'Sons of Iraq'*, see above footnote 378. IBC accounted for 549 SoI members killed between October 2007 and the end of November 2008. In parallel, the number of Iraqi police killed has been reduced (slightly less than 1,000 in 2008 compared to over 2,000 in 2007), showing that insurgents have partially shifted their focus from one group responsible for localised civil security to another; IBC, *Post-surge violence: its extent and nature*, 28 December 2008, <http://www.iraqbodycount.org/analysis/numbers/surge-2008/>.

⁹²⁴ For example, on 28 March 2009, gunmen assassinated a member of the former Ba'ath Party and his brother in Kerbala City; Laith Hammoudi, *Round-up of Daily Violence in Iraq - Saturday 28 March 2009*, McClatchy Newspapers, 28 March 2009, <http://www.mcclatchydc.com/212/story/65007.html>; on 21 March 2009, Iraqi Police found the body of a colonel in the former Iraqi Army in Al-Agaidat neighbourhood in central Mosul. There were signs of torture on his head; Sahar Issa, *Round-up of Daily Violence in Iraq - Saturday 21 March 2009*, McClatchy Newspapers, 21 March 2009, <http://www.mcclatchydc.com/212/story/64549.html>; on 7 March 2009, gunmen opened fire upon a Brigadier General of the former Iraqi Army in front of his home in western Mosul as he returned from prayers in the nearby mosque; Sahar Issa, *Round-up of Daily Violence in Iraq - Saturday 7 March 2009*, McClatchy Newspapers, 7 March 2009, <http://www.mcclatchydc.com/212/story/63482.html>; on 10 June 2008, gunmen killed Ali Hussein Ali, a former high-ranking army officer, while he was driving between Tikrit and Baiji (Salah Al-Din); on 6 June 2008, gunmen kidnapped a colonel of the former Iraqi intelligence when he was inside his car at the petrol station in Khadraa neighbourhood in downtown Kirkuk; on 5 May 2008, unknown gunmen kidnapped and assassinated Hamid Suleiman, a senior commander of the former Ba'ath party in Babel; on 12 March 2008, gunmen shot and killed a former official of Saddam Hussein's Ba'ath Party in Basrah; on 14 February 2008, gunmen shot and killed Staff General and commander of a division in the former Iraqi Army, Mejeed Mahmoud Hussein, as he was driving his car near the industrial area in south Samarra; on 27 January 2008, gunmen broke into the house of Ahmed Jwad Hashim, a former General Director in Baghdad Municipality during the former regime, in Talbiyah neighbourhood in eastern Baghdad, killing Hashim, his wife, daughter and son; and on 20 January 2008, unknown gunmen in a car opened fire on Rasheed Nsaeyf Jasim, a former local senior Ba'ath Party member, killing him near his house in Samarra (Salah Al-Din).

not the least because the exact motivation behind an attack may not always be known. Today, many former Ba'athists have found a new identity in the Iraqi society as politicians, professionals or tribal leaders). Attacks on professionals, tribal leaders or members of the current ISF may, therefore, still be motivated by the victim's role under the former regime, but in most cases it will not be possible to establish for what reason someone was targeted.

297. Members of the former Ba'ath Party and the former regime may further face discrimination on the basis of their affiliation with the former regime. The Justice and Accountability Law of January 2008, which was aimed at (partly) reversing the effects of the previous "De-Ba'athification" process, under which approximately 150,000 former Ba'athists, mostly Sunni Arabs, were excluded from government employment and pensions, is not yet being implemented, depriving many former Ba'athists and members of the former regime from government employment or pensions entitled under the law. There have also been reports that the Shi'ite-dominated Government is discriminating against former Ba'athists in public sector employment.⁹²⁵ Further, it cannot be ruled out that previous Ba'ath Party affiliation may increase the risk of a detainee to be subjected to unfair treatment or abuse if held in a Shi'ite-dominated detention facility.⁹²⁶

298. Other groups perceived as having supported or received preferential treatment by the former regime have also been targeted by Shi'ite militias, e. g. Palestinian, Ahwazi and Syrian refugees, Roma (*Kawliyah*) as well as professionals such as professors, teachers and artists, whose careers were (seemingly) advanced by membership in the Ba'ath Party.

H. Members of religious and ethnic minorities

299. UNHCR has provided in-depth information on the situation of religious and ethnic minorities, including Christians, Yazidis, Turkmen, Shabak, Kaka'i, Sabaeen-Mandaeans, Baha'i and Jews, since 2003. Political and religious extremism after the fall of the former regime has had a particularly harsh effect on minority groups, which commonly do not have strong political or tribal networks⁹²⁷ and represent soft targets for radical elements that consider them as "infidels" or supporters of the Iraqi Government and/or the MNF-I and pressure them to conform to strict interpretations of Islamic rules in terms of their dress,⁹²⁸ social patterns and occupations.⁹²⁹ Minority groups such as Yazidis, Shabak and Kaka'i, who are often identified

⁹²⁵ See "Justice and Accountability Law".

⁹²⁶ UNAMI HRO, March 2009.

⁹²⁷ US Department of State/Bureau of Democracy, Human Rights, and Labor, *International Religious Freedom Report 2008 – Iraq*, 19 September 2008, <http://www.state.gov/g/drl/rls/irf/2008/108483.htm> (further: "US Department of State, 2008 Religious Freedom Report").

⁹²⁸ Women of minority groups have been targeted for not conforming to strict Islamic dress codes, i.e. for not covering their hair; US Department of State, *2008 Religious Freedom Report*, see above footnote 927.

⁹²⁹ According to the US Department of State, "Islamist militants continued to harass shopkeepers for providing goods or services they considered to be inconsistent with Islam, and sometimes used violence against them for failing to comply with warnings to stop such activity." This affects in particular Christians and Yazidis that traditionally run liquor stores. The main challenge to religious freedom continued to be "violence conducted by terrorists, extremists, and criminal gangs." The report also noted that "radical Islamic elements from outside the Government exerted pressure on individuals and groups to conform to extremist interpretations of Islam's precepts, and sectarian violence, including attacks on clergy and places of worship, hampered the ability to practice religion freely." See: US Department of

as ethnic “Kurds”, have also been targeted based on their (perceived) Kurdish ethnicity. Shabak, Turkmen and Faili Kurds, who primarily adhere to the Shi’ite branch of Islam, have been targeted by Sunni Islamists on the basis of their sectarian identity. Since 2003, members of religious and ethnic minorities have become regular victims of discrimination, harassment and serious human rights violations, with incidents ranging from intimidation and threats to the destruction of property, kidnapping, rape, forced conversion and murder.⁹³⁰ As a result of sustained attacks on minority groups, their numbers have dwindled significantly since the fall of the former regime in 2003. According to UNAMI HRO, members of minority groups continue to be attacked with “total impunity”⁹³¹ and the US Commission on International Religious Freedom said that Iraq’s leaders were tolerating attacks on religious minorities.⁹³² Criminal groups have also singled out members of certain religious minorities given their particularly vulnerable status and/or their perceived wealth.

300. Minority groups such as the Christians, Yazidis and Shabak in the so-called “disputed areas”, in particular in Ninewa and Kirkuk Governorates, are on the fault lines of political power struggles among Arabs, Turkmen and Kurds.⁹³³ Various extremist groups target them with intimidation, harassment and even murder to stir ethnic-political tensions and/or further certain groups’ political agenda.⁹³⁴ The UN Secretary-General expressed concern over the

State, 2008 *Religious Freedom Report*, see above footnote 927. See also “*Person accused of Un-Islamic behaviour*”.

⁹³⁰ These are discussed in detail in UNHCR’s *Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-seekers* of August 2007, see above footnote 1. See also: Mokhtar Lamani, *Minorities in Iraq: The Other Victims*, The Center for International Governance Innovation, January 2009, <http://www.cigionline.org/cigi/download-nocache/Publications/specialrep/minorities>; Elizabeth Ferris and Kimberley Stoltz, *Minorities, Displacement and Iraq’s Future*, The Brookings Institution/University of Bern Project on Internal Displacement, December 2008, http://www.brookings.edu/~media/Files/rc/papers/2008/1223_minorities_ferris/1223_minorities_ferris.pdf; US Department of State, 2008 *Religious Freedom Report*, see above footnote 927; UNAMI, *June 2008 Human Rights Report*, p. 17-18, see above footnote 414; Minority Rights Group International, *State of the World’s Minorities 2008 – Iraq*, 11 March 2008, <http://www.unhcr.org/refworld/docid/48a7eafc.html>; Nina Shea, *Iraq’s Endangered Minorities*, The Washington Post, 27 August 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/08/26/AR2007082601004.html>; Minority Rights Group International, *Assimilation, Exodus, Eradication: Iraq’s Minority Communities since 2003*, February 2007, <http://www.unhcr.org/refworld/docid/469cbf9d0.html>.

⁹³¹ UNAMI, *June 2008 Human Rights Report*, p. 17, see above footnote 414.

⁹³² Commission chairwoman Felice Gaerhe said that “(T)he lack of effective [Iraqi] government action to protect these communities from abuses has established Iraq among the most dangerous places on Earth for religious minorities.” The bipartisan commission recommended that Iraq be designated a “country of particular concern” as a consequence of what it called the Iraqi Government’s tolerance of severe abuses of religious freedom out of a lack of capacity rather than “willful indifference”; Reuters, *U.S. Group Blasts Iraq Over Religious Minorities*, 16 December 2008, http://www.rferl.org/content/US_Group_Blasts_Iraq_Over_Religious_Minorities/1360481.html; Dan Robinson, *US Commission Reports Iraqi Religious Minorities Face Persecution*, VOA, 17 December 2008, <http://www.voanews.com/english/archive/2008-12/2008-12-17-voa3.cfm?CFID=118929259&CFTOKEN=60601763&jsessionid=de308e7faf0e12809206f1265f126d6051f>.

⁹³³ See “*Pending key political decisions*”.

⁹³⁴ Fadel, *Kurdish expansion squeezes northern Iraq’s minorities*, see above footnote 317; UN SC, *November 2008 Report*, p. 14, see above footnote 215.

alleged attempts to change the demographic make-up in the Governorates of Diyala, Kirkuk and Ninewa.⁹³⁵ UNAMI HRO

*“received numerous reports of families being forced to sell their property at low prices, and of the confiscation of their agricultural land and economic assets.”*⁹³⁶

301. It further said that it had received reports that members of minority groups were allegedly forced to identify themselves as Kurdish or Arab in order to obtain access to education or health services.⁹³⁷ An increasing number of threats against leaders of minority groups has been recorded.⁹³⁸ For example, on 12 July 2008, a prominent Shabak leader, Mullah Abbas Khadhim, was assassinated in Bashiqa in Ninewa Governorate. A few days earlier, he had reportedly received a threat from the Kurdish “*Asayish*” after calling for the Shabak community to preserve its identity, traditions and loyalty to the Ninewa region and criticizing Shabak members of the Kurdish parties.⁹³⁹ Various reports in the media reveal heightened tensions and the trading of serious accusations among the parties involved. For example, Kurdish Radio Nawa reported that the Iraqi Army intimidated and arbitrarily searched the homes of Kurdish villagers in Qaratapa⁹⁴⁰ and a Kurdish chief prosecutor of the town of Jalawla resigned, reportedly in protest against undue government interference and pressure to leave his post.⁹⁴¹ On the other hand, Arab inhabitants of Jalawla and Yazidis of Sinjar complained of intimidation, detention and extrajudicial killings at the hands of the Kurdish forces as part of an ongoing forced “Kurdification” campaign.⁹⁴² Senior KDP officials reject the allegations and say that “(A)ny incidents of intimidation or abuse are isolated and not a policy.”⁹⁴³ According to the US military,

*“(W)e hear allegations all the time. You’ll hear about Kurdish pressure; it will be everything from economic and political pressure to more concerning forced apprehension and murder.”*⁹⁴⁴

As reported in 2005, members of minorities fear undue pressure and political manipulation during forthcoming provincial elections.⁹⁴⁵

⁹³⁵ UN SC, *November 2008 Report*, p. 11, see above footnote 215.

⁹³⁶ *Ibid.*; UNAMI, *June 2008 Human Rights Report*, p. 17, see above footnote 414.

⁹³⁷ *Ibid.*

⁹³⁸ UN SC, *November 2008 Report*, p. 11, see above footnote 215.

⁹³⁹ Fadel, *Kurdish expansion squeezes northern Iraq’s minorities*, see above footnote 317.

⁹⁴⁰ KurdishMedia, *Iraqi army intimidate the Kurdistan population of Qaratapa*, 24 October 2008, <http://www.kurdmedia.com/article.aspx?id=15166>.

⁹⁴¹ VOI, *Chief prosecutor of northern disputed town resigns*, 5 October 2008, http://www.iraqupdates.net/p_articles.php/article/37402.

⁹⁴² Fadel, *Kurdish expansion squeezes northern Iraq’s minorities*, see above footnote 317; Campbell Robertson, *Followers of an ancient faith are caught in Iraq’s fault lines*, IHT, 14 October 2008, <http://www.iht.com/articles/10/14/africa/14yazidi.php>; Amit R. Paley, *Strip of Iraq ‘on the Verge of Exploding’*, The Washington Post, 13 September 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/09/12/AR2008091203584_pf.html.

⁹⁴³ Fadel, *Kurdish expansion squeezes northern Iraq’s minorities*, see above footnote 317.

⁹⁴⁴ Fadel, *Kurdish expansion squeezes northern Iraq’s minorities*, see above footnote 317.

⁹⁴⁵ According to international observers, the votes of some 300,000, mostly Yazidis, Assyrians and Turkmen, were not included in the count of the January 2005 provincial elections; Sebastian Maisel, *Social Change Amidst Terror and Discrimination: Yazidis in the New Iraq*, The Middle East Institute, Policy Brief No. 18, August 2008, p. 4, <http://www.mideasti.org/files/Yezidis-in-the-New-Iraq.pdf> (further: “Maisel, *Yezidis in the New Iraq*”); see also AFP, *Kurds accused of rigging Kirkuk vote*, 8 February 2005, <http://english.aljazeera.net/news/archive/archive?ArchiveId=19677>; AFP, *Ethnic tensions deepen over vote in northern Iraqi city*, 6 February 2006,

302. Targeted attacks on members of the various Christian denominations⁹⁴⁶ in Iraq also continued in 2008⁹⁴⁷ and included in particular a series of attacks on churches in Mosul and Kirkuk in January 2008,⁹⁴⁸ the kidnapping of four Christian activists from Al-Sakhra Church in Basrah,⁹⁴⁹ the killing of a Christian priest in Baghdad on 5 April 2008⁹⁵⁰ and the abduction and subsequent killing of the Chaldean Christian archbishop of Mosul in February/March 2008,⁹⁵¹ as well as a campaign of threats and targeted assassinations in Mosul between August and October 2008,⁹⁵² which resulted in the displacement of more than 10,000 Christians. Given the Iraqi Government's commitment⁹⁵³ to provide protection to Mosul's Christians and somewhat

http://www.institutkurde.org/en/info/index.php?subaction=showfull&id=1107790140&archive=&start_from=&ucat=2&

⁹⁴⁶ Current population estimates range from 550,000 to 800,000. About two thirds are Chaldeans, nearly one third are estimated to be Assyrians and the remainder are Syriacs, Armenians, Anglicans and other Protestants. It is estimated that up to 50% of the Christians live in Baghdad, with other large communities living in Ninewa, Erbil, Dahuk and Kirkuk Governorates; US Department of State, *2008 Religious Freedom Report*, see above footnote 927.

⁹⁴⁷ During the first six months of 2008, UNAMI HRO recorded 17 reports of attacks and kidnappings against Christians throughout Iraq, which resulted in at least ten assassinations. The majority of the attacks occurred in Mosul and the remainder in Basrah, Kirkuk and Baghdad; UNAMI, *June 2008 Human Rights Report*, p. 17, see above footnote 414.

⁹⁴⁸ On 17 January 2008, an abandoned car bomb exploded in Al-Shifaa neighbourhood in Mosul city near Al-Tahira church, killing one policeman and injuring one civilian and causing damage to the outer wall of the church; on 9 January 2008, a civilian was injured in a car bomb that targeted the Kirkuk Cathedral in downtown Kirkuk city. In a separate incident, two civilians were wounded in a car bomb attack on Mar Athram Orthodox church in downtown Kirkuk; and on 6 January 2008, three incidents in different areas of Mosul City targeted Christian churches and a monastery. A truck bomb targeted Virgin Mary church in Al-Muhandiseen neighbourhood, injuring five members of one family that lives in a house next to the church. Another roadside bomb targeted a monastery and a truck bomb exploded in front of Noor Church in Al-Noor neighbourhood, causing no casualties; Sahar Issa, *Round-up of Daily Violence in Iraq*, Thursday 17 January 2008, McClatchy Newspapers, 17 January 2008, <http://www.mcclatchydc.com/212/story/24913.html>; Laith Hammoudi, *Round-up of Daily Violence in Iraq* – Wednesday 9 January 2008, McClatchy Newspapers, 9 January 2008, <http://www.mcclatchydc.com/212/story/24515.html>.

⁹⁴⁹ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

⁹⁵⁰ On 5 April 2008, gunmen assassinated Yousif Adel, an Assyrian Orthodox priest in Mar Botrous church, near his home in Karrada District in Baghdad; BBC, *Iraqi priest shot dead in Baghdad*, 5 April 2008, http://news.bbc.co.uk/2/hi/middle_east/7332339.stm.

⁹⁵¹ On 29 February 2008, gunmen kidnapped the archbishop of the Chaldean Catholic Church in Mosul, Paulos Faraj Rahho, and killed three of his companions in eastern Mosul city. Reportedly, the kidnappers demanded that Christians contribute to the *jihad*, or the holy war, that a number of Arab detainees be released from custody and that they be paid three million dollars for Rahho's release. Two weeks later, the archbishop's body was found buried in a shallow grave near Mosul. In May 2008, an AQI leader was sentenced to death for the murder of Rahho; Reuters, *Iraq to execute al Qaeda leader in bishop murder*, 18 May 2008, <http://uk.reuters.com/article/featuredCrisis/idUKCOL85657520080518>; AFP, *Weeping Christians bury Iraqi archbishop*, 13 March 2008, <http://afp.google.com/article/ALeqM5i4rtLsZiUTKmZNICMQbPeypoK7Ow>.

⁹⁵² According to various media reports, a Christian music store owner was killed and his nephew injured when gunmen attacked the store on 13 October 2008, four Christians were killed in different neighbourhoods and three vacant houses of Christians were blown up on 11 October 2008, two Christian men were killed on 8 October 2008, two other Christian men on 7 October and one Christian was killed on 28 September 2008.

⁹⁵³ At a conference in Baghdad on Islamic-Christian dialogue on 3 November 2008, PM Al-Maliki pledged to protect Iraq's Christian minority: "We all feel ashamed that such disgusting events take place in Iraq

improved security conditions, a number of displaced Christians decided to return to their homes; however, many are still too fearful to return. A renewed attack that led to the death of two Christian sisters and the wounding of their mother in Mosul on 12 November 2008⁹⁵⁴ and the reported execution-style killing of a Christian man on 15 January 2009⁹⁵⁵ underlined the fragility of the security situation. In December 2008, the Chaldean Auxiliary Bishop Shlemon Warduni of Baghdad warned that (foreign) evangelicals' activities in Iraq are putting the "*Christian minority at risk, exposing it to the unjust accusation of proselytism.*"⁹⁵⁶

303. In the current climate of religious intolerance, the conversion of a Muslim to Christianity would result in ostracism as leaving Islam is unacceptable in many communities and families. In certain cases, there is a risk that the convert might be killed by his/her own family members, who consider themselves disgraced by the person's conversion. According to *Shari'a* Law, a Muslim who converts to Christianity is considered an *apostate* and the punishment can be execution.⁹⁵⁷ Although not forbidden by law, Iraq does not recognize conversions from Islam to Christianity or to other religions. Converts have no legal means to register their change in religious status. Iraq's *Personal Status Law* (Law No. 188 of 1959) denies converts any inheritance rights. Furthermore, Muslims who convert to Christianity may, in practice, be subject to other forms of severe discrimination, as their family/community may force their spouses into divorce or confiscate their properties. In addition they are reportedly often harassed by government officials and police. It is highly unlikely that a crime committed against a convert, be it by his/her family or by Islamist groups, would be properly investigated and prosecuted in the Central and Southern Governorates.⁹⁵⁸

304. During the first half of 2008, UNAMI HRO documented nine attacks against members of the Shabak community,⁹⁵⁹ including five killings, mostly in Mosul.⁹⁶⁰ In May 2008, it was

where one man kills another for reasons of identity or religion and ethnic background. We will make all efforts to keep our Christian brothers honoured and respected in Iraq, for they are an essential component of its society;" IRIN, Christians trickling back to their homes in Mosul, 6 November 2008, <http://www.irinnews.org/Report.aspx?ReportId=81317>; Alissa J. Rubin and Stephen Farrell, Bombs Hit Mosul, as Christians Are Offered Protection, NY Times, 12 October 2008, <http://www.nytimes.com/2008/10/13/world/middleeast/13iraq.html>; Ankawa.com, Iraq's Prime Minister Nuri al-Maliki meets with MPs and Representatives of the Christian Community (translated from Arabic), 12 October 2008, <http://www.christiansofiraq.com/meetingwithalmaliki.html>.

⁹⁵⁴ VOI, 3 Christian Women Killed, Wounded in Mosul, 12 November 2008, http://www.iraqupdates.com/p_articles.php/article/39804; UNAMI, The SRSG shocked and outraged at the continuous killings targeting religious minorities, 12 November 2008, <http://www.uniraq.org/newsroom/getarticle.asp?ArticleID=860>.

⁹⁵⁵ See above footnote 537.

⁹⁵⁶ Carol Glatz, *Evangelical sects put Iraqi Christians in danger, Iraqi bishop says*, Catholic News Service, 4 December 2008, <http://www.catholicnews.com/data/stories/cns/0806084.htm>.

⁹⁵⁷ Although the Koran threatens apostates with eternal retribution, it does not clearly specify any punishment in this world. Rather, the punishment for apostasy is found in the *Hadith* (the written record of Prophet Mohammed's words and deeds). Although some contemporary Islamic scholars have repudiated the traditional interpretation that the punishment required for apostasy is death, it is still widely held. While there are no *Shari'a* courts in Iraq that could sentence a convert to death, individual actors may take matters into their own hands and carry out attacks against converts.

⁹⁵⁸ Information from UNHCR Iraq, February 2009. See also George Thomas, *Iraq's 'Safe Haven' a refuge from torture*, CBN News, 23 February 2009, <http://www.cbn.com/CBNnews/545200.aspx>.

⁹⁵⁹ The Shabak are mostly Shi'ite Muslims and are ethnically related to the Kurds and the Turkmen. Though some, and in particular the Kurdish parties, identify the Shabak as Kurds, they have their own values, traditions and dresses and consider themselves as a distinct ethnic group. According to Shabak leaders,

reported that the “Islamic State in Iraq”, which is dominated by AQI, distributed leaflets in Ninewa Governorate ordering the Shabak to leave the governorate immediately.⁹⁶¹ On 13 July 2008, a prominent Shabak leader, Mullah Abbas Khadhim, was assassinated in Bashiqa in Ninewa Governorate.⁹⁶² And on 7 January 2009, Shabaki lawmaker Hunain Al-Qaddo from the UIA said that he survived an assassination attempt in the town of Bartella near Mosul.⁹⁶³ The incident was denied by Ninewa Police, which said that bullets were shot into the air as part of a personal dispute between Al-Qaddo’s driver and the driver of a Ninewa Provincial Council member.⁹⁶⁴

305. Iraq’s Yazidis,⁹⁶⁵ who are often considered “infidels” and “devil worshippers” by Islamic extremists,⁹⁶⁶ have been targeted since 2003 with “killings, kidnappings, intimidations, and public campaigns to convert or kill them, as well as political and economic trespasses,” usually committed with impunity.⁹⁶⁷ In addition, they have been targeted for their (perceived) ethnic identity as Kurds as well as their (perceived) support for the US invasion and foreign presence in Iraq.⁹⁶⁸ On 14 August 2007, they were targeted in the deadliest attack since the fall of the former regime, when four suicide truck bombers killed more than 400 people and destroyed hundreds of houses in the Yazidi villages of Kahtaniya and Al-Jazeera in the Sinjar District.⁹⁶⁹ In the first half of 2008, UNAMI HRO recorded at least five Yazidis murdered in

there are an estimated 200,000 to 500,000 Shabaks in Iraq. They reside mainly in Ninewa (Mosul and in villages in the Ninewa Plains); see US Department of State, *2008 Religious Freedom Report*, see above footnote 927.

⁹⁶⁰ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

⁹⁶¹ Khidhr Domle, *Islamic Extremists Threaten Iraq’s Shabak Community*, The Kurdish Globe, <http://www.aina.org/news/20080507162633.htm>.

⁹⁶² See above footnote 939.

⁹⁶³ VOI, *Shabaki MP Survives Assassination Attempt in Mosul*, 7 January 2009, http://www.iraqupdates.com/p_articles.php/article/43037.

⁹⁶⁴ VOI, *Ninewa Police Deny Assassination Bid on Shabak MP*, 7 January 2009, http://www.iraqupdates.com/p_articles.php/article/43041.

⁹⁶⁵ The Yazidi people can be classified as a distinct religious group. The Yazidi religion is monotheistic and syncretistic, encompassing elements from Zoroastrianism, Manichaeism, Islam, Christianity, Judaism and Gnostic beliefs and traditions. It is disputed, even among the community itself as well as among Kurds, whether they are ethnically Kurds or form a distinct ethnic group. Most Yazidis speak *Kurmanji*, a Kurdish dialect. According to Yazidi leaders, the number of Yazidis in Iraq is between 500,000 to 600,000. Other estimates put their number at approximately 400,000. Yazidis reside mostly in the Governorate of Ninewa (mostly in the Sinjar mountain range, the Sheikhan area and the villages of Bahzani and Bashiqa near Mosul), while a minority of around 10% live in the Kurdistan Region (Dahuk Governorate); US Department of State, *2008 Religious Freedom Report*, see above footnote 927; Maisel, *Yezidis in the New Iraq*, p. 2, see above footnote 945.

⁹⁶⁶ The Yazidis worship *Malak Taus* (the “Peacock Angel”), the chief of angels, who is often equated by Muslims and Christians as the “fallen angel” or devil. For the Yazidis, however, devil and hell do not exist. Instead, the Yazidis believe that the souls of the dead repeatedly return to earth until they are purified. The central role of *Malak Taus* earned the Yazidis the undeserved reputation as “devil-worshippers” and has been the basis for a long history of persecution; Maisel, *Yezidis in the New Iraq*, p. 3, see above footnote 945; Encyclopaedia Britannica, *Yazidi*, <http://concise.britannica.com/ebc/article-9383110/Yazidi>.

⁹⁶⁷ For an overview of attacks against Yazidis, see Maisel, *Yezidis in the New Iraq*, p. 4, see above footnote 945.

⁹⁶⁸ *Ibid.*, p. 3.

⁹⁶⁹ Reuters/AFP, *U.S. Army Says Mastermind Of Iraqi Yezidi Attacks Killed*, 9 September 2007, <http://www.rferl.org/featuresarticle/2007/09/B4E819B4-B246-4D2D-9DD2-EE912F77DB52.html>; The

Sinjar.⁹⁷⁰ In the second half of 2008, several targeted attacks were reported in the media. On 2 November 2008, police found the bodies of a Yazidi couple strangled to death inside their house in Al-Bijaa area west of Mosul.⁹⁷¹ On 7 December 2008, gunmen shot down two Yazidis inside their liquor store in northern Mosul.⁹⁷² And on 15 December 2008, gunmen killed seven Yazidis, all from the same family, in the town of Sinjar.⁹⁷³ In recent years, the Yazidis' most important ritual, the annual pilgrimage to the holy shrine in Lalish (*Cejna Cemayya*), has not been held or only with restrictions due to ongoing threats and attacks.⁹⁷⁴

306. The situation of the remaining 3,500-5,000 Sabaeen-Mandaeans⁹⁷⁵ in Iraq remains of serious concern as they continue to be singled out by Sunni and Shi'ite extremists as well as criminals on the basis of their religion, profession and (perceived) wealth.⁹⁷⁶ In various religious edicts published on the internet, they have been denounced as "non-believers" who should be exterminated.⁹⁷⁷ The fact that Mandaeans generally have no tribal networks and live scattered in small groups, further increases their vulnerability.⁹⁷⁸ In addition, non-violence is a basic tenet of their religion.⁹⁷⁹ According to the Mandaean Human Rights Group (MHRG), there has been an increase in the number of attacks committed against members of the community in 2007 and early 2008.⁹⁸⁰ It accounted for 42 killings, 46 kidnappings, ten reported threats and 21 other attacks perpetrated between January 2007 and February 2008, many of them involving women and children.⁹⁸¹ Among those that were kidnapped for ransom, several were reportedly killed or remained missing despite ransom payments.⁹⁸² It was also reported that Islamic extremists threatened, kidnapped and killed Mandaeans for refusing to convert to

Telegraph, *Iraq bombs: 500 die in worst terror attack*, 20 August 2007, <http://www.telegraph.co.uk/news/main.jhtml?xml=/news/2007/08/16/wiraq316.xml>.

⁹⁷⁰ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

⁹⁷¹ VOI, *2 Yazidis killed west of Mosul*, see above footnote 534.

⁹⁷² VOI, *2 Yazidis running liquor store killed in Mosul*, see above footnote 536.

⁹⁷³ Reuters, *Gunmen kill seven from Iraqi family – police*, 15 December 2008, <http://www.alertnet.org/thenews/newsdesk/KAM523431.htm>.

⁹⁷⁴ Maisel, *Yezidis in the New Iraq*, p. 2, see above footnote 945.

⁹⁷⁵ According to the US State Department's 2008 Report on Religious Freedoms, there were about 30,000 Mandaeans in Iraq in 2003. Due to ensuing persecution and threats, the number has dwindled to between 3,500 and 5,000; US Department of State, *2008 Religious Freedom Report*, see above footnote 927; Similar figures are provided by the MHRG, which says that there are about 4,000 Mandaeans left in Iraq with over 80% having fled the country since 2003; MHRG, *Mandaean Annual Human Rights Report*, March 2008, p. 8, http://www.mandaeanunion.org/HMRG/Mandaean_Human_Rights_Annual_report-March_2008.pdf (further: "MHRG, *March 2008 Human Rights Report*"); see also Society for Threatened People, *25,000 of the 30,000 Mandaeans have already fled*, 3 July 2008, <http://www.gfbv.de/pressemit.php?id=1420&stayInsideTree=1>.

⁹⁷⁶ Traditionally, Mandaeans work as goldsmiths and many are well-educated and work as teachers or doctors. In addition to their religion, Mandaeans have been targeted on account of their professions and/or perceived wealth; Liz Sly, *'This is one of the world's oldest religions, and it is going to die.'*, Chicago Tribune, 16 November 2008, http://www.chicagotribune.com/news/nationworld/chi-iraq-sect_slynov16.0.2015980.story; Ashanti M. Alvarez, *Rutgers linguist works to preserve Mandaean language and culture*, 5 March 2008, <http://news.rutgers.edu/focus/issue.2008-03-05.4978939658/article.2008-03-05.2255399317>.

⁹⁷⁷ UNAMI, *June 2008 Human Rights Report*, p. 17, see above footnote 414.

⁹⁷⁸ US Department of State, *2008 Religious Freedom Report*, see above footnote 927.

⁹⁷⁹ Nadia Keilani, *Commentary: The woes of a peaceful and persecuted people*, CNN, 20 November 2008, <http://edition.cnn.com/2008/WORLD/meast/11/18/keilani.iraq/>.

⁹⁸⁰ MHRG, *March 2008 Human Rights Report*, p. 7, see above footnote 975.

⁹⁸¹ *Ibid.* and Appendix.

⁹⁸² US Department of State, *2008 Religious Freedom Report*, see above footnote 927.

Islam.⁹⁸³ For example, on 8 September 2008, a group of men used guns with silencers to shoot three Mandeans in their family jewelry store in a busy market in Al-Sha'ab District of Baghdad. Two brothers and an eight-year old boy were killed with multiple shots to their heads and chests; the store was reportedly looted.⁹⁸⁴ In February 2008, ten members of a Mandaean family, including several children, died in a targeted rocket attack on their house in Kut (Wassit). Reportedly, they had previously received threats from Islamists.⁹⁸⁵ MHRG also reported about economic discrimination endured by members of the community, including refusal of employment on account of their religion.⁹⁸⁶

307. Despite a drastic reduction in sectarian violence between Sunnis and Shi'ites, there continue to be reports of attacks on Sunnis living in Shi'ite-dominated areas and Shi'ites living in Sunni-dominated areas. Commonly, this type of violence is committed by extremist groups stirring sectarian strife.⁹⁸⁷ Sunnis and Shi'ites displaced from formerly mixed areas or areas in which they used to be a minority most frequently choose to return to areas in which their sect now constitutes a majority.⁹⁸⁸ According to UNAMI HRO, the small Sunni community in Basrah continues to be targeted with intimidation and property damage to forcibly evict them, kidnappings and assassinations. UNAMI HRO received a report of 15 cases of kidnapping and the killing of 12 Sunnis in Basrah.⁹⁸⁹ However, latest reports indicate that Sunnis are increasingly returning to Basrah.⁹⁹⁰

308. Despite some improvements as regards the legal situation of the Baha'i in Iraq,⁹⁹¹ members of this small religious community⁹⁹² continue to face administrative discrimination due to their not yet fully clarified legal situation⁹⁹³ and bureaucratic ignorance or idleness. In addition, they are potentially at risk of persecution at the hands of extremist groups, who may consider them "infidels" and/or supporters of Israel.

309. By 2008, the number of Jews in Iraq has reportedly dwindled to less than ten, mostly elderly persons.⁹⁹⁴ Given the ongoing climate of religious intolerance and extremism, these

⁹⁸³ *Ibid.*

⁹⁸⁴ Press release received from MHRG and MCI on 26 September 2008.

⁹⁸⁵ Society for Threatened People, *Planned terror destroys small religious community: Ten killed by rocket aimed at them*, 10 April 2008, <http://www.gfbv.de/pressemit.php?id=1259&stayInsideTree=1>.

⁹⁸⁶ MHRG, *March 2008 Human Rights Report*, p. 8, see above footnote 975.

⁹⁸⁷ See "Sectarian violence and segregation" and Annex "Sectarian violence".

⁹⁸⁸ IDP Working Group, *Internally Displaced Persons in Iraq – Update*, June 2008.

⁹⁸⁹ UNAMI, *June 2008 Human Rights Report*, p. 17, see above footnote 414.

⁹⁹⁰ UNHCR, February 2009.

⁹⁹¹ In April 2007, Decision No. 358 of 1975, which provided that civil status records can not indicate "Baha'i" as religion, was cancelled. Since then, reportedly a small number of Baha'i were issued national ID cards indicating their faith; however, it is reportedly not possible to change the declaration of faith in already existing ID cards, e.g. from "Muslim" to "Baha'i"; US Department of State, *2008 Religious Freedom Report*, see above footnote 927.

⁹⁹² The Baha'i leadership reported that there were less than 2,000 Baha'i in Iraq. They live scattered in small groups in various parts of the country; *Ibid.*

⁹⁹³ Law No. 105 of 1970, which prohibits the Baha'i faith in Iraq, runs counter to constitutional guarantees relating to freedom of religion; however, no lawsuit challenging the constitutionality of the law has been brought to court nor has the law been repealed; *Ibid.*

⁹⁹⁴ Peter Graff, *Reminiscences of Old Baghdad by One of Last Jews*, 9 November 2008, http://www.iraquupdates.com/p_articles.php/article/39630 (further: "Graff, *Reminiscences of Old Baghdad by One of Last Jews*"); US Department of State, *2008 Religious Freedom Report*, see above footnote 927;

Jews in Iraq continue to be at risk of harassment, discrimination⁹⁹⁵ and persecution for mainly religious reasons. Their material existence is threatened due to the lack of support networks and they are prevented from exercising their religious rites publically. The remaining Jews might also be suspected of links to Israel, with which Iraq continues to be in a state of war. Anti-Zionist feelings are prevalent.⁹⁹⁶ Finally, they may also be targeted on account of their advanced education and professions such as doctors or goldsmiths.⁹⁹⁷

310. In the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah, the rights of religious minorities are generally respected and they can worship freely without interference by the Kurdish authorities. A significant number of members of religious minorities, in particular Christians, have sought refuge in the region.⁹⁹⁸ The general population does not tolerate a Muslim's conversion to Christianity and, accordingly, law enforcement organs may be unwilling to interfere and provide protection to a convert at risk.⁹⁹⁹

I. Certain professionals

311. Since 2003, and as described by UNHCR in previous position papers, professionals such as academics, judges and lawyers, doctors and other medical personnel as well as athletes have been a prime target for various extremist groups. Motives for these attacks are multilayered. Professionals have been targeted for their (perceived) political opinion, their religion or ethnic background, their social status as well as for criminal motives. Many attacks appear to be motivated by extremist groups' aim to destroy Iraq's cultural, intellectual and

Stephen Farrell, *Baghdad Jews Have Become a Fearful Few*, NY Times, 1 June 2008, <http://www.nytimes.com/2008/06/01/world/middleeast/01babylon.html>.

⁹⁹⁵ One of the few remaining Jews reported that given their vulnerable situation, he is pressured to pay a disproportionately high rent by his landlord; Graff, *Reminiscences of Old Baghdad by One of Last Jews*, see above footnote 994.

⁹⁹⁶ This was shown after highly unpopular visits undertaken by Mithal Alousi, a Sunni secular politician, to Israel in September 2004 and September 2008. Alousi's latest visit to Israel stirred angry emotions in the CoR, which in a special session decided to ban Alousi from travelling outside Iraq or attending its sessions and recommended that he be prosecuted for "*dealing with the enemy*". The Supreme Court, however, in November 2008 turned down the CoR's decision to lift Alousi's immunity. Alousi reported that he received death threats after the visit. Iraqi President Jalal Talabani also caused controversy in July 2008 after he shook hands with Israeli Defence Minister Ehud Barak at a conference in Greece. Parliamentarians condemned him and some called for him to resign; see VOI, *URGENT / Court Turns Down Request to Strip MP Alusi of Immunity*, 25 November 2008, http://www.iraqupdates.com/p_articles.php/article/40491; LA Times, *Iraqi lawmaker's visit to Israel sparks outrage in parliament*, 15 September 2008, <http://latimesblogs.latimes.com/babylonbeyond/2008/09/iraq-iraqi-mp-u.html>; Waleed Ibrahim, *Iraq seeks to prosecute legislator for Israel trip*, Reuters, 14 September 2008, <http://www.alertnet.org/thenews/newsdesk/LE524212.htm>.

⁹⁹⁷ See "Certain professionals".

⁹⁹⁸ See for example, UNHCR, *Rapid Needs Assessment (RNA) of Recently Displaced Persons in the Kurdistan Region – Dahuk Governorate (May 2007 – June 2008)*, December 2008, <http://www.unhcr.org/refworld/docid/494131de2.html>; UNHCR, *Rapid Needs Assessment (RNA) of Recently Displaced Persons in the Kurdistan Region – Erbil Governorate (May 2007 – June 2008)*, December 2008, <http://www.unhcr.org/refworld/docid/4941387ac718.html>; IOM, *Governorate Profiles Dahuk, Erbil, Sulaymaniyah*, see above footnote 191, p. 3.

⁹⁹⁹ Information provided by UNHCR Iraq, February 2009. See also: IWPR, *Kurdish Christians Complain of Discrimination*, Iraqi Crisis Report No. 130, 28 June 2005, http://www.iwpr.net/?p=icr&s=f&o=244729&apc_state=heniicr2005.

political diversity, frustrate economic recovery and, ultimately, de-legitimize the Iraqi Government by spreading fear and terror.¹⁰⁰⁰ Another reason may be their (perceived) support for the Iraqi Government, the US military intervention or “Western” or “infidel” ideas in general, or their open criticism of extremist groups or groups in power.¹⁰⁰¹ Previous membership in the Ba’ath Party or (perceived) support for the former regime may be another possible motive.¹⁰⁰² In mainly 2006 and 2007, sectarianism was another motive for targeted attacks on professionals.¹⁰⁰³ There have also been reports of professors, teachers, doctors and lawyers threatened or killed by individuals out of anger over bad grades in exams, unsuccessful surgeries or legal representation of alleged offenders.¹⁰⁰⁴ This illustrates how worryingly commonplace violence has become as a means to settle disputes in Iraqi society due to the ineffectiveness of rule of law. A culture of impunity still prevails and most cases are not investigated, thus it is often impossible to know the perpetrators and establish their motives.¹⁰⁰⁵

¹⁰⁰⁰ According to Brendan O’Malley, author of a UNICEF-commissioned study, “(I)n Iraq, institutions are targeted (...), because factions believe they will have a better chance of creating the conditions in which they can seize control of the country if they can drive out the intellectuals through fear and violence;” Brendan O’Malley, *Education under attack*, Study commissioned by UNICEF, 27 April 2007, p. 16, <http://www.unesco.org/education/attack/educationunderattack.pdf>.

¹⁰⁰¹ Judges and lawyers are at risk to be killed when dealing with sensitive issues such as cases of corruption, terrorism or militia activities. For example, four judges that survived separate attacks on their lives in June 2008 have possibly been targeted in an attempt to pressure them to overturn recent death penalties imposed against JAM leaders; Mohammed Tawfeeq, *Iraqi judges targets of bombing attacks*, CNN, 30 June 2008, <http://edition.cnn.com/2008/WORLD/meast/06/30/iraq.judges/>. See also Tina Susman and Said Rifai, *IRAQ: For judges, danger and nowhere to call home*, LA Times Blogs, 3 September 2008, <http://latimesblogs.latimes.com/babylonbeyond/2008/09/iraq-no-safe-ha.html>.

¹⁰⁰² The killing on 5 March 2008 of University professor Abdul Sattar Tahir Sharif, who served as a minister under the former regime of Saddam Hussein, may have been linked to his previous affiliation with the former regime. Another possible motive may have been his criticism of the Kurdish parties’ lack of success in incorporating Kirkuk into the Kurdistan Region; see Michael Field, *Murdered ‘Kiwi’ in Iraq linked to Saddam Hussein*, Fairfax Media, 14 March 2008, <http://www.stuff.co.nz/4439895a10.html>.

¹⁰⁰³ Sectarian violence in 2006 and 2007 severely affected the neutrality of Iraqi institutions, which often turned into fiefdoms of sectarian groups. For example, in 2006/2007, there were numerous reports about JAM death squads operating under the cover of the Ministry of Health or Education or the FPS in public hospitals and universities, targeting Sunnis as well as others that did not conform with its views; see for example, Larry Kaplow, *In Iraq, The Doctors Are Out*, Newsweek, 18 October 2008, <http://www.newsweek.com/id/164496>; Babak Dehghanpisheh, *A Civil War On Campus*, Newsweek, 12 November 2007, <http://www.newsweek.com/id/67922>; Amit R. Paley, *Iraqi Hospitals Are War’s New ‘Killing Fields’*, The Washington Post, 30 August 2006, <http://www.washingtonpost.com/wp-dyn/content/article/2006/08/29/AR2006082901680.html>; CBS, *Death Squads In Iraqi Hospitals*, 4 October 2006, <http://www.cbsnews.com/stories/2006/10/04/eveningnews/main2064668.shtml>. Sectarianism had also escalated threats against legal professionals that were put under pressure to make judgments in favour of their co-religionists; see IRIN, *IRAQ: Justice delayed as lawyers live under threat*, 30 April 2008, <http://www.irinnews.org/Report.aspx?ReportId=71864>.

¹⁰⁰⁴ In October 2008, up to 200 doctors in the City of Kerbala temporarily closed their clinics, seeking protection from families and tribes who threaten revenge or ask for high amounts of compensation when a family/tribe member dies during a surgery. The doctors called upon the Iraqi Government to protect them; Azzaman, *Doctors refuse to work in Karbala following threats*, 14 October 2008, <http://www.azzaman.com/english/print.asp?fname=news%5C2008-10-14%5Ckurd.htm>.

¹⁰⁰⁵ According to the Iraqi Ministry of Human Rights, neither the Iraqi Government nor the MNF-I investigated the cases the Ministry recorded and forwarded for investigation; Azzaman, *340 academics and 2,334 women killed in 3 years, Human Rights Ministry says*, 1 July 2008, <http://www.azzaman.com/english/index.asp?fname=news%5C2008-07-01%5Ckurd.htm>; see also Clea Caulcutt, *Iraq’s deadly brain drain*, France 24, 11 May 2008, <http://www.france24.com/en/20080510->

312. While overall levels of violence, and particularly sectarian killings and high-casualty bombings, have decreased since mid-2007, targeted attacks against professionals are still a very common occurrence. While no official statistics are available, different sources show that professionals have been and continue to be targeted in significant numbers. According to various sources, several hundreds professors and academics have been killed since 2003¹⁰⁰⁶ and many others have been kidnapped, arrested or threatened.¹⁰⁰⁷ An analysis of the documented cases shows that there is not a particular field of study targeted, rather the killed academics came from a wide spectrum of disciplines, including medicine, engineering, science, art, education and others. Between January and December 2008, at least 17 academics have been killed, the large majority in targeted attacks.¹⁰⁰⁸ Also in the first three months of 2009, several academics were reportedly killed. On 14 March 2009, Ahmed Murad Shehab, a professor in Mosul University's Faculty of Administration and Economics was reportedly fatally shot in Al-Nur neighbourhood in Mosul. On 26 February 2009, gunmen reportedly shot and killed a literature professor at a cultural center in Mosul. On 11 February 2009, Izz Al-Din Khalaf Ayyoub, a psychology professor in Anbar University, was shot down by unknown gunmen when leaving his house near Fallujah. On 21 January 2009, a teacher in the town of Haswa (Babel) was killed when a bomb placed in his car exploded.¹⁰⁰⁹

313. The number of doctors and other medical personnel that have been kidnapped and/or killed since 2003 goes into the thousands¹⁰¹⁰ and continued also in 2008.¹⁰¹¹ Many more have

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- [iraqs-deadly-brain-drain-iraq](#); Zaineb Naji, *Iraq's Scholars Reluctant to Return*, IWPR, Iraqi Crisis Report No. 243, 18 January 2008, http://iwpr.net/?p=icr&s=f&o=342062&apc_state=henpicr.
- ¹⁰⁰⁶ Brussels Tribunal, an independent network of academics, collected a list of total 413 academics killed between April 2003 and 19 January 2009; Brussels Tribunal, *List of killed Iraqi academics*, updated 19 January 2009, <http://www.brusseltribunal.org/academicsList.htm>; according to the Iraqi Ministry of Higher Education, about 300 professors have been killed since 2003; Tina Susman, *Iraq too dangerous for many professionals*, LA Times, 5 October 2008, <http://www.latimes.com/news/nationworld/world/la-fg-displaced5-2008oct05.0.822267.story> (further: "Susman, *Iraq too dangerous for many professionals*"); the Iraqi Association of University Lecturers accounted for the killing of 235 academics between April 2003 and March 2008; Association of University Lecturers, *The Situation of Education in Iraq*, visited 21 October 2008, http://www.aps.org/programs/international/cases/upload/Iraq_Educ_Situation.pdf; and the Iraqi Ministry of Human Rights accounted for 340 killed academics between 2005 and 2007; Azzaman, *340 academics and 2,334 women killed in 3 years, Human Rights Ministry says*, 1 July 2008, <http://www.azzaman.com/english/index.asp?fname=news%5C2008-07-01%5Ckurd.htm>.
- ¹⁰⁰⁷ Association of University Lecturers, *The Situation of Education in Iraq*, visited 21 October 2008, http://www.aps.org/programs/international/cases/upload/Iraq_Educ_Situation.pdf.
- ¹⁰⁰⁸ Brussels Tribunal, *List of killed Iraqi academics*, updated 19 January 2009, <http://www.brusseltribunal.org/academicsList.htm>.
- ¹⁰⁰⁹ See Annex "Professionals".
- ¹⁰¹⁰ An ICRC report from March 2008, referring to official Iraqi sources, stated that since 2003, more than 2,200 doctors and nurses were killed and more than 250 were kidnapped; ICRC, *Iraq: No Let-Up in the Humanitarian Crisis*, 8 March 2008, p. 8, [http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/iraq-report-170308/\\$file/ICRC-Iraq-report-0308-eng.pdf](http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/iraq-report-170308/$file/ICRC-Iraq-report-0308-eng.pdf).
- ¹⁰¹¹ Incidents in 2008 included: on 14 December 2008, gunmen opened fire and wounded on Muzahim Al-Khayatt, the Dean of the College of Medicine, in Shifaa neighbourhood in west Mosul; on 1 December 2008, gunmen kidnapped Dr. Mohamed Mahmoud Al-Eissaa, a neurologist, as he headed to work in downtown Mosul; on 30 August 2008, police found the body of Dr. Tariq Muaeen, who had been kidnapped two days earlier in Mosul; on 25 June 2008, a bomb blast targeted the motorcade of the manager of the Kirkuk city hospital, Dr. Sabah Amin Al-Dawoudi, who narrowly escaped the bid on his life; on 16 June 2008, Dr. Barakat Kathem was killed in Balad Ruz (Diyala); on 15 May 2008, Sabbar

left their jobs or fled the country altogether.¹⁰¹² Some doctors in Baghdad have been virtually shut out from their clinics as they are located in a neighbourhood that is under control of another sect.¹⁰¹³ Those that continue to work in places like Baghdad, speak of conditions comparable to house arrest as they often live on the hospital premises.¹⁰¹⁴

314. Judges and lawyers have also been and continue to be targeted.¹⁰¹⁵ Most recently, on 4 March 2009, gunmen shot dead a lawyer after storming his office in central Kirkuk. On 7 February 2009, gunmen broke into the house of Kanan Majeed, a lawyer in Kanaan town east of Ba'quba (Diyala) and killed him.¹⁰¹⁶ According to the US Embassy in Baghdad, 38 Iraqi judges and six family members have been assassinated since 2003. In addition, 99 other judicial

Mahrooz Abdullah and his assistant, Dr. Ahmad Salah, were kidnapped in Tikrit; on 17 April 2008, Dr. Amer Lazem was killed in Baghdad; on 10 April 2008, surgeon Mohammad Abid Ali Al-Ta'ei was kidnapped in Hilla; on 9 March 2008, gunmen killed Dr. Khalid Nasir Al-Mayyahi, Director of the Training Hospital in Basrah, in a drive-by shooting outside the hospital; on 23 January 2008, Munther Mehrej Radi, Dean of the Faculty of Dentistry in Baghdad University was killed; and on 12 January 2008, Jinan Al-Sabbagh was killed in Basrah. See Annex "Professionals".

¹⁰¹² According to ICRC, at least 20,000 out of Iraq's 34,000 registered doctors in 1990 have left the country. A similar figure was provided by Salih Hasnawi, Iraqi Minister of Health, who said that out of 30,000 or more doctors in Iraq pre-2003, roughly half of them have fled. A Health Ministry official said in September 2008 that 8,000 doctors had left their jobs since 2003, either because they fled the country or keep a low profile out of fear; Larry Kaplow, *In Iraq, The Doctors Are Out*, Newsweek, 18 October 2008, <http://www.newsweek.com/id/164496>; Jomana Karadsheh, *Iraq works to reverse doctor brain drain*, CNN, 29 September 2008, <http://edition.cnn.com/2008/WORLD/meast/09/29/iraq.doctors/>; ICRC, *Iraq: No Let-Up in the Humanitarian Crisis*, 8 March 2008, p. 8, [http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/iraq-report-170308/\\$file/ICRC-Iraq-report-0308-eng.pdf](http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/iraq-report-170308/$file/ICRC-Iraq-report-0308-eng.pdf).

¹⁰¹³ Sarmad Ali, 'Purging the Brains is a General Phenomenon', 25 April 2008, <http://blogs.wsj.com/iraq/2008/04/25/purging-the-brains-is-a-general-phenomenon/>.

¹⁰¹⁴ Dahr Jamail, *IRAQ: Doctors in Hiding Treat as They Can*, IPS, 21 February 2009, <http://ipsnews.net/news.asp?idnews=45844>.

¹⁰¹⁵ In 2008, several cases were documented in the media, including a series of separate attacks against judges working at the Appeals Court in the Al-Resafa complex in Baghdad between 27 and 30 June 2008. The chief justice of Baghdad's Appeals Court in Al-Rusafa, Kamel Al-Shuweili, was shot dead and two more judges, Suleiman Abdallah and Ali Al-Allaq, were injured in separate attacks. Other incidents included: on 24 November 2008, gunmen killed a lawyer in a drive-by shooting in central Kirkuk while he was heading for work; on 10 October 2008, gunmen killed Weleed Salh Alazawee, a lawyer representing alleged Sunni insurgents, in Baghdad; on 1 September 2008, ten people were injured including five guards, when a suicide car bomb targeted the convoy of Abdul Ameer Mahdi, a judge of Tuz Khurmatu court, on the road between Kirkuk and Tuz Khurmatu; on 30 July 2008, gunmen using machine guns attacked a judge as he was leaving his home in Mosul, injuring the judge and one bodyguard. The judge died the following day of the wounds sustained in the attack; on 16 June 2008, gunmen shot lawyer Adel Hussein Al-Wagaa in his office in Mosul; on 22 May 2008, Judge Qasem Mohammad from the Abu Ghraib Court was seriously injured in a bomb attack; on 8 May 2008, Judge Rasheed Al-Manhal from the Diyala Appeals Court was kidnapped in Ba'quba; on 15 April 2008, gunmen killed a lawyer and her sister as they were their car in Mosul; on 2 April 2008, gunmen killed a female lawyer in Hay al Zahra', Mosul; on 29 February 2008, gunmen killed Judge Abid Jassim and his companion, the lawyer Ahmed Al-Luizi, when in east Mosul; on 14 January 2008, gunmen assassinated Judge Amir Jawdat Al-Na'ib, a member of the Cassation Court, while he was on his way to work in Baghdad; and on 1 January 2008, Judge Tahseen Omer Naji of the Kirkuk Supreme Court was rescued by security forces after he was abducted a day earlier. See Annex "Professionals".

¹⁰¹⁶ See Annex "Professionals".

employees have been targeted since June 2004.¹⁰¹⁷ According to Abdul Sata Bayrkdar, the speaker of Iraq's Highest Judicial Council, "*There is no judge in Iraq that hasn't been threatened.*"¹⁰¹⁸ In addition to the judges and judicial employees killed, Bayrkdar accounted for approximately 87 persons kidnapped or killed as a result of their family member's judicial profession.¹⁰¹⁹

315. An analysis of incidents recorded in 2008 indicates that most of the killings take place in Iraq's three major cities Baghdad, Mosul and Basrah. Attacks also occur in the other still violent central governorates of Diyala, Kirkuk and Salah Al-Din, and, to a lesser extent in the South (Babel, Wassit).¹⁰²⁰ The majority of the victims was shot by gunmen, sometimes after having been kidnapped and tortured. Typically, they were targeted in their classroom/office or on their way to and from work. Educational facilities, courthouses and hospitals also continued to be targeted in 2008.¹⁰²¹

¹⁰¹⁷ SIGIR, *October 2008 Report to Congress*, p. 50, see above footnote 215. See also Susman and Rifai, *IRAQ: For judges, danger and nowhere to call home*, see above footnote 1001.

¹⁰¹⁸ Martin Chulov, *The new Iraq: The bombing goes on, but the building has begun*, The Guardian, 23 December 2009, <http://www.guardian.co.uk/world/2008/dec/23/iraq-world-news>.

¹⁰¹⁹ *Ibid.*

¹⁰²⁰ This regional distribution does not come as a surprise. It reflects the fact that in absolute numbers most Iraqi professionals live in one of the major cities, which are also prone to most of the violence in the country. A similar picture is shown by statistics collected by the Iraqi Association of University Lecturers, which recorded the highest number of killed academics coming from (in descending order) Baghdad, Mosul, Basrah, Tikrit (Salah Al-Din), Diyala, Al-Anbar, Babel and other cities (Diwaniyah, Kufa, Kirkuk). In Baghdad, the three universities that accounted for the highest number of killed academics were Baghdad University, followed by Al-Mustansiriyah University and Al-Nahrain University; Association of University Lecturers *The Situation of Education in Iraq*, Table 1, visited 21 October 2008, http://www.aps.org/programs/international/cases/upload/Iraq_Educ_Situation.pdf.

¹⁰²¹ For example, on 13 January 2009, security forces defused an IED in a Tikrit University lecture hall; VOI, *IED Defused in Tikrit University Lecture Hall*, 14 January 2009, http://www.iraquupdates.com/p_articles.php/article/43341; on 2 December 2008, a bomb outside a primary school in Mosul killed four and wounded 12; Reuters, *Bombs kill 14 and wound many across Iraq*, 2 December 2008, <http://iht.com/articles/reuters/2008/12/02/africa/OUKWD-UK-IRAQ-VIOLENCE.php>; on 12 November 2008, a car loaded with explosives exploded outside a school in eastern Baghdad, setting nearby vehicles alight and injuring as many as 20 students and teachers; Richard Tomkins, *Car Bomb Targets Baghdad School, Children Injured*, ME Times, 13 November 2008, http://www.metimes.com/International/2008/11/13/car_bomb_targets_baghdad_school_children_injured/5282/; on 9 November 2008, a female suicide bomber detonated her explosives vest in the emergency room of a hospital near Fallujah, killing three people, including two doctors; Ernesto Londoño, *Suicide Blast in Emergency Room Near Fallujah Kills 3*, The Washington Post, 10 November 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/11/09/AR2008110902129.html>; on 8 October 2008, a female suicide bomber detonated an explosives vest in front of a courthouse in Ba'quba, killing 11 people and wounding 19; LA Times, *Female bomber kills 11 outside Iraqi courthouse*, 9 October 2008, <http://articles.latimes.com/2008/oct/09/world/fg-iraq9>; in June 2008, several students were killed at the Baghdad and Mosul universities when armed groups targeted their campuses; see Salem Areef, *More attacks reported against Iraqi universities*, Azzaman, 18 June 2008, <http://www.azzaman.com/english/index.asp?fname=news%5C2008-06-18%5Ckurd.htm>; and on 8 May 2008, a car bomb went off near a main courthouse in western Baghdad, killing at least five people and wounding 10. A week earlier, a roadside bomb killed at least nine people and wounded 46 near a courthouse in eastern Baghdad; Reuters, *Car bomb near Baghdad courthouse kills 5, wounds 10*, http://www.redorbit.com/news/general/495452/car_bomb_near_baghdad_courthouse_kills_5_wounds_10/index.html.

316. As previously documented by UNHCR, Iraqi athletes, coaches and athletic officials have also been targeted since 2003. In 2008, several targeted killings have also been reported.¹⁰²²

317. The Iraqi Government aims to halt the ongoing “brain drain” and to encourage the return of those professionals that have fled the country since 2003.¹⁰²³ It has launched advertising campaigns,¹⁰²⁴ increased the salaries of public employees,¹⁰²⁵ introduced various security measures to enhance the physical safety and working environment of doctors¹⁰²⁶ and judges,¹⁰²⁷ and offered new life insurance policies to professors and other business professionals.¹⁰²⁸ However, to date, only limited numbers of professionals have returned while others are still fleeing the country.¹⁰²⁹ The reported reasons for professionals’ reluctance to

¹⁰²² See Annex “Professionals”.

¹⁰²³ According to the Iraqi Government, some 350,000 Iraqis living abroad hold a university degree; Aseel Kami, *Iraq Appeals to Exiled Professionals to Come Home*, Reuters, 24 December 2008, http://www.iraqupdates.com/p_articles.php/article/42238.

¹⁰²⁴ Karadsheh, *Iraq works to reverse doctor brain drain*, see above footnote 1012; IRIN, *IRAQ: Drive to get doctors to return*, 4 August 2008, <http://www.irinnews.org/Report.aspx?ReportId=79599>. In his statement of 22 June 2008, PM Al-Maliki said “I urge expatriate Iraqis to return, especially doctors and other professionals, after the improvement in security and the success achieved by our armed forces in enforcing the law.” AFP, *PM urges Iraqi professionals to return home*, 22 June 2008, http://afp.google.com/article/ALeqM5jXtfti_TyloO04NAyTAw7Hb1cclig.

¹⁰²⁵ In June 2008, the Iraqi Government increased the salaries of public employees including teachers, professors, doctors, etc. up to 75%. One reason cited for the increase was to encourage professionals’ return; Ashraf Khalil, *Iraq is paging its expatriate doctors*, LA Times, 12 July 2008, <http://articles.latimes.com/2008/jul/12/world/fg-salaries12>.

¹⁰²⁶ For example, the government permitted doctors to carry guns for personal protection and committed to strengthen security at clinics and hospitals. It also plans to establish residential compounds inside and around hospitals to ensure the security for doctors and their families; Larry Kaplow, *In Iraq, The Doctors Are Out*, Newsweek, 18 October 2008, <http://www.newsweek.com/id/164496>; Patrick Cockburn, *Iraq allows doctors to carry guns for security*, The Independent, 17 October 2008, <http://www.independent.co.uk/news/world/middle-east/iraq-allows-doctors-to-carry-guns-for-security-964320.html>; IRIN, *Iraq: Move to allow doctors to carry guns provokes mixed reaction*, 8 October 2008, <http://www.irinnews.org/report.aspx?ReportID=80753>; Sameer N. Yacoub, *Iraq says doctors can carry guns for protection*, AP, 29 September 2008, <http://ap.google.com/article/ALeqM5jBjT55hdAtBDgXbtRNaDC82guOMgD93GJ9KO5>; Karadsheh, *Iraq works to reverse doctor brain drain*, see above footnote 1012; IRIN, *IRAQ: Drive to get doctors to return*, 4 August 2008, <http://www.irinnews.org/Report.aspx?ReportId=79599>.

¹⁰²⁷ A fortified judicial compound, the so-called Rusafa Rule of Law Complex in Baghdad, has been established in April 2007 in order to protect judges and their families. More such facilities are planned in other areas of Iraq, but have stalled over the reluctance of Iraq’s Higher Judicial Council; SIGIR, *October 2008 Report to Congress*, p. 50, see above footnote 215; Molly Hennessy-Fiske, *Iraqi jurists find themselves in a hazardous occupation*, LA Times, 26 August 2007, <http://articles.latimes.com/2007/aug/26/world/fg-judges26>.

¹⁰²⁸ Iraq’s state-owned National Insurance Company launched a new programme that offers life insurance policies covering acts of sectarian violence, terrorism, kidnapping, torture and homicide, bombings as well as accidental death to professors and other business professionals; Daniel Piper, *Iraq’s New Insurance Policy Against Brain Drain*, Fox News, 11 March 2008, <http://www.foxnews.com/story/0,2933,336448,00.html>.

¹⁰²⁹ According to the Iraqi Minister of Health, only about 800 health professionals, including doctors, pharmacists and dentists have returned to Iraq; Larry Kaplow, *In Iraq, The Doctors Are Out*, Newsweek, 18 October 2008, <http://www.newsweek.com/id/164496>; IRIN, *Iraq: Move to allow doctors to carry guns provokes mixed reaction*, 8 October 2008, <http://www.irinnews.org/report.aspx?ReportID=80753>. A spokesperson of the Ministry of Higher Education said that of the 6,700 professors that had left Iraq,

return include ongoing insecurity, political uncertainty, a lack of services as well as fears that intellectual freedoms continue to be limited given that relative security improvements since 2007 have not resulted in the strengthening of secular, liberal or democratic voices.¹⁰³⁰

J. Journalists and media workers

1. Central and Southern Governorates

318. In its previous positions, UNHCR described the many risks that journalists and media workers in Iraq face in relation to their work. While some have been killed in crossfire or other acts of war, the majority lost their lives in deliberate attacks on the basis of their ethnic/religious belonging and/or their (imputed) political opinion. Given that most Iraqi news and TV stations are partisan and owned by political parties or religious groups,¹⁰³¹ journalists and other media workers are often considered as representing a particular political or sectarian party or opinion.¹⁰³² Others have been targeted for investigating controversial political or other sensitive issues, including corruption or insurgent/militia activities. For example, on 21 July 2008, Soran Mama Hama, a reporter for the Kurdish-language magazine *Levin*, was shot dead in the City of Kirkuk. He was likely targeted for his reporting on local corruption and prostitution.¹⁰³³

319. Despite certain security improvements, the targeting of journalists and other media workers continues unabated. According to the UN Secretary-General, Ban Ki-moon,

*“(T)argeted assassinations of journalists (...) remain a deeply worrying feature of the security picture.”*¹⁰³⁴

320. Iraqi journalists and media workers continue to be threatened, kidnapped, killed or otherwise intimidated with impunity, mostly by non-state actors. While various sources provide different numbers as to the total number of journalists and media support staff killed in Iraq since 2003, the most conservative estimate from the Committee to Protect Journalists (CPJ), which requires more evidence to verify reported killings than other organizations, reported 136 journalists and 51 media support workers having been killed on duty by 14 December 2008.¹⁰³⁵

only about 150 had returned so far; Susman, *Iraq too dangerous for many professionals*, see above footnote 1006.

¹⁰³⁰ Khaled Yacoub Oweis, *FEATURE-Iraqi refugees in Syria reluctant to return*, Reuters, 12 February 2009, <http://www.alertnet.org/thenews/newsdesk/LB117593.htm>; Aseel Kami, *Iraq Appeals to Exiled Professionals to Come Home*, Reuters, 24 December 2008, http://www.iraqupdates.com/p_articles.php/article/42238; Susman, *Iraq too dangerous for many professionals*, see above footnote 1006.

¹⁰³¹ Missy Ryan and Khalid al-Ansary, *RPT-FEATURE-Iraq media booming, yet still in sectarian grip*, Reuters, 11 March 2009, <http://www.alertnet.org/thenews/newsdesk/LR651507.htm>; Hugh Sykes, *Iraq media in 'business of death'*, BBC, 29 September 2008, http://news.bbc.co.uk/2/hi/middle_east/7641056.stm.

¹⁰³² RSF, *Annual Report 2008 – Iraq*, 13 February 2008, http://www.rsf.org/article.php3?id_article=25432.

¹⁰³³ UNESCO, *Director-General condemns murder of Iraqi journalist Soran Mama Hama*, 30 July 2008, http://portal.unesco.org/ci/en/ev.php-URL_ID=27442&URL_DO=DO_TOPIC&URL_SECTION=201.html.

¹⁰³⁴ UN SC, *November 2008 Report*, p. 11, see above footnote 215.

¹⁰³⁵ The Iraqi Journalists Syndicate stated on 6 November 2008 that it had counted 292 media workers killed since March 2003, with an additional 18 journalists kidnapped and unaccounted for as of November

While the number of journalists killed began to fall towards the end of 2007 in parallel with relative security improvements in some troublesome areas of Iraq,¹⁰³⁶ Iraq continues to be the most dangerous place in the world for journalists.¹⁰³⁷ In 2008 (1 January to 14 December), CPJ reported 13 confirmed killings of journalists and media workers, in addition to three cases for which it still needs to be determined whether the killings were work-related.¹⁰³⁸ All of those killed were local journalists working for domestic media outlets. An analysis of the 13 killings documented by CPJ revealed that the majority took place in Mosul (six), while the others were distributed between Baghdad (two), Salah Al-Din (two), Basrah, Diyala and Kirkuk (one each). Two persons, whose car was struck by a roadside bomb in Balad on 29 January 2008, may not have been deliberately targeted. However, in all the other incidents, the victims seem to have been deliberately attacked. Most of them were killed by gunshots, some after having been kidnapped. Most received threatening letters or phone calls prior to their killing, urging them or their media outlet to stop working.¹⁰³⁹ According to CPJ, abductions, assaults and threats drove 22 Iraqi journalists into exile in 2008.¹⁰⁴⁰ Other incidents in 2008 included two major attacks on the Iraqi Journalists Syndicate, including the killing of the head of the syndicate, Shihab Al-Tamimi, in Baghdad in February 2008¹⁰⁴¹ and a bomb blast targeting the offices of the

2008. According to Reporters Sans Frontières (RSF), at least 223 journalists and media employees were killed (March 2003 – December 2008); IFJ says that at least 284 media workers have been killed (March 2003 – December 2008); the Iraqi Union of Journalists (IUJ) in Baghdad accounted for 286 journalists killed, often in targeted murders (March 2003 – September 2008); and the Iraqi MoI accounted for 276 journalists killed in Iraq (March 2003 – October 2008); IFJ, *Iraq, India and Mexico Most Deadly as 2008 Claims 109 Killings in Journalism*, says IFJ, 1 January 2009, <http://www.ifj.org/en/articles/iraq-india-and-mexico-most-deadly-as-2008-claims-100-killings-in-journalism-says-ifj>; CPJ, *Journalists Killed in 2008: 41 Confirmed*, 14 December 2009, <http://cpj.org/deadly/2008.php>; RSF, *223 journalists and media assistants killed since the start of fighting in Iraq in March 2003, two still missing, 14 are kidnapped*, visited 31 December 2008, http://www.rsf.org/special_iraq_en.php3; VOI, *292 journalists killed in Iraq since 2003 – syndicate*, 6 November 2008, http://www.iraqupdates.com/p_articles.php/article/39484; Aseel Kami, *Iraqi police mobilise team to protect reporters*, Reuters, 8 October 2008, <http://in.reuters.com/article/worldNews/idINIndia-35858920081008>.

¹⁰³⁶ IFJ, *Deadly Stories 2007*, 2008, p. 35, <http://www.ifj.org/assets/docs/101/215/48f5565-778f0d7.pdf>.

¹⁰³⁷ IFJ, *Perilous Assignments – Journalists and Media Staff killed in 2008*, 2009, pp. 2, 27, <http://www.ifj.org/assets/docs/051/091/eb26233-523985b.pdf>; CPJ, *For sixth straight year, Iraq deadliest nation for press*, 18 December 2008, <http://cpj.org/reports/2008/12/for-sixth-straight-year-iraq-deadliest-nation-for.php>. See also: Annex “Journalists and media workers”.

¹⁰³⁸ CPJ, *Journalists Killed in 2008: 41 Confirmed*, 14 December 2009, <http://cpj.org/deadly/2008.php>. The International News Safety Institute (INSI) and RSF documented 16 journalists and support workers killed in Iraq in 2008; INSI, *Another bloody year for the world's news media*, 6 January 2009, http://www.newssafety.com/index.php?option=com_content&view=article&id=11090&catid=314&Itemid=100077. In addition, IFJ accounted for 16 journalists and media workers killed in 2008; IFJ, *The IFJ Says Impunity and “Callous Indifference” Remain Threats as New Wave of Media Killings Wipes out Optimism Over Death Toll in 2008*, 4 February 2009, <http://www.ifj.org/en/articles/the-ifj-says-impunity-and-callous-indifference-remain-threats-as-new-wave-of-media-killings-wipes-out-optimism-over-death-toll-in-2008>.

¹⁰³⁹ CPJ, *Journalists Killed in 2008: 41 Confirmed*, 14 December 2009, <http://cpj.org/deadly/2008.php>.

¹⁰⁴⁰ CPJ, *Journalists in Exile*, 18 June 2008, http://www.cpj.org/Briefings/2008/exiles_08.html.

¹⁰⁴¹ According to SRSF Staffan de Mistura, “(t)he killing of Mr. Al-Tamimi is an example of the dangers faced daily by journalists in Iraq;” UNESCO, *Director-General condemns murder of Shihab al-Tamimi, President of the Iraqi Syndicate of Journalists*, 3 March 2008, http://portal.unesco.org/ci/en/ev.php-URL_ID=26112&URL_DO=DO_TOPIC&URL_SECTION=201.html

¹⁰⁴¹ UN News Centre, *Iraq: top UN envoy speaks out against attacks on journalists*, 29 February 2008, <http://www.un.org/apps/news/story.asp?NewsID=25800&Cr=iraq&Cr1>.

syndicate on 20 September 2008, wounding Al-Tamimi's successor Muaid Al-Lami and four others.¹⁰⁴² Media outlets also continue to be attacked.¹⁰⁴³

321. There are also regular reports about journalists subjected to harassment by the ISF and the MNF-I for alleged links with armed groups, including unlawful searches, confiscation of computers and other personal belongings, arbitrary arrest and prolonged detention without being charged.¹⁰⁴⁴ Anecdotal evidence reportedly suggests that the ISF hamper media access to the scene of terrorist attacks in order to limit public reporting on incidents potentially undermining the Iraqi Government's grip on security.¹⁰⁴⁵ Some journalists have also been killed by MNF-I.¹⁰⁴⁶ There have also been reports of journalists being harassed, beaten and otherwise mistreated by the ISF.¹⁰⁴⁷

322. According to CPJ, Iraq has the worst record for failing to solve murders of journalists, with around 80 unsolved killings.¹⁰⁴⁸ Recently, the Iraqi Government vowed to hold accountable those behind the killings of journalists and to take measures to protect them. In

¹⁰⁴¹ Reuters, *Bomb outside Iraq's journalist union wounds boss*, 20 September 2008, <http://www.alertnet.org/thenews/newsdesk/LK241008.htm>; see also UNESCO, *Director-General condemns murder of Shihab al-Tamimi, President of the Iraqi Syndicate of Journalists*, 3 March 2008, http://portal.unesco.org/ci/en/ev.php-URL_ID=26112&URL_DO=DO_TOPIC&URL_SECTION=201.html.

¹⁰⁴² Reuters, *Bomb outside Iraq's journalist union wounds boss*, 20 September 2008, <http://www.alertnet.org/thenews/newsdesk/LK241008.htm>.

¹⁰⁴³ For example, on 21 September 2008, an explosive charge detonated near the building of Al-Bayyina newspaper in Baghdad, causing damage to the building; on 20 September 2008, a bomb blast in Baghdad outside the offices of the Iraqi Journalists Syndicate wounded the union's chief Muaid Al-Lami and four other people; on 19 August 2008, a mortar shell landed on the building of Al-Iraqiya and Al-Mosuliya satellite channels in eastern Mosul without causing any casualties; on 9 May 2008, a mortar bomb hit the roof of the BBC office in Baghdad, causing no casualties. See Annex "*Journalists and media workers*".

¹⁰⁴⁴ According to RSF, there has been an upsurge in the number of arrests of journalists by ISF/MNF-I on suspected terrorism involvement in 2008. It accounted for more than 20 journalists between 1 January and 3 September 2008, already more than the number of arrests in 2007. Those arrested were all released after spending days or even months in custody without any charges being made against them; RSF, *Call for release of Reuters photographer as arrests of journalists increase*, 3 September 2008, http://www.rsf.org/article.php3?id_article=28408; for example, AP photographer Bilal Hussein was released from MNF-I custody on 16 April 2008 after spending 735 day in detention. Hussein was considered a "*security threat*" by the MNF-I, but was never charged. He was released after an Iraqi judicial committee dropped legal proceedings against him and ordered his release under the new amnesty law; CPJ, *IRAQ: AP photographer walks free after two-year detention*, 16 April 2008, <http://www.cpj.org/news/2008/mideast/iraq16apr08na.html>.

¹⁰⁴⁵ AKE, *AKE security briefing*, 12 February 2009, http://www.newssafety.com/index.php?view=article&catid=84%3AIraq-security&id=11750%3AAake-security-briefing&option=com_content&Itemid=100378.

¹⁰⁴⁶ See Annex "*Journalists and media workers*".

¹⁰⁴⁷ After two journalists were brutally assaulted by members of the ISF in two incidents in Basrah in May 2008, RSF condemned the "*escalating*" number of assaults on journalists by Iraqi soldiers and ministerial bodyguards; RSF, *Assaults on journalists rise as two attacked in South*, 14 May 2008, http://www.rsf.org/article.php3?id_article=27025. See also Annex "*Journalists and media workers*".

¹⁰⁴⁸ Waleed Ibrahim, *Gunmen kill 4 Iraqi TV staff in Mosul*, Reuters, 13 September 2008, <http://www.alertnet.org/thenews/newsdesk/LD720606.htm>; see also IFJ, *New Iraq Media Deaths Spark IFJ Call for Report on All Unsolved Killings of Journalists*, 15 September 2008, <http://mena.ifj.org/en/articles/new-iraq-media-deaths-spark-ifj-call-for-report-on-all-unsolved-killings-of-journalists>.

October 2008, it announced the re-opening of the files of 49 journalists kidnapped or killed since 2003 whose cases have not been investigated yet.¹⁰⁴⁹ In cooperation with the Journalistic Freedoms Observatory (JFO), an Iraqi NGO defending reporters, it established a hotline that liaises with a special police squad set up to protect journalists at risk. The Government praised the hotline as a successful tool to thwart attacks on journalists and said that the new hotline had already helped save the lives of two journalists in Basrah. However, one of the journalists said that he continued to fear for his and his family's lives, given the powerful militia believed to be behind the threats, and the Iraqi authorities advised him to leave the country temporarily as an additional safety measure.¹⁰⁵⁰ JFO and the MoI also envisage introducing measures to facilitate journalists' movements, including the loan of helmets and bullet-proof vests when visiting conflict areas.¹⁰⁵¹

2. Three Northern Governorates

323. Officially, there is no censorship in the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah. However, most media outlets are controlled by either the KDP or the PUK and only a few, but very vocal independent outlets have been established since 2000, including the newspapers *Hawlati*, *Awene* and *Rozhnama* as well as the fortnightly magazine *Levin* and the Sweden-based online magazine *Kurdistanpost*.¹⁰⁵² Independent journalists and media organizations have repeatedly claimed that press freedom is restricted, and that the authorities are trying to clamp down on independent reporting. In particular, journalists considered as critical towards the Kurdish security forces, government officials or ruling political parties have been singled out for threats, intimidation and beatings as well as politically-motivated arrests and legal prosecution on charges of defamation resulting in fines or imprisonment (Article 433 of the Penal Code as applicable in the Kurdistan Region).¹⁰⁵³ According to UNAMI HRO, KRG officials insisted that actions taken against journalists in such instances are legal and appropriate accusing journalists of a lack of professionalism and poor standards of reporting, which result in inaccuracies and unsubstantiated allegations against public figures.¹⁰⁵⁴ For

¹⁰⁴⁹ Yaser Abbas, *Ministry reopens files of murdered journalists*, Azzaman, 10 October 2008, http://www.iraqupdates.com/p_articles.php/article/37731; see also RSF, "We won't let armed groups do as they please," interior minister tells Reporters Without Borders, 16 September 2008, http://www.rsf.org/article.php3?id_article=28573.

¹⁰⁵⁰ RSF, *Another interior ministry initiative to protect journalists*, 21 October 2008, http://www.rsf.org/article.php3?id_article=29024; Aseel Kami, *Iraqi police mobilise team to protect reporters*, Reuters, 8 October 2008, <http://in.reuters.com/article/worldNews/idINIndia-35858920081008>.

¹⁰⁵¹ RSF, *Another interior ministry initiative to protect journalists*, 21 October 2008, http://www.rsf.org/article.php3?id_article=29024.

¹⁰⁵² On developments in the Kurdistan media environment, see Joel Campagna, *The Other Iraq*, CPJ, May 2008, <http://cpj.org/reports/2008/05/the-other-iraq.php> (further: "Campagna, *The Other Iraq*").

¹⁰⁵³ AI, *Document – Iraq: Amnesty International deplores imprisonment of Kurdish doctor*, 2 December 2008, <http://www.amnesty.org/en/library/asset/MDE14/031/2008/en/1fb549f5-c128-11dd-9368-1fd51b1be7bc/mde140312008en.html>; UNAMI, *June 2008 Human Rights Report*, pp. 19-22, see above footnote 414; Anna Fifield, *Kurdistan's press pays for tackling corruption*, FT, 3 October 2008, http://www.ft.com/cms/s/0/9638d89e-9167-11dd-b5cd-0000779fd18c.dwp_uuid=17aab8bc-6e47-11da-9544-0000779e2340.html; Missy Ryan and Shamal Arqawi, *Kurdish journalists under assault in Iraq*, Reuters, 27 August 2008, <http://www.reuters.com/article/worldNews/idUSLQ27271020080827>; AI, *Death threats/fear of extrajudicial executions*, MDE 14/020/2008, 29 July 2008, <http://www.amnesty.org/en/library/asset/MDE14/020/2008/en/46281ce0-5e3e-11dd-a592-c739f9b70de8/mde140202008eng.pdf>.

¹⁰⁵⁴ UNAMI, *June 2008 Human Rights Report*, p. 20, see above footnote 414.

example, on 1 July 2008, Azad Arkuchi, the head of the public satellite television network Newroz, was beaten by armed men after being ambushed near Erbil. The assailants were described as wearing military uniforms and driving a police car. Arkuchi was reportedly bound and blindfolded, driven to an unknown destination and beaten. He was then left on a road late at night. On 3 June 2008, Journalist Rezgar Raza Chouchani was summoned by the Kurdish security forces in the town of Masief Salah Al-Din, just outside Erbil, reportedly in relation to an article he had written about corruption in the intelligence agency. He had reportedly received threats from *Zeravani* officials telling him to stop writing about the subject. He was released on 9 June 2008, but it is believed that the release was based on the condition that he gives up his work as a journalist for the *Berzan* newspaper and the *Horakurd* website.¹⁰⁵⁵

324. Journalists and writers may also be at risk of being targeted by Islamist groups. For example, on 1 August 2008, journalist Amanaj Khalil of the weekly *Rudaw* survived a shooting attack near Sulaymaniyah. Reportedly, he had received death threats in relation to one of his articles in which he wrote about the links between a Kurdish Islamic organization and the terrorist group Ansar Al-Islam.¹⁰⁵⁶

325. CPJ reported about 60 Kurdish journalists having been killed, threatened, attacked or taken to court in the first six months of 2008. The media watchdog said that “*the current trend appears to be toward a growing suppression of the press.*”¹⁰⁵⁷ AI reported that in around mid-July 2008, a list of 16 journalists and writers resident in the Kurdistan Region was circulated, threatening those named with death, including Soran Mama Hama, who was killed on 21 July 2008 in Kirkuk.¹⁰⁵⁸ Other journalists and writers mentioned on the list, all of whom are known to have been critical of the PUK and the KDP, received death threats shortly afterwards.¹⁰⁵⁹ A particularly sensitive issue is the implication of leading political figures in corruption and nepotism. Reportedly, Hawlati has been sued 35 times over stories relating to corruption.¹⁰⁶⁰ According to a senior US official in Baghdad,

“(T)here have been a number of instances in the past six months in which reporters have been harassed, detained, pressurised not to write about corruption.”¹⁰⁶¹

Journalists attempting to cover the Turkish ground incursion in February 2008 were reportedly assaulted by Kurdish security forces.¹⁰⁶²

¹⁰⁵⁵ See Annex “Journalists and media workers”.

¹⁰⁵⁶ *Ibid.*

¹⁰⁵⁷ Campagna, *The Other Iraq*, see above footnote 1052.

¹⁰⁵⁸ See above footnote 1033.

¹⁰⁵⁹ AI, *Death threats/fear of extrajudicial executions*, 29 July 2008, <http://www.amnesty.org/en/library/asset/MDE14/020/2008/en/46281ce0-5e3e-11dd-a592-c739f9b70de8/mde140202008eng.pdf>. According to the UN Secretary-General, “(T)he situation with regard to journalists and its implications for media independence and freedom was highlighted when a list of journalists who have been threatened because of their critical views of Kurdistan Regional Government policy was recently publicized,” UN SC, November 2008 Report, p. 11, see above footnote 215.

¹⁰⁶⁰ Anna Fifield, *Kurdistan’s press pays for tackling corruption*, FT, 3 October 2008, http://www.ft.com/cms/s/0/9638d89e-9167-11dd-b5cd-0000779fd18c.dwp_uuid=17aab8bc-6e47-11da-9544-0000779e2340.html.

¹⁰⁶¹ *Ibid.*

¹⁰⁶² UNAMI, *June 2008 Human Rights Report*, p. 19, see above footnote 414; Campagna, *The Other Iraq*, see above footnote 1052.

326. On 22 September 2008, the KNA passed the new Press Law (Law No.35)¹⁰⁶³ that should provide better protection of journalists' rights, abolish prison terms and reduce fines for offences such as defamation.¹⁰⁶⁴ In contrast to a controversial earlier version of the law, which was vetoed and sent back to the KNA for revisions by the KRG President after a widespread public outcry over its stipulated tough sanctions, the new law no longer foresees imprisonment of journalists and the closure or suspension of publications. However, the law still provides for heavy fines that can be imposed on journalists and journals¹⁰⁶⁵ and places restrictions on publishing, including prohibiting articles “(s)owing malice and fostering hatred, discord and disagreement among the components of society”, or “insulting religious beliefs”.¹⁰⁶⁶ The new law was signed by KRG President Massoud Barzani on 11 October 2008 and published in the Kurdistan gazette on 20 October 2008, bringing it into effect according to Article 14 of the law.¹⁰⁶⁷

K. UN and NGO workers, human rights activists

327. Since 2003, aid and human rights workers as well as their families have been targeted by extremist groups for their (perceived) collaboration with the MNF-I, the Iraqi Government or the “West” and “Western ideas” in general.

328. Despite the fact that UN agencies and international NGOs are slowly strengthening their international presence in Iraq, parallel to the relative security improvements,¹⁰⁶⁸ aid workers and human rights activists continue to be at risk of targeted violence, including

¹⁰⁶³ The law is available at: Kurdistan Region Presidency, *Press Law in the Kurdistan Region*, Law No. 35 of 2007, <http://www.krp.org/docs/PressLaw-KRI.pdf>.

¹⁰⁶⁴ Wrya Hama-Tahir, *Kurdish Press Law Draws Mixed Response in Iraqi Kurdistan*, IWPR, Iraqi Crisis Report No. 273, 17 October 2008, http://www.iwpr.net/index.php?apc_state=hen&s=o&o=l=EN&p=icr&s=f&o=347233; Reuters, *Parl't in Iraq's Kurdistan passes softer media law*, 23 September 2008, <http://www.alertnet.org/thenews/newsdesk/ANW319038.htm>.

¹⁰⁶⁵ Reporters and editors-in-chief can be fined 1 to 5 million ID (US \$869–4,345) and a newspaper will face fines of five million to 20 million ID (US \$4,345–17,380) for publishing articles that breach the law. The courts can double fines if violations are repeated (Article 9 of the law); CPJ, criticizing the earlier draft of the media law, said “(G)iven the tenuous financial situation of independent papers – several operate at losses or barely break even – the elastic language of the bill could allow pro-party judges to put critical newspapers out of business;” Campagna, *The Other Iraq*, see above footnote 1052.

¹⁰⁶⁶ Article 9 (First).

¹⁰⁶⁷ Despite the coming into force of the new law, the Criminal Court in Sulaymaniyah found Shwan Dawdi, editor-in-chief of the Kirkuk-based Hawal newspaper, guilty of three defamation charges filed by retired judge Kemal Mustafa, the former Director of Sulaymaniyah courthouse. Dawdi was jailed and fined 300,000 ID (US \$255) for publishing articles in 2004 on various court problems. On 13 November 2008, the verdict was overturned by the Court of Appeal, which said that said that Dawdi should be tried under the new press law; CPJ, *Court of appeal overturns editor's sentence*, 13 November 2008, <http://cpj.org/2008/11/court-of-appeal-overturns-editors-sentence.php>. See also the case of Adel Hussein, who was sentenced to six months imprisonment and a fine by a court in Erbil on 24 November 2008 because of an article on homosexuality he wrote for the Hawlati newspaper; see below para. 331.

¹⁰⁶⁸ UNHCR, *Guterres visits Iraq's Anbar Province, announces opening of new UNHCR office*, 26 November 2008, <http://www.unhcr.org/news/NEWS/492d86eb2.html>; Tim Cocks, *Foreign aid workers slowly returning to Iraq*, Reuters, 31 July 2008, <http://www.reuters.com/article/latestCrisis/idUSL169856>.

kidnappings and killings.¹⁰⁶⁹ While UN international staff largely work out of the fortified IZ in Baghdad,¹⁰⁷⁰ local staff members, who live and often work in unprotected environments, take higher risks and continue to be subject to threats, intimidation or worse in relation to their work. UN and NGO local staff have been kidnapped and killed and others were forced to leave their family homes, constantly change their residence or left the country altogether. For example, on 18 October 2008, an employee of the Iraqi Red Crescent Society was killed in Ba'quba,¹⁰⁷¹ on 9 September 2008, Ahmed Mohie Al-Djemeili, Head of the Iraqi NGO Association of Widows, Orphans and Displaced was killed in Mosul,¹⁰⁷² on 26 June 2008, a WHO national staff member was seriously injured when an IED detonated under his private vehicle in Baghdad¹⁰⁷³ and on 14 April 2008, Abdel Karim Sabe, a civil society activist was killed in Diyala.¹⁰⁷⁴

329. Many UN and NGO workers and human rights activists are forced to disguise their employment, even within their families, out of fear. In most areas of Iraq, the UN remains dependent on the MNF-I to provide protection for its facilities and the facilitation of staff movements. This physical proximity to the MNF-I may be erroneously perceived as a lack of neutrality or support for the perceived “occupiers” or “invaders”. Like journalists, human rights workers are at additional risk because they typically criticize powerful and abusive structures or individuals. In addition, individual staff members remain at heightened risk of being kidnapped for the perceived financial value to be gained through ransom of a UN or NGO person.¹⁰⁷⁵

L. Persons accused of “un-Islamic” behaviour

330. Since 2003, inhabitants in areas under control of Sunni and Shi'ite extremist groups have been increasingly pressured to follow strict Islamic rules and were otherwise intimidated or even killed. Liquor, music or barber shops were regularly attacked as were persons considered to be dressing or behaving in an “un-Islamic” way. Numerous singers, musicians and other artists fled the country in recent years.¹⁰⁷⁶ This happened, for example, in Basrah, where Shi'ite extremists had been terrorizing the population. Recent security developments in some areas of Iraq resulted in the re-establishment of a certain amount of freedom for the civilian population and strict Islamic rules appear to have been eased.¹⁰⁷⁷ However, there

¹⁰⁶⁹ According to the UN Secretary-General, “(T)he United Nations continues to face multiple collateral and direct threats which, in combination, translate into high security risks for United Nations personnel, assets and operations;” UN SC, *November 2008 Report*, p. 13, see above footnote 215.

¹⁰⁷⁰ Though attacks on the International Zone have sharply decreased since the end of fighting in Sadr City in May 2008, attacks continue to occur. On 29 November 2008, two foreign contractors working for UNAMI were killed and 15 others were wounded in a rocket attack; Katherine Zoepf, *Rocket Kills 2 Contract Workers at U.N. Compound in Baghdad*, NY Times, 29 November 2008, <http://www.nytimes.com/2008/11/30/world/middleeast/30iraq.html>.

¹⁰⁷¹ UNAMI HRO, October 2008.

¹⁰⁷² VOI, *NGO official assassinated in Mosul*, 10 September 2008, http://www.iraquupdates.com/p_articles.php/article/36258.

¹⁰⁷³ UN SC, *July 2008 Report*, p. 13, see above footnote 320.

¹⁰⁷⁴ UNAMI, *June 2008 Human Rights Report*, p. 11, see above footnote 414.

¹⁰⁷⁵ UNAMI SSU, October 2008.

¹⁰⁷⁶ See for example Afif Sarhan and Caroline Davies, *Iraqi artists and singers flee amid crackdown on forbidden culture*, The Observer, 11 May 2008, <http://www.guardian.co.uk/world/2008/may/11/iraq>.

¹⁰⁷⁷ US Department of State, *2008 Religious Freedom Report*, see above footnote 927; see also Abdelamir Hanun, *Dancing, partying ‘banned’ in holy city of Karbala*, 26 October 2008, The Australian,

continue to be occasional attacks on music stores, hairdresser saloons and alcohol shops in areas where extremist groups still have a presence, in particular in Mosul,¹⁰⁷⁸ Baghdad¹⁰⁷⁹ Kirkuk¹⁰⁸⁰ and Basrah.¹⁰⁸¹ There are concerns over the possible return of extremist groups.¹⁰⁸²

<http://www.theaustralian.news.com.au/story/0,25197,24555154-12377,00.html>; Larry Kaplow, *The Booze Is Back in Baghdad*, Newsweek, 30 June 2008, <http://www.newsweek.com/id/142639/output/print>; Deborah Haynes, *The men in black vanish and Basra comes to life*, The Times, 25 April 2008, <http://www.timesonline.co.uk/tol/news/world/iraq/article3671861.ece>; Aref Muhammed, *FEATURE-Music and weddings in Basra, for now*, Reuters, 30 April 2008, <http://www.alertnet.org/thenews/newsdesk/L26490334.htm>.

¹⁰⁷⁸ For example, on 26 March 2009, gunmen wounded a liquor store owner and his son when they hurled a hand-grenade into his shop in central Mosul; Reuters, *FACTBOX-Security developments in Iraq*, March 27, 27 March 2009, <http://www.alertnet.org/thenews/newsdesk/ANS729429.htm>; on 7 December 2008, gunmen shot down and killed two Yazidis inside their liquor store in Mosul; VOI, *2 Yazidis running liquor store killed in Mosul*, see above footnote 536; on 12 January 2008, gunmen burnt an alcohol shop in Dibka village near Makhmour town in Ninewa, injuring the shop owner; Laith Hammoudi, *Round-up of Daily Violence in Iraq – Sunday 13 January 2008*, McClatchy Newspapers, 13 January 2008, <http://www.mcclatchydc.com/212/story/24714.html>; and on 13 December 2007, unknown gunmen killed a female hairdresser in her house in eastern Mosul; VOI, *Female hairdresser killed, 5 cops injured in Mosul*, 14 December 2007, http://www.iraquupdates.com/p_articles.php/article/25034.

¹⁰⁷⁹ In Baghdad, liquor shops have reopened in certain areas, usually close to ISF/MNF-I checkpoints, but remain a potential target for bomb attacks. For example, on 6 February 2009, a roadside bomb planted by the wall of a liquor store in Mansour neighbourhood was found by a police patrol and later detonated under control, causing material damages to the store; Sahar Issa, *Round-up of Daily Violence in Iraq – Friday 6 February 2009*, McClatchy Newspapers, 6 February 2009, <http://www.mcclatchydc.com/212/story/61656.html>; on 23 November 2008, a roadside bomb detonated near a liquor shop close on Sadoun Street in central Baghdad, wounding seven persons; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 23 November 2008*, McClatchy Newspapers, 23 November 2008, <http://www.mcclatchydc.com/212/story/56337.html>; on 19 November 2008, two roadside bombs detonated near liquor shops in the Karrada neighbourhood of Baghdad, injuring five persons and causing damages to two shops; Hussein Kadhim, *Round-up of Daily Violence in Iraq-Wednesday 19 November 2008*, McClatchy Newspapers, 19 November 2008, <http://www.mcclatchydc.com/212/story/56135.html>; on 20 July 2008, gunmen threw a hand grenade at a car selling alcoholic beverages, parked on the Jadriyah Bridge in Baghdad, injuring four civilians; Sahar Issa, *Round-up of Daily Violence in Iraq, Sunday 20 July 2008*, McClatchy Newspapers, 20 July 2008, <http://www.mcclatchydc.com/212/story/44878.html>; see also Reuters, *Alcohol returns to Baghdad*, 9 July 2008, <http://www.independent.co.uk/news/world/middle-east/alcohol-returns-to-baghdad-862969.html>; Laith Hammoudi, *Alcohol is flowing again in Baghdad*, McClatchy Newspapers, 1 July 2008, <http://www.mcclatchydc.com/103/story/42827.html>.

¹⁰⁸⁰ For example, on 22 December 2008, gunmen kidnapped the owner of a liquor store from Al-Khadhraa neighbourhood in downtown Kirkuk; Laith Hammoudi, *Round-up of Daily Violence in Iraq – Tuesday 23 December 2008*, McClatchy Newspapers, 23 December 2008, <http://www.mcclatchydc.com/212/story/58352.html>.

¹⁰⁸¹ On 18 May 2008, a hand grenade was thrown at a music, films and video games' store in downtown Basrah, causing material damage; Sahar Issa, *Round-up of Daily Violence in Iraq – Sunday 18 May 2008*, McClatchy Newspapers, 18 May 2008, <http://www.mcclatchydc.com/212/story/37533.html>. In addition, in Basrah, a boy caught selling beer was shot and killed in May 2008 and several newly reopened music shops were bombed since April 2008; Levinson, *In Basra, some worry militias 'hiding behind fake walls'*, see above footnote 580; and in May 2008, a wedding was attacked by a hand grenade by unknown gunmen in central Basrah, killing a child and injuring 25 persons. The same night, a music shop's door was destroyed by a bomb explosion; VOI, *Al-Iraqia TV cameraman injured in Basra*, 4 June 2008, http://www.iraquupdates.com/p_articles.php/article/32007; Leila Fadel, *Basra sings again as Iraqi*

Women continue to be particularly targeted over their alleged immoral behaviour or dressing. In May 2008, Sunni extremists killed three prostitutes and wounded two others in an attack on a brothel in Mosul. According to the police, armed men knocked on the apartment's door and shouted at the women that they had been warned before not to engage in prostitution.¹⁰⁸³ Although the prevalence of HIV/AIDS is low in Iraq, persons affected by the disease continue to be treated as social outcasts, and some have reportedly been targeted and even killed by extremists or their own families for their perceived engagement in "*indecent acts*" such as homosexuality, sex outside of marriage and drug use.¹⁰⁸⁴

331. The ideological struggle between liberal and conservative forces continues and secular citizens, especially women and youth, may feel threatened when powerful public figures try to impose strict codes of social behaviour, such as Sheikh Abdel Mahdi Al-Karbalaie, who in a sermon in Karbala on 24 October 2008 demanded a ban on dancing, partying and music.¹⁰⁸⁵ Even if it does not erupt into violence, extreme social conservatism may infringe individual freedoms and human rights.¹⁰⁸⁶

332. Overall, Iraq largely remains a conservative and tribal-based society where social freedoms of the individual, and even more so of girls and women, are limited by the family's "honour" and tribal and religious customs. The number of so-called "honour killings" carried out against family members (most often women) by other family members for perceived or actual behaviour or attitude which is seen to have dishonoured their family, tribe or community, continues to be prevalent in all parts of Iraq.¹⁰⁸⁷

M. Sexual orientation

333. While homosexuality is not prohibited by Iraqi law, it is a strict taboo and considered to be against Islam. Since 2003, Iraq's largely marginalized and vulnerable lesbian, gay, bi-sexual and transgender (LGBT) community has frequently been targeted for attacks in an environment of impunity. In the Central and Southern Governorates, LGBT Iraqis continue to face threats, torture and extra-judicial killings at the hands of "*state and non-state actors*,"¹⁰⁸⁸ including their own families, which consider them as violating the family's "honour".¹⁰⁸⁹ Iraqi LGBT, an

¹⁰⁸² army patrols the streets, McClatchy Newspapers, 24 May 2008, <http://www.mcclatchydc.com/103/story/38423.html>;

¹⁰⁸³ See "Security in the Southern Governorates" (Basrah Governorate).
AP, *Insurgents kill 3 prostitutes, wound 2 in Iraqi brothel attack*, 6 May 2008, <http://www.gulfnews.com/Region/Iraq/10211158.html>.

¹⁰⁸⁴ Heartland Alliance, a US NGO, in an e-mail correspondence with UNHCR in December 2008, confirmed that persons with HIV/AIDS have been and continue to be targeted in Iraq; see also IRIN, *Iraq: HIV-positive Persons Fear Reprisals*, 14 January 2009, <http://www.irinnews.org/Report.aspx?ReportId=82357>; *Ibid.*, *Iraq: HIV-positive couple murdered*, 9 August 2006, <http://www.irinnews.org/report.aspx?reportid=60142>.

¹⁰⁸⁵ AFP, *Anger at cleric's 'no dancing' call in Iraqi holy city*, 26 October 2008, <http://afp.google.com/article/ALeqM5huvOVF4CiIA8OKp3zggZ0Ya0KRug>.

¹⁰⁸⁶ UNAMI HRO, November 2008.

¹⁰⁸⁷ See "*Women and children with specific profiles*" and "*Sexual orientation*".

¹⁰⁸⁸ HRW, *World Report 2009*, see above footnote 657.

¹⁰⁸⁹ Lennox Samuels, *Don't Ask, Don't Tell, Do Kill*, Newsweek, 26 August 2008, <http://www.newsweek.com/id/155656?from=rss>; Frederik Pleitgen, Mohammed Tawfeeq and Wayne Drash, *Gays in Iraq terrorized by threats, rape, murder*, CNN, 25 July 2008,

Iraqi NGO based in London, accounted for more than 480 Iraqi gay men killed by Shi'ite militias since 2003, among them 17 LGBT activists.¹⁰⁹⁰ The latest killing reportedly took place in Baghdad's Sadr City on 2 April 2009, when two gays were allegedly killed by relatives in order to cleanse the family's "honour".¹⁰⁹¹ Also, Iraqi Police said that on 25 March 2009, they had found the dead bodies of four more gays in Sadr City, each bearing a sign reading "pervert" or "puppies" in Arabic on their chests, both derogatory words used to refer to homosexuals. Reportedly, Shi'ite clerics in Sadr City had recently urged a crackdown on the perceived spread of homosexuality.¹⁰⁹² Also reported in the media was the 25 September 2008 killing of a leading gay activist in a barber shop in Baghdad. He was one of the organizers of safe houses for gays and lesbians in Baghdad and co-ordinator of Iraqi LGBT.¹⁰⁹³ Reports speak about "a systematic campaign of sexual cleansing".¹⁰⁹⁴ Iraqi LGBT currently runs two safe houses in Baghdad to provide a level of physical protection to a limited number of LGBT Iraqis; however, the men and women lack any prospects as mediation with their families is generally impossible and protection by the Iraqi authorities is not available.¹⁰⁹⁵

334. The Iraqi Government does not consider the killings of LGBT Iraqis a priority and a Ministry of Justice judge interviewed by Newsweek told the reporter not to waste time on an issue that he considered being "very rare". Generally, there is little tolerance towards homosexuality in Iraqi society and many Iraqis, including high-level officials, deny that homosexuality even exists in Iraq.¹⁰⁹⁶ Accordingly, those who commit acts of violence against homosexuals and others often do so with impunity.¹⁰⁹⁷

335. In the Kurdistan Region, homosexuality is also considered a taboo and in contradiction with religious and social mores. Overt homosexual relations are not possible to entertain, and homosexual persons would have to hide their sexual orientation. Persons known or suspected to be homosexual would face significant social pressure and be shunned. They would also face difficulties to find employment in the private sector. Individuals may be at risk of "honour killings" at the hands of their families. Generally, the authorities would not provide efficient protection given that homosexuality is considered unlawful by religion and customs. Recently,

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- ¹⁰⁹⁰ <http://edition.cnn.com/2008/WORLD/meast/07/24/gay.iraqis/>; Cara Buckley, *Guys Living in Shadows of New Iraq*, NY Times, 18 December 2007, http://www.nytimes.com/2007/12/18/world/middleeast/18baghdad.html?_r=1&ref=world&oref=slogin.
Gay City News, *Violent Religious Extremists Target Homosexuals: Key Gay Leader Slain in Iraq*, 7 October 2008, <http://www.veteransforcommonsense.org/articleid/11352>.
- ¹⁰⁹¹ Wisam Mohammed and Khalid al-Ansary, *Guys killed in Baghdad as clerics urge clampdown*, Reuters, 4 April 2009, <http://www.alertnet.org/thenews/newsdesk/L4506230.htm>; Sameer N. Yacoub, *Iraqi police: 2 gay men killed in Baghdad slum*, AP, 4 April 2009, http://www.google.com/hostednews/ap/article/ALeqM5hwK_CSpBxsNuVUEaDuOwmSSCiqGwD97BP3FG1.
- ¹⁰⁹² *Ibid.*
- ¹⁰⁹³ *Ibid.*; PinkNews, *Gay leader assassinated in Baghdad*, 26 September 2008, <http://www.pinknews.co.uk/news/articles/2005-9112.html>.
- ¹⁰⁹⁴ Peter Tatchell, *Sexual cleansing in Iraq*, The Guardian, 25 September 2008, <http://www.guardian.co.uk/commentisfree/2008/sep/25/iraq.humanrights?referrer=ukgaynews.org.uk>.
- ¹⁰⁹⁵ Information received from Heartland Alliance, December 2008.
- ¹⁰⁹⁶ Lennox Samuels, *Don't Ask, Don't Tell, Do Kill*, Newsweek, 26 August 2008, <http://www.newsweek.com/id/155656?from=rss>. See also Pleitgen, Tawfeeq and Drash, *Guys in Iraq terrorized by threats, rape, murder*, see above footnote 1089.
- ¹⁰⁹⁷ IWPR, *Baghdad Guys Fear for Their Lives*, Iraqi Crisis Report No. 199, 20 October 2006, http://www.iwpr.net/?p=icr&s=f&o=324756&apc_state=heniicrd6201b571b0dd9ebc3b068b94ab0b968.

Adel Hussein, a doctor and freelance journalist, was prosecuted as a result of a complaint brought by Erbil's public prosecutor for writing a scientific article about homosexuality that was found to have offended public decency under article 403 of the Penal Code. He was sentenced to six months in prison and a fine,¹⁰⁹⁸ but subsequently released on 7 December 2008 under a pardon granted by the Kurdistan President on the occasion of the Muslim Feast of Sacrifice (*Eid Al-Adha*).¹⁰⁹⁹

N. Women and children with specific profiles

336. While women fall victim to a range of human rights violations,¹¹⁰⁰ those with specific profiles are specifically targeted on account of their (perceived) political, sectarian or social role. In particular, women perceived or actually transgressing traditional roles and/or exposed in society have been subjected to intimidation and targeted attacks, including murder, at the hands of mainly non-state actors, including party militias, insurgents, Islamic extremists as well as their own family or community. This may include women engaged in politics,¹¹⁰¹ professionals,¹¹⁰² civil society activists or women that transgress social or religious mores. Women continue to be targeted for not conforming to conservative dress codes.¹¹⁰³

337. Women in all parts of Iraq may be at risk of "honour killing" at the hands of their families for perceived shameful behaviour. "Honour killings" are most frequently committed with impunity given the high level of social acceptance vis-à-vis this type of crimes, including among law enforcement officials.¹¹⁰⁴ On the rare occasions where perpetrators are arrested and charged, they are given lenient punishments. As a result, women and girls are reluctant to even report sexual attacks for fear of being ostracized or even killed by their family.¹¹⁰⁵ While women shelters in the Kurdistan Region can provide temporary protection from domestic violence to some women, including those at risk of "honour killings", longer term solutions are often not available. Mediation between the women and their families aims at enabling the women's return, but this may not always be possible and there have been cases of fathers assuring their daughters that they have forgiven them, only to murder them once they are back in the family home. Some families may agree to spare the life of their daughter but may subject her to other types of violence, including, for example, forced marriage with the rapist, which, by Iraqi law, results in the closing of all related criminal proceedings.¹¹⁰⁶ Therefore, in some

¹⁰⁹⁸ AP, *Journalist Jailed in Iraq over Homosexuality Story*, 4 December 2008, http://www.iraqupdates.com/p_articles.php/article/41097; RSF, *Doctor jailed in Kurdistan for writing about homosexuality*, 2 December 2008, http://www.rsf.org/article.php3?id_article=29508.

¹⁰⁹⁹ RSF, *Kurdish president pardons doctor who was jailed for writing about homosexuality*, 8 December 2008, http://www.rsf.org/article.php3?id_article=29508.

¹¹⁰⁰ See "*The situation of women*".

¹¹⁰¹ The Provincial Elections Law of 24 September 2008 mandates that at least 25% of elected representatives shall be women.

¹¹⁰² See "*Certain professionals*".

¹¹⁰³ See "*Persons accused of un-Islamic behaviour*".

¹¹⁰⁴ As also reflected in the Penal Code that is applicable in the Central and Southern Governorates.

¹¹⁰⁵ UN, *Violence Against Iraqi Women Continues Unabated*, see above footnote 742.

¹¹⁰⁶ Article 396 (1) and (2) of the Iraqi Penal Code (Law No. 111 of 1969) criminalizes a person who "sexually assaults" or "attempts to do so without his or her consent and with the use of force, menaces, deception or other means" a man or a woman or a boy or a girl under the age of 18. However, Article 398 reads:

cases there are no alternatives other than remaining in the protection centre or finding solutions outside Iraq.

338. Women and girls are further at risk of specific types of violence perpetrated against them on the basis of conservative and traditional norms, including early/forced marriages and, in mostly rural areas of the Kurdistan Region, FGM.

339. Widowed and divorced women and others that do not have a family or tribal network to provide them with protection are particularly vulnerable to be harassed, kidnapped or sexually assaulted. Women without a breadwinner are increasingly lacking the means to provide for themselves and may be forced to beg or engage in prostitution,¹¹⁰⁷ putting them at risk to be targeted and even killed for “immoral behaviour”.¹¹⁰⁸ They are also at greater risk to be targeted by (sex) traffickers. Increasingly, armed groups have exploited the vulnerability of women and children to carry out suicide attacks.¹¹⁰⁹

“If the offender mentioned in this Section then lawfully marries the victim, any action becomes void and any investigation or other procedure is discontinued and, if a sentence has already been passed in respect of such action, then the sentence will be quashed (...).”

¹¹⁰⁷ See “*Situation of Women*”.

¹¹⁰⁸ See also “*Persons accused of un-Islamic Behaviour*”.

¹¹⁰⁹ See “*Situation of Women*” and “*Situation of children and adolescents*”.

IX. ANNEXES

The following annexes provide a non-comprehensive overview of attacks on various specific groups in Iraq as outlined in these Guidelines. The information has been gathered by UNHCR from public sources. While UNHCR could not independently verify all of the reports, the information should be considered as an indicator of the level of violence that is taking its toll on these groups in Iraq.

Annex I: Targeted attacks on Government officials and other persons associated with the current Iraqi Government, administration and institutions

(January 2008 – March 2009, not comprehensive)

- 30 March 2009: Gunmen shot dead a senior official in the Mosul branch of MoDM and seriously wounded his aide as they left their office in Hamdaniyah in northern Mosul.¹¹¹⁰
- 29 March 2009: Gunmen shot down an employee of the Mosul Medical Care Department, killing him instantly.¹¹¹¹
- 26 March 2009: Three workers from the Electricity Department in Kirkuk were injured when a roadside bomb targeted them while working in Rashad neighbourhood in western Kirkuk.¹¹¹²
- 19 March 2009: Gunmen assassinated Khalil Abdul Rahman, the Mayor of Dobridan village of Bashiqa east of Mosul.¹¹¹³
- 18 March 2009: Gunmen opened fire at a car carrying two employees of the Ministry of Interior in downtown Baghdad. The two employees were seriously injured.¹¹¹⁴
- 18 March 2009: Gunmen opened fire at a MoDM employee in Arabi neighbourhood in Mosul, wounding him in his head and chest.¹¹¹⁵
- 15 March 2009: Police defused a magnetic bomb attached to a Customs' employee's car in Ghazaliyah neighbourhood in western Baghdad.¹¹¹⁶
- 10 March 2009: A car bomb exploded in front of the local government building in Hamdaniyah District (Ninewa), killing two civilians, including the son of the head of the local Judicial Council, and injuring six people.¹¹¹⁷

¹¹¹⁰ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 30 March 2009*, McClatchy Newspapers, 30 March 2009, <http://www.mcclatchydc.com/212/story/65051.html>; Reuters, *FACTBOX-Security developments in Iraq, March 30, 30 March 2009*, <http://www.alertnet.org/thenews/newsdesk/RAS037071.htm>.

¹¹¹¹ Hussein Kadhim, *Roundup of Daily Violence in Iraq-Sunday 29 March 2009*, McClatchy Newspapers, 29 March 2009, <http://www.mcclatchydc.com/212/story/65015.html>.

¹¹¹² Sahar Issa and Hussein Kadhim, *Round-up of Daily Violence in Iraq - Thursday 26 March 2009*, McClatchy Newspapers, 26 March 2009, <http://www.mcclatchydc.com/212/story/64850.html>.

¹¹¹³ Hussein Kadhim, *Roundup of Daily Violence in Iraq-Thursday 19 March 2009*, McClatchy Newspapers, 19 March 2009, <http://www.mcclatchydc.com/212/story/64391.html>.

¹¹¹⁴ Sahar Issa and Hussein Kadhim, *Roundup of Daily Violence in Iraq-Wednesday 18 March 2009*, McClatchy Newspapers, 18 March 2009, <http://www.mcclatchydc.com/212/story/64263.html>.

¹¹¹⁵ *Ibid.*

¹¹¹⁶ Hussein Kadhim, *Roundup of Daily Violence in Iraq-Sunday 15 March 2009*, McClatchy Newspapers, 15 March 2009, <http://www.mcclatchydc.com/212/story/63997.html>.

¹¹¹⁷ Sahar Issa, *Round-up of Daily Violence in Iraq - Tuesday 10 March 2009*, McClatchy Newspapers, 10 March 2009, <http://www.mcclatchydc.com/212/story/63651.html>.

- 10 March 2009: Gunmen attacked a house in Al-Thawra neighbourhood in western Mosul and killed an employee of the Faculty of Computer Science at Mosul University.¹¹¹⁸
- 9 March 2009: The Governor of Salah Al-Din Governorate narrowly escaped death and five of his bodyguards were wounded when a roadside bomb struck his convoy just north of Tikrit.¹¹¹⁹
- 8 March 2008: A bomb attached to a vehicle carrying an employee of the CoR wounded him and a bystander in Mansour in western Baghdad.¹¹²⁰
- 5 March 2009: Explosive experts defused a magnetic bomb attached to the car of a municipality member in Rashad village (Salah Al-Din).¹¹²¹
- 1 March 2009: Mahmoud Khalaf, the Mayor of Samarra (Salah Al-Din), was wounded by a roadside bomb while his convoy was passing by.¹¹²²
- 25 February 2009: Gunmen kidnapped three employees of Iraq's state-run Northern Oil Company in the town of Rashad, south-west of Kirkuk.¹¹²³
- 11 February 2009: Raad Hussein Abdullah, a senior engineer with the Electricity Ministry, was killed by armed men as he left his home in the Ghadir district of eastern Baghdad.¹¹²⁴
- 8 February 2009: Ismail Adnan, a municipal council member in Saidiyah District (Diyala) survived an attempt on his life when a bomb targeted his vehicle.¹¹²⁵
- 8 February 2009: Gunmen opened fire on an election monitor east of Ba'quba (Diyala), killing him.¹¹²⁶
- 6 February 2009: Abdulmajeed Al-Nuaimi, member of the incumbent provincial council in Ninewa, reported a strange object next to the outside wall of his home. The Iraqi Army identified it as a roadside bomb and detonated it under control, causing no damages or casualties.¹¹²⁷
- 6 February 2009: Small arms fire attack against Council of Ministers employee in Mansour in Baghdad.¹¹²⁸
- 5 February 2009: A roadside bomb planted next to the outside wall of the house of Nihad Al-Jubouri, a Deputy Minister of Education, in western Baghdad, exploded and wounded a civilian and damaged the wall of the house.¹¹²⁹

¹¹¹⁸ Aswat al-Iraq, *Gunmen kill woman in western Mosul*, 10 March 2009, <http://en.aswatiraq.info/?p=109555>.

¹¹¹⁹ Reuters, *FACTBOX-Security developments in Iraq*, March 9, 9 March 2009, <http://www.alertnet.org/thenews/newsdesk/RAS934574.htm>.

¹¹²⁰ Reuters, *FACTBOX-Security developments in Iraq*, March 8, 8 March 2009, <http://www.alertnet.org/thenews/newsdesk/L7364259.htm>.

¹¹²¹ Hussein Kadhim, *Roundup of Daily Violence in Iraq - Friday 6 March 2009*, McClatchy Newspapers, 6 March 2009, <http://www.mcclatchydc.com/212/story/63389.html>.

¹¹²² Reuters, *FACTBOX-Security developments in Iraq*, March 1, 1 March 2009, <http://www.alertnet.org/thenews/newsdesk/L1537056.htm>.

¹¹²³ Reuters, *FACTBOX-Security developments in Iraq*, Feb 25, 25 February 2009, <http://www.alertnet.org/thenews/newsdesk/LP241921.htm>.

¹¹²⁴ Reuters, *FACTBOX-Security developments in Iraq*, Feb 11, 11 February 2009, <http://www.alertnet.org/thenews/newsdesk/LB193436.htm>.

¹¹²⁵ UNAMI SSU, 9 February 2009.

¹¹²⁶ UNAMI SSU, 7/8 February 2009.

¹¹²⁷ Sahar Issa, *Round-up of Daily Violence in Iraq - Friday 6 February 2009*, McClatchy Newspapers, 6 February 2009, <http://www.mcclatchydc.com/212/story/61656.html>.

¹¹²⁸ UNAMI SSU, 7/8 February 2009.

¹¹²⁹ Sahar Issa, *Round-up of Daily Violence in Iraq - Thursday 5 February 2009*, McClatchy Newspapers, 5 February 2009, <http://www.mcclatchydc.com/212/story/61554.html>.

- 4 February 2009: Basrah Provincial Council member, Ahmed Al-Yasiri, survived an IED attack that targeted his motorcade in the Sa'ad Square area in Basrah.¹¹³⁰
- 29 January 2009: A bomb attached to a vehicle killed Haider Nassir, a civil servant and a member of a party participating in the forthcoming provincial election, in the city of Basrah. Nassir was not a candidate.¹¹³¹
- 27 January 2009: The Mayor of Sulaiman Pak District (Salah Al-Din) escaped an assassination attempt when three IEDs attacks targeted his motorcade on the road to Hafriyah.¹¹³²
- 20 January 2009: Ammar Aziz, the Deputy Minister of the Ministry of Higher Education, escaped unharmed after a roadside bomb hit his convoy in Nidhal Street in central Baghdad. The deputy minister's vehicle and one other in the convoy were slightly damaged and five bodyguards were wounded in the blast.¹¹³³
- 18 January 2009: An employee of the Basrah Prisons was wounded when a magnetic bomb planted under his car exploded in western Basrah City.¹¹³⁴
- 17 January 2009: An adhesive bomb stuck to the car of the director of Mansour Municipality detonated in Yarmouk neighborhood in Baghdad, killing the driver and injuring a civilian. The director was not in the car.¹¹³⁵
- 16 January 2009: Haitham Kadhim Al-Husaini, Head of the Mahaweel Town Council (Babel), was killed after a provincial council election campaign appearance in Jabala. Al-Husaini runs in the provincial elections on the list of Prime Minister Al-Maliki. Four bodyguards were wounded.¹¹³⁶
- 15 January 2009: A roadside bomb targeted the convoy of Iraq's Minister of Higher Education, Abd Thiab Al-Ajili, who survived unharmed.¹¹³⁷
- 15 January 2009: Hussein Mohammed Al-Shatab, the Mayor of Al-Mutasim (Salah Al-Din), survived an attempt on his life when an unidentified man hurled a hand-grenade at his motorcade. Al-Shatab is a candidate running for the provincial elections on the Iraqi National List (INL) of former Iraqi Prime Minister Iyad Allawi.¹¹³⁸
- 14 January 2009: The Chief of Daquq Local Council, Amir Khuwa Karam, reportedly survived an assassination attempt after a roadside bomb attack is suspected to have targeted his motorcade in Kirkuk.¹¹³⁹

¹¹³⁰ UNAMI SSU, 5 February 2009.

¹¹³¹ Reuters, *FACTBOX-Security developments in Iraq*, Jan 29, 29 January 2009, <http://www.alertnet.org/thenews/newsdesk/LT151344.htm>.

¹¹³² UNAMI SSU, 28 January 2009.

¹¹³³ Reuters, *FACTBOX-Security developments in Iraq*, Jan 20, 20 January 2009, <http://www.alertnet.org/thenews/newsdesk/KAM035827.htm>.

¹¹³⁴ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 18 January 2009*, McClatchy Newspapers, 18 January 2009, <http://www.mcclatchydc.com/212/story/59961.html>.

¹¹³⁵ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Saturday 17 January 2009*, McClatchy Newspapers, 17 January 2009, <http://www.mcclatchydc.com/212/story/59923.html>.

¹¹³⁶ Saad Sarhan, *Province Candidate Killed In Iraq*, The Washington Post, 17 January 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/01/16/AR2009011604191.html>; Sam Dagher, *Gunmen Kill Iraqi Cleric Campaigning for Council*, NY Times, 16 January 2009, <http://www.nytimes.com/2009/01/17/world/middleeast/17iraq.html>.

¹¹³⁷ Reuters, *Iraq Minister Unhurt by Bomb Near Convoy*, 15 January 2009, http://www.iraqupdates.com/p_articles.php/article/43429.

¹¹³⁸ VOI, *Samarra Local Official Survives Attempt*, 16 January 2009, http://www.iraqupdates.com/p_articles.php/article/43500.

¹¹³⁹ UNAMI SSU, 15 January 2009.

- 14 January 2009: Security Forces successfully defused a sticky IED attached to the vehicle of the Transport Ministry's Undersecretary, Binkien Rikan, in Baghdad.¹¹⁴⁰
- 3 January 2009: on 3 January 2009, two schools that were to serve as polling stations for the provincial elections, were torched in the town of Garma, north-east of Fallujah. The police caught three young boys, eleven and twelve years of age, who confessed to being members of *Ashbal Al-Qa'eda*, an organization that reportedly recruits and trains boys.¹¹⁴¹
- 28 December 2008: Bassem Al-Mussawi, a member of the Basrah Provincial Council, survived an attempt on his life when an IED stuck to his car went off right after he had left his car.¹¹⁴²
- 26 December 2008: A roadside bomb went off in the home of a member of the Fallujah local council, killing three children and their mother.¹¹⁴³
- 16 December 2008: Three persons were wounded by a parked car bomb that targeted the convoy of the Minister of Science and Technology in Karrada neighborhood in Baghdad.¹¹⁴⁴
- 14 December 2008, gunmen attacked the house of Na'em Ali, head of the municipal council in Al-Wihda District north of Kut (Wassit).¹¹⁴⁵
- 7 December 2008: An IED went off inside a store in central Ba'quba (Diyala) during a tour of local officials in the city, leaving 34 people, including Abdullah Al-Hayali, the city's mayor, wounded.¹¹⁴⁶
- 5 December 2008: A bomb attached to a vehicle killed Wathab Kareem, an inspector for the MoLSA, and wounded two civilians in central Baghdad.¹¹⁴⁷
- 1 December 2008: A roadside bomb exploded near the convoy of Maj.-Gen. Mudhir Al-Mawla, an advisor to Prime Minister Al-Maliki, in Sleikh neighbourhood of Baghdad. Thirteen persons, including Al-Mawla, were injured and three civilians were killed in the attack. Al-Mawla has been dealing with the transfer of the Awakening Councils to government control.¹¹⁴⁸
- 29 November 2008: Three civilians were injured by an adhesive bomb stuck to a car of an employee in the MoI in Atifiyah neighbourhood in Baghdad.¹¹⁴⁹

¹¹⁴⁰ VOI, *Sticky Bomb Defused in Baghdad*, 15 January 2009, http://www.iraqupdates.com/p_articles.php/article/43414.

¹¹⁴¹ Sahar Issa, *Round-up of Daily Violence in Iraq – Saturday 3 January 2009*, McClatchy Newspapers, 3 January 2009, <http://www.mcclatchydc.com/212/story/58927.html>.

¹¹⁴² VOI, *Provincial Figure Survives Assassination Bid in Basra*, 28 December 2008, http://www.iraqupdates.com/p_articles.php/article/42428.

¹¹⁴³ Sahar Issa, *Round-up of Daily Violence in Iraq - Friday 26 December 2008*, McClatchy Newspapers, 26 December 2008, <http://www.mcclatchydc.com/212/story/58511.html>.

¹¹⁴⁴ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 16 December 2008*, McClatchy Newspapers, 16 December 2008, <http://www.mcclatchydc.com/212/story/57902.html>.

¹¹⁴⁵ VOI, *Officer Killed, Policeman Wounded in Attack North of Kut*, 14 December 2008, http://www.iraqupdates.com/p_articles.php/article/41566.

¹¹⁴⁶ VOI, *IED Wounds Baaquba Mayor, 33 Others*, 8 December 2008, http://www.iraqupdates.com/p_articles.php/article/41286.

¹¹⁴⁷ Reuters, *FACTBOX-Security developments in Iraq*, Dec 5, 5 December 2008, <http://www.alertnet.org/thenews/newsdesk/ANS523262.htm>.

¹¹⁴⁸ Reuters, *Senior Iraqi military official wounded in bombing*, 1 December 2008, <http://www.alertnet.org/thenews/newsdesk/L1315520.htm>; Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 1 December 2008*, McClatchy Newspapers, 1 December 2008, <http://www.mcclatchydc.com/212/story/56753.html>.

¹¹⁴⁹ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Saturday 29 November 2008*, McClatchy Newspapers, 29 November 2008, <http://www.mcclatchydc.com/212/story/56691.html>.

- 26 November 2008: A roadside bomb killed two civilians and wounded ten others when it struck near Firdos Square in central Baghdad, targeting members of Baghdad's Provincial Council.¹¹⁵⁰
- 24 November 2008: A magnetic bomb demolished a bus of the Ministry of Trade in Baghdad, killing 14 people and wounding seven, all of them government employees.¹¹⁵¹
- 17 November 2008: Saadi Al-Sudani, the General Inspector of the Ministry of Electricity, survived an assassination attempt when an explosive charge went off in front of his house in Al-Qadissiyah neighborhood in western Baghdad.¹¹⁵²
- 15 November 2008: An explosive device attached to the car of a local official fell down on the road while the car was moving. It then exploded without causing any casualties.¹¹⁵³
- 11 November 2008: A parked car bomb targeted the Department of Youth and Sports in downtown Mosul, injuring 15 civilians including twelve employees of the department.¹¹⁵⁴
- 11 November 2008: A roadside bomb targeted a government vehicle in Bab Al-Sharji, central Baghdad, injuring the driver and five other civilians.¹¹⁵⁵
- 9 November 2008: A roadside bomb detonated in Khalis market (Diyala), killing five people and wounding eight including the district commissioner of Khalis town, Uday Al-Khathran.¹¹⁵⁶
- 6 November 2008: A roadside bomb targeted a bus for the Baghdad Municipality near the Ghilani shrine in downtown Baghdad. One person was killed and five others were wounded.¹¹⁵⁷
- 3 November 2008: A car bomb inside the garage of Diyala Governorate Council killed one policeman and wounded nine people, including three policemen.¹¹⁵⁸
- 3 November 2008: A bomb detonated near the house of Sahib Salman Qutub, a deputy Minister of Oil, in Utafiyah neighborhood in Baghdad, injuring one of his guards.¹¹⁵⁹
- 29 October 2008: A roadside bomb targeted a bus carrying employees of the Ministry of Education in Ur neighborhood east Baghdad. Two employees were killed and six others were wounded.¹¹⁶⁰

¹¹⁵⁰ Reuters, *FACTBOX-Security developments in Iraq*, Nov 26, 26 November 2008, <http://www.alertnet.org/thenews/newsdesk/ANS629666.htm>.

¹¹⁵¹ Sudarsan Raghavan and Qais Mizher, *Baghdad Bombs Target Government Employees*, FT, 25 November 2008, http://us.ft.com/ftgateway/superpage.ft?news_id=fto112420081354124100; Reuters, *FACTBOX-Security developments in Iraq*, Nov 24, 24 November 2008, <http://www.alertnet.org/thenews/newsdesk/ANW421078.htm>.

¹¹⁵² VOI, *General Inspector of the Electricity Ministry Escapes Assassination Attempt*, 18 November 2008, http://www.iraqupdates.com/p_articles.php/article/40171.

¹¹⁵³ VOI, *One Civilian Wounded in Kirkuk*, 15 November 2008, http://www.iraqupdates.com/p_articles.php/article/40002.

¹¹⁵⁴ Sahar Issa, *Round-up of Daily Violence in Iraq - Tuesday 11 November 2008*, McClatchy Newspapers, 11 November 2008, <http://www.mcclatchydc.com/212/story/55675.html>.

¹¹⁵⁵ *Ibid.*

¹¹⁵⁶ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 9 November 2008*, McClatchy Newspapers, 9 November 2008, <http://www.mcclatchydc.com/212/story/55545.html>.

¹¹⁵⁷ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Thursday 6 November 2008*, McClatchy Newspapers, 6 November 2008, <http://www.mcclatchydc.com/212/story/55407.html>.

¹¹⁵⁸ Reuters, *FACTBOX-Security developments in Iraq*, Nov 3, 3 November 2008, <http://www.alertnet.org/thenews/newsdesk/ANW322493.htm>.

¹¹⁵⁹ Reuters, *Iraqi oil official wounded in bomb attack*, 3 November 2008, <http://www.alertnet.org/thenews/newsdesk/L3607960.htm>.

¹¹⁶⁰ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Wednesday 29 October 2008*, McClatchy Newspapers, 29 October 2008, <http://www.mcclatchydc.com/212/story/54927.html>.

- 26 October 2008: An adhesive bomb detonated under a civilian car belonging to an employee of the Ministry of Health.¹¹⁶¹
- 23 October 2008: A suicide car bomber rammed into a convoy carrying Mahmoud Al-Sheikh Radhi, Iraq's Minister of Labour and Social Affairs, killing 11 people and wounding 22. The minister was unhurt.¹¹⁶²
- 16 October 2008: An adhesive bomb detonated under a civilian car that belongs to a MoI employee in Baghdad. The three passengers of the car were wounded.¹¹⁶³
- 11 October 2008: Yahya Abad Mahjoub, an IIP official and member of the Ninewa Provincial Council, survived an assassination attempt when two gunmen targeted his motorcade north of Mosul City.¹¹⁶⁴
- 11 October 2008: An IED detonated near a vehicle carrying the Deputy Director of Kirkuk's Waqf (Endowments) Department, Mulla Mohammed Azad Khorshid, in western Kirkuk City, wounding him, his wife and an escort.¹¹⁶⁵
- 9 October 2008: Saleh Al-Ogaili, a member of the CoR from the bloc of Muqtada Al-Sadr, was killed in a roadside bombing in the Habibiyah area near Baghdad's mainly Shi'ite district of Sadr City.¹¹⁶⁶
- 9 October 2008: A bomb placed inside a car carrying the head of the Kerbala Provincial Council and a number of employees exploded and killed the council's head and wounding two employees.¹¹⁶⁷
- 7 October 2008: Gunmen killed a governmental employee in Al-Quds neighborhood in Mosul.¹¹⁶⁸
- 29 September 2008: A roadside bomb wounded the Mayor of Samarra, Mahmoud Khalif, and four of his guards in central Samarra.¹¹⁶⁹
- 28 September 2008: A roadside bomb targeted the motorcade of Ahmed Zarkoush, the Kurdish mayor of Al-Saidiyah town (Diyala). Zarkoush was injured along with three of his bodyguards and two civilians.¹¹⁷⁰
- 27 September 2008: Unknown gunmen opened fire on Issa Hammoud, a municipal council member in Al-Biaaj west of Mosul, while he was driving his private car on the main road between Al-Biaaj and Sinjar, wounding him and his wife.¹¹⁷¹

¹¹⁶¹ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 26 October 2008*, McClatchy Newspapers, 26 October 2008, <http://www.mcclatchydc.com/212/story/54780.html>.

¹¹⁶² Peter Graft, *Suicide strike on Iraq minister's convoy kills 11*, Reuters, 24 October 2008, http://www.iraqupdates.com/p_articles.php/article/38615.

¹¹⁶³ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Thursdays 16 October 2008*, McClatchy Newspapers, 16 October 2008, <http://www.mcclatchydc.com/212/story/54032.html>.

¹¹⁶⁴ VOI, *URGENT / IIP official survives attempt in Mosul*, 11 October 2008, http://www.iraqupdates.com/p_articles.php/article/37780.

¹¹⁶⁵ VOI, *URGENT / Official wounded in Kirkuk blast*, 11 October 2008, http://www.iraqupdates.com/p_articles.php/article/37774.

¹¹⁶⁶ BBC, *Iraqi MP killed by roadside bomb*, 9 October 2008, http://news.bbc.co.uk/2/hi/middle_east/7175552.stm.

¹¹⁶⁷ VOI, *Local official killed in central Karbala*, 9 October 2008, http://www.iraqupdates.com/p_articles.php/article/37674.

¹¹⁶⁸ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 07 October 2008*, McClatchy Newspapers, 7 October 2008, <http://www.mcclatchydc.com/212/story/53580.html>.

¹¹⁶⁹ Reuters, *FACTBOX-Security developments in Iraq, Sept 29*, 29 September 2008, <http://www.alertnet.org/thenews/newsdesk/LT263310.htm>.

¹¹⁷⁰ Reuters, *Mayor wounded by bomb in N. Iraq town*, 29 September 2008, <http://www.alertnet.org/thenews/newsdesk/LS246401.htm>.

- 27 September 2008: A roadside bomb struck the convoy of the Governor of Salah Al-Din Governorate, wounding three of his guards.¹¹⁷²
- 25 September 2008: Gunmen shot an employee in the Ministry of Municipalities and Works on the main road of Al-Rashid Camp in Baghdad.¹¹⁷³
- 22 September 2008: Unknown gunmen blew up the house of Hashem Al-Taei, a member of the CoR and head of its Provinces and Governorates Committee, in Mosul.¹¹⁷⁴
- 21 September 2008: Gunmen killed Khaled Karim Al-Bayati, a member of the Al-Tuz Municipal Council (Salah Al-Din).¹¹⁷⁵
- 21 September 2008: A bomb was planted under the car of Ihsan Ridha, a General Manager in the Ministry of Finance in Baghdad. He survived the attack injured.¹¹⁷⁶
- 21 September 2008: Gunmen assassinated Brigadier General Adel Abass, a manager in the MoI, in Adel neighborhood in Baghdad.¹¹⁷⁷
- 18 September 2008: Gunmen wounded a government employee in a drive-by shooting in central Kirkuk.¹¹⁷⁸
- 18 September 2008: Younes Shamel, an assistant to the Governor of Ninewa, was gunned down as he was leaving evening prayers in central Mosul.¹¹⁷⁹
- 17 September 2008: A roadside bomb targeted the convoy of the head of the municipality of Baghdad Al-Jadeeda. One civilian was killed and two guards were wounded.¹¹⁸⁰
- 13 September 2008: Rasheed Ali Ahmed, the head of the Municipal Council of Salman Pak (Salah Al-Din) survived an assassination attempt when an explosive charge detonated near his house.¹¹⁸¹
- 9 September 2008: General Hasen Maeen from the Prime Minister's Office was targeted with an adhesive bomb stuck onto the car. He and two of his security personnel were severely injured in the explosion that took place in Harthiyah in central Baghdad.¹¹⁸²
- 8 September 2008: Gunmen opened fire on the house of Mosul Deputy Governor, Khisro Koran, a member of the KDP, in Al-Faisaliyah neighborhood in Mosul City. No casualties were reported.¹¹⁸³

¹¹⁷¹ VOI, *Municipal official, wife wounded in Mosul attack*, 27 September 2008, http://www.iraqupdates.com/p_articles.php/article/37151.

¹¹⁷² Reuters, *FACTBOX-Security developments in Iraq, Sept 28*, 28 September 2008, <http://www.alertnet.org/thenews/newsdesk/ANW820241.htm>.

¹¹⁷³ Sahar Issa, *Round-up of Daily Violence in Iraq - Thursday 25 September 2008*, McClatchy Newspapers, 25 September 2008, <http://www.mcclatchydc.com/212/story/53071.html>.

¹¹⁷⁴ VOI, *Islamic party condemns attack on MP's house*, 23 September 2008, http://www.iraqupdates.com/p_articles.php/article/36988.

¹¹⁷⁵ VOI, *Gunmen kill municipal council member in Salah el-Din*, 21 September 2008, http://www.iraqupdates.com/p_articles.php/article/22011.

¹¹⁷⁶ Hussein Kadhim, *Round-up of Daily Violence - Sunday 21 September 2008*, McClatchy Newspapers, 21 September 2008, <http://www.mcclatchydc.com/212/story/52847.html>.

¹¹⁷⁷ *Ibid.*

¹¹⁷⁸ Reuters, *FACTBOX-Security developments in Iraq, Sept 18*, 18 September 2008, <http://www.alertnet.org/thenews/newsdesk/LI153939.htm>.

¹¹⁷⁹ CNN, *Iraq: Seven U.S. soldiers killed in chopper crash*, 18 September 2008, <http://edition.cnn.com/2008/WORLD/meast/09/17/iraq.main/>.

¹¹⁸⁰ Hussein Kadhim, *Round-up of Daily Violence - Wednesday 17 September 2008*, McClatchy Newspapers, 17 September 2008, <http://www.mcclatchydc.com/212/story/52661.html>.

¹¹⁸¹ VOI, *Municipal council chief escapes attempt on life*, 13 September 2008, http://www.iraqupdates.com/p_articles.php/article/36454.

¹¹⁸² Sahar Issa, *Round-up of Daily Violence in Iraq - Tuesday 9 September 2008*, McClatchy Newspapers, 9 September 2008, <http://www.mcclatchydc.com/212/story/52131.html>.

- 8 September 2008: Gunmen opened fire on a vehicle of the MoDM in New Baghdad, injuring four employees.¹¹⁸⁴
- 8 September 2008: A civil servant who works for the Iraqi North Oil Company (NOC) was kidnapped by an armed group in front of his house in southwestern Kirkuk City.¹¹⁸⁵
- 5 September 2008: Ahmed Chalabi, Head of the Iraqi National Congress (INC) and Chairman of Iraq's De-Ba'athification Commission, survived an assassination attempt when a car bomb targeted his motorcade in Baghdad's Western Mansour neighbourhood. Six of his bodyguards were reportedly killed and at least 17 persons were wounded in the attack.¹¹⁸⁶
- 5 September 2008: Unknown gunmen assassinated Abdel Amr Hassan Abbas, a Defence Ministry advisor in a drive-by shooting in Zayouna, eastern Baghdad.¹¹⁸⁷
- 3 September 2008: Gunmen killed Nabeel Abdul Hasan Muhsin, General Director of the Project Department in the Ministry of Transportation in Ur neighborhood in east Baghdad.¹¹⁸⁸
- 2 September 2008: Rakan Said, Kirkuk's Deputy Governor survived an assassination attempt in Kirkuk.¹¹⁸⁹
- 2 September 2008: Gunmen attacked a governmental office for the Sunni Endowment in Adhamiyah neighborhood in Baghdad, killing one guard and injuring two civilians.¹¹⁹⁰
- 31 August 2008: Gunmen assassinated an employee of the Baghdad Municipality while driving in his car.¹¹⁹¹
- 26 August 2008: A car bomb parked near the entrance of the Health Department in Tikrit (Salah Al-Din) exploded, killing two guards and two civilians, injuring thirteen civilians.¹¹⁹²
- 24 August 2008: Armed men kidnapped an engineer working for the Ninewa Sewage Department near his home in Al-Baladiyat in northern Mosul.¹¹⁹³
- 23 August 2008: Kamal Shyaa Abdullah, a high-ranking official in the Ministry of Culture, was shot dead in Baghdad.¹¹⁹⁴

¹¹⁸³ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 8 September 2008*, McClatchy Newspapers, 8 September 2008, <http://www.mcclatchydc.com/212/story/52043.html>.

¹¹⁸⁴ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 8 September 2008*, McClatchy Newspapers, 8 September 2008, <http://www.mcclatchydc.com/212/story/52043.html>.

¹¹⁸⁵ VOI, *NOC's employee kidnapped in Kirkuk*, 9 September 2008, http://www.iraquupdates.com/p_articles.php/article/36221.

¹¹⁸⁶ Ned Parker and Saif Hameed, *Iraq politician Ahmad Chalabi survives assassination attempt*, LA Times, 6 September 2008, <http://www.latimes.com/news/nationworld/world/la-fg-iraq6-2008sep06.0.2251431.story>.

¹¹⁸⁷ VOI, *Unknown gunmen kill defense ministry official in Baghdad*, 5 September 2008, http://www.iraquupdates.com/p_articles.php/article/36088.

¹¹⁸⁸ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Thursday 4 September 2008*, McClatchy Newspapers, 4 September 2008, <http://www.mcclatchydc.com/212/story/51732.html>.

¹¹⁸⁹ VOI, *Key local official survives assassination attempt in Kirkuk*, 3 September 2008, http://www.iraquupdates.com/p_articles.php/article/35954.

¹¹⁹⁰ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 2 September 2008*, McClatchy Newspapers, 2 September 2008, <http://www.mcclatchydc.com/212/story/51457.html>.

¹¹⁹¹ Hussein Kadhim, *Round-up of Daily Violence - Sunday 31 August 2008*, McClatchy Newspapers, 31 August 2008, <http://www.mcclatchydc.com/212/story/51266.html>.

¹¹⁹² Sahar Issa, *Round-up of Daily Violence in Iraq, Tuesday 26 August 2008*, McClatchy Newspapers, 26 August 2008, <http://www.mcclatchydc.com/212/story/50741.html>.

¹¹⁹³ VOI, *Mosul university president's bodyguard killed*, 25 August 2008, http://www.iraquupdates.com/p_articles.php/article/35632.

- 21 August 2008: Gunmen using pistols with silencers shot Major General Ahmed Rasheed Majeed, a Director in the Travel and Nationality Department, in Karrada neighborhood in Baghdad, injuring him seriously.¹¹⁹⁵
- 19 August 2008: Abbas Al-Tamimi, secretary of the Governor of Diyala, was shot by ISF during a raid of the local government offices in Ba'quba.¹¹⁹⁶
- 18 August 2008: Zuheir Al-Aaraji, the Mayor of Mosul City, survived an assassination attempt in Al-Hadbaa neighbourhood in northern Mosul.¹¹⁹⁷
- 18 August 2008: A director of an election centre and his deputy were killed and a companion was injured when gunmen attacked them while they were going to work in Bahadriyah area south of Basrah.¹¹⁹⁸
- 13 August 2008: A suicide bomber driving a pick-up truck targeted a convoy carrying Abdul Karim Ali Nassif, chief administrator of the Al-Multaqa District near Kirkuk.¹¹⁹⁹
- 12 August 2008: A suicide bomber targeted the motorcade of the Governor of Diyala Governorate as it was leaving the Governorate compound. The Governor, who was accompanied by General Abdulkarim Khalaf, Commander of Operations in the Iraqi Ministry of Defence, was not harmed but three civilians were killed and seven persons were injured.¹²⁰⁰
- 4 August 2008: An IED exploded in Dorat Al-Yarmouk area in Mosul City targeting the convoy of Khisro Koran, the Deputy Governor of Ninewa. One of his guards was killed and six others were wounded.¹²⁰¹
- 4 August 2008: The body of a female employee in the Governorate Office was found in Al-Zohoor area in Mosul City.¹²⁰²
- 28 July 2008: Unknown gunmen killed Taghreed Ahmed Al-Maadidi, the chairman of the governmental Cooperation Union in eastern Mosul.¹²⁰³
- 27 July 2008: Two IEDs targeted the house and car of Zaki Obid, a member of the local council of Fallujah (Al-Anbar), killing two of Obid's guards and wounding two others. Zaki Obid and his son were injured seriously.¹²⁰⁴

¹¹⁹⁴ Erica Goode, *Gunmen Kill a Top Official in Baghdad*, NY Times, 23 August 2008, <http://www.nytimes.com/2008/08/24/world/middleeast/24iraq.html>.

¹¹⁹⁵ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Thursday 21 August 2008*, McClatchy Newspapers, 21 August 2008, <http://www.mcclatchydc.com/212/story/49638.html>.

¹¹⁹⁶ Sinan Salaheddin, *Police: Iraqi troops raid Diyala governor's office*, The Guardian, 19 August 2008, <http://www2.guardian.co.uk/worldlatest/story/0,,-7736498,00.html>.

¹¹⁹⁷ VOI, *Mosul mayor survives assassination attempt*, 18 August 2008, http://www.iraqupdates.com/p_articles.php/article/35348.

¹¹⁹⁸ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 18 August 2008*, McClatchy Newspapers, 18 August 2008, <http://www.mcclatchydc.com/212/story/48989.html>.

¹¹⁹⁹ Geo Television, *Attacks in Iraq kill five, injure 29*, 14 August 2008, <http://www.geo.tv/8-14-2008/22624.htm>.

¹²⁰⁰ Sahar Issa, *Round-up of Daily Violence in Iraq, Tuesday 12 August 2008*, McClatchy Newspapers, 12 August 2008, <http://www.mcclatchydc.com/212/story/47765.html>.

¹²⁰¹ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 4 August 2008*, McClatchy Newspapers, 4 August 2008, <http://www.mcclatchydc.com/212/story/46365.html>.

¹²⁰² *Ibid.*

¹²⁰³ VOI, *Female government official gunned down in Mosul*, 28 July 2008, http://www.iraqupdates.com/p_articles.php/article/34354.

¹²⁰⁴ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Sunday 27 July 2008*, McClatchy Newspapers, 27 July 2008, <http://www.mcclatchydc.com/212/story/45691.html>.

- 21 July 2008: Gunmen detonated the house of the mother of Mithal Al-Alousi, a member in the CoR, in Al-Jamia'a neighborhood in west Baghdad. The house was empty when the explosion happened.¹²⁰⁵
- 15 July 2008: A roadside bomb targeted the convoy of Waheed Kareem, the Minister of Electricity, in Zayuna neighborhood in eastern Baghdad. Two persons were injured.¹²⁰⁶
- 10 July 2008: Brigadier General Riyadh Jarallah Kashmoula, Head of the Identity and Civil Affairs Department in Mosul, was assassinated by unidentified gunmen as he left his office. Kashmoula is a cousin of Ninewa Governor Duraid Kashmoula.¹²⁰⁷
- 7 July 2008: Six mortar rounds targeted the Governorate building in Mosul City, injuring six civilians including two employees.¹²⁰⁸
- 7 July 2008: A roadside bomb exploded in front of the residence of the mayor of Sulaiman Pak (Salah Al-Din), critically injuring the mayor and wounding other civilians.¹²⁰⁹
- 3 July 2008: Gunmen blew up the residence of Shatha Al-Musawi, a member of the UIA in the CoR, in Adil neighbourhood. The residence was empty at the time of the incident, but the explosion destroyed the house, damaged two adjacent houses and injured four civilians.¹²¹⁰
- 25 June 2008: Gunmen assassinated the Head of the Municipality of Mosul, Khalid Mahmoud, and his driver.¹²¹¹
- 26 June 2008: Kamal Abdulsalam, the Mayor of Karmah (Al-Anbar), was killed in a suicide attack on a gathering of local sheikhs. Also, three American Marines and two interpreters as well as at least 16 other people were killed in the attack.¹²¹²
- 26 June 2008: At least 18 people died in a car bombing in the City of Mosul, in an apparent attack on the Ninewa Governor, Duraid Kashmoula, who was near the blast but escaped unharmed.¹²¹³
- 24 June 2008: Gunmen opened fire on Ibrahim Hassan Ali, the mayor of Karhat Qazen village southwest of Kirkuk, killing him instantly.¹²¹⁴
- 24 June 2008: Gunmen shot dead Mahdi Atwan, head of the Municipal Council of Abu Disheer neighborhood in Baghdad, in front of his house.¹²¹⁵

¹²⁰⁵ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 21 July 2008*, McClatchy Newspapers, 21 July 2008, <http://www.mcclatchydc.com/212/story/44984.html>.

¹²⁰⁶ Hussein Kadhim, *Round-up of Daily Violence - Tuesday 15 July 2008*, McClatchy Newspapers, 15 July 2008, <http://www.mcclatchydc.com/212/story/44297.html>.

¹²⁰⁷ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 10 July 2008*, McClatchy Newspapers, 10 July 2008, <http://www.mcclatchydc.com/212/story/43632.html>.

¹²⁰⁸ Sahar Issa, *Round-up of Daily Violence in Iraq, Monday 7 July 2008*, McClatchy Newspapers, 7 July 2008, <http://www.mcclatchydc.com/212/story/43313.html>.

¹²⁰⁹ *Ibid.*

¹²¹⁰ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 3 July 2008*, McClatchy Newspapers, 3 July 2008, <http://www.mcclatchydc.com/212/story/43056.html>.

¹²¹¹ KUNA, *Head of Mosul Municipality killed – source*, 25 June 2008, <http://www.kuna.net.kw/newsagenciespublicsite/ArticleDetails.aspx?Language=en&id=1920636>.

¹²¹² Doug Smith, Saif Hameed, *Suicide attack, rockets kill dozens, injure 100*, LA Times, 27 June 2008, <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/06/27/MNID11FVOH.DTL>.

¹²¹³ AP, *3 Marines killed in attack on Iraq officials*, 26 June 2008, <http://www.msnbc.msn.com/id/25384438/>.

¹²¹⁴ VOI, *Gunmen kill village's mayor near Kirkuk*, 24 June 2008, http://www.iraquupdates.com/p_articles.php/article/32909.

¹²¹⁵ VOI, *Baghdad municipal council chief gunned down- eyewitnesses*, 24 June 2008, http://www.iraquupdates.com/p_articles.php/article/32895.

- 24 June 2008: Two members of the Sadr City Council were killed and 10 others wounded when an explosion detonated inside the Council building.¹²¹⁶
- 21 June 2008: A bomb planted in the car of the Office Manager of the Minister of Higher Education and Scientific Research exploded in Al-Tobchi neighborhood in Baghdad, injuring three including the Minister's Office Manager.¹²¹⁷
- 17 June 2008: Gunmen attacked two employees of the Prime Minister's Office in Al-Nisour square, killing one and injuring the other one.¹²¹⁸
- 12 June 2008: Five people were wounded including three guards in an explosion targeting the mayor of Saab, in Baghdad.¹²¹⁹
- 12 June 2008: A roadside bomb targeting the convoy of Major General Sameer Al-Waeli, Head of the Social Care Department in the MoI, left three policemen and three civilians injured.¹²²⁰
- 10 June 2008: A bicycle bomb targeted the vehicle of Rashied Ali, Mayor of Sulaiman Pak (Kirkuk), and wounded one of his bodyguards.¹²²¹
- 7 June 2008: The convoy of Ninewa Governor Duraid Kashmoula was attacked by gunmen during a tour in Zanjili neighbourhood in western Mosul. No casualties were reported, but some damages to the vehicles.¹²²²
- 3 June 2008: Unknown gunmen opened fire at Dalshad Abdullah, member of the Tuz Khurmatu Municipal Council, and Naseh Moussa, member of the Salah Al-Din Provincial Council from the Kurdish list, inside their car in Tuz Khurmatu, killing them on the spot.¹²²³
- 31 May 2008: Gunmen assassinated Ahmed Foad, Head of the Diyala morgue, in Ba'quba.¹²²⁴
- 26 May 2008: Seven civilians were wounded in an attempt on the life of Brigadier General Abdel Hussein, Director for Tribal Affairs in the MoI.¹²²⁵
- 25 May 2008: A car bomb targeted the convoy of the Babel Governor in Yarmouk neighborhood in Baghdad. 11 people were injured, including seven guards and four civilians.¹²²⁶
- 25 May 2008: Ali Hashim, Director of the Investigation Unit at the Ministry of Health, was shot dead by gunmen in Baghdad.¹²²⁷

¹²¹⁶ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²¹⁷ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Saturday 21 June 2008*, McClatchy Newspapers, 21 June 2008, <http://www.mcclatchydc.com/212/story/41810.html>.

¹²¹⁸ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 17 June 2008*, McClatchy Newspapers, 17 June 2008, <http://www.mcclatchydc.com/212/story/41318.html>.

¹²¹⁹ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²²⁰ *Ibid.*, p. 8.

¹²²¹ VOI, *Salman Bek mayor escapes assassination attempt in Kirkuk*, 10 June 2008, http://www.iraqupdates.com/p_articles.php/article/32287.

¹²²² Laith Hammoudi, *Round-up of Daily Violence in Iraq - Saturday 7 June 2008*, McClatchy Newspapers, 7 July 2008, <http://www.mcclatchydc.com/212/story/40188.html>.

¹²²³ VOI, *Unknown gunmen kill local officials in Salah el-Din*, 4 June 2008, http://www.iraqupdates.com/p_articles.php/article/32002.

¹²²⁴ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²²⁵ *Ibid.*

¹²²⁶ Hussein Kadhim, *Round-up of Daily Violence - Sunday 25 May 2008*, McClatchy Newspapers, 25 May 2008, <http://www.mcclatchydc.com/212/story/38468.html>.

¹²²⁷ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

- 24 May 2008: A roadside bomb targeted Zuhair Muhsin, the mayor of Mosul City, in eastern Mosul, injuring two of his bodyguards.¹²²⁸
- 15 May 2008: A roadside bomb exploded targeting the motorcade of the Governor of Baghdad in Nasr Square in central Baghdad. One guard was killed and four guards and two civilians were injured in the attack.¹²²⁹
- 14 May 2008: Two separate bomb attacks targeting the convoys of Ayad Samarrai and Abdul Kareem Samarrai, IIP members of the CoR, resulted in the killing of six civilians and injuring 30 others.¹²³⁰
- 11 May 2008: A roadside bomb targeted the convoy of the Deputy Minister of Finance, Fadhel Mahmoud, injuring six people.¹²³¹
- 7 May 2008: An adhesive stick bomb exploded in a bus carrying employees of the Ministry of Foreign Affairs in central Baghdad, injuring three employees.¹²³²
- 4 May 2008: Hiro Talabani, Iraq's First Lady, survived a roadside bomb explosion that targeted her convoy in central Baghdad, injuring four of her bodyguards.¹²³³
- 29 April 2008: Gunmen shot and killed Dheya Al-Jodi, a director in MoLSA, when he was leaving his house in the Atifiyah neighborhood of northern Baghdad.¹²³⁴
- 29 April 2008: The mayor of Saidiyah town (Diyala), Samir Al-Sadi, was injured in an IED explosion that targeted his convoy while in downtown. One of his guards was killed and two civilians were injured.¹²³⁵
- 24 April 2008: Gunmen attacked Wayis Mohammed Zaidan, the head of Wajihyah sub-District (Diyala), injuring him and his driver.¹²³⁶
- 22 April 2008: Gunmen assassinated an employee of Baghdad municipality while he was driving his car in west Baghdad.¹²³⁷
- 21 April 2008: Gunmen assassinated Colonel Abdul Kareem Muhsin, the Director of the Protection Department in the Ministry of Transportation while on his way home in east Baghdad.¹²³⁸
- 21 April 2008: Three IEDs planted in three cars targeted employees of the Cabinet Office, injuring three employees.¹²³⁹

¹²²⁸ Reuters, *FACTBOX-Security developments in Iraq*, May 24, 24 May 2008, <http://www.alertnet.org/thenews/newsdesk/ANW439482.htm>.

¹²²⁹ Sahar Issa, *Round-up of Daily Violence - Thursday 15 May 2008*, McClatchy Newspapers, 15 May 2008, <http://www.mcclatchydc.com/212/story/37154.html>.

¹²³⁰ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²³¹ Hussein Kadhim, *Round-up of Daily Violence - Sunday 11 May 2008*, McClatchy Newspapers, 11 May 2008, <http://www.mcclatchydc.com/212/story/36626.html>.

¹²³² Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq - Wednesday 7 May 2008*, McClatchy Newspapers, 7 May 2008, <http://www.mcclatchydc.com/212/story/36221.html>.

¹²³³ Alissa J. Rubin, *Iraqi President's Wife Not Hurt by a Roadside Bomb*, NY Times, 5 May 2008, <http://www.nytimes.com/2008/05/05/world/middleeast/05iraq.html>.

¹²³⁴ Raviya H. Ismail and Shashank Bengali, *U.S. troops kill 28 in 4-hour Baghdad battle*, McClatchy Newspapers, 29 April 2008, <http://www.mcclatchydc.com/103/story/35275.html>.

¹²³⁵ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 29 April 2008*, McClatchy Newspapers, 29 April 2008, <http://www.mcclatchydc.com/212/story/35205.html>.

¹²³⁶ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Thursday 24 April 2008*, McClatchy Newspapers, 24 April 2008, <http://www.mcclatchydc.com/212/story/34793.html>.

¹²³⁷ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 22 April 2008*, McClatchy Newspapers, 22 April 2008, <http://www.mcclatchydc.com/212/story/34473.html>.

¹²³⁸ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Wednesday 21 April 2008*, McClatchy Newspapers, 21 April 2008, <http://www.mcclatchydc.com/212/story/37979.html>.

- 20 April 2008: ISF found the bodies of Shamdein Ibrahim Shamdein, member of the Sinjar Council, and his brother near Sinjar after they had been kidnapped one day earlier from their home.¹²⁴⁰
- 17 April 2008: A member of the local Council of Dora, Saad Al-Nuaimi, was assassinated by gunmen as he was driving his car. His son was severely injured.¹²⁴¹
- 16 April 2008: A roadside bomb targeted the convoy of the Kirkuk Agricultural Department manager in downtown Kirkuk, injuring two guards.¹²⁴²
- 14 April 2008: Gunmen killed an Independent Electoral Commission worker in a drive-by shooting outside his house east of Ba'quba.¹²⁴³
- 13 April 2008: The deputy of the local council in Fallujah, Qasim Mashkoor, and his 11-year old son were seriously injured when an IED attached to their car exploded in downtown Fallujah.¹²⁴⁴
- 10 April 2008: The head of the Municipal Council of Al-Dour (Salah Al-Din) survived an assassination attempt when a roadside bomb targeted his car when he drove to work.¹²⁴⁵
- 7 April 2008: A roadside bomb targeted the convoy of General Abdul Kareem Khalaf, MoI spokesman, in Al-Nashwa area north of Basrah, injuring four bodyguards.¹²⁴⁶
- 6 April 2008: Seven workers of the Ministry of Energy were abducted in Balad (Salah Al-Din).¹²⁴⁷
- 31 March 2008: A bicycle bomb parked near Al-Khulafa mosque targeted one of the Fallujah council members' cars in downtown Fallujah. One person was killed and four people were.¹²⁴⁸
- 31 March 2008: A roadside bomb targeted the Diyala Deputy Governor's convoy in Muqtadiyah, killing two of his guards.¹²⁴⁹
- 30 March 2008: A roadside bomb targeted the convoy of Ibrahim Hassan, the Head of Diyala Governorate Council, when it was on its way to Saidiyah. Two guards were killed in the incident.¹²⁵⁰
- 28 March 2008: Gunmen killed the Mayor of Ghmash neighbourhood in Diwaniyah, sparking clashes between ISF and JAM fighters.¹²⁵¹

¹²³⁹ Hussein Kadhim, *Round-up of Daily Violence - Monday 21 April 2008*, McClatchy Newspapers, 21 April 2008, <http://www.mcclatchydc.com/212/story/34340.html>.

¹²⁴⁰ VOI, *Body of kidnapped local official found near Mosul*, 21 April 2008, http://www.iraquupdates.com/p_articles.php/article/30085.

¹²⁴¹ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 17 April 2008*, McClatchy Newspapers, 17 April 2008, <http://www.mcclatchydc.com/212/story/34001.html>.

¹²⁴² Hussein Kadhim, *Round-up of Daily Violence - Wednesday 16 April 2008*, McClatchy Newspapers, 16 April 2008, <http://www.mcclatchydc.com/212/story/33879.html>.

¹²⁴³ Reuters, *FACTBOX-Security developments in Iraq, April 14*, 14 April 2008, <http://www.alertnet.org/thenews/newsdesk/L14539454.htm>.

¹²⁴⁴ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Sunday 13 April 2008*, McClatchy Newspapers, 13 April 2008, <http://www.mcclatchydc.com/212/story/33522.html>.

¹²⁴⁵ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 10 April 2008*, McClatchy Newspapers, 10 April 2008, <http://www.mcclatchydc.com/212/story/33263.html>.

¹²⁴⁶ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Monday 7 April 2008*, McClatchy Newspapers, 7 April 2008, <http://www.mcclatchydc.com/212/story/32889.html>.

¹²⁴⁷ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²⁴⁸ Hussein Kadhim, *Round-up of Daily Violence - Monday 31 March 2008*, McClatchy Newspapers, 31 March 2008, <http://www.mcclatchydc.com/212/story/32101.html>.

¹²⁴⁹ *Ibid.*

¹²⁵⁰ Hussein Kadhim, *Round-up of Daily Violence - Sunday 30 March 2008*, McClatchy Newspapers, 30 March 2008, <http://www.mcclatchydc.com/212/story/32024.html>.

- 28 March 2008: The Office of Vice-President Tareq Al-Hashemi, located in Baghdad's International Zone, was hit by a missile, killing one at least one person.¹²⁵²
- 27 March 2008: The District Commissioner's office in Khan Bani Saad (Diyala) was targeted with mortar fire by the JAM.¹²⁵³
- 25 March 2008: Gunmen attacked the house of the Babel Governor in Hilla, injuring three soldiers.¹²⁵⁴
- 23 March 2008: Gunmen shot dead an employee from the Mosul Water Department in Mosul.¹²⁵⁵
- 22 March 2008: A suicide bomber blew up a car near the house of Sheik Hussein Al-Shatob, the mayor of the town of Al-Mutasim (Salah Al-Din). The explosion killed three police officers guarding the house, but the mayor was unharmed.¹²⁵⁶
- 22 March 2008: The house of Iman Jalal, a member in the CoR for the UIA, came under attack by gunmen in Numaniyah (Wassit), causing no casualties.¹²⁵⁷
- 12 March 2008: A roadside bomb targeting a local council member near Kirkuk wounded two of his bodyguards.¹²⁵⁸
- 11 March 2008: A member of the local council of Yousifiyah town (Babel) was killed and eight other members were injured when an IED exploded inside the building of Yousifiyah town local council.¹²⁵⁹
- 29 February 2008: Police found the body of Ahmed Khalaf, a member of Hawija Municipal Council (Kirkuk), who had been kidnapped a few days ago by gunmen.¹²⁶⁰
- 28 February 2008: Mudhaffar Turki from the Public Integrity Commission was injured after gunmen opened fire on his car in east Baghdad.¹²⁶¹
- 28 February 2008: Matar Thamer Muhyee, Director of the Electricity Department in Basrah, was kidnapped.¹²⁶²
- 23 February 2008: A roadside bomb planted outside the house of Nuri Khalil, a municipal council member, killed his wife and wounded his son in Baiji (Salah Al-Din).¹²⁶³

¹²⁵¹ Sholnn Freeman, *U.S. Airpower Joins Basra Offensive*, The Washington Post, 29 March 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/03/28/AR2008032801167_pf.html.

¹²⁵² Reuters, *FACTBOX-Security developments in Iraq, March 28*, 28 March 2008, <http://www.reuters.com/article/latestCrisis/idUSANW848978>.

¹²⁵³ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 27 March 2008*, McClatchy Newspapers, 27 March 2008, <http://www.mcclatchydc.com/212/story/31750.html>.

¹²⁵⁴ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 25 March 2008*, McClatchy Newspapers, 25 March 2008, <http://www.mcclatchydc.com/212/story/31554.html>.

¹²⁵⁵ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²⁵⁶ Richard A. Oppel Jr. and Anwar J. Ali, *4 Americans Killed in Iraq; U.S. Attack Kills 6*, NY Times, 23 March 2008, <http://www.nytimes.com/2008/03/23/world/middleeast/23iraq.html>.

¹²⁵⁷ VOI, *Legislator's house comes under attack*, 23 March 2008, http://www.iraqupdates.com/p_articles.php/article/28932.

¹²⁵⁸ Reuters, *FACTBOX-Security developments in Iraq, March 12*, 12 March 2008, <http://www.alertnet.org/thenews/newsdesk/KAM230698.htm>.

¹²⁵⁹ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 11 March 2008*, McClatchy Newspapers, 11 March 2008, <http://www.mcclatchydc.com/212/story/29988.html>.

¹²⁶⁰ Hussein Kadhim, *Round-up of Daily Violence - Friday 29 February 2008*, McClatchy Newspapers, 29 February 2008, <http://www.mcclatchydc.com/212/story/29024.html>.

¹²⁶¹ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²⁶² *Ibid.*

¹²⁶³ Reuters, *FACTBOX: Security developments in Iraq, Feb 23*, 23 February 2008, <http://www.reuters.com/article/GCA-Iraq/idUSRAS22000320080223>.

- 20 February 2008: A roadside bomb targeted the Deputy Minister of Science and Technology, Sameer Salim Al-Attar, who was injured along with two of his guards.¹²⁶⁴
- 4 February 2008: Gunmen assassinated Waleed Haitham Idrees, an employee of the Ministry of Foreign Affairs, in Mansour neighborhood in west Baghdad.¹²⁶⁵
- 3 February 2008: A bomb exploded inside the office of Dr. Hussein Al-Zubaidi, the Head of the Security Committee for the Diyala Provincial Council, in Ba'quba. The blast injured him, two bodyguards and two US soldiers.¹²⁶⁶
- 31 January 2009: An attack on the convoy of Salam Al-Qazaz, Deputy Minister of Electricity, left two of his escorts and one civilian injured.¹²⁶⁷
- 29 January 2008: Talib Mohammed Mustafa, the head of Sulaiman Pak and member of Salah Al-Din Provincial Council survived an assassination attempt on the main road south of Tuz.¹²⁶⁸
- 26 January 2008: Gunmen attacked a local council building in Ba'quba (Diyala), injuring two guards.¹²⁶⁹
- 23 January 2009: Ali Mahmoud, an engineer working in Basrah Airport, was kidnapped from his house and killed.¹²⁷⁰
- 22 January 2008: A roadside bomb targeted a bus carrying employees of the Ministry of Transportation, killing one civilian and injuring six employees, in Baghdad.¹²⁷¹
- 19 January 2008: A roadside bomb targeted the convoy of the Diyala Governor near his house in Al-Wajhiyah (Diyala), killing three bodyguards and injuring two.¹²⁷²
- 10 January 2008: A roadside bomb killed Falah Mansour Hussein, Chair of the Yarmouk District Council in Baghdad, and wounded two of his bodyguards.¹²⁷³
- 8 January 2008: A roadside bomb killed the head of Yarmouk District Council, Salih Mansour Hussein, and wounded two of his bodyguards in Yarmouk in western Baghdad.¹²⁷⁴
- 8 January 2008: Gunmen assassinated the deputy of the Tax Department in Mansour neighborhood.¹²⁷⁵
- 7 January 2008: An employee in the Ministry of Trade was injured when an IED exploded inside his car in Za'afaraniyah neighborhood, Baghdad.¹²⁷⁶

¹²⁶⁴ Hussein Kadhim, *Round-up of Daily Violence - Wednesday 20 February 2008*, McClatchy Newspapers, 20 February 2008, <http://www.mcclatchydc.com/212/story/28190.html>.

¹²⁶⁵ Hussein Kadhim, *Round-up of Daily Violence - Monday 04 February 2008*, McClatchy Newspapers, 4 February 2008, <http://www.mcclatchydc.com/212/story/26411.html>.

¹²⁶⁶ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Sunday 3 February 2008*, McClatchy Newspapers, 3 February 2008, <http://www.mcclatchydc.com/212/story/26374.html>.

¹²⁶⁷ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²⁶⁸ Sahar Issa, *Round-up of Daily Violence in Iraq, Tuesday 29 January 2008*, McClatchy Newspapers, 29 January 2008, <http://www.mcclatchydc.com/212/story/25640.html>.

¹²⁶⁹ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Saturday 26 January 2008*, McClatchy Newspapers, 26 January 2008, <http://www.mcclatchydc.com/212/story/25501.html>.

¹²⁷⁰ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²⁷¹ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 22 January 2008*, McClatchy Newspapers, 22 January 2008, <http://www.mcclatchydc.com/212/story/25205.html>.

¹²⁷² Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Saturday 19 January 2008*, McClatchy Newspapers, 19 January 2008, <http://www.mcclatchydc.com/212/story/25061.html>.

¹²⁷³ UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹²⁷⁴ Reuters, *FACTBOX-Security developments in Iraq, Jan 8*, 8 January 2008, <http://www.reuters.com/article/middleeastCrisis/idUSL084973>.

¹²⁷⁵ Hussein Kadhim, *Round-up of Daily Violence in Iraq - Tuesday 8 January 2008*, McClatchy Newspapers, 8 January 2008, <http://www.mcclatchydc.com/212/story/24424.html>.

- 3 January 2008: An IED attached to the car of Falah Shenshel, a member of the CoR for the Sadr Movement, exploded in a car park in Sadr City, Baghdad, causing no casualties.¹²⁷⁷

¹²⁷⁶ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 7 January 2008*, McClatchy Newspapers, 7 January 2008, <http://www.mcclatchydc.com/212/story/24359.html>.

¹²⁷⁷ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 3 January 2008*, McClatchy Newspapers, 3 January 2008, <http://www.mcclatchydc.com/212/story/24132.html>.

Annex II: Assaults on journalists, media workers and media outlets

(January 2008 – March 2009, not exhaustive)

- 10 March 2009: Al-Baghdadia TV correspondent Haidar Hashim Suhail and the channel's cameraman Suhaib Adnan were among the more than 30 people who were killed when a suicide bomber wearing an explosive belt detonated himself in the town of Abu Ghraib (Baghdad). Additionally, Ibrahim Al-Katib, correspondent with the state-run Al-Iraqiyya TV, was seriously injured in the head. Cameraman Raid Qassim, assistant cameraman Uday Munzir and driver Fawzi Aidan, all working with Al-Iraqiyya also suffered minor injuries in the attack.¹²⁷⁸
- 3 February 2009: Majid al-Sakr, an Iraqi sports editor for *Al-Bayana*, died of shrapnel wounds suffered in a roadside bombing more than two months ago.¹²⁷⁹
- 28 January 2009: Journalists in at least three Iraqi cities, including Basrah, Fallujah and Hilla, were harassed by ISF as they were covering the provincial elections.¹²⁸⁰
- 2 January 2009: US soldiers shot and seriously wounded TV journalist Hadeel Emad in Baghdad. Emad works as a producer for *Beladi* TV. According to *Beladi* TV, the US soldiers initially fired in the air but Emad did not hear the shots because her hearing is impaired.¹²⁸¹
- 25 December 2008: Gunmen injured two employees of the Iraqi News Agency (INA) at Beirut intersection in east Baghdad.¹²⁸²
- 14 December 2009: Iraqi journalist Muntadar Al-Zaidi of *Al-Baghdadia* television was arrested after hurling his shoes at US President George W. Bush at a Baghdad press conference. Reportedly, he has been severely beaten by security officials. He remains in custody and is expected to face charges of insulting a foreign leader.¹²⁸³
- 10 October 2008: Dayyar Abbas, an Iraqi journalist working for the independent news agency *Al-Ain*, was killed in a drive-by shooting in the centre of Kirkuk City.¹²⁸⁴
- 21 September 2008: An explosive charge detonated near the building of *Al-Bayyina* newspaper in Baghdad, causing damage to the building.¹²⁸⁵

¹²⁷⁸ CPJ, *Two Iraqi journalists killed, four more injured*, 10 March 2009, <http://cpj.org/2009/03/two-iraqi-journalists-killed-four-more-injured.php>.

¹²⁷⁹ AP, *Iraqi journalist dies 2 months after bombing*, 4 February 2009, <http://www.ihf.com/articles/ap/2009/02/04/news/ML-Iraq-Journalist-Killed.php>.

¹²⁸⁰ CPJ, *Iraqi journalists harassed covering provincial elections*, 29 January 2009, <http://cpj.org/2009/01/journalists-harassed-while-covering-iraqi-provinci.php>.

¹²⁸¹ RSF, *US military urged to discipline soldiers who shot woman journalist in Baghdad*, 3 January 2009, http://www.rsf.org/article.php3?id_article=29879.

¹²⁸² Hussein Kadhim, *Round-up of daily violence in Iraq-Thursday 25 December 2008*, McClatchy Newspapers, 25 December 2008, <http://www.mcclatchydc.com/212/story/58485.html>.

¹²⁸³ Matthew Weaver, Mark Tran and agencies, *Bush shoe protester has been beaten, Iraqi judge says*, 19 December 2008, <http://www.guardian.co.uk/world/2008/dec/19/iraq-georgebush>; AI, *Iraq: Allegations of beating of Iraqi journalist must be investigated*, MDE 14/033/2008, 17 December 2008, <http://www.amnesty.org/en/library/asset/MDE14/033/2008/en/948fb9be-cc2b-11dd-92df-9f9650cfe2c1/mde140332008en.pdf>.

¹²⁸⁴ VOI, *URGENT / Journalist in Kirkuk killed*, 10 October 2008, http://www.iraquupdates.com/p_articles.php/article/37773.

¹²⁸⁵ VOI, *Newspaper office attacked*, 21 September 2008, http://www.newssafety.com/index.php?view=article&catid=83%3AIraq-media-safety&id=10011%3Anewspaper-office-attacked&option=com_content&Itemid=100377.

- 20 September 2008: A bomb blast in Baghdad outside the offices of the Iraqi Journalists Syndicate wounded the union's chief Muaid Al-Lami and four other people.¹²⁸⁶
- 13 September 2008: Unknown gunmen kidnapped and shot dead three Iraqi journalists from *Al-Sharqiya* TV station along with their driver in Mosul.¹²⁸⁷
- 9 September 2008: *Al-Arabiya* TV channel's Baghdad bureau chief, Jawad Al-Hattab, escaped an attempt on his life when a sticky IED attached to the undercarriage of his vehicle went off in a parking lot in Al-Salihiya in Baghdad.¹²⁸⁸
- 27 August 2008: Bodyguards of the Minister of Technology attacked Haider Hameed Kadhim, a correspondent for the local *Al-Sumariya* TV, in Baghdad while covering an annual conference for the ministry. He was reportedly punched with butts of pistols on the head before being interrogated and later released.¹²⁸⁹
- 24 August 2008: Gunmen dressed in military uniforms shot and wounded Kurdish journalist Sadeq Jaafar Bashir in his Baghdad home, killed his sister and wounded his niece and mother.¹²⁹⁰
- 19 August 2008: A mortar shell landed on the building of *Al-Iraqiya* and *Al-Mosuliya* satellite channels in eastern Mosul without causing any casualties.¹²⁹¹
- 17 August 2008: Gunmen threw a grenade at a car carrying a television crew for *Afaq*, a local TV station funded by Dawa Party, as they were about to enter their headquarters in Baghdad's Alawi Al-Hilla neighborhood. A reporter, cameraman and driver were seriously injured and taken to a nearby hospital for treatment.¹²⁹²
- 1 August 2008: Journalist Amanaj Khalil of the weekly *Rudaw* survived a shooting attack near Sulaymaniyah. Reportedly, he had received death threats in relation to one of his articles in which he wrote about the links between a Kurdish Islamic organization and the terrorist group Ansar Al-Islam.¹²⁹³
- 21 July 2008: Soran Mama Hama, a reporter for the Kurdish-language magazine *Levin*, was shot dead in the City of Kirkuk. He was likely targeted for his reporting on local corruption and prostitution.¹²⁹⁴

¹²⁸⁶ Reuters, *Bomb outside Iraq's journalist union wounds boss*, 20 September 2008, <http://www.alertnet.org/thenews/newsdesk/LK241008.htm>.

¹²⁸⁷ Waleed Ibrahim, *Gunmen kill 4 Iraqi TV staff in Mosul*, Reuters, 13 September 2008, <http://www.alertnet.org/thenews/newsdesk/LD720606.htm>.

¹²⁸⁸ VOI, *Al-Arabiya news channel office chief survives attempt in Baghdad*, 10 September 2008, http://www.iraqupdates.com/p_articles.php/article/36257; Courtney C. Radsch, *Al Arabiya chief escapes car bomb in Baghdad*, *Al Arabiya*, 9 September 2008, <http://www.alarabiya.net/articles/2008/09/09/56260.html>.

¹²⁸⁹ VOI, *Al-Sumariya TV correspondent attacked by Minister bodyguards during conference*, 27 August 2008, http://www.newssafety.com/index.php?view=article&catid=83%3Airaq-media-safety&id=7564%3Aal-sumariya-tv-correspondent-attacked-by-minister-bodyguards-during-conference&option=com_content&Itemid=100377.

¹²⁹⁰ AFO, *Gunmen shoot Iraqi Kurdish journalist in Baghdad*, 4 September 2008, http://www.iraqupdates.com/p_articles.php/article/36021.

¹²⁹¹ VOI, *Mortar shell hits al-Iraqia, al-Mosuliya channels in Mosul*, 19 August 2008, http://www.iraqupdates.com/p_articles.php/article/35404.

¹²⁹² Hussein Kadhim, *Round-up of Daily Violence - Sunday 17 August 2008*, 17 August 2008, McClatchy Newspapers, <http://www.mcclatchydc.com/212/story/48799.html>.

¹²⁹³ RSF, *Call for protective measures after shooting attack on reporter in Kurdistan*, 5 August 2008, http://www.rsf.org/article.php3?id_article=28067.

¹²⁹⁴ UNESCO, *Director-General condemns murder of Iraqi journalist Soran Mama Hama*, 30 July 2008, http://portal.unesco.org/ci/en/ev.php-URL_ID=27442&URL_DO=DO_TOPIC&URL_SECTION=201.html.

- 6 July 2008: Saif Al-Khayiat, a journalist for the Japanese News Agency, was attacked by unknown gunmen while he was walking in central Baghdad. The attackers escaped after the intervention of nearby ISF and Al-Khayiat survived unharmed.¹²⁹⁵
- 1 July 2008: Azad Arkuchi, the head of the public satellite television network *Newroz*, was beaten by armed men after being ambushed near Erbil. The assailants were described as wearing military uniforms and driving a police car. Arkuchi was reportedly bound and blindfolded, driven to an unknown destination and beaten. He was then left on a road late at night.¹²⁹⁶
- 17 June 2008: Gunmen shot dead Mohialddin Abdulhamid, a local anchorman for *Al-Iraqiya* channel outside his home in Mosul.¹²⁹⁷
- 3 June 2008: journalist Rezgar Raza Chouchani was summoned to the *Zeravani* (belongs to the *Peshmerga*) in the town of Masief Salah Al-Din (Erbil), reportedly in relation to an article he had written about corruption in the intelligence agency. He had reportedly received threats from *Zeravani* officials telling him to stop writing about the subject. He was released on 9 June 2008, but it is believed that the release was based on the condition that he gives up his work as a journalist for the *Berzan* newspaper and the *Horakurd* website.¹²⁹⁸
- 21 May 2008: The body of journalist Haidar Hashem Al-Husseini was found in the town of Ba'quba (Diyala) two days after he was kidnapped.¹²⁹⁹
- 21 May 2008: Wessam Ali Awda, a cameraman for *Afaq* satellite channel, was killed by a US sniper on his way home in Baghdad. Witnesses suggested that he could have been mistaken for a militiaman.¹³⁰⁰
- 9 May 2008: A mortar bomb hit the roof of the BBC office in Karrada/Baghdad, but there were no casualties.¹³⁰¹
- 4 May 2008: Unidentified gunmen killed Sirwa Abdul-Wahab, a female journalist working for the Baghdad-based *Muraseloon* News Agency, on her way to work in eastern Mosul City.¹³⁰²
- 25 April 2008: Ali Jassem al-Battat, a cameraman working for the *Al-Nakhil* TV channel, was killed by an unidentified gunman in the area of Al-Qarna, north of Basrah.¹³⁰³

¹²⁹⁵ VOI, *Journalist survives assassination in Baghdad with help of Iraqi forces*, 7 July 2008, http://www.iraquupdates.com/p_articles.php/article/33460.

¹²⁹⁶ RSF, *State-run TV head in Kurdistan kidnapped in ambush and beaten*, 4 July 2008, http://www.rsf.org/article.php3?id_article=27755.

¹²⁹⁷ Bushra Juhi, *Iraqi TV reporter shot to death in Mosul*, AP, 17 June 2008, http://www.boston.com/news/world/middleeast/articles/2008/06/17/iraqi_tv_reporter_killed_in_iraqi/.

¹²⁹⁸ AI, *Further Information on UA 159/08 (MDE 14/014/2008, 05 June 2008) Enforced disappearance/Fear of torture or other ill-treatment*, MDE 14/016/2008, 12 June 2008, <http://www.amnesty.org/en/library/asset/MDE14/016/2008/en/2654eb56-394c-11dd-bff3-01e6dc6e1f44/mde140162008eng.pdf>.

¹²⁹⁹ UNESCO, *Director-General condemns killing of two Iraqi journalists: Wissam Ali Ouda and Haidar Hashem Al-Husseini*, 6 June 2008, http://portal.unesco.org/ci/en/ev.php-URL_ID=27020&URL_DO=DO_PRINTPAGE&URL_SECTION=201.html.

¹³⁰⁰ *Ibid.*

¹³⁰¹ BBC, *Mortar bomb slams into BBC office in Baghdad*, 9 May 2008, http://www.newssafety.com/index.php?view=article&catid=83%3Airaq-media-safety&id=5355%3Amortar-bomb-slams-into-bbc-office-in-baghdad-&option=com_content&Itemid=100377.

¹³⁰² VOI, *Gunmen shoot down female Iraqi journalist in Mosul*, 5 May 2008, http://www.iraquupdates.com/p_articles.php/article/30636.

- 22 April 2008: Three members of *Beladi* TV, including a reporter, a cameraman and a driver, were shot and wounded after being targeted by gunmen in eastern Baghdad.¹³⁰⁴
- 27 March 2008: Gunmen attacked and set ablaze the house of Bashir Taaban, a journalist working for the Iraqi Media Network in Al-Dhubbat neighbourhood in northern Kut (Wassit).¹³⁰⁵
- 20 March 2008: Guards of Prime Minister Nouri Al-Maliki reportedly hit and cursed journalists as they wanted to festivities in Babel Festival.¹³⁰⁶
- 13 March 2008: Unknown gunmen opened fire on Qassem Abdul Hussein Al-Eqabi, journalist in the local *Al-Muwaten* newspaper, in the Karrada neighbourhood in central Baghdad, killing him on the spot.¹³⁰⁷
- 3 March 2008: Soldiers attacked reporters covering the scene of a suicide car bomb attack in eastern Baghdad, reportedly beating and insulting them, and confiscated their cameras.¹³⁰⁸
- 23 February 2008: Shihab Al-Tamimi, Head of the Iraqi Journalists Syndicate, died from injuries he sustained from a targeted shooting in Baghdad.¹³⁰⁹

¹³⁰³ VOI, *Cameraman killed north of Basra*, 26 April 2008, http://www.iraquupdates.com/p_articles.php/article/30321.

¹³⁰⁴ Xinhua, *Three Iraqi TV crew wounded in Baghdad*, 22 April 2008, <http://english.people.com.cn/90001/90777/90854/6397097.html>.

¹³⁰⁵ VOI, *Gunmen set ablaze journalist's house in Wassit*, 27 March 2008, http://www.iraquupdates.com/p_articles.php/article/29088.

¹³⁰⁶ VOI, *Maliki's guards abuse journalists during Babel festival*, 20 March 2008, http://www.iraquupdates.com/p_articles.php/article/28869.

¹³⁰⁷ VOI, *Iraqi journalist killed by unknown gunmen in Baghdad*, 14 March 2008, http://www.iraquupdates.com/p_articles.php/article/28524.

¹³⁰⁸ AFP, *Iraq army 'beat up' journalists covering bombing*, 4 March 2008, <http://www.abc.net.au/news/stories/2008/03/04/2179913.htm>.

¹³⁰⁹ UNESCO, *Director-General condemns murder of Shihab al-Tamimi, President of the Iraqi Syndicate of Journalists*, 3 March 2008, http://portal.unesco.org/ci/en/ev.php-URL_ID=26112&URL_DO=DO_TOPIC&URL_SECTION=201.html

Annex III: Members of the Iraqi Security Forces¹³¹⁰

(mid-November 2008 – March 2009)

- 31 March 2009: Seven people were killed, including four police officers, and 40 others wounded when a suicide bomber drove an explosives-laden truck into the compound of a police station in Mosul.
- 30 March 2009: A bomb attached to the car of an intelligence officer in MoI killed him and another passenger and wounded eight passers-by in Adhamiyah neighbourhood in northern Baghdad.
- 30 March 2009: A bomb targeting a police patrol killed one policeman and wounded four others in western Mosul.
- 30 March 2009: A roadside bomb killed one soldier and wounded two others, including a major, when it struck their patrol in western Mosul.
- 29 March 2009: A roadside bomb killed five people, including one police officer, and wounded nine when it targeted a patrol of oil installation police south of Basrah.
- 25 March 2009: Gunmen killed a policeman in central Mosul.
- 24 March 2009: Gunmen targeted a policeman while on his annual vacation in central Mosul, killing him instantly.
- 22 March 2009: Police said they found the body of an Iraqi soldier in southern Mosul.
- 20 March 2009: A suicide bomber shot dead a policeman and wounded two civilians with his AK-47 before detonating his explosive belt near a tribal leader's house, near Fallujah. No one was hurt by the ensuing blast.
- 18 March 2009: A suicide car bomber attacked a police patrol, killing one policeman and seriously wounding two others in eastern Mosul.
- 18 March 2009: Gunmen shot dead a soldier at an army checkpoint in eastern Mosul.
- 17 March 2009: Gunmen killed a soldier near a checkpoint in Mosul.
- 17 March 2009: Police found the dead body of a soldier in Qayara south of Mosul. The soldier gunshots to his head and chest.
- 15 March 2009: Gunmen killed Lieutenant Colonel Dhafir Kashmoula, a police officer, in downtown Mosul.
- 14 March 2009: A roadside bomb targeted an Iraqi army patrol on the main route between Ba'quba and Mandali (Diyala), killing two servicemen and injuring another.
- 14 March 2009: Gunmen shot dead an off-duty policewoman in a market in central Mosul.
- 13 March 2009: A policeman was killed by a roadside bomb which targeted a police patrol in southern Mosul.
- 12 March 2009: A roadside bomb killed one policeman in southern Mosul.
- 12 March 2009: Armed men killed a policeman near his home in eastern Mosul.
- 11 March 2009: A car bomb near an Iraqi army patrol killed three soldiers and wounded 10 people, including two soldiers, in western Mosul.
- 10 March 2009: A suicide car bomber in the Hamdaniyah District (Ninewa) attacked a police patrol, killing three people and wounding several others.

¹³¹⁰ This list of incidents is based on public media reports and has been collected by Iraq Coalition Casualty Count. The reports are neither exhaustive nor have they been verified; see Iraq Coalition Casualties Count, *Iraqi Deaths*, see above footnote 885, visited 31 March 2009.

- 9 March 2009: Two policemen were killed when gunmen opened fire at their checkpoint in western Mosul.
- 8 March 2009: A suicide bomber riding a motorbike targeted a crowd of police recruits in front of the police academy in Baghdad's Palestine Street, killing at least 28 persons.
- 8 March 2009: Gunmen opened fire and killed two soldiers in Mithaq neighbourhood in Mosul.
- 7 March 2009: Two roadside bombs targeting a police patrol went off simultaneously in Palestine Street in eastern Baghdad. The explosion killed one civilian and injured three policemen and five civilians.
- 5 March 2009: A sniper shot dead an Iraq soldier in west Mosul City.
- 5 March 2009: An Iraq soldier was killed and seven people were injured by a suicide car bomb in north Mosul City.
- 5 March 2009: An Iraqi soldier was killed by a roadside bomb that targeted a vehicle for the Iraqi army in west Mosul.
- 4 March 2009: Three people were killed and ten others were wounded in a suicide attack targeting a police patrol in the Karrada area of central Baghdad.
- 4 March 2009: Two policemen were killed and 21 people were wounded, including eight policemen, when a suicide car bomb exploded near a police checkpoint in northern Mosul.
- 4 March 2009: A sniper attacked an Iraqi army patrol killing a soldier in western Mosul.
- 2 March 2009: A roadside bomb targeting an army patrol killed two soldiers and wounded three others in Balad Ruz (Diyala).
- 26 February 2009: A roadside bomb targeting an Iraqi army patrol in the central Baghdad's Jadriyah neighbourhood killed two soldiers and wounded 10, including two soldiers.
- 26 February 2009: A roadside bomb targeting a police patrol in Karama neighbourhood in Mosul killed an officer and left three other people wounded.
- 23 February 2009: Two people were killed and six wounded, including two policemen, when a bomb blew up as a police convoy was passing the Agriculture Ministry in the centre of Baghdad.
- 23 February 2009: Two soldiers and one civilian were killed and four people were wounded, when gunmen opened fire on a checkpoint in the Ghaziliyah neighbourhood of Baghdad.
- 22 February 2009: Two Iraqi soldiers were killed and two were wounded in a roadside bomb explosion in western Mosul.
- 20 February 2009: An Iraqi soldier was shot and wounded by sniper fire in Baghdad's western district of Mansour.
- 19 February 2009: A roadside bomb near a police station killed a policeman and wounded one person in the town of Karmah (Al-Anbar).
- 19 February 2009: A car bomb killed one policeman and wounded seven people, including two policemen, in southern Mosul.
- 19 February 2009: A policeman was killed when a roadside bomb exploded near a police patrol in western Mosul.
- 19 February 2009: An off-duty Iraqi soldier was shot dead in central Mosul.
- 18 February 2009: A roadside bomb targeted a police patrol in western Mosul. One policeman was killed.
- 17 February 2009: A roadside bomb planted behind a caravan belonging to the Support Forces HQ in Siniyah District near Baiji (Salah Al-Din) detonated, killing three members of the Support Forces.

- 16 February 2009: A roadside bomb targeted an army patrol in Souq Al-Mash in western Mosul. One soldier was killed.
- 16 February 2009: Gunmen opened fire on a police patrol in Maidan neighbourhood in downtown Mosul. One policeman was killed and another was wounded.
- 15 February 2009: Gunmen opened fire on a police patrol in Dali Abass village (Diyala), killing two policemen and wounding two others.
- 15 February 2009: Gunmen shot and killed an off-duty Iraqi soldier in western Mosul.
- 13 February 2009: A truck driver ran over a vehicle of the national police in Bab Al-Sham area north Baghdad, killing two policemen and injuring four.
- 13 February 2009: Gunmen broke into the house of Brigadier General Thamir Yousif, an officer in the Ministry of Defence in Al-Jihad neighbourhood in south-west Baghdad, killing him and his son.
- 12 February 2009: Four policemen were killed and five were wounded when a car bomb exploded near a police patrol in eastern Mosul.
- 11 February 2009: on 11 February 2009, gunmen attacked the house of Captain Sallal Al-Timimi, an officer in Buhruz police station in Ba'quba (Diyala), killing one of his guards. When the police arrived at the scene, a roadside bomb detonated, killing one policeman.
- 11 February 2009: Gunmen shot and killed three policemen in eastern Mosul.
- 5 February 2009: Gunmen opened fire upon a policeman in north-eastern Mosul, killed him instantly.
- 29 January 2009: A police officer was killed and a policeman was injured when gunmen attacked one of the election centers in Tuz District (Kirkuk).
- 28 January 2009: A roadside bomb targeted a police vehicle in New Mosul neighbourhood in Mosul City, killing one policeman and injuring another.
- 28 January 2009: Gunmen killed one police officer and injured a policeman in Tuz Khurmatu (Salah Al-Din).
- 27 January 2009: A car bomb killed three Iraqi soldiers, including an army major, and wounded three people, including two soldiers, when it targeted an army patrol in eastern Mosul.
- 24 January 2009: A roadside bomb targeted a police patrol in Dora neighbourhood, south Baghdad, killing one policeman and wounding two civilians.
- 24 January 2009: A suicide car bomber killed five policemen and wounded 13 other people, including six police officers, at a checkpoint in Karmah (Al-Anbar).
- 21 January 2009: A roadside bomb targeting a police patrol killed five policemen and wounded three in Dour (Salah Al-Din).
- 21 January 2009: Police found the body of a national border guard in the town of Zubayr (Basrah).
- 19 January 2009: A roadside bomb targeting a police patrol in the Za'afaraniyah neighbourhood of south-east Baghdad killed an off-duty police captain and wounded eight people, including a policeman.
- 18 January 2009: Gunmen in a car killed two guards protecting a communications tower in north-eastern Mosul.
- 18 January 2009: Gunmen in a car shot dead an off-duty policeman in northern Mosul.
- 14 January 2009: Gunmen killed an off-duty policeman in eastern Kirkuk.
- 14 January 2009: A parked car bomb killed a soldier and wounded another three people including a soldier when it exploded on army convoy in western Mosul.

- 13 January 2009: A roadside bomb killed a policeman when it struck his police patrol in Mosul.
- 12 January 2009: A roadside bomb targeted a truck of the Iraqi Army carrying ammunition in Yarmouk neighbourhood in Baghdad, killing three soldiers and injuring three civilians.
- 11 January 2009: Gunmen killed three policemen when they attacked a police patrol in central Mosul.
- 10 January 2009: A roadside bomb targeting an Iraqi Army patrol killed five Iraqi soldiers in the town of Baiji (Ninewa).
- 8 January 2009: A roadside bomb killed two soldiers and wounded two when it struck their convoy near Hawija (Kirkuk).
- 6 January 2009: Four police commandos were killed and two wounded by a roadside bomb in the Dora neighbourhood of southern Baghdad.
- 6 January 2009: Gunmen in a speeding car opened fire and shot dead an off-duty Iraqi soldier in the town of Sekhra (Kirkuk).
- 5 January 2009: A roadside bomb killed three policemen and wounded six people, including three policemen, when it targeted a police patrol near central Baghdad's National Al-Sha'ab stadium.
- 3 January 2009: Gunmen killed a policeman in a drive-by shooting in central Mosul.
- 3 January 2009: A bomb stuck to a vehicle killed two civilians and wounded another in Sinjar (Ninewa).
- 1 January 2009: A suicide truck bomber killed three policemen and wounded five civilians in southern Mosul.
- 1 January 2009: Gunmen killed an off-duty policeman in a drive-by shooting in eastern Mosul.
- 30 December 2008: Gunmen killed a policeman in front of his house in Rashidiyah in Mosul.
- 30 December 2008: Gunmen killed a policeman in downtown Mosul.
- 29 December 2008: A police officer, his wife and his daughter were killed by an adhesive bomb that was stuck to his car. The bomb detonated while the police officer was driving his car in Mahawil area north of Hilla (Babel).
- 28 December 2008: A car bomb exploded near a police patrol, killing two people, one of them a policeman, and wounding five, near the eastern entrance to Fallujah.
- 26 December 2008: A roadside bomb targeting an Iraqi army patrol killed three soldiers and wounded four in Balad Ruz (Diyala).
- 23 December 2008: A roadside bomb killed five people, including a police colonel and his wife, and wounded three others when it exploded near a police convoy in Tarmiyah (Salah Al-Din).
- 21 December 2008: A roadside bomb killed two Iraqi soldiers in Mosul.
- 20 December 2008: Gunmen killed a policeman in the City of Mosul.
- 18 December 2008: Gunmen killed an off-duty traffic cop in western Mosul.
- 16 December 2008: Four Iraqi soldiers were killed by a parked car bomb in Saidiyah (Diyala).
- 15 December 2008: Nine policemen were killed and 31 wounded when a suicide bomber drove a car full of explosives at their checkpoint in Khan Dhari (Baghdad).
- 6 December 2008: A suicide bomber killed one policeman and wounded six other persons, including civilians, near a police academy in central Kirkuk.

- 6 December 2008: One of Iraqi President Jalal Talabani's security guards was killed by a roadside bomb in Udhaim (Diyala). The guard was off duty.
- 5 December 2008: A roadside bomb killed a policeman and wounded a civilian when it struck a police patrol in Mosul.
- 4 December 2008: Gunmen shot dead an on duty police officer in central Mosul.
- 2 December 2008: A roadside bomb targeting an army patrol killed five soldiers in Hilla (Babel).
- 1 December 2008: Iraqi police said blasts in Baghdad killed 15 people. According to Iraqi officials the victims were recruits.
- 1 December 2008: 16 Iraqis, mostly policemen, were killed, and 37 others were injured when a suicide car bomber attacked a joint convoy of Iraqi police and US military in Mosul.
- 27 November 2008: A roadside bomb targeted an army patrol in Qahira neighbourhood in east Baghdad, killing one soldier and wounding three others.
- 17 November 2008: A bomb carried on a handcart killed one policeman and wounded six people including three policemen when it detonated near a checkpoint in central Mosul.
- 17 November 2008: A roadside bomb killed one policeman and wounded three others when it struck their patrol in southern Mosul.

Annex IV: Attacks on party officials and offices

(January 2008 – March 2009, not exhaustive)

- 29 March 2009: Gunmen shot dead Abdullah Al-Sebaawi, a local IIP leader in the city of Mosul.¹³¹¹
- 19 March 2009: Gunmen killed Faysal Abdullah Al-Samarai, a senior IIP member, with a bomb planted under his car in Baghdad's Adhamiyah neighbourhood.¹³¹²
- 12 March 2009: Sheikh Abdullah Adnan Al-Tamimi, a Sunni religious leader who was a candidate in the 31 January provincial elections, was killed by armed men near his home south of Basrah.¹³¹³
- 24 February 2009: Gunmen targeted a PUK office in Mosul with a hand grenade, injuring two women.¹³¹⁴
- 23 February 2009: A sticky bomb went off near a PUK office in eastern Mosul.¹³¹⁵
- 23 February 2009: Amir Al-Lihaibi, who was a candidate in the provincial elections for the secular *Iraqi National List*, was wounded by a bomb attached to his car in Mosul.¹³¹⁶
- 22 February 2009: Jamal Al-Kilani, a local IIP official, survived an assassination attempt when an IED went off near his vehicle in central Tikrit (Salah Al-Din).¹³¹⁷
- 18 February 2009: Gunmen shot dead Samir Safwat, a lawyer and IIP official, in his car in Baghdad's Za'afaraniyah neighbourhood.¹³¹⁸
- 15 February 2009: Talab Muhsin Abid, a member of *Al-Hadba* was wounded in Mosul by a magnetic bomb planted under his car. The politician ran in the 31 January 2009 provincial elections as part of *Al-Hadba* list in Ninewa.¹³¹⁹
- 12 February 2009: Gunmen shot and injured Akram Khalaf, a candidate of the Sunni-led "National Movement for Reform and Development" in Mosul.¹³²⁰
- 11 February 2009: Gunmen killed Ahmed Al-Jubouri, a senior IIP member, as he left a mosque in Mosul.¹³²¹

¹³¹¹ Reuters, *FACTBOX-Security developments in Iraq*, March 30, 30 March 2009, <http://www.alertnet.org/thenews/newsdesk/RAS037071.htm>.

¹³¹² Reuters, *Top Sunni Arab official assassinated in Baghdad*, 19 March 2009, <http://www.alertnet.org/thenews/newsdesk/LJ960645.htm>.

¹³¹³ Reuters, *FACTBOX-Security developments in Iraq*, March 12, 12 March 2009, <http://www.alertnet.org/thenews/newsdesk/KAM231780.htm>.

¹³¹⁴ Aswat Al Iraq, *2 women injured in attack on PUK in Mosul*, 24 February 2009, <http://en.aswataliraq.info/wp-content/themes/sl/print.php?p=108664>.

¹³¹⁵ *Ibid.*

¹³¹⁶ Reuters, *FACTBOX-Security developments in Iraq*, Feb 24, 24 February 2009, <http://www.alertnet.org/thenews/newsdesk/LO466152.htm>.

¹³¹⁷ Reuters, *FACTBOX-Security developments in Iraq*, Feb 22, 22 February 2009, <http://www.alertnet.org/thenews/newsdesk/LM123261.htm>.

¹³¹⁸ Reuters, *Iraqi politician killed in latest post-vote attack*, 18 February 2009, <http://www.alertnet.org/thenews/newsdesk/RAS825440.htm>.

¹³¹⁹ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 15 February 2009*, McClatchy Newspapers, 15 February 2009, <http://www.mcclatchydc.com/212/story/62207.html>.

¹³²⁰ Trenton Daniel, *Spike violence in Iraq leaves at least another 12 dead*, McClatchy Newspapers, 12 February 2009, http://news.yahoo.com/s/mcclatchy/20090212/wl_mcclatchy/3166612_1.

¹³²¹ Reuters, *FACTBOX-Security developments in Iraq*, Feb 12, 12 February 2009, <http://www.alertnet.org/thenews/newsdesk/KAM234838.htm>.

- 12 February 2009: Gunmen killed Abdul-Karim Al-Sharabi, a senior member of the Sunni Arab “National Dialogue Front”, in a drive-by shooting in Mosul as he drove to his work.¹³²²
- 7 February 2009: Gunmen kidnapped Talib Al-Masoudi, who ran in the 31 January provincial elections as a candidate for the Shi’ite *Fadhila* Party, from the Hussainiyah neighbourhood in Kerbala.¹³²³
- 5 February 2009: Gunmen in a speeding car opened fire on the car of Khadija Owaiyid, a provincial election candidate for the Constitution Party, in Abu Disheer in Baghdad. She survived unharmed.¹³²⁴
- 5 February 2009: The house of Salim Al-Zaidi, candidate of *Al-Liqaa* Party, was blown up while his family was in the house. The family members, however, were unhurt. The explosion destroyed the house, located in Gatoun, to the west of Ba’quba (Diyala) and caused damages to two adjacent houses.¹³²⁵
- 2 February 2009: An IED detonated near the house of a candidate who ran for the Iraqi National Congress (INC) party in the area of Al-Sayahai south of Hilla. No casualties were reported.¹³²⁶
- 1 February 2009: Gunmen attacked a house belonging to *Al-Hadba* list candidate Faisal Al-Habbo south of Mosul. The house was unoccupied.¹³²⁷
- 30 January 2009: Gunmen attacked the house of Ahmad Al-Hakeem, an ISCI official and candidate for the Wassit Provincial Council, in western Kut and burned his private car.¹³²⁸
- 30 January 2009: Abbas Farhan Al-Azzawi, a colonel in the former Iraqi Army and a member and candidate for the Reform and Development Party, a predominantly Sunni group, was shot dead along with his brother and another relative while was pasting his election posters to a wall near the town of Mandali (Diyala).¹³²⁹
- 30 January 2009: Hazim Salim Ahmed, a candidate for the “National Unity List” and a close ally of PM Al-Maliki, was shot dead in Mosul near his home.¹³³⁰
- 30 January 2009: Omar Farouk Al-Ani, a candidate for the IIP, was shot dead near his home in Al-Ameriyah neighbourhood of Baghdad.¹³³¹
- 28 January 2009: Gunmen shot and killed Maiyadah Al-Bayati, a female IIP member, after bursting into her house in Baghdad. Al-Bayati was shot 10 times in the chest.¹³³²

¹³²² Sam Dagher, *Violence Across Iraq Kills 13, Including a Sunni Politician*, NY Times, 12 February 2009, <http://www.nytimes.com/2009/02/13/world/middleeast/13iraq.html>.

¹³²³ Reuters, *FACTBOX-Security developments in Iraq*, Feb 7, 7 February 2009, <http://www.alertnet.org/thenews/newsdesk/L7274754.htm>.

¹³²⁴ Sahar Issa, *Round-up of Daily Violence in Iraq - Thursday 5 February 2009*, McClatchy Newspapers, 5 February 2009, <http://www.mcclatchydc.com/212/story/61554.html>.

¹³²⁵ *Ibid.*

¹³²⁶ UNAMI SSU, 2 February 2009.

¹³²⁷ Sahar Issa, *Round-up of Daily Violence in Iraq - Sunday 1 February 2009*, McClatchy Newspapers, 1 February 2009, <http://www.mcclatchydc.com/212/story/61244.html>.

¹³²⁸ VOI, *Gunmen Attack House of SIIC Official in Wassit*, 31 January 2009, http://www.iraquupdates.com/p_articles.php/article/44620.

¹³²⁹ UNAMI SSU, 30 January 2009.

¹³³⁰ *Ibid.*

¹³³¹ *Ibid.*

¹³³² Sam Dagher, *Iraqi Women Vie for Votes and Taste of Power*, NY Times, 28 January 2009, <http://www.nytimes.com/2009/01/29/world/middleeast/29election.html>; Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq - Wednesday 28 January 2008*, McClatchy Newspapers, 28 January 2009, <http://www.mcclatchydc.com/212/story/60923.html>.

- 27 January 2009: A suicide car bomber struck near the office of the KDP in Mosul, killing four security members and wounding five others.¹³³³
- 26 January 2009: A bomber detonated an explosive device strapped to a bicycle near an office of the IIP in Ba’quba; five civilians were injured in the blast and the attacker was shot dead by the police.¹³³⁴
- 24 January 2009: Gunmen opened fire on an election candidate of the “Independent List” near his house in Al-Bu Alian village in downtown Hilla (Babel). The candidate survived with no injury.¹³³⁵
- 21 January 2009: Ziad Al-Ani, dean of the Islamic University in Baghdad and Assistant Secretary-General of the IIP, survived an assassination attempt in Baghdad that left four people dead and 10 others wounded. Reportedly, Mr. Al-Ani was not running for office but was involved in coordinating the IIP’s campaign for the provincial elections.¹³³⁶
- 20 January 2009: Three pedestrians were wounded in Ba’quba when a bomb exploded near the entrance of the headquarters of a Sunni political bloc participating in the upcoming provincial elections.¹³³⁷
- 18 January 2009. Hassan Zaidan Al-Lihebi, the deputy leader of Iraq's second-biggest Sunni Arab political bloc, the “National Dialogue Front”, was killed in a suicide attack on his guesthouse in Al-Lihaib village south of Mosul as he was gathering with other politicians discuss the upcoming provincial elections.¹³³⁸
- 11 January 2009: Faris Al-Sinjari, a leading member of the *Al-Hadba* list, was wounded when a sticky IED attached to his vehicle went off in western Mosul.¹³³⁹
- 9 January 2009: Gunmen opened fire at an official of the Badr Organization in front of his house in Amirli (Salah Al-Din), killing him instantly.¹³⁴⁰
- 5 January 2009: Gunmen killed Subhi Hassan, a leading PUK member, in a drive-by shooting in the north of Kirkuk.¹³⁴¹
- 3 January 2009: Police found the dead body of Mohieddin Rassoul, a member of the Kurdistan Communist Party, inside his home in northern Kirkuk. He had been shot in his head.¹³⁴²

¹³³³ AP, *Mosul: Suicide car bomb attack kills four near the Kurdistan Democratic Party (KDP) office*, 27 January 2009, <http://www.ekurd.net/mismas/articles/misc2009/1/kurdsiniraq32.htm>.

¹³³⁴ Reuters, *FACTBOX-Security developments in Iraq*, Jan 26, 26 January 2009, <http://www.alertnet.org/thenews/newsdesk/LQ145765.htm>.

¹³³⁵ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Saturday 24 January 2009*, McClatchy Newspapers, 24 January 2009, <http://www.mcclatchydc.com/212/story/60689.html>.

¹³³⁶ Dagher, *A Top Sunni Survives an Attack in Iraq*, see above footnote 571.

¹³³⁷ Reuters, *FACTBOX-Security developments in Iraq*, Jan 20, 20 January 2009, <http://www.alertnet.org/thenews/newsdesk/KAM035827.htm>.

¹³³⁸ Ernesto Londoño and Zaid Sabah, *Sunni Arab Leader Dies In N. Iraq Bomb Attack*, The Washington Post, 19 January 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/01/18/AR2009011802160.html>; Reuters, *Suicide bomber kills deputy head of Iraq Sunni party*, 18 January 2009, <http://www.alertnet.org/thenews/newsdesk/LI364105.htm>.

¹³³⁹ VOI, *Politician Wounded in IED Blast in Mosul*, 12 January 2009, http://www.iraqupdates.com/p_articles.php/article/43239.

¹³⁴⁰ Reuters Alternet, *FACTBOX-Security developments in Iraq*, Jan 8, 8 January 2009, <http://www.alertnet.org/thenews/newsdesk/ANS829171.htm>.

¹³⁴¹ VOI, *PUK Leader Killed North of Kirkuk*, 5 January 2009, http://www.iraqupdates.com/p_articles.php/article/42933.

¹³⁴² Reuters, *Kurdish Communist Politician Shot Dead in Iraq*, 5 January 2009, http://www.iraqupdates.com/p_articles.php/article/42840.

- 31 December 2008: Mowaffaq Al-Hamdani, a provincial election candidate for the Sunni Arab *Iraq for Us* Party, was killed by gunmen in downtown Mosul.¹³⁴³
- 29 December 2008: Gunmen opened fire on Ali Sirwan Kobkha Mahmoud, an official of the PUK's Social Office in Jalawla, killing him on the spot.¹³⁴⁴
- 24 December 2008: Gunmen driving a car opened fire on Dr. Abdelamir Al-Moussawi, a Fadhila Party election candidate, and his brother-in-law while they were distributing electoral material in Al-Sankar area in Basrah. Al-Moussawi survived the attack, while his brother-in-law was killed.¹³⁴⁵
- 24 December 2008: Ahmed Al-Rashid, a leading election candidate in Al-Anbar Governorate was targeted in a bombing at his house that killed three of his children.¹³⁴⁶
- 18 December 2008: Nahrla Hussein, a woman member of the Kurdistan Communist Party's Women's League was found beheaded inside her home in southern Kirkuk. She was also a human rights activist.¹³⁴⁷
- 18 December 2008. A roadside bomb detonated near the KDP's headquarter in Bashiqa town (Ninewa), causing damages to the building.¹³⁴⁸
- 11 December 2008: An IED detonated inside an IIP office still under construction in southern Mosul City, causing no casualties.¹³⁴⁹
- 7 December 2008: Abdullah Al-Khayali, the mayor of Ba'quba, was among 34 people wounded in a roadside bombing when he and other local officials toured the town's old market.¹³⁵⁰
- 1 December 2008: In two separate incidents, gunmen assassinated two IIP members in Mosul. One of them, Marwan Nazar, was the Principle of the Islamic Studies High School. He was killed southwestern Mosul while he was on his way to work. The other person, Abduljabbar Mohammed, also a teacher, was killed while driving in western Mosul.¹³⁵¹
- 4 November 2008: A roadside bomb blew up near a PUK office in the Nasr area in downtown Kirkuk. No casualties were reported.¹³⁵²

¹³⁴³ Reuters, *Election Candidate Shot Dead in Northern Iraq*, 1 January 2009, http://www.iraquupdates.com/p_articles.php/article/42655.

¹³⁴⁴ VOI, *Gunmen Gun Down PUK Official in Diala*, 29 December 2008, http://www.iraquupdates.com/p_articles.php/article/42545.

¹³⁴⁵ VOI, *Fadhila Party Candidate Survives Assassination Attempt*, 25 December 2008, http://www.iraquupdates.com/p_articles.php/article/42382.

¹³⁴⁶ Ernesto Londoño, *U.S. Prepares To Hand Over Baghdad Base*, The Washington Post, 25 December 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/12/24/AR2008122402536.html?sid=ST2008122500008&s_pos.

¹³⁴⁷ Reuters, *Kurdish Communist Politician Shot Dead in Iraq*, 5 January 2009, http://www.iraquupdates.com/p_articles.php/article/42840.

¹³⁴⁸ Hussein Kadhim, *Round-up of Daily Violence in Iraq - Thursday 18 December 2008*, McClatchy Newspapers, 18 December 2008, <http://www.mcclatchydc.com/212/story/58083.html>.

¹³⁴⁹ VOI, *IED Rocks IIP Building in Ninewa*, 12 December 2008, http://www.iraquupdates.com/p_articles.php/article/41508.

¹³⁵⁰ AFP, *Iraqi mayor among 34 hurt by roadside bomb*, 8 December 2008, http://www.khaleejtimes.com/DisplayArticleNew.asp?col=§ion=middleeast&xfile=data/middleeast/2008/December/middleeast_December130.xml.

¹³⁵¹ VOI, *Two IIP Members Assassinated in Mosul*, 2 December 2008, http://www.iraquupdates.com/p_articles.php/article/40981.

¹³⁵² Laith Hammoudi, *Round-up of daily Violence in Iraq - Tuesday 4 November 2008*, McClatchy Newspapers, 4 November 2008, <http://www.mcclatchydc.com/212/story/55247.html>.

- 26 October 2008: Gunmen seriously wounded Ahmed Dawoud Marzouq, the Anbar provincial representative of the Sunni Arab “National Dialogue Front”. The gunmen stormed his house after clashing with his guards in the provincial capital Ramadi.¹³⁵³
- 20 October 2008: Gunmen assassinated a member of the KDP in Sahin Al-Sham in Mosul.¹³⁵⁴
- 19 October 2008: Gunmen killed a KDP guard near his house in Hassan Sham village of Bartella District in Ninewa.¹³⁵⁵
- 9 October 2008: Three mortars hit the KDP headquarters in Kirkuk City, wounding two women.¹³⁵⁶
- 8 October 2008: Gunmen killed an intelligence member of the PUK in Aghjlar town east of Kirkuk.¹³⁵⁷
- 8 October 2008: A suicide bombing that targeted a KDP office in Khorsbat area north of Mosul, left two dead and 16 wounded, including members of the KDP.¹³⁵⁸
- 30 September 2008: A roadside bomb targeted the convoy of Jamal Al-Sayd Khalili, a member of the KDP, in Saidiyah (Diyala).¹³⁵⁹
- 11 September 2008: Gunmen killed five persons and injured four others in a drive-by-shooting in Saidiyah town. They are all from the same family and members of KDP.¹³⁶⁰
- 18 August 2008: Gunmen opened their fire on the car of Faris Jabir Thahir, a member of the Shaheed Al-Mihrab Organization affiliated with ISCI, in Za’afaraniyah in Baghdad. He was killed and his wife was injured seriously.¹³⁶¹
- 7 August 2008: Gunmen killed a senior member of the IIP, Mahmoud Younis Fathi, and a security guard as they were driving to work in the City of Mosul.¹³⁶²
- 31 July 2008: Gunmen killed Yousuf Ahmed, a member of the IIP, in Mosul.¹³⁶³
- 24 July 2008: A roadside bomb planted outside the home of Abdulrahman Mohammed Dawood, a Dawa Party member, in Za’afaraniyah, Baghdad, exploded and injured Dawood and two of his security guards.¹³⁶⁴

¹³⁵³ Reuters Alertnet, *FACTBOX-Security developments in Iraq, Oct 26*, 26 October 2008, <http://www.alertnet.org/thenews/newsdesk/LQ708154.htm>.

¹³⁵⁴ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Monday 20 October 2008*, McClatchy Newspapers, 20 October 2008, <http://www.mcclatchydc.com/212/story/54454.html>.

¹³⁵⁵ Aswat Al-Iraq, *Unknown gunmen killed KDP guard in Ninewa*, 19 October 2008, <http://en.aswataliraq.info/?p=101492>.

¹³⁵⁶ Hussein Kadhim, *Round-up of Daily Violence - Thursday 09 October 2008*, McClatchy Newspapers, 9 October 2008, <http://www.mcclatchydc.com/212/story/53688.html>.

¹³⁵⁷ *Ibid.*

¹³⁵⁸ VOI, *Mosul blast targets KDP's office, leaves 18 casualties*, 10 October 2008, http://www.iraquupdates.com/p_articles.php/article/22754.

¹³⁵⁹ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 30 September 2008*, McClatchy Newspapers, 30 September 2008, <http://www.mcclatchydc.com/212/story/53274.html>.

¹³⁶⁰ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Thursday 11 September 2008*, McClatchy Newspapers, 11 September 2008, <http://www.mcclatchydc.com/212/story/52269.html>.

¹³⁶¹ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 18 August 2008*, McClatchy Newspapers, 18 August 2008, <http://www.mcclatchydc.com/212/story/48989.html>.

¹³⁶² Qassim Abdul-Zahra, *Iraqi cleric links truce, U.S. withdrawal timetable*, AP, 7 August 2008, <http://www.signonsandiego.com/news/world/iraq/20080807-0700-iraq.html>; Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 7 August 2008*, McClatchy Newspapers, 7 August 2008, <http://www.mcclatchydc.com/212/story/46705.html>.

¹³⁶³ Reuters Alertnet, *FACTBOX: Security developments in Iraq, July 31*, 31 July 2008, <http://www.reuters.com/article/GCA-GCA-iraq/idUSKAM12241320080731>.

- 17 July 2008: Gunmen killed Sheikh Safaa Al-Lami, a mid-level aide to Al-Sadr, in the Baghdad Al-Jadida. The assailants used a pistol with a silencer.¹³⁶⁵
- 7 July 2008: Gunmen killed a member of the IIP in Tal Afar (Ninewa).¹³⁶⁶
- 6 July 2008: Seven people were killed and three others were injured in an IED explosion that targeted a vehicle of Mohammed Ramadan, a PUK official, in Qara Tapa (Diyala).¹³⁶⁷
- 5 July 2008: A roadside bomb targeted a PUK official in Kirkuk, but no casualties were reported.¹³⁶⁸
- 5 July 2008: A roadside targeted Khalid Abu Mihahid, an IIP leader in Fallujah near the party's headquarters. He and two of his guards were injured.¹³⁶⁹
- 4 July 2008: Gunmen on a motorcycle assassinated Sheikh Salim Al-Dirraji, a senior ISCI official in Hayyanyiah District in Basrah.¹³⁷⁰
- 19 June 2008: The body of Mahmoud Al-Dwadi, a member of the PUK, who was kidnapped by gunmen from Jamila, a small village in Jalawla sub-District (Diyala), was found dead riddled with gunshots.¹³⁷¹
- 16 June 2008: Gunmen exploded the house of a PUK member in Rashidiyah neighbourhood in central Mosul and at the same time, another IED exploded in front of the house of a member of the Iraqi Communist Party, causing material damage to all the houses.¹³⁷²
- 6 June 2008: A roadside bomb targeted a house of a KDP member in Jalawla town (Diyala), injuring one person.¹³⁷³
- 3 June 2008: Gunmen assassinated a city hall member and the public relations manager of PUK in Jamhouriyah neighborhood of Tuz Khurmatu (Salah Al-Din).¹³⁷⁴
- 18 May 2008: A bomb exploded targeting a building that houses the Iraqi Labour Union and the Iraqi Communist Party in Basrah caused material damage to the building.¹³⁷⁵
- 14 May 2008: A car bomb exploded in western Baghdad near the IIP headquarters, killing two people and wounding 15.¹³⁷⁶

¹³⁶⁴ Sahar Issa, *Round-up of Daily Violence in Iraq*, Thursday 24 July 2008, McClatchy Newspapers, 24 July 2008, <http://www.mcclatchydc.com/212/story/45422.html>.

¹³⁶⁵ Christopher Torchia, *Iraqi troops put on show of strength in Sadr City*, AP, 18 July 2008, http://www.usatoday.com/news/world/2008-07-18-4110462503_x.htm.

¹³⁶⁶ Qassim Abdul-Zahra and Sebastian Abbot, *Iraq Raises Idea of Timetable for US Withdrawal*, AP, 7 July 2008, <http://abcnews.go.com/International/wireStory?id=5320314>.

¹³⁶⁷ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Sunday 6 July 2008*, McClatchy Newspapers, 6 July 2008, <http://www.mcclatchydc.com/212/story/43263.html>.

¹³⁶⁸ Hussein Kadhim, *Round-up of Daily Violence in Iraq - Saturday 5 July 2008*, McClatchy Newspapers, 5 July 2008, <http://www.mcclatchydc.com/212/story/43228.html>.

¹³⁶⁹ *Ibid.*

¹³⁷⁰ AP, *Assassination in Basra*, 5 July 2008, <http://www.sfgate.com/cgi-bin/article.cgi?f=/n/a/2008/07/01/international/i071313D10.DTL>.

¹³⁷¹ Sahar Issa, *Round-up of Daily Violence in Iraq*, Thursday 19 June 2008, McClatchy Newspapers, 19 June 2008, <http://www.mcclatchydc.com/212/story/41557.html>.

¹³⁷² Sahar Issa, *Round-up of Daily Violence in Iraq*, Monday 16 June 2008, McClatchy Newspapers, 16 June 2008, <http://www.mcclatchydc.com/212/story/41224.html>.

¹³⁷³ Hussein Kadhim, *Round-up of Daily Violence - Friday 6 June 2008*, McClatchy Newspapers, 6 June 2008, <http://www.mcclatchydc.com/212/story/40144.html>.

¹³⁷⁴ Hussein Kadhim, *Round-up of Daily Violence in Iraq - Tuesday 03 June 2008*, McClatchy Newspapers, 3 June 2008, <http://www.mcclatchydc.com/212/story/39543.html>.

¹³⁷⁵ Sahar Issa, *Round-up of Daily Violence in Iraq - Sunday 18 May 2008*, McClatchy Newspapers, 18 May 2008, <http://www.mcclatchydc.com/212/story/37533.html>.

- 3 May 2008: Gunmen assassinated Abdul-Kareem Mahmoud, an official of the Iraqi Communist Party, in his orchard in Saidiyah (Diyala).¹³⁷⁷
- 28 April 2008: Unidentified armed men opened fire on Ali Ghazi, a leader in the Sadrist bloc, in central Basrah, killing him on the spot and wounding his wife.¹³⁷⁸
- 11 April 2008: Riyadh Al-Nouri, Head of the Sadr office in Najaf City and Muqtada Al-Sadr's brother-in-law and close associate, was assassinated by gunmen in Adala neighbourhood in Najef City as he was returning from Friday prayers.¹³⁷⁹
- 10 April 2008: A member of the PUK was killed by gunmen after he had been abducted between Amian and Ismawa in eastern Ninewa one day earlier.¹³⁸⁰
- 27 March 2008: The Dawa Party office in Sha'ab neighbourhood in Baghdad was torched, causing material damages.¹³⁸¹
- 27 March 2008: Clashes in Hilla (Babel) continue and the offices of Dawa Party and ISCI were torched by JAM members, causing the death of three policemen and the injury of four.¹³⁸²
- 27 March 2008: Gunmen torched a Badr Organization office in Hitteen Square in central Amara (Missan).¹³⁸³
- 25 March 2008: Gunmen attacked the headquarters of Badr Organization in Habibiyah area in Baghdad, causing no casualties.¹³⁸⁴
- 22 March 2008: An IED targeted the house of Muntather Al-Shahmani, a member of the Sadrist bloc, in Numaniyah.¹³⁸⁵
- 16 March 2008: Twelve people were injured when a suicide bomber wearing an explosive belt detonated himself near a KDP office in eastern Mosul city.¹³⁸⁶
- 12 March 2008: A senior figure in Muqtada Al-Sadr's Basrah office, Saed Al-Haidery, was shot dead in northern Basrah.¹³⁸⁷
- 9 February 2008: Gunmen kidnapped Haider Hamid, an official in Sadr's office in Kut (Wassit), but set him free after being tracked down by security authorities.¹³⁸⁸

¹³⁷⁶ Reuters Alertnet, *FACTBOX-Security developments in Iraq, May 14*, 14 May 2008, <http://www.alertnet.org/thenews/newsdesk/KAM426400.htm>.

¹³⁷⁷ VOI, *Communist Party official assassinated in Saadiya*, 4 May 2008, http://www.iraquupdates.com/p_articles.php/article/30610.

¹³⁷⁸ VOI, *Gunmen kill Sadrist leader, injure wife in Basra*, 29 April 2008, http://www.iraquupdates.com/p_articles.php/article/30426.

¹³⁷⁹ Sahar Issa, *Round-up of Daily Violence in Iraq, Friday 11 April 2008*, McClatchy Newspapers, 11 April 2008, <http://www.mcclatchydc.com/212/story/33381.html>.

¹³⁸⁰ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 10 April 2008*, McClatchy Newspapers, 10 April 2008, <http://www.mcclatchydc.com/212/story/33263.html>.

¹³⁸¹ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 27 March 2008*, McClatchy Newspapers, 27 March 2008, <http://www.mcclatchydc.com/212/story/31750.html>.

¹³⁸² *Ibid.*

¹³⁸³ *Ibid.*

¹³⁸⁴ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 25 March 2008*, McClatchy Newspapers, 25 March 2008, <http://www.mcclatchydc.com/212/story/31554.html>.

¹³⁸⁵ VOI, *Legislator's house comes under attack*, 23 March 2008, http://www.iraquupdates.com/p_articles.php/article/28932.

¹³⁸⁶ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Sunday 16 March 2008*, McClatchy Newspapers, 16 March 2008, <http://www.mcclatchydc.com/212/story/30567.html>.

¹³⁸⁷ Reuters Alertnet, *FACTBOX-Security developments in Iraq, March 12*, 12 March 2008, <http://www.alertnet.org/thenews/newsdesk/KAM230698.htm>.

¹³⁸⁸ VOI, *Gunmen kidnap Sadrist official in Kut, release him later*, 10 February 2008, http://www.iraquupdates.com/p_articles.php/article/27154.

- 5 February 2008: The body of Munther Majid, a key member of the Sadr Movement, was found dead in Amara (Missan). The Sadr Movement accused the Iraqi Army to have shot Majid; the claim was rejected by the Iraqi Army.¹³⁸⁹
- 4 February 2009: Gunmen shot Mahmoud Ali Nafotji, a Turkmen Front leader, in Tuz Khurmato (Kirkuk).¹³⁹⁰
- 2 February 2008: Gunmen attacked a PUK headquarters south of Kirkuk and injured one of the guards.¹³⁹¹
- 27 January 2008: Police found the body of Sheikh Sami Hussein Al-Bahadili in downtown Basrah city. He had been kidnapped by gunmen one day earlier.¹³⁹²
- 25 January 2008: Gunmen killed Yasir Khadim Al-Mudhafer, a sheikh loyal to Muqtada Al-Sadr, outside his house in Najef.¹³⁹³
- 14 January 2008: Gunmen assassinated Fayadh Al-Mosawi, the public relations official of Sadr's Basrah office, while he was attending a funeral ceremony in Zubayr south of Basrah city.¹³⁹⁴
- 3 January 2008: Two civilians were killed and five injured when an IED exploded in Za'afaraniyah neighbourhood near the house of a member of the Dawa Party.¹³⁹⁵

¹³⁸⁹ VOI, *Sadr's office in Missan urges govt. to launch probe into leader killing*, 5 February 2008, http://www.iraqupdates.com/p_articles.php/article/26988.

¹³⁹⁰ IBC, Turkman Front leader shot dead in Tuz Khurmato, <http://www.iraqbodycount.org/database/incidents/k9394>; Amit R. Paley and Dlovan Brwari, Turkey Bombs Villages In N. Iraq, Washington Post, 5 February 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/02/04/AR2008020400606.html>.

¹³⁹¹ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Sunday 3 February 2008*, McClatchy Newspapers, 3 February 2008, <http://www.mcclatchydc.com/212/story/26374.html>.

¹³⁹² Laith Hammoudi, *Round-up of Daily Violence in Iraq Sunday 27 January 2008*, McClatchy Newspapers, 27 January 2008, <http://www.mcclatchydc.com/212/story/25546.html>.

¹³⁹³ Reuters Alertnet, *FACTBOX-Security developments in Iraq, Jan 26*, 26 January 2008, <http://www.reuters.com/article/featuredCrisis/idUSL26504372>.

¹³⁹⁴ Hussein Kadhim, *Round-up of Daily Violence - Monday 14 January 2008*, McClatchy Newspapers, 14 January 2008, <http://www.mcclatchydc.com/212/story/24740.html>.

¹³⁹⁵ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 3 January 2008*, McClatchy Newspapers, 3 January 2008, <http://www.mcclatchydc.com/212/story/24132.html>.

Annex V: Assaults on professionals, including academics, teachers, doctors, judges and lawyers, athletes

(January 2008 – March 2009, not exhaustive)

- 14 March 2009: Ahmed Murad Shehab, a professor in Mosul University's Faculty of Administration and Economics was fatally shot in Al-Nur neighbourhood in Mosul.¹³⁹⁶
- 4 March 2009: Gunmen shot dead a lawyer after storming his office in central Kirkuk.¹³⁹⁷
- 26 February 2009: Gunmen shot and killed a literature professor at a cultural center in Mosul.¹³⁹⁸
- 11 February 2009: Izz Al-Din Khalaf Ayyoub, a psychology professor in Anbar University, was shot down by unknown gunmen when leaving his house near Fallujah (Al-Anbar).¹³⁹⁹
- 10 February 2009: Gunmen in a car shot dead a football player who played for a local team in Kirkuk.¹⁴⁰⁰
- 7 February 2009: Gunmen broke into the house of Kanan Majeed, a lawyer in Kanaan town east of Ba'quba (Diyala) and killed him.¹⁴⁰¹
- 21 January 2009: A teacher in the town of Haswa (Babel) was killed when a bomb placed in his car exploded.¹⁴⁰²
- 14 December 2008: Gunmen opened fire and wounded on Muzahim Al-Khayatt, the Dean of the College of Medicine, in Shifaa neighbourhood in west Mosul.¹⁴⁰³
- 1 December 2008: Gunmen kidnapped Dr. Mohamed Mahmoud Al-Eissaa, a neurologist, as he headed to work in downtown Mosul.¹⁴⁰⁴
- 24 November 2008: Gunmen killed a lawyer in a drive-by shooting in central Kirkuk while he was heading for work.¹⁴⁰⁵
- 10 October 2008: Gunmen killed Weleed Salh Alazawee, a lawyer representing alleged Sunni insurgents, in Baghdad's neighbourhood of Hurriyah.¹⁴⁰⁶
- 27 September 2008: Gunmen killed the coach of a table-tennis sport club in Mosul.¹⁴⁰⁷

¹³⁹⁶ DPA, *Al-Qaeda suspects gunned down in Iraqi custody*, 14 March 2009, http://www.khaleejtimes.com/darticlen.asp?xfile=data/middleeast/2009/March/middleeast_March265.xml§ion=middleeast.

¹³⁹⁷ Reuters, *FACTBOX-Security developments in Iraq*, March 4, 4 March 2009, <http://www.alertnet.org/thenews/newsdesk/L438117.htm>.

¹³⁹⁸ Campbell Robertson, *Iraq Hands Death Penalty to 28 Cultists for Attacks*, 26 February 2009, http://www.nytimes.com/2009/02/27/world/middleeast/27iraq.html?_r=1&partner=rss&emc=rss.

¹³⁹⁹ VOI, *Academician Shot Down Near Falluja*, 12 February 2009, http://www.iraqupdates.com/p_articles.php/article/45132.

¹⁴⁰⁰ Reuters, *FACTBOX-Security developments in Iraq*, Feb 11, 11 February 2009, <http://www.alertnet.org/thenews/newsdesk/LB193436.htm>.

¹⁴⁰¹ McClatchy Newspapers, *Iraq daily violence -- Feb. 7, 2009*, 7 February 2009, <http://www.mcclatchydc.com/212/story/61750.html>.

¹⁴⁰² Dagher, *A Top Sunni Survives an Attack in Iraq*, see above footnote 571.

¹⁴⁰³ Hussein Kadhim, *Round-up of Daily Violence in Iraq - Sunday 14 December 2008*, McClatchy Newspapers, 14 December 2008, <http://www.mcclatchydc.com/212/story/57801.html>.

¹⁴⁰⁴ VOI, *Gunmen Kidnap Neurologist in Western Mosul*, 2 December 2008, http://www.iraqupdates.com/p_articles.php/article/40983.

¹⁴⁰⁵ VOI, *Lawyer Gunned Down in Kirkuk*, 25 November 2008, http://www.iraqupdates.com/p_articles.php/article/40503.

¹⁴⁰⁶ Mary Beth Sheridan and Qais Mizher, *24 Killed, 45 Injured in Bombings and Shootings Across Iraq*, The Washington Post, 11 October 2008, http://www.washingtonpost.com/wp-dyn/content/article/2008/10/10/AR2008101002896_pf.html.

- 1 September 2008: Ten people were injured including five guards, when a suicide car bomb targeted the convoy of Abdul Ameer Mahdi, a judge of Tuz Khurmatu court, on the road between Kirkuk and Tuz Khurmatu.¹⁴⁰⁸
- 25-29 August 2008: Dr. Tariq Al-Qatan was kidnapped, tortured and shot in Mosul.¹⁴⁰⁹
- 25 August 2008: Professor Khaldoun Sabry was kidnapped, tortured and shot in Yarmouk, Baghdad.¹⁴¹⁰
- 30 July 2008: Gunmen using machine guns attacked judge Mohammad Khalaf Al-Sabeel as he was leaving his home in Al-Sideeq neighbourhood in Mosul, injuring the judge and one bodyguard.¹⁴¹¹
- 7 July 2008: An adhesive IED on a civilian car exploded in Adhamiyah in Baghdad, injuring four civilians. The car belonged to a university teacher, Mohammed Sadoun, who had just left the car when it blew up. He was not amongst the injured.¹⁴¹²
- 7 July 2008: Salih Abed Hassoun, Dean of the School of Law at Al-Qadisiyah University, was shot by gunmen in Baghdad.¹⁴¹³
- 27 - 30 June 2008: In a chain of coordinated attacks targeting judges working at the Appeals Court in the Al-Rusafa complex in Baghdad, the chief justice of Baghdad's Appeals Court in Al-Rusafa, Kamel Al-Shuweili, was shot dead and two more judges, Suleiman Abdallah and Ali Al-Allaq, were injured.¹⁴¹⁴
- 25 June 2008: A bomb blast targeted the motorcade of the manager of the Kirkuk city hospital, Dr. Sabah Amin Al-Dawoudi, who narrowly escaped the bid on his life.¹⁴¹⁵
- 16 June 2008: Dr. Barakat Kathem was killed in Balad Ruz (Diyala).¹⁴¹⁶
- 15 June 2008: Lawyer Adel Hussein Al-Wagaa was shot dead by gunmen in his office in Mosul.¹⁴¹⁷
- 14 June 2008: Mosul University teacher, Weleed Saadalla was assassinated by gunmen on his doorstep. He was about to head to work with his two young sons who were injured in the incident.¹⁴¹⁸
- 2 June 2008: Faris Younis, Deputy Dean of the Agriculture Faculty at Mosul University, was killed by a bomb planted under his car in Mosul.¹⁴¹⁹

¹⁴⁰⁷ Reuters, *FACTBOX-Security developments in Iraq*, Sept 28, 28 September 2008, <http://www.alertnet.org/thenews/newsdesk/ANW820241.htm>.

¹⁴⁰⁸ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 1 September 2008*, McClatchy Newspapers, 1 September 2008, <http://www.mcclatchydc.com/212/story/51358.html>.

¹⁴⁰⁹ IBC, *Body of kidnapped doctor found tortured and shot in Khadhra*, east Mosul, <http://www.iraqbodycount.org/database/incidents/k11240>.

¹⁴¹⁰ DPA, *Arabs and Turkmen in Iraq demand UN envoy's resignation (Roundup)*, 25 April 2008, http://www.monstersandcritics.com/news/middleeast/news/article_1426816.php/Arabs_and_Turkmen_in_Iraq_demand_UN_envoys_resignation_Roundup.

¹⁴¹¹ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Wednesday 30 July 2008*, McClatchy Newspapers, 30 July 2008, <http://www.mcclatchydc.com/212/story/45925.html>.

¹⁴¹² Sahar Issa, *Round-up of Daily Violence in Iraq, Monday 7 July 2008*, McClatchy Newspapers, 7 July 2008, <http://www.mcclatchydc.com/212/story/43313.html>.

¹⁴¹³ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 08 July 2008*, McClatchy Newspapers, 8 July 2008, <http://www.mcclatchydc.com/212/story/43415.html>.

¹⁴¹⁴ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

¹⁴¹⁵ KUNA, *Head of Mosul Municipality killed – source*, 25 June 2008, <http://www.kuna.net.kw/newsagenciespublicsite/ArticleDetails.aspx?Language=en&id=1920636>.

¹⁴¹⁶ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

¹⁴¹⁷ Sahar Issa, *Round-up of Daily Violence in Iraq, Sunday 15 June 2008*, McClatchy Newspapers, 15 June 2008, <http://www.mcclatchydc.com/212/story/41131.html>.

¹⁴¹⁸ *Ibid.*

- 22 May 2008: Judge Qasem Mohammad, from Abu Ghraib Court was seriously injured in a bomb attack.¹⁴²⁰
- 15 May 2008: Dr. Sabbar Mahrooz Abdullah, administrator of Tikrit Teaching Hospital, and his assistant, Dr. Ahmad Salah, were reportedly kidnapped near Tikrit (Salah Al-Din).¹⁴²¹
- 8 May 2008: Judge Rasheed Al-Manhal from the Diyala Appeals Court was kidnapped in Ba'quba (Diyala).¹⁴²²
- 4 May 2008: Dr. Ayad Jafar, University professor and Deputy Head of Nahrain University, was killed in a drive-by shooting outside his house in Mansour neighbourhood in Baghdad.¹⁴²³
- 23 April 2008: Gunmen injured teacher Jalal Khorsheed in Hawija Bahriyah (Salah Al-Din).¹⁴²⁴
- 17 April 2008: Dr. Amer Lazem was killed in Baghdad.¹⁴²⁵
- 15 April 2008: Gunmen killed a lawyer and her sister as they were their car in Mosul.¹⁴²⁶
- 10 April 2008: Surgeon Mohammad Abid Ali Al-Ta'ei was kidnapped in Hilla (Babel).¹⁴²⁷
- 2 April 2008: Gunmen killed a female lawyer in Hay Al-Zahra' in Mosul.¹⁴²⁸
- 26 March 2008: Dr. Najim Abdullah, Director of the Emergency Division at Basrah General Hospital, was shot by gunmen when on his way home.¹⁴²⁹
- 25 March 2008: Gunmen killed the Iraqi Olympic Committee's Assistant Secretary-General and a basketball referee and wounded the coach of the Iraqi basketball team in Baghdad.¹⁴³⁰
- 14 March 2008: Armed men shot dead the coach of Al-Karkh football club, who was also a former national player, in Baghdad.¹⁴³¹
- 11 March 2008: An assistant of Mosul University, Dr. Mowaffaq Yahya, survived an assassination attempt when gunmen using machine guns attacked him in downtown Mosul City.¹⁴³²
- 10 March 2008: Dr. Khalid Nasir Al-Mayyahi, a neurosurgeon and acting director of the Basrah Training Hospital, was killed in a drive-by shooting outside the hospital, in Basrah.¹⁴³³

¹⁴¹⁹ IBC, *Deputy dean of agriculture by bomb in car, Mosul*, <http://www.iraqbodycount.org/database/incidents/k10624>.

¹⁴²⁰ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

¹⁴²¹ Sahar Issa, *Round-up of Daily Violence - Thursday 15 May 2008*, McClatchy Newspapers, 15 May 2008, <http://www.mcclatchydc.com/212/story/37154.html>.

¹⁴²² UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

¹⁴²³ IBC, *Deputy head of Nahrain University shot dead, Mansour, Baghdad*, <http://www.iraqbodycount.org/database/incidents/k10401>.

¹⁴²⁴ Hussein Kadhim, *Round-up of Daily Violence - Wednesday 23 April 2008*, McClatchy Newspapers, 23 April 2008, <http://www.mcclatchydc.com/212/story/34678.html>.

¹⁴²⁵ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

¹⁴²⁶ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 15 April 2008*, McClatchy Newspapers, 15 April 2008, <http://www.mcclatchydc.com/212/story/33729.html>.

¹⁴²⁷ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414.

¹⁴²⁸ *Ibid.*

¹⁴²⁹ IBC, *Director of Basra General Hospital shot dead in Basra*, <http://www.iraqbodycount.org/database/incidents/k9883>.

¹⁴³⁰ Xinhua, *Iraqi Olympic Committee official dies of wounds in Baghdad*, 31 March 2008, http://news.xinhuanet.com/english/2008-03/31/content_7892724.htm.

¹⁴³¹ VOI, 14 March 2008, http://www.iraqupdates.com/p_articles.php/article/28562.

¹⁴³² Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 11 March 2008*, McClatchy Newspapers, 11 March 2008, <http://www.mcclatchydc.com/212/story/29988.html>.

- 5 March 2008: Abdul Sattar Tahir Sharif, University professor and minister under the former regime, was shot dead in Kirkuk.¹⁴³⁴
- 29 February 2008: Judge Abid Jassim and lawyer Ahmed Al-Luizi were found executed by gunfire in Mosul.¹⁴³⁵
- 30 January 2008: Khalil Ibrahim Al-Nu'aymi, a University professor for *Shari'a* law, was killed in a drive-by shooting in Mosul.¹⁴³⁶
- 23 January 2008: The dean of Baghdad University dental school, Munthar Muhrej Radhi, was found dead with multiple gunshots in western Baghdad.¹⁴³⁷
- 22 January 2008: University professor Aziz Sulaiman was killed by gunfire in Mosul.¹⁴³⁸
- 18 January 2009: Hospital director Dr. Luma Saleh was killed by sniper fire when she left the hospital in Ma'qel, north of Basrah.¹⁴³⁹
- 14 January 2008: Gunmen assassinated Judge Amir Jawdat Al-Na'ib, a member of the Federal Appeal Court, while he was on his way to work in Mansour, Baghdad.¹⁴⁴⁰
- 12 January 2008: Surgeon Jinan Al-Sabbagh was killed in Basrah.¹⁴⁴¹
- 1 January 2008: Judge Tahseen Omer Naji of the Kirkuk Supreme Court was rescued by security forces after he was abducted a day earlier.¹⁴⁴²

¹⁴³³ Reuters, *FACTBOX-Security developments in Iraq, March 10*, 10 March 2008, <http://www.alertnet.org/thenews/newsdesk/L108499.htm>.

¹⁴³⁴ Michael Field, *Murdered 'Kiwi' in Iraq linked to Saddam Hussein*, Fairfax Media, 14 March 2008, <http://www.stuff.co.nz/4439895a10.html>.

¹⁴³⁵ IBC, *Kidnapped judge and lawyer found shot dead, Al-Qahira, Mosul*, <http://www.iraqbodycount.org/database/incidents/k9592>.

¹⁴³⁶ IBC, *University professor of Sharia law and student shot dead in Mosul*, <http://www.iraqbodycount.org/database/incidents/k9357>.

¹⁴³⁷ Reuters, *Gunmen kill dean of Baghdad dental school*, 23 January 2008, <http://www.alertnet.org/thenews/newsdesk/B807559.htm>.

¹⁴³⁸ Reuters, *FACTBOX-Security developments in Iraq, Jan 23*, 23 January 2008, <http://www.alertnet.org/thenews/newsdesk/L23662774.htm>.

¹⁴³⁹ IBC, *Woman doctor by sniper fire, Ma'qel, near Basra*, <http://www.iraqbodycount.org/database/incidents/k9263>.

¹⁴⁴⁰ Hussein Kadhim, *Round-up of Daily Violence - Monday 14 January 2008*, McClatchy Newspapers, 14 January 2008, <http://www.mcclatchydc.com/212/story/24740.html>.

¹⁴⁴¹ UNAMI, *June 2008 Human Rights Report*, p. 10, see above footnote 414

¹⁴⁴² *Ibid.*

Annex VI: Attacks on Shi'ite pilgrims and religious sites

(January 2008 – March 2009, not exhaustive)

- 2 March 2009: At least 3 people were killed and 16 others wounded in a bicycle bomb explosion in front of a Shi'ite mosque in central Khalis (Diyala).¹⁴⁴³
- 13 February 2009: A female suicide bomber blew herself up in a crowd of Iraqi Shi'ite pilgrims in Iskanderiyah (Babel), killing 39 people and wounding 69 others during the religious event of *Arba'een*, one of the holiest events for Shi'ites.¹⁴⁴⁴ Most of the dead were reported to be women and children.¹⁴⁴⁵ In another attack, a gunman shot and killed two pilgrims outside Hilla.¹⁴⁴⁶
- 12 February 2009: A roadside bomb killed eight pilgrims and wounded 46 near the revered shrine of Imam Hussein in central Kerbala during the *Arba'een* religious rite.¹⁴⁴⁷
- On 11 February 2009, at least 16 people were killed and 43 wounded in two simultaneous explosions at a bus terminal in the predominantly Shi'ite Bayaa neighbourhood in Baghdad, where Shi'ite pilgrims gathered to board busses to Kerbala.¹⁴⁴⁸ The same day, a roadside bomb struck Shi'ite pilgrims journeying through southern Baghdad to mark *Arba'een*, killing one and wounding five. In another incident, a roadside bomb struck Shi'ite pilgrims in Waziriya in northern Baghdad, killing one pilgrim and wounding six. The bomb also wounded six civilians in a minibus.¹⁴⁴⁹
- 8 February 2009: A roadside bomb exploded in northern Baghdad, killing two pilgrims and wounding 11 others who were heading to Kerbala ahead of *Arba'een*.¹⁴⁵⁰
- 4 January 2009: At least 40 people, 16 of them Iranian pilgrims, were killed and 72 were wounded in a suicide bombing at the doorstep of one of Iraq's holiest Shi'ite sites, the shrine of the Imams Musa Al-Kadhem and Mohammed Al-Jawad, in Baghdad's Kadhemiyah neighbourhood.¹⁴⁵¹

¹⁴⁴³ Reuters, *Iraq motorcycle bomb kills three, wounds 16*, 2 March 2009, <http://www.alertnet.org/thenews/newsdesk/L2660126.htm>; Aswat Al-Iraq, *Bicycle bomb kills 5, injures 24 in Khalis*, 2 March 2009, <http://en.aswatiliraq.info/?p=109059>.

¹⁴⁴⁴ Wisam Mohammed and Sami al-Jumaili, *Female bomber kills 39 on Iraqi pilgrimage route*, Reuters, 13 February 2009, <http://www.alertnet.org/thenews/newsdesk/LD185555.htm>.

¹⁴⁴⁵ BBC, *Iraq suicide bomb kills pilgrims*, 13 February 2009, http://news.bbc.co.uk/2/hi/middle_east/7887881.stm.

¹⁴⁴⁶ Marc Santora, *Suicide Bomber Kills 35 in an Attack on Shiite Pilgrims in Iraq*, NY Times, 13 February 2009, <http://www.nytimes.com/2009/02/14/world/middleeast/14iraq.html>.

¹⁴⁴⁷ Sami al-Jumaili, *Roadside bomb kills eight Iraqi pilgrims-police*, Reuters, 12 February 2009, <http://www.alertnet.org/thenews/newsdesk/LC490043.htm>.

¹⁴⁴⁸ CNN, *Sectarian violence continues with more bombings in Iraq*, 12 February 2009, <http://www.edition.cnn.com/2009/WORLD/meast/02/12/iraq.main/>; BBC, *Bombing rocks Baghdad bus station*, 11 February 2009, http://news.bbc.co.uk/2/hi/middle_east/7883678.stm.

¹⁴⁴⁹ Reuters, *16 dead, 45 wounded in twin Baghdad bombs-police*, 11 February 2009, <http://www.alertnet.org/thenews/newsdesk/LB344592.htm>.

¹⁴⁵⁰ Reuters, *Iraq bomb kills two Shi'ite pilgrims – police*, 8 February 2009, <http://www.alertnet.org/thenews/newsdesk/KAM819325.htm>.

¹⁴⁵¹ Sam Dagher and Mudhafer Al-Husaini, *Bomber at Iraqi Shrine Kills 40, Including 16 Iranian Pilgrims*, NY Times, 4 January 2008, <http://www.nytimes.com/2009/01/05/world/middleeast/05iraq.html>.

- 4 January 2009: A roadside bomb targeted Iranian pilgrims in Khanaqeen (Diyala) on their way to Kerbala to commemorate the anniversary of the Imam Hussein's death. Five Iranians were wounded.¹⁴⁵²
- 3 January 2008: Two people were killed and ten were wounded when a roadside bomb exploded near a minibus full of pilgrims heading for Kerbala for a Shi'ite holiday. The attack took place in the Za'afaraniyah District of south-eastern Baghdad.¹⁴⁵³
- 27 December 2008: A car bomb attack killed at least 22 people and wounded more than 50 on the road leading to the shrine of the Imams Musa Al-Kadhem and Mohammed Al-Jawad in Baghdad.¹⁴⁵⁴
- 28 November 2008: A suicide bomber killed 12 people and wounded 19 in an attack on the Shi'ite Al-Hussainiyah mosque in Musayyib (Babel) during Friday prayers.¹⁴⁵⁵
- 26 October 2008: A roadside bomb targeted a Shi'ite mosque in Za'afaraniyah neighbourhood in Baghdad, injuring three people and damaging the mosque's wall.¹⁴⁵⁶
- 2 October 2008: A suicide bomber targeted a Shi'ite mosque in Baghdad Al-Jadeeda after *Eid* prayers, killing at least 12 civilians, injuring 25. In another incident, a suicide car bomb targeted a Shi'ite mosque in Za'afaraniyah neighbourhood, killing eight people and injuring ten.¹⁴⁵⁷
- 1 October 2008: A roadside bomb detonated near a Mohammed Rasoul Allah mosque in Jihad neighbourhood in Baghdad, injuring four people.¹⁴⁵⁸
- 1 October 2008: Three civilians were killed and 30 others wounded when a car bomb went off near a Shi'ite shrine in Balad (Salah Al-Din).¹⁴⁵⁹
- 12 September 2008: Three civilians were killed and 15 others were wounded when a suicide bomber wearing an explosive vest detonated when they were leaving a Shi'ite mosque after finishing Friday prayers in Sinjar town (Ninewa).¹⁴⁶⁰
- 12 September 2008: At least 31 people were killed and 60 wounded in a car bomb attack in the center of the predominantly Shi'ite town of Dujail in mainly Sunni Salah Al-Din Governorate.¹⁴⁶¹
- 16 August 2008: A parked car bomb targeted Shi'ite pilgrims in Sha'ab neighbourhood in Baghdad, killing six civilians and injuring ten others.¹⁴⁶²

¹⁴⁵² Mohammed Al Dulaimy and Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 4 January 2009*, McClatchy Newspapers, 4 January 2009, <http://www.mcclatchydc.com/212/story/58946.html>.

¹⁴⁵³ Reuters Alertnet, *FACTBOX-Security developments in Iraq, Jan 3*, 3 January 2009, <http://www.alertnet.org/thenews/newsdesk/L3502999.htm>.

¹⁴⁵⁴ Ernesto Londoño and Aziz Alwan, *Baghdad Car Bombing Kills at Least 22, Injures More Than 50*, The Washington Post, 28 December 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/12/27/AR2008122700323.html>.

¹⁴⁵⁵ Alissa J. Rubin, *Bomber Kills 12 at Shiite Mosque Before March Against a New Security Pact*, NY Times, 28 November 2008, <http://www.nytimes.com/2008/11/29/world/middleeast/29iraq.html>.

¹⁴⁵⁶ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 26 October 2008*, McClatchy Newspapers, 26 October 2008, <http://www.mcclatchydc.com/212/story/54780.html>.

¹⁴⁵⁷ Sahar Issa, *Round-up of Daily Violence in Iraq - Thursday 2 October 2008*, McClatchy Newspapers, 2 October 2008, <http://www.mcclatchydc.com/212/story/53370.html>.

¹⁴⁵⁸ Hussein Kadhim, *Round-up of Daily Violence - Wednesday 01 October 2008*, McClatchy Newspapers, 1 October 2008, <http://www.mcclatchydc.com/212/story/53325.html>.

¹⁴⁵⁹ VOI, *3 killed, 30 wounded in Salah al-Din blast*, 1 October 2008, http://www.iraquupdates.com/p_articles.php/article/37322.

¹⁴⁶⁰ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Friday 12 September 2008*, McClatchy Newspapers, 12 September 2008, <http://www.mcclatchydc.com/212/story/52349.html>.

¹⁴⁶¹ Sam Dagher, *31 Killed in Car Bomb Attack on Iraq Shiite Enclave*, NY Times, 12 September 2008, <http://www.nytimes.com/2008/09/13/world/middleeast/13iraq.html>.

- 15 August 2008: A roadside bomb targeted a minibus carrying pilgrims on their way from Baghdad to Karbala, in Baghdad Al-Jadeeda. One pilgrim was killed and nine others were injured.¹⁴⁶³
- 14 August 2008: 19 persons were killed and 99 wounded when a female suicide bomber blew herself up among Shi'ite pilgrims in the town of Iskanderiyah (Babel).¹⁴⁶⁴
- 28 July 2008: Two female suicide bombers and one IED targeted the pilgrims of Imam Musa Al-Kadhimi on the anniversary of his death in Karrada neighbourhood in Baghdad. At least 26 people were killed and 95 others injured.¹⁴⁶⁵
- On 27 July 2008: In the town of Mada'en south of Baghdad, gunmen ambushed and killed seven Shi'ite pilgrims marching to a shrine in Baghdad ahead of a major Shi'ite holiday.¹⁴⁶⁶
- 25 June 2008: Two people were killed and 15 others were wounded when a bomb exploded inside a car near Imam Abbas shrine in downtown Kerbala.¹⁴⁶⁷
- 17 June 2008: At least 63 persons were killed and many more were injured in truck bombing in Baghdad's mostly Shi'ite neighbourhood of Hurriyah.¹⁴⁶⁸
- 17 March 2008: A bomb exploded near the shrine of Imam Hussein in central Kerbala City, killing at least 52 and wounding many more.¹⁴⁶⁹
- 1 March 2008: gunmen killed two people and wounded 10 in an attack on Shi'ite pilgrims heading home from the *Arba'een* religious ceremony near the town of Sarha (Salah Al-Din). In another incident, 15 Shi'ite Turkmen pilgrims returning from Kerbala were kidnapped when gunmen stopped two minibuses in the town of Amerli (Salah Al-Din).¹⁴⁷⁰
- 24 February 2008: 63 pilgrims were killed and many others wounded in a suicide attack on Shi'ite pilgrims in Iskanderiyah (Babel).¹⁴⁷¹
- 24 February 2008: An IED exploded in Dora neighbourhood, Baghdad, targeting pilgrims walking to Kerbala. The militants then targeted the pilgrims with grenades. Three civilians were killed and 49 others were injured.¹⁴⁷²

¹⁴⁶² Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Saturday 16 August 2008*, McClatchy Newspapers, 16 August 2008, <http://www.mcclatchydc.com/212/story/48594.html>.

¹⁴⁶³ Hussein Kadhimi, *Round-up of Daily Violence - Friday 15 August 2008*, McClatchy Newspapers, 15 August 2008, <http://www.mcclatchydc.com/212/story/48410.html>.

¹⁴⁶⁴ VOI, *19 killed, 99 injured in suicide bombing attack in Babel*, 15 August 2008, http://www.iraquupdates.com/p_articles.php/article/35237.

¹⁴⁶⁵ Hussein Kadhimi, *Round-up of Daily Violence - Monday 28 July 2008*, McClatchy Newspapers, 28 July 2008, <http://www.mcclatchydc.com/212/story/45731.html>.

¹⁴⁶⁶ AP, *Gunmen in a Sunni town near Baghdad kill seven Shi'ite pilgrims*, 27 July 2008, <http://www.ihl.com/articles/2008/07/27/news/iraqweb.php>.

¹⁴⁶⁷ Laith Hammoudi, *Round-up of daily Violence in Iraq - Wednesday 25 June 2008*, McClatchy Newspapers, 25 June 2008, <http://www.mcclatchydc.com/212/story/42114.html>.

¹⁴⁶⁸ Robert H. Reid, *US: Shiites behind deadly truck bombing in Baghdad*, AP, 18 June 2008, http://www.usatoday.com/news/world/2008-06-17-4110462503_x.htm, Hannah Allam, *Vehicle bombing in crowded Baghdad marketplace kills 51*, McClatchy Newspapers, 17 June 2008, <http://www.mcclatchydc.com/159/story/41365.html>.

¹⁴⁶⁹ BBC, *Iraq bomb attack toll rises to 52*, 18 March 2008, http://news.bbc.co.uk/2/hi/middle_east/7302406.stm.

¹⁴⁷⁰ AFP, *Two killed in attack on Shi'ite pilgrims: Iraq police*, 1 March 2008, http://findarticles.com/p/articles/mi_kmafp/is_200803/ai_n24365381.

¹⁴⁷¹ Amit R. Paley and Joshua Partlow, *Blast Kills at Least 63 Shi'ite Pilgrims in Iraq*, The Washington Post, 25 February 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/02/25/AR2008022500689.html>.

¹⁴⁷² Laith Hammoudi, *Round-up of Daily violence in Iraq - Sunday 24 February 2008*, McClatchy Newspapers, 24 February 2008, <http://www.mcclatchydc.com/212/story/28562.html>.

- 15 February 2008: Two suicide bombers blew themselves up during Friday prayers at the Shi'ite Jawad Al-Sadiq mosque in Tal Afar, a mainly Turkmen city in Ninewa Governorate. At least four persons were killed and 13 wounded.¹⁴⁷³
- 19 January 2008: Two roadside bombs targeted Shi'ite pilgrims near Al-Adham mosque in southern Kirkuk city, killing two men and injuring six.¹⁴⁷⁴

¹⁴⁷³ BBC, *Four killed in Iraq mosque attack*, 15 February 2008, http://news.bbc.co.uk/2/hi/middle_east/7247087.stm.

¹⁴⁷⁴ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Saturday 19 January 2008*, McClatchy Newspapers, 19 January 2008, <http://www.mcclatchydc.com/212/story/25061.html>.

Annex VII: Security incidents in Tal Afar (Ninewa Governorate)

(January 2008 – March 2009, not exhaustive)

- 23 March 2009: A policeman was killed and five civilians were injured when a suicide bomber detonated the policeman in Tal Afar town west of Mosul on Monday afternoon.¹⁴⁷⁵
- 15 March 2009: Two gunmen were killed when their roadside bomb detonated while they were trying to plant in Zamar town of Tal Afar (62 miles west of Mosul) on Saturday night.¹⁴⁷⁶
- 20 January 2009: A gunman threw a grenade on workers near a police check point in Tal Afar, wounding six persons, including two policemen.¹⁴⁷⁷
- 29 December 2008: A suicide bomber walking with a man tried to reach a joint centre for the Iraq Army and Police in Tal Afar. The police shot and killed the suicide bomber. The man detonated injuring the other man.¹⁴⁷⁸
- 2 December 2008: At least five people were killed and 25 others were wounded in a car bomb explosion near a police checkpoint in Tal Afar.¹⁴⁷⁹
- 15 November 2008: A car bomb exploded in a car dealership in Tal Afar, killing nine people and wounding 40.¹⁴⁸⁰
- 11 November 2008: Eleven civilians were killed and 30 others were wounded by a parked car bomb in Tal Afar.¹⁴⁸¹
- 28 October 2008: ISF found 20 corpses in the basement of a house in Tal Afar after receiving information from local residents.¹⁴⁸²
- 9 October 2008: A roadside bomb detonated in a restaurant in Tal Afar, killing two people and injuring three.¹⁴⁸³
- 2 October 2008: A roadside bomb detonated inside a restaurant in Tal Afar, killing two people, including a policeman, and wounding three others.¹⁴⁸⁴
- 20 September 2008: Two civilians were killed and 17 others were injured when a suicide car bomber targeted a football yard in downtown Tal Afar.¹⁴⁸⁵

¹⁴⁷⁵ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 23 March 2009*, McClatchy Newspapers, 23 March 2009, <http://www.mcclatchydc.com/212/story/64594.html>.

¹⁴⁷⁶ Hussein Kadhim, *Roundup of Daily Violence in Iraq-Sunday 15 March 2009*, McClatchy Newspapers, 15 March 2009, <http://www.mcclatchydc.com/212/story/63997.html>.

¹⁴⁷⁷ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Tuesday 20 January 2009*, McClatchy Newspapers, 20 January 2009, <http://www.mcclatchydc.com/212/story/60210.html>.

¹⁴⁷⁸ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 29 December 2008*, McClatchy Newspapers, 29 December 2008, <http://www.mcclatchydc.com/212/story/58631.html>.

¹⁴⁷⁹ VOI, *30 Killed, Injured in Car Bomb Explosion in Talafar*, 3 December 2008, http://www.iraquupdates.com/p_articles.php/article/41043.

¹⁴⁸⁰ Katherine Zoepf and Atheer Kakan, *Shiite Bloc Fails to Go to Meeting on Iraq-U.S. Pact*, NY Times, 15 November 2008, <http://www.nytimes.com/2008/11/16/world/middleeast/16iraq.html>.

¹⁴⁸¹ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Saturday 15 November 2008*, McClatchy Newspapers, 11 November 2008, <http://www.mcclatchydc.com/212/story/55957.html>.

¹⁴⁸² Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 28 October 2008*, McClatchy Newspapers, 28 October 2008, <http://www.mcclatchydc.com/212/story/54873.html>.

¹⁴⁸³ Hussein Kadhim, *Round-up of Daily Violence - Thursday 09 October 2008*, McClatchy Newspapers, 9 October 2008, <http://www.mcclatchydc.com/212/story/53688.html>.

¹⁴⁸⁴ Hussein Kadhim, *Round-up of Daily Violence - Thursday 09 October 2008*, McClatchy Newspapers, 2 October 2008, <http://www.mcclatchydc.com/212/story/53688.html>.

¹⁴⁸⁵ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Saturday 20 September 2008*, McClatchy Newspapers, 20 September 2008, <http://www.mcclatchydc.com/212/story/52833.html>.

- 17 September 2008: A roadside bomb targeted an army patrol in Tal Afar, wounding three soldiers.¹⁴⁸⁶
- 6 September 2008: A suicide bomber detonated his car bomb near a busy market in central Tal Afar, killing six civilians and injuring 32.¹⁴⁸⁷
- 27 August 2008: 14 civilians were injured by a suicide car bomb that detonated before reaching a checkpoint in Tal Afar.¹⁴⁸⁸
- 8 August 2008: A parked car bomb targeted civilians in a market in Tal Afar city, killing 20 civilians and injuring 70 others.¹⁴⁸⁹
- 16 July 2008: A car bomb detonated in a local market in Tal Afar, killing 16 and injuring 94 persons.¹⁴⁹⁰
- 9 June 2008: Gunmen killed two prominent tribal leaders, Sheikh Abdulnoor Mohammed Noor Al-Tahhan, the chief of the Obaid tribe, and Sheikh Mohammed Khalil Hansh, the chief of Al-Halaibik tribe, when on their way from Mosul to Tal Afar.¹⁴⁹¹
- 27 May 2008: A parked car bomb in Tal Afar killed five people and injured 45 others.¹⁴⁹²
- 14 April 2008: A suicide bomber targeted a funeral ceremony in Tal Afar, killing four people and injuring 22.¹⁴⁹³
- 15 February 2008: Two suicide bombers blew themselves up during Friday prayers at the Shi'ite Jawad Al-Sadiq mosque in Tal Afar, a mainly Turkmen city in Ninewa Governorate. At least four persons were killed and 13 wounded.¹⁴⁹⁴

¹⁴⁸⁶ Hussein Kadhim, *Round-up of Daily Violence - Wednesday 17 September 2008*, McClatchy Newspapers, 17 September 2008, <http://www.mcclatchydc.com/212/story/52661.html>.

¹⁴⁸⁷ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq - Saturday 6 September 2008*, McClatchy Newspapers, 6 September 2008, <http://www.mcclatchydc.com/212/story/51930.html>.

¹⁴⁸⁸ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Wednesday 27 August 2008*, McClatchy Newspapers, 27 August 2008, <http://www.mcclatchydc.com/212/story/50862.html>.

¹⁴⁸⁹ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Friday 8 August 2008*, McClatchy Newspapers, 8 August 2008, <http://www.mcclatchydc.com/212/story/46888.html>.

¹⁴⁹⁰ Hussein Kadhim, *Round-up of Daily Violence - Wednesday 16 July 2008*, McClatchy Newspapers, 16 July 2008, <http://www.mcclatchydc.com/212/story/44444.html>.

¹⁴⁹¹ KUNA, *Gunmen kill two tribal Tal Afar chiefs*, 9 June 2008, <http://www.kuna.net.kw/newsagenciespublicsite/ArticleDetails.aspx?Language=en&id=1915387>.

¹⁴⁹² Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Tuesday 27 May 2008*, McClatchy Newspapers, 27 May 2008, <http://www.mcclatchydc.com/212/story/38609.html>.

¹⁴⁹³ Hussein Kadhim, *Round-up of Daily Violence - Monday 14 April 2008*, McClatchy Newspapers, 14 April 2008, <http://www.mcclatchydc.com/212/story/33575.html>.

¹⁴⁹⁴ BBC, *Four killed in Iraq mosque attack*, 15 February 2008, http://news.bbc.co.uk/2/hi/middle_east/7247087.stm.

Annex VIII: Targeted attacks on tribal leaders, Awakening/SoI leaders and members¹⁴⁹⁵

(January 2008 – March 2009, not comprehensive)

- 30 March 2009: Gunmen killed three SoI members in their car while they were going to work in Iskanderiyah (Babel).¹⁴⁹⁶
- 27 March 2009: Gunmen shot dead Abdul-Kareem Juma, a Sunni tribal leader, and wounded seriously his son as they were leaving a mosque after finishing their night prayers in Jalawla (Diyala).¹⁴⁹⁷
- 20 March 2009: A suicide bomber blew himself outside the house of Sheikh Talib Al-Hasnawi Al-Issawi, a tribal leader near Fallujah (Al-Anbar), killing one policeman and wounding two of the chieftain's guards.¹⁴⁹⁸
- 16 March 2009: A roadside bomb targeted a SoI patrol in Doura neighbourhood, injuring two civilians and one SoI member.¹⁴⁹⁹
- 14 March 2009: A sticky bomb detonated in Grayaat neighbourhood in northern Baghdad, seriously injuring the family of the brother of SoI leader of Sabei Abkar area. The family included the mother, father, two sons and a daughter.¹⁵⁰⁰
- 9 March 2009: Gunmen killed two SoI members in Jihad neighbourhood in western Baghdad.¹⁵⁰¹
- 5 March 2009: A SoI member was killed and three civilians were injured by a roadside bomb in Saidiyah neighbourhood in Baghdad.¹⁵⁰²
- 4 March 2009: Two magnetic bombs detonated under the car of Sheikh Dhiab, a tribal leader, in Tal Al-Thahab village south of Balad (Salah Al-Din). Sheikh Dhiab, his mother, brother and son were killed in the incident.¹⁵⁰³
- 3 March 2009: Gunmen driving a speeding car shot and killed Werya Fattah Agha al Kakai, brother of Adnan Agha al Kakai, a prominent tribal leader of the Kakai tribe, in front of his house in central Kirkuk.¹⁵⁰⁴

¹⁴⁹⁵ Note: this Annex lists only incidents in which leaders/members of the Awakening Councils/SoI have been deliberately targeted in suicide attacks or assassination attempts and not casualties as a result of armed clashes with insurgent groups.

¹⁴⁹⁶ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 30 March 2009*, McClatchy Newspapers, 30 March 2009, <http://www.mcclatchydc.com/212/story/65051.html>.

¹⁴⁹⁷ Reuters, *FACTBOX-Security developments in Iraq, March 27*, 27 March 2009, <http://lite.alertnet.org/thenews/newsdesk/ANS729429.htm>.

¹⁴⁹⁸ Aswat al-Iraq, *Suicide attack kills cop, injures 2 in Falluja*, 20 March 2009, <http://en.aswatilraq.info/?p=110159>.

¹⁴⁹⁹ Sahar Issa and Hussein Kadhim, *Round-up of Daily Violence in Iraq - Monday 16 March 2009*, McClatchy Newspapers, 16 March 2009, <http://www.mcclatchydc.com/212/story/64042.html>.

¹⁵⁰⁰ Sahar Issa, *Round-up of Daily Violence in Iraq - Saturday 14 March 2009*, McClatchy Newspapers, 14 March 2009, <http://www.mcclatchydc.com/212/story/63986.html>.

¹⁵⁰¹ Hussein Kadhim, *Roundup of Violence in Iraq-Monday 9 March 2009*, McClatchy Newspapers, 9 March 2009, <http://www.mcclatchydc.com/212/story/63540.html>.

¹⁵⁰² Laith Hammoudi, *Round-up of Daily Violence in Iraq - Thursday 5 March 2009*, McClatchy Newspapers, 5 March 2009, <http://www.mcclatchydc.com/212/story/63314.html>.

¹⁵⁰³ Hussein Kadhim, *Roundup of Daily Violence in Iraq-Wednesday 4 March 2009*, McClatchy Newspapers, 4 March 2009, <http://www.mcclatchydc.com/212/story/63245.html>.

- 1 March 2009: A suicide bomber detonated himself inside the house of Sheikh Hasnawi, a tribal leader of the Ifan tribe, in Ifan village south of Fallujah (Al-Anbar), killing his son, Mahmoud Khalid Ifan.¹⁵⁰⁵
- 23 February 2009: Police found the body of a SoI leader in Jurf Al-Sakhr (Babel). The man had been handcuffed and shot in the head.¹⁵⁰⁶
- 22 February 2009: A bomb attached to a vehicle wounded a SoI leader in Samarra (Salah Al-Din).
- 21 February 2009: An IED detonated near the home of Captain Firas Al-Ani, chief of Sulaikh District SoI; injuring him and two bodyguards.¹⁵⁰⁷
- 11 February 2009: Gunmen wounded three members of a SoI checkpoint in Sha'ab neighbourhood, Baghdad. In a different incident, gunmen in a car opened fire at a SoI checkpoint in Dora neighbourhood, wounding two of them.¹⁵⁰⁸
- 18 January 2009: A roadside bomb detonated in front of the deputy SoI leader's house in Furat neighbourhood in western Baghdad. The SoI leader was seriously injured.¹⁵⁰⁹
- 3 January 2009: Two leaders of the Zubaid tribe in Al-Biaaj were killed and a third one was wounded when a sticky explosive charge targeted their vehicle in Sinjar District (Ninewa).¹⁵¹⁰
- 2 January 2008: At least 24 tribal leaders of the Qaraghul tribe, who were meeting at the house of an influential Sunni sheikh in Yousifiyah (Babel), were wounded after a member of the tribe detonated an explosive vest among the guests.¹⁵¹¹
- 2 January 2008: Armed men fatally shot three members of an Awakening Council at a security checkpoint in Jurf Al-Sakhr near Hilla (Babel). Six other Awakening members were wounded.¹⁵¹²
- 24 December 2008, a suicide car bomber targeted the house of Sheikh Mohammad Al-Ramah in Al-Aghar village south of Mosul. Seven people were injured, including five members of the Sheikh's family.¹⁵¹³
- 24 December 2008: Three children were killed and four persons were wounded when an explosive charge exploded in front of the house of Sheikh Ahmed Rashed, a leader of the Albo Issa tribe, in Fallujah (Al-Anbar).¹⁵¹⁴

¹⁵⁰⁴ Aswat al-Iraq, *Official assassinated in southern Kirkuk*, 3 March 2009, <http://en.aswatiraq.info/?p=109089>.

¹⁵⁰⁵ Hussein Kadhim, *Roundup of Daily Violence in Iraq-Sunday 1 March 2009*, McClatchy Newspapers, 1 March 2009, <http://www.mcclatchydc.com/212/story/63026.html>.

¹⁵⁰⁶ Reuters, *FACTBOX-Security developments in Iraq, Feb 23*, 23 February 2009, <http://www.alertnet.org/thenews/newsdesk/LN403340.htm>.

¹⁵⁰⁷ UNAMI SSU, 21/22 February 2009.

¹⁵⁰⁸ Reuters, *FACTBOX-Security developments in Iraq, Feb 11*, 11 February 2009, <http://www.alertnet.org/thenews/newsdesk/LB193436.htm>.

¹⁵⁰⁹ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 18 January 2009*, McClatchy Newspapers, 18 January 2008, <http://www.mcclatchydc.com/212/story/59961.html>.

¹⁵¹⁰ VOI, *IED Kills, Wounds Chieftains Near Mosul*, 3 January 2009, http://www.iraquupdates.com/p_articles.php/article/42899.

¹⁵¹¹ Timothy Williams and Riyadh Mohammed, *Suicide Attack Kills 24 at Iraqi Tribal Gathering*, NY Times, 2 January 2009, <http://www.nytimes.com/2009/01/03/world/middleeast/03iraq.html>.

¹⁵¹² *Ibid.*

¹⁵¹³ Hussein Kadhim, *Round-up of daily violence in Iraq-Thursday 25 December 2008*, McClatchy Newspapers, <http://www.mcclatchydc.com/212/story/58485.html>.

¹⁵¹⁴ VOI, *Falluja Blast Kills, Wounds 7*, 24 December 2008, http://www.iraquupdates.com/p_articles.php/article/42334.

- 15 December 2008: Gunmen assassinated Sattar Khaleel, an Awakening Council leader, while he was walking out of a mosque in Saidiyah District (Diyala).¹⁵¹⁵
- 15 December 2008: A woman suicide bomber killed Ahmad Khamis, an Awakening Council group leader, at the front door of his house in the town of Tarmiyah (Salah Al-Din). Khamis' son was wounded by the blast.¹⁵¹⁶
- 10 December 2008: Gunmen detonated the house of Sheikh Salih Al-Igaidi in Al-Suwayra (Wassit) without causing any casualties. The sheikh himself had been kidnapped more than a year ago and was not heard of since.¹⁵¹⁷
- 8 December 2008: Gunmen attacked the house of an Awakening member in a village south-west of Kirkuk City, wounding him.¹⁵¹⁸
- 6 December 2008: Gunmen attacked the SoI office in Al-Isaiwid village (Diyala), killing three SoI and injuring one.¹⁵¹⁹
- 6 December 2008: An IED exploded inside a coffee shop usually frequented by SoI members in Tahrir neighbourhood, southern Ba'quba (Diyala), injuring 18 people including eight SoI members.¹⁵²⁰
- 3 December 2008: Gunmen killed Hashim Al-Karawi, an Awakening member, and three of his cousins, near Jalawla (Diyala).¹⁵²¹
- 2 December 2008: Colonel Khalaf Ibraheem, an Awakening Council leader in Hawija (Kirkuk) escaped an attempt on his life.¹⁵²²
- 24 November 2008: Khalaf Al-Jaburi, a Sunni tribal leader, was shot dead outside his home in Kirkuk City.¹⁵²³
- 16 November 2008: A roadside bomb targeted a SoI checkpoint in Sha'ab intersection, killing three people, including two SoI and wounding seven others, including five SoI.¹⁵²⁴
- 10 November 2008: A female suicide bomber targeted a SoI checkpoint in downtown Ba'quba (Diyala). Five people were killed, including a SoI leader, and at least 15 others were wounded, including three women.¹⁵²⁵
- 7 November 2008: A roadside bomb targeted a minibus transporting SoI in Udham area (Diyala), killing two SoI and injuring five others.¹⁵²⁶

¹⁵¹⁵ VOI, *Sahwa Leader Gunned Down in DIALA*, 17 December 2008, http://www.iraqupdates.com/p_articles.php/article/41758/refid/RN-story-03-02-2009.

¹⁵¹⁶ Xinhua, *Female suicide bomber kills anti-Qaida group leader in north of Baghdad*, 15 December 2008, http://news.xinhuanet.com/english/2008-12/15/content_10509487.htm.

¹⁵¹⁷ VOI, *Chieftain's House Detonated in Wassit*, 11 December 2008, http://www.iraqupdates.com/p_articles.php/article/41442.

¹⁵¹⁸ VOI, *Gunmen Wound Sahwa Fighter Near Kirkuk*, 8 December 2008, http://www.iraqupdates.com/p_articles.php/article/41282.

¹⁵¹⁹ Sahar Issa, *Round-up of Daily Violence in Iraq - Saturday 6 December 2008*, McClatchy Newspapers, 6 December 2008, <http://www.mcclatchydc.com/iraq/story/57245.html>.

¹⁵²⁰ *Ibid.*

¹⁵²¹ AP, *Iraq: member of govt-backed tribal council killed*, 3 December 2008, <http://iht.nytimes.com/articles/ap/2008/12/03/news/ML-Iraq-Council-Killing.php>.

¹⁵²² Sahar Issa, *Round-up of Daily Violence in Iraq - Tuesday 2 December 2008*, McClatchy Newspapers, 2 December 2008, <http://www.mcclatchydc.com/212/story/56841.html>.

¹⁵²³ AFP, *Baghdad blasts kill 17 ahead of troop pact vote*, 24 November 2008, http://www.khaleejtimes.com/darticlen.asp?xfile=data/middleeast/2008/November/middleeast_November495.xml§ion=middleeast&col=.

¹⁵²⁴ Hussein Kadhim, *Round-up of daily violence - Sunday 16 November 2008*, McClatchy Newspapers, 16 November 2008, <http://www.mcclatchydc.com/212/story/55973.html>.

¹⁵²⁵ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Monday 10 November 2008*, McClatchy Newspapers, 10 November 2008, <http://www.mcclatchydc.com/212/story/55630.html>.

- 6 November 2008: Two roadside bombs targeted SoI in Sheikh Omar neighbourhood in north Baghdad, killing two people, including one SoI member, and wounding five others, including three SoI members.¹⁵²⁷
- 3 November 2008: Gunmen killed a tribal sheikh, spraying his car with bullets in western Mosul.¹⁵²⁸
- 2 November 2008: A roadside bomb targeting the car of Abbas Al-Mujamai south of Ba'quba (Diyala), killing the Awakening leader of Imam Habash sub-district and five of his family.¹⁵²⁹
- 29 October 2009: Gunmen attacked the house of the Dahalka SoI leader in Dahalka village in Balad Ruz (Diyala), killing three of his family members and wounding 14 others.¹⁵³⁰
- 25 October 2008: One man was wounded when a speeding car opened fire on a checkpoint of SoI patrols in Jurf Al-Sakhr (Babel).¹⁵³¹
- 22 October 2008: Gunmen tried to kidnap Sheikh Abdul Wahab Al-Rubaei, the head of the Southern Region Tribes Union, from his house in Basrah.¹⁵³²
- 18 October 2008: Gunmen attacked the house of Aamer Jassem Khudeir, a local Awakening Council leader, near Balad (Salah Al-Din), killing five persons, including Khudeir himself, and wounding two women and a child.¹⁵³³
- 18 October 2008: Gunmen driving a vehicle opened fire on the leader of Jurf Al-Sakhr Awakening Council, Abdelhadi Ali Makki, while he was inside his car near Jurf Al-Sakhr (Babel), killing him on the spot.¹⁵³⁴
- 17 October 2008: Gunmen shot and wounded a tribal leader in Kut (Wassit).¹⁵³⁵
- 15 October 2008: Two roadside bombs detonated in one of the SoI headquarters in Dora, Baghdad injuring six, including two SoI and four soldiers.¹⁵³⁶
- 12 October 2008: Gunmen opened fire on a SoI checkpoint in Dora neighbourhood, Baghdad, killing two SoI.¹⁵³⁷

¹⁵²⁶ Sahar Issa, *Round-up of Daily Violence in Iraq, Friday, 7 November, 2008*, McClatchy Newspapers, 7 November 2008, <http://www.mcclatchydc.com/212/story/55466.html>.

¹⁵²⁷ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Thursdays 6 November 2008*, McClatchy Newspapers, 6 November 2008, <http://www.mcclatchydc.com/212/story/55407.html>.

¹⁵²⁸ Reuters, *FACTBOX-Security developments in Iraq, Nov 3, 3 November 2008*, <http://www.alertnet.org/thenews/newsdesk/ANW322493.htm>.

¹⁵²⁹ VOI, *Anti-Qaeda chieftain killed in roadside bomb, 2 November 2008*, http://www.iraquupdates.com/p_articles.php/article/39161.

¹⁵³⁰ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Wednesday 29 October 2008*, McClatchy Newspapers, 29 October 2008, <http://www.mcclatchydc.com/212/story/54927.html>.

¹⁵³¹ Reuters, *FACTBOX-Security developments in Iraq, Oct 25, 25 October 2008*, <http://www.alertnet.org/thenews/newsdesk/ANW522427.htm>.

¹⁵³² VOI, *Kidnapping attempt foiled in Basra, 22 October 2008*, http://www.iraquupdates.com/p_articles.php/article/38543.

¹⁵³³ Aswat Al-Iraq, *4 men, Sahwa leader gunned down in Salah al-Din, 19 October 2008*, <http://en.aswataliraq.info/?p=101463>.

¹⁵³⁴ VOI, *URGENT/ Sahwa council leader killed near Hilla, 18 October 2008*, http://www.iraquupdates.com/p_articles.php/article/38218.

¹⁵³⁵ Reuters, *Factbox - Security developments in Iraq, 17 Oct 2008, 17 October 2008*, <http://www.alertnet.org/thenews/newsdesk/LH384386.htm>.

¹⁵³⁶ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Wednesday 15 October 2008*, McClatchy Newspapers, 15 October 2008, <http://www.mcclatchydc.com/212/story/53958.html>.

¹⁵³⁷ Hussein Kadhim, *Round-up of Daily Violence in Iraq-Sunday 12 October 2008*, McClatchy Newspapers, 12 October 2008, <http://www.mcclatchydc.com/212/story/53811.html>.

- 9 October 2008: The leader of a local Awakening Council was killed, along with his wife and two children, by a roadside bomb in Udhaim (Diyala). Eight women, all relatives travelling in the same minibus with Azzawi, were also wounded in the attack.¹⁵³⁸
- 8 October 2008: Gunmen in three cars assassinated Abdullah Ghazi, an Awakening Council leader, on his farm in Zab (Kirkuk).¹⁵³⁹
- 26 September 2008: Gunmen killed one Awakening member and wounded another in an attack on their checkpoint in Babel.¹⁵⁴⁰
- 24 September 2008: Gunmen killed 12 national policemen and eight SoI members in an ambush in Dulaimiyat village of Khan Bani Saad (Diyala).¹⁵⁴¹
- 19 September 2008: Gunmen shot and killed Shi'ite tribal leader, Sheikh Ady Ali Abbas Al-Agrash, in his house in Al-Kindi area near Basrah.¹⁵⁴²
- 17 September 2008: Muhannad Al-Ubeidi, head of the Awakening Council group in the neighbourhood of Ta'mim in western Ramadi (Al-Anbar) was killed by a bomb planted in his car while traveling with his brother in the neighborhood. Ubeidi's brother was severely wounded.¹⁵⁴³
- 15 September 2008: Gunmen assassinated Sheikh Omar Raddam Getan, Azza tribal chief, in Al-Ain village north of Ba'quba (Diyala).¹⁵⁴⁴
- 13 September 2008: A roadside bomb was planted outside the home of the commander of the SoI in Furat neighbourhood in western Baghdad. The commander was killed and four civilians were injured.¹⁵⁴⁵
- 13 September 2008: Gunmen killed Fouad Ali Hussein Al-Douri, a Sunni imam and Awakening council leader in the Jihad neighbourhood in western Baghdad. Reportedly, he had also been a proponent of reconciliation, promoting Sunni-Shi'ite co-existence in a neighbourhood of Baghdad especially affected by sectarian killings and displacement.¹⁵⁴⁶
- 11 September 2008: Gunmen killed tribal sheikh Rokan Al-Kayali and his infant son in their house near Khalis (Diyala).¹⁵⁴⁷
- 8 September 2008: Gunmen attacked the house of Raad Rasheed, the SoI leader in Shirween area north of Ba'quba (Diyala), and kidnapped him.¹⁵⁴⁸

¹⁵³⁸ Reuters, *Iraqi neighborhood leader, family killed in attack*, 9 October 2008, <http://www.reuters.com/article/GCA-GCA-iraq/idUSTRE4941BS20081009>.

¹⁵³⁹ Alissa J. Rubin, *Iraqi suicide bomber kills 10*, IHT, 9 October 2008, <http://www.iht.com/articles/2008/10/09/africa/09iraq.php>.

¹⁵⁴⁰ Reuters, *FACTBOX-Security developments in Iraq*, Sept 26, 26 September 2008, <http://www.alertnet.org/thenews/newsdesk/LQ451367.htm>.

¹⁵⁴¹ Hussein Kadhim, *Round-up of Daily Violence - Wednesday 24 September 2008*, McClatchy Newspapers, 24 September 2008, <http://www.mcclatchydc.com/212/story/53008.html>.

¹⁵⁴² Reuters, *FACTBOX-Security developments in Iraq*, Sept 20, 20 September 2008, <http://www.alertnet.org/thenews/newsdesk/ANW021131.htm>; VOI, *Cleric gunned down in Basra*, 21 September 2008, http://www.iraqupdates.com/p_articles.php/article/36773.

¹⁵⁴³ Xinhua, *Anti-Qaida leader killed in bomb attack west of Baghdad*, 17 September 2008, <http://english.peopledaily.com.cn/90001/90777/90854/6501284.html>.

¹⁵⁴⁴ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 16 September 2008*, McClatchy Newspapers, 16 September 2008, <http://www.mcclatchydc.com/212/story/52590.html>.

¹⁵⁴⁵ Sahar Issa, *Round-up of Daily Violence in Iraq - Sunday 14 September 2008*, McClatchy Newspapers, 14 September 2008, <http://www.mcclatchydc.com/212/story/52483.html>.

¹⁵⁴⁶ Sam Dagher, *Sunni proponent of reconciliation is killed*, IHT, 15 September 2008, <http://www.iht.com/articles/2008/09/15/africa/15iraq.php>.

¹⁵⁴⁷ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq-Thursdays 11 September 2008*, McClatchy Newspapers, 11 September 2008, <http://www.mcclatchydc.com/212/story/52269.html>.

- 7 September 2008: A member of Rabi’a SoI west Mosul was injured by an adhesive bomb that was attached to his car.¹⁵⁴⁹
- 7 September 2008: Gunmen kidnapped four Awakening members at a checkpoint in Karmah (Al-Anbar). Three Awakening members were later found dead, one remained missing.¹⁵⁵⁰
- 6 September 2008: A car bomb killed Abdul-Amer Gattie, the head of a US-backed SoI group, Saidiyah, Baghdad.¹⁵⁵¹
- 1 September 2008: An IED targeted the car of Emad Sa’id Jasim Al-Mish’hadani, the leader of the SoI in Tarmiyah (Salah Al-Din). Al-Mish’hadani was seriously injured.¹⁵⁵²
- 25 August 2008: A suicide bomber killed at least 25 people celebrating the return from US custody of Adnan Hanoush, head of the Awakening Movement in Abu Ghraib. Adnan Hanoush was among those killed.¹⁵⁵³
- 24 August 2008: A suicide bomber targeting Abdel Karim Ahmed Mindil, the leader of local Awakening Council, blew himself up in a car dealership in Khalis (Diyala). Mindil was killed along with four others.¹⁵⁵⁴
- 18 August 2008: Gunmen killed Raheem Thyab Al-Bayati, a SoI leader, south of Tuz town (Kirkuk).¹⁵⁵⁵
- 17 August 2008: A suicide bomber detonated his explosives in Al-Adhamiyah, Baghdad, killing 15 people, including Faruq Abdul Sattar, a deputy commander of Adhamiya’s Awakening Council and several other Awakening Council members.¹⁵⁵⁶
- 10 August 2008: Ten people, including six civilians, three SoI and one US soldier, were killed and twenty other people, including three SoI, were wounded when a suicide bomber detonated himself in Tarmiyah (Salah Al-Din).¹⁵⁵⁷
- 5 August 2008: Gunmen slit the throats of three Awakening members in an attack on their checkpoint near the village of Al-Hindiya in Al-Multaqa District.¹⁵⁵⁸
- 4 August 2008: Gunmen attacked the convoy of Sheikh Ibrahim Al-Karbouli, an Awakening Council leader, in Yousifiyah (Babel) and shot dead the sheikh and six family members.¹⁵⁵⁹

¹⁵⁴⁸ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 8 September 2008*, McClatchy Newspapers, 8 September 2008, <http://www.mcclatchydc.com/212/story/52043.html>.

¹⁵⁴⁹ *Ibid.*

¹⁵⁵⁰ Hussein Kadhim, *Round-up of Daily Violence - Sunday 07 September 2008*, McClatchy Newspapers, 7 September 2008, <http://www.mcclatchydc.com/212/story/51957.html>.

¹⁵⁵¹ Reuters, *FACTBOX-Security developments in Iraq, Sept 6*, 6 September 2008, <http://www.alertnet.org/thenews/newsdesk/L6317548.htm>.

¹⁵⁵² Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 1 September 2008*, McClatchy Newspapers, 1 September 2008, <http://www.mcclatchydc.com/212/story/51358.html>.

¹⁵⁵³ Amit R. Paley, *Suicide Blast Kills 25 At Celebration in Iraq*, The Washington Post, 25 August 2008, <http://www.washingtonpost.com/wp-dyn/content/article/2008/08/24/AR2008082401208.html>.

¹⁵⁵⁴ AFP, *Iraq suicide bomber kills 5 in car showroom*, 24 August 2008, <http://www.abc.net.au/news/stories/2008/08/24/2345035.htm>.

¹⁵⁵⁵ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 18 August 2008*, McClatchy Newspapers, 18 August 2008, <http://www.mcclatchydc.com/212/story/48989.html>.

¹⁵⁵⁶ Erica Goode and Ali Hameed, *Suicide Bomber Kills 15 at a Sunni Mosque in Baghdad*, NY Times, 17 August 2008, <http://www.nytimes.com/2008/08/18/world/middleeast/18iraq.html>.

¹⁵⁵⁷ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Sunday 10 August 2008*, McClatchy Newspapers, 10 August 2008, <http://www.mcclatchydc.com/212/story/47293.html>.

¹⁵⁵⁸ VOI, *Gunmen slit 3 Sahwa fighters' throats in Kirkuk*, 5 August 2008, http://www.iraqupdates.com/p_articles.php/article/34708.

- 2 August 2008: A roadside bomb targeted a SoI checkpoint in Flajjah village (Diyala). The explosion killed four SoI and injured another four.¹⁵⁶⁰
- 24 July 2008: A female suicide bomber blew herself up as she approached a group of Awakening Council guards in a crowded area of central Ba'quba (Diyala), killing at least eight of the guards and wounding 24 other people. Reportedly, the local Awakening Council chief, Naa'im Al-Duliami, was killed along with seven of his bodyguards.¹⁵⁶¹
- 21 July 2008: Unidentified gunmen shot dead Sheikh Abdelghafour Abdullah, a tribal chief of Al-Ubayd clan in Ba'quba (Diyala).¹⁵⁶²
- 21 July 2008: Gunmen attacked Al-Bowashi village south of Ba'quba (Diyala) targeting the SoI, killing one and kidnapping four.¹⁵⁶³
- 21 July 2008: Seven people including five SoI members were killed and eight civilians injured in a parked tractor bomb in Saidiyah (Diyala).¹⁵⁶⁴
- 6 July 2008: A suicide car bomb targeted the Awakening Council office in Smeismiyah area in Rawa town (Al-Anbar), injuring eleven Awakening members.¹⁵⁶⁵
- 6 July 2008: Ali Abdul Ridha Al-Badri, head of an Awakening Council in Iskandariyah (Babel) was killed when a bomb attached to his car exploded.¹⁵⁶⁶
- 26 June 2008: A suicide bomber attacked a joint meeting between Awakening Council members and the MNF-I in Karmah (Al-Anbar), killing 22 persons, including 15 Awakening Council members.¹⁵⁶⁷
- 22 June 2008: Mortar rounds fell on a SoI headquarters in Udham (Diyala), killing 10 members and injuring 24 others.¹⁵⁶⁸
- 10 June 2008: Sheikh Ali Al-Nida, the head of Saddam Hussein's tribe of Al-Bu Nasir, was killed in an adhesive bomb explosion in the town of Awja (Salah Al-Din).¹⁵⁶⁹
- 9 June 2008: Unknown gunmen assassinated two tribal chiefs in Tal Afar (Ninewa). Sheikh Abdulnoor Mohammed Noor Al-Tahhan was the chief of the Obaid tribe and Sheikh Mohammed Khalil Hansh was the chief of Al-Halaibik tribe.¹⁵⁷⁰

¹⁵⁵⁹ Saad Abdul-Kadir, *Leader of US-allied Sunni group killed in Iraq*, 5 August 2008, AP, <http://www.guardian.co.uk/worldlatest/story/0,-7701688,00.html>.

¹⁵⁶⁰ Sahar Issa, *Round-up of Daily Violence in Iraq*, Saturday 2 August 2008, McClatchy Newspapers, 2 August 2008, <http://www.mcclatchydc.com/212/story/46182.html>.

¹⁵⁶¹ Kim Gamel, *Woman packing bomb kills 8 guards in Baquba*, AP, 25 July 2008, <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/07/25/MN6S11V20K.DTL>.

¹⁵⁶² Voices of Iraq, *Tribal chief killed in Baaquba*, 21 July 2008, http://www.iraquupdates.com/p_articles.php/article/34071.

¹⁵⁶³ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 21 July 2008*, McClatchy Newspapers, 21 July 2008, <http://www.mcclatchydc.com/212/story/44984.html>.

¹⁵⁶⁴ *Ibid.*

¹⁵⁶⁵ Sahar Issa, *Round-up of Daily Violence in Iraq*, Monday 7 July 2008, McClatchy Newspaper, 7 July 2008, <http://www.mcclatchydc.com/212/story/43313.html>.

¹⁵⁶⁶ AP, *Iraq: Police, medical officials say bomb kills head of US-allied Sunni group south of Baghdad*, 6 July 2008, <http://www.iht.com/articles/ap/2008/07/06/news/Iraq-Bombing.php>.

¹⁵⁶⁷ Hannah Allam and Jamal Naji, *3 Marines among dead in attack on Iraqi tribal leaders*, McClatchy Newspapers, 26 June 2008, <http://www.mcclatchydc.com/159/story/42271.html>; IBC, *Twenty-two by suicide bomber, Karmah, east of Falluja*, <http://www.iraqbodycount.org/database/incidents/k10945>.

¹⁵⁶⁸ Sahar Issa, *Round-up of Daily Violence in Iraq*, Monday 23 June 2008, McClatchy Newspapers, 23 June 2008, <http://www.mcclatchydc.com/212/story/41894.html>.

¹⁵⁶⁹ BBC, *Bomb kills head of Saddam's tribe*, 10 June 2009, http://news.bbc.co.uk/2/hi/middle_east/7445799.stm.

¹⁵⁷⁰ KUNA, *Gunmen kill two tribal Tal Afar chiefs*, 9 June 2008, <http://www.kuna.net.kw/newsagenciespublicsite/ArticleDetails.aspx?Language=en&id=1915387>.

- 26 May 2008: Four SoI and two policemen were killed and 18 others wounded when a suicide bomber detonated his motorbike near the headquarters of the SoI leader of Tarmiyah.¹⁵⁷¹
- 25 May 2008: A roadside bomb targeted Sheikh Mishhin Mohammad Abbas' convoy in Kharma (Al-Anbar), injuring three of his guards. Sheikh Mishhin is the head of Jamila tribes and the Awakening leader in the area.¹⁵⁷²
- 20 May 2008: Five civilians were injured when a suicide bomber targeted Sheikh Mutlab Al-Nidawi, head of the Nidawi tribe and SoI leader in the town of Mandeli (Diyala).¹⁵⁷³
- 20 May 2008: Gunmen killed four SoI, including SoI leader Qassim Dlaiyil Al-Dulaimi, in an ambush in Yeshkan village near Dhuluiya (Salah Al-Din).¹⁵⁷⁴
- 12 May 2008: Hazem Al-Shemri, an aide to an Al-Karmah Awakening Council leader, by a roadside bomb in Al-Karmah (Al-Anbar).¹⁵⁷⁵
- 12 May 2008: A roadside bomb targeted Abu Qutaiba, a local Awakening leader, in Al-Lehaib area near Fallujah (Al-Anbar), killing him and two bodyguards.¹⁵⁷⁶
- 8 May 2008: A suicide bomber targeted Sheikh Nathim Al-Jubour, head of the Dhuluiya Awakening Council, in Khazraj area north of Dhuluiya (Salah Al-Din). The sheikh was riding in a motorcade with the Chief of Police and the District Commissioner of Dhuluiya touring reconstruction projects. This was the second assassination attempt he survived with only superficial injuries.¹⁵⁷⁷
- 5 May 2008: Gunmen broke into the house of Sheikh Ibrahim Shalbi, a leader of the Majmaa tribe, at Bzyid Khureisan (Diyala). The gunmen kidnapped the sheikh as well as his wife, son and daughter-in-law. Already one month earlier, the sheikh's son-in-law had been kidnapped and his dead body was found a few days later.¹⁵⁷⁸
- 2 May 2008: Gunmen attacked a SoI headquarters in Al-Mukhifah area in Muqtadiyah (Diyala), killing two SoI and injuring five. Then they rigged the building with explosives and blew it up.¹⁵⁷⁹
- 29 April 2008: A female suicide bomber detonated herself among SoI in Abo Saida village (Diyala). One SoI was killed and five others were wounded.¹⁵⁸⁰
- 28 April 2008: Gunmen attacked Al-Bayjat village (Diyala), whose residents had joined the SoI. The residents refuted the attack and killed five gunmen.¹⁵⁸¹

¹⁵⁷¹ VOI, *Suicide attack leaves 24 casualties in Baghdad*, 26 May 2008, http://www.iraqupdates.com/p_articles.php/article/31570.

¹⁵⁷² Hussein Kadhim, *Round-up of Daily Violence - Sunday 25 May 2008*, McClatchy Newspapers, 25 May 2008, <http://www.mcclatchydc.com/212/story/38468.html>.

¹⁵⁷³ Sahar Issa, *Round-up of Daily Violence in Iraq - Tuesday 20 May 2008*, McClatchy Newspapers, 20 May 2008, <http://www.mcclatchydc.com/212/story/37750.html>.

¹⁵⁷⁴ *Ibid.*

¹⁵⁷⁵ VOI, *Sahwa leader's aide killed in Falluja*, 13 May 2008, http://www.iraqupdates.net/p_articles.php/article/31012.

¹⁵⁷⁶ Mohammed Al Dulaimy, *Round-up of Daily Violence in Iraq - Monday 12 May 2008*, McClatchy Newspapers, 12 May 2008, <http://www.mcclatchydc.com/212/story/36678.html>.

¹⁵⁷⁷ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 8 May 2008*, McClatchy Newspapers, 8 May 2008, <http://www.mcclatchydc.com/212/story/36354.html>.

¹⁵⁷⁸ Hussein Kadhim, *Round-up of Daily Violence - Tuesday 06 May 2008*, McClatchy Newspapers, 6 May 2008, <http://www.mcclatchydc.com/212/story/35984.html>.

¹⁵⁷⁹ Sahar Issa, *Round-up of Daily Violence in Iraq, Friday 2 May 2008*, McClatchy Newspapers, 2 May 2008, <http://www.mcclatchydc.com/212/story/35607.html>.

¹⁵⁸⁰ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Tuesday 29 April 2008*, McClatchy Newspapers, 29 April 2008, <http://www.mcclatchydc.com/212/story/35205.html>.

- 21 April 2008: One Awakening member was killed and three others were injured in a suicide attack on their headquarters in Rutba town (Al-Anbar).¹⁵⁸²
- 20 April 2008: A group of gunmen in two vehicles attacked the car of Mahmoud Attiya Hassan Al-Ubaydi, an Awakening Council official in Al-Rashad neighbourhood, and his son in south-west Kirkuk, killing Al-Ubaydi and his son instantly.¹⁵⁸³
- 17 April 2008: A roadside bomb targeted a SoI checkpoint in Adhamiyah, Baghdad, killing five SoI and one civilian.¹⁵⁸⁴
- 16/17 April 2008: Brothers Arif and Haithem Mhawish, both Awakening members, were gunned down near their home in the village of Albu Mohammed (Diyala). The following day, a suicide bomber blew himself up in the funeral tent amid a crowd of men and boys gathered to mourn the two slain tribesmen, killing 30 people, including Sheikh Kareem Shamil, an uncle of the two, who had been forming Awakening Councils in two different villages.¹⁵⁸⁵
- 14 April 2008: Some 40 gunmen attacked several houses in Ral Al-Dhahab village near Baiji (Salah Al-Din), injuring 17 SoI.¹⁵⁸⁶
- 11 April 2008: A car bomb driven by a suicide bomber targeted an Awakening checkpoint in eastern Ramadi (Al-Anbar), causing the death of four Awakening members and injuring three civilians.¹⁵⁸⁷
- 11 April 2008: A car bomb driven by a suicide bomber targeted a SoI checkpoint north of Baiji (Salah Al-Din), killing one SoI and wounding eight.¹⁵⁸⁸
- 8 April 2008: Suspected AQI terrorists killed Sheikh Aziz Mohammed Faraj, head of the Obaid clan, and his three sons near Khalis (Diyala).¹⁵⁸⁹
- 27 March 2008: Gunmen attacked a SoI's house in Al-Khadhraa neighbourhood in downtown Samarra (Salah Al-Din), killing the leader and his son and injuring his wife and one of his daughters.¹⁵⁹⁰
- 26 March 2008: A roadside bomb targeted a SoI checkpoint on the main road near Awja (Salah Al-Din), injuring seven SoI and two civilians.¹⁵⁹¹

¹⁵⁸¹ Hussein Kadhim, *Round-up of Daily Violence - Monday 28 April 2008*, McClatchy Newspapers, 28 April 2008, <http://www.mcclatchydc.com/212/story/35109.html>.

¹⁵⁸² Laith Hammoudi, *Round-up of Daily Violence in Iraq - Wednesday 21 April 2008*, McClatchy Newspapers, 21 April 2008, <http://www.mcclatchydc.com/212/story/37979.html>.

¹⁵⁸³ VOI, *Sahwa leader, son killed in attack near Kirkuk*, 21 April 2008, http://www.iraqupdates.com/p_articles.php/article/30101.

¹⁵⁸⁴ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 17 April 2008*, McClatchy Newspapers, 17 April 2008, <http://www.mcclatchydc.com/212/story/34001.html>.

¹⁵⁸⁵ Erica Goode, *Bomb Kills Dozens at Iraqi Funeral*, NY Times, 18 April 2008, <http://www.nytimes.com/2008/04/18/world/middleeast/18iraq.html>; Raviya H. Ismail, *Suicide bomber attacks funeral in tiny Iraqi village, killing 60*, McClatchy Newspapers, 17 April 2008, <http://www.mcclatchydc.com/100/story/33964.html>.

¹⁵⁸⁶ Hussein Kadhim, *Round-up of Daily Violence - Monday 14 April 2008*, McClatchy Newspapers, 14 April 2008, <http://www.mcclatchydc.com/212/story/33575.html>.

¹⁵⁸⁷ Sahar Issa, *Round-up of Daily Violence in Iraq, Friday 11 April 2008*, McClatchy Newspapers, 11 April 2008, <http://www.mcclatchydc.com/212/story/33381.html>.

¹⁵⁸⁸ *Ibid.*

¹⁵⁸⁹ DPA, *Six US soldiers, clan chief and three sons killed in Iraq*, 8 April 2008, <http://www.earthtimes.org/articles/show/197404.six-us-soldiers-clan-chief-and-three-sons-killed-in.html>.

¹⁵⁹⁰ Sahar Issa, *Round-up of Daily Violence in Iraq, Thursday 27 March 2008*, McClatchy Newspapers, 27 March 2008, <http://www.mcclatchydc.com/212/story/31750.html>.

¹⁵⁹¹ *Ibid.*

- 13 March 2008: Three leaders of the Salah Al-Din Awakening Council were kidnapped.¹⁵⁹²
- 11 March 2008: Odeh Khalaf Zidan, Head of the Abbasi District Awakening Council, was injured by a roadside bomb in Kirkuk.¹⁵⁹³
- 10 March 2008: A female suicide bomber killed Thaer Saggban Al-Karkhi, a prominent Sunni Arab tribal chief, who headed a neighbourhood security unit and three others in Kanaan (Diyala). Al-Karkhi's niece was also killed and two bodyguards were wounded.¹⁵⁹⁴
- 5 March 2008: Two SoI were killed and four other people, including two SoI and two civilians, were wounded when a suicide bomber attempted to attack a SoI checkpoint in downtown Samarra (Salah Al-Din).¹⁵⁹⁵
- 24 February 2008: One civilian was killed and nine people were wounded, including six SoI, when a car bomb exploded targeting the SoI in Hawija (Kirkuk). The SoI leader Colonel Hussein Khalaf Ali was among those injured.¹⁵⁹⁶
- 23 February 2008: A suicide bomber killed Sheikh Ibrahim Mutayri Al-Mohamaday, a tribal chief and leader of an Awakening Council in Saqlawiyah (Al-Anbar), and his bodyguard.¹⁵⁹⁷
- 10 February 2008: The leader of the Abbasi Awakening Council, Majeed Ahmed Khalaf, was injured with two of his followers when a suicide bomber detonated his car near their car on the Abbasi - Hawija road south-west of Kirkuk City.¹⁵⁹⁸
- 10 February 2008: Three persons were killed, including two Awakening members of the Albo Essa tribe and a police officer, and seven civilians were injured when a suicide car bomb targeted a checkpoint in Albo Efan area (Al-Anbar).¹⁵⁹⁹
- 8 February 2008: The SoI leader in 14th of Ramadan neighbourhood, Mshahda, north of Baghdad, was assassinated by gunmen. Two of his security guards were injured.¹⁶⁰⁰
- 2 February 2008: Four SoI members were killed and nine others injured in an IED explosion that targeted their patrol near Tal Mohammed village near Tikrit (Salah Al-Din).¹⁶⁰¹
- 2 February 2008: Two SoI were killed and six others wounded when a suicide car bomb attacked a SoI gathering in the area between Makhmour and Qayara south of Mosul (Ninewa).¹⁶⁰²

¹⁵⁹² UNAMI, *June 2008 Human Rights Report*, p. 9, see above footnote 414.

¹⁵⁹³ *Ibid.*

¹⁵⁹⁴ Reuters, *Female suicide bomber kills Iraq tribal head*, 10 March 2008, <http://www.independent.co.uk/news/world/middle-east/female-suicide-bomber-kills-iraq-tribal-head-793739.html>.

¹⁵⁹⁵ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Wednesday 5 March 2008*, McClatchy Newspapers, 5 March 2008, <http://www.mcclatchydc.com/212/story/29533.html>.

¹⁵⁹⁶ Laith Hammoudi, *Round-up of Daily violence in Iraq - Sunday 24 February 2008*, McClatchy Newspapers, 24 February 2008, <http://www.mcclatchydc.com/212/story/28562.html>.

¹⁵⁹⁷ AP, *U.S. reports violence decline in Iraq*, 23 February 2008, http://www.usatoday.com/news/world/iraq/2008-02-23-saturday_N.htm.

¹⁵⁹⁸ Laith Hammoudi, *Round-up of Daily Violence in Baghdad - Sunday 10 February 2008*, McClatchy Newspapers, 10 February 2008, <http://www.mcclatchydc.com/212/story/27217.html>.

¹⁵⁹⁹ *Ibid.*

¹⁶⁰⁰ Sahar Issa, *Round-up of Daily Violence in Iraq, Friday 8 February 2008*, McClatchy Newspapers, 8 February 2008, <http://www.mcclatchydc.com/212/story/27090.html>.

¹⁶⁰¹ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Saturday 2 February 2008*, McClatchy Newspapers, 2 February 2008, <http://www.mcclatchydc.com/212/story/26329.html>.

¹⁶⁰² *Ibid.*

- 28 January 2008: Abbas Jassim Al-Dulaimi, the head of Sabaa Al-Bour Awakening Council, was killed by a car bomb in Taji (Salah Al-Din).¹⁶⁰³
- 26/27 January 2008: Police found the body of Sheikh Sami Hussein Al-Bahadili, the tribal leader of the Bahadil tribe, in Kut Al-Hajaj area in downtown Basrah. He had been kidnapped by gunmen from Ashar area one day earlier.¹⁶⁰⁴
- 20 January 2008: A suicide bomber handed an explosive-laden box to Sheikh Hadi at a celebration attended by members of the Anbar Awakening Council. The box exploded killing two guards. The bomber's target, Sheikh AEIFAN Al-Issawi, a leader of the Awakening Council, was unhurt.¹⁶⁰⁵
- 12 January 2008: Gunmen simultaneously attacked two houses near Dhuluiya (Salah Al-Din), killing a former Iraqi army officer and two Awakening members, Saadoun Ahmed and his son. Two other sons of Saadoun Ahmed were also killed.¹⁶⁰⁶
- 7 January 2008: A suicide car bomb exploded near a SoI checkpoint in Adhamiyah neighbourhood, Baghdad, killing 14 people, including SoI leader Reyadh Al-Samarra'i, and injuring 18 others.¹⁶⁰⁷
- 7 January 2008: Gunmen in five cars kidnapped at least eight SoI members from their checkpoint in Adan Street in Sha'ab neighbourhood, Baghdad.¹⁶⁰⁸
- 6 January 2008: Sheikh Ismail Abbas, an Awakening Council leader, was shot dead at a checkpoint in Sha'ab, Baghdad. Eight other members were abducted.¹⁶⁰⁹
- 5 January 2008: A suicide bomber blew himself up at the offices of the Sunni Endowment in Adhamiyah, Baghdad, killing at least 14 people including the local Awakening chief Colonel Riyadh Al-Samarraie, who was in charge of the Adhamiyah Awakening Council and responsible for communicating with the US military.¹⁶¹⁰
- 5 January 2008: Gunmen opened fire on Sheikh Muhammad Abdul-Hadi Yousuf Al-Irsan Al-Zawbaie, a tribal chief in Zawbaa and a member in the Iraqi Tribal Chiefs Council, near his home in Zawbaa, southern Fallujah, killing him instantly.¹⁶¹¹
- 2 January 2008: A suicide bomber killed 10 people and wounded eight in a suicide attack on SoI members in Ba'quba. Among those killed was Abdul-Rafaa Al-Nidawi, whom police described as the coordinator between US forces and the volunteer patrols in the city.¹⁶¹²

¹⁶⁰³ Reuters, *FACTBOX-Security developments in Iraq, Jan 29*, 29 January 2008, http://www.blnz.com/news/2008/01/29/FACTBOX-Security_developments_Iraq_5122.html.

¹⁶⁰⁴ Laith Hammoudi, *Round-up of Daily Violence in Iraq Sunday 27 January 2008*, McClatchy Newspapers, 27 January 2008, <http://www.mcclatchydc.com/212/story/25546.html>.

¹⁶⁰⁵ CNN, *Iraq official: 3 suicide bombers at large in Anbar after blast*, 21 January 2008, <http://edition.cnn.com/2008/WORLD/meast/01/20/iraq.main/>.

¹⁶⁰⁶ Reuters, *Gunmen kill 6 in attacks on Iraq houses*, 12 January 2008, <http://www.reuters.com/article/middleeastCrisis/idUSANW239702>.

¹⁶⁰⁷ Laith Hammoudi, *Round-up of Daily Violence in Iraq - Monday 7 January 2008*, McClatchy Newspapers, 7 January 2008, <http://www.mcclatchydc.com/212/story/24359.html>.

¹⁶⁰⁸ *Ibid.*

¹⁶⁰⁹ AFP, *Shiite 'Awakening' members kidnapped in Baghdad*, 8 January 2008, http://www.newssafety.com/index.php?view=article&catid=84%3AIraq-security&id=7624%3AShiite+%5C%5C%5C'Awakening%5C%5C%5C'+members+kidnapped+in+Baghdad&option=com_content&Itemid=100378.

¹⁶¹⁰ *Ibid.*

¹⁶¹¹ VOI, *Falluja tribal council member assassinated*, 5 January 2008, http://www.iraquupdates.com/p_articles.php/article/25808.

¹⁶¹² Reuters, *Latest in wave of Iraq suicide bombs kills 10*, 2 January 2009, <http://www.alertnet.org/thenews/newsdesk/COL236563.htm>.