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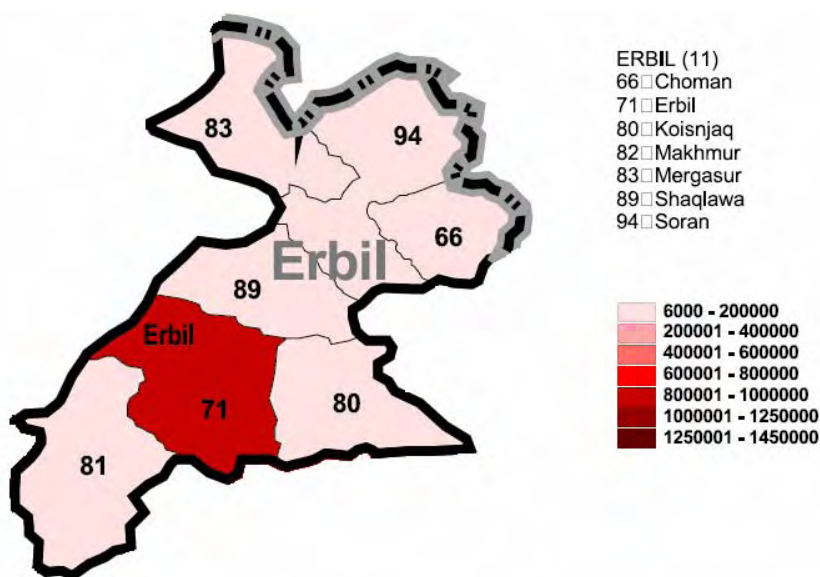
UNHCR

United Nations High Commissioner for Refugees

Haut Commissariat des Nations Unies pour les réfugiés

GOVERNORATE ASSESSMENT REPORT ERBIL GOVERNORATE

September 2007



This UNHCR Assessment Report is intended to provide objective information regarding the overall situation in the Governorate in question, detailing the situation faced by persons of concern and their communities. The report has been drafted by UNHCR with its partners, *Millennium* and *IRD*, and governmental and non-governmental organizations as well as other UN agencies have been invited to contribute to this report which draws on international sources, reports of district authorities, UNHCR's Returnee and IDP Monitoring activities and consultations with returnees, IDPs and their communities. Efforts have been made to ensure that only accurate, reliable, factual material, independently confirmed information is reported. This Assessment Report is not intended to be a comprehensive human rights report, nor is the report an expression of political opinion or a statement of UNHCR policy.

This report does not take into account events occurring on or after 31 August 2007, unless a later date is specified. UNHCR plans to update the report on a regular basis.

Requests for further information or feedback on this report can be sent to iraqoper@unhcr.org.

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List of Abbreviations

AFP	Agence France-Presse
AP	Associated Press
BBC	British Broadcasting Company
CFR	Council on Foreign Relations
CMOC	Civil Military Operation Center
CPA	Coalition Provisional Authority
CRRPD	Commission for the Resolution of Real Property Disputes (previously the Iraq Property Claims Commission)
ENS	Environment News Service
FGM	Female Genital Mutilation
GDMA	General Directorate for Mine Action
HRW	Human Rights Watch
ID	Iraqi Dinar
IDP	Internally Displaced Person
IKMAA	Iraqi Kurdistan Mine Action Agency
IKMAC	Iraqi Kurdistan Mine Action Centre
ILCS	Iraq Living Conditions Survey
ILIS	Iraq Landmine Impact Survey
IMF	International Monetary Fund
IOM	International Organization for Migration
IRCS	Iraqi Red Crescent Organization
IRD	International Relief and Development
IRIN	United Nations Integrated Regional Information Networks
ISF	Iraqi Security Forces
IWPR	Institute for War and Peace Reporting
KCP	Kurdistan Communist Party
KDP	Kurdistan Democratic Party
KIG	Kurdistan Islamic Group
KIM	Kurdistan Islamic Movement
KIU	Kurdistan Islamic Union
KNA	Kurdistan National Assembly
KRG	Kurdistan Regional Government
KTU	Kurdistan Teachers Union
KWU	Kurdistan Women Union
MAG	Mines Advisory Group
MICS	Multiple Indicator Cluster Survey
MNF-I	Multinational Forces-Iraq
MoE	Ministry of Education
MoH	Ministry of Health (unified KRG)
MoHR	Ministry of Human Rights (unified KRG)
MoI	Ministry of Interior (Erbil, not yet unified with MoI Sulaymaniyah)
MoLSA	Ministry of Labour and Social Affairs (unified KRG)
MoPDC	Ministry of Planning and Development Cooperation (central Government in Baghdad)
MoT	Ministry of Trade (unified KRG)
NGO	Non-Governmental Organization

PAC	Protection and Assistance Centre
PDS	Public Distribution System
PHC	Primary Health Centre
PJAK	Party for a Free Life in Kurdistan
PKK	Kurdistan Workers Party
PUK	Patriotic Union of Kurdistan
RFE/RL	Radio Free Europe / Radio Liberty
SHA	Suspected Hazardous Area
TAL	Transitional Administrative Law
UNAMI	United Nations Assistance Mission for Iraq
UNAMI HRO	United Nations Assistance Mission for Iraq, Human Rights Office
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNOPS	United Nations Office for Project Services
UPI	United Press International
US	United States
UXO	Unexploded Ordnance
VBIED	Vehicle Born Improvised Explosive Device
VOI	Voices of Iraq
VVAF	Vietnam Veterans of America Foundation
WHO	World Health Organization

Exchange Rate

As of 31 August 2007, the exchange rate between the Iraqi Dinar (ID) and the US Dollar (US \$) was: 1 US \$ = 1,258.90 ID 1 ID = 0.0008231 US \$

I. GENERAL INFORMATION

A. Governorate Profile

1. Governorate Summary

Size	14,428 km ²
Population	1,392,093 ¹
Dominant Religion	Sunni branch of Islam
Administration	<i>Qadha</i> (Districts) and <i>Nahiya</i> (sub-District) Councils, Governorate Council
Administrative Capital	Erbil City
Districts	Erbil City, Shaqlawa, Soran, Koysinjaq, Mergasor, Choman (<i>de facto</i> control over Makhmour District) ²
International Borders	Haji Omaran Crossing, Iran
Internal Boundaries	Dahuk, Ninewa, Kirkuk, Sulaymaniyah
Border Crossings	Haji Omaran
Checkpoints ³	Choman District checkpoint, Soran District checkpoint, Shaqlawa District checkpoint, Pirmam (Masif Salahuddin sub-District checkpoint), Erbil City checkpoint

b. Demographic Profile

Religion and ethnicity: The predominant religion in the Governorate of Erbil is the Sunni branch of Islam and the predominant ethnic group is Kurd. There are Christian communities, including Chaldean, Assyrian and Armenian, living in Erbil, mainly in the Ainkawa sub-District, but also in Shaqlawa, Diyana, Harmota and Koysinjaq. Furthermore, the Governorate is home to Kaka'i (*Ahl Al-Haq*), located mostly in Khabat sub-District, and Yazidis. There are also some ethnic Turkmen living in Erbil City, who belong to the Sunni branch of Islam.

Tribal groups: The main tribal groups in Erbil Governorate include Barzani, Zebari, Harki, Khoshnaw, Gardi, Bradusti, Surchi, Mantik, Shwani, Nanakali, Siani, Zirrari, Dizae, Barzinch, Naqshabandi, Kawani, Siyan, Bilbas, Chiwaee and Khailani.

IDPs: The Governorate of Erbil hosts a total of over 230,000 IDPs, of which the large majority (196,878) have been displaced prior to the Samarra bombing in February 2006.⁴

¹ MoPDC/UNDP, *Iraq Living Conditions Survey*, April 2005, <http://www.iq.undp.org/ILCS/PDF/Analytical%20Report%20-%20English.pdf> (hereafter "MoPDC/UNDP, 2005 Iraq Living Conditions Survey"). An official census has not been carried out since 1987.

² Makhmour was detached from Erbil Governorate in 1996 and reassigned to the predominantly Arab Governorate of Ninewa as part of the former regime's *Arabization* campaign. The Kurdish authorities hope to incorporate the town into the Region of Kurdistan through a popular referendum on the basis of Article 140 of the National Constitution later in 2007; see also Chicago Tribune, Liz Sly, *In vulnerable, remote north, Iraqis await a vote on future*, 2 September 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-03-09-2007&article=21300.

³ This includes permanent checkpoints only.

⁴ Figure as of 31 December 2005 (will be reviewed in cooperation with authorities). These include persons expelled during the "De-villagisation" campaign, the *Anfal* campaign, the "Arabization" campaign; persons expelled or who fled due to mid-1990s fighting between the two Kurdish parties as well as those fleeing

Since the escalation in sectarian violence in 2006, another 34,717 persons have been displaced to the Governorate. Post-2006 IDPs are present in all districts of the Governorate, with the majority residing in Erbil City (55%) and Ainkawa sub-District (36%). They are ethnic Arabs (37%), ethnic-based Christians (Assyrians, Chaldeans and Syriacs, 32%), Kurds (29%). About 1.3% belong to other ethnicities, including Turkmen, Armenian and Mandaean-Sabean.⁵ A large number of IDPs in the Governorate are children.⁶

Returnees: Between 2003 and September 2007, 1,884 families (6,365 individuals) returned to the Governorate of Erbil.⁷ Returnee Monitoring⁸ showed that most families surveyed had returned from Iran to the Districts of Diyana (Soran), Erbil and Shaqlawa. Of those that returned through UNHCR's facilitated return programme, 35.73 % were under the age of 18 upon return and 5.1% had special needs.⁹

B. Political Developments

The Governorate of Erbil is part of the area administered by the Kurdistan Regional Government (KRG). The KRG has constitutionally recognized authority over the Governorates of Erbil, Dahuk and Sulaymaniyah, as well as de facto authority over parts of Diyala, Ninewa and Kirkuk Governorates.¹⁰ On 29 May 2005, Massoud Barzani, the leader of the Kurdistan Democratic Party (KDP), was appointed President of the KRG.

The predominant political party in the Governorate of Erbil is the KDP. Other political parties active in Erbil include the Patriotic Union of Kurdistan (PUK), Kurdistan Islamic Union (KIU), the Kurdistan Socialist Democratic Party, the Toilers' Party, the Conservative Party, the Kurdistan Islamic Group (KIG), the Kurdistan Islamic Movement and the Kurdistan Communist Party. In addition, minority groups such as the Turkmen and the Christians also have their own political parties.

Until January 2006, the Governorates of Dahuk and Erbil were governed by a KDP-led administration, while the Governorate of Sulaymaniyah was led by a PUK-led administration. An agreement between the PUK and the KDP on the joint administration of

fighting between the PKK and the Turkish military in Northern Iraq; Kurds expelled to Iran in the 1970s, and who have since returned to Northern Iraq but into internal displacement; Iraqis of all ethnic and religious backgrounds who fled Government-controlled territory since opposing the Iraqi Government; populations fleeing the Centre of Iraq after the fall of the former regime due to religious/ethnic or political persecution and harassment (e.g. religious minorities, intellectuals, Kurds from Fallujah and Ramadi) as well as ongoing fighting between Coalition Forces/Multinational Forces (MNF-I) and insurgents.

⁵ Figures as of 30 June 2007. Information received from the Directorate of Residency and Housing in Erbil.

⁶ Of the 13,580 IDPs recorded by Iraqi Red Crescent Society (IRCS) in the Governorate of Erbil by 31 August 2007, 42.9% are children; IRCS, *Figures of Internally Displaced Persons*, Update 26, 16 September 2007.

⁷ This includes both persons that returned as part of UNHCR's facilitated or other return programmes as well as those that returned spontaneously. Sources: former Refugee Reception Directorate, Directorate of Displacement and Migration in Soran and IRD/UNHCR Facilitated Return Database 2004-2006.

⁸ UNHCR through its implementing partner IRD surveyed a total of 560 returnee households between January and December 2006 (thereafter "UNHCR, *Returnee Monitoring 2006*"). As not all households provided an answer to all questions raised, the number of "households surveyed" may not always account for 560.

⁹ IRD/UNHCR Facilitated Return Database 2004-2006.

¹⁰ See Article 53(A) of the Transitional Administrative Law (TAL), which continues to be valid under the National Constitution as approved by popular referendum in October 2005 (Article 143).

the KRG was reached on 21 January 2006 and the joint Kurdistan Regional Government assumed office on 7 May 2006.¹¹

The governing body of the Governorate of Erbil is the Governorate Council, elected on 30 January 2005. Its 41 seats are divided among four parties: the Kurdish Democratic List (alliance between the KDP and the Kurdistan Communist Party), holding 23 seats; the PUK with 16 seats; the KIU with one seat, and the Islamic Group (Komali Islami) with one seat. The elections also led to the appointment of Governor Nawzad Hadi and Deputy Governor Tahir Abdullah.

C. Security and Public Order

1. General Security Situation

Although Erbil Governorate has escaped the escalation in roadside bombs and sectarian violence that are widespread in many parts of the Central and Southern regions, there have been an increasing number of incidents during 2007 and the political offices of KDP and PUK, Multinational Forces-Iraq (MNF-I) installations together with the area of Ainkawa, where foreign contractors and US diplomatic staff live, have been identified as potential targets of possible vehicle borne improvised explosive devices (VBIED) and suicide bomber attacks in Erbil by local authorities and the MNF-I. Consequently, the security situation remains tenuous and unpredictable in Erbil.¹² During 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.¹³ Increasing threats from Al-Qa'eda and Ansar Al-Islam have prompted the

¹¹ The seat of the KRG is in Erbil. According to the new power-sharing agreement, the KDP will head the KRG Ministries of Finance, Peshmerga Affairs, Higher Education, Agriculture, Martyrs, Culture, Electricity, Natural Resources, Municipalities, Sports and Youth as well as the Ministry for Extra-Regional Affairs. The PUK oversees the Interior, Justice, Education, Health, Social Affairs, Water Resources, Transportation, Reconstruction, Planning and Human Rights Ministries. The KRG Ministries of Finance, Peshmerga Affairs and Interior should unite within one year, but to date remain separate. The KIU, the KIG as well as the Turkmen and Chaldo-Assyrian parties are heading the remaining ministries; KRG, *Kurdistan Regional Government Unification Agreement*, paras 1-5, 21 January 2006, http://www.krg.org/articles/article_detail.asp?LangNr=12&RubricNr=107&ArticleNr=8891&LNNr=28&RNNr=70 (hereafter "KRG, 2006 Unification Agreement"). For a full list of the KRG cabinet, inaugurated on 7 May 2006, see Kurdistan Regional Government, *Ministers of the new unified cabinet*, 7 May 2006, http://www.krg.org/articles/article_detail.asp?ArticleNr=10938&LangNr=12&LNNr=28&RNNr=70.

¹² See also UNHCR, *UNHCR Return Advisory and Position on International Protection Needs of Iraqis Outside Iraq*, December 2006 (corr.), pp. 5-7, available at <http://www.unhcr.org/home/RSDLEGAL/458baf6f4.pdf>, (hereafter "UNHCR, 2006 Return Advisory").

¹³ The Islamic State of Iraq, which is affiliated with Al-Qa'eda, claimed responsibility for the attacks in Erbil and Makhmour; 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>; Reuters, *Iraq Qaeda-led group claims attack in north*, 14 May 2007, http://www.boston.com/news/world/middleeast/articles/2007/05/14/iraq_qaeda_led_group_claims_attack_in_north/; Kurdish Globe, Mohammed A. Salih, *Erbil residents defy terror*, 17 May 2007, http://www.iraqupdates.com/p_articles.php/article/17465. On 9 July 2007, the Kurdish authorities revealed the names of suspects arrested in relation with the bombing. Reportedly, they belong to the Islamic State in Iraq, an Al-Qa'eda-linked armed group; VOI, *Kurdish authorities reveal names of suspects arrested on Arbil Interior*

authorities in Erbil 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.¹⁴

The reported presence of some 5,000 PKK (Kurdistan Workers Party) and 1,000 PJAK (Party for a Free Life in Kurdistan) fighters in Northern Iraq, including in the Governorate of Erbil, has prompted Turkey and Iran to mass troops along the border with Iraq, threatening military retaliation. In August and September 2007, Iranian troops shelled villages in the Governorate of Erbil, causing damages to livestock, orchards and villages.¹⁵ By early September, UNHCR was aware of 850 families displaced in the areas of Haji Omeran, Choman and Sidakan, in the north-east of Erbil Governorate. Areas of Erbil Governorate have also in the past been subjected to Turkish artillery shells. For example, in June 2007, several villages in the Sidikan area, where the borders of Turkey, Iran and Iraq converge, were hit, reportedly causing considerable damage.¹⁶

Civil unrest due to public impatience in the shortfalls in public service provisions and the administration's ability to deliver improvements has occurred in the Governorate, including protests over late public sector payments and calls for pay increases.¹⁷

Criminality is an ongoing problem in the Governorate of Erbil with petty crime, smuggling and corruption.¹⁸ High unemployment, particularly in rural areas has exacerbated the problem of smuggling, as the only source of income for many villagers living close to the Iranian border. Alcohol, cigarettes, food items, medical supplies and machine spare parts are regularly smuggled into Iran, whilst fuel and drugs are smuggled into Iraq.¹⁹

Ministry bombing, 10 July 2007, http://www.iraqupdates.com/p_articles.php/article/19277.

¹⁴ 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.iraqupdates.com/p_articles.php/article/16590.

¹⁵ VOI, *VP denounces neighboring countries' shelling of Iraqi villages*, 27 August 2007, http://www.iraqupdates.com/p_articles.php?refid=DH-S-28-08-2007&article=21137; VoA, Brian Padden, *Iran Shells Iraq's Kurdish Region*, 20 August 2007, <http://www.voanews.com/english/2007-08-20-voa14.cfm>.

¹⁶ AP, *Iraqi Kurds report Turkish, Iranian shelling in northern Iraq*, 7 June 2007, <http://www.iht.com/articles/ap/2007/06/08/europe/EU-GEN-Turkey-Northern-Iraq.php>.

¹⁷ For example, on 27 July 2006, the Erbil-based Kurdistan Teachers Union (KTU) threatened to go on strike if the KRG fails to increase teachers' salaries; The Globe, *Kurdistan Teachers Union threatens strike*, Issue 68, 28 July 2006, <http://www.ekurd.net/mismas/articles/misc2006/7/kurdlocal188.htm>; in December 2006, Hawlati reported that dozens of female students halted traffic on the Erbil-Kirkuk road to protest the shortage of services in their dormitory. And in March and September 2007, Hawlati and Jamawar daily newspapers reported about protests over what was considered unfair compensation of persons evicted from illegally built housing in Banislawra and Kasnazan, respectively.

¹⁸ The Globe and Mail, Mark Mackinnon, *Corruption: The Dark Underbelly of Kurdistan's Dream*, 13 March 2007, available at: <http://www.wadinet.de/news/iraq/newsarticle.php?id=2955>; Los Angeles Times, Solomon Moore, *Safety Over Liberty in Kurdistan*, 10 April 2006, available at:

<http://fairuse.100webcustomers.com/fuj/latimes15.htm>; RFE/RL, Kathleen Ridolfo, *Iraq: New Kurdish Administration Comes Under Scrutiny*, 12 May 2006, <http://www.rferl.org/featuresarticle/2006/5/4B58E7A7-5456-4D67-A1F1-B5DF2E2AD5B4.html>; ibidem, Kyle Madigan, *Iraq: Corruption Restricts Development In Iraqi Kurdistan*, 29 April 2005, <http://www.rferl.org/featuresarticle/2005/4/DA9D366C-C2C2-486F-A4D7-2EEBC0BB507E.html>; Global Security, *Kurdistan Democratic Party (KDP)*, visited 14 August 2007, <http://www.globalsecurity.org/military/world/para/kdp.htm>.

¹⁹ Kurdish Globe, Mohammed A. Salih, *Smuggling alcohol into Iran and drugs into Kurdistan*, 20 September 2007, http://www.iraqupdates.com/p_articles.php?refid=DH-S-20-09-2007&article=21956; Karzan Sherabayani, *Iraq: The Alcohol Smugglers - Kurds deliver contraband liquor to Iran*, 20 August 2007, http://www.pbs.org/frontlineworld/rough/2007/08/iraq_the_alcohol.html; BBC, Yo Takatsuki, *Kurdish struggle*

Consumption of drugs such as opium and heroine is increasing, reportedly in particular among returnees from Iran.²⁰ Crimes against women, in particular rape and “honour crimes”, are common.²¹

IDPs and returnees: The majority of returnees²² and IDPs²³ monitored by UNHCR reported that they generally felt safe in the Governorate.

2. Security Forces

In the Governorate of Erbil, the provision of security, including law enforcement and basic police functions, remains the responsibility of the local police, local security and intelligence agencies and the armed forces, the *Peshmerga*.²⁴

Police: The local police force in Erbil Governorate is institutionalized and reports to the KRG Erbil Ministry of Interior (MoI). It has a General Directorate in Erbil City and departments in all other districts. Most sub-districts also have a police office.

Peshmerga: Security in the Governorates of Erbil and Dahuk is under the authority of the *Peshmerga*.²⁵ The KDP continues to run its own Ministry of *Peshmerga*, which is to be merged with the respective PUK-run Ministry of *Peshmerga* under the Unification Agreement and will be headed by the KDP. Under the unification agreement reached by the KDP and the PUK on 21 January 2006, a *Supreme Commission* will be established to institutionalize the police and security agencies of the Kurdistan Region. The agreement also states that “(T)he united agencies are to be removed from political considerations.” Furthermore, the agreement foresees the introduction of a special programme for university graduates with the aim of recruiting new candidates to the unified security services.²⁶

In March 2007, three battalions of *Peshmerga* were sent to Baghdad to support the Iraqi Security Forces (ISF) and the MNF-I with the Baghdad Security Plan.²⁷ In agreement

for Iraq's oil, 3 January 2007, <http://news.bbc.co.uk/2/hi/business/6211853.stm>; Max Chamka, *Kurdistan: between Iran and Iraq*, 31 August 2005, http://www.caucas.com/home_eng/breve_contenu.php?id=184.

²⁰ Kurdish Globe, Qassim Khidhir and Ali Sadulla, *Drugs in Diana*, 27 July 2007, http://www.iraquupdates.com/p_articles.php/article/19960.

²¹ See Section II. D. Human Rights.

²² 98% of 559 household monitored. Concerns for security were related to detention of family members upon return (1 household) and mine accidents (3 households); UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

²³ UNHCR through its partner, IRD, surveyed 400 IDP households in Erbil Governorate between May and 15 August 2007 (hereafter “UNHCR, *IDP Monitoring 2007*”). Over 90% of families reported feeling safe in their new environment.

²⁴ The National Constitution stipulates in Article 120 that “(T)he Regional Government shall be responsible for all the administrative requirements of the region, particularly the establishment and organization of the internal security forces for the region such as police, security forces and guards of the region”.

²⁵ According to Jafar Ali Mustafa, the KRG Minister of State for Peshmerga Affairs, the *Peshmerga* number some 200,000, half of which are controlled by the PUK and the other half by the KDP; see *The Economist*, *Does independence beckon?*, 6 September 2007, http://www.economist.com/world/africa/displaystory.cfm?story_id=9769132.

²⁶ KRG, 2006 Unification Agreement”, para 7, see above footnote 11.

²⁷ VoA, Jim Randle, *Iraqi Army Soldiers From the Kurdish North Head to Baghdad*, 16 February 2007, <http://www.voanews.com/english/archive/2007-02/2007-02-16->

with the Central Government, some 6,000 *Peshmerga* fighters are to be sent to protect power facilities and oil pipelines in Central Iraq, which are regular targets of insurgents.²⁸ However, this move has provoked controversy among minority groups in multiethnic Kirkuk Governorate.²⁹ By the time of writing, the deployment had not taken place for political reasons.³⁰

Asayish and Parastin: The *Asayish* is the KDP's internal security agency. By law it has jurisdiction over economic and political crimes such as smuggling, espionage, acts of sabotage and terrorism.³¹ The *Parastin* is the party's domestic intelligence agency. These local security and intelligence services and the *Peshmerga* monitor villages, towns and regional checkpoints. In addition, these agencies run detention centres in the Governorate.

Multi-National Forces in Iraq: Since June 2003, the MNF-I had a limited presence in Erbil. South Korea sent 3,600 troops in September 2004 to help with peacekeeping and reconstruction tasks at the request of the US Government. Since April 2007, their presence was reduced to 1,200 troops. The South Korean Army, also known as Zaytun Division, includes mainly engineers and medics. They have paved roads, constructed schools and health centres and repaired water supply facilities. The unit also treated up to 25,000 local residents in its hospital and offered industrial and systematic training to residents as well as government employees. The South Korean Government has not yet taken a final decision to withdraw its troops from Iraq later in 2007 as announced earlier.³² Security responsibility in the Kurdistan Region was formally transferred from the MNF-I to the KRG on 30 May 2007.³³

voa27.cfm?CFID=116781601&CFTOKEN=88221502; Reuters, Mussab Al-Khairalla, *Kurd fighters may add muscle to Baghdad offensive*, 9 February 2007, http://www.boston.com/news/world/middleeast/articles/2007/02/09/kurd_fighters_may_add_muscle_to_baghdad_offensive/.

²⁸ UPI, *Peshmerga to Protect Iraq Power and Oil*, 30 July 2007,

http://www.upi.com/Energy/Briefing/2007/07/30/peshmerga_to_protect_iraq_power_and_oil/1652/.

²⁹ RFE/RL, Mustafa Mahmud, *Iraq: Plan To Deploy Peshmerga To Kirkuk Alarms Minorities*, 8 August 2007, <http://www.rferl.org/featuresarticle/2007/8/7470E5AD-D81A-444A-8DC9-14508939152C.html>.

³⁰ VOI, *Political situation hampers sending Peshmerga fighters to Mosul, Tikrit*, 14 August 2007, http://www.iraquupdates.com/p_articles.php/article/20616.

³¹ UNAMI HRO, *Human Rights Report, 1 January – 31 March 2007*, p. 12, <http://www.uniraq.org/FileLib/misc/HR%20Report%20Jan%20Mar%202007%20EN.pdf> (hereafter "UNAMI HRO, March 2007 Human Rights Report").

³² The Kurdistan Prime Minister requested the South Korean Army Chief of Staff to extend the mission of Korean troops in Kurdistan; see The Korea Times, Jung Sung-ki, *S. Korea Delays Decision on Fate of Troops in Iraq*, 28 June 2007, http://www.koreatimes.co.kr/www/news/nation/2007/08/205_5612.html; The Kurdish Globe, *Polled Kurds want South Korean forces to stay longer*, 26 July 2007, <http://www.krg.org/articles/detail.asp?smap=02010200&lngnr=12&anr=19307&rnrr=73>; Yonhap News, Lee Chi-dong, *South Korean troops asked to stay longer in Iraq*, 13 March 2007, Lee Chi-dong <http://www.krg.org/articles/detail.asp?smap=02010200&lngnr=12&asnrr=&anr=16701&rnrr=73>; AP, *South Korea to withdraw all troops from Iraq by end of 2007...*, 29 November 2006, <http://www.kxmc.com/t/iraq/71832.asp>.

³³ VOI, Abdul Hamid Zibari, *Kurdish Peshmerga receives Kurdistan security file from MNF*, 31 May 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-31-05-2007&article=17899.

3. Prison and Detention Facilities

The main prison is called *Al-Mahatta*, which is located in Erbil City and has separate sections for men and women. There is also an institution for juveniles, located in Shorish Quarter in Erbil City. Also there are detention centres in each district and sub-district. The prisons are under the authority of the MoI KRG. In addition, the general security department (*Asayish*) and intelligence service (*Parastin*) run special detention facilities which are not under the control of the authorities but rather of the KDP (mainly known are the *Akre* Prison, run by the *Asayish* and the Salaheddin Prison run by the *Parastin*).³⁴

On 10 April 2007, the KNA approved an Amnesty Law, which was followed by the immediate release of 70 prisoners from prisons in the Kurdistan Region.³⁵ Prison and detention facilities are set to unify during 2007 as outlined in the Unification Agreement. At the end of August 2007, separate KDP and PUK administered facilities were still in operation in the region.³⁶

4. UXO and Mines

The three Northern Governorates, one of the most contaminated areas of the world with 1,428 affected communities, contend with thousands of minefields especially along the borders with Iran and Turkey and further contamination along the former “Green Line” as well as UXO across all three governorates. The three Northern Governorates account for the heaviest known contamination within Iraq with 3,024 suspected hazardous areas (SHAs) covering an estimated area of 776 km² and affecting 1,126 communities.³⁷ Forty-two mined areas covering 231 km² are located in Erbil Governorate. Demining activities have been carried out in Erbil since 1992.³⁸

In 2004, the KRG took over responsibility for mine action in the three Northern Governorates. The Iraqi Kurdistan Mine Action Centre (IKMAC), based in Erbil, assumed management of mine action in Erbil and Dahuk Governorates, while the General Directorate for Mine Action (GDMA) was tasked to manage mine action in Sulaymaniyah Governorate. IKMAC has cleared 32 minefields between 2005 and 2007, clearing over 1 million m².³⁹ On 7 May 2007, the KNA approved legislation for the creation of a joint Iraqi Kurdistan Mine Action Agency (IKMAA) to replace the two separate directorates in operation in the Kurdistan Region. To date, the IKMAC has not been established and the separate bodies continue to be in charge. The IKMAA’s headquarters will be based in Erbil, along with its General, Technical and Mine Risk Education (MRE) Directorates.⁴⁰

³⁴ For information on the treatment of detainees at prisons and detention facilities of the *Asayish*, see also Section II. D. Human Rights.

³⁵ Kurdish Globe, Qassim Khidhir, *Prisoners in Kurdistan given a second chance*, 22 June 2007, http://www.iraquupdates.com/p_articles.php/article/18595.

³⁶ Under the 21 January 2006 agreement between the KDP and the PUK, detention facilities are set to come under the authority of the joint MoI, headed by the PUK.

³⁷ The ILIS 2006 recorded 565 “recent” casualties in the three Northern Governorates. It also recorded 5,552 “less recent” casualties, including 2,443 people killed and 3,109 injured; Erbil recorded 939 casualties; MAG recorded at least 8,037 casualties in Northern Iraq since 1993; International Campaign to Ban Landmines, *Landmine Monitor, LM Report 2006*, <http://www.icbl.org/lm/2006/iraq.html>.

³⁸ Information received from IKMAC, August 2007.

³⁹ Information received from UNDP Iraq, May 2007.

⁴⁰ Ibid.

Other mine actors in the Governorate of Erbil include one international mine action organization⁴¹ and one Mine Victim Assistance (MVA) organization.

As a result of mine clearance activities and MRE, the total number of reported victims in the three Northern Governorates has significantly decreased in the past years, from 192 in 2003 to 48 in 2006. Between January and April 2007, 28 mine victims have been reported.⁴²

IDPs and returnees: The presence of mines and UXO prevents access to and use of agricultural and pastoral land and the rehabilitation and reconstruction of infrastructure, housing and essential services and road networks.

II. LEGAL ISSUES

A. Justice System

The justice system in Erbil functions within the KRG court system, which operates independently of the Central Government. A joint Ministry of Justice for the KRG was established in February 2007 and the Central Ministry of Justice Building is located in Erbil. The two administrations' separate Cassation Courts were unified in August 2006. The unified Cassation Court is the highest court in the Kurdistan Region and located in Erbil. The highest court in the Governorate of Erbil is the Appeal Court.

The following courts are working in Erbil Governorate:

- Investigation Court for Crime Control;
- Investigation Court for *Asayish*;
- Instance Court;
- Personal Status Court;
- Misdemeanours Court;
- Labour Court;
- Juvenile Court
- First Criminal Court;
- Second Criminal Court (Anti-Terror);
- Appeal Court;
- Cassation Court;
- Supreme Judicial Council;
- Martial Court, which looks into crimes committed by MoI Security Forces personnel.

In the Governorate of Erbil, the Courts apply Shari'a law (Shafiite or Hanafi School) in personal status matters such as marriage and divorce, inheritance, alimony and child custody, while the Iraqi *Personal Status Law* (Law No. 188 of 1959, as amended in the area) is applied to non-Muslims in addition to their own laws.

⁴¹ Mines Advisory Group (MAG).

⁴² UNDP Iraq, May 2007.

Judicial services are operating relatively regularly in Erbil Governorate, although they are prone to delays in court proceedings and issuing verdicts. Courts are more frequently referred to as a means to settle disputes in urban rather than rural areas where mediation through traditional leaders is more commonly practiced to solve disputes among families or clans or concerning marriage, divorce or property issues. However, traditional mechanisms of conflict resolution may not always be available or be ineffective in providing protection to the individual concerned. In some cases, reliance on these mechanisms may result in further harm, for example, for women who fear “honour killings” or individuals who fear becoming victims of a blood feud.⁴³

B. Documentation

Nationality Certificate and Civil ID Card: The Nationality Certificate and the Civil ID Card are the most essential forms of documentation as they are required in order to obtain most official documents such as passports, birth and death certificates, marriage certificates and food ration cards. Obtaining/renewing these documents is generally possible within a few days and at a reasonable cost; however, in the case of returnees not holding old Iraqi documents, further investigation into records must be carried out to prove entitlement, which can be a lengthy procedure. It is therefore crucial that returnees bring with them any documentation, including Civil ID Cards, Nationality Certificates, military service cards, property documents and birth/death certificates of relatives, even if outdated, which could assist in obtaining new documentation, proving Iraqi citizenship or regaining property.

Passports: Applications for passports of the “S” series are usually processed within a week or, in urgent cases, even within a day. However, “G” series passports⁴⁴ are only issued centrally by the Directorate of Passport in Baghdad and usually take at minimum three months to be issued. These passports are currently only issued to certain categories of persons:

- Government officials travelling outside Iraq as members of an official delegation;
- Person with a valid entry visa for the USA, Europe or other countries requiring “G” series passports;
- Patients with a valid medical evacuation report indicating that the treatment is not available inside Iraq.

⁴³ See IWPR, Rebaz Mahmood, *Above the law*, Iraq Crisis Report No. 215, 17 March 2007, http://iwpr.net/?apc_state=henpicr&s=i&o=200703; see also UNHCR, *Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-seekers*, August 2007, p. 37, available in UNHCR’s Refworld at: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=46deb05557> (hereafter “UNHCR, 2007 Eligibility Guidelines”); UNHCR, *Country of Origin Information Iraq*, October 2005, pp. 123-124, available in UNHCR’s Refworld at: <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=435637914> (hereafter “UNHCR, 2005 Country of Origin Information Iraq”).

⁴⁴ Many states, including the UK, USA, Sweden, Belgium, the Netherlands, Germany, Switzerland and Luxembourg, only accept holders of Iraqi passports of the “G” series, which is machine-readable and more secure than older versions, given the high level of fraud involved with passports of previous series, including the “S” series which was first issued after the fall of the former regime. The “M”, “N” and “H” series passports were issued pre-2003. The Government of Iraq also decided to invalidate its own passport series “M” and “N”; see for example, Embassy of the United States in Baghdad, *Iraqi Passport Info*, visited 31 August 2007, <http://iraq.usembassy.gov/iraq/iraqippts.html>; Swedish Migration Board, *Questions and answers about Iraqi passports*, 6 September 2007, <http://www.migrationsverket.se/english.jsp>; Jordan Times, Linda Hindi, *Iraqis granted extra 7 months to upgrade passports*, 30 May 2007, <http://www.jordanembassyus.org/05302007003.htm>.

Women below the age of 40 applying for a “G” series passport need to have the approval of a male family member. This decision from the Central Government was criticized by the Kurdish authorities; however, given that “G” series passports can only be issued in Baghdad, the regulation also applies in the Governorate of Erbil.⁴⁵ While the official fee amounts to 27,500 ID, it has been reported that “G” series passports are only obtained with the use of bribery ranging from US \$700 – 1,500 and even higher.⁴⁶

Food ration cards: Regarding the (temporary) transferral of food rations, please see Section C.1 *Infrastructure and Public Services, Food*. Ration cards in Erbil Governorate should be free for IDPs and returnees, except for a fee of 2,000 ID to be paid to the *Mukhtar* certifying the new place of residence.

Registration of non-Iraqi spouses: Non-Iraqi spouses of Iraqi returnees are required to register with the Department of Residence in the Passports and Residence Directorate. This process includes security and medical checks (currently a blood test and stool sample). Initial registration lasts for three months, after which non-Iraqi spouses need to extend their residency every six months. After five years of continuous legal residency, non-Iraqi spouses can apply for Iraqi nationality under certain criteria.⁴⁷ Registration requires the spouse to have a valid passport, visa and proof of entry through an official Iraqi border crossing point. This has caused difficulties for many who travelled to Iraq illegally and did not use an official crossing point, particularly in the immediate aftermath of the 2003 conflict. If non-Iraqi spouses do not register and do not have the necessary documents, their stay in Iraq is considered illegal and they are subject to detention until the marriage has been officially approved.

IDPs and returnees: Most returnees monitored in the Governorate in 2006 did not report difficulties in obtaining documentation upon return.⁴⁸ However, more than half of IDPs monitored in 2007 (58%) did report problems in obtaining documentation.⁴⁹

Assistance: The Protection and Assistance Centre (PAC)⁵⁰ in Erbil can provide IDPs and returnees with further information and advice with regard to obtaining documents.

C. Restitution of Property

Claims for the restitution of property misappropriated by the former regime that fall within the jurisdiction of the Commission for the Resolution of Real Property Disputes (CRRPD)⁵¹

⁴⁵ IWPR, *Kurdish Women Resent New Passport System*, Iraq Crisis Report No. 223, 8 June 2007, http://iwpr.net/?p=icr&s=f&o=336227&apc_state=henh.

⁴⁶ KurdishMedia.com, *You can get G-Type Iraqi passports but at a price*, 8 July 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-09-07-2007&article=19144.

⁴⁷ Articles 7 and 11 of Law No. 26 of 7 March 2006.

⁴⁸ Of 560 returnee households, 1.2% reported difficulties related to obtaining documentation, in particular passports and new ID cards; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

⁴⁹ Problems with obtaining documentation were related to the food ration card (53%), passports (38%), birth certificates (17%) and the nationality certificate (7%); UNHCR, *IDP Monitoring 2007*, see above footnote 23.

⁵⁰ Previously *Legal Aid and Information Centre* (LAIC).

⁵¹ The jurisdiction of the CRRPD runs from 17 July 1968 to 9 April 2003 and covers the following types of properties:

can be submitted to its office in Erbil City.⁵² The CRRPD office provides assistance with completion and submission of claims. It also collects evidence from appropriate real estate registry and government offices, holds hearings and requests additional evidence on aspects of claims that need further clarification. Working hours are from 08:00 to 15:00 hrs, except Fridays and Saturdays.

Claim forms and instructions relating to the submission of claims can be found at: <http://ipcciraq.org/>.

The CRRPD office in Erbil started working on 3 April 2004. As of 31 August 2007, the office received a total of 16,768 claims, either directly or through referral by other CRRPD offices. To date, only 318 claims have been settled, out of which 132 claims were rejected, 12 claims were withdrawn and 174 claimants received compensation. No claimant had his/her property returned and no claims have been settled outside the court.⁵³

Property restitution claims in Erbil Governorate can take over a year to process and poor coordination between government departments often slows applications. Lengthy court procedures and a lack of follow-up contribute to delays. In addition, internal disorganization, a lack of coordination and disputes over the distribution of authority between the CRRPD offices in the Kurdistan Region and the CRRPD Headquarter in Baghdad have contributed to delays.⁵⁴

D. Human Rights

The unified KRG includes a Ministry of Human Rights (MoHR) seated in Erbil and headed by Yousif Mohammad Aziz of the PUK. It maintains Directorates in Dahuk, Erbil and Sulaymaniyah. The Erbil Human Rights Directorate has 45 staff. A number of NGOs operate in the field of human rights in Erbil Governorate. Despite the authorities' commitment to respect human rights, human rights violations continue to occur in the Governorate.⁵⁵

Press freedom: Officially, there is no censorship in the Governorate; however, most media outlets are controlled by the KDP.⁵⁶ Independent journalists and media organizations have repeatedly claimed that press freedom is restricted and that criticism of the ruling parties can lead to physical harassment, seizure of cameras and notebooks, arrest and legal prosecution

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- *Properties that were confiscated and seized for political, ethnic reasons or on the basis of religion or religious doctrine or any other events resulting from the policies of the previous regime of ethnic, sectarian and nationalist displacement.*
 - *Properties that were seized without consideration or appropriated with manifest injustice or in violation of the legal practices adopted for property acquisition. Exception is made to the properties that were seized pursuant to the law of agricultural reform, the cases of in kind compensation and appropriation for purposes of public use and which were actually utilized for public use.*
 - *The State real properties that were allocated to the factions of the previous regime without consideration or for a symbolic amount.*

⁵² The Office is located in Erbil City, Iskan Street, next to Kurdistan Airlines and Kurdistan Greenpeace.

⁵³ Information received from CRRPD office Erbil, September 2007.

⁵⁴ Information received by UNHCR, September 2007.

⁵⁵ See for example, UNAMI HRO, *March 2007 Human Rights Report*, see above footnote 31.

⁵⁶ See for example, The Economist, *Does independence beckon?*, 6 September 2007, http://www.economist.com/world/africa/displaystory.cfm?story_id=9769132; Worldpress.org, David Axe, *Propagandistan: Iraqi Kurdistan Is Free — but Its Media Sure Isn't*, 5 April 2006, <http://www.worldpress.org/Mideast/2308.cfm>.

on charges of defamation.⁵⁷ For example, in April 2007, Reporters Without Borders and the Kurdistan Journalists Union condemned the abduction of Nabaz Goran, a freelance contributor for several media outlets, in the City of Erbil. Reportedly, he was taken by five men in military uniforms, who drove him out of the city, beat him with clubs and hose-pipes and told him to “hold his tongue” before setting him free a few hours later.⁵⁸

Due process: Human rights organizations documented widespread and systematic mistreatment and violations of due process rights of detainees at prisons and detention facilities of the *Asayish*.⁵⁹ Many detainees are being held on suspicion of involvement in acts of terrorism or are said to be members or supporters of proscribed Islamist groups. According to Human Rights Watch (HRW), Kurdish security forces routinely subject detainees to torture and other mistreatment.⁶⁰

Death penalty: On 2 September 2006, the Kurdistan National Assembly repealed the CPA’s decision to suspend the death penalty. According to this decision, the final authority for confirmation of death sentences approved by the Kurdish Supreme Court rests with the Kurdish Executive.⁶¹ On 21 September 2006, 11 alleged members of the insurgency group Ansar Al-Islam were hanged in Erbil.⁶²

Women and girls:⁶³ Traditional attitudes continue to dominate in the Governorate of Erbil, in particular in rural areas, exposing women and girls to harmful traditional practices such as forced and/or early marriages, marriages between young women and much older men or giving a girl in marriage to another family as compensation for a killing.⁶⁴ Also female genital mutilation (FGM) has been reported in rural areas of Erbil Governorate.⁶⁵ Most recently, Kurdish Government officials and the KRG’s Women’s Commission have expressed their support for the campaign “Stop FGM in Kurdistan “ that is seeking to introduce legislation banning FGM.⁶⁶

⁵⁷ UNAMI HRO “noted several incidents of harassment, legal action and intimidation against journalists addressing issues of corruption and mismanagement of public services in the Region of Kurdistan”; see UNAMI HRO, *March 2007 Human Rights Report*, pp. 4, 11, see above footnote 31; for further information on the situation of journalists in the Kurdistan Region and possible grounds of persecution, please see UNHCR, *2007 Eligibility Guidelines*, pp. 115, see above footnote 43.

⁵⁸ Reporters Without Borders, *Journalist kidnapped and beaten by uniformed men in Erbil*, 4 April 2007, http://www.rsf.org/article.php3?id_article=21585.

⁵⁹ UNHCR, *2007 Eligibility Guidelines*, p. 107, see above footnote 43; on the *Asayish*, see also above Section I. C. 2. Security Forces.

⁶⁰ HRW, *Caught in the Whirlwind, Torture and Denial of Due Process by the Kurdistan Security Forces*, July 2007, <http://hrw.org/reports/2007/kurdistan0707/>; UNAMI HRO, *March 2007 Human Rights Report*, p. 22, see above footnote 31.

⁶¹ See UNAMI HRO, *Human Rights Report, 1 September – 31 October 2006*, p. 20, <http://www.uniraq.org/documents/HR%20Report%20Sep%20Oct%202006%20EN.pdf>.

⁶² Ibidem; Amnesty International, *Iraq: Amnesty International alarmed at rise in executions*, 25 September 2006, <http://web.amnesty.org/library/Index/ENGMDI140332006?open&of=ENG-IRQ>.

⁶³ For further information on the situation of women in the Region of Kurdistan and possible grounds of persecution, please see UNHCR, *2007 Eligibility Guidelines*, pp. 122, see above footnote 43.

⁶⁴ 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; UNHCR, *2005 Country of Origin Information Iraq*, p. 162, see above footnote 43.

⁶⁵ *WADI*, *Wadi News*, No. 3, January 2007, available (in German language) at: http://www.wadinet.at/Media/Wadinews/wadinews_03-2007.pdf.

⁶⁶ Ibidem, *Prospective law against female genital mutilation in Iraqi Kurdistan*, 2 July 2007, http://www.wadinet.de/news/dokus/press_june07-stopfgm_en.htm; see also Stop FGM in Kurdistan, <http://www.stopfgmkurdistan.org>.

“Honour killings”: Despite the fact that the Iraqi *Penal Code* (Law No. 111 of 1969, as amended in the area)⁶⁷ defines “honour killings” as murder, crimes of this type still take place and women who are, for example victims of sexual aggression, may be at risk of being killed by their family members in an attempt to preserve the family’s “honour”. Given the fact that “honour killings” are prohibited by law, families often try to conceal them as accidents, suicides or suicide attempts, and reportedly, most cases are investigated as such. Closely linked to the issue of “honour killings” is the trend of mostly young women committing suicide by self-immolation due to the strict social pressures of Kurdish society. The issue has recently been covered quite extensively by the Kurdish media.⁶⁸ According to a newspaper portal source, Awena, injuries and deaths by self-immolation and suspected “honour crimes” are increasing.⁶⁹ And Hawler Post, a twice-weekly paper issued in Erbil, relying on a source from the Erbil Health Department, reported in August 2007, that more than 20 women die of burns in Erbil Governorate every month, not including those women that die in their homes and are not registered in the forensic department.⁷⁰ According to the Emergency Management Centre in Erbil, 576 burns cases resulting in 358 deaths have been recorded in Erbil Governorate since 2003. Over half of these women had sustained between 70-100% degree burns, which appear to have been self inflicted. However, the absence of thorough investigations by the authorities meant that the available evidence remained inconclusive.⁷¹

Rape: According to an official at the Emergency Hospital in Erbil, the number of rape cases in Erbil Governorate has increased markedly in recent years. In 2003, 150 cases were recorded and in 2006 there were 596 cases. In the Kurdistan Region, allegations of rape are usually dealt with through mediation and reconciliation at the community level and only a few cases reach the courts.⁷² Article 398 of the Iraqi Penal Code also provides for the resolution of sexual offences through a marriage contract between the alleged offender and the victim.

In recognition of the problems faced by women, a women’s shelter has been established in April 2002 (*Khanzad Centre*) in Erbil City.⁷³ Recently, the Kurdistan Women’s Union (KWU) established a phone line called “*Hevi Phone*” (Phone of Hope) for women facing domestic violence. Depending on the case, the organization will liaise with the police, psychiatrists or lawyers.⁷⁴ There are several women’s rights organizations⁷⁵ active in the

⁶⁷ The unofficial English translation, as prepared by the US Armed Forces Judge Advocate General, is available online in UNHCR’s Refworld at <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=452514424>. For further information on Iraq’s Penal Law, see UNHCR, *2005 Country of Origin Information Iraq*, pp. 116-117, see above footnote 43.

⁶⁸ See for example, Kurdish Women's Rights Watch, Nazaneen Rashid, *Roundup of reports on honour-based violence in Kurdistan Region*, 10 July 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-10-07-2007&article=19241.

⁶⁹ UNAMI HRO, *March 2007 Human Rights Report*, p. 16, see above footnote 31.

⁷⁰ Hawler Post (in Kurdish), 12 August 2007.

⁷¹ UNAMI HRO, *March 2007 Human Rights Report*, p. 16, see above footnote 31; see also AFP, *Self-immolation: the dark secret of Iraqi Kurdish women*, 23 August 2007, <http://www.institutkurde.org/en/afp/?src=http://afp.institutkurde.org/AFP/english/topics/news/070823042456.xi.guypoak.xml>.

⁷² Ibidem, p. 17.

⁷³ More information on this centre can be found at WADI, *Assistance for women in distress in Iraq and Iraqi-Kurdistan*, <http://www.wadinet.de/projekte/newiraq/women/shelters.htm>; see also UNHCR, *2005 Country of Origin Information Iraq*, p. 39, see above footnote 43.

⁷⁴ The number is 0750 46 49 393 (Korek Mobile).

Governorate, but the conservative character of Kurdish society can limit their capacity.

Religious freedom: Christians and members of other religious minority groups can worship freely without interference by the Kurdish authorities⁷⁶ and many Christians have sought refuge in the Governorate since 2003. There are two churches in Erbil City, five churches in Ainkawa sub-District and other churches in other districts of the Governorate. Through the efforts of Evangelicals, which are increasingly active in Northern Iraq, a number of Kurdish Muslims have reportedly converted to Christianity. 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.⁷⁷

Economic and social rights: The ability of the government to address economic and social rights is still limited due to shortfalls in key public services such as water, fuel and electricity and a dire lack of adequate housing.⁷⁸

E. Freedom of Movement

Freedom of movement is generally uninhibited within Erbil Governorate and between neighbouring Governorates and there are no curfews in place across the Governorate. However, persons originating from outside the Kurdistan Region have to inform the authorities if they intend to change their location. Travellers are asked to show an identification document (e.g. Civil ID Card) as part of routine security checks. This can restrict the movement of returnees, who have not yet obtained new documentation. Also IDPs who have not regularized their stay in the Governorate may face problems passing checkpoints (see Section IV. B. *Internal Relocation*). Returnees who have not yet renewed their identity cards are required to obtain a letter from the local security office in their area before travelling outside the district, or between governorates. It has been reported that some women face restrictions on their freedom of movement by their families because of social customs/traditions.⁷⁹

On 28 April 2005, the Kurdish authorities celebrated the opening of Erbil International Airport. It is currently being expanded. The airport accommodates travel to and from Baghdad, neighbouring countries and a number of European countries. Currently, nearly 30,000 persons travel to and from Erbil every month.⁸⁰ Austrian Airlines, which has provided regular service between Vienna and Erbil since December 2006, suspended its service until further notice citing security concerns on 25 August 2007.⁸¹

⁷⁵ KWU is the largest women's organization in the Governorate. It is linked to the KDP and has more than 10,000 members in the Kurdistan Region; see KDP Iraq, *Kurdistan Women Union*, accessed 15 August 2007, <http://www.kdp.se/?do=women>.

⁷⁶ On the situation of Christians and Yazidis in the three Northern Governorates, see also UNHCR, *2007 Eligibility Guidelines*, pp. 65, 80, see above footnote 43.

⁷⁷ Ibidem, p. 66.

⁷⁸ See Section III. *Housing / Land / Employment / Infrastructure / Public Services*.

⁷⁹ Of 139 returnee households surveyed, almost 62% of women reported that their freedom of movement had enhanced since 2003, 28% reported no change and 10% said their freedom of movement had become more restricted since 2003; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

⁸⁰ Kurdish Globe, Ako Muhammed, *Erbil airport being expanded*, 3 August 2007, http://www.iraquupdates.com/p_articles.php/article/20222.

⁸¹ The decision was based partially on an incident earlier in August involving a Swedish aircraft that allegedly came under rocket fire as it took off from Sulaymaniyah Airport. Kurdish aviation officials denied that the

The authorities in the Governorate of Erbil have introduced restrictions on admission and stay of IDPs. For further information, please see Section IV. B. *Internal Relocation*.

III. HOUSING / LAND / EMPLOYMENT / INFRASTRUCTURE / PUBLIC SERVICES

A. Housing / Land

Housing remains a critical issue in the Kurdistan Region. A lack of rehabilitation⁸² and investment in the housing market and the escalation in rental prices has led to a shortage of affordable housing across the Governorate. The large influx of IDPs since February 2006 has further exacerbated the shortfall. Within the Governorate, people tend to move from rural to urban areas to seek employment and better access to services.⁸³

Rental prices have risen sharply across the Governorate since 2006. At the end of August 2007, the minimum rental price for a house⁸⁴ was US \$400-600 per month in urban areas, with prices varying from one quarter to another. Renting an apartment costs US \$200-300 per month.

The KRG is attempting to improve the housing situation of long-serving government employees and vulnerable residents by distributing land parcels. Some IDPs and returnees have also benefited from such assistance.

IDPs: IDPs have no right to purchase or own property in Erbil, but may rent property providing that they are registered in the Governorate. Most IDP families in Erbil Governorate live in rented accommodation. Monitoring indicated that 63% of IDP families surveyed reported living in a rented house, 28% with a host family and 9% in private homes. No post-Samarra IDPs reported living in public buildings.⁸⁵ However, a significant number of mainly pre-2003 IDPs are living in public buildings in the Governorate. UNHCR is aware of 322 IDP families living in various public buildings in Khebat town.⁸⁶ While there is currently no

Nordic Airways plane was targeted, but Sweden since has suspended commercial flights to the country; AP, *Austrian Airlines halts flights to Iraqi city of Erbil*, citing security concerns, 26 August 2007, <http://www.iht.com/articles/ap/2007/08/26/business/EU-FIN-Austrian-Airlines-Iraq.php>; AP/Sweden Radio, *Sweden suspends all flights to Iraqi Kurdistan*, 14 August 2007, <http://www.ekurd.net/mismas/articles/misc2007/8/kurdlocal403.htm>; AFP, *Iraqi Kurdistan: Sulaimaniyah airport international dismisses report of attack on Swedish airliner*, 11 August 2007, <http://www.ekurd.net/mismas/articles/misc2007/8/kurdlocal401.htm>.

⁸² In the 1980s, the former regime destroyed over 4,000 villages in the Kurdistan Region, including 1,205 out of 1,497 villages in Erbil Governorate. Since 1991, many destroyed villages were rebuilt by the KRG with the support of UN agencies and NGOs. According to the KRG, 405 villages in the Governorate of Erbil still need to be rehabilitated; see KRG, Ministry of Reconstruction and Development, accessed 14 August 2007, <http://old.krg.org/about/ministries/reconstruction/index.asp>.

⁸³ Swiss Refugee Council, *The socio-economic situation in the KRG administrated provinces Sulaimaniyah, Erbil and Dohuk*, 10 July 2007, http://www.osar.ch/2007/07/27/0707_irq_socioecosituation (hereafter "Swiss Refugee Council, 2007 KRG socio-economic situation").

⁸⁴ A house of approximately 100m².

⁸⁵ UNHCR, *IDP Monitoring 2007*, see above footnote 23.

⁸⁶ Including in Hanjirok kindergarten (20 families), primary school (17 families), former People's Army building (31 families), old court building (17 families), poultry farm (25 families), Mihwar building (13 families), Water and Electricity departments (7 families), Police centre (4 families), Secondary School of

housing crisis, high rents underlie many IDPs' housing concerns. Accordingly, many IDPs live in villages and towns, where rental prices are lower. As most families are experiencing difficulties finding jobs and are therefore living off savings, many will find it difficult to continue to afford housing as the time of their displacement lengthens. Those staying with host families may also be concerned about over-stay. Returns from Europe are further adding to the housing demand and increasing rents.

A temporary camp was set up in Al-Khazir⁸⁷ on 19 May 2007, hosting according to the KRG authorities a total 150 families, mostly Kurds who fled from Mosul.⁸⁸ Due to insufficient services and assistance, the camp was closed by September 2007. Most families reportedly relocated to Khebat Town while some joined other IDPs living in military barracks in Khazar.⁸⁹

Returnees: A high number of returnees surveyed (87%) in Erbil Governorate were not able to return to their place of origin, mainly due to a lack of housing and the destruction of villages.⁹⁰ Most returnees monitored live in rented accommodation (71%), their own house (13%) or with relatives (8%). Others live in camps, with host families, public buildings or on land they do not own.⁹¹ Generally, housing conditions were bad with 57% of surveyed households living in housing that had suffered moderate or severe damages and 4.6% living in destroyed housing.⁹² The majority also reported living in overcrowded conditions.⁹³ Housing was identified as a major concern for the majority of returnees monitored in the governorate.⁹⁴

B. Employment and Economy

Since March 2003, the economic situation in the three Northern Governorates has improved due to the relatively stable security situation and a foreigner-friendly investment law that was approved by the Kurdistan Assembly in July 2006 and aims at luring foreign capital to the region.⁹⁵ In particular bilateral trade with neighbouring Turkey has boomed in recent years. Annual bilateral trade was estimated at around US \$5 billion by April 2007 and Turkish contractors reportedly secured contracts worth US \$2 billion in northern Iraq. A total of 1,200 Turkish companies were estimated to be operating, employing around 14,000 Turkish

Agriculture (125 families), College of Agriculture (43 families) and Shokhan School for Girls (20 families). Data as of August 2007.

⁸⁷ Al-Khazir is part of Ninewa Governorate; however, the camp was under control of the KRG and run by the Mayor of Khebat Town (Governorate of Erbil).

⁸⁸ Cluster F, IDP Working Group, 16 August 2007; IRCs, *Camps for sheltering the Internally Displaced Population in Iraq*, 5 August 2007, p. 3.

⁸⁹ Information received from the Mayor of Khebat Town, September 2007.

⁹⁰ 488 of 560 households monitored; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

⁹¹ 556 returnee households surveyed; *ibidem*.

⁹² Of 413 households surveyed; *ibidem*.

⁹³ 27% of 141 households surveyed in 2006 reported living in "somewhat overcrowded" housing and 32% in "extremely crowded" housing. Monitoring revealed that an average of 7 persons live on an average of 63m²; *ibidem*.

⁹⁴ More than 88% of 539 households monitored listed "shelter" as their top priority; *ibidem*.

⁹⁵ KRG, *Kurds approve foreigner-friendly investment law*, 6 July 2006,

<http://www.krg.org/articles/detail.asp?rnr=24&lngnr=12&anr=12117&smap=>. Reportedly, more than 5,800 companies have been registered over the past few years in the Kurdistan Region, of which 1,900 are foreign; see IPS, Mohammed Salih, *Is Iraqi Kurdistan a Good Investment?*, 22 June 2007, <http://www.antiwar.com/ips/salih.php?articleid=11177>.

employees. However, due to increasing tensions with Turkey over the PKKs' presence in Iraq, Turkish companies are reportedly winding down their business operations in the Region.⁹⁶

The Governorate has seen a construction boom, in particular for huge infrastructure projects;⁹⁷ however, this has led to only limited creation of new jobs for the local population as the mostly foreign construction companies employ foreigners rather than Kurds.⁹⁸ Corruption, government control and bureaucracy restrict both foreign investment as well as private business initiatives.⁹⁹ In addition, electricity and fuel shortages further inhibit business development as construction costs become increasingly high.¹⁰⁰ The three Northern Governorates also lack a developed banking system and the economy is still largely based on cash.¹⁰¹

Inflation remains high,¹⁰² so does unemployment,¹⁰³ and deficiencies in the public sector are rampant.¹⁰⁴ Access to employment, in particular in the public sector, often requires tribal links or affiliation with the KDP.¹⁰⁵ The Unification Agreement has frozen public sector recruitment and resulted in some cuts, whilst increased demand from new IDPs for housing, services and jobs has increased living costs across the Governorate. In the public sector, employees are often inactive or under-employed due to a lack of training and human resources management.¹⁰⁶ Many jobs created by the authorities tend to be in the lower paid

⁹⁶ The Jamestown Foundation, Gareth Jenkins, *Political Tensions Hit Turkish Economic Ties With Northern Iraq*, 14 September 2007, http://www.jamestown.org/edm/article.php?article_id=2372423.

⁹⁷ See for example, The Economist, *Iraq's economy*, 4 April 2007, http://www.economist.com/daily/news/displaystory.cfm?story_id=8960605.

⁹⁸ Kurdish Globe, Ali S. Murad, *Kurdistan unemployment*, 6 September 2007, http://www.iraqupdates.com/p_articles.php/article/21455; Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 3, see above footnote 83; IPS, Mohammed Salih, *Is Iraqi Kurdistan a Good Investment?*, 22 June 2007, <http://www.antiwar.com/ips/salih.php?articleid=11177>.

⁹⁹ See above footnote 18.

¹⁰⁰ ENS/IWPR, Fazil Najeeb, *Zooming Fuel Costs Trouble Iraqi Kurdistan*, 30 January 2007, <http://www.ens-newswire.com/ens/jan2007/2007-01-30-02.asp>

¹⁰¹ The Economist, *Iraq's economy*, 4 April 2007, http://www.economist.com/daily/news/displaystory.cfm?story_id=8960605.

¹⁰² According to the International Monetary Fund (IMF), Iraq's inflation had jumped 65% by the end of 2006, mainly due to shortages of fuel and other key commodities. While the Iraqi Government brought down record inflation levels in the first half of 2007, prices continue to be 35 – 40% higher than they were a year ago; IWPR, Zanko Ahmed, *Kurds bemoan soaring costs of living*, Iraqi Crisis Report No. 227, 13 July 2007, http://iwpr.net/index.php?apc_state=hen&s=o&o=l=EN&p=icr&s=f&o=337118; see also Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 4, see above footnote 83.

¹⁰³ There are no official unemployment statistics. For unemployment estimates in the Kurdistan Region, see *ibidem*, p. 5.

¹⁰⁴ The New York Times, Kirk Semple, *Pointing to Stability, Kurds in Iraq Lure Investors*, 27 June 2007, <http://travel.nytimes.com/2007/06/27/world/middleeast/27kurds.html>; CFR, Lionel Beehner, *Economic Doldrums in Iraq*, 20 June 2007, http://www.cfr.org/publication/13629/economic_doldrums_in_iraq.html#7; ENS/IWPR, Fazil Najeeb, *Zooming Fuel Costs Trouble Iraqi Kurdistan*, 30 January 2007, <http://www.ens-newswire.com/ens/jan2007/2007-01-30-02.asp>; IRIN, *IRAQ: Kurdistan, low in violence but lacking services*, 18 January 2007, <http://www.irinnews.org/report.aspx?reportid=64504>.

¹⁰⁵ US Department of State, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices - 2006, Iraq*, <http://www.state.gov/g/drl/rls/hrrpt/2006/78853.htm>.

¹⁰⁶ The KRG estimates that up to a quarter of the four million people in the Kurdistan Region work for the Government, but salaries are as low as US \$75 per month; IWPR, Zanko Ahmed, *Kurds Bemoan Soaring Cost of Living*, Iraqi Crisis Report No. 227, 13 July 2007, http://www.iwpr.net/?p=icr&s=f&o=337118&apc_state=henh; see also Kurdish Globe, Ali S. Murad, *Kurdistan unemployment*, 6 September 2007, http://www.iraqupdates.com/p_articles.php/article/21455; Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 5, see above footnote 83.

manual sector which, rather than lowering unemployment, has had the effect of attracting an influx of labourers from other parts of Iraq, who are willing to work for lower salaries.¹⁰⁷ Erbil has also seen a rise in imported low-paid labour from Ethiopia, Bangladesh and the Philippines.¹⁰⁸ Reportedly, daily wages have fallen about 50% in the lower paid employment sector.¹⁰⁹ At the same time, the Governorate is benefiting from an influx of professionals such as professors and doctors.¹¹⁰

Erbil is also the commercial and administrative centre of the Kurdistan Region and has a growing tourist industry.¹¹¹ Attempts to re-invigorate rural livelihoods and rehabilitate the rural sector to its pre-1980 levels of productivity have yet to be accomplished, despite international efforts through investment in agricultural products.¹¹²

Women mostly work in the public sector, but for considerably lower wages than their male counterparts. In addition, traditional values continue to impede women's employment. In rural areas women are restricted from holding high positions by limited educational opportunities and traditional values. However, women still play a prominent role in the agricultural sector.^{113 114}

IDPs: Among the IDPs monitored in 2007, only 24% received their income through regular full-time employment. Most were either unemployed (30%) or held some casual employment (35%).¹¹⁵

Returnees: Returnees have, in principle, the same access to the employment market as the local population. However, UNHCR Returnee Monitoring in 2006 indicated that nearly half of all returnees surveyed did not have access to regular employment or a regular income.¹¹⁶ Securing employment for returnees often carries additional challenges including language barriers and difficulties accessing past employment referees abroad. Employment was listed as the third priority by returnees surveyed in the governorate.¹¹⁷

¹⁰⁷ VoA, Chris Padden, *Peaceful Kurdish Region Experiencing Growing Pain*, 22 August 2007, <http://voanews.com/english/2007-08-22-voa22.cfm>; Asharq Alawsat, Maad Fayyad, *A tale of two Iraqi cities*, 17 June 2006, <http://web.krg.org/articles/detail.asp?smap=&lngnr=12&rmr=77&anr=11773>; IWPR, *Arab Labourers Flock to Kurdistan*, Iraqi Crisis Report No. 172, 13 April 2006, http://iwpr.net/?p=icr&s=f&o=261036&apc_state=heniicr2006.

¹⁰⁸ Information received by UNHCR.

¹⁰⁹ Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 6, see above footnote 83. The report also provides an overview of average wages in different sectors.

¹¹⁰ Hawlati, *Arab Doctors Head for Kurdistan*, published and translated by Iraqi Press Monitor, No. 563, 8 November 2006, http://iwpr.net/?apc_state=henmicr&o=c-1-1162944000-2-1163030400-3-icr&o1=month-11_year-2006&month=11&year=2006.

¹¹¹ The Daily Star, Mirvat Ammouri, *Lebanese partners plan first plush hotel in Iraqi Kurdistan*, 4 September 2007, http://www.dailystar.com.lb/article.asp?edition_id=1&categ_id=3&article_id=85022.

¹¹² Agriculture and livestock were important sectors of the economy in Erbil Governorate before the destruction of many rural villages during the former regime's *Anfal* campaign in the 1980. Agricultural products include: wheat, barley, tobacco, vegetables and fruits (e.g. pomegranates, apples, apricots, pears, grapes and figs). According to the KRG's Minister of Planning, the percentage of Kurds in agriculture has dropped from some 60% to around 10% in the past generation; The Economist, *Does independence beckon?*, 6 September 2007, http://www.economist.com/world/africa/displaystory.cfm?story_id=9769132.

¹¹³ Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 7, see above footnote 83.

¹¹⁴ Ibid.

¹¹⁵ UNHCR, *IDP Monitoring 2007*, see above footnote 23.

¹¹⁶ 283 out of 552 returnee households reported a regular income (51%); UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

¹¹⁷ 59.9% of 539 returnee households; ibidem.

C. Infrastructure and Public Services

1. Food

IDPs: Persons originating from the Kurdistan Region can transfer their food ration registration to the Governorate of Erbil. Others, provided they have regularized their stay and hold a food ration card valid for 2007, can benefit from a mechanism to temporarily receive their food rations in Erbil Governorate while they remain registered in their place of origin.¹¹⁸ The process to receive a temporary food ration card lasts around one month, during which the IDPs will be without access to their food ration. To date, not all IDPs are aware of this mechanism, especially in rural areas, and UNHCR's PACs are working to inform and assist IDPs in registering for this mechanism. Also, travelling to Erbil City may involve costs that some IDPs in outlying areas may not be able to bear. Some IDPs have problems providing their original food ration card as they may not have brought it along or have lost it. Those holding PDS cards issued before 2007 must return to their place of origin in order to renew their cards before they can benefit from the temporary transfer of their food rations.

Monitoring of IDP families revealed that only 55% of the surveyed families were able to collect their food rations in Erbil Governorate.¹¹⁹

Returnees: UNHCR Returnee Monitoring in 2006 revealed that the majority of returnee households monitored said that they receive PDS rations.¹²⁰

2. Water

The Governorate of Erbil suffers from water shortages and supplies of potable water are irregular. Urban centres rely on municipal networks whilst rural areas rely on natural springs, shallow wells and rivers for their supplies. The availability of water in rural areas varies seasonally and most villages suffer water shortages during the hot summer months. Erbil City and outlying district towns also have water shortages. Many of the municipal water networks in Erbil Governorate are dilapidated and in need of maintenance. Irregular electricity supplies affect pumping and filtration stations and therefore further

¹¹⁸ The following is required to obtain food rations in Erbil Governorate: the head of household has to submit the following documents to the Department of Economy in the Governorate Office in Erbil City:

- copy of his/her ID card;
- copy of the 2006/2007 food ration card from the place of origin; and
- a letter from the *Mukhtar* (mayor of the neighbourhood or district), which has to be stamped by the Mayor of Erbil City.

After approval, the application will be sent to the Department of Food in the MoT. The applicant has to deliver the original 2006/2007 food ration card and will in return be issued a temporary food ration card. The temporary transfer of food rations does not involve any costs except for 2,000 ID to be paid to the *Mukhtar* for the issuance of the letter.

¹¹⁹ UNHCR, *IDP Monitoring 2007*, see above footnote 23.

¹²⁰ 98.6% of 141 households surveyed reported receiving their rations; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

exacerbate the problem of irregular water supplies. According to the KRG Ministry of Environment, 50% of Erbil's drinking water is not fit for household consumption.¹²¹

IDPs and returnees: The large majority of returnees and IDPs across the Governorate of Erbil are dependent on municipal piped networks for their water supplies¹²² and both groups face the same problems accessing potable water as the local population.

Returnee Monitoring in Erbil Governorate found that more than 90% of returnees have access to water.¹²³ Those that did not have access to drinking water reported that they did not receive sufficient water or the water source was more than 500m away from their places of residence. Returnees rely mostly on municipal water networks (94%), tankered water (74%), public wells (30%) and unprotected wells (4.5%).¹²⁴

3. Electricity

Power in Erbil is supplied mainly from the national grid and by two regional hydropower stations at Dokan and Darbandikhan. The stations generate 500 megawatts per day for the Governorates of Erbil and Sulaymaniyah and, until late June 2006, the national grid provided 200 megawatts for the region; however, country-wide power shortages have since reduced this amount by half.¹²⁵ District towns and nearby villages are usually served by the public electricity system, while remote villages have local generators as their main supply. A company called Mass Jordon is building a US \$390 million power plant outside the City of Erbil. This facility is expected to start producing electricity later this year. KRG Minister of Electricity, Hoshyar Siwaily expects that by 2009 the Kurdistan Region will produce enough energy to keep the lights on 24 hours a day.¹²⁶

Electricity supplies remain unstable in the Governorate of Erbil. Supplies fluctuate from month to month, and by the end of August 2007, the Governorate received five to seven hours of electricity on average daily. The lack of electricity has led to a number of public protests in 2006 and 2007.¹²⁷ To alleviate the problem, private generators are being used by 80% of the population to meet their electricity needs. The cost for both private and municipal generators is around 8,500 ID per Ampère in addition to 64,000 ID installation costs. The increasing price of fuel has led to reports that in some areas, families are spending up to half of their income on electricity.¹²⁸

¹²¹ Awena Newspaper (in Kurdish, translated by UNAMI), September 2007.

¹²² 100% of surveyed IDPs reported municipal water networks as their main source of water; UNHCR, *IDP Monitoring 2007*, see above footnote 23.

¹²³ 559 returnee households surveyed; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

¹²⁴ 137 returnee households surveyed; *ibidem*.

¹²⁵ Some 200 megawatts of electricity, supplied to the region from the national power grid, was cut in June 2006 due to insufficient production in other regions. IRIN, *IRAQ: Kurdish cities suffer from power shortage following redistribution*, 2 July 2006,

http://www.irinnews.org/report.asp?ReportID=54345&SelectRegion=Middle_East&SelectCountry=IRAQ.

¹²⁶ VoA, Brian Padden, *Iraq's Kurdish region struggles with power shortages*, 24 August 2007, http://www.iraqupdates.com/p_articles.php?refid=DH-S-27-08-2007&article=21051.

¹²⁷ See Section I. C. *Security and Public Order*.

¹²⁸ IRIN, *IRAQ: Kurds look to Iran for electricity needs*, 11 May 2006.

http://www.irinnews.org/report.asp?ReportID=53285&SelectRegion=Middle_East&SelectCountry=IRAQ.

IDPs and returnees: IDPs and returnees face the same issues as local residents in accessing electricity. IDP Monitoring in 2007 found that 100% had access to more than 4 hours of electricity.¹²⁹ The increasing costs of private generators necessary to supplement electricity shortfalls can often not be afforded by IDPs, who are either unemployed or on low-incomes. Returnee Monitoring in 2006 revealed that out of 131 households, 72.5% were found to have electricity for four or more hours per day. The remainder had 1-3 hours of electricity (26.7%) or no electricity (0.8%).¹³⁰

4. Fuel

The Governorate of Erbil faces shortages of all petroleum derivatives including gasoline, gas oil, kerosene and liquid gas, due to insecurity, sabotage and corruption, which limit the refining capacity across the country.

As part of the PDS, each family in Erbil Governorate is entitled to one gas cylinder per month, one 200 litre barrel of kerosene every six months and 20 litres of gasoline every 10 days. However, shortages have left the local authorities unable to provide the full allocated quotas.¹³¹ Gasoline is also rationed across the Governorate.¹³²

Shortages have led many families to rely on the black market to meet their fuel needs and black market prices have risen sharply. By the end of August 2007, one cylinder of gas¹³³ was available from the government for 3-4,000 ID; on the black market the same quantity cost around 25,000 ID. At the end of August 2007, the black market price for kerosene reached 170,000 ID for 200 litres and gasoline reached 1,150 ID on the black market, more than double the official price of 410 ID.

IDPs and returnees: IDPs and returnees face the same shortages as local residents in accessing fuel in the Governorate. Given their limited incomes and resources, many vulnerable families are unable to afford private or black market supplies.

5. Health

The KRG Ministry of Health (MoH) is responsible for health policy and strategy in the Kurdistan Region. In the Governorate of Erbil, the Directorate of Health is responsible for healthcare planning and management.

Health facilities: There are 15 public hospitals concentrated in Erbil City and hospitals are also available in eight other districts in addition to primary health centres (PHCs) in villages and sub-districts. Public health facilities hold medical consultations from 8.00 to 15.00 hrs. Outside of these hours, health care is provided by on-duty doctors in the emergency wards of the main hospitals and consultant clinics. The latter were opened

¹²⁹ UNHCR, *IDP Monitoring 2007*, see above footnote 23.

¹³⁰ 131 returnee households surveyed; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

¹³¹ Kerosene shortages have reduced allocation to one annual quota of 200 litres, instead of four.

¹³² Private cars can receive 30 litres gasoline every 10 days and taxis 40 litres every ten days. Land cruisers, buses, pick-ups and cargo vehicles no longer receive allocations. Information as of September 2007.

¹³³ One cylinder of gas is equivalent to approximately 26 litres.

recently in order to complement the public health facilities that are open only until the early afternoon. Consultant clinics are open from 16.00 to 19.00 hrs. In addition, there are four private hospitals, providing general medical services, as well as several private clinics and medical laboratories in Erbil City (see *Table 1*). The medical infrastructure in rural areas is very poor and insufficient medical coverage in those areas is one of the main reasons for overcrowding in the city's facilities.¹³⁴

Table 1: Health facilities in the Governorate of Erbil¹³⁵

Type of health facility	No.
Public hospitals	15
PHCs (including consultant clinics)	181
Private clinics	13
Private hospitals	4

There is a lack of specialists and medical training, and accordingly, those with financial resources prefer to travel abroad for major surgery or modern treatment.¹³⁶ In recent years, the Governorate benefited from the influx of medical specialists fleeing the insecurity in Southern and Central Iraq.¹³⁷

Drugs and equipment: In June 2007, the KRG Minister of Health issued an appeal saying that the security situation in other parts of Iraq, and in particular in Baghdad, was the cause for the lack of needed materials, equipment and pharmaceuticals. He added that the Kurdistan Region's 48 hospitals and 672 PHCs lack the basic medicines and medical supplies needed to treat wounds or provide basic care.¹³⁸ Erbil Governorate similarly suffers from a shortage of both medicines and equipment, largely due to poor management and the ongoing security situation, which hampers distribution.¹³⁹ Drugs are supplied to public hospitals and clinics by the Central Drug Distribution Network in Baghdad. Fair distribution across the Governorates of Iraq has been hindered by poor management and the security situation, leaving Erbil Governorate with an inadequate supply. In addition, Central Government allocations have not taken into consideration the IDP influx since 2006, which has increased the shortfalls.¹⁴⁰ Some medicines are purchased locally by the MoH, but this system also suffers from delays and a shortfall in items. There are also donations from NGOs. Reportedly, several diseases such as brain, lung or pancreas cancer and diseases that require laser surgery cannot be treated in the

¹³⁴ According to the Iraq Living Conditions Survey (ILCS) of 2005, more than 20% percent of rural households in the Governorate of Erbil lack access to health centres, more than 50% of rural households cannot reach pharmacies within 30 minutes and more than 70% do not have access to a public hospital in less than 30 minutes; see MoPDC/UNDP, *2005 Iraq Living Conditions Survey*, pp. 38-39, see above footnote 1; see also Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 13, see above footnote 83.

¹³⁵ Information received from the General Directorate of Health in Erbil on 13 September 2007.

¹³⁶ Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 10, see above footnote 83; IRIN, *IRAQ: Kurdistan government appeals for medical supplies*, 1 July 2007, <http://www.irinnews.org/Report.aspx?ReportId=73018>.

¹³⁷ Swiss Refugee Council, *2007 KRG socio-economic situation*, p. 13, see above footnote 83.

¹³⁸ IRIN, *IRAQ: Kurdistan government appeals for medical supplies*, 1 July 2007, <http://www.irinnews.org/Report.aspx?ReportId=73018>.

¹³⁹ Ibid.

¹⁴⁰ Health officials in the Kurdistan Region reported that they lack anti-retroviral drugs and the necessary equipment for testing for HIV; see IRIN, *Iraq: Shortage of anti-retroviral drugs in Kurdistan*, 12 December 2006, <http://www.irinnews.org/report.aspx?reportid=62435>.

three Northern Governorates;¹⁴¹ however, according to recent information, laser eye surgery is available.¹⁴² Health officials also reported that they lack anti-retroviral drugs and the necessary equipment for testing for HIV.¹⁴³

In September 2007, six cholera cases were reported in Erbil Governorate after cholera had spread in Sulaymaniyah and Kirkuk Governorates since 10 August. According to the KRG Minister of Health, the patients contracted the disease while on a visit in Sulaymaniyah.¹⁴⁴ According to WHO Situation Report No. 28, there were 188 cholera cases confirmed by 17 October 2007.

Costs: Emergency medical care and health services in public health facilities are free except for an examination fee of 500 ID. There is generally no charge for medication, but due to shortages and a lack of availability of some medicines for chronic diseases such as blood hypertension, diabetes, heart disease and thyroid, many patients have to rely on private pharmacies or the black market where prices are high. In consultant clinics the examination fee is 2,000 ID. Nominal charges for health consultations and prescriptions are often beyond the means of poor families. Medical treatment in privately owned hospitals and health centres, where the quality of services is much higher than in public hospitals, are expensive. Although the MoH has fixed prices for private consultations,¹⁴⁵ the law is generally not adhered to and prices charged are often beyond the means of poor patients.¹⁴⁶

Mental health: Psychiatric services are limited and reportedly insufficient in view of increasing numbers of persons in need of mental treatment.¹⁴⁷ The following mental health facilities operate in Erbil Governorate:

- Psychotherapy centre in Erbil City;
- Department of Psychiatry in the Erbil Teaching Hospital;
- Reception ward for trauma cases in the Emergency Hospital in Erbil City;
- Psychiatric hospital in Banslaw. It also provides specialist training programme in collaboration with the Medical School of Erbil University.¹⁴⁸

Services in these facilities are basic and involve only physical treatment (pharmacotherapy and electroconvulsive therapy ECT). There are only five specialists and eight board students about to complete psychiatric studies in the coming years. Reportedly, the KRG is sending graduated doctors for training abroad to build better mental health services.¹⁴⁹ Two international¹⁵⁰ and one local NGO¹⁵¹ also provide mental

¹⁴¹ Swiss Refugee Council, 2007 *KRG socio-economic situation*, p. 15, see above footnote 83.

¹⁴² Information received by UNHCR, September 2007.

¹⁴³ IRIN, *Iraq: Shortage of anti-retroviral drugs in Kurdistan*, 12 December 2006, <http://www.irinnews.org/report.aspx?reportid=62435>.

¹⁴⁴ DPA, *Cholera reported in Kurdish capital, operation room set up*, 8 September 2007, <http://www.reliefweb.int/rw/RWB.NSF/db900SID/SODA-76W3FN?OpenDocument>; VOI, *First Cholera cases detected in Arbil*, 7 September 2007, http://www.iraquupdates.com/p_articles.php/article/21506.

¹⁴⁵ The official costs are 15,000 ID for members of the Medical Board, 10,000 ID for doctors holding a master degree and 5,000 ID for general physicians.

¹⁴⁶ Swiss Refugee Council, 2007 *KRG socio-economic situation*, pp. 13-14, see above footnote 83.

¹⁴⁷ Experts believe that in urban areas mental illness is on the rise, blaming increasing violence among the youth and the deterioration in living conditions; *ibidem*, p. 16.

¹⁴⁸ *Ibid.*

¹⁴⁹ *Ibid.*

¹⁵⁰ The American NGO Heartland Alliance runs an Institute for child psychiatry and the Swedish humanitarian organization Diakonia offers mental treatment for traumatized children in Erbil. In 2002, Diakonia opened in

treatment for children. There are only very few psychologists and no possibility of treatment for post-traumatic stress disorder in the Governorate.¹⁵²

IDPs and returnees: IDPs and returnees in principle have access to health facilities on par with the general population. Monitoring of 400 IDP families in the Governorate revealed that all IDPs surveyed reported having access to healthcare services, but visits from health workers were few.¹⁵³ Returnee Monitoring in 2006 revealed that most returnees had access to health care and their mostly needed drugs.¹⁵⁴ But visits from health workers and participation in vaccination campaigns were low.¹⁵⁵

6. Education

According to Unification Agreement, the responsibility of the education system is shared between the PUK, which heads the Ministry of Education (MoE) and the KDP, which is overseeing Higher Education.¹⁵⁶

As a consequence of wars, sanctions and limited investment and rehabilitation, school infrastructure in Erbil Governorate remains poor and many schools are in urgent need of renovation and repair.¹⁵⁷

The Governorate of Erbil has 1,152 primary schools, 119 intermediate and 194 secondary schools and a number of colleges located in the City of Erbil. There are three public Universities, including Salahaddin University¹⁵⁸ and the University of Kurdistan Hawler,¹⁵⁹ both located in Erbil City as well as the University of Koya.¹⁶⁰ Education at all levels, including University, is free of charge with the exception of private institutions.¹⁶¹ Access to higher education and the granting of academic titles are controlled by the KDP

Erbil and Dahuk *Psychosocial Education, Treatment and Consulting Centres* (PSTEC), which provide treatments to children with behavioral abnormalities and psychological illnesses in addition to social education for their families. It is also involved in the running of training courses on psycho-social education for different sectors of the population; *ibidem*, p. 16.

¹⁵¹ *Kurdistan Save the Children* offers psycho-social support to children; *ibidem*.

¹⁵² *Ibid.*

¹⁵³ Only 30% of families surveyed were visited by a health worker; UNHCR, *IDP Monitoring 2007*, see above footnote 23.

¹⁵⁴ 99.3% of 138 returnee households surveyed reported having access to a PHC in their village and to the most needed drugs; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

¹⁵⁵ 95% of 138 returnee households surveyed were never visited by a health worker and only 4.3% were included in vaccination campaigns; *ibidem*.

¹⁵⁶ KRG, *2006 Unification Agreement*, see above footnote 11.

¹⁵⁷ The School Survey 2003-2004 in Iraq revealed that in the Governorate of Erbil there are no primary and secondary schools that escaped damage; Ministry of Education/UNICEF, *School Survey 2003-2004 in Iraq*, October 2004, p. 57, <http://www.unicef.org/files/school-survey-vol1-eng.pdf>.

¹⁵⁸ See <http://www.usalah.org/>.

¹⁵⁹ See <http://www.ukh.ac/>.

¹⁶⁰ See <http://koyauniversity.org/>. For more information on higher education in the Kurdistan Region, see KRG, Zvika Krieger, *Oasis in Iraq: Universities flourish in Kurdistan*, 23 August 2007, http://www.iraquupdates.com/p_articles.php?refid=DH-S-23-08-2007&article=20980.

¹⁶¹ In Erbil, Bala, primary school charges US \$500 per year, Shweifaf primary school US \$3,000 per year, Mediya primary school US \$1,000 per year and Ishiq (primary and secondary) about US \$1,600 per year. There is a plan to open two new private universities, Jihan and Imerald.

and may therefore depend on party affiliation rather than academic qualifications. This has also affected the academic standards at the institutions.¹⁶²

The *Multiple Indicator Cluster Survey* (MICS) survey revealed that primary school attendance rate was 88.2% in the KRG during 2005.¹⁶³ For the academic year 2005-2006, 234,726 children were attending primary school, 38,703 children intermediate school and 1,535 children secondary schools in the Governorate. There is a significant shortfall of both classrooms and teachers at secondary level in Erbil with only eight schools and 88 teachers available for 1,535 students.¹⁶⁴ As a result of the shortage of school buildings and teaching staff, the majority of schools in Erbil Governorate are operating on a shift system.¹⁶⁵ The influx of IDPs since 2006, of which approximately 42.9% are children,¹⁶⁶ has placed additional pressure on already limited educational facilities.¹⁶⁷

IDPs and returnees: IDPs and returnees in principle have access to education on par with the general population. However, these groups face additional obstacles in accessing education.

The majority of returnee children have access to education.¹⁶⁸ The main reasons for not attending are lack of appropriate documentation to register, the need to work and curriculum language (Kurdish). Some children were not in possession of the necessary academic certification needed to place them in the correct level. Some children were found to be illiterate.¹⁶⁹ Returnee children from Europe and other Western countries may face problems reintegrating when used to a Western schooling system. This is particularly true for girls that may not easily integrate into a traditional and conservative society.¹⁷⁰

The influx in IDPs has resulted in some schools refusing to accept new pupils due to overcrowding and a lack of teaching staff. In addition, language barriers may further hamper IDP students' school attendance as there are currently only three schools providing classes in Arabic. These schools are concentrated in urban areas while most Arabic speaking IDP children living in semi-rural and rural areas. A lack of documentation also prevents some IDPs from accessing schools and children often lack grade equivalency papers and are placed in grades several years below their same-age peers; others face difficulties in registering for final exams.

¹⁶² Swiss Refugee Council, 2007 *KRG socio-economic situation*, p. 20, see above footnote 83; IWPR, *Students Abuse University Admissions Scheme*, Iraqi Crisis Report No. 205, 9 December 2006, http://www.iwpr.net/?p=icr&s=f&o=326017&pc_state=heniicr2006.

¹⁶³ This figure is slightly higher than in other parts of Iraq, where school attendance stood at 83.1%; UNICEF, *Multiple Indicator Cluster Survey (MICS) 2006, Preliminary Report*, March 2007.

¹⁶⁴ Information provided by the Directorate of Education in Erbil via UNICEF, March 2007.

¹⁶⁵ Shifts are split between morning and afternoon sessions; in some districts, evening classes constitute a third shift.

¹⁶⁶ IRCS, *Figures of Internally Displaced Persons*, Update 26, 16 September 2007.

¹⁶⁷ In the last academic year, schools in Erbil, Sulaymaniyah and Dahuk Governorates had absorbed a total of 11,154 IDP children.

¹⁶⁸ 96% of 88 returnee households surveyed; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.

¹⁶⁹ 6.7% of 287 households surveyed with children 5-17; *ibidem*.

¹⁷⁰ Swiss Refugee Council, 2007 *KRG socio-economic situation*, p. 21, see above footnote 83.

7. Social Welfare

The Directorate of Social Care has branches in all districts and works in coordination with the Ministry of Health to provide social benefits and social care to vulnerable groups, including elderly, widows, the deaf, mute and blind and persons with mental or physical disabilities. The Directorate of Social Care offers 30,000 ID as a regular monthly benefit to households that fit MoLSA's criteria and whose applications are accepted. Criteria should be checked with the Directorate of Social Care in Erbil. However, due to a lack of funding, not all persons in need receive social welfare and access may at times depend on political/personal links rather than actual needs.¹⁷¹

The Directorate of Social Care is responsible for the provision of special needs facilities. In Erbil Governorate there are four residential institutions and two day centres.¹⁷² In addition an Office for the Blind, with branches in Erbil City and Soran District, issues a 30,000 ID monthly benefit payment to the blind above the age of 13.

IV. REPATRIATION - RELOCATION MOVEMENTS

A. Voluntary Repatriation and Return¹⁷³

There are the following means of voluntary repatriation to Erbil Governorate for returnees from abroad:

1. **Spontaneous Repatriation (without UNHCR facilitation):** Refugees returning spontaneously to Iraq without assistance should apply to the Iraqi Embassy in their country of departure to ensure that they have the documentation needed to cross the border. Documentation should be presented to the Kurdish Border Authorities to be stamped on entry to Iraq. A number of European countries provide limited return and reintegration assistance for Iraqis wishing to return to Iraq. Persons interested should check with the concerned authorities of their host country.
2. **Voluntary Repatriation Procedures (with UNHCR facilitation):** Refugees interested in returning to Iraq voluntarily should register their interest with UNHCR offices in their host country. Assisted voluntary return convoys, after being cleared by the KRG MoI, are operated from Iran to Erbil through the Haji Omaran border crossing in Erbil Governorate.

B. Internal Relocation¹⁷⁴

Admission: Persons not originating from the three Northern Governorates need to have a

¹⁷¹ Information received by UNHCR.

¹⁷² Residential institutions include Ronaki Institution for the blind, Hewa Institution for the deaf, Awat Institution for children with learning disabilities and Hana Institution, which conducts training for income generation for the disabled.

¹⁷³ For an overview of UNHCR's position regarding returns to the three Northern Governorates, see UNHCR, *2006 Return Advisory*, see above footnote 12.

¹⁷⁴ For a full overview of issues related to Internal Flight or Relocation Alternatives in the three Northern Governorates, please see UNHCR, *2007 Eligibility Guidelines*, pp. 159, see above footnote 43.

sponsor in order to be admitted to the Governorate of Erbil.¹⁷⁵ This requirement may prove difficult for persons not originating from the Governorate.¹⁷⁶ The sponsor has to present him/herself at the entry checkpoint and provide his or her ID card, phone number and address. The IDP has to fill out a card at the entry checkpoint and will be allowed to enter the Region. Persons that do not have a sponsor will be denied entry into the Governorate.

Stay: Persons not originating from the three Northern Governorates further need to have a sponsor to legalize their stay. The sponsor should accompany the IDP to the Residency Section in the Security Department. He/she will have to undergo a security screening investigating the reasons for relocation. In order to be allowed to remain, the person must establish either political links to the region or that he/she has fled violence or persecution; otherwise he/she will not be allowed to remain in the Governorate.¹⁷⁷ Provided a person has a sponsor and has established a reason allowing him/her to remain, he/she will be issued a quasi-residency permit (*karta manawi*). The *karta manawi* is valid for three (IDPs) or two months (company employees), respectively, after which it needs to be extended at the Residency Section. If the *karta manawi* is not extended, the person is required to leave the Governorate. Persons without a sponsor will generally not be able to obtain a quasi-residency permit. In rare cases, an exception is made but the person would then remain under security surveillance.

IDPs allowed to remain in Erbil Governorate must report to the Residency Section or the nearest security office in case they wish to move or return permanently or for a visit to their place of origin.

V. ASSISTANCE UPON ARRIVAL

Several organizations are active in the Governorate of Erbil and provide humanitarian assistance to IDPs and returnees, including several international agencies, international and Iraqi NGOs.

IDPs: The authorities in Erbil do not generally provide financial support to IDPs. However, financial assistance is provided by the Ministry of Finance to Christian families¹⁷⁸ and individual mayor's offices have given basic assistance in some areas. IRCS also distributes assistance to new arrivals including flour, blankets and household items.

Monitoring revealed that only 13% of IDPs surveyed received humanitarian assistance since their arrival in Erbil Governorate. The main source of aid in Erbil Governorate came from religious institutions, which provided 88% of overall assistance.¹⁷⁹

¹⁷⁵ The sponsor could either be a civil employee or a company. The responsibility of the sponsor is to inform authorities that he/she knows the IDP and, in case of security-related incidents, the sponsor will be questioned.

¹⁷⁶ Those Christian and Arab IDPs that manage to have a sponsor usually have previous links to the Governorate, e.g. family or business relations, or manage to find a sponsor based on their economic or professional profile (they may find a company to sponsor them, due to their profession, otherwise be encouraged to work in the Governorate, e.g. doctors or engineers).

¹⁷⁷ UNHCR is not aware if persons have actually been removed from the Governorate.

¹⁷⁸ Christian IDPs in the Governorate of Erbil, who originate from the Kurdistan Region, currently receive a monthly allowance of US \$100 by the Ministry of Finance headed by Sarkis Aghajan.

¹⁷⁹ 75% of humanitarian assistance came from the church and 13% came from other religious groups, 17 from IRCS and 2% from the KRG; UNHCR, *IDP Monitoring 2007*, see above footnote 23.

Returnees: About 39% of returnees monitored in the governorate received some assistance upon return.¹⁸⁰

¹⁸⁰ Of 418 returnee households monitored; UNHCR, *Returnee Monitoring 2006*, see above footnote 8.